



Code: QA232
Title: Fitness to Practice Policy
Date: 1st October 2015
Approval: Academic Council

1.0 Purpose

The University is responsible, in the delivery of its professional and accredited programmes which involve direct assessed practice with service users/client groups, to ensure that student's are deemed to be fit for practice. It also has a responsibility, as far as is possible in its provision of professional and practice based training, to have policies that seek to ensure the protection and safety of vulnerable adults and children. The main purpose of this policy is to ensure protection of public interest, client safety and placement providers. Students who are enrolled in professionally accredited programmes; programmes due to be accredited and/or programmes with clinical/placement element are expected to adhere to the professional code of conduct of the registering body and other applicable codes deemed appropriate to the discipline. They are also expected to be healthy of body and mind so as to be able to practice competently in their profession. A referral to the Fitness to Practice Panel (FPP) will be made as a last resort when all other reasonable efforts have been made to support the student and/or address the concern about practice. This will include full consideration of other mechanisms in place within the university and/or the relevant placement site with the intention to minimise duplication where possible. Where possible and appropriate, the university will endeavour to offer student's an alternative route and/or assist them in transferring credits earned.

2.0 Description

2.1 Scope of the policy

All programmes involving education and training in health care, social care that require a clinical placement and other programmes as relevant will be covered by this policy. This would include all professionals that already have, or will soon have, external regulation /registration and/or a clinically focused placement. For NUI Galway, these include: Allied health care, Clinical Psychology, Medicine, Nursing, Midwifery, Occupational Therapy, Podiatry, Social Care, Social Work, Speech and Language Therapy, Applied Behaviour Analysts and Health Promotion.

2.2 Procedure

(a) Informal: Where possible, the concerns regarding fitness to practice must be addressed via the normal support and pastoral provision of the programme and the university. Each School is required to have its own mechanisms for addressing such concerns (sample school referral procedures are provided in Appendix 2). Normally, students should be kept informed of the processes being followed.

(b) Procedural Check: Before proceeding to a referral to the university FPP, full consideration must be given, and recorded, as to whether other procedures within the university or organizations offering a student placement are deemed more appropriate to invoke. Where relevant, the FPP of the relevant regulatory body for the profession or organisation must also be taken account of. The general principle must be to seek to avoid, where possible, duplication of procedure and subjection of the student to multiple processes.

(c) Formal: A decision to make a formal referral to the University FPP will be made where it is deemed that all efforts have been made to address the fitness to practice concern informally and formally via School and/or university support mechanisms. Normally, the relevant programme director will make the referral to the Head of School. Referrals must indicate clearly that the Fitness to Practice route is deemed to be the most appropriate process. Referrals must be made in writing via the Head of School or a designated authority. Supporting documentation outlining the outcome of the informal process and/or decision to refer must be provided. Normally, the student should be kept informed of the processes being followed.

2.3 Fitness to Practice Panel

Academic Council shall nominate for a period of four years a panel of twelve people, ensuring that amongst the membership of the panel there is gender balance and that there are sufficient members capable of conducting a case through the medium of the Irish language. The Registrar & Deputy President shall make nominations from this panel to the FPP these nominees will normally hold office for four years.

The Panel shall be constituted as follows:

- Chairperson, appointed by the President or Designated Authority
- Secretary to the Committee, appointed by the Chairperson. .
- Three members selected by the Registrar & Deputy President from the panel nominated by the Academic Council.

The Panel may also include:

- External Organizational Representative(s) recommended by the Panel Members and approved by the Registrar and Deputy President
- Service User /Patient Representative(s) recommended by the Panel Members and approved by the Registrar and Deputy President

The panel are responsible for

Reviewing the case including the outcome of the informal process

Determining the appropriate outcome

Communicating the outcome within 10 working days to the student and appropriate Head of School

/Dean

2.4 Relationship between Fitness to Practice and Other Codes/Policies/Procedures

This policy will sit alongside policies relating to Conduct, Disability, Academic Offences, Student Health and others deemed relevant. Consideration of referral to such policies will be addressed as per Section 2.2(b). Each of these policies will have the option of referral to FPP if deemed appropriate.

Specific areas under which a fitness to practice concern can be identified

- (a) Serious level(s) of unprofessional conduct
- (b) Health/Impairment/Disability: whereby despite supports provided, the individual, through no fault of their own, cannot fulfil the practical/professional requirements of the professional role in a safe manner.
- (c) Academic Offences: which are such that they call into question fitness for practice.

2.5 Possible Outcomes

- (a) No case to Answer; the student is permitted to progress.
- (b) Fitness to Practice is impaired and the student cannot progress without meeting conditions set by the panel. These may include a requirement to attend a specialist service or to engage in additional remedial learning as specified by the Programme. In such cases, the student will be suspended with conditions.
- (c) Fitness to Practice is impaired and student cannot proceed with the programme. In such cases, the student will be required to leave the programme. Where possible and deemed appropriate, academic credits will be transferred to another programme in the university

2.6 Appeals Processes

An appeal may be made to the Chair of the Appeals Board, through the Secretary of the Appeal Board, within two weeks from the date of issue of the decision of the FPP (see Appendix 1).

2.7 Review of Policy

The policy should be reviewed after its first year and from thereon in, no less than every 5 years.

3.0 Responsibilities

Name	Responsibility
Registrar	Policy Owner
President/Designated Authority	Nominate Chair of Fitness to Practice Panel
Registrar/Deputy President	Nominate Panel Members
Head of School	Ensure the referral to Fitness to Practice is appropriate and that all other avenues to address the matter have been considered
Programme Boards	To ensure that there are clear procedures in place within each Programme (or a School policy in instances where a number of Programmes are included) to address concerns about matters relating to Fitness to Practice and make decision about referral to Fitness to Practice Panel. These must be clearly communicated to students in the course handbooks
Fitness to Practice Panel	To ensure appropriate representation from external representatives as deemed appropriate for the case.

4.0 Related Documents

4.1 Appendix 1: Appeals Procedure

The Appeal Board shall be constituted as follows:

- Chairman, appointed by the President.
- Two members selected by the Registrar & Deputy President from the panel nominated by the Academic Council

- An external member of Údarás na hOllscoile, appointed by the President.

In the event that the Chairman of either the FTP Panel or the Appeals Board is not capable of conducting a case through the medium of the Irish Language, the President shall appoint a Chairman for the purposes of hearing a specific case through the medium of Irish. If the Chairman of the FPP or the Appeal Board is found to be implicated in any aspect of the case under review, a Chairman shall be nominated ad hoc by the President from among the members of the Academic Council.

In the event that an Academic Council nominee of either the FPP or the Appeals Board is not capable of conducting a case through the medium of the Irish Language, the Registrar & Deputy President shall appoint a member of the panel nominated by Academic Council for the purposes of hearing a specific case through the medium of Irish.

Membership of the FPP and the Appeal Board shall be mutually exclusive. Nominated or appointed members of the FPP and Appeal Board shall hold office for four years or for the remainder of the term of the panel in the event that someone is appointed to the panel as a replacement.

The appellant shall submit to the Secretary of the Appeal Board, in writing, the grounds for appeal. The date of issue of the said decision shall be the date on which the decision is posted to the student's address as appears on the University's register of students, or the date on which the said decision is handed to the student.

An appeal against the penalty imposed may be made on the grounds of extenuating circumstances.

An appellant shall be entitled, if he/she so requests it, to make additional verbal representations before the Appeal Board.

A copy of the appellant's grounds of appeal including the appellant's submission, if any, shall be provided to the Appeal Board along with a copy of the relevant record of the FPP.

The appellant and the original complainant(s) may make oral submissions to the Appeal Board.

Where in the opinion of the Appeal Board the requirements of justice so dictate, the Panel may consider evidence which was not tendered at the hearing before the Panel Hearing but provided always that the intention to adduce such fresh evidence has been notified to the students(s) or to the original complainant(s) as the case may be, in time sufficient to enable the students(s) or the complainant(s) to consider properly the fresh evidence and to deal with it adequately at the hearing of the appeal.

The Appeal Board may:

- allow the appeal;
- decrease or increase the penalty, or vary the nature of the penalty;
- reject the appeal.

The determination of the Appeal Board shall be given in writing to the student(s) and copied to the relevant Dean of College and/or University Officers as deemed appropriate by the Appeal Board. The finding of the Appeal Board shall be final.

A properly convened meeting of the Appeal Board may proceed to a finding notwithstanding the absence of any member(s).

4.2 Appendix 2: Sample School Referral Procedures



SCHOOL OF POLITICAL SCIENCE & SOCIOLOGY M.A. SOCIAL WORK

Fitness to Practice Panel (FPP)

1. Introduction:

The university is responsible, in the delivery of its professional and accredited programmes which involve direct assessed practice with service users/client groups, to ensure that student's are deemed to be fit for practice. It also has a responsibility, as far as is possible in its provision of professional and practice based training, to have policies that seek to ensure the protection and safety of vulnerable adults and children. The main purpose of Fitness to Practice policies are to ensure protection of public interest, client safety and placement providers. Students who are enrolled in professionally accredited programmes; programmes due to be accredited and/or programmes with clinical/placement element are expected to adhere to the professional code of conduct of the registering body and other applicable codes deemed appropriate to the discipline. They are also expected to be healthy of body and mind so as to be able to practice competently in their profession.

Process of Referral to Programme fitness to Practice Panel

A referral to the Programme Fitness to Practice Panel (FPP) will be made as a last resort when all other reasonable efforts have been made to support the student and/or address the concern about practice. The process of referral will come through the MA SW Course Director in consultation with relevant staff members. It will then go forward to informing the Head of the School of Political Science and Sociology.

Purpose of the Programme FPP:

The Programme and University FPP is constituted to ensure 'fitness to practice' in student education in fieldwork.

The Programme Fitness to Practice panel is convened when a concern about a student's fitness to practice is raised by a practice teacher or by the Practice Assessment Panel.

The purpose of the panel is to assess whether the matter referred constitutes a Fitness to Practice concern that warrants referral to the University Fitness to Practice Panel.

The Programme Panel does not make decisions about actions relating to Fitness to Practice; it is explicitly in place **to determine if there is a case of Fitness to Practice to answer which must be referred to the University Panel.**

Constitution of the Programme FPP:

The Programme FPP will:

- Will have a membership of academic and agency practitioners who will serve for a period of 3 years.
- Be chaired by the Programme Director.
- Be convened when concerns about a student's fitness to practice arises during a supervised placement or at some other point during the taught programme

Decisions in respect of placement outcomes relating to 'fitness to practice' will be based on the following:

- Sample of a selection of the student's work
- Knowledge of the measures taken to ensure that all students are supported on placement
- Any additional information/material relating to concerns
- Where appropriate, assessment of the student's ability to demonstrate evidence of competent practice and learning in terms of social work values, principles and ethics in accordance with CORU standards

The FTP can avail itself of information derived from the following sources where applicable to facilitate a fair review:

- Additional evidence of work undertaken during the practice placement
- Copies of the minutes of the tripartite meetings
- An interview with practice teacher/s
- An interview with the student concerned
- An interview with the Tutor
- An interview with the Practice Learning Co-ordinator
- An interview with the Director of Social Work
- An interview with the examiner of the PER.
- Reports from previous placements (where viewed as necessary)

Decisions of the FPP

The FPP can make the following decisions:

- That the matter arising can be dealt with through the normal processes for assessment and progression on the Programme
- That the matter arising is of sufficient concern that it merits consideration under the Fitness to Practice Panel of the University

Involvement of the Student

- Except in exceptional circumstances the student will be invited to meet with the Panel to discuss the matters arising
- The student will be permitted to bring a support person to the meeting.
- The student will be invited to submit a report to the panel
- The student will be kept informed of the processes being followed

May 2014.

School of Health Sciences

Fitness to Practice Policy

August 2014

The School of Health Sciences is constituted of four disciplines: Occupational Therapy, Podiatry, Speech and Language Therapy and Health Promotion. Each discipline offers a four-year undergraduate programme preparing students for professional practice as Occupational Therapists, Podiatrists, Speech and Language Therapists and Social Care Workers. The discipline of Health Promotion also offers an MA/Post Graduate Diploma in Health Promotion, preparing graduates to practice as Health Promotion specialists.

Fitness to Practice policies are to ensure protection of public interest, client safety and placement providers. Students who are enrolled in these programmes are expected to adhere to the professional code of conduct of the registering body and other codes deemed appropriate to the discipline. This includes professional misconduct and sub-standard performance.

All programmes are committed to ensuring that students are deemed to be fit for practice in their professional career, not just while on placement. Full time programmes all include a directly assessed clinical or practice element with patients, service users or other client groups.

Discipline level Procedures

Procedures are in place at the level of the discipline to prepare students for practice and to monitor fitness to practice issues.

Each programme has procedures in place for addressing poor academic performance on practice modules. However if difficulties over and above those that can be routinely addressed emerge a special tripartite meeting (student, Practice Education Coordinator, Programme Director) will be arranged. At this meeting a remediation plan will be put in place and the content of the discussion,

the plan and the outcomes will be documented. Maintaining this record is the responsibility of the Practice Education Coordinator (PEC). If outcomes have not been met within the time frame set, the Practice Education Coordinator will refer the student to the SHS Fitness to Practice Panel.

Issues pertaining to conduct or behaviour while on practice placement will be considered in the context of the Student Code of Conduct and referral will be made where appropriate to the University Discipline Committee. In the event that the matters relate specifically to professional competence, a referral will be made by the PEC in consultation with the Programme Director to the SHS Fitness to Practice Panel. Maintaining a record of correspondence and meetings in relation to such matters is the responsibility of the PEC.

Students are strongly encouraged to disclose chronic illness, impairment or disability at the commencement of the programme or later if incurred in the course of the programme, to the Programme Director. In such instances, the Programme Director will meet with the student and, with their permission, the Disability Officer and / or the PEC will attend. The purpose of the meeting will be to explore and identify reasonable accommodations which can be made on the taught element of the programme and on the practice placement in order to facilitate the student fulfilling the requirements of the programme to the expected standard. The Disability Officer and/or the PEC must be informed of and be able to support the accommodations agreed.

The workability of the accommodations will be reviewed with the PEC and the Programme Director according to an agreed timetable. Every attempt will be made to support the student in their course of study, within the parameters of safe and appropriate professional practice. In the event that the accommodations are not sufficient to support the student meet learning outcomes and further accommodations are not feasible and/or when all other reasonable efforts have been made at the level of the Discipline to support the student and/or to address the issues pertaining to practice, the case will be referred, by the Programme Director to the Fitness to Practice Panel.

The Fitness to Practice Panel

For each programme, the Fitness to Practice Panel (FPP) will comprise of

- Programme Director
- Practice Education Coordinator (PEC),

- Head of Discipline for a cognate Discipline and the
- Head of School

The purpose of the panel is to assess whether the matter referred constitutes a Fitness to Practice concern that warrants referral to the University Fitness to Practice Panel.

The PEC will document for the FPP, a summary of the measures taken to ensure that the student has been supported on placement and any additional information/material relating to concerns. Where appropriate, evidence of competent practice and learning in accordance with professional (and where available, CORU) standards will be provided. The student will be offered the opportunity to provide a written response.

The FPP will conduct an interview with the student informed by documentation supplied. The student may bring a support person to the interview.

Decisions of the FPP

The FPP can make the following decisions:

- That the matter arising can be dealt with through the normal processes for assessment and progression on the Programme
- That the matter arising is of sufficient concern that it merits consideration under the Fitness to Practice Panel of the University.

The student will be kept informed of the processes being followed.



OLLSCOIL NA GAILLIMHE
UNIVERSITY OF GALWAY



School of Nursing and Midwifery
National University of Ireland Galway
in partnership with
Health Services Executive

Code of Conduct

Student nurses and midwives are required to display a high standard of professional behaviour in practice and must adhere to the principles, values and standards of conduct outlined in the Code of Professional Conduct and Ethics of the Nursing and Midwifery Board of Ireland (2014). See <file:///C:/Users/0065731s/Downloads/Code%20of%20Professional%20Conduct%20and%20Ethics%20Dec%202014.pdf> Student nurses and midwives are expected to be familiar with the Code and its supporting documents. Students should also be aware of expectations regarding the use of social media and social networking

<file:///C:/Users/0065731s/Downloads/NMBI%20Social%20Media%20and%20Social%20Networking%20Guidance%20to%20Nurses%20and%20Midwives.pdf> (Nursing and Midwifery Board of Ireland, 2013)

Students should familiarise themselves with the following documents:

Guidance to Nurses and Midwives on Medication Management (An Bord Altranais, 2007)

file:///C:/Users/0065731s/Downloads/GuidanceMedMan_2007.pdf

Scope of Nursing and Midwifery Practice Framework (An Bord Altranais, 2000)

<file:///C:/Users/0065731s/Downloads/Scope%20of%20Nursing%20and%20Midwifery%20Practice%20Framework%20April%202000.pdf>

In addition, student midwives should be familiar with the ***Practice Standards for Midwives*** (Nursing and Midwifery Board of Ireland, 2015)

<file:///C:/Users/0065731s/Downloads/Practice%20Standards%20for%20Midwives%202015.pdf>

Student nurses or midwives who breach the accepted codes of conduct or standards of performance are subject to the disciplinary procedures which apply to students within NUI Galway and staff within the Health Service Executive (during the internship period). The relevant codes and procedures are outlined in Appendices 1 and 2. Where possible, the concerns regarding fitness to practice will be addressed via the normal support and pastoral provision of the programme and the university. In the case of fitness to practice issues a student may be referred to the Fitness to Practice Panel under the Fitness to Practice Policy (Appendix 3). **Note** NUI Galway are currently finalising the Fitness to Practice Policy which will apply to all students once published.

Appendix 1

National University of Ireland, Galway

Procedures for Dealing with Breaches of the Student Code

1.0 Introduction

The primary objectives of the University are the dissemination and advancement of knowledge and understanding through teaching, research, study and rational discussion.

Any student who enrolls for any course in the University in doing so accepts the objectives of the University and is giving a commitment, as a responsible individual and as a member of the University community, to behave in an appropriate manner.

The Student Code of Conduct offers guidelines as to the norms of behaviour that accord with the obligations of students, but where more specific requirements are in place, they are available on the University's web site <http://www.nuigalway.ie/codeofconduct/>. It should be noted that Students of the University cannot claim any privileged position in regard to the general law of the land.

Breaches of this Code and of any University regulations make students liable to the imposition of sanctions.

2.0 Broad Principles

In the broadest terms the University expects students to behave in a manner which ensures that the University can meet its legal, statutory and contractual obligations, that all students and staff are treated with dignity and respect, that all University property and facilities are used appropriately and that students uphold the good name of the University in their actions both on and off campus. The University will have due regard to a student's right to freedom of speech within the law and to the relevant University policies.

Rights and obligations of staff, students and others

- Every student and staff member has the right to be treated with dignity and respect.
- Students are expected to acknowledge the authority of the staff of the University, both academic and support staff, in the performance of their duties.

Academic Conduct

- Every student is expected to approach his/her academic endeavours with honesty and integrity.
- Each student shall comply with his/her academic programme requirements in terms of lectures, practicals, assignments and assessments and with all University registration, fee, library, use of computer facilities and examination regulations associated therewith.
- No student shall provide false or misleading information to or withhold relevant information from any party regarding his/her academic achievements.

General

- Every student is required to behave in a manner which enables and encourages participation in the educational activities of the University and does not disrupt the functioning of the University.
- The maintenance of the good name of the University is in the interests of all of the University community and, as the standing of the University depends largely on those who represent it, it is the duty of its students at all times to behave, both inside and outside of the University, in a way which does not bring discredit to the University.
- This Student Code of Conduct does not purport to contain all of the regulations of the University. Where such regulations are made, information as to their content will be publicised and made available to the student body by posting them on the University website. It is incumbent on students to ensure they are familiar with the regulations applicable at any given time. Regulations are currently in place covering among other things such matters as:
 - Enrolment and re-enrolment
 - Admission to Courses and Examinations
 - Procedures for the checking and appeal of examination results
 - Plagiarism
 - Use of various University facilities
 - Establishment and Financial Management of Clubs and Societies by Students

The observance of the Code, so far as it applies to the individual student, is his/her personal responsibility and, so far as it applies to recognised groups, is the responsibility of their duly appointed officers.

Breach of any of the regulations of the University will be dealt with either under the appropriate approved University procedure or the Disciplinary Procedure as laid out in Section 6.0 below. Every student is required to cooperate with the disciplinary procedures outlined below. Failure to cooperate or failure to pay a fine or comply with a disciplinary sanction imposed for a breach of discipline (subject to any right of appeal applicable) is considered a breach of this Student Code of Conduct.

Use of Buildings, Facilities and Equipment

- Every student is expected to treat with respect the property, equipment and facilities of the University.

3.0 Specific Examples of Breaches of the Student Code of Conduct

Without affecting the generality of the above the following identifies some specific examples of breaches of this Code:

- Obstruction of members of the University staff, agents of the University or other students in the performance of their duties.
- Obstruction of any other student in the normal pursuit of his/her course of study.
- Any violence or threats of violence or any abuse, either physical or verbal.

- Any bullying or harassment or any discrimination on the grounds of gender, marital status, family status, sexual orientation, religious belief, age, disability, race, colour, nationality or ethnic or national origin, membership of the travelling community or perceived political belief or affiliation
- Any behaviour that endangers the welfare of the individual or others.
- Making derogatory comments or allegations against a member of staff or other student either in person or utilising electronic media such as e-mail or social networking sites.
- Cheating, plagiarism (for further details on Plagiarism, please see Code of Practice for Dealing with Plagiarism) and circumstances where a student submits the work of another as his/her own or allows another person to undertake an assessment or assignment for him/her.
- Providing false or misleading information or documentation to, or withholding relevant information from, the University or a third party with the intent to gain, or with the effect that a student gains, an unfair academic advantage or other academic benefit or service.
- Providing false academic or professional references or making false claims about academic or professional achievements to the University or a third party for whatever reason.
- Falsification or misuse of University records or documents.
- Personation of others, within or outside the University, in connection with academic attainments or awards.
- Failure, without reasonable explanation, to carry out all or any of the following to the satisfaction of the Academic Council: attend lectures; attend prescribed practical classes, or laboratory, drawing-office or clinical sessions; attend tutorial classes; meet requirements laid down for project-work, essay-writing, or any other prescribed course exercise.
- Conduct likely to disrupt teaching, examinations, study, research, or administration of the University.
- Failure to abide by the regulations governing enrolment on the academic programme, attendance at lectures and other prescribed exercises and the conduct of examinations.
- Failure to abide by regulations governing the use of the Library.
- Failure to abide by the Student Code of Conduct governing the utilisation of Computer facilities.
- Refusal to produce a Student Identity Card when requested to do so by a University staff member who shall identify himself/herself. Every student is issued with a Student Identity Card at Registration which he/she must carry while on University premises. A student may be required to show a current Card for entry to, or in: Lecture Halls, Laboratories, Computer suites, the Library, the Restaurant, or in any part of the University premises and grounds. A student must present this Card if so requested by any member of the University's staff. Students are required to show their Student Identity Card at all examinations.
- Failure to comply with any reasonable oral or written, individual or collective instruction(s) given by any employee or agent of the University in the execution of their duties.
- Any behaviour that could damage the good name or standing of the University.
- Use of social media to organise, support or contribute to social events associated with the concept of "College Week/Rag Week"
- Abuse of alcohol or other substances on the campus, including contravention of the regulations which may be made from time to time relating to the consumption of alcohol or other substances on the campus.
- Smoking in University buildings in contravention of the Public Health Tobacco Act 2002, Section 47 (as amended) and the Tobacco Smoking (Prohibition) Regulations 2003.
- Interference with the University's safety equipment, fire fighting equipment, security systems or alarm systems.

- Damage, defacement, theft, misuse or use without authorisation of any equipment or property belonging to the University or any Club or Society or the private property of an individual member of the University community.

4.0 The Wider Community

Student behaviour in the wider community reflects on the University and the University will deal with complaints brought by members of the public to the University in respect of student behaviour under this Student Code of Conduct. In particular, students are obliged to behave in a manner that will not bring the University into disrepute when outside the precincts of the University. This includes, but is not limited to, a student's place of residence and during a work placement, field work or clinical practice.

If a student is the subject of a criminal investigation or has criminal proceedings pending against him/her or has been found to have committed a criminal offence, the University may initiate, proceed with and/or suspend a disciplinary procedure as seems appropriate to it. In such circumstances, it may also suspend the student in accordance with the procedure as laid down at 6.3 below pending the outcome of the criminal process and/or the disciplinary procedure.

5.0 Disciplinary Authorities

Designated Authority:

The University assigns day-to-day authority to certain staff to deal with the maintenance of order and discipline in their specific operational areas, e.g. Heads of Functions, Security Staff etc. Each of those staff is a Designated Authority for the purposes of the maintenance of order generally in the University and for the purposes of this Code.

Disciplinary Officer:

There shall be a Disciplinary Officer, as appointed by the President from time to time, whose function shall be to deal summarily with breaches of the Code brought before him/her or to refer the matter to the Discipline Committee of the University.

The Discipline Committee:

There shall be a Discipline Committee whose function shall be to deal with any matters referred to it by the Disciplinary Officer and to act as a board of appeal in respect of appeals lodged against the decision of either the Disciplinary Officer or of a designated authority in relation to matters covered by other University rules or regulations. The decision of the Discipline Committee when acting as a board of appeal shall be final.

The Appeal Board:

There shall be an Appeal Board whose function shall be to deal with appeals against the decisions of the Discipline Committee when the Discipline Committee is not itself acting as a board of appeal.

Membership

Academic Council shall nominate for a period of four years a panel of twelve people, ensuring that

amongst the membership of the panel there are sufficient members capable of conducting a case through the medium of the Irish language.

The Registrar & Deputy President shall make nominations from this panel to the Discipline Committee and to the Appeal Board and these nominees will normally hold office for four years.

The Discipline Committee shall be constituted as follows:

- Chairman, appointed by the President.
- Three members of the Students' Union, nominated by the Students' Union.
- Four members selected by the Registrar & Deputy President from the panel nominated by the Academic Council.
- The Appeal Board shall be constituted as follows:
 - Chairman, appointed by the President.
 - Two members selected by the Registrar & Deputy President from the panel nominated by the Academic Council.
 - Two members of the Students' Union, nominated by the Students' Union.
 - An external member of Údarás na hOllscoile, appointed by the President.

In the event that the Chairman of either the Discipline Committee or the Appeals Board is not capable of conducting a case through the medium of the Irish Language, the President shall appoint a Chairman for the purposes of hearing a specific case through the medium of Irish. If the Chairman of the Discipline Committee or the Appeal Board is found to be implicated in any aspect of the case under review, a Chairman shall be nominated ad hoc by the President from among the members of the Academic Council.

In the event that an Academic Council nominee of either the Discipline Committee or the Appeals Board is not capable of conducting a case through the medium of the Irish Language, the Registrar & Deputy President shall appoint a member of the panel nominated by Academic Council for the purposes of hearing a specific case through the medium of Irish.

In the event that a Students' Union representative on either the Discipline Committee or the Appeals Board is not capable of conducting a case through the medium of the Irish Language, the Students' Union shall appoint a representative for the purposes of hearing a specific case through the medium of Irish.

No person who is a complainant(s) or defendant in a particular alleged breach shall be entitled to act as a member of any of the bodies dealing with that breach. In such cases the Students' Union or the Registrar & Deputy President will nominate a replacement from the Student Union or the panel nominated by the Academic Council as appropriate.

Membership of the Discipline Committee and the Appeal Board shall be mutually exclusive. Nominated or appointed members of the Discipline Committee and Appeal Board, other than the members nominated by the Students' Union, shall hold office for four years or for the remainder of the term of the panel in the event that someone is appointed to the panel as a replacement.

Members nominated by the Students' Union shall normally hold office for one year, but such members shall not be precluded from reappointment.

6.0 Disciplinary Procedure

A Designated Authority is empowered to investigate alleged offences in its appropriate area and to issue findings thereon. Subject to appeal, as set out below, the Authority's findings shall be final. A Designated Authority may refer the alleged offence to the Disciplinary Officer or directly to the Discipline Committee if, in the opinion of the Designated Authority the matter, by reason of its gravity or nature, would be more suitably considered by them.

Complaints other than those more appropriately dealt with by a Designated Authority will be made to the Disciplinary Officer. The Disciplinary Officer may immediately refer the matter to a Designated Authority or to the Discipline Committee if the Disciplinary Officer considers the charge by reason of its gravity or nature would more suitably be considered by a Designated Authority or the Discipline Committee or he/she may deal with the matter under the Summary Procedure outlined below.

The complainant(s) and the student(s) against whom the allegation is made may be present throughout all or any hearings in relation to the alleged offences. At any hearings the student(s) against whom an allegation is made will be entitled to the presence and assistance of a friend.

6.1 Summary Procedure

The Disciplinary Officer shall conduct a preliminary investigation of any complaints made to him/her. He/She shall as soon as is practicable arrange a meeting with the students(s) against whom the complaint is made in order to consider the case, interact with the students(s) and form an opinion on the seriousness of the case and if appropriate proceed to a finding. The students(s) will have the right to be accompanied to the meeting by a friend¹. The Disciplinary Officer shall notify the students(s) that they are being interviewed under the conditions laid out in the Student Code of Conduct. The Disciplinary Officer shall also explain that it is the student's right to refer the matter directly to the Discipline Committee for adjudication at any stage during the meeting. The Disciplinary Officer must confirm that the students(s) understands the process and is willing to continue.

If the student(s) against whom the complaint is made fails, without reasonable cause, to attend the meeting arranged, he/she/they shall thereby be in breach of the Code, and the Disciplinary Officer may proceed to a finding in his/her/their absence.

If deemed necessary by the Disciplinary Officer, the complainant(s) may be called to the meeting to give evidence. If he/she/they fail(s) to attend the meeting, without good reason, the Disciplinary Officer shall not proceed further in the matter, and shall regard the allegation made as withdrawn.

The Disciplinary Officer has the discretion to ask the President of the Students' Union to attend any meetings in an observational capacity.

The Disciplinary Officer shall ask the students(s) to accept or reject the accusation and shall offer to consider whatever submission the students(s) sees fit to make in regard to the charge. Where it proves impracticable for the Disciplinary Officer to arrange a meeting with the student, the Disciplinary Officer shall explain the rights of the students(s) by telephone or failing that by email or by registered letter.

The Disciplinary Officer shall decide whether or not to uphold the complaint.

The Disciplinary Officer, in the event that the complaint is upheld, may impose the following sanctions:

- Dismiss the complaint.
- Issue a verbal warning.
- Except in cases of plagiarism or cheating, impose a fine not exceeding 5% of the annual fee for Year 1 Arts at the time the fine is imposed. The Disciplinary Officer may also require a contribution by the students(s) towards the cost of remedying, in whole or in part, any damage or loss caused.
- Refer the matter in writing to the Discipline Committee, without making any decision as to guilt, where the Disciplinary Officer considers the charge by reason of its gravity or nature would more suitably be considered by the Discipline Committee.
- Where the gravity of the matter warrants it, the Disciplinary Officer may request the President to suspend the students(s) from the University in accordance with the procedure defined at 6.3 below.

The outcome of the hearing shall be given in writing to the student. The students(s) shall be informed of their right to appeal the decision to the Discipline Committee, the procedure for lodging an appeal and the time limit for lodging an appeal.

The students(s) may, prior to or during the meeting with the Disciplinary Officer request that the matter be referred to the Discipline Committee for adjudication.

Where an alleged breach of discipline appears to involve two or more students, such students may be jointly charged and heard together.

6.2 Discipline Committee Hearing

In the event that a complaint has been referred to the Discipline Committee the Secretary of the Discipline Committee shall summon the student(s), against whom the complaint is made, to a meeting of the Discipline Committee. If the student(s) fails, without reasonable cause, to attend, he/she/they shall be in breach of the Code and the Discipline Committee may proceed to a finding in his/her/their absence.

The complainant(s) shall be asked to present the case to the Discipline Committee. If the complainant(s) fails, without reasonable cause, to attend the meeting the Committee shall not proceed further in the matter and it shall regard the allegation made as withdrawn.

The student(s) shall be asked to admit or deny the alleged offence. If the student(s) admits the substance of the charge or complaint to be true, it shall not be necessary for the complainant(s) to offer evidence, although both parties may make such verbal or written submissions as they wish in relation to the penalty.

If the student(s) denies the alleged charge, the subsequent procedure shall be fair and reasonable having regard to the nature of the offence and the penalties laid down in this Code.

In particular the following practices shall be observed:

- a) All the evidence shall be heard in the presence of the complainant(s) and the student(s) who may be accompanied by a friend to the hearing. The student(s) shall be given the opportunity to question any persons who are called by the complainant(s), who likewise may question any persons called by the student(s).
- b) The student(s) shall be given the opportunity of: offering evidence; calling such persons as he/she wishes to provide supporting evidence; and providing such documentation as is relevant to the issues.
- c) The complainant(s) and the student(s) shall be given the opportunity to make submissions after evidence has been taken including representations in regard to the penalty where the Discipline Committee has found that the charge has been proved against the student.
- d) The Committee shall deliberate in the absence of the complainant(s) and the student(s) and shall be entitled to seek legal advice on any legal matter arising in the course of the proceedings.

The determination of the Discipline Committee shall be given in writing to the student concerned and copied to the relevant Dean of College and/or University Officers as deemed appropriate by the Discipline Committee. The findings of the Discipline Committee when acting as a board of appeal shall be final. If appropriate, the student(s) will be informed of the right to appeal to the Appeal Board, the procedure for lodging an appeal and the time limit for lodging an appeal.

Any student(s) who is currently outside of Ireland may request the Discipline Committee to arrange a non-oral hearing of the Discipline Committee if the student(s) wishes to circumvent the necessity of travelling to Galway to attend an oral hearing. This will be considered by the Chairman of the Discipline Committee and where the Chairman decides to grant such a request, a Discipline Committee shall be convened to consider the allegation(s) against the student(s) on the basis of written submissions from the complainant(s), the student(s) and other relevant parties. The student(s) and the complainant(s) shall be given an opportunity to respond to the other's submissions before the Committee meets.

A properly convened meeting of the Discipline Committee may proceed to a finding notwithstanding the absence of any member(s).

6.3 The Appeals Process

An appeal against the decision made and/or the penalty imposed may be lodged only by the student against whom the decision has been made. The appeal must be made to the Chair of the Appeals Board, through the Secretary of the Appeal Board, within two weeks from the date of issue of the

decision of the Discipline Committee and the appellant shall submit to the Secretary of the Appeal Board, in writing, the grounds for appeal.

The date of issue of the said decision shall be the date on which the decision is posted to the student's address as appears on the University's register of students, or the date on which the said decision is handed to the student.

A copy of the appellant's grounds of appeal including the appellant's submission, if any, shall be provided to the Appeal Board and copied either to the Chair of the Discipline Committee or, if the appeal is against the decision of the Disciplinary Officer, to the Disciplinary Officer who shall be asked to respond in writing.

The student has the right to make an oral submission to the Appeal Board. The Appeal Board may, at its discretion, and in the interests of justice, consider any further evidence or hear any other persons as it sees fit.

Where in the opinion of the Appeal Board and the requirements of justice so dictate, the Board may consider evidence which was not tendered at the hearing before the Discipline Committee but provided always that the intention to adduce such fresh evidence has been notified to the student or to the original complainant as the case may be, in time sufficient to enable the student or the complainant to consider properly the fresh evidence and to deal with it adequately at the hearing of the appeal.

The Appeal Board may:

- i. allow the appeal;
- ii. decrease or increase the penalty, or vary the nature of the penalty;
- iii. Reject the appeal.

The determination of the Appeal Board shall be given in writing to the student and the complainant and copied to the relevant Dean of College and/or University Officers as deemed appropriate by the Appeal Board. The decision of the Appeal Board shall be final.

A properly convened meeting of the Appeal Board may proceed to a decision notwithstanding the absence of any member(s).

6.4 Exclusion by the President

The President has the right to exclude any student until the next meeting of the Academic Council and such right may be invoked by him/her at his/her sole discretion. If the disciplinary procedures have not already been initiated they shall be initiated as soon as practicable following exclusion by the President. Where the President has excluded a student, the Academic Council at its next meeting shall have power to continue such exclusion until the matter has been dealt with by the Discipline Committee or otherwise.

Exclusion means inter alia that the student shall not be permitted to avail of any lectures, courses, facilities or services of the University for the period of exclusion. The excluded student is not permitted access to University property except for the purposes of attendance at any hearing of the Discipline Committee or Appeal Board.

7.0 Sanctions

When a breach of the Code has been established after due process any one or more of the following penalties may be imposed:

- Reprimand (a formal reprimand, with a warning that the present breach will be taken into consideration if a further breach of the Code is subsequently established).
- Except in cases of plagiarism or cheating, a fine (determined by the appropriate body, payable under the further penalty of suspension).
- Academic Penalty such as the award of a zero mark for work presented.
- Refusal of admission to a named examination of NUI Galway for a specified period.
- Suspension for a stated period or disbarment from certain activities or suspension from the University until he/she/they has/have complied with the requirements laid down.
- Withdrawal from the University permanently or for a stated period.
- Expulsion i.e. that his/her/their name(s) be removed from the books of the University and that he/she/they be barred from the University premises permanently.
- The appropriate body may, although the allegation is proved, refrain from imposing a penalty and give an absolute or conditional discharge.
- In addition to any penalty or discharge, an order may be made requiring the payment of debt, damage or compensation under the further penalty of suspension or expulsion.

8.0 Review

This Code shall be reviewed at intervals not less frequently than five years from its coming into operation, but it may be reviewed at other times on the decision of the Academic Council or at the request of the Students' Union, with the approval of the Academic Council. Any such review will be carried out by a Committee with equal membership, respectively, from the Academic Council and the Students' Union, under the Chairmanship of the President or of his nominee.

Appendix 2

Health Service Executive-West

Disciplinary Procedure

Disciplinary Procedure of the HSE

General Principles:

- (i) An employee/nursing student/midwifery student to whom the disciplinary procedure is applied has the right to reply and representation.
- (ii) An employee will be given prior notification of a disciplinary meeting and details of the breaches of codes of conduct or standards of performance involved.
- (iii) An employee who is aggrieved by any disciplinary measure has the right to appeal to the next highest level of authority and ultimately to the Chief Executive Officer and Minister for Health and Children. All appeals should be lodged within seven days of the notice regarding proposed disciplinary action being issued to the employee concerned.
- (iv) Nothing in this procedure shall detract from the powers and duties of the Chief Executive Officer, as provided for under Part II of the Health Act, 1970.

Good standards of conduct and performance can be achieved by employees knowing the standards that are expected of them, by the use of procedure to ensure that these standards are adhered to, and by providing a fair method of dealing with any failure to observe these standards.

The procedure, which is outlined below, applies to any employee who breaches the accepted codes of conduct or standards of performance. It is vitally important, therefore, that employees know what standards are expected of them:

Work Standards:

Supervisors must clearly define job requirements and standards of performance.

Conduct:

Employees must be made aware of the rules and regulation governing time-keeping, inability to attend due to illness, health and safety in the workplace, confidentiality, etc.

Serious Misconduct:

Employees should be aware of those breaches of conduct of which would be sufficient to warrant suspension or dismissal without recourse to other stages of the disciplinary procedure. These would include:

- Physical assault or violence
- Theft
- Abuse/destruction of Board property
- Under the influence of alcohol or any illegal substance while on duty
- Falsification of any reports or records
- Fraud

- Obscene behaviour or sexual harassment
- Interference with employee clock cards
- Engaging in paid employment while absent from work on sick leave, irrespective of whether the absence is covered by a medical certificate.

This list is not exhaustive.

Breaches of Standards/Rules (other than serious misconduct):

It is the intention of the Health Service Executive to try to initially resolve problems through informal means. To this end, the supervisor will inform the employee of any unsatisfactory work performance or conduct and discuss the required improvements with him/her. If the employee continues to fail to achieve the required work/conduct standards, the disciplinary procedure will be invoked. The disciplinary procedure comprises the following stages:

Stage 1: Oral Warning

The supervisor/department head will meet the employee and his/her representative to inform him/her that the disciplinary procedure is now being invoked and to issue the warning. The oral warning will clearly inform the employee of the standard/conduct s/he is failing to achieve and that repetition could result in further disciplinary action. At this stage, emphasis will be placed on establishing why the employee is failing to meet the required standard and on helping the employee to determine how s/he can prevent a recurrence. The employee will be advised that a record of the warning will be placed on his/her file. Subject to satisfactory service, a verbal warning will cease to have an effect after 6 months and will be removed from the employee's file.

Stage 2: Written Warning

If insufficient improvement results from the verbal warning or there is further breach of rules, a further meeting will take place with the employee and his/her representative, at which his/her failure to improve as a result of the oral warning will be outlined. The facts of the case and the response of the employee will be recorded. A letter of warning will then issue to the employee containing the following information:

- Facts surrounding the misconduct or work standards not achieved;
- The Board's policy on the rule that was violated or the standards not achieved.
- Previous discussion.
- Reference to the fact that the written warning constitutes disciplinary action and failure to achieve the required standards will result in further disciplinary action.

The written warning will also draw the employee's attention to the fact that his/her job is at risk if his/her conduct or performance does not improve. A copy of the written warning will be sent to the employee's representative and a copy will be placed on the employee's file. Subject to satisfactory service, a written warning will cease to have effect after 1 year and will be removed from the employee's file.

Stage 3: Final Written Warning

If there is no improvement in the employee's conduct or work performance, s/he will be furnished with a final written warning which will make it clear that his/her employment may be suspended or terminated if there is no improvement in conduct/performance (or if there is a further breach of the Health Service Executive's rules). A meeting will be held between local line management, the employee and his/her representative at which the employee's continued failure to meet the required work/conduct standards will be outlined. The employee will then be informed that s/he is being issued with a final written warning to the effect that any further failure to achieve the required standards or any further breaches of the Board's rules may result in suspension or dismissal. Details of the meeting will be recorded and a note will be put on the employee's file. Subject to satisfactory service, a final written warning will cease to have effect after 2 years and will be removed from the employee's file.

If, after the final written warning has issued, there is still no improvement or there are further breaches of the rules, a comprehensive report on the facts of the case will be prepared by the relevant personnel so that appropriate action can be taken, and Senior Management informed accordingly.

Stage 4: Serious Misconduct

In serious cases of alleged misconduct, the following procedure will apply:

- (i) A comprehensive report of the alleged misconduct will be prepared immediately by the supervisor on duty, and the date, time and names of witnesses will be noted. Where possible, witnesses will be asked to write up their version of the alleged incident. Senior Management will be informed of the alleged incident.
- (ii) An employee may be put off duty with pay where the alleged offence is of a particularly serious nature, and time is required to allow for a proper investigation and the operation of agreed disciplinary procedures. An employee, pending the outcome of an investigation, will be kept informed of progress and given the earliest opportunity possible to put forward his/her side of the case.
- (iii) In all cases involving allegations of serious misconduct, a thorough and open-minded investigation into the alleged offence will be carried out. On completion of this investigation, the employee and his/her representative will be requested to attend a meeting with management so that the facts of the alleged offence can be put to the employee, who will be given an opportunity to respond. The employee will be informed in advance of the purpose of the interview, the nature of the alleged offence and given sufficient notice of its time and place to prepare a response.

If the Supervisor concludes that disciplinary action should be taken, a report of the facts of the case should then be sent to the General Manager. Where the General Manager concludes that disciplinary action should be taken, he/she will submit a report to the Regional Manager.

The Regional Manager having satisfied him/herself on the circumstances of the case should submit a report to the Chief Executive Officer.

Disciplinary Action:

Before any decision is made to take disciplinary action, as set out below, the Chief Executive Officer will afford the employee and his/her representative an opportunity to state the employee's case. If the Chief Executive Officer concludes that the disciplinary action is appropriate, one of the following disciplinary measures will be applied:-

- Suspension without pay.
- Loss of an increment.
- Deferral of an increment.
- Reassignment (which may involve a change of roster or loss of earnings).
- Demotion.
- Dismissal.*

(This list is not exhaustive).

*If the CEO decides, following a full investigation, that dismissal is warranted, then the procedure set out in the Health Removal of Officers and Servant Regulations will apply.

Disciplinary Interview

Before

Inform the employee in advance of the nature of the allegations

Carry out a thorough investigation and gather facts.

Consider any procedures and the Employees Disciplinary Record.

Inform employee of the date of the interview and the right to be represented.

Ensure that the meeting will be properly constituted according to procedure.

During

Convene the disciplinary interview.

Explain the allegations and the evidence.

Listen to the Employee's case

Take notes to arrange for someone to do this.

Seek clarification of the key issues.

Adjourn the interview to allow consideration of the points raised and any extenuating circumstances

Consider the appropriate action to be taken.

Reconvene and inform the employee of the decision the change in behaviour needed and the consequences of failure to improve in the future.

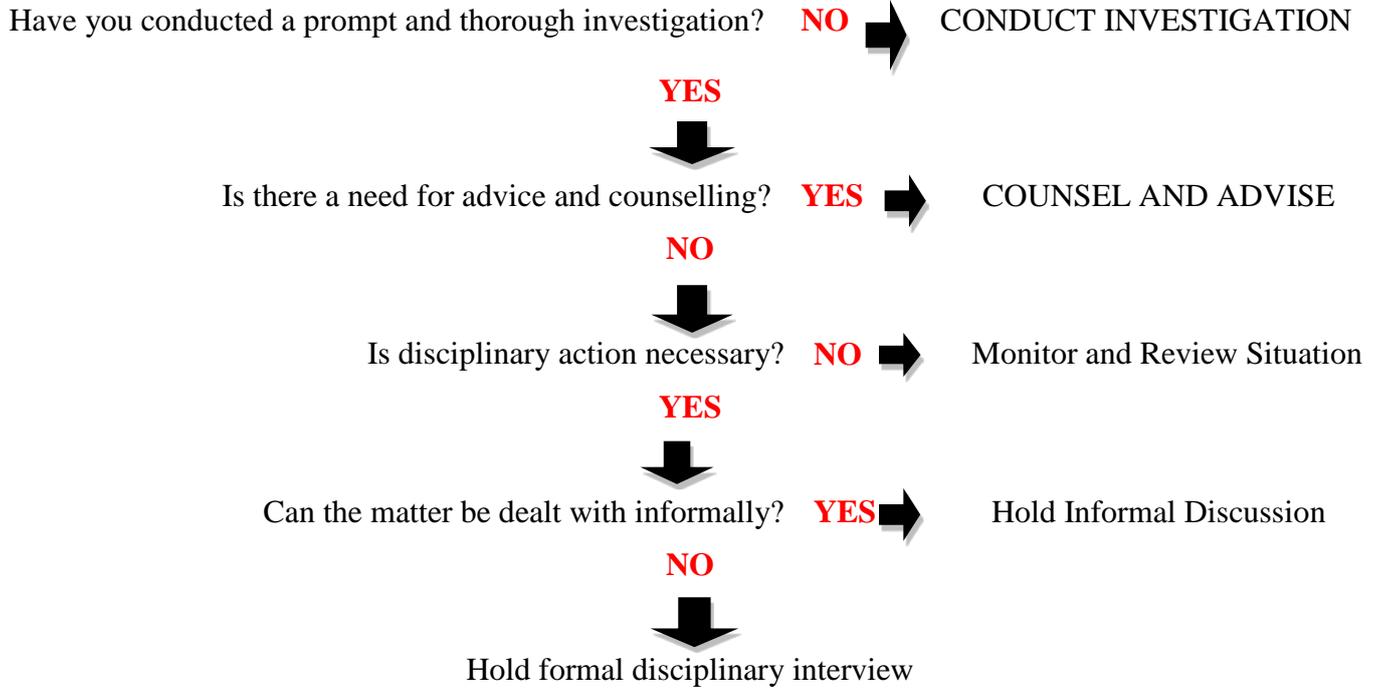
Specify a review date, if there is to be one.

Inform employee of the Appeals Procedure.

Afterwards

Write up notes of the interview and arrange for confirmation of the decision to the employer.

Disciplinary Action Check List





SCHOOL OF PSYCHOLOGY *Professional Programmes*

Applied Behaviour Analysis (MSc)
Clinical Psychology (DClinPsych)

Programme Fitness to Practice Panel (PFPP)

Introduction

The university is responsible, in the delivery of its professional and accredited programmes which involve direct assessed practice with service users/client groups, to ensure that students are deemed to be fit for practice. It also has a responsibility, as far as is possible in its provision of professional and practice based training, to have policies that seek to ensure the protection and safety of vulnerable adults and children. The main purpose of Fitness to Practice policies are to ensure protection of public interest, client safety and placement providers. Students who are enrolled in professionally accredited programmes; programmes due to be accredited and/or programmes with clinical/placement element are expected to adhere to the applicable codes of conduct of the professional and/or registering bodies. They are also expected to be healthy of body and mind so as to be able to practice competently in their profession.

Process of Referral to Programme Fitness to Practice Panel

A referral to the Programme Fitness to Practice Panel (FPP) will be made as a last resort when all other reasonable efforts have been made to support the student and/or address concerns regarding their practice. The process of referral will come through the Director of the MSc in Applied Behaviour Analysis or the Director of the Doctoral Programme in Clinical Psychology as appropriate in consultation with relevant programme staff members. It will then go forward to informing the Head of the School of Psychology.

Purpose of the Programme Fitness to Practice Panel

Both the Programme and University Fitness to Practice Panels are constituted to ensure 'fitness to practice' where students are involved in directly assessed practice with service users/client groups to ensure protection of the public, vulnerable client groups and clinical placement providers.

The Programme Fitness to Practice Panel is convened when a concern about a student's fitness to practice is raised by a clinical supervisor, clinical training co-ordinator or if applicable, by the student's employer. In the case of clinical psychology students, the employer will normally be their HSE line manager.

The purpose of the Programme Fitness to Practice Panel is to assess whether the matter referred constitutes a Fitness to Practice concern that warrants referral to the University Fitness to Practice Panel.

The Programme Panel does not make definitive adjudications relating to fitness to practice; it is empowered solely to determine if there is a case of fitness to practice to answer which should be referred to the University Fitness to Practice Panel.

Constitution of the Programme Fitness to Practice Panel

The Programme FPP will:

- Will have a membership of academic and agency practitioners who will serve for a period of 3 years.
- Will be jointly chaired by the Programme Directors of the MSc in Applied Behaviour Analysis and the Doctoral Programme in Clinical psychology.
- Be convened when concerns about a student's fitness to practice arises during a supervised placement or at some other point during the student's programme of education whether engaged in clinical practice or not.

Decisions in respect of outcomes relating to 'fitness to practice' will be usually be based upon, but not limited to, the following:

- Review of any information/material deemed relevant by the FPP for the purpose of assessing the student's fitness to practice and will normally include, but will not be limited to; clinical placement evaluation reports and annual performance reviews.
- Where there is a question of the student's ability to fulfil the practical and/or professional requirements of the clinical role in a safe manner due to ill health/impairment/disability; the FPP will review any medical or related reports provided with the student's consent to the Panel.
- Review of all measures put in place to ensure that the student has been appropriately and reasonably supported by the Programme.
- Where appropriate, assessment of the student's ability to demonstrate evidence of competent and safe practice in accordance with the published professional and ethical standards specified by the relevant professional bodies such as BACB, PSI and CORU.

Issues that would likely fall under the Programme FPPP jurisdiction include:

1. Serious breach of professional conduct (e.g. alleged breach of client confidentiality)
2. Health/impairment /disability (the person cannot fulfil the practical/professional requirements of the role due to illness, impairment or disability)
3. Academic offences (e.g. Allegations of cheating or other academic dishonesty)
4. Criminal conviction
5. Failure to complete the programme of study within a period of time deemed sufficient to maintain up to date clinical skills and knowledge.

The Programme FPP can avail itself of information derived from the following sources where applicable to facilitate a fair review:

- Evidence of work undertaken during any period of supervised clinical practice deemed relevant.
- Copies of clinical practice evaluation forms.
- An interview with relevant Clinical Placement Supervisors.
- An interview with the student concerned.
- An interview with the student's Clinical Training Coordinator.
- An interview with the student's HSE Line Manager in the case of an HSE sponsored clinical psychology student.
- An interview with the clinical placement provider Head of Service/Director of Practice (where considered necessary).
- An interview with the Director of Clinical Practice (where applicable).

Decisions of the FPP

The FPP can make the following decisions:

- That the matter arising can be dealt with through the normal processes for assessment and progression on the Programme.
- That the matter arising falls under the Student Code of Conduct and referral should be made to the appropriate University Discipline Committee.
- That the matter arising is of sufficient relevance and concern that it merits consideration by the University Fitness to Practice Panel.

Involvement of the Student

- Except in exceptional circumstances the student will normally be invited to meet with the Panel to discuss the matters arising.
- The student will be permitted to bring a support person to the meeting.
- The student will be invited to submit a report to the panel.
- The student will be kept informed of the procedures being followed by the Programme Panel.



REGULATIONS FOR PROFESSIONAL BEHAVIOUR AND CONDUCT OF UNDERGRADUATE MEDICAL STUDENTS

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1. INTRODUCTION

Medical students should note that the Student Code of Conduct National University of Ireland Galway, applies to all students registered at NUI Galway, including medical students. The Code of Conduct & Behaviour for Undergraduate Medical Students at NUI Galway is to be read, understood and applied in addition to the overall Student Code of Conduct, as has been formulated in specific response to the unique, privileged and responsible clinical situations that medical students encounter as undergraduates.

Medical students enjoy a unique and privileged position during their undergraduate medical student years involving interaction and contact with patients who are ill and compromised. Patient interaction is founded upon trust, integrity, respect, responsibility and the highest level of professional conduct to ensure that patients are never harmed or upset as a result of unacceptable or improper conduct on the part of a medical student. The principles expressed in the Code of Conduct must therefore be consistently adhered to by medical students in all situations but particularly in clinical settings and apply to student-patient interactions, student-student interactions and between students and members of staff whether of the School of Medicine or the clinical setting. In circumstances where a student fails to

adhere to the Code of Conduct and infringes any of the provisions therein, procedures will be invoked by the School of Medicine to deal with the infringement fairly, quickly and appropriately. Students are obliged to uphold the standards expressed in this Code of Conduct and to seek the advice of the School of Medicine if in doubt about any aspect of it.

The School of Medicine has determined that student misconduct arises generally in two categories but students should note that the following is not an exhaustive list of misconduct and the Head of the School of Medicine retains discretion to consider particular complaints and to interpret them in accordance with the general principles and spirit of the Code of Conduct. The categories are as follows:

Category A

- a) Poor/unacceptable communication: including aggression, harassment, bullying, intimidation, use of offensive language and or threats whether to fellow students, staff or patients.
- b) Failure to uphold patient confidentiality and disclosure of confidential patient information inappropriately, including through the use of social media.
- c) Failing to interact with patients in a respectful, courteous, dignified manner and in that regard, failing to recognise and have regard to the importance of personal and private boundaries when dealing with patients.
- d) Failure to reach the minimum required attendance levels at educational activities. In this regard medical students are expected to work diligently and to ensure that when submitting course work the said work is their own and is not plagiarised.
- e) Failure to arrive at educational activities at the prescribed time where such failure amounts to regularly arriving late.
- f) Failure to adhere to the School of Medicine Dress Code.
- g) Breach of the University Code of Conduct which should be read in conjunction with the 'Regulations for Professional Behaviour and conduct of Undergraduate Medical Students'.

Category B

- a) Committing a criminal offence: In that regard students are expected to inform the Head of the School of Medicine if they are the subject of any proceedings that might call their professionalism and future ability to practice as a doctor into question.
- b) Engaging in discreditable or improper conduct that brings the medical profession and the medical student body into disrepute such that the public's confidence in the medical profession and the medical student body is undermined.
- c) Being addicted to, or inappropriately using, substances that impair capacity including but not limited to prescription medications, illegal drugs, alcohol.
- d) Mental or physical illness to an extent that impairs the ability of the medical student to perform as a doctor in line with the requirements as outlined by the Irish Medical Council.

2. GENERAL BEHAVIOUR

Medical Students at the School of Medicine National University of Ireland Galway should:

- 2.1. Comply with the laws of the land.
- 2.2. Behave in an honest and trustworthy way in their professional and personal life.
- 2.3. Conduct themselves in a way which is appropriate for a future medical practitioner, in accordance with these guidelines.
- 2.4. Adhere to the rules and regulations, policies and procedures governing the operation of their University, their Medical School, hospitals, and other teaching settings e.g., the Anatomy Dissecting Room.

3. PERSONAL AND PROFESSIONAL INTERACTIONS

In interactions with patients, students should ensure that they never recommend treatment or give medical advice that they are not capable, qualified or in a position to give and where appropriate to seek advice from a supervisor. In addition students should maintain appropriate standards of dress, appearance and personal hygiene.

- 3.1. Respect the right of a patient to refuse to take part in teaching, and to terminate interaction.
- 3.2. Understand that patients are entitled to be chaperoned, where appropriate.
- 3.3. Identify themselves to the patient as a medical student (including the patient's relatives, friends and others) and respect patients' right to privacy, dignity and respect, treating patients at all times with utmost courtesy.
- 3.4. Address adult patients formally, using their title and surname, unless invited to do otherwise.
- 3.5. Introduce themselves to patients as medical students and always obtain their consent to any proposed examination or procedure.
- 3.6. Listen to patients and respect their views.
- 3.7. Treat patients courteously and considerately.
- 3.8. Treat all patients equally, irrespective of the patient's lifestyle, personal circumstances, culture, beliefs, ethnicity, nationality, race, religion, gender, sexual orientation, social status, or economic worth.
- 3.9. **Never** abuse a patient's trust, e.g. by establishing an improper personal, financial or sexual relationship with a patient or with their close relatives.
- 3.10. Treat a patient's partner, relatives, friends and others sensitively and respectfully.

In interactions with colleagues (including fellow students, academic staff, health care and administrative staff) medical students at the School of Medicine National University of Ireland Galway should:

- Behave in a courteous and professional way.
- Never engage in offensive, abusive, threatening/bullying, disrespectful or discourteous behaviour.
- Recognise and respect the contribution of all staff.
- Work with them in a way that best serves patients' interests.

4. DRESS AND PRESENTATION

Medical Students at the School of Medicine National University of Ireland Galway should:

- 4.1. Be aware of, and respect cultural differences in dress and presentation.
- 4.2. Ensure that their attire (clothes, accessories and any jewellery) is suitably professional and is appropriate to the environment. The following apply to the clinical environment:
 - 4.2.1. no jackets / ties
 - 4.2.2. short sleeves only
 - 4.2.3. no jewellery
 - 4.2.4. hair tied back
 - 4.2.5. no white coats
- 4.3. Adhere to the highest standards of personal hygiene.
- 4.4. Wear a name/identity badge at all times.
- 4.5. In the interests of good communication, expose their face fully to patients, teachers and colleagues in the (non-surgical) hospital, primary and community environment.

5. Capacity And Capability

Medical Students at the School of Medicine National University of Ireland Galway should:

- 5.1. Be aware of, and respect the limits of their responsibility and activity.
- 5.2. **Never** - unless directed by their supervisor - recommend medical treatment, or any particular action, that might be interpreted by patients or others as medical advice.
- 5.3. Seek advice or assistance when their level of experience is inadequate to deal with a situation on their own.
- 5.4. Be willing to undertake examination - which may include physical contact - of any patient.

6. CONFIDENTIALITY

Medical Students at the School of Medicine National University of Ireland Galway should:

- 6.1. Understand accept and agree to be bound by the principle of confidentiality of patient records and patient data whether access to such data arises in a clinical and or research setting.
- 6.2. Take all reasonable precautions to ensure that any personal data concerning other students and colleagues is kept confidential; this includes any recorded data of taught activities such as lectures or other didactic teaching. Students should **NOT disseminate recorded information on any social media site.**
- 6.3. Understand and adhere to the policy that references to patients should be anonymised if the information is to be available to those outside the clinical team. Personal, private, sensitive or confidential data should not be stored on portable

devices including USB memory sticks, CDs, tapes etc. In cases where this is unavoidable, all devices containing this type of data must be encrypted. With regard to laptops, full disk encryption must be employed regardless of the type of data stored; patient information should **NOT be stored in a USB memory stick**. Regard must be had to patient confidentiality in context of social network sites and other internet based communication.

- 6.4. **Never** discuss patients with other students or professionals outside the clinical setting, except anonymously.
- 6.5. **Never** discuss individual patients – or partners, relatives, and friends of patients - even anonymously, within earshot of the general public.
- 6.6. Inform an appropriate senior member of the staff if they believe that patient safety is being threatened or compromised by an incident or practice in a hospital or other teaching setting; or if they believe that patient safety is being threatened or compromised by a colleague's performance or behaviour.

7. GOVERNANCE

Medical Students at the School of Medicine National University of Ireland Galway should:

- 7.1. Comply with the rules and regulations, policies and procedures of the organisations where they study and/or where they are in contact with patients.
- 7.2. Respect the property of the University, the School, and other teaching settings.
- 7.3. Any record of lectures, seminars or other teaching tool made by a student is strictly for personal use only. Never disseminate such material on social net-working sites.

8. MEDICATION/HEALTH AND SUBSTANCE USE

Medical Students at the School of Medicine National University of Ireland Galway should:

- 8.1. **Never** consume alcohol at a time when it could impair reason or judgement or otherwise impact upon their professional responsibilities.
- 8.2. Only use over the counter and prescription medicines as directed.
- 8.3. Seek pharmaceutical and/or medical advice regarding the potential impact of any treatment that might impair reason or judgement or otherwise impact upon their professional responsibilities.
- 8.4. Inform an appropriate academic or adviser and where necessary refrain from contact with patients, if a student is known to have or develops a **clinically significant communicable disease** that he/she is at risk of passing on to others.
- 8.5. Inform an appropriate academic or clinical adviser and where necessary refrain from contact with patients during the duration of any treatment that might impair reason or judgement or otherwise impact upon their professional responsibilities.
- 8.6. **Never** advise on the use of any medication, or attempt to prescribe or distribute medication.
- 8.7. Understand and adhere to the law on illegal drugs, which makes the use or distribution of illegal drugs unacceptable under any circumstances and at any time.

9. BREACHES OF THE CODE OF PROFESSIONAL BEHAVIOUR AND CONDUCT FOR MEDICAL STUDENTS

9.1. *The Student Affairs Committee Designated NUIG Disciplinary Officer for the School of Medicine.* The Student Affairs Committee of the School of Medicine will be responsible for dealing with Category A offences of the Medical Student's Code of Conduct.

9.2. Category B offences will be directed via the Student Affairs Committee directly to the Disciplinary Officer / Disciplinary Committee of NUI Galway, where applicable, the Student Affairs Committee of the School of Medicine will serve as a designated Disciplinary Officer.

9.3. Where relevant, category B offences may be directed to the University based Fitness to Practice Committee.



CODE OF CONDUCT AND PROFESSIONAL BEHAVIOUR FOR UNDERGRADUATE MEDICAL STUDENTS

I CONFIRM THAT I HAVE READ THE CODE OF PROFESSIONAL CONDUCT AND BEHAVIOUR FOR MEDICAL STUDENTS AND THAT I AGREE TO COMPLY WITH AND ABIDE BY THE PROVISIONS THEREIN

I CONFIRM THAT THE CODE OF PROFESSIONAL CONDUCT AND BEHAVIOUR FOR MEDICAL STUDENTS HAS BEEN OUTLINED AND EXPLAINED TO ME BY [_____] ON BEHALF OF THE SCHOOL OF MEDICINE DURING THE INDUCTION SESSION HELD ON THE

[_____]

I CONFIRM THAT I UNDERSTAND THAT THE CODE OF PROFESSIONAL CONDUCT AND BEHAVIOUR FOR MEDICAL STUDENTS APPLIES TO ME FOR THE ENTIRE DURATION OF MY UNDERGRADUATE STUDIES

SIGNED: _____

DATE: _____

Name (Print): _____

SIGNED: _____

DATE: _____

ON OR ON BEHALF OF THE SCHOOL OF MEDICINE