



Procedure for Student Fitness to Practice Committee

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Contents

1. Purpose	3
2. Scope	3
3. Reference Documents	3
4. Procedure	3
4.1 Establishment and Composition of the Programme Fitness to Practice Committee	3
4.2 Conflict of Interest, Recusal and Replacement of Committee Members.....	4
4.3 Terms of Reference of the Programme Fitness to Practice Committee.....	4
4.4 Procedure for the Fitness to Practice (FtP) Committee	5
4.5 Record Retention and Record Sharing.....	7
4.6 Appeal	8
5. Associated Documents Related to this Procedure	8
6. Measurement of Effectiveness of this Procedure	9
7. Revision History	9

1. Purpose

This procedure supports Atlantic Technological University's (ATU's) *AQAE016 Student Fitness to Practice Policy*, which outlines the principles and overarching processes that must be followed to ensure that students will be able to demonstrate the requisite levels of competency, professionalism and ethics required to work in their chosen fields.

2. Scope

This procedure applies to students registered on certain designated programmes; specifically those that are subject to *AQAE016 Student Fitness to Practice Policy*.

3. Reference Documents

No external reference documents.

4. Procedure

4.1 Establishment and Composition of the Programme Fitness to Practice Committee

Each Programme that is subject to the *Student Fitness to Practice Policy (AQAE006)* shall establish a Fitness to Practice (FtP) Committee comprising the following members:

Chair: Appointed by the Head of Faculty, the chair will be a senior faculty member from the discipline area, or a senior faculty member from outside the discipline area with experience in professional practice and student supervision. The Chair is responsible for leading the committee and ensuring a fair and transparent process.

Programme Faculty Members (nominated by the Programme Board): Three faculty members from the programme who have expertise in the relevant (or a related) professional field and are familiar with the programme curriculum, the programme fitness to practice statement, and the programme standards and expectations. In nominating faculty members to serve on the committee, any requirement in respect of membership as advised by the accrediting professional or regulatory body must be observed.

Faculty members who have a conflict of interest in respect of a particular case should not participate in any of the deliberations.

University Student Services Member: A Student Services Manager or other nominee of the Registrar & Vice President Students, Teaching & Learning

The quorum for a meeting shall be four committee members, which must include the Chair.

4.2 Conflict of Interest, Recusal and Replacement of Committee Members

Any member of the FtP Committee or staff involved in the process who identifies a conflict of interest must immediately notify the Chair of the FtP Committee.

The Chair will review the declared conflict and determine if the member should be recused from participating in the case.

Recusal: Faculty members or committee members with a declared conflict of interest will be recused from all discussions, deliberations, investigations, and decisions related to the specific case.

A recused member may not receive or review case materials or participate in any formal or informal discussions related to the matter in question.

Replacement: In the event of a recusal, the FtP Committee may appoint a replacement member to ensure that quorum and appropriate expertise are maintained in the deliberation and decision-making process.

4.3 Terms of Reference of the Programme Fitness to Practice Committee

Upholding the principles of fairness, transparency, and due process throughout the investigation and decision-making process, the FtP Committee is responsible for:

1. Reviewing issues and concerns: Assessing fitness to practice issue or concerns escalated by faculty members, programme or module coordinators, or supervisors, and determining whether further investigation is warranted.
2. Conducting investigations: Undertaking impartial investigations into fitness to practice concerns, if necessary, which may include gathering evidence, conducting interviews, and seeking expert opinions.
3. Determining outcomes: Based on assessment of circumstances and / or investigation, determining whether the student's fitness to practice is impaired and recommending appropriate outcomes, as detailed in the programme fitness to practice statement.

4.4 Procedure for the Fitness to Practice (FtP) Committee

4.4.1 Case Referral

If a fitness to practice issue or concern is identified, the concerned party (*e.g.*, faculty member, programme or module coordinator, or supervisor) must inform the relevant Head of Department and should submit an *AQAE052_001 Note of Concern (Student Fitness to Practice) Form* in respect of same. The completed form should include:

- A description of the issue or concern.
- Any relevant evidence gathered to date.
- Details of any initial measures or interventions that were undertaken.

The Head of Department will consider the note of concern received, and, in consultation with relevant programme staff determine whether the issue needs to be escalated to stage 2 (section 4.4.2 below) of this procedure.

If the matter is to be escalated to stage 2, the Head of Department, or nominee must refer the matter to the Chair of the FtP Committee.

The referral should take place as soon as possible, and ideally within 5 working days of the issue arising to ensure timely action.

If it is decided not to escalate the *AQAE052_001 Note of Concern (Student Fitness to Practice) Form* is filed in the faculty (see Section 4.5) and

4.4.2 Assessment of the Concern

Upon receiving the referral, the Chair of the FtP Committee will:

- Circulate the report to all committee members.
- Convene a meeting within 5 working days to assess the concern.

At this meeting, the FtP Committee will:

- Review the referral and associated evidence.
- Determine whether the concern necessitates a **formal investigation** or whether it can be addressed through **supportive intervention(s)**.

4.4.3 Supportive Intervention(s)

If the concern does not warrant a formal investigation, the committee may recommend supportive measures, such as:

- Additional mentoring or supervision.

- Counselling or access to other support services.
- Developmental actions (e.g., attendance at professional workshops or skills courses).

If a formal investigation is *not* required, the process concludes.

It is the responsibility of the module coordinator to ensure that any supportive interventions recommend are communicated to the student.

A decision on whether a formal investigation is required will be communicated to all concerned parties within two working days of the committee's assessment of the concern.

4.4.4 Formal Investigation

A formal investigation will be initiated if the concern is deemed serious enough to impact the student's ability to practice safely and professionally.

i. Investigation

If a formal investigation is warranted, the FtP Committee will gather additional evidence, interview relevant parties, and consult with relevant experts if necessary. Every effort should be made to expedite the investigation and to bring it to conclusion without unnecessary delay.

The student involved will be invited to participate in an interview as part of the process to ensure they have an opportunity to present their perspective and provide any additional evidence or mitigating factors.

The student will receive a written invitation to attend an interview with the FtP Committee. The invitation will include:

- A clear statement of the concerns being investigated.
- The date, time, and location of the interview.
- Information about the student's right to be accompanied by a representative (*e.g.* a union representative, or a support person).

ii. Discussion and Deliberation

The FtP Committee will meet to discuss the findings of the investigation and determine whether the student's fitness to practice is impaired. The committee should consider the severity of the issue or concern, the student's response, and any mitigating factors in reaching a decision.

The committee will engage in a structured discussion of the case. Each committee member will have the opportunity to voice their opinion based on the evidence presented during the investigation.

The committee may seek additional clarification from the investigation report or request further expert opinions if needed.

iii. Decision

After discussion, the Chair will call for a vote among committee members.

Decisions will be made by majority vote. In the event of a tie, the Chair will have the casting vote. Options for the committee include:

- No further action is necessary.
- Recommendations for supportive measures (e.g., counselling, additional supervision, training).
- Temporary suspension from the programme, while remediation or resolution of the identified actions.
- Permanent removal from the programme due to an inability to meet professional standards.

iv. Communication of Outcomes

The FtP Committee will communicate its decision in writing to the student, the Head of Department, the programme or module coordinator, and other relevant parties, outlining the rationale for the decision and any recommended actions or remediation measures. The decision to temporarily or permanently suspend a student must be communicated to the Office of Academic Affairs.

v. Implementation and Monitoring

The Head of School/Faculty will be responsible for ensuring the effective implementation of the FtP Committee's recommendations and for overseeing the monitoring of the student's progress.

4.5 Record Retention and Record Sharing

All records related to the Fitness to Practice (FtP) process, including referral reports, investigation findings, minutes of meetings, recommendations and decisions of committees, will be securely stored by the faculty for a period of seven years following the conclusion of the case.

If the student appeals the decision, all related records will be retained until the appeal process is fully completed, plus the specified retention period thereafter. During an appeal, relevant records will be made available to the Student Fitness to Practice Appeals Committee for review, ensuring that they have access to all necessary documentation from the original FtP process.

4.5.1 Storage

Records will be stored in a secure, access-controlled system in compliance with the university's data protection policies / procedures, and applicable laws and regulations (GDPR). Digital and physical records will be safeguarded against unauthorised access, alteration, or destruction.

4.5.2 Destruction

At the end of the retention period, records will be permanently deleted / securely destroyed, in line with the university's policy for data disposal.

4.5.3 Confidentiality

All records related to the FtP process are treated as strictly confidential. They will only be shared with individuals or bodies who have a legitimate need to access them, such as, members of the FtP Committee involved in the case, the Head of School/Faculty, programme or module coordinator(s), staff involved in implementing any recommendations, relevant university bodies (e.g. Registrar, legal advisers, appeals committee), and external professional accreditation bodies, where legally required.

4.5.4 Student Access

The student has the right to access the records pertaining to their case, in accordance with the university's policy on data access requests.

4.5.5 External Requests

Records will only be shared with external parties (e.g., employers, regulatory bodies) when:

- the student has provided explicit written consent, or,
- there is a legal obligation or a court order requiring the university to disclose the records, or
- the university deems it necessary to inform external professional bodies about an impaired fitness to practice issue.

4.6 Appeal

Students shall have the right to appeal a Fitness to Practice Committee's decision through a designated appeals process detailed in *AQAE053 Procedure for Student Fitness to Practice Appeal Committee*.

5. Documents Related to this Procedure

AQAE016 Student Fitness to Practice Policy

AQAE052_001 Note of Concern (Student Fitness to Practice) Form

AQAE053 Procedure for Student Fitness to Practice Appeal Committee

AQAE054 Procedure for Temporary Suspension (Student Fitness to Practice)

6. Measurement of Effectiveness of this Procedure

This procedure will be reviewed every three years or sooner if required, through an analysis of all data related to the Student Fitness to Practice Policy, retained by the Vice President Academic Affairs & Registrar. The analysis will involve an examination of key trends including numbers of cases, types of concerns, outcomes, and other data as required to assess the both the operation and outcomes of the process. Any recommendations for improvements based on the analysis will be considered.

7. Revision History

Revision No	Description of Change	Approval Date
000	Approved by Academic Standards and Policy Committee of Academic Council	17/10/2024