

# **FITNESS TO STUDY PROCEDURE**

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### **1. Introduction**

- 1.1 The University is committed to developing a positive and safe environment that is supportive of students and enables them to engage with their studies and achieve to the best of their ability. The Fitness to Study procedure 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 in relation to the University community in general. In addition to academic study, it applies to student activities on university premises, for example in university accommodation, as well as study/research activities off it for example during, field work or work-based placements. It applies to situations where student conduct is brought to the attention of the University, that may suggest a potential risk to the health, safety or wellbeing of the student or others.
- 1.3 The procedure is intended to be supportive. The focus at all stages is to provide the infrastructure to support the student to succeed on their course. This may include suspension of study until such time as the student is well enough to complete successfully. There will be however, a small number of cases where students do not engage with, or are unable to agree with, the support or adjustments that the University considers to be reasonable to enable the student to satisfactorily continue. In these rare circumstances, the University may no longer consider it feasible for the student to continue their studies. In such cases students may need to be suspended or required to withdraw from studies.
- 1.4 Students registered on a programme of study leading to registration with a professional association, may be considered under the Fitness to Study procedure where concern or support required does not relate to professional practice. However, it may be more appropriate to consider the student's case under the Fitness to Practise procedure.

## **2. Purpose and Scope of this Procedure**

- 2.1 The purpose of this procedure is to provide a framework to support an appropriate and co-ordinated response by academic and Professional Services staff in circumstances where it is deemed a student may benefit from extra support due to ill health, *and* where it is not considered appropriate to apply other internal procedures such as the Fitness to Practise policy, the Student Code of Conduct or/and the Student Transfer Suspension and Withdrawal Policy [withdrawal-suspension.pdf](#)
- 2.2 The procedures set out are designed to encourage early intervention and active collaboration between staff and students in implementing reasonable adjustments and managing situations where there are concerns regarding fitness to study.

## **3. When to use this Procedure**

- 3.1 Advice can be sought from Student Services by any member of the University Community at any point there is a concern about a student, including the potential for them to be considered under 'Fitness to Study'. The University's 'Students at Risk Panel', chaired by the Director of Student Services or their nominee, will also serve as a referral point for students to be considered under the procedure, although a student does not need to be considered by the Students at Risk Panel in order to be considered under the Fitness to Study procedure.

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 underlying physical or mental health problems;
  - a student is routinely making applications for extensions or reassessments, stating health issues (mental or physical);
  - a student exhibits behaviour 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 issues are adversely affecting the health, safety or wellbeing of others (see 4 below) or the ability of others to engage successfully in learning, or assessment, or university life in general;
  - concerns about a student's fitness to study are raised by the student directly, or by a third party, for example a friend, housemate, parent or other family member, placement provider or medical professional, either whilst the student is at University or engaged in University organised activities, such as placement or field trips.
- 3.2 The procedure has two stages, based on the degree of concern and/or the perceived seriousness of the situation. These are the 'Cause for Concern' meeting and the Case Panel Review (CRP). The procedure can be entered at either stage, however in most cases students will be supported within the 'Cause for Concern' stage

#### **4. Emergency Situations**

- 4.1 In situations where a student is displaying extreme distress, immediate action should be taken to contact the [Counselling , Mental Health and Wellbeing Service](#) in office hours 0161 247 3493 or University's Security Team on the 24-hour number 0161 247 2222.
- 4.2 If emergency assistance is required due to a student posing an extreme risk of harming themselves or others, the Emergency Services should be contacted by dialling 999 and also informing the University's Security Team on the 24/7 number 0161 247 2222. Security will then immediately notify the [Counselling , Mental Health & Wellbeing Service](#) to ensure that follow-up contact is made with the student/hospital, as appropriate.

#### **5. Informal stage: The Cause for Concern meeting**

- 5.1 The majority of emerging concerns can be dealt with in an informal manner through the usual University support mechanisms (see [Wellbeing on our Student Life pages](#)). At the stage of a Cause for Concern meeting, the focus should be on ensuring that the student is aware of the support available to them, and how to access this support.
- 5.2 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 Accommodation & Welfare Manager.
- 5.3 The Programme Leader (or Accommodation & Welfare Manager if the issue has arisen in University-managed residences) will contact the student with the intention of raising and discussing specific issues and concerns and offer appropriate support.
- 5.4 The Programme Leader may check any relevant information pertaining to the student such as the engagement monitoring data and Personal Learning Plan, and consult with relevant colleagues, including the Personal Tutor and Departmental Disability Coordinator to determine the full scope and nature of concerns about the student's fitness to study.
- 5.5 The student will be invited in for a discussion with the Programme Leader or nominee, the purpose of which is to understand the student's circumstances. The student should be made aware that the meeting is being held in accordance with the Fitness to Study procedure and that the discussion will be held as a Cause for Concern meeting. A record of any concerns raised by the Programme Leader, the actions agreed, and a review period should be determined as part of this meeting. A member of the University's Student Case Management Team will attend the meeting to take notes and record any actions.
- 5.6 It may be necessary to hold an urgent meeting with the student, but where possible a minimum of 24 hours notice will be given.

5.7 The outcomes available at the Informal Stage are:

- to agree that no further action is required; or
- to monitor the student formally for a specific period of time (normally between 2-6 weeks, as agreed by the Programme Leader and student concerned). In this case, an action plan will be agreed with the student detailing any steps the student will need to take and the support to be provided to the student, and further meeting (s) that will be arranged to review progress, as agreed by the Programme Leader; or
- to progress to the formal stage of the process.

5.8 The student will be invited to a follow-up meeting at the end of the review period if applicable. It is expected that in most cases, students will have responded positively and taken advantage of the support available, and no further action will be required. If, however, concerns remain, the student can remain in the Informal Stage and be invited to another review meeting at a mutually agreed time.

5.9 The student can remain in the informal stage, with regular review meetings planned in, as long as the Programme Leader considers this approach is beneficial. If, however, the Programme Leader is of the view that further action is required, the formal stage of the process can be initiated. Programme Leaders should consult with the Student Case Management Team when considering progressing to the formal stage.

## **6 Formal stage: Case Review Panel**

6.1 If, in the view of the Programme Leader, there is enough concern to warrant more formal consideration of the student's case, the Programme Leader will consult with the University's Student Case Management Team to discuss whether the cause for concern meets the threshold for a Case Review Panel meeting.

6.2 A student whose case is to be considered by the Case Review Panel will be notified in writing, a minimum of 5 working days prior to the date of the Panel, of the following:

- i) the ground(s) for calling the meeting;
- ii) the membership of the Panel;
- iii) the right to be accompanied/represented at the hearing by a friend or representative, eg the Student Union or member of the student's relevant professional union;
- iv) to submit documentary evidence prior to the meeting;
- v) the content of any documentation intended to be used or referred to in the meeting or as part of the meeting.

6.3 The meeting will be organised and serviced by the Student Case Management Team and chaired by an independent chair who will be an academic from another discipline or a senior manager from Professional Services.

6.4 The Case Review Panel (CRP) will comprise:

- Chair
- Programme Leader
- At least one other academic member of staff, for example Personal Tutor or Departmental Disability Coordinator Accommodation & Welfare Manager (if appropriate).

A member of staff from Student Case Management Team will be in attendance to take notes of the meeting and to provide procedural advice to the Panel members and the student if required.

The Head of Inclusion & Pastoral Support and/or the Head of Counselling Mental Health and Wellbeing may be consulted prior to or after this meeting and they (or a nominee) may attend the meeting to provide expert advice to the Panel if required.

6.5 It should be made clear at the start of the CRP that the intention is to provide support to the student.

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

- the student is made fully aware of the nature of the concerns that 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 may include the student being advised to seek a medical assessment, either through their GP (or consultant in the NHS) or through the University's Counselling, Mental Health and Wellbeing Service
- the action plan and notes of the meeting are sent to the student within 5 days of the CRP meeting and a record is kept on the student's file;
- the student is informed of the possible outcomes if serious concerns remain.

6.7 The outcomes available to the CRP are:

- to agree that no further action is required; or
- to monitor the student formally for a specific period of time (normally between 2-6 weeks). In this case, an action plan will be agreed with the student detailing any steps the student will need to take and the support to be provided to the student. A further CRP meeting will be arranged to review progress, as agreed by the Chair of the Panel. (All CRP meetings will be supported by a member of Student Case Management to take notes and ensure that due process is followed); or
- to recommend a specific academic arrangement be put in place which may include a suspension of studies or a view that the student should be required to withdraw. The panel will endeavour in the first instance to reach agreement with the student on such arrangements.

- 6.8 Where possible, the student will be advised in person at the earliest opportunity after the CRP has made a decision, ideally on the day of the meeting.
- 6.9 The formal recommendation of the CRP will be sent to the student normally within 5 working days of the panel meeting to set out its decisions and the reasons for the decisions taken. The report from the Panel will set out the following:
- i) the recommendations made by the panel;
  - ii) the reasons for reaching the Panel's decision;
  - iii) why the decision was considered proportionate, indicating why alternative outcomes were considered and discounted.

## **7. Review Stage**

The student has a right to request a review of a CRP recommendation of suspension or withdrawal.

Students can request a review on one or more of the following grounds:

- i that the procedures were not followed properly;
- ii that the Panel reached an unreasonable decision;
- iii that the student has new material evidence that they were unable, for valid reasons, to provide earlier in the process;
- iv that there was bias or reasonable perception of bias during the procedure.

Request for review must be submitted to Student Case Management within 10 working days of the written CRP decision being issued. If after 10 working days no review request has been received the suspension or withdrawal will be actioned. Only in exceptional circumstances, and with supporting evidence, will late review requests be accepted.

Reviews are carried out by an academic Head of Department or a Director of a Professional Service area.

The Review stage is not a rehearing of the original case. The reviewer will consider the documents considered by the CRP, the panel outcome and any additional evidence or written representations supplied by the student(s) requesting review. The Reviewer will not meet with the student.

The reviewer can make one of the following decisions:

- i to confirm the decision of the CRP;
- ii to change the decision of the CRP;
- iii to refer the case back for further consideration at CRP stage.

The review decision will be sent to the student in writing within 15 working days of the review request being submitted. Unless the case is referred back to CRP stage the decision will include a Completion of Procedures notification. This allows a student to apply to the Office of the

Independent Adjudicator (OIA) for Higher Education to review their case. An application to the OIA must be made within 12 months of the issue of a Completion of Procedures letter. Full details regarding the OIA’s rules and guidelines are available on the [OIA website](#).

## 8. Retention of Records

Records of formal meetings will be retained by the University for 6 years after:

- successful completion of the course; or
- withdrawal from the course; or
- the last time the records were referred to following completion of the appeals process.

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