Procedure in Respect of Professional Requirements

(also known as Fitness to Study and Practise)

Given the nature of the work at RVC, which in all courses involves exposure and access to animals and drugs, expectations of professional requirements apply to all students. These expectations are clearly stated in the RVC Charter. There are particular issues to be observed regarding the fitness to practise of students who may in due course gain admission to the RCVS register for Veterinary Surgeons or Veterinary Nurses.

1. Definition and Remit

1.1 A student shall be deemed to be unfit for registration and practise if s/he is found, by the Professional Requirements Committee, to demonstrate any health condition, behaviour or attitude which would render that student a person not fit to be admitted to and practise as a veterinary surgeon or veterinary nurse.

1.2 A student shall be deemed to be unfit for study if s/he is found by the Professional Requirements Committee to demonstrate a health condition, behaviour or attitude which could lead to harm of self, others or animals.

1.3 This procedure applies to all students who are not already full members of a registered profession (such as RCVS). Where a student is a member of a registered profession consultation with the relevant body will take place to determine whether the student should be treated under this procedure or referred to the procedures of that body (See 3.3 below).

2. General Provisions

2.1. Emergency Powers

Nothing in these regulations will prevent the Principal, Deputy Principal, Vice Principal or Head of Department from taking summary action to suspend a student's studies where the situation involved casts doubt on the student's ability to maintain the good order or safety of themselves, other persons or animals in any circumstance

2.2 Severe Illness of the Student

2.2.1 Where a student's health is giving serious cause for concern, progress of these procedures *and the student's studies* may be stopped at any point by the Chairman of the Panel (see below) or Senior Tutor until such time as the student has recovered.

2.2.2 Where a student's health is the one and only reason for questioning of fitness to practise and the student's health is of serious concern, then the Senior Tutor and Academic Registrar can determine that all studies and procedures be halted. The student will be offered the chance to seek special re-admission to the course once they have recovered sufficiently and to the satisfaction of the College's Occupational Health physician. The t er m s for r e-admission and the nature of study for such students will be determined by the Senior Tutor and Course Leader or, for research students, Head of Graduate School and Supervisor.

2.3 Delegation

2.3.1 The Principal may delegate his powers under these regulations to the Deputy Principal or a Vice-Principal who is unconnected with the case.

2.3.2 The Academic Registrar may delegate to another senior administrative officer independent of the student any or all of the responsibility ascribed to the Academic Registrar in these regulations.

2.4. Representation

2.4.1. A student facing a hearing by the Professional Requirements Committee is entitled to be accompanied by a supporter. The name of that person must be given to the Academic Registrar or his/her nominee at least two working days in advance of the hearing.

2.4.2. The Chair of the Professional Requirements Committee has discretion to adjourn any hearing where prior notice of representation has not been given.

2.5. Confidentiality

All proceedings of the Professional Requirements Committee will normally be held in private, unless the student appearing before the Committee wishes the hearing to be held in public.

2.6. Communications between the College and the student

Correspondence concerning proceedings under these regulations will be sent as secure documents via the student's RVC email address. Any material sent will be deemed to have been received by the student concerned unless proof of non-delivery is subsequently proved.

2.7. Attendance at the hearing.

None of the proceedings outlined in these regulations will be invalidated or postponed by reason of absence (except for notified good and sufficient reason) from any hearing of any party called to attend, provided that both the student against whom a case has been made has been sent notice of the hearing.

The student may attend by video conference provided they are not a full time student and the content of the case is deemed suitable for such an arrangement by the Chair.

2.8. Health reports
At any stage, the student may be required to attend an appointment with the RVC's Occupational Health Physician who will provide a report to the Committee

2.9. Attendance for Study
Pending the convening and decision of the appropriate committee under this procedure the student may attend classes and sit examinations except (i) where classes or examinations take place in clinical or external working environment or (ii) where his/her studies have been suspended under 2.1 above.

3. Referral and Preliminary Steps

3.1. All other College procedures relating to the health or behaviour of students enable the referral of significant cases from their procedures to the Professional Requirements Committee.

3.2. A student may also be referred directly for consideration as a result of concerning health or behavioural issues being observed by any member of staff.

3.3. Where a member of staff forms the view that the student might be unfit for study or practise, s/he shall discuss the matter with the Senior Tutor. The Senior Tutor will review all pertinent material.

3.4. The Senior Tutor shall notify the Academic Registrar or his/her nominee in writing as soon as possible indicating whether or not the case should be referred to the Professional Requirements Committee. In doing so the Senior Tutor will be mindful of the contents of the RVC Charter, RVC documents on Plagiarism and Research Integrity and the RCVS Guidance documents for veterinary students and veterinary nursing students as appropriate to the case on Fitness to Practise.

3.5. Where the Senior Tutor is reviewing a case that concerns a student who is already a member of a registered profession s/he should be mindful of the Public Duty to Disclose that applies where the conduct of a registered professional is in question. S/he should consider and if needs be, take advice on, any distinction between professional requirements relating to

registration as a professional and the particular performance demands of a given study programme.

3.6. At the same time the Senior Tutor shall select an appropriate 'Presenter' to present the case to the Committee.

3.7. Upon receiving notification of the Senior Tutor, the Academic Registrar or his/her nominee shall convene a meeting of the Professional Requirements Committee. The Academic Registrar or his/her nominee may only act in those cases that have been formally notified to him/her.

4. Professional Requirements Committee

4.1 The terms of reference of the Professional Requirements Committee are:

(i) To consider cases referred to it by the Academic Registrar or his/her nominee and to make decisions as set out in regulations 6.2 and 6.3 below; based upon the balance of probabilities and taking account of any relevant codes of practice or guidelines issued by the RCVS or other relevant bodies.

(ii) To advise the Academic Board on issues relating to professional requirements.

The membership of the Professional Requirements Committee will be:

(a) A Chair, who shall be nominated by the Principal

and

(b) Two senior members of academic staff

and

(c) a member experienced in fitness to practise or similar issues from another organisation

and

(d) one of the following:

- A senior member of academic staff who is a non-clinical scientist (where the student concerned is a PhD, MSc or BSc student);
- A senior veterinary nurse where the student concerned is following a veterinary nursing programme;
- A further veterinary surgeon (an academic or practitioner) where the student concerned is registered on the BVetMed programme.

and

(e) A nominee of the President of the Union selected for (i) independence from the student whose case is being considered (ii) their good understanding, sympathy

with, and demonstration of, the particular professional values under consideration and (iii) their understanding of principles at stake.

No member of the Committee shall have had prior involvement with the case or direct connection with the student.

4.2 The quorum for the Committee shall be 4 providing the Chair judges the balance of expertise and view to be sufficient to proceed.

4.3 The Student Union member of the panel can be omitted from the panel membership at the request of the student whose case is being considered. Where this occurs the quorum will be reduced by one member.

4.4 The Academic Registrar or his/her nominee shall appoint a Secretary to the Committee, and who shall be present throughout the proceedings but shall not deliberate as a member of the Committee.

5 ***Hearing Procedure***

5.1. The Academic Registrar or his/her nominee will write to the Presenter bringing the case and the student against whom the case is being brought, giving both parties at least 14 days notice of the matters to be presented to the Committee and the date, time and venue of the hearing and inviting submissions of documentary evidence and names of any witnesses the parties will be calling. The term 'witness' includes any person who is able to offer an informed opinion on the case being heard.

5.2. The relevant Presenter and the student may present documentary evidence and/or witnesses. The names of witnesses and all documentary material must be received by the Academic Registrar or his/her nominee at least five clear working days in advance of the hearing. Late evidence will only be accepted in exceptional circumstances and with the agreement of the Chair.

5.3. The names of all witnesses and copies of all documentary evidence to be presented shall be sent to both parties by the Academic Registrar or his/her nominee in advance of the hearing.

5.4. For the purpose of the hearing, a decision by the Chair of the Professional Requirements Committee on any point of procedure, will be binding.

5.5 Both the Presenter (or his/her nominee) and the student and their supporter will have the right to be present throughout the hearing, except as provided for in regulation 5.10 below.

5.6. The hearing in the presence of the student and the Presenter will be voice-recorded under the supervision of the Secretary.

5.7. The Presenter will explain the case to the Committee. The student (and his/her supporter) will be invited to reply. Either party may call witnesses and present documentary evidence, provided that any such evidence or the names of witnesses had previously been received by the Academic Registrar or his/her nominee and made available to the other party in advance of the hearing.

5.8. The Committee may also call upon other persons (whether members of the College or not) to provide advice on specific aspects of the case, whether in person or in writing.

5.9. The Committee may ask questions of all those called before it, and the Presenter or the student may raise questions through the Chair of the Committee.

5.10 The Committee may, at its discretion, at any time during the proceedings order the room to be vacated, or members may themselves retire to another room for private discussions. Only the Committee and the Secretary will be entitled to be present at such times.

5.11 At the conclusion of the presentations and the questions, the student may address the Committee and the Chair may make a statement.

5.12 The Committee will make its decision in private. This session will not be recorded but summary notes will be taken by the Secretary

5.13 At any time during the proceedings, the Chair may at his or her discretion order the Committee to adjourn, for a period not normally exceeding seven days, for the purpose of making a final decision or any other reasonable cause.

5.14 The Chair will inform the student how and when the decision will be communicated to them.

5.15 All decisions of the Committee will be reached by a majority vote of the Committee members but will be announced as a decision of the Committee. The votes of the individual Committee members will be treated as confidential. In the event of a tie, the Chair will have the casting vote.

5.16. The Chair of the Committee will inform the student of the decision and indicate the grounds on which they have been reached.

6. Outcome of Hearings

6.1. The Committee will make its decision based on the balance of probabilities and taking appropriate care to satisfy itself of its findings and the reasonableness of any penalty.

6.2. A student under consideration by the Professional Requirements Committee shall be presumed to be able to continue with his/her studies either immediately or after a period away from study, unless 'unf it ness' can be proven to the satisfaction of the Committee.

6.3. Where the student can continue with their studies the panel should be mindful in setting conditions and giving advice that they should aid and inform the professional development of the student.

6.4. After consideration of the details of the case, and evaluating the student's engagement with the process and his/her demonstration of insight, the Committee is required to reach one of the following decisions:

a) That the student may continue with his/her studies or programme of research, with or without any conditions, breaks in study, warnings or reprimands as set by the Committee.

b) That the student is unfit for practise as a veterinary surgeon or veterinary nurse but may proceed upon a route not leading to registration with the RCVS.

c) That the student may not continue to study at the College upon any course or programme of research.

6.5. Once the Committee has made this initial decision it can then take into account any current or previous aggravating or mitigating factors present on the student's file and make one of the following decisions:

a) That the student's enrolment on the programme of study be terminated.

b) That the student's enrolment on the programme of study be suspended pending medical treatment or other appropriate remedial action within the normal registration period for the course.

c). That the student's enrolment on the programme of study be suspended pending medical treatment or other appropriate remedial action that cannot be completed within the normal registration period for the course. The student will be permitted to seek special re-admission to the programme upon their return to health. Readmission will be at the discretion of the Senior Tutor and the Chair of the Professional Requirements Committee.

d) In addition to b) and c) above the Committee may specify conditions of return to study, issue warnings and/or reprimands or restrictions such as preventing future membership of the SUS executive, residence in halls.

6.6 The Committee's decisions will be communicated to the student in writing within seven days of the hearing. A copy of the findings and decisions will be placed on the student's record, and the student advised that the findings may be taken into consideration in the event of any future hearings by the Professional Requirements

Committee or any other relevant procedure. Where a student's enrolment has been terminated on the grounds that s/he is unfit for registration and practise, or the committee has issued warnings or conditions the findings will be communicated to the RCVS or other relevant professional body as appropriate no earlier than 15 days after the hearing.

6.7 All students who return to study will be required to form a Return to Study plan with the Senior Tutor.

7. Opportunity for Final Formal Review

7.1 A student who has grounds to believe (i) the decision of the Committee is unreasonable, or (ii) the Committee was not conducted properly or (iii) if the student has new evidence they could not have shown to the Committee at the proper time then they can apply for Final Formal Review within 28 days.

7.2 Where the student applies for Final Formal Review, the findings of the original Committee will not be reported to a professional body until the Final Formal Review is complete and then only if the Review concludes that the substance of the original decision should stand.

JClark
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