Terms of Reference and Tasks of the Fitness to Practise Committee

**Primary responsibilities**

- To ensure that students in the Otago Medical School do not pose a risk to patients or others they have professional contact with for underlying personal health issues or because of serious deficiencies or lapses in personal attitudes, conduct or behaviour.

- That where serious impairment, deficiencies or lapses have been identified, remedial steps have been undertaken and fulfilled such that the perceived risks are no longer present.

**Primary tasks**

- To consider and review the “fitness to practise” issues of students referred to the committee.

- To make recommendations through the ALM School Deans/Associate Dean & Director ELM to the relevant School Student Progress Committee for help and support for the referred student towards achieving improvements in personal health or attitudes, conduct and behaviour.

- To monitor the progress of students who have been referred to the committee, and to ensure that all recommendations designed to help and support students to achieve improvements in their attitudes, conduct and behaviour are being followed and the desired outcomes are being achieved.

- To refer individual cases where necessary to the Dean of the Otago Medical School, Academic Board, other appropriate OMS and Division of Health Sciences Committees or Boards, and to the University Disciplinary Authority (Proctor, Provost) as appropriate.

- To make recommendations to the Student Progress Committee, Board of Censors or in exceptional circumstances the OMS Academic Board, regarding the granting of Terms for individual students who have been referred to the committee.

- To notify the appropriate Student Progress Committee, OMS Academic Board and the Dean of the Otago Medical School of any students who should be notified to the Medical Council of New Zealand under the Memorandum of Understanding between the Otago Medical School and the Medical Council of New Zealand (see Appendix). Notification to the Medical Council of New Zealand shall be by the Dean of the Otago Medical School.

**Responsibilities and reporting**

Within its Terms of Reference, the Fitness to Practise Committee has the authority to make recommendations to the relevant Student Progress Committee, Boards of Censors, OMS Academic Board and Dean of the Otago Medical School regarding the award of Terms to a student and the student’s fitness to graduate.

The Fitness to Practise Committee:

- Receives referrals from the relevant School Dean, Associate Dean or Program Director.

- Makes recommendations to the relevant School Dean, Associate Dean or Program Director and through him/her to Student Progress Committees and/or Heads of Departments and/or ADSAs regarding steps to be taken to ensure the ongoing support of the student. This includes conditions which are required to be met in order to enable the student to discontinue supervision by the committee.
• Monitors and subsequently determines whether the reasons for the referral of a student has been satisfactorily addressed and conditions have been met, and whether the student should continue to be monitored or removed from the committee’s monitoring.

• Determines whether any ongoing concerns are of sufficient importance to recommend:
  1. That the student should be denied terms
  2. That the student should be excluded from the medical programme.
  3. That the student should be notified to the Medical Council of New Zealand under the Memorandum of Understanding between the Otago Medical School and the Medical Council of New Zealand regarding “fitness to practise”.
  4. Other courses of action which will satisfactorily resolve all the concerns which prompted referral.

• Reports regularly to the relevant School Dean, Associate Dean or Program Director, Otago Medical School Academic Board and Dean of the Otago Medical School regarding:
  1. The student’s status in respect of the committee
  2. Recommendations regarding measures to alleviate or improve the student’s health status or professional conduct. The relevant ADSA will be responsible for monitoring compliance, progress and reporting to the School Dean, Associate Dean or Program Director for feedback to the committee.
  3. Recommendations made with respect to the award of terms, exclusion from the programme, or notification to the Medical Council of New Zealand.
  4. Additional administrative requirements for Fitness to Practise issues.

Conduct of the Fitness to Practise Committee towards students and natural justice

• The Committee must adhere to due and fair processes when dealing with all fitness to practise issues.

• The Chair of the relevant Student Progress Committee will recommend to either the School Dean, Associate Dean or Program Director that a student be referred to the Fitness to Practise Committee. The School Dean, Associate Dean or Program Director shall inform the student, in writing, that their case has been referred to the Fitness to Practise Committee and shall inform the student of the reasons for the referral.

• The student will be advised that he or she has the right to make a written submission to the Fitness to Practise Committee. In most cases when dealing with professional attitudes and behaviour, face-to-face interaction with the student will take place with the Chair of the Student Progress Committee. The ADSA may attend these meetings. In rare circumstances, consideration will be given to the student meeting with the Fitness to Practise Committee.

• Face to Face interaction with the student over health issues will normally be with the relevant ADSA.

• Students will be advised that they are able to bring a support person to any face-to-face meeting and will be encouraged to do so.

• The Committee will, in consultation with the relevant School Dean, Associate Dean or Program Director endeavour to recommend reasonable means whereby fitness to practice issues may be constructively remedied. The ADSA will continue to monitor the individual student’s progress in fulfilling these recommendations.

• The student will be advised of all Fitness to Practise Committee recommendations in writing. These will include the conditions to be met in order for the monitoring processes to be discontinued, as well as the rare circumstances in which it is being recommended that Terms should be denied or where other actions are recommended.