

UNIVERSITY OF OXFORD
MEDICAL SCIENCES DIVISION

**Policy and procedure on medical students causing concern
and fitness to study/practise**

1. Introduction

This document sets out the policy and procedures to be followed in cases of students who are causing concern on grounds of:

- ill health and/or disability
- other welfare/personal issues
- unprofessional behaviour / misconduct
- any combination of the above

This policy and these procedures are applicable to pre-clinical medical students, graduate-entry medical students, and clinical medical students.

2. Pastoral care and student support

Giving support to students is pivotal in helping to prevent issues of behaviour or health becoming more serious. The Medical School, the University, and the Colleges provide a vast network of support services for students. Information about support services can be found on the Oxford Students website, on the Virtual Learning Environment (Weblearn), in course handbooks, and in College handbooks and websites.

Each section of the medical course (pre-clinical, clinical and graduate-entry) has a designated member of academic staff who acts as the lead on student welfare matters.

3. Concerns about health, disability, and other welfare issues

A process diagram showing the procedures to be followed in cases of students who are causing concern on grounds of ill health and/or disability and/or other welfare issues is provided in [Annex A](#).

Stage 1 of the procedures will normally be followed in the first instance. However, where the concerns are serious, a student may be placed immediately on Stage 2 or Stage 3 of the procedures.

GMC guidance¹ states:

In most cases, health conditions and disabilities do not affect a medical student's fitness to practise, as long as the student:

- *Demonstrates appropriate insight*
- *Seeks appropriate medical advice*
- *Complies with treatment*

¹ Professional behaviour and fitness to practise: guidance for medical schools and their students (GMC/MSC, 2016)

Students with disabilities should register with the University's Disability Advisory Service (DAS). The DAS has responsibility for putting together a Student Support Plan and communicating it to the relevant contact in the Medical School and the student's College.

Medical students should tell the Medical School and their College about any serious health problems, or any aspect of their health or personal circumstances that could affect their studies or their training or their relationship with colleagues. This is so that the Medical School can ensure that they are getting the necessary support and make necessary adjustments for teaching, clinical training, placements, examinations and assessments.

Colleges are encouraged to liaise with the Medical School if they have any questions about fitness to study/practise, or other welfare concerns. In the same way, the Medical School should liaise with the student's College. Sensitive personal data (e.g. information about a student's mental or physical health) may be shared within the collegiate University but must be handled with care (see paragraph 10).

If a student has a medical problem which seems to be affecting their studies, they may be referred by the Medical School to the University of Oxford Occupational Health Service or the Oxford University Hospitals Occupational Health Service so they can get appropriate assessment. The resulting advice is likely to be along the lines of one of the following:

- Medically fit to remain on the course, with support and adjustments if appropriate.
- The need for an interruption from the course to pursue treatment and/or convalescence.
- Referral to an independent specialist for further advice.

In rare circumstances, a chronic or progressive health condition, or a serious health condition which develops after the student begins the course may mean it is not possible for a student to meet all the outcomes required by the GMC for graduation. Also, in a small number of cases, a health condition may mean a student's fitness to practise will be impaired.

If a student is unable to demonstrate the necessary competencies and all reasonable options for support and adjustments have been provided, it may be necessary to begin formal fitness to practise procedures. The Medical School will continue to support the student throughout this process.

4. Concerns about unprofessional behaviour or misconduct

GMC guidance states:

Medical students are working towards joining the medical profession. Their studies will put them in contact with patients and members of the public, who may often be vulnerable. Because of this, we expect medical students to display standards of professional behaviour that are different from those of other students. Meeting these standards is a requirement for graduation with a primary medical qualification.²

A process diagram showing the procedures to be followed in cases of students who are causing concern on grounds of unprofessional behaviour or misconduct (whether or not there are also ill health and/or disability and/or other welfare issues) is provided in [Annex B](#).

Stage 1 of the procedures will normally be followed in the first instance. However, where the concerns are serious, a student may be placed immediately on Stage 2 or Stage 3 of the procedures.

² Professional behaviour and fitness to practise: guidance for medical schools and their students (GMC/MSc, 2016).

Reasons for impaired fitness to practise in medical students

Examples of the sorts of behaviour that might indicate that a student's fitness to practise is impaired include:

- Persistent inappropriate attitude or behaviour, including:
 - Lack of commitment to work or lack of engagement with the course
 - Neglect of administrative tasks
 - Poor time management
 - Non-attendance
 - Poor communication skills
 - Failure to accept and/or follow reasonable educational advice
 - Failing to answer or respond to communications
- Cheating or plagiarism
- Dishonesty or fraud, including dishonesty outside the professional role
- Drug or alcohol abuse
- Aggressive, violent or threatening behaviour
- Failing to demonstrate good medical practice
- Any conviction or caution
- Poor insight or poor management of concerns about their own health

Code of Conduct for medical students

The Code of Conduct sets out the standards of behaviour expected of medical students at the University of Oxford. It applies to Pre-clinical medical students, Graduate-entry medical students, and Clinical medical students. Deviation from the Code of Conduct will normally result in action being taken by the Medical School (see [Annexe B](#)).

Referring a student to fitness to practise procedures

If a student's behaviour suggests that they may be a risk to patients or the public, or may bring the profession into disrepute, it is appropriate to consider their fitness to practise through a formal procedure.³

The decision to refer to formal fitness to practise procedures could be because of a single significant event or a pattern of behaviour, and may also be the result of educational remediation that has failed to resolve the issue.⁴

The University's fitness to practise procedures are set out in Council Regulations 7 of 2006 (<http://www.admin.ox.ac.uk/statutes/regulations/110-056.shtml>).

5. Interaction between the Medical School's procedures and actions taken by students' colleges

In cases of students causing concern, the Medical School should liaise with the student's college as far as possible to evaluate and gather evidence, to ensure that the student is receiving the necessary support and adjustments, and to monitor the student's progress.

³ Professional behaviour and fitness to practise: guidance for medical schools and their students (GMC/MSC, 2016).

⁴ Ibid.

Each college has its own disciplinary procedures, academic disciplinary procedures, and fitness to study procedures. Actions taken by a college should not prevent or delay the Medical School from beginning or proceeding with the procedures set out in [Annexe A](#) and [Annexe B](#), and vice versa. However, the Medical School should inform the student's college at all stages of the procedure, so that the college is fully aware of the actions being taken by the Medical School. Likewise, colleges are asked to inform the relevant Director of Studies at the Medical School of any disciplinary procedures / fitness to study procedures being actioned in the case of a medical student.

6. Fitness to practise at graduation

The Medical School will not allow a student to graduate with the degrees of BM BCh where fitness to practise concerns have been raised or are under consideration. Therefore the Medical School will consider all fitness to practise concerns and will have reached a determination before it allows a student to graduate. By allowing a student to graduate, the Medical School is declaring them fit to practise as a doctor.⁵

7. GMC provisional registration

Medical graduates who work in the UK must apply to the GMC for provisional registration and answer questions about their health, conduct and any criminal record, which will help the GMC decide if they meet the requirements for registration. The GMC has a statutory duty to register only those doctors whose fitness to practise is not impaired.

When students apply to the GMC for provisional registration, they will be required to make a declaration of fitness to practise. Any disciplinary or fitness to practise action taken by the Medical School or University – for example, any issue considered by a formal panel, committee or hearing – should be declared to the GMC, irrespective of the outcome.⁶

If there is a concern that a student may be refused registration, the relevant officer at the Medical School should seek advice from the GMC as early as possible.

8. Suspension of study / Repeating study

A process diagram showing the procedures to be followed in cases of students who are suspending study is provided in [Annex C](#).

A medical student may wish to suspend their student status on medical or other personal/welfare grounds. Students do not have an automatic right to suspend status; they must obtain permission from their college to do so, though colleges will consider sympathetically requests on medical, or other personal/welfare grounds.

A student whose status is suspended on medical grounds will normally be expected by their College and by the Medical School to follow appropriate medical advice and treatment as agreed with a doctor (typically the GP with whom the student is registered in Oxford) in order to address their health problems. After suspension on medical grounds, and before a student is permitted to resume study, the College must receive a medical assessment from the doctor, stating whether or not the student is medically fit to resume study. The doctor's assessment will, as appropriate, take into account reports provided by other clinicians involved in the care of the student during the period of suspension. The

⁵ Professional behaviour and fitness to practise: guidance for medical schools and their students (GMC/MSC, 2016).

⁶ Ibid.

college will be responsible for determining, in the light of the doctor's assessment, whether the student is fit to study and whether any other conditions of return have been met.⁷

In the case of a student where there is a history of serious health issues affecting their work, the Medical School may require the student to undergo an assessment by the Occupational Health Service before they are allowed to return to the course. The Medical School will liaise with the student's college to make sure that all requirements are clearly communicated to the student.

In the case of a student on the clinical stage of the course, it may be necessary for the student to have a formative assessment and/or a period of re-training in clinical skills before the student can resume the course at the same point as where they suspended study.

As the Medical School is required by the GMC to manage concerns about students' fitness to practise, colleges are asked to contact the Medical School (through the relevant Director of Studies) before agreeing that a student may suspend their student status, to consult and agree on whether a period of suspension is appropriate, what the expected return date should be, and what conditions should be set for the student's return.

Any term of study that has been completed by the time of suspension is not normally allowed to be repeated. There might be exceptions, such as when a condition is raised early on in term and, in consultation with tutors and the appropriate college officer, a student attempts to continue study without suspension, but this attempt is ultimately unsuccessful, or where a serious situation has not been recognized at an earlier stage. In such cases any period of 'repeat study' cannot be assumed, but might be considered.⁸

A single period of suspension of status will not normally exceed one year. In some cases colleges will consider an extension, or further period of suspension, following a fresh consideration of the case⁹. Periods of suspension in aggregate extending beyond one year will require consultation with the Medical School, as the GMC states that:

Medical Schools should consider the amount of time that a student is allowed to take away from their studies [for health reasons] before they are asked to retake the full year of the course. Missing a considerable amount of teaching time or placements can make it impossible for a student to catch up on their work. However, this needs to be balanced with the negative effect that retaking a year can have on the student, so decisions should be made on a case-by-case basis¹⁰.

If a student is on Stage 1 or Stage 2 of the procedures to be followed in cases of medical students causing concern (See [Annexe A](#) and [Annexe B](#)) at the time of their suspension, they will normally remain on the same stage of the procedures when they resume study, so that the Medical School can ensure that they are being provided with support and monitoring.

If a medical student who is not on any stage of the procedures suspends their student status on medical or other personal/welfare grounds, they will normally be placed on Stage 1 of the procedures when they resume study, so that the Medical School can ensure that they are being provided with the appropriate level of support and monitoring.

⁷ STC 16/57 Guidance on Undergraduate Suspension of Status (Working Group of the Senior Tutors Committee of the Conference of Colleges, 2016)

⁸ Ibid.

⁹ Ibid.

¹⁰ Supporting medical students with mental health conditions (GMC, 2015)

9. Progression from the Pre-clinical stage to the Clinical stage of the 6-year medical course for students causing concern

During Year 3 of the Pre-clinical course, students may apply to progress to the clinical stage (Years 4-6) of the Oxford course for their clinical training, or to put one of the London Medical Schools as their first choice of Clinical School.

With regard to students applying to progress to the clinical stage of the Oxford course who are on a particular stage of the procedures for medical students causing concern (or who have recently been removed from the procedures), information about the concerns will be made available by the Director of Pre-clinical Studies to the Director of Clinical Studies and other members of staff involved in deciding whether students are ready to progress to the clinical stage of the course.

Where there are concerns about a student (disclosed either by the student themselves on the application, disclosed in a reference, or disclosed by the Director of Pre-clinical Studies), the student may be asked to attend an interview to discuss the concerns and to determine whether they are ready to begin the clinical stage of the course in the next academic year.

- If the interview panel decides that the student is ready to proceed to the clinical stage of the course in the next academic year, the student will be informed that they will be allowed to progress to Year 4 in the following academic year subject to the usual academic conditions. In addition, the Director of Clinical Studies may set additional conditions, such as pursuing a course of medical treatment.
- If the interview panel decides that the student is suitable to proceed to the clinical stage of the course but is not ready to do so in the next academic year (e.g. because the student is causing concern), the student may be asked to take a year out before progressing the clinical course, and re-apply to proceed to the clinical stage of the course in the following year.
- If the interview panel decides that the student is not suitable to proceed with clinical training because their fitness to practise is impaired but the student wishes to progress to the clinical course immediately, the student will normally be referred to the formal fitness to practise procedures (see above).

If a student is on Stage 1 or Stage 2 of the procedures to be followed in cases of medical students causing concern (See [Annexe A](#) and [Annexe B](#)) at the end of the Pre-clinical stage of the course, they will normally remain on the same stage of the procedures when they begin the Clinical stage of the course, so that the Medical School will continue to provide the appropriate support and monitoring.

10. Confidentiality and disclosure

Medical School officers and college staff should be aware of the importance of information security and confidentiality issues. The Medical School and the colleges must comply with the Data Protection Act to protect the confidentiality of students.

However, this does not mean that personal data and sensitive personal data cannot be shared between the Medical School, the colleges and other parts of the University. The University's privacy notice for students¹¹ states: 'In the fulfilment of the collegiate University's responsibilities and purposes, personal data collected by the University may be shared within the collegiate University.'

¹¹ <https://www.ox.ac.uk/students/life/it/studentrecord/data?wssl=1>

Sensitive personal data (e.g. information about a student's mental or physical health) may be shared within the collegiate University but must be handled with extra care. Further information is available within the following documents:

- *University guidance on data protection: guidance for staff on the data protection act*¹²
- *Guidance on confidentiality in student health and welfare*¹³. This document contains a section relating to the special considerations which apply to students on professional courses.

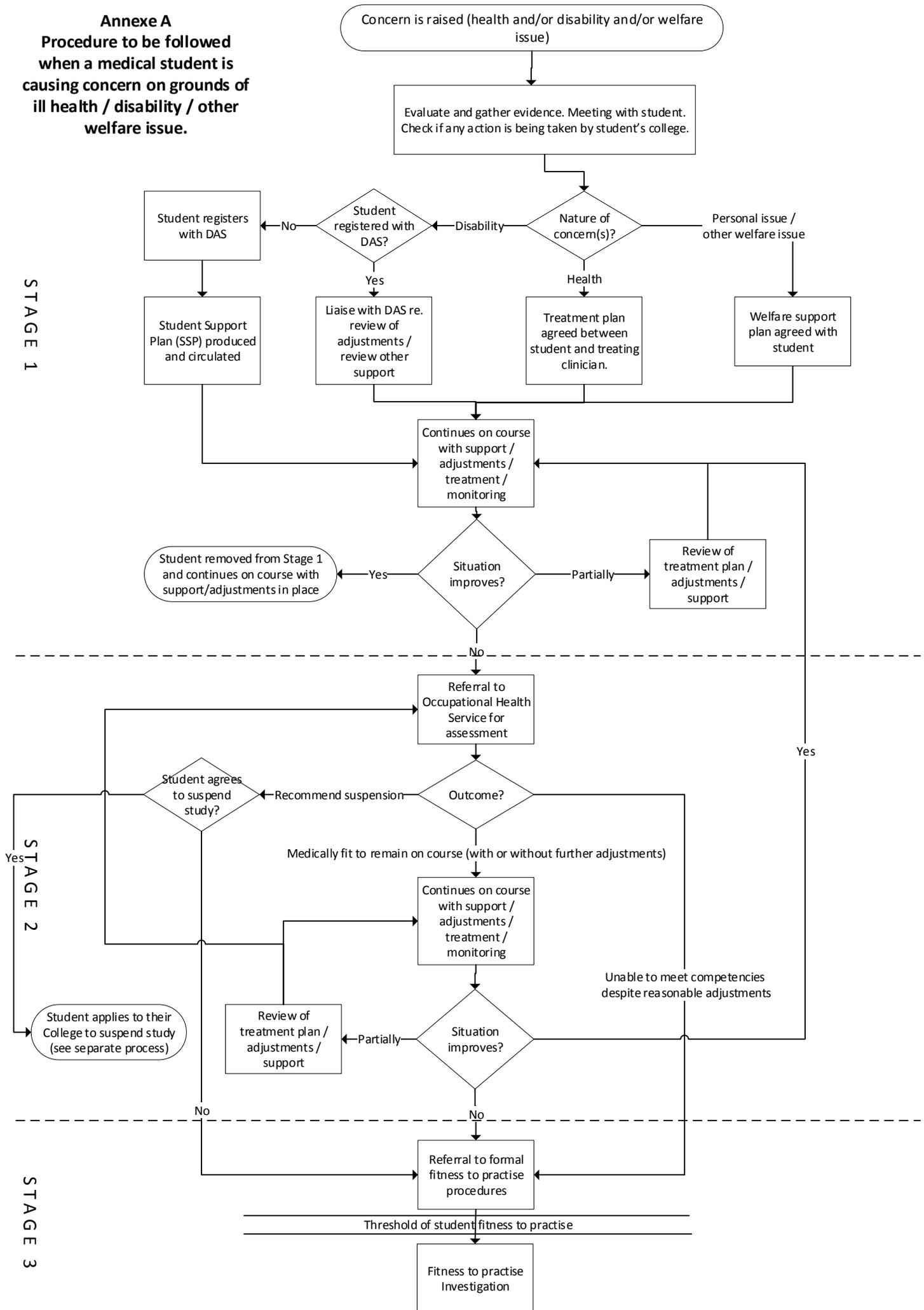
In accordance with the University's privacy notice for students, personal data may be passed to other organisations, including the GMC, other medical schools, foundation schools or postgraduate deaneries, for example if a student has received a written warning or a sanction as a result of the formal fitness to practise procedure.

Kirstie Vreede
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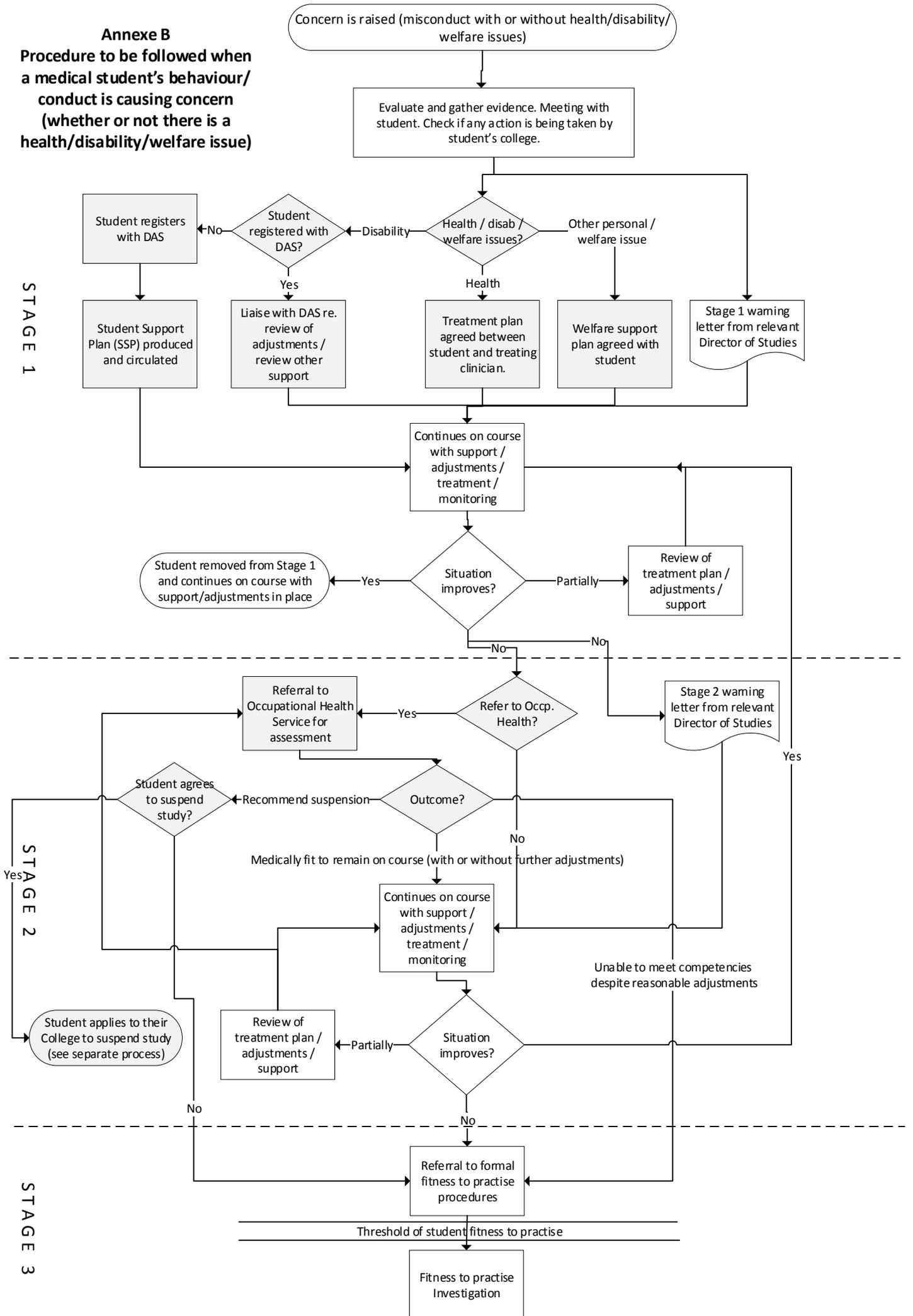
¹² <https://www1.admin.ox.ac.uk/councilsec/compliance/dataprotection/policy/#THEDATA>

¹³ <https://www.admin.ox.ac.uk/aad/swss/disability/confidentiality/>

Annexe A
Procedure to be followed
when a medical student is
causing concern on grounds of
ill health / disability / other
welfare issue.



Annexe B
Procedure to be followed when
a medical student's behaviour/
conduct is causing concern
(whether or not there is a
health/disability/welfare issue)



Annexe C
Procedure to be followed in the case
of a medical student who wishes to
suspend his/her student status

