

# Student Professionalism and Fitness to Practise

Standards for the dental team

Guidance for providers



**This document sets out the professional behaviour expected of students on training programmes leading to registration with the GDC, what student fitness to practise policies and processes providers should have in place, and the support students may require.**

## Contents

The purpose and status of this guidance.....	3
What is student fitness to practise? .....	4
Student professionalism .....	5
Standards for Education .....	5
What standards are expected of students? .....	7
Clinical, technical and academic performance .....	8
Health .....	8
Social media.....	9
Raising concerns .....	9
The professional duty of candour.....	10
Categories of concern.....	10
Patients.....	12
Students.....	13
Support for students.....	14
Staff.....	16
Senior registrant student sign-off.....	16
Fitness to practise and registration with the GDC.....	17
What policies and guidance should providers have in place?.....	20
The roles of personal tutors, investigators and panel members .....	21
Applying student fitness to practise procedures.....	22
Applying the threshold of student fitness to practise .....	22
Recording information.....	23
Communication .....	24
Panel composition and training.....	24
Hearings.....	25
Appeals .....	25
Outcomes of a student fitness to practise hearing .....	25

Overview of the Student Fitness to Practise process ..... 31

List of useful organisations and guidance ..... 32

## The purpose and status of this guidance

The General Dental Council's (GDC) role is to protect patients and maintain public confidence in the dental profession and its regulation. The law requires us to regulate the dental professions in the United Kingdom by:

- setting standards of conduct for the dental team
- assuring the quality of dental education
- ensuring that only those who meet certain criteria are registered as dental professionals.

The law also requires us to investigate allegations that the fitness to practise of individual professionals may be impaired, and take appropriate action as a result. This might include imposing restrictions on practice and, in rare cases, removing a professional from the register.

This guidance covers the professional behaviour expected of student dental professionals during training, the key elements of student fitness to practise procedures, when and how to make decisions about a student's fitness to practise, and how these can affect registration with the GDC. This is a key part of managing the risks to patient safety during training and helping the student develop the professional attributes required for registration with the GDC. It applies to all students training to become a member of the dental team regulated by the GDC. The dental team is made up of the following professions:

- clinical dental technicians;
- dental hygienists;
- dental nurses;
- dental technicians;
- dental therapists;
- dentists; and
- orthodontic therapists.

### Who is this guidance for?

This guidance applies to all providers delivering programmes leading to registration with the GDC.

A provider is the organisation or organisations who are responsible for delivery of the programme and assessment. If the awarding body is not the same as the organisation responsible for the delivery of the programme, this will not make a difference to the approach of the GDC as all providers will be treated as one organisation. It is the responsibility of the lead organisation to liaise with the GDC and to obtain information from other organisations involved when information is requested.

Student fitness to practise forms part of the GDC quality assurance requirements set out in the [Standards for Education](#). Your training programme will be assessed against these standards as part of our quality assurance process.

There is also separate guidance for students and patients:

- [Information for patients](#)
- [Guidance for students](#)
- [Introduction for student dental professionals](#)

## What is student fitness to practise?

Dental professional students, like other health professional students such as doctors and nurses, are responsible for providing care, treatment and products/appliances for patients during training. Standards must therefore be met during training, with the support and supervision of staff on the course, to ensure the safety and confidence of the patients and members of the public, and prepare students properly for starting work once they have qualified.



By the end of their training, students must be able to demonstrate they have the knowledge, skills and attitudes expected of a registered dentist or dental care professional. This is at the level of a 'safe beginner'. These are outlined in the learning outcomes in the GDC publication [Preparing for Practice](#), which includes standards of conduct, performance and ethics. These link directly to the standards expected of registrants set out in the [Standards for the Dental Team](#). All staff involved in the delivery of training programmes leading to registration with the GDC should be familiar with these two documents.

Student fitness to practise covers:

- professional attitudes/behaviour
- health
- clinical and/or technical performance and meeting the learning outcomes set out in [Preparing for Practice](#).

This includes behaviour during training, and outside training, such as in the evening and at the weekend, or using social media.

The Professional Standards Authority (PSA), the organisation which oversees the UK healthcare regulators, recommends that the GDC collects data about student fitness to practise in its role as quality assurer of the provision of pre-registration education and training. This is for the purpose of improving standards of education and training and the provision of guidance to students about professional conduct and competence.

## Student professionalism

Student professionalism is a significant part of meeting student fitness to practise requirements. This is highlighted in the student guidance.

Student professionalism is the way students respond to the standards required of them and the issues they may face during training. It is how they demonstrate the appropriate attitudes and behaviour with patients and colleagues (staff on the training course, employers and other students) and develop the ability to know when to seek advice and support in terms of their learning, clinical work or technical work and health. It also encompasses the way they respond when they are made aware of issues and offered advice and support.

Training providers must help students develop their judgement in applying the principles laid out in our standards to the various situations they will face as a dental professional, whether or not they have been registered, whatever their profession, and whether or not they regularly see patients. If there is an occasion where they do not fulfil what is expected of them, for whatever reason, their recognition of the problem when it is raised and reacting in the right way may also demonstrate professionalism. Training providers must ensure support is available for students but it is important that students ultimately take responsibility for their actions.

## Standards for Education



*Standard 1 - Protecting patients, Requirement 8* states that all providers must have and apply a student fitness to practise policy. The provider is responsible for undertaking the student fitness to practise processes and informing the GDC of the outcome. Training providers are therefore responsible for determining the fitness to practise of individual students. The GDC does not have any direct authority to deal with or advise on individual cases of the fitness to practise or disciplinary issues of students.

### Requirement

### Examples of Evidence

**Providers must have a student fitness to practise policy and apply it as required. The content and significance of the student fitness to practise procedures must be conveyed to students and aligned to GDC Student Fitness to Practise Guidance. Staff involved in the delivery of the programme should be familiar with the GDC Student Fitness to Practise Guidance. Providers must also ensure the GDC's Standards for the Dental Team are embedded within student training.**

Student fitness to practise policy and procedures including thresholds for each stage; methods of communication to staff and students; details of student fitness to practise cases; documentation showing where Standards for the Dental Team is embedded within the training.

The GDC collects data for each training programme on student fitness to practise cases as part of its annual monitoring process. This covers a summary of the issues raised and you should not include any details which may identify an individual. Information should include:

- How many concerns have been raised about students' fitness to practise in the past year
- Description of the concerns raised, including risk to patients
- Number of cases that reached each stage of the process, the action/resolution and reasons
- Outcome and decision

**All providers must return this information.**

We recognise that a range of providers offer qualifications leading to registration and that student fitness to practise policies and processes may vary; for example, between dental schools and awarding bodies. Please refer to page 22 for further information on applying student fitness to practise processes. We understand there may need to be flexibility regarding the way it is applied in order to help ensure the appropriate expertise is available at each stage of the process. Where the programme is offered via an awarding body, the awarding body is responsible for ensuring their centres/providers have and apply a student fitness to practise policy. It may be appropriate for smaller providers to be responsible for the first stages of an investigation, but if a case requires consideration by a fitness to practise panel, larger providers or the awarding body could convene a regional or national panel with the appropriate expertise. This may also be appropriate for appeals panels. Awarding bodies and smaller providers are welcome to discuss an approach with the GDC. Awarding bodies may wish to include student fitness to practise as part of a service level agreement with their providers. Awarding bodies are also responsible for centrally recording student fitness to practise data from their providers.

One of the potential barriers in ensuring the guidance is appropriately implemented is where the trainer is also the student's employer, for example, a trainee dental nurse in a primary care practice. It is possible that inexperienced trainers may not be fully aware of their responsibilities in relation to student fitness to practise, but providers must ensure that all trainers are fully aware of these responsibilities. For further information see the 'Staff' section on page 16.

For example, students may be worried about reporting a concern. All training providers, whether their students learn in a university, college, or an employment location such as a dental practice or dental laboratory, should provide a clear process and supportive environment for raising concerns. If for any reason a student in this situation does not feel they can report their concern to their trainer they should be able to find out from the provider an alternative person to speak to. This may be someone from the university, college, NHS Trust or the awarding body that oversees the course.



## What standards are expected of students?

There are **nine** ethical principles of practice in the **Standards for the Dental Team**.

<b>1</b>	<b>Put patients' interests first</b>
<b>2</b>	<b>Communicate effectively with patients</b>
<b>3</b>	<b>Obtain valid consent</b>
<b>4</b>	<b>Maintain and protect patients' information</b>
<b>5</b>	<b>Have a clear and effective complaints procedure</b>
<b>6</b>	<b>Work with colleagues in a way that is in patients' best interests</b>
<b>7</b>	<b>Maintain, develop and work within your professional knowledge and skills</b>
<b>8</b>	<b>Raise concerns if patients are at risk</b>
<b>9</b>	<b>Make sure your personal behaviour maintains patients' confidence in you and the dental profession</b>

Students should be familiar with them from the beginning of their course. Not all of the principles and standards in the Standards for the Dental Team are relevant during training. For example, students will not have appropriate insurance or indemnity in place as they are not yet registered with the GDC (for exceptions, see page 16 on students who are already registered with the GDC). Indemnity cover is a requirement of registration. As a provider, you may have responsibility for some of these areas.

Students have an individual responsibility to behave professionally and follow these principles at all times. It is your role as a provider to communicate and reinforce information to students, in accordance with the GDC standards:

- about what is expected during training
- what is expected when they register with the GDC.

The GDC website contains a support area called [Focus on Standards](#) where you can access supporting guidance, FAQs, scenarios and other learning materials to help students apply the standards. A dedicated [resource area for students](#) is also available on the GDC website with student professionalism and fitness to practise information.

## Clinical, technical and academic performance

Students' clinical, technical and academic performance may lead to their fitness to practise being called into question. We recognise that students are in training, that mistakes are expected and an important part of learning how to do something correctly. However, there may be cases, for example, where a student causes a serious clinical incident to occur such as an NHS 'Never Event', or the student repeatedly fails to perform in a specific clinical/technical/academic area that may be of concern. The opportunity for the student to learn from mistakes and be allowed to continue on the course must be balanced carefully with the risk to the public, the student's insight and realistic potential for them to improve. In the case of a 'Never Event' an example of student culpability would be when the student had specifically ignored a tutor's instruction or acted outside their student remit.

### Never Event (NHS)

Never Events are serious incidents that are wholly preventable, as guidance or safety recommendations providing strong systemic protective barriers are available at a national level and should have been implemented by all healthcare providers.

Each Never Event type has the potential to cause serious patient harm or death. However, serious harm or death is not required to have happened as a result of a specific incident occurrence for that incident to be categorised as a Never Event.

## Health

Providers should:

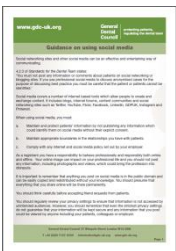
- ensure students are aware that their health conditions may put patients and colleagues at risk
- encourage students to register with a GP
- encourage students to seek advice if there is a concern about their health
- make it clear to students that they should not assess their own health, and be willing to be referred for treatment and engage in any recommended treatment programmes
- protect patients and colleagues by providing information about the need to be immunised against common serious communicable diseases
- ensure students are aware of the risks and regulation surrounding Exposure Prone Procedures (EPPs), Blood Borne Viruses (BBVs) and other infections
- make it clear that students should not rely on their own or another student's assessment of the risk posed to patients by their health and to seek advice from a professional
- make it clear that dental professionals must take action if their health poses a risk to patients or the public. Advice should be sought from appropriate colleagues, professional or defence organisations.

A disability or health condition may make it impossible for a student to meet the outcomes required by the GDC at the point of qualifying, despite reasonable adjustments having been made. Under such circumstances, it will be appropriate to consider their fitness to practise.

Fitness to practise concerns will not, in the majority of cases, be raised by health conditions or a disability, provided a student receives the appropriate care and any reasonable adjustments necessary to study and work safely in a clinical environment. As a provider, you should offer support and regular reviews of a student's progress.

## Social media

The GDC has published [clear guidance on the use of social media](#). This should be promoted from the beginning of students' training and reinforced throughout the programme.



The standards expected of students do not change when they are communicating through social media rather than face to face or by traditional media. Students have a responsibility to behave professionally and responsibly both online and offline. Their online image can impact on their professional life and they should not post or share any information, including photographs and videos, which could damage public trust in the profession. Even if students do not present themselves online as student dental professionals, a patient may still be able to identify them as such.

It is important for students to remember that anything they post on social media is in the public domain and can be easily copied and redistributed without their knowledge. They should presume that, even with the highest security settings, everything that they share online will be there permanently and could be seen by anyone.

## Raising concerns



Students need to understand that raising concerns about their own or another's work, behaviour or health is important for two reasons:

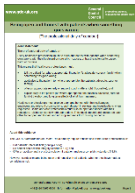
- it may help protect patients and other people
- it helps ensure students get the support and help they need.

This is also an important part of their responsibility as a registrant once they begin work. Advice on raising concerns can be found [on our website](#).

We understand that it may be difficult for students to tell someone about a concern they have about themselves, another student, a member of staff, or even their own supervisor or teacher. Providers should present information about the different ways students can raise concerns and create a supportive environment to enable them to do so. Providers must ensure students are familiar with the GDC advice on raising concerns.

## The professional duty of candour

Providers should ensure that students are aware of their professional duty of candour. Every healthcare professional must be open and honest with patients when something goes wrong with their treatment or care which causes, or has the potential to cause harm or distress.



Further information can be found in the GDC publication on the [Duty of Candour](#). Students should be familiar with this guidance.

## Categories of concern

The following are examples of areas of concern that may call into question the fitness to practise of a student dental professional. These are not exhaustive.

Decisions made about a student's fitness to practise should be considered on a case by case basis, and consider whether the concerns affect the student's ability to continue with the course or their potential fitness to practise as a qualified dental professional. Decisions will take into account whether despite all support, interventions and instruction to change student behaviour the student continues to demonstrate a lack of willingness to take this advice and instruction on and act upon it.

### Principle

### Examples of where there would be concerns

#### 1 Put patients' interests first

- Failing to adhere to cross contamination/infection procedures
- Misleading patients about their care or treatment

Principle	Examples of where there would be concerns
<b>2 Communicate effectively with patients</b>	<ul style="list-style-type: none"> <li>• Persistent rudeness to patients</li> <li>• Repeatedly failing to alter their communication style to meet the needs of the patient</li> <li>• Not checking patients have fully understood the information they have given them</li> </ul>
<b>3 Obtain valid consent</b>	<ul style="list-style-type: none"> <li>• Failing to obtain valid consent from a patient</li> <li>• Not explaining all treatment options and advantages and disadvantages of each to the patient so they make an informed decision</li> </ul>
<b>4 Maintain and protect patients' information</b>	<ul style="list-style-type: none"> <li>• Breach of confidentiality</li> <li>• Sharing images or other information about patients online</li> <li>• Speaking about patients where they can be overheard by people who shouldn't have access to patient information</li> <li>• Failure to keep appropriate patient records</li> </ul>
<b>5 Have a clear and effective complaints procedure</b>	<ul style="list-style-type: none"> <li>• Being unnecessarily defensive if a patient complains</li> <li>• Not responding to the advice or support offered by the training provider as a result of a complaint</li> <li>• Failing to apologise if appropriate</li> </ul>
<b>6 Work with colleagues in a way that is in patients' best interests</b>	<ul style="list-style-type: none"> <li>• Bullying other students or members of the team</li> <li>• Being dismissive of the value of other members of the dental team</li> </ul>
<b>7 Maintain, develop and work within your professional knowledge and skills</b>	<ul style="list-style-type: none"> <li>• Behaviour indicating lack of commitment to work, e.g. repeated non-attendance</li> <li>• Failing to recognise their limits and abilities</li> </ul>
<b>8 Raise concerns if patients are at risk</b>	<ul style="list-style-type: none"> <li>• Failure to seek medical attention or other support if health concerns, including mental health issues, are raised</li> <li>• Alcohol or drug consumption that affects clinical/technical work or environment</li> <li>• Refusal to follow medical advice or care plan, including monitoring and reviews</li> </ul>

## Principle

**9 Make sure your personal behaviour maintains patients' confidence in you and the dental profession**

## Examples of where there would be concerns

- Behaviours associated with dishonesty e.g. cheating, plagiarising, claiming registrant status before they are qualified, falsifying research, fraudulent CVs or other documents, signing in for other students at lectures, forging a supervisor's name on assessments
- Financial fraud
- Misuse of social media
- Serious driving offence
- Failing to co-operate with support advised if an issue is raised with their work, behaviour or student fitness to practise proceedings
- Behaviours involving or associated with potential criminality, e.g. dealing, possessing or misusing drugs/illegal substances even if there are no legal proceedings
- Discrimination or other unlawful behaviour relating to different groups in the population
- Becoming involved in criminal activity
- Violent behaviour
- Abusive behaviour
- Sexual harassment
- Theft including shoplifting
- Gaining a criminal conviction or caution
- Child abuse or any other abuse
- Child pornography

## Patients

Patients that receive care or treatment from students expect their safety, health and choices to be put first. Depending on how your course is designed, students may be meeting patients very soon after they start. Patients will expect:

- to be treated with respect;
- for those involved in their care to behave professionally;
- to be listened to; and
- to have their preferences and concerns taken into account.

Although under supervision, students will be in situations where there is potential to cause distress and actual harm to patients while providing care and treatment. Patients need to have confidence that this is unlikely to happen, and that if it does, appropriate action will be taken promptly to address any issue.

Although students are supervised during the clinical work they undertake, patients may view students as having the same roles, responsibilities and knowledge as a qualified dental professional. Since it is common for students to both interact with patients and have access to confidential patient information, patients may view students as being in a position of trust and responsibility. Patients are often willing to allow students to be involved in their treatment as they accept that this is an important part of a student's education and training. This willingness is based on trust that students will behave professionally, and that trained professionals will supervise them appropriately.



Patients should be provided with information about the student's and supervisor's roles, what standards they can expect from a dental professional student, and what they should do if they wish to provide feedback and/or are unhappy with the care they have been given. This information might be provided in the form of a leaflet or poster, and/or be part of the consent process and discussed with the patient directly. Awarding bodies should ensure their centres and staff at employers/work placements are aware of these responsibilities (see requirement 2 from Standards for Education.) [The GDC has developed a patient leaflet which you may find helpful.](#)

## Students

Students should be provided with the following information from the beginning of their course:

- [GDC Standards for the Dental Team](#)
- [GDC Student Professionalism and Fitness to Practise – Introduction for students](#)
- [GDC Student Professionalism and Fitness to Practise – Guidance for students](#)
- the provider's student fitness to practise policy, procedures and support available

Training providers should incorporate guidance and support from the beginning of the programme by explaining what:

- professionalism is and what it means to be part of a regulated profession
- may be considered as student fitness to practise issues and what the GDC may consider an issue that calls a registrant's fitness to practise in to question
- support is available for students
- the providers' student fitness to practise policy and processes are.

Information should also be included in admissions and/or enrolment information, and student handbooks about the expectations of dental professional students and reasons for them. Some providers use student fitness to practise scenarios in the student application and recruitment process. Providers should consider including information about how criminal convictions and cautions may affect a student's registration application and the importance of

declaring these on their course application form. Providers may wish to consider what checks they carry out on students.

Once students have enrolled, providers should communicate and reinforce the information **throughout the programme**. Some providers require students to sign up to NHS Principles of Conduct or other agreements on principles of professional behaviour they are to follow.

It should be made clear that professionalism is as important as the clinical/technical skills they are being taught.

## Support for students

Students are in the process of learning and gaining the skills and confidence they need to work as a dental professional. It is important that a balanced approach is taken regarding their development and training against addressing fitness to practise issues.

It is important for students to have the opportunity, where possible, to seek support for any matter before it becomes a fitness to practise concern. This is so that appropriate help can be provided.

Providers should encourage students to ask a member of staff who would be the best person to speak to if they are worried that there are issues with their work, health or behaviour. You should be able to direct students to a range of people or services depending on what their worry is about. These may include:

- personal tutors
- student health services
- disability advisors
- occupational health services
- confidential counselling
- student groups
- support from your employer.

If necessary, the provider and student should agree plans that are developed together to address health, behaviour, or work issues before fitness to practise becomes a concern. This may involve staff on work placements or employers. However, the decision on the plans made must be based on an assessment by the provider of the risk to patients and the public.

When fitness to practise concerns are identified, it may be appropriate to offer support to students alongside fitness to practise procedures and sanctions.



Reasonable adjustments are expected to be made for students with disabilities and those with other health requirements to allow them to achieve the learning outcomes on the course. Although adjustments cannot be made to the learning outcomes themselves, reasonable adjustments can be made to methods of teaching and learning, and to the assessments.

Students should be aware that anyone providing support or pastoral care is required to inform the appropriate person if there is a reasonable belief that the issue raises or will raise fitness to practise concerns or poses a risk to colleagues, patients or the public.

In the event of formal proceedings or hearings, providers should ensure that the student is aware they are allowed to have legal representation or have a supporter present if they wish to do so. If a student is a member of a defence/protection society or professional body, they may be eligible to receive free advice.

## **Confidentiality**

It is important for students to feel that they can discuss problems in a supportive and confidential environment. As a provider, you should create an open and supportive framework for them to do this.

Anyone who provides students with pastoral care should **not** be involved in investigating or making decisions that could affect their career, even though personal tutors may often raise the initial concern.

It may be appropriate to keep certain documents separate from a student's file with cross reference markers. Providers are expected to be aware of, and comply with, relevant legislation in order to protect the confidentiality of students. This includes tutors and supervisors in work placements.

Providers should state in public documents and websites (such as admissions, enrolment information, student handbooks and information about rules or regulations as well as fitness to practise information) that they may pass personal information to other organisations, including the GDC, other providers or postgraduate deaneries in cases, for example, where a student receives a sanction or warning. Providers should have clear guidelines on the disclosure of information about fitness to practise cases and consider the balance between the rights of the individual and risk to the public.

## Students already registered with the GDC

Some students may already be registrants with the GDC, for example: dental nurses training to become orthodontic therapists, dental hygienists training to become dental therapists or dental technicians training to become clinical dental technicians. In instances where there is a fitness to practise concern, the student and provider must report it directly to the GDC.

Sometimes cases may need to be investigated in parallel or a decision made, whether this is best done by the provider, by local processes (e.g. via the NHS), or the GDC. Where necessary, providers should contact the Registration and Fitness to Practise teams at the GDC regarding specific cases. Issues are dealt with on a case by case basis dependent on the circumstances. Where there is a fitness to practise concern solely relating to a student's performance it may be appropriate for the provider to investigate it. For example, a performance issue related to orthodontic therapist training is less likely to impact on their performance as a dental nurse due to the differences in their scope of practice, whereas conduct/health issues will generally always impact on their existing registration.

## Staff

All staff involved with the delivery of programmes leading to registration with the GDC should be provided with the following information when they become involved in the delivery of the course:

- GDC Standards for the Dental Team
- GDC Student Professionalism and Fitness to Practise – Guidance for training providers
- the provider's student fitness to practise policy, procedures and support available

In many programmes a large proportion of teaching and learning is not carried out in institutional settings, but takes the form of workplace learning. In these cases, the students' mentors and supervisors should be familiar with these documents. Providers of work and clinical placements should also be familiar with the documents and be made aware of their responsibility to engage with student fitness to practise proceedings. Appropriate training should be provided for all staff. This should take place at induction and be refreshed as appropriate.

## Senior registrant student sign-off

Before students can qualify for an award, the most senior member of staff who is a GDC registrant involved in the delivery/management of the programme (or awarding body, if it is different) is responsible for signing off each student as 'fit to practise at the level of a safe beginner'. This means that the student should be awarded the qualification.

Having a senior registrant sign off on a student is an important part of the process in terms of fulfilling the GDC role of protecting patients. The responsible registrant must carefully consider, taking into account the evidence from the education and training process, whether each student is safe to practise. This registrant will also normally be the character reference on the student's application to register as a dental professional with the GDC. **If the student is signed off as safe to practise at the level of a safe beginner, without having fulfilled the necessary requirements, the registrant who signed off the student may be at risk of GDC fitness to practise proceedings.**

## Fitness to practise and registration with the GDC

When students apply for registration with the GDC they need to declare whether there are any issues which may affect their fitness to practise. Failure to declare issues is viewed seriously and may affect their registration. Providers must ensure students are informed about how student fitness to practise issues may affect their registration with the GDC and what is expected of them in the application process in terms of declaring issues.

### Declaring student fitness to practise proceedings

If a student has been subject to fitness to practise proceedings during training they must provide details on their application for registration with the GDC. They will need to include a description of the proceedings undertaken or contemplated, including the approximate date of the proceedings. They must declare any warnings, undertakings, conditions, and/or suspension from the course (see page 26 for further information). The character referee would also be expected to declare these and provide relevant information.

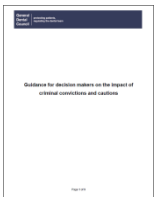
### Declaring criminal convictions and cautions

As well as student fitness to practise proceedings, students also need to declare criminal convictions and cautions when applying. This is the case for both current and past convictions and cautions, before or during their training. Students **must** inform the GDC of any of the following:

- being charged with a criminal offence
- being found guilty of a criminal offence
- receiving a conditional discharge for an offence
- accepting a criminal caution (including a conditional caution), or otherwise formally admit to committing a criminal offence
- accepting the option of paying a penalty notice for a disorder offence (in England and Wales), a penalty notice under the Justice Act (Northern Ireland) 2011 or a fixed penalty notice under the Antisocial Behaviour etc. (Scotland) Act 2004
- receiving a formal adult warning in Scotland.

Students do **not** need to inform the GDC of the following:

- a fixed penalty notice for a road traffic offence
- a fixed penalty notice issued by local authorities (for example for offences such as dog fouling, or graffiti)
- an anti-social behaviour, preventative justice, or other social order
- any convictions or cautions that are considered to be protected. More detailed guidance can be found in the GDC document [Criminal convictions and cautions](#).



These may have been part of student fitness to practise proceedings.

Failure to declare criminal convictions and cautions is viewed as dishonest and incompatible with professional behaviour and being on the register. It is likely to lead to referral to the Investigating Committee and then Professional Conduct Committee and can affect their registration. Convictions/cautions considered spent should still be declared. They may also lead to referral to the Investigating Committee then and can affect their registration. Again, the character referee would also be expected to declare these issues and provide relevant information

More detailed guidance can be found in the GDC document [Criminal convictions and cautions](#).

## Health self-certification



Students must declare any health issues, including any illness, injury, or disability or impairment either physical or mental. The GDC must be satisfied that a person is in good health, both physically and mentally, before that person can be registered. Putting patients' interests first is the first principle in our standards. To do this, students need to take into account their own health and wellbeing. If students can show that they are properly managing their health condition, there should be no impact on their application to join the register.

The GDC needs to know about any risk a health condition may pose to patient safety or to an applicant's ability to do their job safely, but not so much about the condition itself. This may vary from person to person, and may also be affected by the impact of their condition, the help they may be receiving, and how much insight they have into its effect on their practice. We recognise that an applicant's ability to work safely can be enhanced by the support network they have, whether that was their dental school/provider, at work or at home from the clinician(s) treating them.

Further information is provided in the GDC document [Health self-certification guidance](#).

## Providing a reference

Applicants are required to provide a character and identity reference on their GDC registration application form. Referees can include a member of staff from their provider, e.g.:

- the head of the applicant's dental training school or their nominee; or
- the person responsible for supervision of the applicant's training (e.g. practice manager, deputy manager).

Referees are required to report formal student fitness practise proceedings or other issues which may call in to question the applicant's fitness to practise. Failure of a GDC registrant to report fitness to practise issues they are aware of on a GDC application form when providing a reference may call into question their own fitness to practise and registration.

## How does the GDC make a decision on a registration application where issues are reported?

In every case the GDC will look at the information and apply the principle of proportionality. We look at:

- the seriousness of the issue raised
- the potential implications for public and patient safety
- the potential implications for confidence and trust in the profession
- the impact it would have on the applicant
- any remedial measures undertaken

and ask whether refusal of registration would be a proportionate response.

If a student has been through formal student fitness to practise proceedings, their provider has followed the GDC guidance appropriately, and a decision has been made to allow them to qualify, there should be no reason for us to refuse registration unless issues had come to light of which the provider had been unaware.

The GDC has a duty to assess the implications of any issue that an applicant or other person discloses when their application is submitted to us. The GDC has the right to refuse registration in appropriate cases and in line with legal requirements. Any applicant refused registration on these grounds would have the right to formally appeal the decision.

We may seek further information from the applicant, provider or other informant. Depending on our assessment of the issue, we may register the applicant with a letter of advice as to their future conduct. In cases of serious health issues we can seek a medical opinion before making a decision on an application.

If there are issues that are serious enough to require a refusal of registration, for example, if a provider's decision to pass a student may not address the concerns raised later at the point of registration, the GDC may seek advice from the provider to inform a decision about the applicant.

# What policies and guidance should providers have in place?

## Checklist

It may be helpful to refer to this checklist covering the key aspects of student fitness to practise. (This list is not exhaustive.)

- Standards expected of students during training and how these link to the Standards for the Dental Team
- Impact on registration and GDC application requirements
- Support and resources available
- Training provider responsibilities, including regarding staff at work placements, staff training and signing off students/providing references
- Student fitness to practise policy and process including:
  - criteria for judging student fitness to practise concerns
  - timescales
  - outcomes
  - applying student fitness to practise procedures
  - applying the threshold of student fitness to practise
  - hearings and appeals process
  - panel composition and training
  - recording policy
  - monitoring and review policy
  - GDC reporting process
  - communication strategy (including training) for students, staff and patients,
  - confidentiality
  - equality and diversity

Providers' information about their fitness to practise procedures should clearly distinguish between their roles in handling complaints and in considering fitness to practise cases, and should also explain the relationship between these two roles. Information on fitness to practise should also describe the respective roles of the school, the awarding body, the university or college, a work placement provider, the Office of the Independent Adjudicator for Higher Education (where applicable), the NHS and the GDC.

## The roles of personal tutors, investigators and panel members

Those responsible for supervising students should understand that their own fitness to practise can be called into question if they fail to follow this guidance.

A student's personal tutor should not also act as an investigator or as a member of the fitness to practise panel. This allows the tutor to support the student and ensures the objectivity of the investigator and the panel members who will be making decisions about the student's future.

The role of the investigator is to determine whether there is enough evidence to indicate that a student's fitness to practise is impaired. An investigator should not be a member of the fitness to practise panel.

During the course of an investigation, if there is evidence of misconduct but fitness to practise is not impaired, the investigator may issue a warning and a way forward should be agreed with the student.

When a complaint/information is assessed, the decision maker is looking to determine whether the information gathered amounts to an allegation of impairment. Factors which providers may wish to consider when investigating FTP are whether the conduct alleged:

- 1 gives rise to a concern that harm has been caused or may be caused to a member of the public; or
- 2 gives rise to a concern that damage has been done to the reputation of the profession; or
- 3 gives rise to a concern that the student may be suffering from (more than minor and short term) ill health.

Providers may wish to speak to the Registration or Fitness to Practise teams at the GDC for advice. This advice would be limited to the possible impact of proven misconduct on registration in general terms, and could not be legal advice or comment on an individual case.

All outcomes should be recorded, the appropriate person informed of the decision in order to monitor any further issues, and the student should be made aware that the outcomes must be disclosed to the GDC at the point of registration. Appropriate appeal procedures will need to be established in the event that a student wishes to appeal against the findings of an investigation.

The role of panel members is to deliberate on the evidence presented by the investigator, the student, expert advisers and witnesses (if applicable). The panel should set out its determination in writing, which should include reasons for their decision, warnings or

sanctions, and the requirement to disclose the outcome to the GDC and other organisations such as postgraduate deaneries.

## **Applying student fitness to practise procedures**

The advice below is only illustrative of the sorts of concerns which could call a student's fitness to practise into question and is not exhaustive. The outcome of each case will depend on its particular facts.

If a student's poor health or behaviour is to be considered through a provider's general disciplinary procedures, this does not prevent it also being considered by the provider's formal fitness to practise procedures. The two procedures will operate under different criteria, and it is important that they do not occur simultaneously. In general, it is expected that the provider's disciplinary procedures will consider the issue in the first instance and a fitness to practise hearing will take place once the disciplinary hearing is concluded and the facts established.

Providers should consider the fitness to practise of students in relation to how it may have an impact on patient and public safety and trust by the public in the dental profession.

Investigators and panellists should consider whether a student has reached the fitness to practise threshold on a case-by-case basis.

## **Applying the threshold of student fitness to practise**

### **Criteria**

Providers should have clear criteria for judging the threshold of fitness to practise. This should cover health, behaviour, clinical/technical/academic performance and also relate to the Standards for the Dental Team. The criteria should be published in the provider's student fitness to practise policy. The criteria should be applied when evaluating all cases.

Training should be provided on how the criteria should be applied. Review of their application/implementation should take place. This could be in the form of calibration exercises based on past cases.

Criteria should take into account whether the concern may affect their ability to continue with their course or to practise as a dental professional after qualifying. This includes the possibility that they could put patients or others at risk. Evidence should be considered on the balance of probabilities.



When considering this threshold, decision-makers may want to reflect on the following circumstances when a question of fitness to practise arises:

- A student's behaviour may have harmed patients or put patients at risk of harm
- Harm or a risk of harm may be demonstrated by an incident or series of incidents that cause concern to personal tutors and academic or clinical supervisors. A series of incidents could indicate persistent failings or other repeated departures from good practice which are not being, or cannot be, safely managed through pastoral/student support or support has been tried and has failed
- A student is alleged to have shown a deliberate or reckless disregard of professional and clinical responsibilities towards patients and colleagues
- An isolated lapse from high standards of conduct - such as a rude outburst - would not in itself suggest that the student's fitness to practise was in question. But the sort of misconduct, whether criminal or not, which indicates a lack of integrity on the part of the student, an unwillingness to behave ethically or responsibly or a serious lack of insight into obvious professional concerns will bring a student's fitness to practise into question
- A student's health or impairment may be compromising patient safety. Medical issues can be difficult to manage and there may be personal issues that students are under no obligation to disclose. However, patient safety must be prioritised and a student's willingness to recognise an issue and response to advice taken into account
- A fitness to practise procedure does not need to be initiated merely because a student is unwell, even if the illness is serious. However, a student's fitness to practise is brought into question if it appears that the student has a serious medical condition (including misuse of drugs or alcohol); AND the student does not appear to be following appropriate medical advice as necessary in order to minimise the risk to patients and colleagues.
- The stage of the course the student is at.

## Recording information

All concerns raised should be recorded centrally by providers. This is important for both the provider and the GDC with regard to ensuring that criteria and processes have been applied consistently. The GDC will check the following information annually:

- How many concerns have been raised about students' fitness to practise in the past year
- Description of the concerns raised (e.g. whether low level/high level), including risk to patients
- Number of cases that reached each stage of the process, the action/resolution and reasons
- Outcome and decision

It may be helpful for you to provide a description of the stages within your process for background information.

## Communication

Processes should be in place to allow for clear and prompt communication at all stages with everyone involved whenever fitness to practise concerns emerge. These processes should be clearly stated in the education provider's documents, such as admissions information and fitness to practise documents.

## Panel composition and training

Student fitness to practise procedures should clearly describe the composition of the panel. In determining panel composition, providers should consider whether it would be practical to include:

- someone from outside the institution
- someone with legal knowledge
- a student representative who does not know the student being investigated (this might not be a dental professional student; where a course has a small number of students it may be appropriate to suggest someone from a student union/body or similar course that the provider has links with). Confidentiality will be an important concern for the student under investigation so confidentiality agreements should be in place
- a registered dental professional with experience of teaching on a programme leading to registration
- a suitably qualified representative (ideally a registered health professional) from the clinical/technical provider or laboratory responsible for making a decision on whether the student may continue in the clinical or technical practice environment, e.g. NHS Trust or Employer placement
- a representative from a postgraduate deanery (if dentist).

The panel should include a dental professional registered with the GDC. All panel members should receive training for their role, be appropriately experienced, and have access to all the relevant documentation. See page 6 for advice on practical implementation of a panel depending on the size and type of training provider. Panellists should:

- know and understand the rules and regulations of fitness to practise and disciplinary matters at the educational institution
- know and understand relevant guidance such as the Standards for the Dental Team, Preparing for Practice, this publication, and GDC fitness to practise procedures
- be fair-minded and open to hearing the case before reaching a decision
- seek appropriate expert advice, especially in cases involving health or impairment issues
- ensure the fitness to practise proceedings are fair and proportionate
- know and understand legal requirements and good practice in relation to equality and diversity.

## Hearings

Providers should make sure that their proceedings are fair. This may include:

- ensuring the panel is unbiased and that there are no obvious conflicts of interest between investigators, panellists and students
- setting up appropriate procedures to avoid delays
- indicating how a hearing may proceed in the exceptional circumstances of the student being absent
- ensuring there is proper disclosure of information and equal opportunity to present evidence
- applying the civil standard of proof on the balance of probabilities
- making it possible to hold the hearing in public where the student so wishes, except that hearings involving health issues should be held in private
- ensuring decisions and sanctions are proportionate and that reasons for decisions are explained
- ensuring that the student is aware they are allowed to have legal representation or have a supporter present if they wish to do so.

## Appeals

Providers should have a clear appeals procedure for student fitness to practise decisions, setting out what the process is and what can be considered, including the requirement for new evidence. They should recognise that the criteria for fitness to practise for dental students and DCPs differ from those that apply to other students. Appeals policy documents should include:

- limiting the appeals panel's remit to referring the case back to another fitness to practise hearing should an appeals panel decide to uphold an appeal brought by a student if the criteria are met for doing so
- whether appeal hearings can reconsider the facts of the case or are limited to deciding whether due process was followed
- details on the composition of appeals panels taking on board the advice in this guidance regarding panel composition.

## Outcomes of a student fitness to practise hearing

Possible outcomes of a hearing include:

- the student receives no warning or sanction
- the student receives a warning as there is evidence of misconduct but the student's fitness to practise is not impaired and does not require any of the sanctions listed below
- the student's fitness to practise is judged to be impaired and they receive a sanction.

Beginning with the least severe, the sanctions are:

- conditions or undertakings
- suspension from the training programme
- expulsion from the training programme

The purpose of the warnings and sanctions is not to be punitive but to protect patients and the public, although they may have a punitive effect.

Investigators and the panel should consider the options available starting with the least restrictive and moving to the next only if satisfied that the warning or sanction is not sufficient to protect patients and the wider public.

Providers should consider whether it is necessary to suspend the student temporarily while an investigation or hearing into their fitness to practise takes place in order to protect patients, colleagues or other students. Providers should make sure the decision is proportionate, fair and evaluated on a regular basis.

Students who receive a warning or sanction, short of being expelled, should also receive supervision or monitoring, or both, to satisfy the provider regarding their fitness to practise. They should also be provided with remedial or pastoral support, or both. If the student is at the early stages of their dental education, it may be valuable to have the student reflect on their fitness to practise annually, at the very least.

It should be made clear to any student who receives a warning or sanction why they have received it, its intended purpose, its expected duration, and whether or when their fitness to practise will be considered again in a formal hearing. Providers should have a clear policy on how long warnings and sanctions will remain on a student's record.

It should be made clear to students that they can withdraw from their course rather than go through formal fitness to practise procedures. It should also be made clear that if they do withdraw, whether it will be possible for them to return to their course later, or transfer to a different course at the institution.

## **Warnings**

Warnings can be applied by both investigators and panels and allow the provider to indicate to a student that any given behaviour represents a departure from the standards expected and should not be repeated. They are a formal response in the interests of maintaining professional values. There should be adequate support for the student to address any underlying problems that may have contributed to their poor behaviour.

Recording warnings allows the provider to identify any repetition of the particular behaviour and to take appropriate action in that event. Breach of a warning may be taken into account by a panel in relation to any future case against a student, or may itself comprise misconduct serious enough to lead to a finding of impaired fitness to practise. It should remain on the student's record and **the student and referee must declare a warning to the GDC when applying for registration.**

Decision makers may want to take account of the following factors to determine whether it is appropriate to issue a warning:

- if the student behaved unprofessionally
- if the particular behaviour raises concerns, but falls short of impaired fitness to practise
- if a warning will be appropriate when the concerns are sufficiently serious that, if there were a repetition, they would likely result in a finding of impaired fitness to practise. The decision makers will need to consider the degree to which the concern could affect patient safety and public confidence in the profession;
- whether there is a need to record formally the particular concerns (because additional action may be required in the event of any repetition).

## Sanctions

The purpose of the types of sanction is to ensure that students whose fitness to practise is impaired are dealt with effectively, including possibly being removed from their course. A sanction also gives students the opportunity to learn from their mistakes.

Panels should consider whether the sanction will protect patients and the public and maintain professional standards.

It is important that the panel's determination on a sanction makes clear that it has considered all the available options and provides clear reasons (including mitigating and aggravating factors that influenced its decision) for imposing a particular sanction. In addition, the determination should include a separate explanation as to why a particular period of sanction was considered necessary.

Provision will need to be made for systems to review or lift sanctions where this is appropriate.

## Sanctions: Conditions

Conditions are appropriate when there is significant concern about the behaviour of a student. This sanction should be applied at the panel level and only if the panel is satisfied that the student might respond positively to remedial tuition and increased supervision and has displayed insight into their problems. The panel should consider any evidence such as reports on the student's performance, health or behaviour.

**The student should be made aware that the condition may be disclosed to the appropriate people and it must be declared to the GDC when applying for registration.**

The objectives of any conditions should be set out clearly so that the student knows what is expected of them and so that any future hearing is able to determine the original shortcomings and the proposal for their correction. Any conditions should be appropriate, proportionate, workable and measurable.

Before imposing conditions the panel should be satisfied that:

- the problem can be improved through conditions
- the objectives of the conditions are clear
- a future assessment will be able to determine whether the objectives have been met and if patients will or will not be at further risk.

When deciding on whether any conditions might be appropriate the panel will need to satisfy itself that most or all of the following factors are apparent (however, this list is not exhaustive):

- no evidence of inherent problems with the student following good practice and professional values, and the student has shown sufficient insight
- identifiable areas of the student's studies in need of further assessment or remedial action
- willingness by the student to be open and honest with patients, colleagues and supervisors if things go wrong
- in cases involving health issues, evidence will be required that the student has genuine insight into their condition and shows willingness to comply with guidance on health matters. They must abide by any conditions relating to their health, treatment and supervision
- patients will not be put in danger either directly or indirectly as a result of conditions
- the conditions will protect patients during the period they are in force.

Where a panel has found a student's fitness to practise impaired by reasons of physical or mental health illness or impairment, the conditions should relate to the medical supervision of the student as well as to supervision on clinical placements.

It is inappropriate for a panel to impose conditions if the student's fitness to practise has not been found to be impaired.

## **Sanctions: Undertakings**

An undertaking is an agreement between a student and the provider, where there is a determination that the student's fitness to practise is impaired and the student acknowledges the impairment. This agreement is usually taken forward before and instead of a formal hearing or determination.

Undertakings may include restrictions on the student's clinical practice or behaviour, or the commitment to undergo medical supervision or remedial teaching. As with conditions, they are likely to be appropriate where the concerns about the student's fitness to practise are such that a period of remedial teaching or supervision, or both, is likely to be the most appropriate way of addressing them.

Undertakings will only be appropriate if there is reason to believe that the student will comply with them, for example, where the student has shown genuine insight into their problems and potential for remediation. The panel may wish to see evidence that the student has taken responsibility for their own actions and, when necessary, taken steps to mitigate their actions.

The panel should take the following factors into account when considering whether to invite the student to accept undertakings:

- whether undertakings appear to offer sufficient safeguards to protect the public
- whether the student has shown significant insight.

## **Sanctions: Suspension from the course**

Suspension prevents a student from continuing with their course for a specified period and qualifying at the expected time. Suspension is appropriate for concerns that are serious but not so serious as to justify immediate expulsion.

When students return from suspension they are expected to comply with any further conditions. **Students should consent to disclose the suspension and conditions to the appropriate people and must declare the suspension and conditions to the GDC when applying for registration, as must the referee.**

This sanction may therefore be appropriate when some or all of the following factors are apparent (this list is not exhaustive):

- a serious breach of professional values and student fitness to practise where the issue is not fundamentally incompatible with continuing on a dental course and where complete removal from the course would not be the only way to protect patients and the public, but the breach is so serious that any sanction less than a suspension would not be in the public interest
- in cases which relate to the student's health, where the student's judgement may be impaired and there is a risk to patient safety if the student were allowed to continue on the course, even under conditions
- no evidence of inherent problems following good practice and professional values
- the panel is satisfied that the student has insight and does not pose a significant risk of repeating behaviour
- there is appropriate support for the returning student.

## **Sanctions: Expulsion from the course**

The panel can expel a student from the course if it considers that this is the only way to protect patients, carers, relatives, colleagues or the public. The student should be helped to transfer to another course if appropriate. However, the nature of the student's behaviour may mean that they should not be accepted on any course that leads to registration with the GDC, or on any other course.

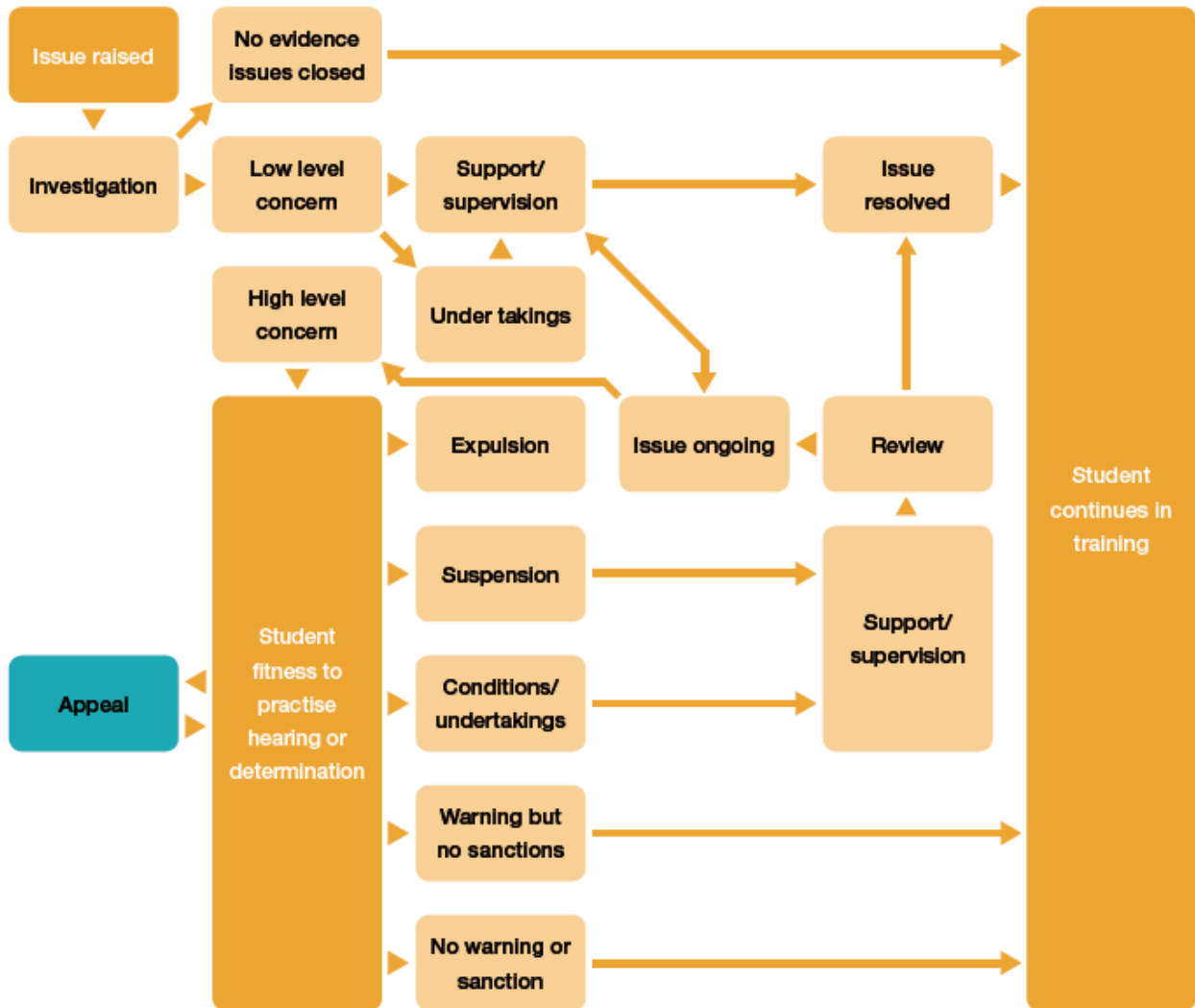
Expulsion, the most severe sanction, should be applied if the student's behaviour is considered to be fundamentally incompatible with continuing on a dental course or eventually practising as a dentist or DCP, or where the education provider considers that the student otherwise breaches significantly its own regulations. Expulsion is likely to be appropriate when the behaviour involves any of the following factors (this list is not exhaustive):

- a reckless disregard for patient safety
- serious departure from the principles set out in the Standards for the Dental Team
- behaviour that is fundamentally incompatible with being a dental professional
- doing serious harm to others (patients or otherwise), either deliberately or through incompetence and particularly where there is a continuing risk to patients
- abuse of position or trust
- violation of a patient's rights or exploiting vulnerable people
- criminal offences
- offences of a sexual nature, including involvement in child pornography
- dishonesty, including covering up one's actions
- putting own interests before those of patients
- persistent lack of insight into the seriousness of actions or consequences
- lack of disclosure and learning from a 'never event'.



# Overview of the Student Fitness to Practise process

Here is an overview of what happens from the point of a concern being raised about a student's work, health or behaviour:



## List of useful organisations and guidance

The GDC website has a [webpage for students](#) where you can find all the GDC documents you need and links to helpful information from other organisations. You can also find a list of useful information for registrants here:



Effective from October 2016