

<b>Document Name and Version</b>	<b>7.7 Continuing with Clinical Placement Policy. Not yet implemented.</b>
<b>Policy Number</b>	7.7
<b>Policies that Interact with Policy 7.7</b>	Policy 7.5 IICP College Framework for Monitoring and Maintaining Clinical Practice Requirements Policy 7.6 Readiness to Practise Policy 6.4 Policy and Procedure on Learner Welfare and Wellbeing
<b>Approval Body</b>	Academic Council and Board
<b>Date of Approval</b>	Not yet approved
	Not yet implemented
<b>Date Policy Comes into Force</b>	
<b>Date of Review</b>	
<b>Revisions</b>	

## ***Continuing with Clinical Placement Policy Implementation Plan.***

Dated: 15<sup>th</sup> December 2018

### **1. Preamble.**

- 1.1. This policy addresses QQI's QA Guidelines. Assessment and Standards 2013, and the ESG which requires providers to have policy and mechanisms in place provide for the welfare and support of learners.
- 1.2. This policy addresses Professional Body ethical requirements, set out in IACP Code of Ethics and Practise (IACP, 2018), available at <https://iacp.ie/iacp-code-of-ethics>.

### **2. Roles and responsibilities**

- 2.1. The Academic Council and the Board are responsible for formally approving this policy and for overseeing its implementation.
- 2.2. The Academic Council is responsible for establishing Continuing with Clinical Placement Panel and Continuing with Clinical Placement Appeals Panel where required.
- 2.3. Programme Leaders and the Head of Academic Affairs are responsible for supporting the faculty in the use of this procedure.
- 2.4. Continuing with Clinical Placement Panel is responsible for judging whether a learner will continue with the practice component of a programme.
- 2.5. The Continuing with Clinical Placement Appeals Panel is responsible for hearing and adjudicating on an appeal.

### 3. Policy implementation

3.1. Approval body: The Academic Council and the Board will be presented with this policy and implementation plan.

3.2. Policy Implementation Task List:

Implementation Task	Task Responsibility	Timeline
<i>Further Consultation with staff and learners</i>	<i>Quality Assurance Manager / Senior Management</i>	<i>Second half 2019</i>
<i>Legal advice may be required</i>	<i>Quality Assurance Manager / Senior Management</i>	<i>Second half 2019</i>
<i>Consideration by the Board</i>	<i>Quality Assurance Manager (Presentation to the Board)</i>	<i>Second half 2019</i>
<i>Consideration by the Academic Council</i>	<i>Quality Assurance Manager (Presentation to the AC) AC</i>	<i>Second half 2019</i>
<i>Training and consultation</i>	<i>Quality Assurance Manager</i>	<i>First half 2020</i>
<b>IMPLEMENTATION: Decision of the Academic council 27<sup>th</sup> November 2018</b> This Policy requires considerable discussion, consultation and training before implementation. This policy may also require legal advice		

## **1. Preamble.**

- 1.1. Continuing with Clinical Placements in IICP College programmes requires ongoing maintenance of capacity to practise. It is an ethical requirement that practising Counsellors and Psychotherapists monitor their professional skills and personal readiness, recognise the limitations of their expertise and capacity, and take care not to exceed these limits. This is a fundamental principle of the IACP Code of Ethics and Practice for Counsellors / Psychotherapists (2018), stated in Principle 2. The Code is available here: <https://iacp.ie/iacp-code-of-ethics>.
- 1.2. When learners continue in their Clinical Placements, this indicates that they have the skills, knowledge, health and personal characteristics necessary to undertake and complete the clinical practice aspects of their programme safely and ethically.
- 1.3. This Continuing with Clinical Placement Policy is required in order to protect members of the public from foreseeable harm, and to maintain the trust and confidence of the public in the profession of counselling.
- 1.4. Where specific concern arises about a learner's continuance in the Clinical Placements components of their programme, then this policy will be utilised. Generally, this policy is used where ability to practise safely or effectively is in question.
- 1.5. Where Continuing with Clinical Placement concerns are identified through this procedure in relation to qualified professionals, then in accordance with IACP Code of Ethics and Practice the learner will be advised to notify their professional body.
- 1.6. In addition, IICP College may need to disclose confidential information if this is a legal or regulatory requirement, or if there is clear evidence that a child or vulnerable adult is at risk of harm or abuse.

1.7. *Computation of Time:* Where this procedure prescribes a number of days, this is taken to mean working days: that is, weekends and public holidays shall not be counted. Reference to a specific staff role in any policy is taken to mean that role or any other appropriate member of staff designated by the College to take the specified responsibility in the conduct of that policy.

## **2. Purpose.**

2.1. The purposes of this policy are:

- To ensure learners on all IICP College undergraduate or postgraduate programmes have a clear understanding of the standards of professional behaviour required of them throughout their education, and are supported in their continuous attainment of these standards;
- To ensure the well-being of clients and any members of the public who use services provided by IICP College learners in the course of their Clinical Placements;
- To provide a fair and rigorous framework for processing Continuing with Clinical Placement concerns.

## **3. Scope.**

3.1. This policy applies to all undergraduate and postgraduate learners at IICP College while acting in the course of their programme. It is applicable irrespective of professional membership.

3.2. This policy does not cover Continuing Professional Development Programmes.

## **4. Roles and responsibilities**

4.1. The Board and the Academic Council are responsible for formally approving this policy and for overseeing its implementation.

4.2. The Academic Council is responsible for establishing Continuing with Clinical Placement Panel and Continuing with Clinical Placement Appeals Panel, where required.

4.3. Programme Leaders and/or the Head of Academic Affairs are responsible for supporting the faculty in the use of this procedure.

4.4. The Registrar is responsible for initiating this procedure.

4.5. Continuing with Clinical Placement Panel is responsible for judging whether a learner will continue with the practice component of a programme.

4.6. The Continuing with Clinical Placement Appeals Panel is responsible for hearing and adjudicating on an appeal.

4.7. All staff and learners are responsible for the operation of this procedure.

## **5. Policy.**

5.1. The primary function of Continuing with Clinical Placement Policy is the protection of clients and the safeguarding of the interests of children, vulnerable adults and the public.

5.2. Any condition or conduct presented by a learner that may affect their ability to practise safely or effectively or which may pose a risk to the safety or interests of children or vulnerable adults will normally be dealt with by IICP College under its Continuing with Clinical Placement procedure or other applicable policy. It should be noted that one incident can give rise to different processes. For example, concern about a learner's health may result in learner Welfare and Care Policy as well as Continuing with Clinical Placement Policy being invoked.

5.3. Conditions or conduct that may result in Continuing with Clinical Placement hearings include:

- Breach of IACP Code of Ethics and Practice;
- Academic and/or professional misconduct;
- A conviction or caution in Ireland or any other jurisdiction;

- A determination by a regulatory body responsible for regulation of a health or social care profession;

5.3.1. Evidence of circumstances that might bring into question a learner's continuance with their Clinical Placement, including but are not limited to:

- Substance misuse;
- Violent or threatening behaviour;
- Failure to follow health and safety requirements;
- Having health concerns combined with lack of insight or management of these;
- Refusal to follow medical advice or care plans.

5.3.2. While adverse physical or mental health conditions and/or disabilities do not usually impact on a learner's continuance in clinical practice, adverse physical or mental health where the learner does not accept appropriate support or comply with conditions of treatment may do so. The Continuing with Clinical Placement policy will normally be applied as a last resort in such circumstances.

#### *5.4. Disclosures and confidentiality:*

5.4.1. All staff and learners who become involved in Continuing with Clinical Placement procedures are required to respect the integrity of the process and the confidentiality of information arising from it. Failure to engage with this procedure may be considered a disciplinary matter.

5.4.2. Learners on certain programmes are required to complete an annual self-declaration form disclosing any undeclared additions to their criminal history since application for registration.

5.4.3. Learners should note requirement for a learner to declare the outcome this procedure to the relevant regulatory body.

5.4.4. While every effort is made to respect confidentiality, it may not be possible or appropriate to do so in all circumstances. The College may consider or be required to discuss and/or refer matters and/or its outcomes to the Child & Family Agency and/or another third parties such as the Gardai. Where there are concerns for the welfare or health of any person, then the College may do so without notification to the learner.

## 6. Procedure.

6.1. Prior to initiating this Policy, all reasonable opportunities for support should be offered to the learner, with a view to resolving any perceived issue. Dialogue and negotiation could be used to achieve an agreement on a particular course of action to be followed through by the learner and/or the College, or another outcome that addresses the concerns. In exceptional circumstances dialogue and negotiation may not be sufficient, and a staff member should consider whether this or an alternative policy is applicable.

6.2. The Continuing with Clinical Placement procedure consists of the following stages:

- (i) Initiating the procedure, and
- (ii) A hearing by a Continuing with Clinical Placement Panel.

6.3. Continuing with Clinical Placement Procedure: *(i) Initiating Continuing with Clinical Placement Procedures.*

6.3.1. This procedure is initiated by a concern in writing from a member of the faculty to the Registrar. It is usually the case that the faculty member will have discussed their concern with, and receive the assistance from, the Head of Academic Affairs.

6.3.2. The written account should outline the cause for concern, and the action already taken to resolve the matter informally, or through different procedures. It is important to note that the learner will have access to this written account as soon as is practicable.

6.3.3. The Registrar will request the Academic Council to convene a Continuing with Clinical Placement Panel. As soon as is practical the Registrar will ensure that the learner is provided with a copy of the written concern, and any other relevant personal information held by the College (other than confidential correspondence).

6.4. Continuing with Clinical Placement Procedure *(ii) Continuing with Clinical Placement Panel:*



6.4.1. The Continuing with Clinical Placement Panel is appointed by the Academic Council [AC], in accordance with IICP's Academic Council Subcommittees and Panels Terms of Reference Policy.

6.4.2. No member of this Panel should have had involvement in the teaching and assessment in the programme under question, or have been involved in the case previously.

6.4.3. The learner will be given a minimum of ten working days' written notice of the following:

- The date, time and venue of the meeting;
- The evidence and findings of the investigation;
- Their right to be accompanied and to be legally represented;
- IICP's right to obtain legal advice and/or representation;
- The names of the members of the Continuing with Clinical Placement panel;
- The procedure of the Panel.

6.4.4. The procedures of the panel are governed by IICP College's "Procedure for Hearings and Appeals".

6.4.5. A description of witnesses, and all documentation must be provided to the Learner and the Panel members at least **five working days** before the date set for the hearing. The secretary shall take a formal record of the meeting.

6.4.6. Records are maintained in accordance with IICP College's "Data Retention Procedure".

6.4.7. The possible outcomes are:

- The Panel decides that the learner's continuance with the Clinical Placement aspects of their programme is not impaired sufficiently to prevent them continuing to Practise. The learner is permitted to continue with the programme.
- The Panel decides that the learner's continuance with the Clinical Placement aspects of their programme is not impaired, but there are reasons for concern. In this case the matter may be referred for consideration under a different IICP College procedure.

- The Panel decides that the learner's Continuing with Clinical Placement is impaired to a point where continuing to clinical practice is not advisable. In this case the panel may impose any one of or a combination of the following:
  - The learner agrees in writing to undertake an agreed programme of study, development, support and/or supervision;
  - The learner is suspended from the programme for a specified time;
  - Where a programme's structure so allows, the learner is given the option to complete the Academic Components of their programme only, or to withdraw from the programme;
  - The learner is suspended or dismissed from the programme.

6.4.8. Within **10 working days of the hearing**, the Chair of the Panel shall:

6.4.8.1. Notify the learner of the outcome of the hearing. Where the Chair of the Panel is satisfied that learner's continuance with the Clinical Placement aspects of their programme is impaired to a point where continuing with this aspect of the programme is not advisable, he /she shall identify the associated outcome [see Section 7.7], if any, and the learner's right of appeal.

6.4.8.2. Report the matter to the Academic Council. A copy of this report will also be retained within the Registrar's Office and will be made available to the learner in the event of an Appeal.

6.4.8.3. The application of the outcome of the Continuing with Clinical Placement hearing may be suspended pending the outcome of the Appeal. In the event of the learner not choosing to exercise his / her right of Appeal, the outcome shall be applied.

6.4.9. Any breach of conditions set by a Continuing with Clinical Practice Panel will result in the matter being sent back to the Panel.

6.4.10. Where the outcome is Suspension or Dismissal, this must be submitted to the AC for confirmation.

## 7. Appeal.

7.1. An Appeal is heard by The Continuing with Clinical Placement Appeals Panel. This is a subcommittee of the AC constituted in accordance with the provisions of IICP College's "Procedure for Hearings and Appeals". It can also ask that it is joined by others who can provide advice.

7.2. An Appeal will only be considered on certain specified grounds.

7.3. Grounds for Appeal:

7.3.1. New evidence has become available which was not available for the Continuing with Clinical Practice Panel.

7.3.2. There has been a procedural irregularity in the conduct of the Continuing with Clinical Practice Panel proceedings.

7.3.3. The penalty was too harsh;

7.3.4. There was a lack of fairness in the application of the regulations.

7.4. To initiate an Appeal, the Appeal must be lodged within **10 working** days of the decision of the Continuing with Clinical Placement Panel.

7.5. The written Request for Appeal should outline the grounds for Appeal. The Request for Appeal should be accompanied by supporting documentation that shall be relied upon in the event of a hearing.

7.6. The purpose of the Appeal Hearing is to examine the Grounds of Appeal made by the learner. Its purpose is not to re-hear the case.

7.7. An Appeal should not result in any increase in severity of outcome.

7.7.1. Upon receipt of the written Request for Appeal, the Registrar will evaluate whether the Appeal is rooted in one of the named grounds for Appeal. The Registrar may dismiss an Appeal which does not provide a prima facie case.

7.8. Within 10 working days of the Request for Appeal the Registrar will acknowledge receipt, and inform the learner whether an Appeal Panel will be constituted, or the Request for an Appeal has been refused.

7.9. Where the Request for an Appeal has been refused then any outcome decided by the Continuing with Clinical Placement Committee and suspended pending Appeal will be implemented.

7.10. Possible outcomes are:

7.10.1. The Appeals Committee upholds the decision of the Continuing with Clinical Placement hearing, in which case the outcome decided upon will come into force;

7.10.2. The Appeals Committee fails to uphold the decision of the Continuing with Clinical Placement hearing, in which case the learner continues with his/her studies and no record is kept on the learner's file;

7.10.3. The Appeals Committee decides that the outcome of the Continuing with Clinical Placement hearing is too severe, and may substitute a lesser outcome.

7.11. The decision of the Appeals Committee is final.

7.12. The Appeals Committee will communicate its findings to the Registrar and the Learner where possible **within 10 working days of the Appeals hearing**. The Chair has responsibility for ensuring that the decision is communicated to the parties as soon as is practicable. If any delay is necessary, the Chair will inform all parties, in writing, outlining the proposed change to the timeline and the rationale for the delay.

7.13. The Appeals Committee will report to the Academic Council where possible within **30 working days** of the Appeal hearing.

