FACULTY OF DENTISTRY - PROFESSIONALISM PROVISIONS 2017

1 Purpose and application

(1) These provisions:
   (a) prescribe a transparent process for managing alleged breaches by students of the Faculty of Dentistry – Professionalism Expectations Provisions 2015;
   (b) constitute standards for the purposes of Clause 78(1) of the University of Sydney Coursework Policy 2014.

(2) These provisions apply to all students in the Faculty.

2 Commencement

These provisions commence on 5 June 2017.

3 Definitions

AHPRA means the Australian Health Practitioner Regulation Agency.

Associate Dean means the Associate Dean (Learning and Teaching) or the Associate Dean (Research).

breach means a breach by a student of the Professionalism Expectations.

Breach of Professionalism Report (BOP) means a report of an alleged breach of the Professionalism Expectations, made in accordance with clause 5.

CAP licence means the clinical and academic professionalism licence complement of five points with which each student commences the academic year.

CAP point means a clinical and academic professionalism licence point.

co-ordinator means, as appropriate to the relevant award course, either the academic co-ordinator or the academic year co-ordinator, or the postgraduate co-ordinator.

Dean means the Dean of Dentistry.

Educational Integrity Coordinator means the nominated academic to whom the Dean has given responsibility for coordinating and reporting on allegations of plagiarism and academic dishonesty for the Faculty of Dentistry.

Note: See Academic Honesty in Coursework Policy 2015.

misconduct has the meaning prescribed by section 2.1 of the University of Sydney (Student Discipline) Rule 2016.
4 Professionalism requirements

(1) The Professionalism Expectations prescribe student professionalism requirements.

(2) All students must demonstrate professional behaviour, relative to their stage in their award course, by complying with the Professionalism Expectations.

(3) A breach of the Professionalism Expectations will result in the loss of one CAP point.

(4) The loss of five CAP points in any academic year will result in:
(a) the student failing to meet the requirements of clinical and academic professionalism assessment for that year; and
(b) the student being asked to show good cause why they should be allowed to re-enrol, in accordance with clause 78 of the Coursework Policy 2014.

(5) A serious breach of the Professionalism Expectations will result in the student being asked to show good cause why they should be allowed to re-enrol, in accordance with clause 78 of the Coursework Policy 2014.

Note: In accordance with the course resolutions for the Bachelor of Oral Health, Doctor of Dental Medicine, Doctor of Clinical Dentistry, Graduate Diploma in Clinical Dentistry and Graduate Certificate in Clinical Dentistry, any student who fails to meet the requirements of clinical and academic professionalism assessment will be considered to have failed the year and will be required to repeat. No remediation or reassessment will be offered.

5 Reporting an alleged breach

(1) Any person may, by notice in writing to the academic year co-ordinator, report an alleged breach of the Professionalism Expectations. This is known as a Breach of Professionalism Report.

(2) No person will be subjected to victimisation or adverse action as a consequence of reporting an alleged breach.

(3) Subject to subclause (4), a Breach of Professionalism Report will be treated confidentially, and information concerning the alleged breach will be disclosed on a
“need to know” basis, having regard to the Faculty’s obligations under privacy legislation.

Note: See Privacy Policy 2013 and Privacy Management Plan.

(4) The co-ordinator or Associate Dean may disclose information about the alleged breach in order to:

(a) investigate the alleged breach;
(b) provide procedural fairness;
(c) ensure the health and safety of students, academics, clinicians, Faculty staff, local health district staff and members of the public; or
(d) comply with the University’s legal requirements, including its obligations under the National Law and the Government Information (Public Access) Act 2009.

6 Allegations about matters other than a professionalism breach

(1) Allegations that primarily concern an alleged breach of the Academic Honesty in Coursework Policy 2015 must be handled by the relevant Educational Integrity Co-ordinator in accordance with that policy.

(2) Allegations that primarily concern:

(a) an alleged breach of the Bullying, Harassment and Discrimination Prevention Policy 2015; or
(b) matters other than a breach of the Professionalism Expectations;

must be referred to the Student Affairs Unit for handling in accordance with the relevant policy and procedures.

(3) These provisions must not be used to address a matter that is being, or has already been, handled in accordance with other University procedures.

7 Preliminary inquiry and assessment

(1) Where a co-ordinator becomes aware of an alleged breach, they must:

(a) formulate a clear expression of the alleged breach;
(b) form a preliminary view of whether the alleged breach might warrant the loss of one CAP point;
(c) form a preliminary view of whether the alleged breach might constitute failure by the student to meet the progression requirements; and
(d) form a preliminary view of whether the alleged breach might constitute misconduct.

(2) In forming the preliminary views referred to in clause 7(1)(b) to (d), the co-ordinator, or his or her nominee, will consult with any appropriate person, including but not limited to students, academics, clinicians, Faculty and local health district staff.

(3) If the co-ordinator forms the view that the alleged breach, if proven, would not warrant the loss of one CAP point or constitute failure by the student to meet the progression requirements or misconduct, they:

(a) may take no further action;
or

(b) may counsel the student or take such other remedial action as appropriate in the circumstances; and
(c) must make a record of the alleged breach, the student's response and any counselling or remedial action.

(4) If the co-ordinator forms the view that the alleged breach might warrant the loss of one CAP point, they will follow the steps in clause 8 and 9.

(5) If the co-ordinator forms the view that the alleged breach might constitute failure by the student to meet the progression requirements, they will refer the alleged breach to the Associate Dean, who will follow the steps in clause 8 and 9.

(6) If the co-ordinator forms the view that the alleged breach might constitute misconduct, they will refer the alleged breach to the Deputy Vice-Chancellor (Registrar) for handling in accordance with the University of Sydney (Student Discipline) Rule 2016.

(7) If the co-ordinator forms the view that the alleged breach might constitute criminal conduct, they will refer the alleged breach to the Office of General Counsel for consideration of whether the matter should be referred to the police.

(8) Subclauses 7(5) to 7(7) are not mutually exclusive.

8 Notice and interview

(1) The co-ordinator or Associate Dean (as prescribed in clause 7) will inform the student in writing of:
(a) the alleged breach, as formulated under subclause 7(1)(a);
(b) the preliminary view formed;
(c) an appointed time and place for the student to come and discuss the alleged breach;
(d) the names of people proposed to be present at the interview;
(e) the student's entitlement to invite a support person or representative to attend the interview; and
(f) the student's entitlement to submit relevant documentary materials.

(2) If the alleged breach has been referred to the Associate Dean, the interview will be conducted by the Associate Dean and at least one other academic member of the Faculty.

(3) If the alleged breach has not been referred to the Associate Dean, the interview will be conducted by the co-ordinator and up to one other academic member of the Faculty.

(4) The co-ordinator or Associate Dean will provide the student with copies of:
(a) any supporting documents necessary for the student to understand and respond to the alleged breach;
(b) the Professionalism Expectations; and
(c) these provisions.

(5) The notice required by subclause 7(1)(c) must allow the student a reasonable period of time to consider the alleged breach and any supporting documents.
(6) The Faculty will keep a written record of the interview and copies of relevant documentation.

Note: See University Recordkeeping Policy and Recordkeeping Manual.

9 Determination

(1) Following the interview, the co-ordinator or Associate Dean (as prescribed in clause 7) will consider:

(a) the alleged breach;
(b) any related alleged breaches to which the student has had a reasonable opportunity to respond;
(c) any relevant supporting material, including any material submitted by or on behalf of the student; and
(d) any submissions or responses made by or on behalf of the student.

(2) The co-ordinator or Associate Dean will then determine whether the student has breached the Professionalism Expectations.

(3) If the co-ordinator or Associate Dean forms the view that the student has not breached the Professionalism Expectations, they may:

(a) take no further action;
(b) counsel the student; or
(c) take such other remedial action as appropriate in the circumstances.

(4) If the co-ordinator forms the view that the student has breached the Professionalism Expectations, but the breach does not warrant the loss of one CAP point, the co-ordinator:

(a) may take no further action; or
(b) may counsel the student or take such other remedial action as appropriate; and

(c) must make a record of the breach, the student's response and any counselling or remedial action.

Note: See University Recordkeeping Policy and Recordkeeping Manual.

(5) If the co-ordinator forms the view that the student has breached the Professionalism Expectations, and the breach warrants the loss of one CAP point, the co-ordinator:

(a) will inform the student in writing that they have lost one CAP point;
(b) may counsel the student or take such other remedial action as appropriate; and

(c) must make a record of the breach, the student's response and any counselling or remedial action.

Note: See University Recordkeeping Policy and Recordkeeping Manual.

(6) If the Associate Dean forms the view that the student has breached the Professionalism Expectations, but the breach is not serious and does not constitute failure by the student to meet the progression requirements, the Associate Dean:

(a) may take no further action; or
(b) may inform the student that they have lost one CAP point;

(c) may counsel the student or take such other remedial action as appropriate;

and

(d) must make a record of the breach, the student's response and any counselling or remedial action.

Note: See University Recordkeeping Policy and Recordkeeping Manual.

(7) The co-ordinator or Associate Dean will inform the student in writing of their determination.

(8) If the Associate Dean forms the view that the student has breached the Professionalism Expectations, and that the breach is serious and constitutes failure by the student to meet the progression requirements, they will ask the student to show good cause, in accordance with clause 78 of the Coursework Policy 2014.

(9) If the Associate Dean forms the view that the alleged breach might constitute misconduct, they will refer the alleged breach to the Deputy Vice-Chancellor (Registrar) for handling in accordance with the University of Sydney (Student Discipline) Rule 2016.

(10) If the Associate Dean forms the view that the alleged breach might constitute criminal conduct, they will refer the alleged breach to the Office of General Counsel for consideration of whether the matter should be referred to the police.

10 Professional reporting obligations

(1) If the co-ordinator or Associate Dean forms a reasonable belief that the student has behaved in a way that constitutes notifiable conduct under the National Law, the co-ordinator or Associate Dean must notify the Student Affairs Unit before making a notification to AHPRA or the Dental Council of New South Wales.

(2) The Student Affairs Unit will review the matter, including seeking advice from the Office of General Counsel where appropriate, and consult with the co-ordinator or Associate Dean regarding the notification.

(3) If a notification is considered appropriate, such notification can be made without the obtaining the prior response of the student to the alleged conduct where obtaining such response may:

(a) prejudice an external investigation;

(b) place a person's health or safety at risk; or

(c) place a person at risk of intimidation or victimisation.
NOTES

Faculty of Dentistry - Professionalism Provisions 2017

Date adopted: 25 May 2017
Date registered: 26 May 2017
Date commenced: 5 June 2017
Date amended: 5 June 2017 (administrative amendment)
27 June 2017 (administrative amendment)

Approved by: Professor Chris Peck, Dean
Signature:

Review date: 25 May 2022

Rescinded documents: Faculty of Dentistry – Professionalism and Satisfactory Progress Provisions.

Related documents:

AHPRA Code of Conduct:

Health Practitioner Regulation National Law (NSW) 2009

Health Records and Information Privacy Act 2002 (NSW)

Privacy and Personal Information Protection Act 1998 (NSW)

University of Sydney (Student Discipline) Rule 2016

University of Sydney (Coursework) Rule 2014

Coursework Policy 2014

Privacy Policy 2013

University Recordkeeping Policy

Privacy Management Plan

Recordkeeping Manual

Faculty of Dentistry – Professionalism Expectations Provisions 2015

AMENDMENT HISTORY

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