

# Fitness to Practise Guideline

## Section 1 - Purpose and Objectives

(1) This Guideline is not intended to provide a definitive list of possible Developmental Interventions, Level 1 or Level 2 concerns, but rather a guide as to how matters may be categorised depending on the degree of seriousness of the matter when judged against the five below criteria:

- a. Type of issue;
- b. Frequency of concern(s);
- c. Level of experience of the student;
- d. Intent of the student; and
- e. Impact, or potential impact, of the issue(s) including risk to the student and to others.

(2) This Guideline supplements the [Fitness to Practise Policy](#) and [Fitness to Practise Procedure](#).

## Section 2 - Definitions, Terms, Acronyms

(3) No entries for this document.

## Section 3 - Guideline Scope/Coverage

(4) This Guideline applies to students enrolled in programs or courses that include a practical placement component and to University staff involved in managing students' Fitness to Practise in these programs and courses.

## Section 4 - Guideline Statement

(5) This Guideline will be used to guide how Fitness to Practise concerns are categorised.

## Section 5 - Categorisation

	Development Intervention	Level 1 Concern	Level 2 Concern
Criteria	An overall judgement as to whether a case is a Developmental Intervention, Level 1 or Level 2 is made on the basis of an overall qualitative assessment of the level of seriousness of the concern based on the five criteria set out in this matrix. < _____ >		

	Development Intervention	Level 1 Concern	Level 2 Concern
<b>1. Type of Issue</b>  <b>Nature of the issue which compromises professional standards.</b>	<p>For example:</p> <p>CONDUCT</p> <ul style="list-style-type: none"> <li>• One-off or infrequent instances of: <ul style="list-style-type: none"> <li>– failing to engage or actively participate</li> <li>– lack of punctuality</li> <li>– non-attendance at compulsory University or placement based learning activities and without a valid reason</li> </ul> </li> <li>• Communication issues of a minor nature or seriousness (e.g. inappropriate communication or rudeness that does not lead to, or risk, serious consequences)</li> <li>• Impairing in a minor way the ability of a University staff member or another student to participate in a learning activity</li> <li>• Inappropriate use of mobile phones or other electronic devices during University or placement based learning activities</li> <li>• Inadequate preparation or clean-up of practical placement work area</li> </ul>	<p>For example:</p> <p>CONDUCT</p> <ul style="list-style-type: none"> <li>• Frequent instances of: <ul style="list-style-type: none"> <li>– lack of punctuality</li> <li>– non-attendance (University based only) at compulsory University or placement based learning activities without a valid reason</li> </ul> </li> <li>• Infrequent non-attendance at any PLACEMENT BASED learning activities without a valid reason</li> <li>• Failure to respond to a direction from a University staff member or placement supervisor resulting in minor risk to patients and/or the wider community (including other students and placement staff)</li> <li>• Leaving assigned post without authorisation from University or placement supervisor</li> <li>• Minor breach of confidentiality (e.g. failure to limit the ability of others to hear or see confidential information)</li> <li>• Minor damage to and/or inappropriate use or lack of care of equipment or materials at a placement site</li> <li>• Minor breach of health and safety policy/ requirements</li> </ul>	<p>For example:</p> <p>CONDUCT</p> <ul style="list-style-type: none"> <li>• Frequent instances of failure to engage or actively participate at any University or placement based learning activity</li> <li>• Frequent instances of non-attendance at any placement based learning activities without a valid reason</li> <li>• Failure to respond to a direction from a University staff member or placement supervisor resulting (or potentially resulting) in a serious risk to patients and/or the wider community (including other students and placement staff)</li> <li>• Assault, theft or serious criminal offence</li> <li>• Intoxication by alcohol or drugs in connection with the practice setting (including being under the influence of prescription drugs that impair performance in the practical placement setting)</li> <li>• Engagement in sexual misconduct in connection with the practical placement</li> <li>• Communication issues of a serious nature (including inappropriate use of social media, victimisation, exploitation and blackmail, harassment, bullying, threatening behaviour, serious rudeness or aggression and intimidation)</li> <li>• Serious breach of confidentiality (disclosure of an individual's information to others, where the information was previously unknown, identity impersonation and identity theft)</li> <li>• Providing treatment or intervention to a patient without, or outside of the scope of, an approved treatment plan, appropriate supervision, and/or signed patient consent (where required)</li> <li>• Providing treatment or intervention to a patient without supervision or supervisor approval (where required)</li> <li>• Damage to, or inappropriate use or lack of care for equipment or materials</li> <li>• Serious breach of health and safety policy/ requirements</li> </ul>

	Development Intervention	Level 1 Concern	Level 2 Concern
	<p>PERFORMANCE</p> <ul style="list-style-type: none"> <li>• Illegible recording of patient records</li> <li>• Lack of English language proficiency resulting in minor misunderstandings in responding to and giving instructions</li> </ul>	<p>PERFORMANCE</p> <ul style="list-style-type: none"> <li>• Lack of English language proficiency resulting in significant misunderstandings in responding to and giving instructions</li> <li>• Deficient, inaccurate or incomplete recording of patient records/reports/case notes/student logs</li> <li>• Failure to demonstrate practical competence to the standard and safety levels expected of a student at their level of training that may be remediable within the short term</li> </ul>	<p>PERFORMANCE</p> <ul style="list-style-type: none"> <li>• Verbal language skills are not of a sufficient standard to undertake placement activities in the community with persistent failure to improve</li> <li>• English language proficiency that places the public at risk of substantial harm</li> <li>• Failure to demonstrate practical competence to the standard and safety levels expected of a student at their level of training that cannot be remediated within the short term</li> </ul>
	<p>COMPLIANCE</p> <ul style="list-style-type: none"> <li>• One-off or infrequent failure to comply with a Dress Code</li> <li>• One-off or infrequent non-compliance with infection control protocols including failure to wear the required personal protective equipment</li> </ul>	<p>COMPLIANCE</p> <ul style="list-style-type: none"> <li>• Frequent failure to comply with a Dress Code</li> <li>• Frequent non-compliance with infection control protocols including failure to wear the required personal protective equipment</li> <li>• Pending criminal legal matter of a nature that is unlikely to impact the student's ability to maintain required criminal record clearances and meet placement providers' standards to enable them to continue to undertake a practical placement</li> <li>• Failure to complete and/or maintain the pre-placement requirements that may be addressed in the short term</li> </ul>	<p>COMPLIANCE</p> <ul style="list-style-type: none"> <li>• Breaching standards of a relevant professional code of conduct, professional association or professional registration body (including failure to maintain student registration where applicable) as well as the Placement Providers policies and procedures</li> <li>• Pending criminal legal matter of a nature that is likely to impact the student's ability to maintain required criminal record clearances and meet placement providers' standards to enable them to continue to undertake practical placements (recognising a student's right to an assumption of innocence until convicted)</li> <li>• Being charged with an offence that carries a potential sentence of 12 months or more</li> <li>• Failure to disclose an inability to meet Fitness to Practise standards</li> <li>• Failure to successfully complete a return to practise competency assessment</li> <li>• Failure to complete and/or maintain the pre placement requirements that is not able to be addressed in the short term</li> </ul>
	<p>DISABILITY/HEALTH</p> <ul style="list-style-type: none"> <li>• Temporary physical disability or medical condition</li> <li>• Exacerbation of an existing physical disability or medical condition that is usually well managed and is capable of remediation in the short term</li> </ul>	<p>DISABILITY/HEALTH</p> <ul style="list-style-type: none"> <li>• Existing physical disability or medical condition that is not well managed but is capable of remediation in the short term</li> </ul>	<p>DISABILITY/HEALTH</p> <ul style="list-style-type: none"> <li>• Permanent physical disability, medical condition or impairment that impacts a student's Fitness to Practise and/or places the public at risk of substantial harm</li> <li>• Failure to disclose an impairment</li> </ul>

	Development Intervention	Level 1 Concern	Level 2 Concern
<b>2. Frequency of issue</b>  <b>How often is the student compromising professional standards?</b>	For example:  One-off lapse or infrequent	For example:  Episodic, frequent and unpredictable	For example:  Habitual, continual, constant, predictable
<b>3. Length of experience of the student</b>  <b>Relates to your expectation that the student should be aware of the professional issue</b>	For example:  <ul style="list-style-type: none"> <li>Students who have not previously undertaken a learning activity related to work and/or the profession</li> </ul>	For example:  <ul style="list-style-type: none"> <li>Students who have had some previous experience in a learning activity related to work and/or the profession</li> </ul>	For example:  <ul style="list-style-type: none"> <li>Experienced student</li> <li>Where student is expected to understand fully and comply with standards consistent with the Code of Conduct</li> <li>After completion of known instruction in profession's or placement organisation's code of conduct, policies and standards</li> </ul>
<b>4. Intent of the student</b>  <b>Intentionality of the act</b>	For example:  <ul style="list-style-type: none"> <li>Action is accidental, thoughtless, unintentional or due to lack of knowledge</li> <li>Action is of a minor nature</li> </ul>	For example:  <ul style="list-style-type: none"> <li>Action is accidental, thoughtless, unintentional or due to lack of knowledge</li> <li>Action is of a moderate nature</li> <li>Cultural considerations/mitigating circumstances e.g. no prior instruction or unclear instructions</li> </ul>	For example:  <ul style="list-style-type: none"> <li>Actions appear intentional</li> <li>Action is of a serious nature</li> <li>Actions contravene clear instructions</li> <li>Two or more students involved</li> </ul>
<b>5. Impact, or potential impact, of the issue(s) including risk to the student and to others</b>  <b>Who/what is affected by the student compromising professional standards</b>	For example:  <ul style="list-style-type: none"> <li>Actions impact in a minor or temporary way on the student's Fitness to Practise</li> <li>Actions do not impact on the reputation of the program and its standing with the profession</li> <li>Minor impact on other students' learning opportunities</li> <li>No/minor impact on patient/client/public safety</li> </ul>	For example:  <ul style="list-style-type: none"> <li>Actions impact in a moderate or temporary way on the student's Fitness to Practise</li> <li>Actions do not impact on the reputation of the program and its standing with the profession</li> <li>Moderate impact on other students' learning opportunities</li> <li>Minor/moderate impact on patient/client/public safety</li> </ul>	For example:  <ul style="list-style-type: none"> <li>Actions impact on the reputation of the program and its standing with the profession</li> <li>Actions impact on the reputation of the University and/or other organisation(s)</li> <li>Significant impact on patient/client/public safety</li> <li>Significant impact on other students' learning opportunities</li> </ul>

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	5th December 2016
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<b>Policy Owner</b>	Kathryn Blyth Director, Academic Services Division and Academic Registrar
<b>Enquiries Contact</b>	Academic Policy and Programs