

Fitness to Practise of Medical Students: policy statement

Introduction

From the moment a student is admitted to one of our medical courses they are en route to a career as a doctor. Along with the scientific knowledge and clinical skills that they will acquire on the way, they are expected to practise the behaviour and attitudes of a professional. Professional behaviour is as important an attribute for students to acquire as knowledge and skills, and encompasses a significant number of outcomes expected in medical graduates. The University cannot bestow a medical degree where it has reason to believe that an individual has not developed and maintained a professional attitude. Whilst students' development of professional behaviour is monitored and confirmed throughout the course there may be occasions when a student exhibits behaviour that falls significantly below the expected standard to the extent that there may be doubts about whether it would safe or otherwise appropriate to practise medicine: such cases are treated seriously and this policy document sets out the University's policy and procedures in such cases.

Section 1: the role of the GMC, the medical school, and the University in relation to student fitness to practise medicine

The GMC provides guidance to all medical schools in relation to fitness to practise policies including guidance on the threshold of acceptable behaviour. The Medical Sciences Division is responsible for the Fitness to Practise policies and procedures in place at the University of Oxford: like all aspects of medical teaching and training provision, these are subject to scrutiny by the GMC to ensure that they are effective. These policies and procedures are applicable to all medical students who should familiarise themselves with them. Likewise all teaching staff, both University and NHS, should be familiar with them.

Additionally, the University, via the office of the Proctors, is responsible for the procedures in relation to student conduct under the Statute governing University discipline. This Statute is applicable to all students, not just medical students. The relationship between those procedures and the formal Fitness to Practise procedures is set out in the latter.

The policies and procedures are designed to be fair to students at all stages whilst at the same time ensuring that those students who are deemed unfit to practise medicine are not permitted to graduate with a registerable medical degree, thereby safeguarding the public and the profession. It should also be noted that the GMC has the right to refuse admission to the Register even on a provisional basis of any student who has graduated successfully but whom the GMC for its part judges unfit to practise.

Section 2: Awareness of Fitness to Practise policy and procedures

This policy document is intended to ensure that prospective students, current students and staff, including NHS staff, are aware of our Fitness to Practise policy and procedures.

As well as open access to this document on our website we:

- Provide information regarding fitness to practise in relation to both behaviour and health on our admissions website.
- Provide new students with an induction that includes concepts of professional behaviour and directs them to detailed guidance in the Code of Conduct for Medical Students. In addition, we provide them with the same information in handbooks and on websites.
- Provide staff, including NHS staff, with a key facts sheet that signposts our Fitness to Practise policy and procedures contained on this website.

Section 3: Pastoral care provision

Some kinds of behaviour that give rise to concerns stem from underlying academic or personal problems being experienced by students that could be remedied with appropriate guidance and support.

Staff and students should be aware that medical students at Oxford have many sources of pastoral care to support students in difficulty. Colleges provide pastoral care for students on the pre-clinical course. The student will have a college tutor to whom he or she can turn for advice and help, and in addition there is a pastoral team in each college. In cases of doubt as to who to contact, the Senior Tutor at the relevant college should be consulted.

Students on the clinical course will have a college adviser assigned to them, but additionally may contact the Associate Director of Clinical Studies who will provide support and advice in relation to any problems referred.

Those on the Graduate-entry Course are provided with college pastoral support, but are also supported by the Associate Director of the Graduate-entry Course during their first two years of study, and by the Associate Director of Clinical Studies for the final two years.

Staff and students may always contact the relevant course Director or associated administrative staff who will also offer support.

Additionally, there are professional sources of support within the University including the Student Counselling Service. The college welfare team in each college or the University's Student Information and Advisory Service can advise students on a range of services available to them.

Section 4: Channels for raising concerns about students

The Medical School will welcome and consider information or concerns about students from any source, including NHS staff and patients and their carers. If any person (including another student) has a concern about the behaviour of a medical student, they should contact either (a) one of the Directors of Studies of the medical courses or (b) the Secretary of the Medical Sciences Division. It is the duty of these designated individuals to ensure that anything of serious concern is considered from the perspective of fitness to practise. If it appears to warrant further consideration of fitness to practise, the matter will be referred by the Secretary of the Medical Sciences Division to the Head of Division in the first step of the formal procedures. The Medical School will not normally consider anonymous allegations, and, in the event that the concerns are serious enough to warrant investigation, the person who has raised the concern may be required to provide further information. However, in certain circumstances if there are risks associated with revealing the identity of the original informant, that identity may be protected.

The information may come to the Medical School in the form of a complaint. In this case, the complaint will be handled in parallel to the consideration of fitness to practise. The same designated individuals will be responsible for considering and responding to a complaint. Anyone who is unsatisfied with the outcome of their complaint may refer the matter to the University's Proctors. Information on how to do so may be obtained from the Secretary of the Medical Sciences Division.

Section 5: Our Formal Fitness to Practise procedures

The formal Fitness to Practise procedures are part of the Regulations of the University and are to be found on the main University website: <http://www.admin.ox.ac.uk/statutes/regulations/110-056.shtml>

Section 6: Confidentiality and disclosure

Where the Head of Division judges that there is a case that a medical student's conduct has been such that the student may not be fit to practise Medicine, he or she will appoint a suitably trained senior member of staff, 'the investigator', who has had no previous involvement, for investigation and report. During the course of an investigation under the Fitness to Practise procedures, confidentiality as regards the student's identity will be observed as far as possible. A small number of persons will need to be informed including college tutors (Senior Tutor and personal tutor) and the relevant Director of Studies. Also in the course of their investigation, the investigator may need to interview additional persons, or seek further documentation, to verify or add information. In these circumstances members of the University, colleges and NHS teaching staff are asked to cooperate with the investigator and not to withhold information material to the case. There may be circumstances in which maintaining confidentiality as regards the student's identity may be difficult: for example a student may be suspended from the course during the investigation.

A member of the administrative staff will be appointed to support the investigator. This member of staff will be responsible for ensuring that a separate file is maintained documenting the investigation with a note cross-referencing this file on the student's main file. This separate file will be kept securely, with access permitted only to those involved in the case. The Secretary of the Medical Sciences Division is responsible for ensuring that the appointed staff member is briefed regarding confidentiality.

There are circumstances in which information will be disclosed to third parties following the hearing and judgement of the case. Such circumstances include, though are not restricted to, judgements that the student may not proceed to the Second BM course in Oxford (or the equivalent elsewhere). Such disclosure is justified by the responsibility that lies with the School to ensure that only those students who are fit to practise medicine are allowed to graduate with a medical degree.

Section 7: Applying the threshold of acceptable behaviour

There are two documents that students should read that provide guidance on behaviour. These also provide useful guidance to staff who may be in doubt as to whether a student is behaving appropriately. The first is Statute XI University Discipline which contains a Code of Discipline applicable to all students within the University http://www.admin.ox.ac.uk/statutes/352-051a.shtml#_Toc28142344 . Additionally medical students have their own Code of Conduct <https://weblearn.ox.ac.uk/portal/hierarchy/medsci/med> which supplements the Code of Discipline reflecting the fact that medical students have certain privileges and responsibilities that distinguish them from most other kinds of students. As well as setting out the essentials of the expected behaviour of medical students, the Code also gives examples of inappropriate behaviour that would breach the Code and be a cause for concern. These types of behaviour would trigger the Fitness to Practise procedures.

Under these procedures, the investigator and the panel will be guided by the following in determining the threshold of acceptable behaviour:

'A student's fitness to practise is called into question when their behaviour raises a serious or persistent cause for concern about their ability to continue on a medical course, or to practise as a doctor after graduation. This includes, but is not limited to, the possibility that they could put patients or the public at risk.' (Medical students: professional behaviour and fitness to practise: GMC and MSC joint publication)

Section 8: Timescales

The Fitness to Practise procedures are given high priority by all staff.

Section 9: Updating the policy

Responsibility for updating the Fitness to Practise procedures of the medical school lies with the Secretary of the Medical Sciences Division.

Section 10: Contact details

The Secretary of the Medical Sciences Division may be contacted in the Medical Sciences Office, Level 3, John Radcliffe Hospital, telephone: 01865 221681, email david.bryan@medsci.ox.ac.uk . All the Directors of Studies may be contacted via the same address.

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