

Fitness / Preparedness to Practise Policy

25 September 2026

Version 1.1



Document Details	
Document Title:	Fitness / Preparedness to Practise Policy
Version:	1.0
Approved By:	Governing Body
Date Approved:	17 February 2026
Effective Date:	17 February 2026
Review Date:	16 February 2029
Policy Owner:	Chief Operations Officer

Revision History			
Previous Version No.	Summary of Amendments	Approval Date	Version No.
0	First draft	n/a	0.1
0.1	Amendments made based on feedback from the Policy Review Group	n/a	0.2
0.2 – 0.7	Amendments & update post EMT and consultation processes	n/a	0.7
0.7	Reviewed by Policy Committee, minor amends based on feedback and recommended for approval by Governing Body	11 February 2026	0.8
0.8	Approved by Governing Body	17 February 2026	1.0
1.0	Removal of Garda Vetting requirement from Appendix 1: Procedures for Responding to Fitness to Practise Concerns: SETU Department of Veterinary Medicine	25 September 2026	1.1

Consultation Details	
Internal ¹	
Name:	Departmental review
Date:	March – June 2025
Details of Consultation:	Review and feedback on draft policy and individual departmental procedural appendices.
Other ²	
Name:	Staff Unions
Date:	Nov – Dec 2025

¹ Internal consultation with other departments within the University should be noted

² Other for instance staff representatives or other stakeholders

Details of Consultation:	Reviewed by staff unions with no comments.
Other³	
Name:	External Legal Consultation
Date:	Oct – Nov 2025
Details of Consultation:	Minor amends based on feedback from external legal consultation

Publication Details	
Where	Date
SETU Governing Body Policies website	
All Staff Email	

Feedback or issues arising on implementation of this policy should be communicated to the policy author.	
Policy Author:	David Denieffe Chief Operations Officer

Policy Management Framework Compliance Review as requested by EMT all draft policies should be reviewed by the Policy Review Group ⁴ in advance of review by EMT. Please confirm that the policy was reviewed by the policy review group.	
Date Policy Reviewed:	February 2026

³ Other for instance staff representatives or other stakeholders

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1. Introduction/Context

South East Technological University (SETU), is committed to the highest standards of education and, where relevant, professional alignment of its programmes. Professional body recognition is fundamental to the fitness / preparedness to practise of graduates of many SETU programmes. Many professional bodies offer a registration system for its professionals and some of these systems are statutory. The objective of the statutory registration system is to protect, guide and inform the public by ensuring that relevant professionals are properly regulated and qualified for the role. This student fitness / preparedness to practise policy has been developed in recognition of the duty of the University to support students to fulfil programme requirements and to help prepare students for future professional practise.

SETU is mindful of its obligations under the Disability Act 2005, the Equal Status Acts 2000 (amended), the HEA Act 2022 and the Technological Universities Act 2018 to support access to services and facilities for people with disabilities.

Programmes of study will be governed by a requirement that students demonstrate their fitness / preparedness to practise on programmes recognised, regulated, and accredited by a professional, statutory or regulatory body. Each Faculty reserves the right to amend the range of programmes to which this Policy applies, as deemed necessary. Additional discipline specific procedural appendices may be added to this policy as required. An example of this would be the introduction of a new programme accredited by a professional, statutory or regulatory body.

2. Purpose

The purpose of this policy is to ensure, for those to whom the policy applies, the safety of the students and those around them, including members of the public, and to promote and safeguard relevant professional standards.

3. Scope

This policy applies to all students registered to programmes that are subject to the University Student Fitness / Preparedness to Practise Policy. Students subject to this policy shall be required to read and accept the Fitness / Preparedness to Practise Policy requirements relevant to their programme at registration and annually thereafter at re-registration.

4. Principles

The paramount consideration in all fitness / preparedness to practise matters is the safety and well-being of the student, staff, public, patients, clients, and service users. The University has a fundamental duty to ensure that its graduates are fit to enter their chosen profession and pose no undue risk to those they serve.

The University endeavours to deal with any issues regarding fitness / preparedness to practise in a fair, transparent, and proportionate fashion and in a way that ensures a supportive learning environment, a positive student experience, and a safe working environment.

All individuals involved in the fitness / preparedness to practise process will act impartially and must declare any actual, potential, or perceived conflicts of interest in line with the University's conflict of interest requirements.

Concerns about fitness / preparedness to practise will be acted upon promptly, in order to support early intervention. This policy may also provide a basis for counselling a student to discontinue a programme.

The University recognises its obligations to students under relevant legislation, including the Data Protection Acts 1988-2018.

The University is committed to protecting the privacy rights of students in respect to the processing of their personal data and a copy of the University's privacy notice is available on the SETU website at [SETU | Data Protection](#).

The University respects rights of confidentiality and the right of the student to withhold consent to a disclosure of sensitive information. However, it may be necessary to breach confidentiality when a student's mental health has deteriorated to the extent of compromising their personal safety, when a student is at risk of serious abuse or exploitation, when the student's behaviour is likely to adversely affect the rights and safety of others, and/or where a member of staff would be liable to civil or criminal procedure if the information were not disclosed. It may be necessary to discuss a fitness / preparedness to practise concern with the Child and Family Agency, An Garda Síochána, or other third parties such as a professional, regulatory and/or statutory bodies or a placement provider.

The University recognises that fitness / preparedness to practise procedures can be challenging for students and commits to providing access to appropriate pastoral care, welfare support, and guidance on the process itself.

This policy upholds the ethical standards, professional conduct, and codes of practise relevant to the professions to which students aspire. Students are expected to demonstrate these professional values and behaviours from the commencement of their studies.

Students will have a clear right to appeal decisions made under this Policy, in accordance with the outlined appeal procedures.

5. Relationship to other relevant SETU Policies

Where appropriate, SETU reserves the right to consider the matters under this Policy under other relevant Policies (and vice versa) from time to time and depending on the circumstances. For example, a student matter initially addressed under this Policy may later be brought under the [Student Expected Behaviour Policy and Disciplinary Procedure](#).

6. Definitions

To describe an individual as ‘fit and prepared to practise’ in the context of certain professions is to say that they have reached the required standard of attributes set out by the relevant professional, statutory or regulatory body. In addition to having achieved the required academic standards of the programme, individuals must also have demonstrated;

1. Core professional competencies including the ability to perform key skills and tasks.
2. A standard of behaviour and conduct that aligns with the relevant professional codes of conduct
3. That they are of sound body and mind and be able to practise in their professional field.

A student will not be expected to have reached the standard of required attributes for professional registration until they have completed all stages of their programme. However, a level of fitness / preparedness is required to ensure the safety of the student and those that they come into contact with during the placement module (s) of their programme. Students must demonstrate;

1. That they are actively and sufficiently engaged in developing the core competencies required for their level of education and training.
2. A standard of behaviour and conduct that aligns with the relevant professional codes of conduct and the SETU Student Code of Conduct.
3. That they are of sound body and mind to be able to practise as a student in their professional field.

7. Policy

This Policy applies to students who are registered on relevant programmes throughout their period of registration, both on and off campus.

In appropriate cases, the application of this Policy may lead to the suspension or termination of a student's registration on a relevant programme.

A decision made under this Policy concerning fitness / preparedness to practise is a matter for professional judgment. The standard of proof applied at every stage of the application of this Policy is the balance of probabilities.

Matters dealt with under this Policy will be dealt with according to the individual circumstances. Whilst the University anticipates that such cases will be exceptional, it reserves the right at any stage of proceedings and/or at any level of this Policy to vary the process it follows in dealing with a matter in the interests of fairness and/or health and safety.

Should a student be unwilling or unable to participate at any level of this Policy or to attend a meeting, the University may nonetheless follow this Policy where it is reasonable to do so. This includes instances where the student has been legally advised not to attend due to pending criminal proceedings. The University may, where it is reasonable to do so, deal with issues on the basis of written reports and/or statements in the absence of the student. In addition, the University may consider any request from a student to proceed with a meeting in their absence on the basis of written reports and/or a written statement from the student.

The University may consider the outcome of any third-party investigation or other process in making a determination under this Policy and retains the discretion to take any such outcome into account in determining a fitness / preparedness to practise issue.

Fitness / preparedness to practise issues can occur at any stage during a student's time at SETU. It is important to note that /preparedness to practise procedures reflect a decision on a particular issue, at a particular moment in time, and is not necessarily intended to be a decision about a student's fitness / preparedness to practise in the future.

7.1 Duties of Students

It is the responsibility of each student to familiarise themselves with this Policy, specific expectations of the programme of study, and any professional, regulatory and/or statutory body requirements and core competencies.

To demonstrate that they are fit / prepared to practise, students must understand the following requirements regarding their own health:

1. That their health problem(s) may put themselves or others at risk;
2. That they seek medical and/or occupational health advice if there is a concern about their health, including their mental health
3. That they accept that they may not be able to assess their own health accurately and be willing to be referred for assessment by a suitably qualified practitioner and be willing to engage in recommended treatment programmes.
4. By registering annually for their programme following their first year declaration, students are declaring that they believe their health status is such as to allow them to undertake safe and effective practise. If a student's health status changes or potential ill health causes concern as to their capacity for safe and effective practise, whether declared by the student or noticed / reported by others, they may be subject to assessment of their fitness / preparedness to practise under this policy. Students understand that if the education team become concerned regarding their health, this will be discussed with the student.

7.2 Garda Vetting and Disclosure

All students for professional programmes at SETU may be required to complete a Garda Vetting application form. Relevant programmes will require students to undergo Garda Vetting in accordance with legislation. It is the responsibility of the student to ensure that the process is complete before mandatory placement is undertaken. The procedure in this policy will be used in respect of students whose Garda Vetting disclosure gives rise to a fitness / preparedness to practise concern. Students on relevant programmes are required to disclose relevant criminal convictions and prosecutions pending, that is, convictions and prosecutions pending which give rise to a fitness / preparedness to practise concern within the Faculty's Garda Vetting procedure. Action may be taken in respect of a student under this Policy regardless of the outcome in criminal proceedings.

7.3 Disability

The University is committed to equality, diversity and inclusion, for both staff and students, which includes equal opportunities and the support of students with disabilities. Students with disabilities are positively encouraged to study on University programmes and all reasonable accommodation is provided where practicable as detailed in the [SETU Reasonable Accommodations for Student with Disabilities Policy](#).

Students have the right not to disclose a disability. Where a disability is disclosed, the University has an obligation to make necessary arrangements in order to provide reasonable accommodation to enable learning, where possible. However, the University can only make

reasonable accommodation to learning, teaching and assessment arrangements, for example, where it knows about any specific health condition and its effects upon a student, and when the disclosure is made in sufficient time to allow the necessary supports to be put in place.

Wherever possible, student difficulties should be supported within the programme. It is expected that a student should have the capacity to (i) assess their own fitness / preparedness to practise (ii) review their own fitness / preparedness to practise and (iii) seek appropriate advice and explore reasonable accommodation should anything affect their fitness / preparedness to practise. The University has an obligation to respond to such concerns and put in place reasonable accommodation arrangements when disabilities and relevant health conditions are disclosed.

If a student remains unable to provide safe and effective practise despite the provision of reasonable accommodations, then the fitness / preparedness to practise procedure laid down in this Policy may be followed.

7.4 Raising/Reporting Fitness / Preparedness to Practise Concerns

Any person concerned about the behaviour, health, and/or professional conduct of a student has the right to raise their concern. A concern may be raised with any staff member on the programme, who should bring this to the attention of the Programme Director and/or Head of Department. Concerns must be clearly outlined, in writing and available supporting evidence included. Where students have concerns for their own fitness to practise, they should discuss the issue with their practise educator or programme director. If the matter has been raised by a complainant, the person making the complaint (the complainant) should be made aware that:

- Full details of the complaint or concern will be put to the student.
- The student may be given an opportunity to engage with the complainant face to face in order to challenge the concern/complaint raised, if this is appropriate.
- In the event of the matter being referred to the Fitness to Practise Committee, the complainant and student may call witnesses and may enter witness statements. Witnesses cannot be compelled to attend under this procedure.

7.5 Grounds for Referral

While issues that can impair fitness / preparedness to practise are wide ranging, cases are deemed to fall into the following categories

- Garda Vetting cases: Matters disclosed as part of the Garda Vetting process may be considered a fitness / preparedness to practise issue and will generally be dealt with in accordance with the provisions of the Faculty's Garda Vetting Policy.

- Disciplinary offences: Disciplinary offences are generally dealt with through the Student Expected Behaviour Policy and Disciplinary Procedure and may also give rise to fitness/ preparedness to practise concerns.
- Fitness / preparedness to practise concerns regarding a student's health.
- Other fitness / preparedness to practise cases not covered by the above.

The grounds on which a fitness / preparedness to practise concern may be raised include (but are not limited to):

- Criminal conviction, caution
- Garda Vetting is invalidated/revoked
- Failure to abide by Health & Safety regulations at site of study or work
- A relevant medical condition which may affect a student's ability to practise their profession
- A contravention of the Health and Social Care Professionals Act 2005 (as amended), the rules or byelaws
- Substance misuse
- Aggressive, violent, threatening or discriminatory behaviour
- Erratic behaviour
- Persistent, unsatisfactory timekeeping, punctuality and professional presentation.
- Inappropriate disclosures or breach of boundaries
- Dishonesty or fraud, including dishonesty outside the professional role
- Unprofessional behaviour
- Health concerns or lack of insight or management of these concerns
- Inability to cope with demands of placement setting
- A relevant medical disability which would affect the student's ability to practise their profession.
- Failure to adhere to a compulsory student attendance policy may lead to a review and recommendation by the Programme Board regarding fitness / preparedness to practise
- A pattern of behaviour/misconduct, a series or sequence of events or, on occasion, a single act of serious misconduct or misbehaviour may cause concern as to an individual's fitness / preparedness to practise
- A breach of a relevant code of professional conduct and ethics.

7.6 Temporary Suspension and/or Exclusion

The decision to withdraw a student from placement or from a programme should be determined on a case-by-case basis. It should represent a proportionate response to the

possible risk to the student and to others. If the student remains in practise placement while awaiting the outcome of an investigation, conditions of practise may be imposed.

The Head of Department may temporarily exclude a student from their placement, related learning activities and/or programme of study and/or temporarily exclude a student from University premises where they reasonably believe that a student in respect of whom a fitness to practise concern has been raised poses a risk to:

- Their own health, safety and/or welfare and/or that of others
- The professional activities of a placement provider or other professional organisation or to a practise situation
- The property of the University and/or others, and/or the reputation of the University or a placement provider or other professional organisation and/or its functioning and/or its activities.

In this case, it may be deemed that immediate action in the form of a temporary suspension and/or exclusion is required to remove or reduce the risk. This may include, but is not limited to, fitness / preparedness to practise concerns relating to a criminal conviction, a serious health concern, a serious once off incident etc. Any such interim measure such as a re-assignment of a student or the student being asked to leave the placement until the investigation process has commenced are not disciplinary sanctions and are not an indication of guilt.

In the case of concerns regarding the student's health, safety and/or wellbeing, the temporary suspension will remain in place until such time as an appropriately qualified person, nominated by the University, certifies the student fit to proceed with the programme of study.

A student may be suspended from the programme by the Head of Department without prejudice and pending further investigations and initiation of the Fitness / Preparedness to Practise Policy.

If a decision is made to impose such a temporary suspension/exclusion, consideration will be given to whether arrangements can reasonably be put in place for the student in order to minimise the impact on their studies. The temporary suspension/exclusion will be kept under review by the Head of Department. When a student is subject to temporary suspension/exclusion, this will be confirmed to the student in writing as soon as possible by the Head of Department. This notification will include a summary of the allegations against the student or concerns about the student's practise and an outline of the procedures that will be followed by the Department.

If a student cannot satisfactorily complete their placement as a result of a Fitness / Preparedness to Practise concern or other reason, consideration will be given to the nature of the concern, and steps taken by the student to remedy the issue. A decision will be made

Concern raised	<u>The department</u> is notified of the concern. In the event the department considers the concern needs to be addressed under this policy, the following four stage process will apply. Not all stages may be required.
Stage 1 (informal)	The majority of concerns will be resolved informally in conjunction with the student and designated Departmental Staff as well as additional student Support Staff if required
Stage 2 (informal)	In the event the student or the staff involved are not satisfied with the outcome of stage 1, the issue can be brought to the relevant Head of Department
Stage 3 (formal)	In the event the issue is deemed too serious to be dealt with under informal stages, or a student is not satisfied with the decision made during the informal stages or the student has failed to comply with the outcome of the informal stages, the issue will be brought to the relevant Head of Faculty
Stage 4 (formal)	In the event of a concern that cannot be resolved under stage 3 (formal) procedures, the Head of Faculty may decide to refer the matter to the Fitness / Preparedness to Practise Committee. Committee members will vary between departments however the committee will be convened by the relevant Head of Faculty and the Director of Student Experience

by the programme board whether a deferral of the module is appropriate, or the student may be deemed to have failed that element of their programme.

7.7 Fitness / Preparedness to Practise Procedure

This Policy will be invoked where the matter of concern is unlikely to be resolved through the use of existing supports such as mentoring by academic staff and/or practise agency supervisor, advice from a medical doctor and/or the student counselling service. Should this policy be invoked, a four-stage procedure as outlined in the chart below will be followed.

It is important to note that each programme under the remit of this policy may have its own terminology and specific terms and conditions applied during the four-stage process to ensure respective regulatory, statutory and professional body requirements are upheld. See programme specific appendices for further detail.

7.8 Appeal Process

- The student may appeal the decision of the Fitness / Preparedness to Practise Committee to the Chief Academic Officer (CAO).
- Unless the CAO decides otherwise, any decision being appealed will retain full force and effect during the currency of the appeal.
- To initiate an appeal, a student must write to the CAO, setting out the grounds of appeal in detail, within 10 working days of the date of notification of the result which is being appealed.
- The student may appeal the Formal Stage outcome to the CAO on the grounds that:

- The University failed to follow the process set out in the policy and this had a material effect on the decision.
 - The decision at the Formal Stage was inconsistent or disproportionate to the evidence provided.
 - The evidence produced at the Formal Stage meeting with the Fitness / Preparedness to Practice Committee was factually incorrect or the student has new and material information or evidence which was not previously available and would have a material effect on the decision.
- The student shall specify the grounds on which the appeal is made.
 - The CAO may invite submissions from the student and any other persons deemed necessary, including the relevant Head of Department, the Committee or particular members of it, and may meet with them or determine the matter on the basis of written submissions alone (if this is deemed appropriate in the circumstances). The CAO will normally review the appeal, make one of the four below decisions and communicate that decision to the student within 15 working days of the receipt of the appeal:

- A. Dismiss the appeal (in whole or in part).
- B. Uphold the appeal (in whole or in part).
- C. Direct that the Committee undertake a further meeting with the student.
- D. Impose an alternative decision.

- The decision of the CAO is final and may not be appealed.
- The CAO shall be and is the final arbiter in respect of alleged breaches of the Student Fitness / Preparedness to Practise Policy. If a student remains unhappy with the determination of the complaint, the student may make a complaint to the Ombudsman (www.ombudsman.ie).

8. Compliance

It is expected that all staff and students of the University will comply with this policy.

9. Useful Links

[Student Expected Behaviour Policy and Disciplinary Procedure](#)

[Reasonable Accommodation for Students with Disabilities Policy](#)

10. Review of Policy

This policy will be reviewed in advance of the review date i.e. day month year, and/or as soon as possible following new or updated legislation, national or sectoral policy.

11. Policy Author

The authors of this policy are the Fitness / Preparedness to Practice Steering and Working group members. Any feedback or issues arising on implementation of this policy should be communicated to the policy authors. They are responsible to ensure that the Policy Owner is aware of these comments when reviewing the policy.

12. Appendices

Appendix 1: Procedures for Responding to Fitness to Practise Concerns: SETU Department of Veterinary Medicine.

Reporting Fitness to Practise Concerns

- 1.1 Any person concerned about the behaviour, conduct, health, or performance of a student within the Department of Veterinary Medicine which undermines, or may undermine, their ability to effectively and safely practise within the veterinary profession has the right to raise their concern.
- 1.2 In considering any concerns regarding a student's fitness to practise, the Veterinary Practice Act 2005, and the Veterinary Council of Ireland Codes of Professional Conduct for Veterinary Practitioners and Veterinary Nurses (as relevant) are the primary guidance documents. In accordance with this legislation, members of the veterinary profession have numerous responsibilities, which students within the Department of Veterinary Medicine are expected to adhere to:
 - The primary responsibility of all veterinary professionals is the protection of animal welfare and the relief of animal suffering. All students of the Department of Veterinary Medicine are expected to behave in a manner which protects and promotes animal welfare and alleviates animal suffering.
 - Students must adhere to the Veterinary Council of Ireland codes regarding client confidentiality. Students are expected to maintain client confidentiality at all times during and after their placements/rotations including, but not limited to, the appropriate preparation and maintenance of patient and client records, professional communications and social media use.
 - Veterinary professionals have a responsibility to protect animal and public health. High biosecurity standards are central to controlling the spread of disease. Students must demonstrate good awareness of proper biosecurity protocols to protect their own health as well as the health of their patients, colleagues and the public.
 - Students within the Department of Veterinary Medicine must treat members of the public, clients, veterinary academic staff, clinical partner practice/placement staff, clinical preceptors, research supervisors, classmates, and other university staff with respect and courtesy including during all interactions including online interactions.
- 1.3 Concerns that may raise fitness to practise issues include failure to fulfil any of the responsibilities as set out above as well as, but are not limited to, the following:
 - Medical or psychological issues or disabilities which may impede a student's ability to safely complete the practical elements of the veterinary medicine programme and/or subsequently practise veterinary medicine in all common domestic species in line with the Veterinary Council of Ireland Standards for Accreditation and the Veterinary Practice Act 2005.

- i. The Veterinary Council of Ireland requires veterinary surgeons to be able to give at least basic and emergency treatment to all common domestic species i.e. large and small animal species.
 - ii. Every effort will be made to support all students in the successful completion of the programmes in the Department of Veterinary Medicine in a safe manner. As such reasonable accommodations may be made to enable students to complete the programmes and demonstrate their skills and competence over the course of the programme.
 - iii. Graduation from any programme in the Department of Veterinary Medicine is linked to registration and practise within the veterinary profession and so all reasonable accommodations made by the Department must be practicable within the current sphere of veterinary practise.
 - iv. As such, in some instances, a medical or psychological issue or disability which arises during a student's studies, may affect their ability to continue the programme or practise veterinary medicine after graduation.
- Professionalism and ethical concerns for example, inappropriate or offensive behaviour towards fellow students, colleagues or clients, failure to respect a client's instructions/going beyond the scope of consent, aggressive, threatening or violent behaviour, dishonesty, cheating or plagiarising, including dishonesty outside the professional role or misuse of social media.
 - A serious or persistent failure to demonstrate professional competency including but not limited to demonstrating a serious or persistent lack of insight into their limitations and lack of experience, deliberately ignoring or failing to follow instructions or advice, taking unnecessary risks and compromising animal welfare, purporting to have qualifications they do not have or falsely completing/signing documentation.
 - Criminal convictions including alcohol/drug related, animal cruelty/neglect and/or any conviction which could potentially bring the veterinary profession into disrepute.
- 1.4 Concerns may be raised by university staff members, students, clinical partner practices/placement providers and members of the public. Clearly outlined concerns with supporting evidence should be raised to the relevant Programme Director.
 - 1.5 Concerns may be raised at any time, in relation to any student who is registered or seeks to become registered on the relevant programmes, until the date of graduation from the programme.

Entry into Programmes within the Department of Veterinary Medicine

- 2.1 Prior to entering the programme, all applicants to the Department of Veterinary Medicine will be required to complete a medical declaration to establish and ensure that they are medically fit to complete the programme and enter the veterinary profession. Any relevant physical/mental health conditions/disabilities should be declared, to facilitate the development of an individualised support plan for the student and/or any reasonable accommodations.

- i. Every effort will be made to support all students in the successful completion of the programmes in the Department of Veterinary Medicine in a safe manner.
- ii. Reasonable accommodations may be made to enable students access the programme and demonstrate their skills and competence over the course of the programme.
- iii. In cases where additional support/reasonable accommodations are required, it is essential that it must be practicable within the current sphere of veterinary practise in order to satisfy accreditation standards, ensure compliance with relevant legislation (Veterinary Practice Act 2005) and satisfy registration requirements.
- iv. Some students may be unable to complete elements of the programme required for professional registration for reasons of health or physical ability and hence, refused entry to the programme on health and safety grounds.
- v. Each student will be required to confirm vaccination status including tetanus and tuberculosis vaccination.

2.2 Prior to entering the programme, all applicants to the Department of Veterinary Medicine will be required to accept the SETU Bachelor of Veterinary Medicine Professional Code of Conduct for Student Veterinary Surgeons and the SETU Fitness/Preparedness to Practise Policy. The acceptance of the relevant Professional Code of Conduct as well as the Fitness/Preparedness to Practise policy is paramount for the operation of programmes within the Department of Veterinary Medicine to ensure alignment with the Veterinary Council of Ireland accreditation standards. Failure to accept prior to entry as well as annually thereafter at re-registration will mean the student must exit the programme.

2.3 Temporary Registration will be granted to applicants until Occupational Health Declarations have been received and approved.

Temporary Suspension and/or Exclusion

- 3.1 Students within the Department of Veterinary Medicine are required to successfully complete a variety of animal handling and clinical placements and rotations throughout all stages of the programme. Throughout these placements/rotations, students will be interacting with veterinary professionals and the public as veterinary professionals-in-training. Students are expected to behave in a manner which does not bring themselves, the University, the clinical partner practices/placement providers or the veterinary profession into disrepute.
- 3.2 The decision to withdraw a student from placement/clinical rotations or from a programme may be necessary to protect the animals under the students' care, the public, clinical partner practices/placement providers, the University, the student and the Veterinary Profession. These decisions will be determined on a case-by-case basis and should represent a proportionate response to the possible risk to the student and to others. If the student

remains on placement/clinical rotations while awaiting the outcome of an investigation, conditions of practise may be imposed.

3.3 The Head of Department may temporarily exclude a student from their placement/clinical rotations, related learning activities and/or programme of study, where they reasonably believe that a student, in respect of whom a fitness to practise concern has been raised, poses a risk to:

- Their own health, safety and/or wellbeing and/or that of others.
- The professional activities of a clinical partner practice/placement provider or other professional organisation or to a practice situation.
- The property of the University and/or others, and/or
- The reputation of the University or a clinical partner practice/placement provider or other professional organisation and/or its functioning and/or its activities;

and immediate action in the form of a temporary suspension and/or exclusion is reasonably required to remove or reduce the risk. This may include, but is not limited to, fitness to practise concerns relating to a criminal conviction, a serious health concern, or a serious once-off incident.

3.4 Any member of the veterinary academic team, in coordination with the Veterinary Placement Coordinator, may temporarily exclude a student from their practise placement, work-based learning setting, related learning activities and/or programme of study, where they reasonably believe that a student, in respect of whom a fitness to practise concern has been raised, poses a risk as outlined in 2.2, above. The Head of Department must be notified of this decision as soon as practicable.

3.5 In the case of concerns regarding the student's health, safety, and/or wellbeing, the temporary suspension will remain in place until such time as an appropriately qualified person, nominated by the University, certifies the student fit to proceed with the programme of study.

3.6 A student may be suspended from the programme without prejudice and pending further investigations and initiation of the Fitness/ Preparedness to Practise Policy.

3.7 If a decision is made to impose such a temporary suspension/exclusion, consideration will be given to whether arrangements can reasonably be put in place for the student, in order to minimise the impact on their studies. The temporary suspension/exclusion will be kept under review by the Head of Department or Veterinary Placement Coordinator or relevant Programme Director.

3.8 When a student is subject to temporary suspension/exclusion, this will be confirmed to the student in writing, as soon as possible. This notification will include a summary of the allegations against the student or concerns about the student's practise and an outline of the procedures that will be followed by the Faculty. The student may appeal the decision to the Chief Academic Officer within 10 working days of the written notification, who may consult with or refer the issue to the Fitness to Practise Committee. Any decision will remain in effect until the appeal is heard.

The Fitness to Practise Procedure

- 4.1 There is some variation in roles across SETU campuses, which may consist of differences in job title or description. If there is any uncertainty related to a function under the Policy, it is the responsibility of the relevant Head of Faculty/Department to determine who will act under this Policy.
- 4.2 The level at which the Procedure is implemented will depend on factors such as the seriousness of any risk posed and the student's response to any steps taken by the University. The Procedure should be proportionate to the concern raised and have due regard to the safety, wellbeing and rights of the student, service users, placement agencies and any other relevant party.
- 4.3 Programmes within the Department of Veterinary Medicine will have practical elements throughout. The health and safety of all students and staff is of the utmost importance. If a student's medical or psychological issue or disability may hinder their ability to study veterinary medicine and demonstrate their skills and competence safely, every effort will be made to work with the student to enable their continuation and successful completion of all elements of the programme. Reasonable accommodations can be made, in consultation with the Disability Office and the student. In cases where additional support is required, it is essential that it must be practicable within the current sphere of veterinary practise in order to satisfy accreditation standards, ensure compliance with relevant legislation (Veterinary Practice Act 2005) and satisfy registration requirements. Some students may be unable to complete elements of the programme required for professional registration for reason of health or physical ability.
- 4.4 The University can decide to implement a Formal Stage without implementing the Informal Stage should it believe that that the concerns warrant such an approach.
- 4.5 Should a student, without good cause, be unwilling or unable to participate at any stage of this Procedure, the University may nonetheless follow the Procedure in their absence. The Procedure may be completed where the student voluntarily withdraws from study.
- 4.6 Where in this Procedure reference is made to any named University office-holder, such reference is to be read as including reference to their appointed nominee.

Responding to Issues of Concern: The Informal Approach

- 5.1 Concerns regarding a student's fitness to practise should be raised initially with the relevant Programme Director. Concerns may be raised by university staff members, students, clinical partner practices/placement providers and members of the public who have a genuine concern for the fitness to practise of the student or any other person associated with the placement/clinical rotation. Concerns may be raised at any time, in relation to any student who

is registered or seeks to become registered on the relevant programmes, until the date of graduation from the programme.

5.2 Where students have concerns for their own fitness to practise, they should discuss the issue with the Veterinary Placement Coordinator.

Informal Process – Stage 1

5.3 The majority of concerns will be resolved informally in conjunction with the students, Veterinary Placement Co-ordinator, veterinary academic team, partner practice teams and where necessary, additional student supports.

5.4 All issues (from university staff members, students, clinical partner practices/placement providers and members of the public) regarding fitness to practise issues should be raised, in the first instance, with the relevant Programme Director.

5.5 The Veterinary Placement Coordinator or the relevant Programme Director will meet the student and explore the issue further, with the objective of reaching a satisfactory resolution. Following the meeting, a summary email should be sent to the student capturing any key points and actions.

5.6 If this is not achieved, the issue is brought to the attention of the Head of Department under the Informal Process – Stage 2.

Informal Process – Stage 2

5.7 In the event that the student or the Veterinary Placement Co-ordinator or relevant Programme Director is not satisfied with the outcome at Stage 1, the issue can be brought to the Head of Department. The Head of Department will carry out an informal investigation with the student, with the Veterinary Placement Coordinator and/or with members of the programme board, where appropriate.

5.8 The purpose of this stage is to deal informally with any initial, emerging or minor causes of concern relating to a student's fitness to practise. In determining whether the matter is suitable to be dealt with under this stage, the Head of Department and relevant Programme Director will:

- Carry out a preliminary review of the issue and available evidence.
- Examine any supporting evidence or documentation from the person raising the concern.
- Assess whether the student openly acknowledges there is an issue to be addressed
- Consider any other relevant circumstances.

5.9 Once it has been confirmed that the matter is suitable to be dealt with using this stage, the Head of Department and relevant Programme Director will:

- Notify the student in writing, usually by use of an email sent to a confirmed email address, that there is a concern about fitness to practise.

- Outline the nature of the concern.
- Indicate that they are seeking to deal with the matter under this stage.
- Provide the student with a copy of this Policy and advise them of any appropriate internal and external supports available.
- Request that the student make a submission with regard to the issue, including medical and/or other evidence they would like taken into consideration.
- The Head of Department and relevant Programme Director will arrange a meeting with the student to discuss the concern and any support needs the student may have. The student will be given the opportunity to respond to the concern. The student is entitled to be accompanied by a friend/representative of their choice, in accordance with paragraph 6.2.
- The Head of Department and relevant Programme Director may invite other staff members to attend the meeting and may consult with and seek information from other relevant persons to deal with the matter and to provide support to the student. The Head of Department and relevant Programme Director should be accompanied at all meetings with the student and a contemporaneous record of the meeting shall be taken.

5.10 The Head of Department and relevant Programme Director will decide whether the student's fitness to practise is impaired, or may become impaired, and whether any action is necessary. The precise nature of any action will depend on the circumstances of each case. Actions may include, but are not limited to, one or more of the following outcomes:

- Decision made that there is no case to answer.
- Decision made that no further action is to be taken.
- Support arrangements and/or reasonable accommodation be put in place for the student, following any necessary assessment.
- An action plan be drawn up setting out how the matter will be managed by the Department, including the outlining of any requirements which are placed on the student.
- The student be withdrawn from placement or be delayed from commencing placement indefinitely or for a specified duration.
- The matter be referred to the Formal Stage.
- The matter be referred for consideration under another University process e.g. Student Expected Behaviour Policy and Disciplinary Procedure.

5.11 In the event that the student, Veterinary Placement Coordinator, Head of Department relevant Programme Director or programme board are not satisfied with the outcome of the informal process, or where the issue is of a persistent nature or beyond the remit of an informal process, a preliminary report outlining the concerns is made in writing to the relevant Head of Faculty / Campus who may then initiate a formal procedure of investigation and action. (See Appendix A)

5.12 The procedure of investigation and action will be proportionate to the concern raised and with due regard to the safety, wellbeing and rights of the student, service users, placement agency and any other relevant party.

5.13 In the circumstance that a concern of a significant nature is raised during placement/clinical rotations, the placement/rotation may be suspended and/or deferred until such time as an investigation has been completed and the safety of all involved can be assured.

5.14 If a student cannot satisfactorily complete their placement/clinical rotation as a result of a fitness to practise concern or other reason, consideration will be given to the nature of the concern, and the steps taken by the student to remedy the issue. A decision will be made whether a deferral of the module is appropriate, or the student may be deemed to have failed that element of their programme.

Procedure for Responding to Issues of Concern: The Formal Stage

6.1 The Formal Stage will be used to address concerns:

- Where any issues are considered too serious to be dealt with under the informal process.
- Where any issue which has been commenced under the informal process is later considered to have become too serious to be continued under the informal approach.
- Where the issue has not been resolved by the informal process.
- Where the student is not happy with the decision made during the informal process and notifies the Head of Department within 10 working days of receiving the decision that they are invoking the Formal Stage.
- Where the student elects for the concern to be dealt with under the Formal Stage.
- Where the student has failed to comply with the outcome of the informal process.

6.2 Students who have issues of concern made regarding their fitness to practise have the right to be accompanied by an appropriate person, such as, a friend, a fellow student, student services, or the University's Students Union representative, in a supportive capacity, in the Formal Stage of the Procedure. There is no right to legal representation or to be represented by any person or body unconnected with the University.

6.3 The person raising the concern (the complainant) should be made aware that:

1. Full details of the complaint will be put to the student.
2. The student may be given an opportunity to engage with the complainant face to face in order to challenge the concern/complaint raised, if this is appropriate.
3. In the event of the matter being referred to the Fitness to practise Committee, the complainant and student may call witnesses and may enter witness statements.
4. Witnesses cannot be compelled to attend under this Procedure.

Formal Stage

7.1 The purpose of this stage is to deal formally with any concern relating to a student's fitness to practise. In determining whether the matter is suitable to be dealt with under this stage, the relevant Head of Faculty will:

- Carry out a preliminary review of the issue and available evidence.
- Examine any supporting evidence or documentation from the person raising the concern.
- Assess whether the student openly acknowledges there is an issue to be addressed and/or
- Consider any other relevant circumstances.

7.2 Once it has been confirmed that the matter is suitable to be dealt with using this stage, the Head of Faculty will:

- Notify the student in writing, usually by use of an email sent to a confirmed email address, that there is a concern about fitness to practise.
- Outline the nature of the concern.
- Indicate that they are seeking to deal with the matter under this stage.
- Provide the student with a copy of this Policy and advise them of any appropriate internal and external supports available.
- Request that the student make a submission with regard to the issue, including medical and/or other evidence they would like taken into consideration.
- The Head of Faculty will arrange a meeting with the student to discuss the concern and any support needs the student may have. The student will be given the opportunity to respond to the concern. The student is entitled to be accompanied by a friend/representative of their choice, in accordance with paragraph 6.2 above.

7.3 The Head of Faculty may invite other staff members to attend the meeting and may consult with and seek information from other relevant persons in order to deal with the matter and to provide support to the student. The Head of Faculty should be accompanied at all meetings with the student and a contemporaneous record of the meeting shall be taken.

7.4 The Head of Faculty will decide whether the student's fitness to practise is impaired, or may become impaired, and whether any action is necessary. The precise nature of any action will depend on the circumstances of each case. Actions may include, but are not limited to, one or more of the following outcomes:

- Decision made that there is no case to answer.
- Decision made that no further action is to be taken.

- Support arrangements and/or reasonable accommodation be put in place for the student, following any necessary assessment.
- An action plan be drawn up setting out how the matter will be managed by the Department, including the outlining of any requirements which are placed on the student.
- The student be withdrawn from placement or be delayed from commencing placement indefinitely or for a specified duration.
- The matter be referred to a Fitness to practise Committee.
- The matter be referred for consideration under another University process e.g. Student Expected Behaviour Policy and Disciplinary Procedure.

Establishing a Fitness to Practise Committee

- 8.1 Where there is a continuing/on-going concern or where there are concerns where immediate consideration and determination of a student's fitness to practise is warranted, the Head of Faculty may decide to refer the fitness to practise concern to the Fitness to practise Committee ("the Committee"). The Committee will be convened by the relevant Head of Faculty and the Director of Student Experience, as and when required.
- 8.2 The Fitness to Practise Committee shall consist of:
- An external person with expertise in the student's area of practise/study.
 - A staff member of the University from a discipline other than the Department concerned.
 - The Head of Department of Veterinary Medicine.
 - A member of the Veterinary Academic team.
 - A member of SETU Students' Union
- 8.3 The Chair of the Fitness to Practise Committee will be a member of the committee as outlined in 8.2 and will be chosen by the Director of Student Experience. The Chair is responsible for overseeing the process, working closely with the Director of Student Experience to ensure that the procedure is run smoothly and effectively.
- 8.4 Deliberations of the Committee shall be in private. A member of the University administrative staff will attend meetings of the Committee for the purpose of taking notes and recording decisions made. This person is not a member of the Committee and will not be involved in the decision-making process.
- 8.5 As part of dealing with any matter under Formal Stage, the University may undertake any such investigations as it considers reasonable and appropriate in the circumstances. A member of staff will be appointed by the relevant Head of Faculty to act as Investigating Officer and the Head of Faculty may put in place terms of reference for any such

investigation. The student will normally be informed that an investigation is being carried out and of the identity of the Investigating Officer.

- 8.6 The Investigating Officer will determine the process to be followed for the investigation, having due regard to any terms of reference set for them by the relevant Head of Faculty and may speak with the student concerned and with other students, staff and where relevant third parties (such as placement providers or health professionals, for example) and call for information. Any investigation will be carried out in a transparent and fair manner. The Investigating Officer will provide a report to the Fitness to Practise Committee on whether the student's fitness to practise is impaired or may become impaired.
- 8.7 In advance of the Fitness to Practise meeting with the student, the Chair of the Fitness to Practise Committee will:
- Formally notify the student in writing that concerns regarding their fitness to practise have been raised and full details of the nature of these concerns will be outlined.
 - Provide a copy of this Policy.
 - Indicate that they will be given an opportunity to respond.
 - Provide documentation in support of the concern, if any.
 - Provide a copy of the Investigating Officer's report.
 - Invite them to attend a meeting with the Committee.
 - Give them notice of the date, time and place of the meeting with the Committee.
 - Inform them that they may be accompanied by a friend/representative of their choice but there is no right to legal representation.
 - Advise of any appropriate internal and external supports available to the student.
- 8.8 The student will normally be given 10 working days' notice of the meeting.
- 8.9 The Committee will consider all of the evidence provided to it and may obtain any expert advice that it deems necessary.
- 8.10 Arising from its consideration of the evidence, the Committee may decide that the student is required to undergo one or more of the following:
- Undergo testing by a doctor or specialist nominated by the Committee, in respect of suspected drug or alcohol addiction/misuse considered to be potentially undermining a student's fitness to practise. A student failing to comply with this requirement and/or whose tests confirm drug or alcohol addiction/misuse may be required by the Committee to withdraw from their course and/or placement and/or to defer their studies until such time as they are certified by an appropriately qualified person (nominated by the University) to be fit to proceed.
 - Undergo a medical examination or assessment (including a psychiatric assessment) by a doctor or relevant specialist nominated by the Committee for the purpose of obtaining an opinion as to the student's medical fitness to practise. A student failing to comply with this requirement and/or who is deemed medically unfit, may be required by the Committee to

withdraw from their course and/or placement and/or to defer their studies until such time as they are certified by an appropriately qualified person (nominated by the University) to be medically fit.

- 8.11 At the Fitness to Practise Committee meeting, the student will be given an opportunity to rebut or discuss any concerns expressed about their fitness to practise. The student may bring witnesses and make written submissions. Any written submissions or documents intended to be relied upon by the student should be submitted to the Chair of the Committee no later than three working days before the meeting. A list of proposed witnesses (if any) should also be provided to the Chair of the Committee by the student no later than three working days before the meeting.
- 8.12 A contemporaneous record of the meeting shall be taken.
- 8.13 Following the meeting, the Committee will determine whether the student's fitness to practise is impaired or may become impaired, in accordance with this Policy, and whether any action is necessary. The precise nature of any action will depend on the circumstances of each case. Actions may include, but are not limited to, one or more of the following:
- Decision made that there is no case to answer.
 - Decision made that no further action is to be taken.
 - Support arrangements and/or reasonable accommodation to be put in place for the student.
 - An action plan be drawn up setting out how the matter will be managed by the Department including the outlining of any requirements which are placed on the student.
 - The matter be referred for consideration under another University Policy e.g. Student Expected Behaviour Policy and Disciplinary Procedure.
 - Issue a Formal Warning to the Student. This Formal Warning should be given in writing, clearly notifying the student that they have been issued a formal warning regarding their conduct. This Formal Warning will remain live for the remainder of their course and will form part of their permanent record.
 - Continue in the relevant programme, subject to review.
 - Repeat certain aspects of the relevant programme.
 - The student be given the opportunity to be transferred to an alternative programme of study.
 - Withdrawal of the student from placement indefinitely or for a specified duration.
 - Suspension of the student from the relevant programme until the student is certified as fit to proceed by an appropriately qualified person.
 - Expulsion of the student from the relevant programme.
 - Dismiss or strike out from the student's record, any allegations based on vexatious, false or malicious claims.
 - Such other action as is appropriate in the circumstances.

- 8.14 The Fitness to Practise Committee shall normally communicate its decision in writing within 15 working days of the meeting. Where the decision cannot be communicated within 15 working days, the student may be informed in writing of the revised timescale for receiving a response and the reason(s) for the delay.
- 8.15 A copy of the decision and any associated documentation will be retained, in line with the General Data Protection Regulation and University policy.
- 8.16 The decision of the Fitness to Practise Committee will also be communicated to relevant members of the programme board.

Appeal to the Chief Academic Officer

- 9.1 The student may appeal the decision of the Fitness to Practise Committee to the Chief Academic Officer (CAO) of the University. Unless the CAO decides otherwise, any decision being appealed will retain full force and effect during the currency of the appeal.
- 9.2 To initiate an Appeal, a student must write to the CAO, setting out the grounds of appeal in detail, within 5 working days of the date of notification of the decision which is being appealed.
- 9.3 The student may appeal the Formal Stage outcome to the CAO on the grounds that:
- The University failed to follow the process set out in the policy and this had a material effect on the decision.
 - The decision at the Formal Stage was inconsistent or disproportionate to the evidence provided.
 - The evidence produced at the Formal Stage meeting with the Fitness to Practise Committee was factually incorrect or the student has new and material information or evidence which was not previously available and would have a material effect on the decision.
- 9.4 The student shall specify the grounds on which the appeal is made.
- 9.5 The CAO may invite submissions from the student and any other persons deemed necessary, including the relevant Head of Department, the Committee or particular members of it, and may meet with them or determine the matter on the basis of written submissions alone (if this is deemed appropriate in the circumstances).
- 9.6 The CAO will normally review the appeal within 15 working days of the receipt of the appeal and may make one of the following decisions:
- Dismiss the appeal (in whole or in part).
 - Uphold the appeal (in whole or in part).
 - Direct that the Committee undertake a further meeting with the student.
 - Impose an alternative decision.

- 9.7 The CAO will communicate their decision to the student normally within 15 working days of the determination of the appeal.
- 9.8 The decision of the CAO is final and may not be appealed.
- 9.9 The CAO shall be and is the final arbiter in respect of alleged breaches of the Student Fitness / Preparedness to Practise Policy. If a student remains unhappy with the determination of the complaint, the student may make a complaint to the Ombudsman (www.ombudsman.ie).