

FITNESS FOR PRACTICE POLICY

Document Name	ACAP_1_A_POL_Fit_Prac	
Date of Next Review	12 July 2022	
Approved by	Academic Board	9 July 2019
Responsible Person	Dean	
Related Documents	Fair Treatment and Equal Opportunities Policy; Grievances, Complaints and Appeals Policy; Grievances, Complaints and Appeals Procedure; Principles of Procedural Fairness; Privacy Policy; Inherent Requirements Framework; Australian College of Applied Psychology Fitness for Practice Declaration.	
References and Legislation	Tertiary Education Quality and Standards (TEQSA) Act 2011 (Cth); Higher Education Standards Framework (Threshold Standards) 2015; Education Services for Overseas Students Act 2000 (Cth); Education Services for Overseas Students Regulations 2001; National Vocational Education and Training Regulator Act 2011; Migration Act 1958 (Cth); National Code of Practice for Providers of Education and Training to Overseas Students 2018; the Higher Education Support Act 2003 (Cth); Privacy Act 1988 (Cth); Educational Services (Post-Secondary Education) Award 2010.	

1. Purpose

The Fitness for Practice Policy outlines the commitment of the Australian College of Applied Psychology (the College) to ensuring that students undertaking Courses with a placement, fieldwork, internship or practicum component are fit for practice and compliant with mandatory, legislative or registration requirements.

2. Scope

This policy applies to all enrolled students participating in Courses that include a practical component outlined in Schedule A of this Policy, as well as to all staff in relation to the oversight of students undertaking these Courses associated with their employment at the College.

3. Definitions

Term	Definition
<i>Academic staff / teaching staff</i>	Permanent and casual employees engaged in teaching and assessment of Courses at the institution.
<i>AHPRA</i>	Australian Health Practitioner Regulation Agency
<i>College (the)</i>	The Australian College of Applied Psychology (ACAP).
<i>Placement, fieldwork, internships and practica</i>	Supervised professional activities undertaken by students in a practice context that facilitate the development of required professional competencies core to their Course of study.
<i>Fitness for Practice</i>	Professional competence, acceptable professional behaviour, freedom from impairment, and compliance with program specific requirements needed for a study to practice appropriately and safely through the

	placements, fieldworks, internships and practica that form part of their Course.
<i>Fitness for Practice Panel</i>	The College Panel charged with investigating and managing students referred due to concerns raised relating to potential issues with fitness for practice.
<i>Inherent Requirements Framework</i>	The inherent requirements framework for Courses offered at ACAP are available here: https://www.acap.edu.au/student-resources/inherent-requirements-at-acap/

4. Policy

4.1 Statement

The College is committed to supporting the rights of all people who wish to pursue a career in the disciplines taught by the College, including those leading to registration as a health practitioner or professional membership of an organisation that confers rights to practice. The Fitness for Practice Statements have been developed to identify the essential abilities, knowledge and skills needed to achieve the core learning outcomes of accredited programs leading to professional registration or membership. These programs include substantial placements, field placements, internships and practica in which students are exposed to professional practice and the public. The College has an obligation under the National Law to notify AHPRA if a student enrolled in some programs, outlined in Schedule B of this Policy, has *'an impairment that, in the Course of the student undertaking clinical training, may place the public at substantial risk of harm'* (Clause 141 (1) (b)).

The Fitness for Practice Policy has been developed to advise potential applicants and students of the requirements necessary to undertake placements, fieldwork, internships and practica, and should be read in conjunction with the relevant Course inherent requirements which are more general and refer to the Course as a whole. It is important to note that the requirements laid out are not necessarily synonymous with an impairment requiring notification under the National Law.

Students with a disability or chronic health condition may be able to have reasonable adjustments made to teaching and learning, assessment, placements, fieldwork, internships and practica, and other activities to enable them to participate in their Course and meet the Fitness for Practice requirements. However, such reasonable adjustments should not fundamentally alter the nature of the expectations of the performance of the student.

This Policy, its constituent Statements and Requirements are each supported by the College's [Inherent Requirements Framework](#).

4.2 Requirements

Students are required to demonstrate that they are practicing safely and properly throughout their Course, including in respect of their:

- a) professional behaviour and conduct;
- b) professional competence and performance; and
- c) freedom from impairment that may be associated with risk of substantial harm to the public.

In addition, students who are enrolled in Courses specified in Schedule B of this Policy are required to demonstrate compliance with registration as a health professional.

Students must conduct themselves in a way which is consistent with the codes, guidelines, policies and any other reasonable directive specified by the College, employer or host organisation, and the professional or registering body, relative to their stage of learning.

For the purposes of this Policy, clinical supervisors bear primary responsibility for the conduct of students under their supervision and as such must ensure that clinical and professional activities by their students are conducted in accordance with this and other related policies.

Students will need to demonstrate and maintain fitness for practice throughout the duration of their enrolment in order to achieve the Course Learning Outcomes.

Students identified as at risk of being deemed unfit for practice will be advised and managed in accordance with the procedure described below.

Enrolled students in Courses listed under Schedule A and Schedule B who are unable to meet these requirements will be permanently excluded from their Course. Applicants for admission to Courses listed under Schedule A and Schedule B who are unable to meet these requirements may be denied admission to the Course(s).

4.3 Information to applicants and students

Information about the Fitness for Practice requirements will be available on the College website and in the relevant Course information and unit outlines. Prospective students are required to confirm that they had read and understood these requirements and submit a completed Fitness for Practice Declaration Form as part of the Course admission process.

All students will be required to confirm their ongoing fitness on an annual basis and on enrolment in any Unit that has a placement, fieldwork, internship or practicum component.

4.4 Support and services for students

The College provides a range of support and services for students as identified and described at: <https://www.acap.edu.au/current-students/services-and-support-2/>.

Students with a disability, mental health or medical condition which may impact on their studies are strongly encouraged to register for AccessAbility on enrolling in the Course. Students registered with AccessAbility will be provided with a plan that outlines proposed reasonable adjustments that can be made to assist the student to achieve the Course's fitness for practice requirements aligned to the relevant Course Learning Outcomes and rules. The proposed reasonable adjustments will need to be approved by the Course Coordinator (or delegate) and may be subject to amendment if considered by the Discipline to be inconsistent with the requirements of the Course.

4.5 Medical clearance

When concerns regarding a student's fitness for practice are raised, or where a student is deemed unfit for practice, the relevant Chair of Discipline (or delegate) may require that a medical clearance from an appropriate health practitioner is provided to make a determination about a student's fitness for practice. This must be provided by the student within five business days (or another period approved by the relevant Chair of Discipline (or delegate)). A requirement may be made that this is conducted by an independent practitioner specified by the relevant Chair of Discipline (or delegate).

5. Procedure

The following procedure must be initiated when concerns are raised regarding a student's ability to meet the Fitness for Practice Requirements for their Course. It is essential that any concerns of this nature are appropriately investigated and managed in as timely and discrete a way as

reasonably practicable, and in accordance with the ACAP [Principles of Procedural Fairness](#) and [Fair Treatment and Equal Opportunities Policy](#).

Students who are not fit to practice during a placement, fieldwork, internship or practicum may pose a risk to themselves, the public, host organisation staff, College staff, other students, and host organisation clients. These students may also fall under the mandatory notification requirements under the National Law. All information collected as part of the process will be retained and managed in a manner that is consistent with the Navitas [Privacy Policy](#).

Circumstances that may raise doubts about a student's ability to meet Fitness for Practice Requirements and potentially cause a student to be unfit for practice include and are not limited to:

- a) failure to provide a National Criminal History Record check due to expire in 12 months or more;
- b) failure to provide a Working With Children check, due to expire in 12 months or more;
- c) engaging in sexual misconduct in connection with the student's professional practice;
- d) placing the public at risk of substantial harm because of a chronic mental or physical health or medical condition;
- e) evidence of drug or alcohol misuse likely to impair professional practice;
- f) acting in an unprofessional way, including in a violent, aggressive or intimidatory manner;
- g) fraudulent or dishonest behaviour;
- h) failure to comply with relevant legislative and compulsory requirements;
- i) a disciplinary and/or misconduct finding by a professional Board, Tribunal, College or University;
- j) being issued an interim or permanent Prohibition Order by any State Government health services complaints organisation identified in Schedule C below; and/or
- k) being charged and or convicted of an offence punishable by imprisonment in Australia and/or overseas.

The following outlines the steps involved in investigating and managing students identified as being at risk of being unfit for practice.

Step 1

Anyone who observes a student demonstrating a behaviour that raises concern that the student may be unfit for practice (the notifier) may notify the relevant Chair of Discipline (or delegate). The notification should be documented using the Fitness for Practice Notification form, attaching all documentary evidence. In cases where a notifier does not wish to be identified, the Fitness for Practice Notification form may be completed by the relevant Chair of Discipline (or delegate).

Step 2

After a notification has been made the Chair of Discipline (or delegate) will undertake an investigation of the situation, including holding a meeting the student concerned and other relevant parties.

Possible outcomes of the investigation include and are not limited to:

1. no ongoing concerns regarding fitness for practice;
2. ongoing concerns to be managed with a Fitness for Practice Remediation Plan of less than four weeks duration; or
3. ongoing concerns of a severity to warrant referring the student to a Fitness for Practice Committee

The outcome should be notified to the student in writing, and relevant parties advised as agreed in the meeting. Where a Fitness for Practice Remediation Plan does not result in the

return of the student to fitness for practice, then the student should be referred to a Fitness for Practice Panel.

Step 3 (where appropriate)

The Fitness for Practice Panel (FfPP) is charged with understanding the student’s situation and providing any assistance that is required and can be reasonably provided, and to make recommendations to the student.

The FfPP will be comprised of three permanent academic and professional staff of the College, including at least one academic and one professional staff member.

The student will be provided with at least five days written notice of the FfPP, and will be required to attend in person. The student may bring a support person, although not a legal representative, and may submit a written statement to the FfPP.

Possible outcomes of the FfPP include and are not limited to:

1. no ongoing concerns regarding fitness for practice and no further action taken;
2. ongoing concerns to be managed with a Fitness for Practice Remediation Plan of less than four weeks duration;
3. student deemed temporarily unfit for practice requiring suspension from the Course pending receipt of required clearance from a specified health practitioner; or
4. student deemed permanently unfit for practice requiring exclusion from the Course and/or College.

The student will be advised in writing of the outcome of the FfPP within five days of meeting, and relevant parties advised as agreed by the FfPP, including any statutory or mandatory notifications made.

6. Appeals

Appeals against a Fitness for Practice Notification and/ or a finding of a Fitness for Practice Panel will be lodged and processed in accordance with the College’s [Grievances, Complaints and Appeals Policy](#) and [Procedure](#).

7. Document Management Control

Date	Summary of Changes	Author
31/05/2019	Policy established	Dean / Chair of Discipline of Psychological Sciences
3/03/2020	Minor change to wording at ‘5. Procedure’	Dean

Schedule A

Bachelor of Social Work
Bachelor of Counselling
Bachelor of Counselling (Coaching)
Bachelor of Psychological Sciences and Counselling
Graduate Diploma of Counselling
Graduate Diploma of Professional Psychology
Graduate Diploma of Professional Psychology Practice
Master of Counselling and Psychotherapy
Master of Psychology (Clinical)
Master of Social Work (Qualifying)

Schedule B

Graduate Diploma of Professional Psychology
Graduate Diploma of Professional Psychology Practice
Master of Psychology (Clinical)

Schedule C

State / Territory	Organisation
Australian Capital Territory	<u>Health Services Commissioner</u>
New South Wales	<u>Health Care Complaints Commission</u>
Northern Territory	<u>Health And Community Services Complaints Commission</u>
Queensland	<u>Office of the Health Ombudsman</u>
South Australia	<u>Health And Community Services Complaints Commissioner</u>
Tasmania	<u>Health Complaints Commissioner</u>
Victoria	<u>Health Complaints Commissioner</u>
Western Australia	<u>Health and Disability Services Complaints Office</u>