



# Student Fitness to Study/Practise Policy

Owner: Office of Vice-President Academic and Registrar  
Latest Revision: 26<sup>th</sup> of May 2025  
Approved by: Academic Council

## Table of Contents

<b>Purpose:</b> .....	2
<b>Scope:</b> .....	3
Principles.....	3
<b>Definitions:</b> .....	4
Fitness to Study.....	4
Fitness to Practise .....	4
<b>Role of Regulatory Bodies:</b> .....	5
<b>Examples of Fitness to Study/Practise Concerns:</b> .....	5
<b>When to Consider Fitness to Study/Practise:</b> .....	6
Upon Application or Admission.....	6
Before Undertaking Practise or Placements .....	7
When on Practise or Placements .....	7
Upon Graduation .....	8
<b>The Fitness to Study/Practise Committee:</b> .....	8
The Formation of the Panel for each Case.....	8
<b>Process for Addressing New Concerns:</b> .....	9
Engagement Before the Formal Process .....	9
Level 1: Resolution at a Local-Level and a Note of Concern .....	9
Level 2: Referral to the University Fitness to Study/Practise Committee .....	10
<b>In Emergency Situations:</b> .....	12
The Vice-President Academic and Registrar.....	12
Urgent and Serious Concerns while on Placement/Practise.....	12
<b>Process Flowchart:</b> .....	14
<b>Process for Returning to Study/Practise:</b> .....	15
<b>The Requirements of the Department/School:</b> .....	16
<b>Requirements of the Student:</b> .....	17
Approving Fitness to Practise Statements.....	17
Student Appeal .....	17
Review of this Policy .....	18

## Purpose:

Maynooth University is committed to supporting and responding to student needs in a sensitive manner, which welcomes diversity and respects the dignity of all persons, within the framework of the University and Legislation. Maynooth University endeavours to support each student in their studies, aware of their varying needs. Occasionally, even with reasonable additional support, the behaviour or wellbeing of that student is so adversely affected as to make continuation in study difficult or impossible, or the continuation of that student in their studies is likely to interfere with the learning, working or living experiences of others to such an extent as to be deemed unreasonable and unsustainable.

Maynooth University also has a number of programmes that have additional requirements due to the inclusion of professional practise, experiential learning or clinical work, particularly where students may be working with children or vulnerable people. These additional requirements are to ensure that students can complete these components of their study, and work safely for themselves and those around them.

The purpose of this policy is to provide a framework within which to effectively manage fitness to study/practise issues which may arise during a student's programme of study including, where possible, supporting a student to continue, or to resume their programme of study. The policy sets out how the University may respond in instances where a concern is raised regarding a student's fitness to study/practise and the types of action that may be taken to manage such instances, with due regard to the University's equal duty to act in the best interests both of the student in question and of other students and staff. While the University endeavours to treat concerns regarding a student's fitness to study/practise with sensitivity and understanding, in exceptional cases it may be necessary to remove a student from an activity, to enforce a temporary leave of absence or to terminate their studies on grounds of fitness.

This policy considers both Fitness to Study and Fitness to Practise. Fitness to Practise is narrowly defined and most commonly addresses issues that arise with clinical placements but many of the issues also apply to other forms of non-clinical workplace engagement. There are also scenarios where fitness to practise and study overlap. Thus a single framework is presented to handle the spectrum of such issues.

Fitness to Study/Practise and Fitness to Practise concerns are not normally considered breaches of the Student Code of Conduct or as a disciplinary issue. However, some types of behaviour that raise fitness to study/practise concerns may also constitute a breach of the Student Code of Conduct and in such cases, the issue may also be referred to the University Student Misconduct Board.

## Scope:

This policy applies to all students registered in Maynooth University, and those applying to be students in Maynooth University. The Fitness to Practise aspect will apply to those students on programmes with Statement of Practise Requirements that have been approved by Academic Council.

This policy does not encompass those students who are not achieving academically or whose behaviour breaches the Student Code of Conduct, however, in some cases there may be issues that are relevant to more than one policy. The range of immediate precautionary measures that can be put in place are similar. At no time will a case be considered simultaneously under different policies, but they may operate consecutively. In all such cases, the Registrar will make a decision on which pathway to follow. At any time, the Chairs of the relevant process respective may request the case to be transferred to the alternative policy. Information obtained in one process may be used in an alternative process.

## Principles

1. This policy should be interpreted in a manner that welcomes diversity, respects the dignity of all persons involved, promotes equal opportunities for students to develop their full potential, and ensures a positive student experience, and that ensures a fair, clear, consistent and timely approach to dealing with Fitness to Study/Practise matters.
2. In implementing this policy, staff will consider what support may be offered to students both from within the University and externally. Students will be provided with information on the range of supports available and encouraged to seek support. Programme-specific aspects, such as professional practise, applies only to programmes with approved student Fitness to Study/Practise statements.
3. The processes within this policy will be undertaken in a transparent manner, and the student will normally be informed of the identity and capacity of any persons with whom the University consults, including third parties, such as health professionals.
4. Should a student be unable or unwilling to engage with this policy, the University may nonetheless follow this policy. The University may deal with issues on the basis of written reports and/or statements in the absence of the student. In addition, the University may consider any request from a student to proceed with a meeting in their absence on the basis of written reports and/or a written statement from the student.
5. Where an issue arises in relation to a student who is known to have a disability, and where the disability is relevant to the issue, then in the first instance consideration shall be given to the level and types of support put in place for the

student. In consultation with the student, reasonable accommodation suitable to the needs of the student will be made available where practicable for students with disabilities.

6. All matters raised under this policy will be handled sensitively and confidentiality will be observed as far as possible.
7. A student may be accompanied at meetings provided for in this policy by a support person of their choice
8. The standard of proof applied at every stage of this Policy is the balance of probabilities.

## Definitions:

### Fitness to Study

This is defined as fitness to participate and to function in University life. This means that the student is:

- fit in respect of the abilities of the student to meet the requirements of the course and achieve relevant academic and professional goals;
- fit in respect of the behaviours expected in an academic learning, residential and social environment;
- fit in respect of the ability to be self-sustaining within the Higher Education environment, with the only support provided of the scale and scope that an Higher Education Institution can reasonably be expected to provide.

Fitness to Study issues can occur at any stage during a student's time at University. The role of the policy is to establish a University-wide approach for dealing with such issues, and, where possible, to provide students experiencing difficulties with the appropriate supports and opportunities to remedy any problems that they experience.

### Fitness to Practise

The health and safety of the public, patients, animals, service users, staff and students is paramount. Fitness to practise means having the skills, knowledge, health and character necessary to undertake and complete a programme with professional practise, experiential learning or clinical work safely and effectively, fulfilling their responsibilities within their scope of practise in a manner that meets professional and ethical standards of their chosen field.

The need for ensuring Fitness to Practise needs to be addressed at a range of stages in a student's path, from admissions to completion. Many of the issues that arise during study are transitory and can be satisfactorily dealt with during a student's programme of

study. The outcomes of a formal fitness to practise process reflect a judgement on a particular issue, at a particular moment in time, and is not necessarily intended to be a judgement about a student's fitness to practise in the future.

## **Role of Regulatory Bodies:**

In addition to the general concerns around fitness to practise that apply to all placements and interactions with other students, the community or in the workplace, many Professional, Statutory and Regulatory bodies (PRSB) define specific requirements that are appropriate to their profession. Students going on placement or graduating from these programmes must satisfy these additional requirements.

## **Examples of Fitness to Study/Practise Concerns:**

The following list shows examples of such circumstances where there may be concern as to a student's support needs and fitness to continue in study. The list is not exhaustive and each circumstance should be considered on its own merits.

- Where reports of concern are received from students, staff or 3rd parties. The 3rd parties may be family members, flatmates, work or research placement supervisors or members of the public. The concerns may be around a student's:
  - wellbeing, social-withdrawal, mood, physical health or welfare
  - behaviour putting themselves or anyone else clearly at risk
  - behaviour which is impacting significantly on the learning, working or living experience of others.
- where the level of support required is not or no longer reasonable and is impacting on the operation of the University or the education of others.
- upcoming criminal investigation or existing convictions;
- substance misuse;
- aggressive, violent or threatening behaviour;
- persistent inappropriate attitude or behaviour;
- failure to accept and follow educational advice;
- failure to follow health and safety requirements or the regulations;
- impaired judgement;
- lack of competence;
- having health concerns and lack of insight or management of these.
- refusal to follow medical advice or care plans including monitoring and reviews,

For students undertaking placements or practise, there may be additional concerns such as, but not limited to:

- where a risk assessment in advance of placement has raised a concern;
- failure to comply with requirements of the relevant Regulatory or Professional Body;
- insufficient competency to carry out the role expected in the placement or practise;
- lack of physical capability to undertake placement;
- where the performance and engagement during placement consistently falls below professional expectations despite repeated support interventions.
- where the Garda vetting process raises concerns that may deem the person unsuited to a particular profession
- demonstration of concerning attitudes or behaviours related to safeguarding issues, particularly around children, minors, and vulnerable adults.
- breach of confidentiality;
- reputational damage to the hosting organisation, including through the use of social media, including once off incidents;
- failure to demonstrate an attitude or demeanour appropriate to the profession concerned – to staff, patients, clients, or to the general public;
- complaints from the hosting organisation about the behaviour of the student;
- posing a risk to the student's own health, safety and wellbeing and/or that of others;
- inappropriate behaviour to patients, clients, or the general public when on placement;
- abuse, bullying and /or harassment, including verbal and/or written, physical and/or sexual, including through the use of social media, including once off incidents;
- dishonesty or untrustworthiness, including but not limited to, the misrepresentation of qualifications or professional experience, the forging of documents or signatures, theft or making false expense claims etc.

## **When to Consider Fitness to Study/Practise:**

Fitness to Study/Practise concerns may arise at any time during a student's journey through their academic programme, however, there are some scenarios that are worth highlighting.

### **Upon Application or Admission**

When considering applicants to programmes, a Fitness to Study/Practise concern may be raised where there is a credible concern about a potential student being able to

independently engage in their education programme, with the reasonable supports provided by the University, or where there is a concern that the student will not be able to satisfy the additional approved criteria of a programmes Fitness to Study/Practise Statement.

All applicants, including those applying to the University through the Central Applications Office (CAO), are required to disclose any relevant information when applying for admission to the University or upon commencing the programme. Where students are entering programmes with a Fitness to Study/Practise Statement, students should immediately inform the Department or School of any issues or concerns that may be relevant. If relevant information is not given or is given in incomplete form, then the University reserves the right at any stage to reject the application or to remove the person from a programme.

Concerns upon admissions will be dealt with within the normal process outlined in this document.

### Before Undertaking Practise or Placements

In the absence of the supportive structures within the University, placements and other forms of experiential learning off-campus can prove challenging for some students. In addition there may be other criteria, including those from professional bodies, that need to be satisfied.

In advance of any such placement, Departments/Schools are recommended to undertake a risk assessment of their students to assure that each student is initially capable of attending their placement.

Where the risk assessment raises a concern, the normal process should be followed with the intent of identifying, if possible, a plan of action and supports, that will enable to placement to be taken.

### When on Practise or Placements

There may be situations, particularly when on placement, where the issues are urgent and serious. In those cases, immediate action is required to mitigate the risks, and to ensure the safety and well-being of the student and those around them. The practise placement partner may have refused to accept the student back to their workplace, or may be requesting the student to be withdrawn.

In such cases the emergency aspects of this policy can be employed.



## Upon Graduation

In some programmes, the University may be asked to declare that the student is fit to practise, in a professional capacity upon graduation. In most cases, a student will not have successfully completed their programme in totality as they will not have successfully completed the required placement related element of their programme. However, if such a situation were to arise, any decision to not declare a student Fit to Practise would need to be approved by the University's Fitness to Study/Practise Committee

## The Fitness to Study/Practise Committee:

The University Fitness to Study/Practise Committee advises the Registrar/VPA and will be convened as and when necessary. A subset of the Committee will form a panel to review cases as they arise. The Committee will provide an annual report to Academic Council.

The Committee will be constituted as follows:

- Vice-President for Students and Learning (Chair)
- 6 members of academic staff, two from each Faculty, one of each gender.
- 1 representative from the Maynooth University Student Services
- 1 representative from the Maynooth University MAP Office
- Students' Union President or nominee (ex-officio)

Nominations will be requested for academic staff members to participate in this committee. Members will be selected by the Registrar/VPA, based on appropriate experience and to ensure a diversity of disciplinary perspectives.

All members of the Committee will receive appropriate training before engaging in any cases.

A non-participating secretary will attend to minute the meetings and handle correspondence.

Decisions are reached by consensus with a vote taking place if consensus cannot be reached. In the case of a vote, a simple majority will determine the outcome, with the Chair having a casting vote in the event of a tied vote.

## The Formation of the Panel for each Case

For each case being considered by the Committee, the Chair of the Committee will identify a panel consisting of the Chair, the representative of the Student Union, a member from either Student Support Services or the MAP Office, and a member from each Faculty.

Each sitting of the Panel must have at least two members of each gender.

In cases of Fitness to Practise, a suitable external specialist representative from the profession should be included. This may be a practising professional or an academic knowledgeable about the profession.

A legal Adviser may be included, as deemed necessary by the Chair.

The quorum for the sitting of the panel is four, before considering the Practise representative or the legal advisor.

## **Process for Addressing New Concerns:**

### **Engagement Before the Formal Process**

There are often frequent interactions between students and staff where issues are raised by both sides, and this is to be encouraged. In many cases, the existing practice of lecturers, programme directors, or placement supervisors talking with the student, advising engagement with Support Services and working with the student informally to remedy the situation will often be sufficient.

In such cases it is recommended that staff members retain a personal record of their interactions with the student, in case that there may be a need later to understand the development over time of an issue.

Where a staff member has a concern about a behaviour, or sees a repeating behaviour, they should seek advice from the Head of Department as to whether it merits engagement in a formal process.

In some cases, Student Services, MAP or other units in the University may have concerns that the Department may be unaware of. In that case, the Head of these units may communicate their concerns to the Department/School or directly refer the issue to the Registrar for consideration by the University Committee.

### **Level 1: Resolution at a Local-Level and a Note of Concern**

Where there are concerns around student fitness to study/practise concerns, or where the informal processes have not led to a satisfactory outcome, then the School/Department may initiate a Level-1 Formal process. As part of this process, the Department should ask the Registrar's Office if there have been any previous Concerns regarding this student.

This stage of the process will take place within the School/Department. The student will be informed in writing of the issues being raised in the context of "fitness to study/practise", and a meeting is held with the student. The student may be

accompanied to this meeting, but cannot bring legal representation. The HOD (or representative) and at least one other member of the Department should be present, ideally with gender balance. A representative from Student Services may be invited.

An action plan for the correction of the issues will be agreed by the Student and the Department, and will be recorded. This plan should include any supports that may be reasonably provided to the student. This may require engagement with Student Services and the Access Office.

The purpose of the Level 1 response is to communicate the seriousness of the issue, and to try and address the concerns by reaching agreement with the student (and, if relevant, the placement host) on recommended actions. The student (and, if relevant, the placement host) shall be notified in writing of agreed actions, timeframes or review periods (i.e. the action plan)

Upon completion of this process, a “note of concern” will be sent to the Registrar’s Office, detailing the concern and the agreed plan of action. This note will be held in cases where there is persistent and repeat issues, or as needed by the University Fitness to Study/Practise Committee

If the student does not attend or where there is no agreement on a corrective plan of action, the issue should be escalated to the University Fitness to Study/Practise Committee.

This stage of the process is attempting resolution by agreement, and there is no authority to enforce a resolution.

## Level 2: Referral to the University Fitness to Study/Practise Committee

In more serious cases, where more substantive measures may need to be imposed, an application to the University Fitness to Study/Practise Committee can be made by the Head of Department/School.

The Chair of the Fitness to Study/Practise Committee will convene a meeting in a timely fashion, and will respond to the student in writing, giving them at least 10 working days’ notice of the meeting.

The student can bring a friend or member of their family. The accompanying person will not represent the student or contribute to the conversation. If the student chooses to bring legal representation, at least 5 days’ notice will need to be given so that the University can organise for its legal representation.

The Head, or their representative, of the relevant Department/School will present the case and surrounding context to the issue. This person will be available to the

Committee to answer questions, but will not stay or be part of the deliberations on the case.

In cases where the student is on placement with an external organisation, the input of the hosting organisation will be requested.

The Committee may request the student to provide documentation from their healthcare professionals concerning their health status. Additionally, students may be referred to relevant healthcare professionals, including but not limited to, occupational physicians, psychiatrists, or psychologists. Such referrals will be made in consultation with Student Services. Failure to attend or, in the opinion of the healthcare professional, adequately cooperate with the process may be deemed a failure to comply with the University's policies and procedures.

The meeting should be conducted in a supportive manner, ensuring that all parties have sufficient opportunity to explore the issues raised.

The outcome of the deliberations will be communicated in writing to the student.

All documentation shall be kept by the Registrar's Office.

The Committee can be flexible in the outcomes that it can recommend, but they could include:

1. Case dismissed, no further action; student continues in study
2. Student continues, subject to review under specified conditions and with an agreed plan for reasonable accommodation.
3. Student continues, subject to review under specified conditions
4. Dismiss or strike out from the student's record any allegations based on vexatious, false or malicious claims;
5. Student is required to undertake a second attempt for certain elements of the programme of study without academic penalty;
6. Student is required to complete specific actions to resolve concern;
7. Student is suspended for a specified period from a specific element of the programme. This can include teamworking, project, placement or practise elements.
8. Student directed to take a leave of absence for an agreed period
9. Student recommended to transfer to another programme or to avail of an alternative exit award (if available)
10. Student's registration is terminated and/or the student is excluded from the programme. Any re-admission to the programme will be subject to approval of this committee.

## In Emergency Situations:

There may be situations, particularly when on placement, where the issues are both urgent and serious. In those cases immediate action is required to mitigate the risks, and to ensure the safety and well-being of the student and those around them.

### The Vice-President Academic and Registrar

In consultation with the Head of Department/School and a representative from Student Services, the Registrar may temporarily suspend a student from their placement, work-based learning setting, related learning activities, programme of study, or temporarily exclude a student from the University premises when they reasonably believe that there is a credible risk to:

- their own health, safety, and/or well-being or that of others;
- maintenance of a safe and conducive learning environment;
- the professional activities of a placement provider or other professional organisation or to a practise situation;
- the property of the University and/or others.

Any such action is preventative and should not be interpreted as an indication of whether or not the grounds for concern are substantiated.

The Registrar may impose conditions before allowing the student to return to study.

In all such cases, the issue will be reported to the University Fitness to Study/Practise Committee for review and further action.

### Urgent and Serious Concerns while on Placement/Practise

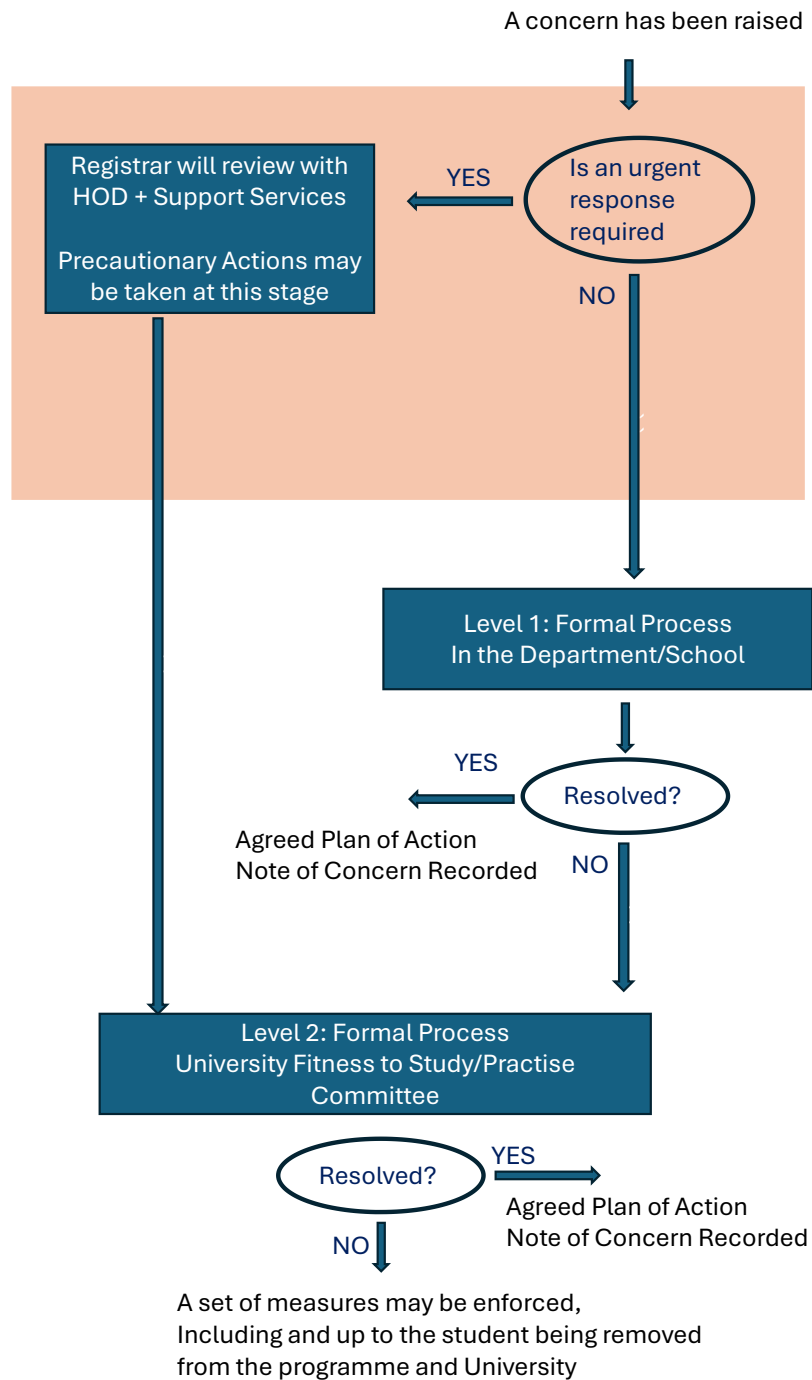
There can be situations, particularly in clinical or medical practise, where situations can develop that may result in a serious and immediate risk to the safety and operation of the hosting organisation and those around the persons.

In these cases, the hosting organisation may immediately remove the student from their organisation, and should contact the Head of Department/School as soon as possible, providing a clear and detailed description of the breach or risky behaviour that warranted the suspension. The Head of Department/School can confirm the suspension from the placement for 72 hours. The Head of Department will inform the Vice President Academic and Registrar of the situation, who may then extend the suspension pending further investigation.

In instances where a Department/School initiates suspension of placement, the Department/School will inform the hosting organisation of the suspension, ensuring the removal of the student from the organisation. The hosting organisation will be informed that there is a concern about Fitness to Practise, and that this is being investigated. The Head of Department/School may suspend the student from placement for 72 hours. The Head of Department will inform the Vice President Academic and Registrar of the situation, who may then extend the suspension pending further investigation.

In all such cases, the issue will be reported to the Fitness to Study/Practise Committee for review.

## Process Flowchart:



## Process for Returning to Study/Practise:

This applies to a student who was previously suspended from all or part of their programme, or on leave of absence, and who wishes to return to study. The student must satisfy the University Fitness to Study/Practise Committee that they are fit to Study/Practise and have complied with any conditions attached to their return. This includes situations involving practise.

The Chair of the Fitness to Study/Practise Committee will convene a meeting to review the application to return to study, and make a decision on whether the applicant should be admitted or readmitted or be considered unfit to Study/Practise indefinitely.

The student will be required to provide evidence that they are fit to Study/Practise and/or fit to practise. This evidence may require certification by an appropriately qualified person.

Student Services will provide their opinion on the fitness of the student to return and to document the reasonable accommodations, if any, that have been agreed with the student.

The Committee reserves the right to request that the student undertake evaluation by University-identified professional staff.

The Committee may recommend:

- unconditional approval to return to study/practise
- conditional approval to return, with conditions or a review period.
- a conditional return but with a requirement transfer to a different programme of study.
- to disallow the return to study

In some cases students may be fit to return to study, but not fit to complete professional practise. In those cases, students should be advised in such cases students should be advised regarding exit routes or alternative programmes where available.

Upon completion of the review, the Committee will formally write to the Registrar/VPA with their recommendation.



## The Requirements of the Department/School:

The Department/School should remain cognisant that situations involving Fitness to Study/Practise normally involve a student in some form of distress, and it is not considered a disciplinary or academic performance issue.

This policy encompasses all students and Departments/Schools may not need to define any additional requirements. Where such additional requirements are needed, then the Department/School must define a Fitness to Study/Practise Statement for each programme encompassed.

These statements are often guided by the requirements of the professional bodies, but there can be situations where additional requirements, such as health status or Garda Vetting, may be a concern.

Where it is decided that a Fitness to Study/Practise Statement is required, the Department co-ordinating the programme shall ensure that the Statement:

- is approved by Academic Council, via the Academic Programmes Committee.
- is included in the student handbook and be clearly available to current students and potential applicants.
- clearly includes any entry criteria that need to be complied with in advance of joining the programme. This would include Garda Vetting or any other requirements.

In addition, Departments/Schools with approved Fitness to Study/Practise Statements should for relevant programmes:

- have a clear policy of engagement document with all host organizations outlining the responsibility of the University, the host organization and the student.
- have an agreement in place with each placement/practise partner that addresses issues such as data sharing, contact details, and how to handle emergent issues
- have students complete an annual declaration of compliance with the Fitness to Study/Practise Statement for the programme. This may be done electronically.
- identify a person or mechanism within the Department for students to self-declare a fitness to study/practise concern.
- where feasible provide alternative options for the students to exit with an award, where fitness to practise concerns arise.

## Requirements of the Student:

For most programmes and for most students there are no additional requirements upon the student.

Students should be aware of the Fitness to Study/Practise statements that may exist for the programme that they are on.

Students should engage proactively with the Department and the University support services as early as possible to minimise possible impacts on their progression.

Students should disclose all relevant information in a timely manner.

### Approving Fitness to Practise Statements

A programme wishing to include an additional set of Fitness to Study/Practise requirements, should present these to the Academic Programmes Committee for approval. Any changes to these statements will also need approval.

### Student Appeal

Students shall have the right to appeal a decision made under the Fitness to Study/Practise Policy by writing, preferably by email, to the VPA/Registrar, who will assemble an Appeal Panel to consider the request. Any decision being appealed will retain full force and effect until the conclusion of the appeal.

Appeals may be made on the grounds of:

- New evidence: Information directly relevant to the decision, which for good reason was not available to the Fitness to Study/Practise Committee;
- Procedural irregularity: There is evidence that the procedures relating to a decision were not followed properly, which may have impacted on the Student Fitness to Study/Practise Committee's decision
- Disproportionate outcome: The outcome applied was disproportionately severe with regard to the circumstances of the case.

The Appeal may result in the decision being upheld, or being referred back to the Fitness to Study/Practise Committee for reconsideration.

If the student remains unsatisfied, the student reserves the right to appeal with the Office of the Ombudsman ([www.ombudsman.ie](http://www.ombudsman.ie)).

## Review of this Policy

This policy will be reviewed every three years or where necessary to align to any material change to relevant legislation or national guidelines informing this policy area.

