

# Professional Behaviour for Medical Students and the Professional Behaviour Committee

Griffith School of Medicine

<b>Approving authority</b>	Academic Committee
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<b>TRIM document</b>	2016/7006059
<b>Description</b>	This policy concerns the processes for monitoring the behaviour and conduct of students enrolled in the medical program and the role of the Professional Behaviour Committee of the School of Medicine, Griffith University in these processes.

[Student Misconduct Policy](#)  
[Student Review and Appeals Policy](#)  
[Student Review and Appeals Procedures](#)  
[Student Complaints Policy](#)  
[Student Complaints Procedures](#)  
[Inability to Complete Required Components of Professional Qualification Policy](#)  
[Health Practitioner Regulation National Law Act 2009 \(Qld\)](#)  
[Good Medical Practice: A Code of Conduct for Doctors in Australia \(Medical Board of Australia\)](#)  
[School of Medicine Website](#)

**Related Committees**  
[Student Misconduct Committee](#)  
[Misconduct Appeals Committee](#)  
[University Appeals Committee](#)

[\[Overview\]](#) [\[Membership of the Professional Behaviour Committee\]](#) [\[Policy and Process\]](#) [\[Grounds to Initiate the Process\]](#) [\[Referral to Student Misconduct Committee\]](#) [\[Appeals\]](#) [\[Schedule A\]](#)

## 1. OVERVIEW

This policy concerns the processes for monitoring the behaviour and conduct of students enrolled in the medical program and the role of the Professional Behaviour Committee of the School of Medicine, Griffith University in these processes. The policy, processes and constitution of the Committee are consistent with, and complementary to, the existing Griffith University policies and processes. The following components are addressed in this policy:

- Professional Behaviour Committee membership;
- The Terms of reference of the Professional Behaviour Committee;
- Policy and Process Issues;
- Referral and Appeal Processes.

## 2. MEMBERSHIP OF THE PROFESSIONAL BEHAVIOUR COMMITTEE

The role of the Committee is to provide expert advice and opinion on the standard of conduct and behaviour expected from students enrolled in the medical program and to take action when student conduct and behaviour is in breach of the standards. The membership of the Committee is constituted so as to reflect the expectations of the medical profession, the academic community with an overarching awareness of the education providers' responsibility with respect to public protection as outlined in the [Health Practitioner Regulation National Law Act 2009](#) (the National Law).

### 2.1 Membership

- A senior professional health care clinician as Chairperson (nominated by the Dean of Medicine);
- The Chair of Education Committee, School of Medicine;
- The academic staff lead appointed in Law, Medical Ethics and Professional Practice;
- A Minute Secretary who is not a member of the committee (appointed by the Dean of Medicine).

### 2.2 Terms of Reference of the Professional Behaviour Committee

The Professional Behaviour Committee is responsible to the School of Medicine Education Committee for the specification of standards of professional behaviour and fitness to practice for students within the School and for the monitoring and maintenance of these standards. The standards of the medical profession are defined in the Health Practitioner Regulation National Law 2009 and further described in the Medical Board of Australia (MBA) Good Medical Practice; A Code of Conduct for Doctors in Australia.

The Professional Behaviour Committee shall:

- i. develop professional behaviour and fitness to practice policies and procedures for recommendation to the School of Medicine Education Committee;
- ii. provide advice to staff and students on issues relating to professional behaviour and fitness to practice;
- iii. receive complaints of student conduct and behaviour which is inappropriate and/or inconsistent with the standards and expectations of students enrolled in the medical program;
- iv. provide opportunities for counselling, reflection and remediation to any student whose conduct is identified as unsatisfactory and below the standard required of a student enrolled in the medical program;
- v. assess allegations of unsatisfactory student behaviour and conduct and make determinations as provided for in section 3.3.5
- vi. where allegations come within the province of the Student Misconduct Policy make recommendations, via the Dean of Medicine, to the Dean (Learning and Teaching) of Health as the "Decision Maker" in the *Student Misconduct Policy*.
- vii. where allegations come within the province of the *Student Academic Misconduct Policy* refer the matter to the Student Academic Integrity Co-ordinator who shall refer it to the appropriate decision maker in accordance with the *Student Academic Misconduct Policy*.
- viii. notify the national registration board as required under the National Law (s143 & s144)<sup>1</sup>, of 'notifiable conduct' by a student, or of any impairment a student has, or may have,

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<sup>1</sup> [Section 143 Mandatory notifications by education providers](#)

(1) An education provider must notify the National Agency if the provider reasonably believes—

(a) a student enrolled in a program of study provided by the provider has an impairment that, in the course of the student undertaking clinical training as part of the program of study, may place the public at substantial risk of harm; or

(b) a student for whom the education provider has arranged clinical training has an impairment that, in the course of the student undertaking the clinical training, may place the public at substantial risk of harm;

that may place the public at risk of harm. If the PBC becomes aware of such circumstances, the School of Medicine will make the necessary notification<sup>i</sup>. Where a notification is made to the national registration board by the School of Medicine, the student will be informed of this action.

All proceedings before the Professional Behaviour Committee are to be classified as confidential. This includes, but is not limited to, the parties appearing before the Committee, the composition of the Committee hearing the matter, the character and nature of the allegations, the findings, decisions and recommendations of the Committee.

### 2.3 Meetings

The Committee will meet as and when required and directed by the Chairperson.

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## 3. POLICY AND PROCESS FOR MANAGING PROFESSIONAL BEHAVIOUR AND CONDUCT

### 3.1 All students will, as part of the Year 1 orientation, be provided with the policy on the Standards of Professional Behaviour and Conduct for Students. In addition, students will be directed to the:

- Griffith University Student Misconduct Policy;
- Inability to Complete Required Components of Professional Qualification Policy
- Good Medical Practice; A Code of Conduct for Doctors in Australia
- *Health Practitioner Regulation National Law Act 2009* (Qld)
- Professional Practice Development Guidelines of the School of Medicine

### 3.2 When a student is identified as conducting themselves in a manner inconsistent with the stated policies, and/or codes, the following process will be initiated.

### 3.3 Consideration and warning by Academic Staff Lead in Law, Medical Ethics and Professional Practice (or nominee)

The person identifying the inappropriate or unacceptable conduct will contact the academic staff lead appointed in Law, Medical Ethics and Professional Practice in the School of Medicine (or their nominee), by telephone or email. Based on the nature of the complaint the academic staff lead in Law, Medical Ethics and Professional Practice (or their nominee) will determine the appropriate action, as described in sections 3.3.1 - 3.3.5.

#### 3.3.1 If, at any time during the medical program there are reasonable grounds to form the view that a patient/client is at risk the student will be immediately removed from the environment. Processes for this eventuality are covered by section 4.0 and 5.0 of the *Inability to Complete Required Components of Professional Qualification Policy*. The academic staff lead appointed in Law, Medical Ethics and Professional Practice in the School of Medicine (or their nominee) is the responsible academic staff member who may take the action in [section 4.0](#) of this policy of recommending to the Dean of Medicine that the student be prevented from undertaking or continuing the clinical or other activity. The Dean advises the student as described in [section 4.0](#) of this policy and also refers the case to the Professional Behaviour Committee for it to make a

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*Section 144 of the HPRNLA [2009] further states:*

*A voluntary notification about a student may be made to the National Agency on the grounds that—*

*(a) the student has been charged with an offence, or has been convicted or found guilty of an offence, that is punishable by 12 months imprisonment or more; or*

*(b) the student has, or may have, an impairment; or*

*(c) that the student has, or may have, contravened a condition of the student's registration or an undertaking given by the student to a National Board.*

recommendation on the future engagement of the student in clinical or other activity, as provided for in section 5.0 of the policy.

- 3.3.2 The academic staff lead appointed in Law, Medical Ethics and Professional Practice (or their nominee) may determine that the complaint is best dealt with at the first instance via a telephone contact or, where the alleged conduct is of greater concern, in writing. Where the decision is made to pursue the complaint in writing the complainant must give their written consent to release the information which contains details of the complaint to the student prior to any written correspondence being forwarded to the student. The written correspondence outlining the substance of the complaint is forwarded to the student. The student is given the opportunity of replying to the complaint, in person or in writing to the academic staff lead appointed in Law, Medical Ethics and Professional Practice (or their nominee).
- 3.3.3 The academic staff lead appointed in Law, Medical Ethics and Professional Practice (or their nominee) may determine that the complaint is to be resolved without the issue of an official warning. In this case a file note is to be entered into the student's record providing a brief description of the conduct alleged. Where there is no further action and no other complaints, the file note is to be removed from the student's record when they have completed the degree program.
- 3.3.4 The academic staff lead appointed in Law, Medical Ethics and Professional Practice (or their nominee) may determine that the student is to receive an official written warning in relation to their behaviour. The warning document is to contain the reason for the warning, is to be dated and signed and completed in duplicate. One copy of the warning is to be forwarded to the student and the second copy attached to the student's University record.
- 3.3.5 The academic staff lead appointed in Law, Medical Ethics and Professional Practice (or their nominee) may determine that the complaint is to be considered by the Professional Behaviour Committee.

#### **3.4 Multiple Warnings and Consideration by Professional Behaviour Committee**

- 3.4.1 Where a complaint is made against a student who has previously received one official warning, the academic staff lead appointed in Law, Medical Ethics, and Professional Practice refers the matter to the Chairperson of Professional Behaviour Committee. The Chairperson, after assessing the complaints, and taking account of any response received from the student, may
- Dismiss the allegation; or
  - Issue a formal second warning;
  - And/or offer the opportunity for remedial counselling, re-education or referral to an appropriate service where necessary.
  - Refer the matter to the Dean (Learning and Teaching) of Health for action under the *Student Misconduct Policy* or another Griffith Policy.
- 3.4.2 Where a complaint is made against a student who has previously received two official warnings, the academic staff lead appointed in Law, Medical Ethics, and Professional Practice refers the matter to the Professional Behaviour Committee.

The student is to be provided with:

- written notice of the referral;
- written notice of the date and time the Committee will hear the matter; and
- a copy of the written complaint.

The proceedings of the Committee are to be documented. The student may be accompanied but may not be represented before the Committee.

The student is provided with a copy of the decision and the recommendations.

#### **3.5 Powers of the Committee**

In considering any complaint of behaviour which is in breach of the standards of professional behaviour and conduct for students, the Professional Behaviour Committee has the power to:

- i. Dismiss the allegation;
  - ii. Issue a formal warning;
  - iii. Order remediation, re-education, counselling;
  - iv. Recommend to the Program Director that the student be restricted from undertaking clinical or other activity, as provided in the policy *Inability to Complete Required Components of Professional Qualification*;
  - v. Recommend to the Program Director that the student's enrolment in the program be terminated, as provided in the policy *Inability to Complete Required Components of Professional Qualification*;
  - vi. Refer the matter to the Dean (Learning and Teaching) of Health for action under the *Student Misconduct Policy*;
  - vii. Make a mandatory or voluntary notification to the national registration board (through AHPRA) in accordance with s143 and/or s144 of the National Law.
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## 4. GROUNDS UPON WHICH THE PROCESS MAY BE INITIATED

### 4.1 Category 1

- Misuse of social media
- Communication issues (including harassment, bullying, intimidation, threats)
- Failure to comply with the School of Medicine Participation Guidelines, including habitual non-attendance
- Punctuality
- Dress codes
- 'Inappropriate' conduct
- Failure to respond to direction
- Breach of patient confidentiality
- Breach of University policy
- Impairing ability of University employee or student to participate in legitimate University activity
- Participates in conduct defined as misconduct under Griffith University Student Misconduct and Discipline Statute.

### 4.2 Category 2

- Health reasons that impair capacity of fitness to practice.

### 4.3 Category 3

- Boundary violation
  - Assault
  - Criminal offences
  - Addiction to substances that impair capacity.
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## 5. REFERRAL TO THE STUDENT MISCONDUCT COMMITTEE

As described in section 6 of the *Student Misconduct Policy*, the Decision Maker [the Dean (Learning and Teaching) of Health] may refer the allegation directly to the Student Misconduct Committee of the University.

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## 6. REVIEW AND APPEALS

As described in sections 10-17 of the Griffith University *Student Misconduct Policy*, a student may appeal a decision of the decision maker initially through the Student Misconduct Committee of the University.

As described in section 6 of the *Inability to Complete Required Components of Professional Qualification Policy* a student may seek a review of a decision to restrict them from undertaking clinical or other activity or to terminate their enrolment in the program.

Reviews of academic and administrative decisions are to be dealt with under the *Student Reviews and Appeals Policy*.

Complaints by students relating to the conduct or actions of a staff member are to be dealt with under the *Student Complaints Policy*.

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## 7. SCHEDULE A - DICTIONARY

**'School'** means School of Medicine.

**'Committee'** means Professional Behaviour Committee.

**'Decision Maker'** refers to academic and professional staff who through their role or position are authorised as the responsible officer within a University policy or delegation schedule to make decisions about those matters.

**'Dean'** means the Dean (Learning and Teaching) of Health.

**'Academic staff lead appointed in Law, Medical Ethics and Professional Practice'** means the person recognised by the School as the lead academic in this field.

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