

MANCHESTER METROPOLITAN UNIVERSITY

STUDENT AND ACADEMIC SERVICES

STUDENT SUPPORT SERVICES

FITNESS TO STUDY POLICY AND PROCEDURE

1. Introduction

1.1 The University is committed to supporting students, and seeks to develop a positive and safe environment that enables them to engage with their studies and achieve to the best of their ability. The Fitness to Study policy is intended to inform and guide the University's response to situations where there are concerns that a student is not well enough to study, including situations where a student is unaware that they are not well enough to study.

1.2 Fitness to Study is concerned with an individual's capacity to participate fully and satisfactorily as a student in relation to their academic studies, and to the University community in general. It applies to student conduct on University premises, in University accommodation, during study/ research activities off it (for example, field work or placements), and to any other situation where conduct is brought to the attention of the University, which suggests a reasonably foreseeable risk to the health, safety or wellbeing of the student or others.

1.3 The Policy is intended to be an alternative mechanism to use when disciplinary procedures may not be appropriate. It is intended to be supportive; but it recognises that there will be a very small number of cases where students do not engage with, or are unable to agree with, the support/reasonable adjustments that are offered, and where consequently it may no longer be feasible for them to continue their studies.

2. Purpose and Scope of this Policy

- i. To provide an appropriate and co-ordinated response by academic and support staff in circumstances where it is not considered appropriate to apply other internal procedures such as the Student Code of Conduct and the Procedure for Students who are at Risk of Academic Failure.
- ii. To encourage early intervention and active collaboration between all staff in implementing reasonable adjustments and managing situations where there are concerns regarding fitness to study.
- iii. To enable staff to identify the limits to the support they can provide within the University and the appropriateness of referring the student onto other agencies outside the University. (N.B. any consultation with external agencies will comply with the University's Data Protection Policy.)

The Policy does not relate to fitness to practise. There is a separate Procedure for the Suspension and Expulsion of Students from Programmes on the Grounds of Professional Unsuitability, which certain professional programmes of study use, and which operates outside of the scope of this Policy. The Policy does, however, apply to students on placements on courses that are not professionally accredited.

2.3. When to use this Policy

Advice can be sought from the Director of Student Support Services at any point there is a concern but generally, a student's fitness to study may be a cause for concern as a result of a wide range of circumstances, including (but not restricted to) the following:

- a student's academic performance or personal conduct is causing concern, and is thought to be the result of an underlying physical or mental health problem;
- behaviour is exhibited which although usually dealt with as a disciplinary matter, may be known to be, or suspected to be, the result of an underlying physical or mental health difficulty;
- a student's health difficulties are adversely affecting the health, safety or wellbeing of others;
- a student's health difficulties are adversely affecting the ability of others to engage successfully in learning, teaching or assessment;
- a student has told a member of staff that they have concerns about their fitness to study;
- concerns about the student's fitness to study are raised from a third party, for example a friend, housemate, a parent or other family member, or medical professional, either whilst the student is at university or engaged in University organised activities, such as placement or field trips;
- a student is routinely making applications through the Exceptional Factors process stating health issues, or what is thought could be the result of an underlying physical or mental health problem.

2.4 Links to the University's procedure for the consideration of Exceptional Factors

2.4.1 A high volume of students submit claims through the Exceptional Factors process each year (see <http://www.mmu.ac.uk/academic/casqe/regulations/exfacs-students.php> for details of the process). There is particular concern about those students who make multiple applications and appear to be struggling to progress satisfactorily with their studies.

2.4.2 Faculty SAS administrative staff who support the Exceptional Factors process keep a record of claims and will flag up to the Chair of the Exceptional Factors Panel those students who are submitting multiple claims in any given year. Checks will also be made to see if these students have disclosed a disability to the Disability Service, and/or whether they have a Personal Learning Plan (PLP).

2.4.3 The Chair of the Exceptional Factors Panel will then speak to the student's programme leader and Head of Department to identify any action which may need to be taken to reduce the student's dependency on Exceptional Factors. Further advice may then be sought from the Head of Counselling, Health and Wellbeing and/or Head of Learner Development and Disability Support. Wherever possible, there will also be a discussion with the student.

2.4.4 If a decision is reached that it would be appropriate for the student to enter the Fitness to Study procedure, it will be at stage two level, and a Case Review Panel meeting will be called as outlined below in 3.2. The student will be informed that his/her case will be considered under the Fitness to Study Policy and Procedure.

3. PROCEDURE

3.1 The procedure has three stages, based on the degree of concern and/or the perceived seriousness of the situation. The procedure can be entered at any level; however, in most cases, stages one and two should be used before escalation to Stage Three.

3.1 Stage One – Informal Stage

3.1.1 The majority of emerging concerns can be dealt with in an informal manner through the usual University support mechanisms. At this stage, the focus should be on ensuring that the student is aware of the support available to them, and how to access this support.

3.1.2 Concerns that develop within an academic environment should be reported to the relevant Programme Leader. Concerns that develop within University managed residences should be reported to the Residential Life Manager.

3.1.3 Concerns in other parts of the University, such as the Library, catering facilities etc. should be reported to the Director of Student Support Services for advice.

3.1.4 The relevant Programme Leader (or Residential Life Manager if the issue has arisen in University Halls) will contact the student with the intention of raising and discussing specific issues and concerns and offer appropriate support.

3.1.5 The Programme Leader may also check the student's file, and consult with relevant colleagues such as the Academic and Personal Tutor and Departmental Disability Coordinator to determine the full scope and nature of the concerns, and check if they have a personal learning plan, outlining appropriate reasonable adjustments.

3.1.6 The discussion with the student will be conducted in a supportive and understanding manner. The student may be accompanied by a friend; and a record of the concerns, the actions agreed, and a review period should be determined as part of this initial process. The review period will normally be between 2 and 6 weeks.

3.1.7 The student should be asked to moderate their behaviour and/or to seek help with presenting issues. Any verbal request must also be followed up in writing.

3.1.8 It is expected that in most cases students will cooperate and respond positively, take advantage of the support available, and issues will be resolved at this level. If, however, concerns remain, a meeting will be held with the student and a further review period may be agreed; or the case will move onto the next stage of the procedure.

3.2 Stage Two – Continuing concerns initiate a Case Review Panel

3.2.1 The Head of Department (or Programme Leader) will consult with the Director of Student Support Services to identify whether the cause for concern meets the threshold for a Case Review Panel meeting. If it does, the student will be given at least 7 days' notice of the Case Review Panel, and informed of the purpose of the meeting.

3.2.2 The Case Review Panel (CRP) will comprise:

- the Student's Programme Leader (Chair);
- Academic & Personal Tutor;

- the Learning & Teaching Group Manager (or other Faculty SAS senior manager);
- Residential Life Manager (if the student is in University accommodation).

3.2.3 A member of Faculty SAS will be in attendance to take notes of the meeting.

3.2.4 The Head of Counselling, Health & Wellbeing, the Head of Learner Development and Disability Services and the Departmental Disability Coordinator will be consulted prior to or after this meeting, as appropriate, and can submit reports to the panel as required.

3.2.5 It should be made clear at the CRP that the intention is to provide a supportive alternative to the use of disciplinary actions, and the student should be informed that they may bring a friend or an adviser from the SU Advice Centre to the meeting.

3.2.6 Before the meeting, the student may be encouraged by the Head of Counselling, Health & Wellbeing to seek a medical assessment (if they have not already had one), or be reviewed by the University's Consultant Psychiatrist (if appropriate), to enable the University to address the student's difficulties in the most effective manner possible, and make an accurate assessment of risk (if necessary).

3.2.7 The medical assessment may be used to determine:

- the nature and extent of any medical condition from which the student may be suffering;
- the extent to which it may affect his/her fitness to study and manage the demands of student life;
- any impact it may have or risk it may pose to others;
- whether any further additional support can be put in place by the university to enable the student to study effectively;
- whether the student will be receiving any on-going medical treatment or support, and whether this could impact favourably on the student's ability to study.

3.2.8 The student will be asked to authorise full disclosure to the University of the results of any assessment. This is to ensure there is a clear understanding of the student's needs and that the University is in the best position to make a judgment about whether appropriate reasonable adjustments can be made to facilitate the student's progression.

3.2.9 Should the student decline to undertake a medical examination, the University may already continue this policy based on the information already in its possession, or reserve the right to address the current issues under the Disciplinary Procedure.

3.2.10 The purpose of the CRP will be to ensure that:

- the student is made fully aware of the nature of the concerns which have been raised.
- the student's views are heard and taken account of;
- an action plan is drawn up with a suitable review period (this is sent to the student within 7 days of the CRP and a record kept on the student's file);
- the student is informed of the possible outcomes if serious concerns remain.

3.2.11 The outcomes available to the CRP are:

- no further action required;

- to monitor the student formally for a specific period of time (normally between 2-6 weeks.) An action plan will be agreed with the student detailing any steps the student will need to take and support to be provided to the student. Regular review meetings will be arranged with the student and a nominated member of staff. The student should be made aware of what will happen if the action plan is breached, which will normally involve their case moving to Stage Three;
- to recommend a specific academic arrangement be put in place which may include a suspension of studies. Such recommendations should be agreed by the student's head of department and the student. If the student does not agree the case will move on to Stage Three;
- to refer the case to a Fitness to Study Panel under Stage Three of this Procedure. This will be appropriate in serious cases, for example, where there is evidence of a serious risk to the health and safety of the student, or others in the University community. This course of action would be used when it is considered that suspension, permanent conclusion or withdrawal may be the appropriate course of action, or if the student has not agreed to a recommendation or action plan under Stage Two.

5.3 Stage 3 - Persistent and/or significant concerns initiate a Fitness to Study Panel

5.3.1 This Stage will only be invoked following a referral from a Case Review Panel or if, in the opinion of the Deputy Registrar and Academic Secretary, the case is sufficiently serious and urgent to warrant immediate referral to Stage Three.

5.3.2 A Fitness to Study Panel will be convened, which will comprise:

- the student's Head of Department (Chair);
- the Director of Student Support Services;
- the relevant Head of Faculty SAS;
- a Sabbatical Officer of the Students' Union.

5.3.3 A minute taker from Faculty SAS will also be present. Other individuals may be called upon to provide information. These may include the Head of Counselling, Health and Wellbeing, the Head of Learner Development and Disability Support, Academic and Personal Tutors and the Departmental Disability Coordinator, and also relevant external professionals, such as psychiatrists or community mental health nurses.

5.3.4 Where members of staff and/or external professionals attend a Fitness to Study Panel meeting, the student will normally also be invited to attend, either in person or on some other basis determined by the Panel. The student will always be able to request that a Students' Union Adviser attends the meeting on their behalf. They will also have the opportunity to submit documents for the Panel to consider and they will be sent a copy of any documents seen by the Panel.

5.3.5 The Fitness to Study Panel will suggest one of the following courses of action to the Faculty Pro-Vice-Chancellor.

- **A short-term exclusion** to allow the student to be assessed by a medical professional, access support services both within and outside of the University, or for the University to obtain further information. The exclusion will be reviewed within four weeks.

- **Suspension with conditions for a period of up to twelve months.** A student who is suspended from the University may be prohibited from participating in University activities and may either be prohibited from entering the University premises or have restricted rights to enter the premises.
- **Requirement to withdraw** – if the Panel concludes, taking into account the individual circumstances of the case and any supporting medical evidence that there is no reasonable prospect of the student re-engaging with their programme in the medium to long term the Head of Department will inform the Faculty Pro-Vice-Chancellor that the student is to be required to withdraw. This should only be applied in the most serious of cases.
- Any other action considered to be appropriate and proportionate.

5.3.6 The minute taker will ensure that as well as the student concerned, and the members of the panel, the Head of the Graduate School and Student Case Management will also be informed of the decision, to give advance notice should the student decide to appeal.

6. Emergency Situations

6.1 It is possible that a student may pose such an extreme risk of harming themselves and/or others that they require immediate emergency assistance outside of these procedures. In such circumstances, the Emergency Services should be contacted by dialling 999. Where appropriate the University's Emergency Security Service may also be contacted by dialling the 24-hour number 0161 247 2222. This should be followed up by notifying the Counselling, Health & Wellbeing Service during office hours.

6.2 In situations where a student may indicate that s/he has suicidal thoughts, the following action should be taken. Within office hours the Counselling, Health and Wellbeing Service should be contacted. Outside of office hours, the Security Control Room should be called on 0161 247 1334 and the student should be advised to go to the nearest hospital Accident and Emergency department. Security will then inform the Counselling, Health & Wellbeing Service who will ensure that follow-up contact is made with the student, as appropriate.

7. Return to Study

7.1 A request to return to study must be made by a student in writing to the Head of Department.

7.2 The Case Review Panel or Fitness to Study Panel that made the recommendation regarding a short-term suspension, or as many of the original Panel as possible, will be reconvened to consider whether the student is fit to return to study.

7.3 Further medical evidence will be requested from the student, which considers their ability to fully engage with their studies and meet the requirements of the programme. A student will only be permitted to return if, after receiving the medical evidence, the Head of Department and the Head of Counselling, Health & Wellbeing are satisfied that the individual is fit to return.

7.4 If a student agreed to suspend studies under Stage Two, the Case Review Panel that originally considered the matter can make the decision regarding a return to studies, but will ensure that the Head of Department is informed.

7.5 If a student fails to produce the correct evidence they will be suspended again by the Head of Department for a further period for a maximum of up to two years, at which point a final decision must be taken by the Faculty Pro-Vice-Chancellor.

7.6 Whenever a student returns to study after a temporary suspension under this Policy, the relevant panel will consider any support that the student may require to enable them to return to their studies, such as regular review meetings with the Mental Health Adviser and/or a return to study action plan, overseen by the Academic & Personal Tutor and relevant Student Support Officer. The general expectation is that the student will take personal responsibility for fully engaging with this support.

8. Right of Appeal

8.1 The right to appeal applies to Stage Three only.

8.2 A student wishing to appeal should do so by writing (letter or email) to the Head of the Graduate School and Student Case Management within 10 working days of receiving the letter informing them of the decision complaintsappeals@mmu.ac.uk . The appeal should be on one or more of the following grounds:

- that the University has failed to follow its procedure adequately;
- that the decision is unreasonable and/or a disproportionate sanction has been imposed;
- that the student has material new information/evidence which was not available before.

8.3 The Students' Union Advice Centre is able to support students through the appeals process.

8.4 The Head of the Graduate School and Student Case Management will consider the appeal submission and determine whether there are valid grounds to appeal. If so, he/she will arrange for the appeal to be considered under the University's Academic Appeals Procedure.

8.5 The outcome of the appeal will be notified to the student in writing together with reasons within 10 working days of determination of the appeal. This decision is final and will conclude this procedure. For details of the Appeals process go to: <http://www.mmu.ac.uk/academic/casqe/regulations/appeals.php>