School of Medical Rehabilitation
Department of Physical Therapy

2013-14 POLICY ON SAFE CLINICAL PRACTICE

Preamble:
The education of physical therapy students involves both academic and clinical components. The development of a student into a professional requires knowledge, skills and behaviours which are exhibited in both the classroom and the clinical environment. Student physical therapists represent the profession in both the academic and clinical realms, and their behaviour is measured in relation to professional standards.

Extremes of behaviour, particularly as they relate to client interactions, must have consequences. The following policy has been developed that outlines expectations of professional behavior, consequences of breaches of the behavioral expectations, and the process of review and disposition of student’s status.

Expectations for Safe and Ethical Clinical Practice
1. Students are expected to adhere to:
   a) the rules and regulations of the College of Physiotherapists of Manitoba (CPM),
   b) the clinical practice expectations outlined in the Department of Physical Therapy’s Clinical Performance Instrument (CPI).
   c) preparation expectations as detailed in the Department of Physical Therapy clinical course outlines for clinical practice in order to be able to provide safe, competent care.

Students are also expected to demonstrate growth in clinical knowledge and skills as they progress through the Program, through the application of knowledge and skills from previous and concurrent courses.

2. The student, having met the requirements of the Academic Progression document, will be deemed to have satisfied the requirements for entrance to the clinical placement.

DESCRIPTION OF UNSAFE CLINICAL PRACTICE
Health care professionals occupy a position of special trust within society, which is not compatible with either unskilled or careless practice. An example of such practice is behaviour which has the potential to harm, with or without any evidence of harm having actually occurred.¹ These behaviours would include any which have, or might reasonably be seen to have, an adverse effect on health, safety, rights, or property of another².

Provision of safe, competent care is explicitly assessed with Item 1 of the Clinical Performance Instrument (CPI), requiring the Clinical Instructor to determine if the student’s performance is acceptable. Safety is a “red flag” item requiring acceptable performance in order for the student to receive a passing mark for the placement. The Clinical Instructor is the final authority on the Pass/Fail status of the student.
PROCEDURE
Complaints of unsafe practices are forwarded to the Head of the Department of Physical Therapy (or his/her designate), in writing, immediately upon their occurrence. These allegations would usually originate with the Clinical Instructor, but may be initiated by other individuals.

The Head shall immediately inform the complainant as to whether, in his/her judgment, the matter is of sufficient gravity to put forward to the Safe Clinical Practice Review Committee, herein called the “Review Committee”. If the matter is referred to the Review Committee, the student will immediately cease his/her placement with that specific clinician (see Interim Status of Student). If the matter is of lesser gravity, such that it can be resolved at the clinical level, the placement will continue.

The Head of the Department of Physical Therapy shall refer matters which in his/her opinion involve unsafe practice, to the Review Committee in a written report, setting out the name of the student involved, the alleged facts and ground(s) allegedly warranting disciplinary action.

The Review Committee shall send a Notice of Hearing to the named student; shall determine in a hearing of the matter whether any of the allegations have been substantiated and require disciplinary action; and grant a disposition on the matter.

Once a reference has been made to the Review Committee the proceedings may continue, notwithstanding that the student has subsequently voluntarily withdrawn from the Physical Therapy Program, or has refused to participate in the proceedings.

SAFE CLINICAL PRACTICE REVIEW COMMITTEE
There shall be established within the Department of Physical Therapy a committee known as the Safe Clinical Practice Review Committee, whose membership shall be as follows:

a. the Chair of the Evaluation Committee of the Physical Therapy Department (or his/her designate), who shall act as Chair of the Review Committee;
b. the members of the Evaluation Committee;
c. a member appointed by the College of Physiotherapists of Manitoba (CPM);
d. a practicing physiotherapist who is a member in good standing of the College of Physiotherapists of Manitoba and who shall be chosen by the Head of the Physical Therapy Department;
e. a student member chosen by the SMR Student Association.

NOTICE TO STUDENT
The Chair of the Review Committee shall, as soon as possible after receipt of the complaint, provide the student concerned with a copy thereof as well as a copy of this document, and, at the same time, inform the student in writing of the nature of the allegations as well as the membership of the Review Committee and the date, time, and place for consideration by the Review Committee of the matters set out in the reference.

At least 7 days notice of the Review Committee hearing shall be given to the student.
The notice from the Chair shall include a statement that if the allegations contained in the reference are established to the satisfaction of the Review Committee then the student will be subject to disciplinary action.

**INTERIM STATUS OF THE STUDENT**

The student is presumed innocent until the Hearing is concluded, so will be permitted to continue his/her placement, at the same facility but with a different supervisor, provided such option can be arranged at the facility in question. The decision whether to continue the placement will be at the student’s discretion.

Should the student elect to continue the placement with a different supervisor, and should the student perform acceptably with the new Clinical Instructor, this will not negate the findings of the Review Committee and their consequences for the student, nor will it affect the student’s grade for the placement.

Should the student elect not to continue the placement, or be unable to do so, those clinical hours will need to be done at a later time. Whether or not the student needs to re-do the clinical hours already completed in that placement, will be decided by the Committee.

If the charges are not substantiated to the satisfaction of the Review Committee, the student will immediately be permitted to complete the original clinical placement.

**HEARING PROCEDURES**

The hearing shall be closed to all persons except the members of the Review Committee, the student, the designated representative of the student, legal counsel if any, and the Student Advocate.

A quorum for the Review Committee shall be 75% of the membership thereof. This must include the Chair or designate, the SMRSA student representative, and the CPM member. The Chair of the Review Committee shall vote only to break a tie. A simple majority of the members hearing the matter is required for any finding or for the determination of the appropriate disposition of the matter. Members of the Review Committee shall be bound by confidentiality in respect of information received in Committee.

The student whose case is to be dealt with shall be permitted to challenge and thereby cause to be disqualified not more than two members of the Review Committee. In such a case, the Department of Physical Therapy may replace the disqualified members. A Physical Therapy Department faculty member shall not be disqualified from sitting as a member of the Review Committee hearing the matter by reason only that such Department member has had previous contact with the student or has prior personal knowledge of the matter.
The student may appear in person and may be represented by someone other than legal counsel. Legal counsel may be present as an observer, but may not participate directly in the proceedings.
The student or his/her representative shall have the right to hear and to cross-examine witnesses, to have access to all documents submitted to the Review Committee for consideration, to call witnesses, and to submit other evidence.

The student shall not be required to give evidence, but if the student elects to do so, then the student may be cross-examined.

These hearing procedures shall also apply, *mutatis mutandis*, in the case of an appeal.

The Review Committee will inform the Director of the School of Medical Rehabilitation, the Head of the Department of Physical Therapy, the student, the designated representative of the student, and the Student Advocate when requested by the Student Advocate, in writing, of the results of the hearing and the grounds thereof, within 4 days of its initial meeting

**DISPOSITION OF THE MATTER**
The Review Committee shall, after hearing all the evidence, meet in closed session with its members only, to consider its findings and the disposition to be made of the matter.

The Review Committee may individually or in combination:

a) determine that no action should be taken in respect of the matter;
b) prescribe remedial action(s) for the student;
c) provide a letter of reprimand to the student, with a copy to be placed in the student’s file
d) debar the student from attendance at ___(specify)_______ for a period of ___(specify)______;
e) require the student to provide restitution of an appropriate nature;
f) require the student to withdraw from the Physical Therapy Program, for a specified period of time;
g) require the student to withdraw from the Physical Therapy Program with no right to apply for re-admission to any program within the School of Medical Rehabilitation;
h) attach conditions which must be fulfilled before any application for re-admission to the Program can be considered;
i) attach conditions stipulating the limits of future conduct by the student.

**APPEALS**
In the case of the decision of the Review Committee, the decision or the disposition or both may be appealed to the Senate Appeals Committee in accordance with the Senate By-Law respecting appeals from decisions of Faculty and Faculty Councils.
In the event of an appeal, the implementation of any decision of the Review Committee shall be suspended until the matter has been disposed of by the body hearing the appeal.

Notwithstanding the above, if the President of the University is satisfied that it is in the best interests of the University, the President may at any time make an order, subject to final disposition of the appropriate review authority, suspending the student from participating in any program of the University.

REFERENCES
