



**Education and Registration Standards Committee**

**13 October 2015**

**Health and disability and student fitness to practise guidance review update**

<b>Classification</b>	Public
<b>Purpose</b>	For noting
<b>Issue</b>	An update on the review of guidance on health and disability and student fitness to practise
<b>Recommendation</b>	To note the progress on the reviews.
<b>Financial and resourcing implications</b>	There will be a small cost incurred in consulting on the documents and designing them for publication which are contained within the Professional Standards/Communications budgets.
<b>Equality and diversity implications</b>	These will be addressed within the revised documents.
<b>Communications implications</b>	The revised guidance will be subject to a limited consultation.
<b>Annex</b>	Overview of other regulators' equivalent guidance
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## Background

1. The GOsC issues guidance on Student Fitness to Practise and on Student Health and Disability, in the following documents:
  - a. *Student Fitness to Practise: Guidance about professional behaviours and fitness to practise for osteopathic students*
  - b. *Student Fitness to Practise: Guidance for Osteopathic Educational Institutions*
  - c. *Guidance for applicants and students with a disability or health impairment*
  - d. *Students with a disability or health impairment: Guidance for osteopathic educational institutions.*
2. These documents originally date from 2010, and though updated to refer to the Osteopathic Practice Standards introduced in 2012, have not otherwise been updated since their introduction. The Health and Disability guidance was written when the Equality Act 2010 was introduced, and its provisions were therefore new. The fitness to practise guidance was written before the publication of the Francis Report and issues such as the duty of candour became prominent within healthcare.
3. All of the above guidelines are therefore being reviewed in the light of developments within osteopathy, osteopathic education, and healthcare generally over the last five years.

## Process

4. A review has been conducted of similar guidance on fitness to practise, professional behaviours, and health and disability issued by other healthcare regulators, to gauge current developments and activity within the sector. An overview of equivalent guidance is attached at the Annex. A number of the regulators are currently conducting their own reviews. The GMC is reviewing their current guidance on student professional values and fitness to practise, and the GDC is, similarly, in the later stages of a major review of their guidance on student fitness to practise. A meeting was held with the GDC policy manager overseeing their review process, to see how they have implemented this, and to discuss any themes that have arisen as a result.
5. Each of the osteopathic educational institutions (OEIs) has been contacted with a set of questions regarding their experience in utilising the guidance documentation. Where practicable, face-to-face meetings were held with representatives of OEIs to explore their views and experiences in more depth. The issues were further explored in a regular meeting between the GOsC and OEIs on 16th September. The aim is to gauge where OEIs have found the guidance helpful, whether they have experienced any issues as a result of

implementing this, and how they feel that the guidance could be enhanced particularly with their own case studies.

### **Preliminary outcomes**

6. One question we had to begin with was whether there was value in maintaining separate documentation aimed at students and OEIs respectively, or whether the guidance would be better combined. The OEIs generally prefer having separate documents aimed at different audiences. Where regulators (such as the GDC) have combined documentation, the general trend is to revise these and create separate documents for students and educators. The initial feel, therefore, is to maintain separate documents in each case for students and potential students, and for OEIs.
7. Some regulators are more detailed in their guidance to students on professional behaviours, and the expectations on them as students, giving specific examples of the types of activities or behaviours which might call their fitness to practise into question. OEIs generally, favoured the inclusion of more detailed guidance to students.
8. The outcomes of the Francis report and the duty of candour is felt to need broader reference in the guidance on professional behaviour.
9. There have been discussions with OEIs over the last few months regarding guidance given to students on the practicing of osteopathic technique, and on the question of relationship boundaries between teaching staff and students. There is no clear consensus on this, with each OEI having their own policies in each respect, but it is felt that some generic guidance could be included within the revised documentation on these issues and further work is planned in this area.
10. Each OEI utilises the guidance documentation differently. Some send it out to all students, whereas others use it to help prepare their own documentation and guidelines. All OEIs who responded utilised the fitness to practise guidance, though some were less familiar with the guidance on health and disability, relying on internal processes and policies to ensure compliance with the Equality Act.
11. In all cases, OEIs felt that using case examples within the documentation would be very helpful in order to help contextualise the guidance offered.
12. There has been a growing awareness of mental health issues amongst students in recent years, as evidenced by the GMC document 'Supporting medical students with mental health conditions' (2013), and The Universities UK Good Practice Guide; 'Student mental wellbeing in Higher Education' (2015). The emphasis in these documents is on the supporting of students with mental health conditions, and acknowledging that such issues are common, and not necessarily a bar to successful completion of a healthcare programme of study.

Although the current GOsC guidance does refer to mental health among other issues, it is potentially underplayed, and it is intended to expand on the guidance given in this respect.

### **Next steps**

13. We are now working on revising the current guidance documents, bearing in mind the issues raised during initial consultation, and in our wider review of other regulators' guidance. The major changes to the health and disability guidance are likely to be a broader inclusion of mental health issues, and a general rewrite to acknowledge the fact that the Equality Act is no longer new legislation. The fitness to practise guidance will have more emphasis on the professional behaviour issues mentioned above, with greater guidance for students on pitfalls which may arise during a programme of study, and how these may be avoided. In all cases, case examples will be incorporated within the revised guidance to provide greater context. The OEIs are being asked to assist by providing cases for inclusion.
14. Once first drafts have been produced, a further consultation process will take place with the OEIs and others.

**Recommendation:** to note the progress on the reviews.

Overview of other regulators' equivalent guidance

Regulator	Student fitness to practise	Health and disability	Comments
<p>General Medical Council</p>	<p>GMC guidance is extensive and located here:</p> <p><a href="http://www.gmc-uk.org/education/undergraduate/undergraduate_policy.asp">http://www.gmc-uk.org/education/undergraduate/undergraduate_policy.asp</a></p> <ul style="list-style-type: none"> <li>Professional Values and FtP document published 2009 – developed by GMC and MSC (Medical School's Council). Aimed at <i>both students and medical schools</i>.</li> <li>Covers FtP on health grounds as well as behavioural.</li> <li>On page 30 are some examples of causes for concern</li> </ul> <p>They have some case examples to work through, which cover some of the key principles:</p> <p><a href="http://www.gmc-uk.org/static/media/Medical_Students/index.html">http://www.gmc-uk.org/static/media/Medical_Students/index.html</a></p>	<p>FtP documents complemented by Gateways to the Professions document, which mirrors the GOsC guidance to OEIs regarding students with disabilities or health impairments</p> <p>There are also case examples and short films to enable disabled students to share their stories:</p> <p><a href="http://www.gmc-uk.org/education/13662.asp">http://www.gmc-uk.org/education/13662.asp</a></p> <p>The 'Supporting Students with Mental Health' document is aimed, as implied, at this particular issue.</p>	<p>A review is currently underway of guidance on professional values and fitness to practise:</p> <p><a href="http://www.gmc-uk.org/education/25920.asp">http://www.gmc-uk.org/education/25920.asp</a></p> <p><b>Duty of candour:</b></p> <p>The GNC and NMC produced joint guidance on candour.</p> <p><a href="http://www.gmc-uk.org/Joint_statement_on_the_professional_duty_of_candour_FINAL.pdf">http://www.gmc-uk.org/Joint_statement_on_the_professional_duty_of_candour_FINAL.pdf</a> 58140142.pdf</p> <p>This is consistent with the joint statement produced by the Chief Executives of all the regulators.</p> <p>There is also a GMC document on 'Raising and acting on concerns about patient safety'. Consider whether GOsC needs a similar</p>

## Annex to 6

			<p>document, or whether more fulsome advice can be incorporated into the FtP guidelines?</p> <p><a href="http://www.gmc-uk.org/guidance/ethical_guidance/raising_concerns.asp">http://www.gmc-uk.org/guidance/ethical_guidance/raising_concerns.asp</a></p>
General Dental Council	<p>Guidance on student fitness to practice: a single document aimed at students and education providers (April 2010).</p> <p><a href="https://www.gdc-uk.org/Newsandpublications/Publications/Publications/StudentFtPApril10web_260310[1].pdf">https://www.gdc-uk.org/Newsandpublications/Publications/Publications/StudentFtPApril10web_260310[1].pdf</a></p>		<p>Currently under review:</p> <p><a href="http://www.gdc-uk.org/Aboutus/education/Pages/Student-fitness-to-practise-review.aspx">http://www.gdc-uk.org/Aboutus/education/Pages/Student-fitness-to-practise-review.aspx</a></p>
General Optical Council	<p>Appears to show information relating to registrant's FtP rather than students:</p> <p><a href="https://www.optical.org/en/Investigating_complaints/fitness-to-practise-guidance/">https://www.optical.org/en/Investigating_complaints/fitness-to-practise-guidance/</a></p> <p>Having spoken to Marcus Dye at the GOC, the reason for this is that the GOC registers students, and therefore deal with any FtP issues under their generic</p>	<p>There is a guide on becoming an optometrist or dispensing optician for students with disabilities and health issues. This is similar in format to the GOSc guidance on these issues, although the GOC require students to register with them.</p>	

	<p>processes. They have been working on a document that is aimed at students, which puts these issues in a more student focused context, and this is due for publication in October 2015</p>		
<p>Health and Care Professions Council</p>	<p>There isn't student FtP guidance as such. They do have guidance on health and character, and on conduct and ethics for students (2012)</p> <p>Guidance on health and character: divided into sections to make it suitable for multiple audiences. It is partly aimed at students, but not entirely.</p> <p>The guidance on conduct and ethics for students is more helpful, and this contains some clear guidance aimed at students akin to that provided by the NMC and GCC</p> <p>There is a comprehensive report on the question of registering students:</p> <p><a href="http://www.hpc-uk.org/assets/documents/10003a3cenc04-studentfitnesstopractise.pdf">http://www.hpc-uk.org/assets/documents/10003a3cenc04-studentfitnesstopractise.pdf</a></p>	<p>THE HCPC have just produced a guide for disabled people about becoming a health and care professional regulated by the HCPC, including information for education providers.</p> <p><a href="http://www.hcpc-uk.org/aboutregistration/healthanddisability/?dm_i=2NJF,2JFJ,2AL4ZQ,7AFT,1">http://www.hcpc-uk.org/aboutregistration/healthanddisability/?dm_i=2NJF,2JFJ,2AL4ZQ,7AFT,1</a></p>	

<p>General Chiropractic Council</p>	<p><a href="http://www.gcc-uk.org/UserFiles/Docs/GuidanceforStudents.pdf">http://www.gcc-uk.org/UserFiles/Docs/GuidanceforStudents.pdf</a></p> <p>This is similar in format to the GOsC guidance, with separate documents for students and education providers. p9 - 10 of the education guidelines– sets out a list of possible FtP issues, which though not prescriptive, is more illustrative than the GOsC approach.</p> <p>The document for students has examples of behaviours expected, and what would be a cause for concern. The language of the GCC version is straightforward and direct in terms of the expectations it conveys.</p> <p>Case examples are given to explain the concepts.</p> <p>Dates from 2012</p>	<p>There is guidance on becoming a chiropractor for disabled students, which is similar in nature to that issued by the GOsC:</p> <p><a href="http://www.gcc-uk.org/UserFiles/Docs/GuidanceforStudents.pdf">http://www.gcc-uk.org/UserFiles/Docs/GuidanceforStudents.pdf</a></p>	
<p>Nursing and Midwifery Council</p>	<p>This looks in a very similar format to the GOsC guidance. They give some further detail as to the types of issues which might call someone’s FtP into question (p7). On p12-14 the four principles of</p>		



	<p>the NMC code of conduct, but these are adapted slightly to refer to the student context (i.e. reference to coursework, and seeking advice from tutors etc). This is similar to the GDC and GCC guidance.</p> <p><a href="http://www.city.ac.uk/_data/assets/pdf_file/0007/65536/Guidance-on-Professional-Conduct-for-Nursing-and-Midwifery-Students.pdf">http://www.city.ac.uk/_data/assets/pdf_file/0007/65536/Guidance-on-Professional-Conduct-for-Nursing-and-Midwifery-Students.pdf</a></p>		
<p>General Pharmaceutical Council</p>	<p>The GPC has a code of conduct for student pharmacists (2010):</p> <p><a href="https://www.pharmacyregulation.org/education/pharmacist/student-code-conduct">https://www.pharmacyregulation.org/education/pharmacist/student-code-conduct</a></p> <p>And guidance of FtoP for students and institutions (2010):</p> <p><a href="https://www.pharmacyregulation.org/sites/default/files/Guidance%20on%20student%20fitness%20to%20practise%20procedures%20s.pdf">https://www.pharmacyregulation.org/sites/default/files/Guidance%20on%20student%20fitness%20to%20practise%20procedures%20s.pdf</a></p>		