



UNIVERSITY OF CUMBRIA

**Institute of Health and
Institute of Education, Arts & Society**

FITNESS TO PRACTISE POLICY

NB. This policy is available on the University of Cumbria website and it should be noted that any printed copies are uncontrolled and cannot be guaranteed to constitute the current version of the policy.

This document can be made available in alternate formats. Please contact Student Procedures to make a request via studentprocedures@cumbria.ac.uk.

Contents

1.	Introduction	3
2.	Definitions: fitness to practise, good health and good character	4
3.	Scope	5
4.	Purpose	6
5.	Procedures that support Fitness to Practise	7
6.	Procedures for management of Fitness to Practise concerns	7
7.	Fitness to Practise: concerns regarding good health and wellbeing ..	8
8.	Fitness to Practise: concerns regarding good character, behaviour, attitude or conduct.....	12
9.	Roles and Responsibilities	12
10.	Clarity regarding thresholds	13
11.	Communication.....	14
12.	Equality, Diversity and Inclusion	14
13.	Risk Management Statement.....	15
14.	Policy Review and Reporting.....	15
15.	External Redress – Office of the Independent Adjudicator	16
	APPENDIX 1: Professional Body Guidance	17

Fitness to Practise Policy

1. Introduction

The University of Cumbria is committed to developing employability as fundamental to our academic courses and the success of our graduates. A large number of students and apprentices studying within the Institute of Health (IoH) and Institute of Education, Arts and Society (IoEAS) are enrolled on professionally approved/regulated programmes. Health, Social Care and Initial Teacher Training (ITT) programmes of study which lead to a professional qualification and/or eligibility to apply to a professional register require students/apprentices to undertake periods of experience and assessed practice in professional settings. This involves them undertaking placements/learning experiences in a range of hospital, community, social care and private, voluntary and independent sector settings (IoH) & Schools, Early Years settings, Alternative Provision/ Special Educational Needs and Disabilities (SEND) settings & other regulated education environments (for IoEAS) which will involve direct contact with members of the public including (but not limited to):

- Patients
- Clients
- People who use services and their carers
- Children
- Parents
- Young people
- Vulnerable adults
- Relatives and carers.
- Other multi agency professionals

Professional Statutory Regulatory Bodies (PSRBs) require the University to ensure that relevant academic policies and processes within the student/apprentice journey are congruent with the protection and safeguarding of the public (as noted above) and that students/apprentices have demonstrated 'fitness to practise'.

Fitness to Practise takes into account the student's/apprentice's ability to meet the standards required by both the relevant PSRB Code of Conduct

(see Appendix 1) and the University Student Code of Conduct (available from [Student Policies and Procedures | MyCumbria](#)).

2. Definitions: fitness to practise, good health and good character

For the purposes of this policy and in line with PSRB guidance, including their expectations of programme providers:

Within health and social care professions, fitness to practise has two strands: Good Health (including wellbeing) and Good Character.

'Good health' means that the student/apprentice is capable of safe and effective practice either with or without reasonable adjustments.

'Good character' refers to the upholding of the standards and values set out in both the relevant PSRB Code of Conduct and the University Student Code of Conduct.

Within teacher training, these terms/'strands' are encapsulated under the professional national teachers' standards- Part 2: Professionalism [Teachers' standards - GOV.UK](#).

The University will respond to concerns through a number of approaches dependent on the type of concern raised, which will be detailed within this policy.

Good Health

When considering fitness to practise in relation to a student's/apprentice's good health and wellbeing, the goal of the Fitness to Practise procedure is to confirm that the student/apprentice is fit and well enough to be able to fully engage with their programme and have the ability to meet the requirements of the relevant PSRB, (including the practice element), which ultimately leads to professional recommendation, registration; and, as such, is presented as a supportive measure.

Good Character

When considering fitness to practise in relation to concerns raised regarding the student's/apprentice's good character, behaviour, conduct or attitude which are in breach of the Student Code of Conduct and/or in breach of the requirement for students/apprentices to act in accordance with their profession's relevant PSRB Code: this will be addressed through the University's Disciplinary Procedure (available at [Student Policies and Procedures | MyCumbria](#)). This will ensure that admission and progression processes for PSRB regulated programmes are sufficient to demonstrate that students/apprentices can practise safely and effectively, during and up to the point of registration / recording of qualification and/or academic credits, in accordance with the requirements of the Student Code of Conduct and the expectations of the relevant PSRB Codes. This approach will support the University's obligation to fulfil its role in assuring the protection and safeguarding of the public.

Principles

Principles to consider when concerns are raised regarding a student's fitness to practise include:

- Timeliness
- Facilitation of effective communication between academic and placement staff
- Public protection
- Fairness
- Openness
- Responsiveness

Training for and practise in a regulated profession requires consideration not only of the student's individual interests, but also the interests of those who may employ, regulate, or receive services from the student once in practice.

3. Scope

This policy is applicable to applicants (prospective students/apprentices) and current students/apprentices - undergraduate, post graduate, pre-registration and post registration, who are enrolled on any full or part time

course or programme of study (including distance learning) within the Institute of Health which involve undertaking practice learning in any hospital, community, health and social care, private and independent sector setting and/or where they are likely to come into contact with members of the public and/or vulnerable patient / client groups.

Within the Institute of Education, Arts and Society, this policy relates to applicants and students wanting to work with young people which require an enhanced DBS check, ie in Early Years settings, schools, Alternative Provision (AP)/Special Educational Needs and Disabilities (SEND) settings and other education environments where a member of staff has majority oversight of young people throughout their working practice.

Students enrolled with other institutions will be subject to the fitness to practise procedures of their own institution or organisation.

4. Purpose

- 4.1. **Compliance:** To comply with the requirements of the appropriate PSRB. through the proper exercise of responsibility & accountability.
- 4.2. **Protection of the young people, public/patients / clients/people who attend or use education settings, health services, and their parents/guardians or carers:** To protect those individuals the student/apprentice has contact with during any health and social care programme of study.
- 4.3. **Preparation for professional practice:** To ensure students/apprentices are appropriately prepared for entry to their chosen profession; have developed, and continue to maintain, professional attitudes and clearly understand and demonstrate professional behaviour; be of good health (in terms of fitness to practise and/or in the provision of care).

5. Procedures that support Fitness to Practise

5.1 Admissions procedures

It is recognised that PSRB requirements related to fitness to practise may apply to prospective students who have not yet commenced their programme of study. Admission procedures will, therefore, specifically and explicitly consider potential fitness to practise (good health and good character) through:

- Consideration of references as per PSRB requirements
- Occupational health screening
- Disclosure and Barring System (DBS) checking as per the University's published policy
- A Professional Practise Case Conference (PPCC) for prospective students with complex health/disability needs

5.2 Disclosure of Criminal Background and DBS procedures

The University of Cumbria's [Student Disclosure of Criminal Background \(DBS\) Policy](#) sets out the way in which declarations of a criminal record will be handled and that possession of a criminal record will not automatically be a barrier to studying a professionally regulated programme. However, more complex cases will be considered by the University's DBS Panel where the risk is assessed independently in line with PSRB DBS guidelines.

5.3 Annual Declaration of Good Health and Good Character

To meet PSRB requirements, students/apprentices studying on professionally regulated programmes in the Institute of Health are required to sign an annual [Declaration of Good Health and Good Character](#) and report any changes that would impact on declarations made within as soon as is reasonably practicable after their occurrence/incidence as directed within the Declaration. Failure to make or update a declaration when required is in itself a breach of this Fitness to Practise Policy

6. Procedures for management of Fitness to Practise concerns

Concerns in relation to good health and/or good character requirements of Fitness to Practise are responded to and managed by utilising the

following procedures (the most appropriate approach will be used depending on the nature of the concerns):

- **Student Progress Review** (all concerns) This is deemed the starting point for information capture. Reviews are supportive in nature, however (when considering fitness to practise) may also aid in decision making regarding whether the concern is related to health and wellbeing or conduct and behaviour.
- **Professional Practise Case Conference** concerns related to good health and wellbeing where there are complex health and/or disability support needs.
- **Professional Practise Committee** where there are concerns regarding health and wellbeing which impact on the student's/apprentice's ability to complete the professional requirements of the programme.
- **The Disciplinary Procedure** where there are concerns related to good character, behaviour, attitude or conduct.
- Under the **Precautionary Actions and Suspension Procedure**, the University may take the decision to impose Temporary Conditions or suspend a student as an initial response to the seriousness of the allegations or concerns that have arisen. A precautionary action may be applied at any point during the process. Precautionary actions do not imply any prejudgement of any of the issues under consideration,

7. Fitness to Practise: concerns regarding good health and wellbeing

In the context of fitness to practise, good health and wellbeing means the student/apprentice's health, wellbeing or disability is managed well enough for them to be capable of delivering safe and effective practice. It does not mean the complete absence of any health condition or disability.

The effect that a health condition may have on someone's ability to practise safely and effectively may need to be considered at any time throughout their programme.

Ill health and/or disability by itself is not a cause for concern. However, ill health and/or disability which affects achievement of learning outcomes and/or concerns regarding behaviour or conduct arising from ill health during the student's/apprentice's programme of study (whether at University or on placement) will be given due consideration.

A student with ill health and/or a disability which may be relevant to fitness to practise is expected to co-operate with the University to assist in the management of the impact of their condition on fitness to practise. This includes proactively giving the University any necessary information to enable it to assess fitness to practice and make any reasonable adjustments that may be required.

Reasonable adjustments to allow students with a health condition or disability to engage while maintaining the safety and wellbeing of others will be considered at any point during their programme of study. It should be noted that there are certain occupational requirements in relation to the successful completion of and demands of the course, which may preclude some students/apprentices from being able to demonstrate competence and attainment (for example undertaking practice-based learning/placements)

PSRBs require students/apprentices to be able to work safely. As such, all students/apprentices are required to adhere to workplace/practice learning settings policies and requirements and any occupational health referrals and guidance.

7.1 Process for managing fitness to practise concerns regarding good health and wellbeing

7.1.1 Student Progress Reviews:

The [Student Progress Review](#) (SPR) process is intended to aid student/apprentice retention and achievement by discussing concerns at the earliest opportunity. Where there are concerns regarding a

student's/apprentice's health and wellbeing, a SPR should be arranged to discuss the concerns with the student/apprentice in the first instance. A SPR may result in a learning support plan/placement learning support plan, referral to occupational health guidance or referral to a Professional Practise Case Conference (PPCC). If the SPR raises concerns regarding good character, behaviour, attitude or conduct, the Disciplinary Procedure will be followed. This Procedure is available at [Student Policies and Procedures | MyCumbria](#).

7.1.2 Professional Practise Case Conference (PPCC):

Where there are health and/or disability support needs, that may impact on the student'/apprentice's ability to complete the programme a referral to a PPCC should be considered. The PPCC facilitates a discussion with the student/apprentice, their chosen representative/s, the relevant academics (Principal Lecturer/appropriately identified lead and Placement and/or Programme Lead), disability support officers, students' union representative and practising clinicians/practice educators to assist with decision-making and referrals.

A Professional Practise Case Conference may be arranged to consider a case where the student's/apprentice's health, wellbeing and or disability poses a concern that the student/apprentice may not be able to, for example:

- Work/practise safely without direct supervision
- Meet the demands of the course including all practice learning/placement elements

The emphasis of the PPCC is to support students/apprentices and to facilitate reasonable adjustments to achieve all the requirements of their programme, wherever possible and appropriate. The PPCC can recommend onward referral to a Professional Practise Committee if it is agreed that all options and reasonable adjustments have been considered and the student/apprentice may need to be considered for de-registration from their current programme due to inability to meet the programme requirements

Membership of the Professional Practise Case Conference:

- Chair (Head of Practice Learning & Partnership Engagement or other trained and experienced senior IOH/IOEAS academic)
- The student/apprentice and their supporter/supporters
- Principal Lecturer/ appropriately identified lead (from the subject area in which the programme sits)
- Programme Lead and or Placement Lead (dependent on nature of concern)
- Disability Officer (co-opted as required)
- Practice representative (for example: practice educator; professional practice lead)
- Students' Union representative at the student's request (who should be cognisant of PSRB requirements)
- Note-taker

7.1.3 Professional Practise Committee (PPC)

A Professional Practise Committee may be arranged to consider a case where the complexity of a student's/apprentice's health, wellbeing and or disability poses an ongoing significant concern that the student/apprentice may not be able to, for example:

- Work/practise safely without direct supervision
- Meet the demands of the course including all practice learning/placement elements despite reasonable adjustments being in place and demonstrate the required related competence and attainment

A Professional Practise Committee will be arranged following a recommendation from a PPCC, if it is agreed that all options and reasonable adjustments have been considered, and significant concerns remain that the student/apprentice is not able to meet the professional/practice learning requirements of their programme. The Professional Practise Committee will consider (where no other options are available) whether de-registration from their current programme is necessary due to inability to meet the programme's professional/practice learning requirements.

Membership of the Professional Practise Committee will draw on similar roles to the membership of the Professional Practise Case Conference, however an additional independent practice representative (for example a

practice educator or professional practice lead) will be invited to attend. This additional practice representative should be independent to the subject area of the case under investigation.

8. Fitness to Practise: concerns regarding good character, behaviour, attitude or conduct

Where there are concerns regarding a student's/apprentice's good character, behaviour, attitude or conduct, or an alleged breach of the Student Code of Conduct, the University's [Disciplinary Procedure](#) will be followed.

9. Roles and Responsibilities

9.1. Students/apprentices:

- To be aware of and adhere to the Disciplinary, Fitness to Practise and other associated policies and procedures, including the Student Code of Conduct and the relevant PSRB requirements and their Codes of Conduct
- To engage with the procedures as required.

9.2. Institute Senior Lead/Fitness to Practise Lead

- To ensure awareness of both staff, students/apprentices and practice partners regarding Fitness to Practise and Disciplinary policies and procedures.
- To ensure the relevant information, guidance and examples of documentation related to fitness to practise is included in pre-entry, programme and placement information and handbooks and on programme Blackboard sites. This includes professional non-University staff with teaching responsibilities (eg NHS staff and staff working in practice learning/placement areas).
- To oversee the instigation and inclusion of the process
- In partnership with Academic Registry, to engage with appropriate staff training in fitness to practise, disciplinary and student related policies and procedures.

9.3. Programme Team members, as required:

- To facilitate the appropriate approach where necessary.

9.4. Principal Lecturer/appropriate identified lead:

- To ensure the relevant procedures are applied as appropriate in all relevant programme areas for their subject group/specialty.
- To identify relevant personnel within their subject group and the broader Institutes to facilitate the various approaches.
- To ensure that their staff teams receive appropriate training, liaising with the Student Procedures team within the Academic Registry to make arrangements.
- To ensure agreed data is made available for reporting.

9.5. Academic Registry (Student Procedures):

- To ensure the Fitness to Practise Policy aligns with other Student Policies and Procedures
- To support academic Institutes in providing training and awareness raising of the policies and procedures amongst students and staff.
- To facilitate annual monitoring, reporting and formal review.
- To offer information, advice and guidance regarding the use of the various approaches, as well as other University policies depending on the circumstances presented.

9.6. Academic Board:

- To approve the implementation of the policy and procedure and any substantive amendments.

10. Clarity regarding thresholds

10.1. Guidance should be given to students/apprentices and staff indicating the thresholds that define the boundaries of acceptable student/apprentice conduct in the context of fitness to practise that, when alleged to be breached, will result in a referral to the Disciplinary procedures (as per the Student Code of Conduct and PSRB Codes where these apply)

10.2. The expectation is that students/apprentices will have familiarised themselves with the standards of personal & professional behaviour which are required by the University Student and

relevant PSRB Codes of Conduct. The environments in which a good standard of behaviour is expected include:

- Home or in student accommodation
- University or Practice settings
- Socialising or leisure activities
- On holiday at home or abroad
- During day or night and at weekends
- Social networking sites.

10.3. It should include all varieties of behaviour involving:

- Patients, clients and service users and their carers and family
- Young people and their carers / family
- Peers and University of Cumbria staff
- Placement staff/practice educators and all others in the workplace setting
- Members of the general public
- Monetary or financial affairs
- Honesty, integrity and truthfulness
- Abuse, including drugs and/or alcohol abuse
- Other multi agency professionals

10.4. Finally, it should emphasise that fitness to practise:

- Requires transparency
- Is relevant to all relationships
- Requires compliance with the law

11. Communication

Clear and prompt communication processes must be followed with all those involved at the different stages of the procedure once a procedure is invoked.

12. Equality, Diversity and Inclusion

The University of Cumbria is committed to providing an inclusive environment, where staff, students and visitors are encouraged to be their true self, in order to enhance the individual and collective experience. As a university community, we share the social responsibility of enabling this inclusive environment by valuing,

respecting and celebrating differences, to ensure that we generate a sense of understanding and belonging.

The University recognises that our differences are our strength, seeking and valuing different perspectives and ideas, in an environment that is without prejudice and bias.

We are committed to embracing our responsibility as a facilitator of change and continue to develop our equality agenda in line with and, where appropriate, beyond the Equality Act 2010. We do not tolerate discrimination, bullying or harassment in any form on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

The Fitness to Practise Policy and its implementation have been subjected to the University's Equality Impact Assessment (EIA) process. This ensures that due regard to any equalities impact has been considered and that appropriate action has been taken to meet the needs of our community, without unlawfully discriminating.

13. Risk Management Statement

Failure to comply with this policy could lead to non-compliance with the requirements of PSRBs and employing/commissioning bodies as well as a potential risk regarding future public protection and safeguarding.

This policy supports mitigation of risks associated with but not limited to: maintenance and enhancement of quality accreditations/validations/approvals; compliance in one of more areas of legislative, regulatory and contractual compliance/obligation which could lead to negative financial and/or reputational consequences and impact on the achievement of institutional or operational objectives.

14. Policy Review and Reporting

The Fitness to Policy and Procedures are monitored annually and amendments can be made from time to time to reflect changes in legislation and good practice as appropriate and ensure clarity. An annual

report is submitted to Academic Board, reporting on the use of these procedures, outcomes and any recommendations. A full review normally takes place triennially.

15. External Redress – Office of the Independent Adjudicator

Students may apply to the Office of the Independent Adjudicator (OIA) should they exhaust the internal Disciplinary Procedure, including Fitness to Practise, and remain dissatisfied with the outcome. Specific details of how to pursue redress via the OIA will be provided by the University's OIA contact in the form of the OIA's "Completion of Procedures" letter when all available avenues available have been exhausted.

Policies and procedures governing independent review are as determined by the OIA. Information relating to the OIA is available to all students at any time: <https://www.oiahe.org.uk/>

APPENDIX 1: Professional Body Guidance

Professional body guidance:

Guidance on Health and Character Health & Care Professions Council at [Health and character declarations](#)

Guidance on Conduct and Ethics for Students (Updated Sept 2024) Health & Care Professions Council at <https://www.hcpc-uk.org/globalassets/resources/guidance/guidance-on-conduct-and-ethics-for-students.pdf>

Standards of Conduct, Performance & Ethics (Updated September 2024) Health & Care Professions Council at <https://www.hcpc-uk.org/standards/standards-of-conduct-performance-and-ethics/>

Standards of Education & Training Guidance (2017) Health & Care Professions Council at [standards-of-education-and-training.pdf](#)

NMC Health & Character Guidance for AEs (September 2024): <https://www.nmc.org.uk/registration/joining-the-register/health-and-character/good-health-and-good-character-for-aes/>

The Code: Professional standards of practice and behaviour for nurses, midwives and nursing associates (2015, updated 2018) Nursing and Midwifery Council at [The Code](#)

National Teachers' standards (2011) [Teachers' standards - GOV.UK](#)

Guidance from professional bodies and associations has been used to inform this policy and can be found at:

British Association of Sport Rehabilitators and Trainers (BASRaT)	http://www.basrat.org/home/healthcare/regulation
British Medical Ultrasound Society (BMUS)	https://www.bmus.org/
British Psychological Society (BPS)	http://www.bps.org.uk/
Chartered Society of Physiotherapy (CSP)	http://www.csp.org.uk/
Royal College of Occupational Therapy (RCOT)	https://www.rcot.co.uk/
College of Paramedics (COP)	https://www.collegeofparamedics.co.uk/
General Pharmaceutical Council (GPhC)	https://www.pharmacyregulation.org/
Health and Care Professions Council (HCPC)	http://www.hcpc-uk.co.uk/
Nursing and Midwifery Council (NMC)	https://www.nmc.org.uk/
Society of Radiographers	https://www.sor.org/
Society for Radiological Protection (SRP)	https://srp-uk.org/
College of Radiographers	Home CoR (collegeofradiographers.ac.uk)
Social Work England	Professional standards - Social Work England
DfE (department for education)	Teachers' standards - GOV.UK

POLICY SCHEDULE	
Policy title	Fitness to Practise Policy
Policy owners	Institute of Health Institute of Education, Arts & Society
Policy lead contact	<ul style="list-style-type: none"> • Head of Practice Learning & Partnership Engagement, Institute of Health • Education partnerships and mentor development lead, Institute of Education, Arts & Society
Approving body	Academic Board
Date of approval	January 2025
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Version no.	8
Related Guidelines, Procedures, Codes of Practice etc.	<ul style="list-style-type: none"> • Admissions Policy & Procedures • Fitness to Study Policy & Procedure • Student Disclosure of Criminal Background (DBS) Policy • Student Code of Conduct • Student Progress Review Policy and Procedure • Student Disciplinary Policy and Procedures • Student Precautionary Actions and Suspension Procedures • UoC Professional Practise Case Conference process • UoC Professional Practise Committee process • Academic Regulations: Academic Malpractice Policy and procedures; Extenuating Circumstances policy and procedures • IOH Raising and Escalating concerns in Relation to Safeguarding Vulnerable Adults, Children and Young People • PSRB Standards and Codes of Conduct
Review interval	Annual