

# UNIVERSITY OF BIRMINGHAM

## **MBChB CODE OF PROFESSIONAL CONDUCT AND FITNESS TO PRACTISE 2022/23**

**Please note that students, who are in the UK or wish to remain in the UK as a Student under student Route (previously Tier 4) of the Points-Based System, will also be subject to University requirements regarding attendance under the points based system, above and beyond the professional requirements in this code.**

The University introduced 'cohort legislation' in 2017-18. This means that the Regulations that apply to you, as a student, will depend upon the year in which you started your studies: for example, if you entered the first year of your Programme in the 2018-19 academic session you will be subject to the 2018-19 legislation. This means [Regulations 2023-24 \(birmingham.ac.uk\)](https://www.birmingham.ac.uk/regulations/2023-24) will apply to you if you joined the programme in 2023 for the duration of your Programme of study.

### **1. INTRODUCTION**

1.1. I understand that successful completion of the academic qualification I am seeking leads to admission to a professional body, the General Medical Council, and that I am required, during my studies, to adhere to the requirements of that professional body and any related statutory body which accredits my degree programme. I recognise that this Code of Professional Conduct and Fitness to Practise identifies the behaviour required of me, and in relation to my professional body (GMC) the Code and guidance includes Achieving Good Medical Practice and Professional behaviour and fitness to practice: guidance for medical schools and their students.

I understand that breaches of these Codes may lead to disciplinary action including my withdrawal from the University or the inability of the University to provide me with a supportive professional reference. I understand that this Code and the professional body Code or guidance referred to above also applies to me whilst I am registered on an intercalated programme of study. In the event of any breach of this Code and/or the professional body Code or guidance referred to above, I understand that I may be treated differently to other students of the University of Birmingham who are not subject to these Codes.

1.2. Students on the MBChB Programme including those undertaking an intercalated degree are subject to adherence to the GMC standards on professional behaviour and fitness to practise. Current GMC guidance and standards are available from the GMC website: [www.gmc-uk.org](http://www.gmc-uk.org)

1.3. I understand that should my health or my management of it become a concern, the Medical School may contact me to offer support and guidance to help me continue in my studies. If concerns about my management of my health cannot be remedied then the School may pursue an investigation as to whether my fitness to practise is impaired.

1.4. I understand that if my conduct or professionalism becomes a concern the School may pursue an investigation as to whether my fitness to practise is impaired.

## **2. PROFESSIONAL BEHAVIOUR**

- 2.1. I will always behave in a manner appropriate to my position as a student of the University studying for a qualification, the successful completion of which, leads to entry to a professional body and/or statutory registration.
- 2.2. I understand that behaviour including but not limited to, dishonesty, indecency, harassment, bullying, violence or abuse of drugs or alcohol, will lead to disciplinary action under this Code and may result in the inability of the Programme/College to supply a positive character reference on completion of the qualification. It may also lead to my withdrawal from the programme of study. I recognise that such disciplinary action may include consideration of any criminal convictions, which could include those for offences that are not connected with my studies and for offences committed prior to my registration as a student of the University. I understand that where relevant, if matters come to light regarding any disciplinary action taken by a previous employer, the University will consider whether I made a false statement during the admission or registration process that means my registration to the University may be declared void.
- 2.3. I agree to undergo an enhanced Disclosure and Barring Service (DBS) check prior to my period of studies at the University of Birmingham College of Medical and Dental Sciences and agree to participate in any self-declarations to confirm that my DBS status has not changed, as required and within timescales set by my programme.
- 2.4. I undertake to notify the Student Services Centre in the College should I be subject to a fixed penalty notice, criminal conviction, caution and/or Community Resolution Order subsequent to my application to the University. I understand that the reason I must notify the University of this is because the University requires this information to ensure the safety of members of the public, and to safeguard public confidence in the profession. I understand that a criminal conviction or caution may lead to my suspension from certain aspects of my study until the relevant placement provider duty of care can be assured. I understand that this may lead to the need for me to extend my studies where it has not been possible to arrange replacement activities. I understand that I may have to disclose “spent” convictions (as defined in the Rehabilitation of Offenders Act (1975)) to the professional body to which I am seeking membership and that, if I receive a criminal conviction or caution, this may never be treated as “spent” by the University, or the professional body to which I am seeking membership or any placement provider.
- 2.5. I understand that in accordance with the University’s Student Privacy Notice (<https://www.birmingham.ac.uk/privacy/students.aspx>) the University may share the following with relevant partnership placements (i.e. the placement provider where it is intended that I undertake the placement):
  - 2.5.1: relevant information contained in the Disclosure and Barring Service disclosure (formerly CRB) made against me, when requested by the placement provider, as a pre-condition of that placement, and
  - 2.5.2: relevant information in connection with or arising from misconduct and fitness to practise proceedings taken by the University against me.

2.5.3: relevant information in relation to any allegation or concern relating to my fitness to practise.

2.5.4: I understand that if information contained in a Disclosure and Barring Service disclosure and/or information in connection with or arising from misconduct and fitness to practise proceedings taken by the University against me, is not shared with the placement provider, I may be unable to complete the necessary placements which may impact my ability to complete my studies.

- 2.6 I understand that the University may share with the professional body to which I am seeking membership, relevant information in connection with or arising from misconduct and fitness to practise proceedings taken by the College against me.
- 2.7 I understand that if information in connection or arising from fitness to practise proceedings taken by the College against me is shared with the professional body to which I am seeking membership, and it may impact my ability to register successfully with that professional body.
- 2.8 I understand that the University may report relevant information in connection with or arising from fitness to practise proceedings taken by the University against me to any professional body I may be *currently* registered with.
- 2.9 I understand that the outcome of any fitness to practise proceedings may remain on my student record and relevant information arising from these proceedings may be disclosed in response to a reference request made by a prospective employer or educational establishment. I understand that this may result in the inability of the College to supply a positive character reference

### **3. BEHAVIOUR TOWARDS OTHERS**

- 3.1. I will always treat patients, other students, colleagues, staff and other members of the University or partner institutions with due respect and conduct myself in a professional, honest, decent and courteous manner. During the course of my studies, I will use language appropriate to the situation and people involved (e.g. evaluations and communication with staff).
- 3.2. I understand the importance of valuing diversity and respecting different perspectives. I will acquire an understanding of working with diversity, including but not limited to, gender, race, and culture, in order to work with my patients
- 3.3. I will meet the requirements of United Kingdom equality and human rights law.
- 3.4. I will always make clear to patients that I am a student and not a qualified practitioner, and I will not recommend treatment or suggest patients take any action that might be interpreted as medical advice.  
I am aware that as a medical student, I am not allowed by law to sign prescriptions until I am registered.

- 3.5 I will follow the guidance provided by the University, placement provider and GMC in relation to interactions and maintaining professional relationships with staff, patients and the public.

#### **4. APPEARANCE AND PROFESSIONAL PRESENTATION**

- 4.1. I will follow the College guidelines on standard of dress appropriate to my programme [MBChB Hub - Attendance: MBChB Student Hub 23/24 \(bham.ac.uk\)](https://www.bham.ac.uk/mbchb-hub/attendance) and will ensure that I maintain a standard of appearance that will be perceived as professional by such persons as I may encounter in the pursuit of my studies.  
I understand that:
- Student ID badges must, and may only, be worn in the clinical setting and on University premises (educational setting).
- 4.2 I will follow any guidelines or requirements regarding dress or personal presentation of the programme, or any placement provider and I will familiarise myself with any such guidelines or requirements before commencing the programme and/or any placement.

#### **5. LEARNING**

- 5.1. The content of my programme of study is designed to meet the requirements of a professional and/or statutory body (GMC). I will pursue my studies with reasonable diligence (in accordance with University Regulations 2023-24 Section 8) ensuring that I avail myself of the educational opportunities made available and I will seek to acquire the range of skills and knowledge identified in the relevant professional and/or statutory body guidance (GMC: Outcomes for Graduates)
- 5.2 On each placement, and at intervals throughout the year, judgements will be made about my progress. I understand that I cannot progress on my programme of study without meeting all elements of the professional capabilities and competencies framework at the appropriate level.
- 5.3 I understand that should I fail a placement, or a placement be withdrawn by a placement provider as a result of my behaviour, and the University is unable to find a suitable placement (as required to complete my programme of study), this may impact on my ability to complete my programme of study and may lead to my transfer from the programme of study or withdrawal from the University.
- 5.4 I agree to be open to learning from different viewpoints and to engage in open and constructive discussion that facilitates the learning of others.
- 5.5 I understand that I need to follow the Programme specific rules on attendance. I understand that I must take responsibility for my own learning through attendance at all timetabled learning activity and through being suitably prepared for them. I will undertake appropriate self-directed learning activities on placement and elsewhere. I will notify the appropriate person or department at the University and/or at the relevant placement provider, in accordance with University and/or College guidelines, and/or placement provider guidelines. If I am absent from any part of the course, due to sickness or other reasons, and I will make up the lost learning opportunity, making appropriate use of

College and placement support structures [MBChB Hub - Common Requests: MBChB Student Hub 23/24 \(bham.ac.uk\)](#)

I understand that I must submit all assessed work within the timescale required, allowing for extensions for reasonable adjustments and accepted extenuating circumstances. Assessed work is all work that must be completed for students to progress their studies.

I understand that if I persistently fail to follow my programme of study with reasonable diligence that I will be subject to disciplinary action under this Code.

- 5.6 I will not disrupt the delivery of teaching or the learning experience of fellow students and will not jeopardise the health and safety of those involved, during attendance at educational and placement activities.
- 5.7 I understand that if I behave dishonestly during the assessment process (including academic misconduct) I will be subject to disciplinary action in accordance with University Regulation section 8 – Student Conduct and may be excluded from my programme of study.
- 5.8 I understand that if I behave dishonestly by falsifying signatures in relation to my attendance, attendance of others; completion of clinical skills or Placement Review forms, DOES Assessments, multisource feedback or any other relevant placement-based assessments, I will be subject to disciplinary action under the Code of Practice on Misconduct and Fitness to Practise procedures.
- 5.9 I understand that all of my assessments must be undertaken with academic integrity and that if I behave dishonestly during the assessment process, which includes **plagiarism** and **all other forms of cheating**, I will be subject to disciplinary action in accordance with the University Regulation 8.2.1 (j) (*cohort specific*) [regulations-23-24-section-8.pdf \(birmingham.ac.uk\)](#)
- 5.10 I understand that some elements of my assessed work will be submitted to web-based similarity detection software.
- 5.11 I understand that the Medical School will require me to participate in a range of administrative and professional activities which fall outside of the curriculum including data and information governance training and Occupational Health appointments. In addition, I will undertake any placement mandatory training. I will ensure that I engage fully and will complete these requirements within the prescribed timeframes.

## **6. INSIGHT (SELF-AWARENESS AND REFLECTION)**

- 6.1 I understand that I should recognise my own personal and professional abilities and limits, be self-aware and reflective. When appropriate I should seek support and follow advice and guidance.
- 6.2 I understand that I should demonstrate consistently appropriate standards of personal and professional conduct, act with honesty and integrity, and maintain acceptable standards of ethics and behaviour in keeping with my profession.

- 6.3 I understand that a lack of insight into managing my health appropriately or professional concerns may bring my fitness to practise into question, and may lead to referral to a College Misconduct and Fitness to Practise Committee.

## **7. BARRIERS TO LEARNING OR PROFESSIONAL PRACTICE**

- 7.1. I have read the School-specific appendices to this Code which outline the conditions which may affect my ability to follow my programme of study or take up the profession to which the qualification I am seeking leads and which should be reported.
- 7.2 I understand that I must declare to the appropriate authority within the College anything that might affect my ability to fulfil my role competently or may affect my fitness to practise, or if I am subject to a police investigation or criminal proceedings or a regulatory finding is made against me, anywhere in the world.
- 7.3. I undertake to cooperate with any investigations by the College or any placement provider into my fitness to practise or the fitness to practise of others.
- 7.4. I will report to the Student Services Centre within the College and/or Occupational Health, any specific requirements I may have to enable me to follow my programme of study (including any physical, health or learning requirements) and I undertake to work with the College or support services provided to address these requirements.
- 7.5. I undertake to report to the Student Services Centre within the College and/or Occupational Health any pre-existing or new condition, which may affect my ability to follow my programme of study or meet the GMC Outcomes for Graduates as soon as I become aware of it. In the event of any pre-existing or new condition arising I undertake to work with the College or support services provided. I understand that failure to work with the College or support services provided may lead to referral to a College Misconduct and Fitness to Practise Committee.
- 7.6 I understand that failure to report any condition, which may affect my ability to follow my programme of study or take up the profession to which the qualification I am seeking leads, may lead to my withdrawal or transfer from my programme of study.
- 7.7. I understand that my programme of study requires me to reach a standard of health clearance and will endeavour to achieve this by participating in a vaccination and blood screening schedule, within the timescale(s) specified by the University. If I choose to opt out of this schedule, I will inform the Programme Lead and Occupational Health Provider and will follow any advice given by them. I will share my personal vaccination records with my placement providers.
- 7.8. I understand that failure to make and attend Occupational Health appointments without good reason may result in my diligence being called into question, and may also result in me being unable to attend placements, which may impact on my ability to complete my programme of study.

## **8. DUTY OF CARE**

- 8.1. I will at all times act in the best interests of my patients and conduct myself in a professional manner in all aspects related to patient care.
- 8.2. I will undertake to familiarise myself with all College and partner institution guidelines, including health and safety guidelines, codes of conduct and, where relevant, employment contracts, in advance of and during patient contact and will apply these guidelines in all dealings with them. I understand that breaching these guidelines and codes of practice, may lead to disciplinary action under this Code, and may include withdrawal from my programme of study.
- 8.3. I understand that dishonesty, involving the falsification of patient records, may lead to disciplinary proceedings which could in turn lead to withdrawal from my programme of study.
- 8.4. I recognise that in the course of my studies I will be placed in a position of trust and that as such I am subject to the requirements of the Sexual Offences (Amendment) Act 2003. I understand that failure to comply with the Sexual Offences (Amendment) Act 2003 will lead to disciplinary action under this Code and may result in my withdrawal from the programme of study.

## **9. DUTY TO REPORT**

- 9.1. I undertake to report to the appropriate authority and to the College any action by others which may put patients at risk, or any safeguarding concerns about children or vulnerable adults that come to my attention and where action may be needed to prevent or address risk of harm. I understand that failure to do so may lead to disciplinary action being taken against me.
- 9.2. I undertake to report any situation where I am in a position of observing or involved with the team providing medical care to anyone with whom I have a close personal relationship.
- 9.3. I undertake to report any situation where I may be in a position of receiving medical training (including assessment) from anyone with whom I have a close personal relationship.

## **10. CONFIDENTIALITY**

- 10.1. I understand that I will have access to confidential personal information and that I am required to comply with the data protection legislation and, where appropriate, profession-specific duties of confidentiality. I understand that I may not disclose this information to any third party, other than in accordance with the relevant professional

code or in accordance with the law. I understand that failure to comply with this requirement will lead to disciplinary action under this Code.

- 10.2 I understand that at all times I should ensure the confidentiality and security of personal information that I may handle and that if I am concerned there has been a breach of security or confidentiality (either by myself or a third party), I should inform the Student Services Centre and the placement provider.
- 10.3 I understand that I may not access my own clinical records (including the results of investigations) and that if I do so it will be considered a disciplinary matter and the School may pursue an investigation as to whether my fitness to practise is impaired.
- 10.4 I understand that I may not access confidential clinical records (including the results of investigations) without a legitimate clinical or educational reason and that if I do so it will be considered a disciplinary matter and the School may pursue an investigation as to whether my fitness to practise is impaired.

**11. EXCLUDED STUDENTS DATABASE**

- 11.1 I agree that, should I be excluded from the course on Fitness to Practise grounds, the fitness to practise outcome letter, may be shared with other schools or courses leading to entry to a registered profession in the UK, via the Excluded Students Database.

**Agreement to abide with the Code of Professional Conduct and Fitness to Practise**

I understand that the contents of this document do not absolve me from complying with other University regulations currently in force. The requirements of the professional body or University Regulations may be revised from time to time, and I will comply with any revision.

I (**FULL NAME**) .....

Have read, understood and agree to abide by the above Code of Professional Conduct and Fitness to Practise. I understand the School, or the University will make my personal data available, on a confidential basis, to members of a Misconduct and Fitness to Practise Committee convened to consider my Fitness to Practise.

I understand that if I am referred to a Misconduct and Fitness to Practise Committee, details may be disclosed to the professional/regulatory body of which I am a member.

I am currently a member of the following professional/regulatory body (tick box)

British Psychological Society	
Chartered Society of Physiotherapy	
College of Social Work	
General Dental Council	
General Pharmaceutical Council	
Health and Care Professions Council	
Nursing & Midwifery Council	



Other (please state):	
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(SIGNATURE) .....

(DATE) .....