



Fitness to Study Procedure

Effective August 2015 - August

2016

**STUDENT REGULATIONS
AND POLICIES**

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**UNIVERSITY OF CENTRAL LANCASHIRE
FITNESS TO STUDY PROCEDURE**

1. Introduction

- 1.1. The University is committed to supporting students and recognises the importance of their health and wellbeing in relation to their academic progress and University experience. Students are expected to take a proactive part in the process, by managing their own health and wellbeing and engaging with any support, in order to fulfil their academic potential.

2. Scope and Purpose

- 2.1. This Procedure applies to any student admitted or enrolled by the University, and forms part of the Regulations for the Conduct of Students (the Regulations).
- 2.2. There may be occasions where the health or wellbeing of a student deteriorates to the point where it raises questions about their fitness and suitability to continue their studies.
- 2.3. This Procedure will be used to support staff in all areas of the University to deal with instances where concerns have been expressed over a student's health or behaviour, which have led to:
- concern from staff about a student's fitness to study at the University and/or ability to meet the learning outcomes of the course, notwithstanding reasonable adjustments;
 - a negative impact on the health, safety, wellbeing and/or learning of the student and/or others with whom s/he has contact.
- 2.4. Problems may manifest themselves in a variety of different forms including e.g. long-term damage to the student's health; deterioration in the student's appearance, attendance, behaviour or ability to meet deadlines; disruption of the studies of other students; unsustainable demands being made of staff; detention under the Mental Health Act.
- 2.5. This Procedure will normally be applied in relation to concerns which arise on University premises or whilst the student is engaged in a course activity whether at the University, an approved partner organisation and/or placement provider. However, incidents which occur outside the University which raise concerns about a student's fitness to study and where it is considered necessary to protect the safety, interests and reputation of the University, its staff or students, may also be considered under this Procedure.
- 2.6. This Procedure will apply where students present with difficulties due to their physical or mental health or wellbeing. However, the University reserves the right at any stage in the Procedure, to invoke either: a. the Fitness to Practise Procedure where there are concerns about a student's suitability to progress with a professional qualification; or b. the Disciplinary Procedure where a student's behaviour poses a risk of harm to either themselves or others, or where students do not engage positively with supportive interventions.
- 2.7. The University also operates a scheme for extenuating circumstances where a student suffers some unforeseen illness or misfortune that adversely affects their ability to complete an assessment. A student may not submit a claim covering a period beyond the current semester. If extenuating circumstances are on-going and result in further claims, the School will consider whether other action is appropriate including referring the student to Student Support & Wellbeing or agreeing a voluntary interruption of studies (Academic Regulation C) or invoking this Procedure (where the student does not recognise that they are not making satisfactory progress).

- 2.8. This Procedure has three stages, based on the level of support needed by the student and/or the seriousness of risk posed by the health or behaviour of a student. Depending on the concern raised, it may be appropriate to move straight to a higher level. Students are encouraged to engage with the University and access all support available to them. If they choose not to do so, then this Procedure may continue without their involvement.

3. General principles

- 3.1. All references in this Procedure to the Dean/Head of School or other University postholder include their appointed nominee.
- 3.2. At all stages of this Procedure the student is entitled to be accompanied and/or represented by a person of their choosing, who may be member of the Students' Union Advice and Representation Centre.
- 3.3. The University will make reasonable adjustments to this Procedure if required by a student's disability or for other good reason.

4. Stage 1 – Emerging Concerns

- 4.1. When a concern about a student's health, safety or mental wellbeing is raised, a member of staff from the School with primary responsibility and/or knowledge of the student (e.g. Dean/Head, Course Leader or Personal Tutor) should approach the student in a supportive manner to request a meeting. The member of staff from the School may seek advice and guidance from the Manager, Student Welfare & Counselling.
- 4.2. Where the concern has arisen outside School activity e.g. in University managed accommodation, the member of staff from the School may be accompanied by an appropriate member of University staff e.g. from the Student Accommodation Service.
- 4.3. The meeting should be conducted in an informal way with an emphasis on supporting the student. The nature of the concern should be explained to the student, and they should be encouraged to discuss the issues (it is possible that they will not have realised the impact of their actions). If appropriate, this is an opportunity to provide information to the student about relevant University regulations and procedures, and support that is available within and external to the University, such as: Student Support & Wellbeing, Medical Centre, Students' Union Advice Centre. It should also be explained that a continuation of the same or any additional concerns could result in an escalation to stage 2 of this Procedure.
- 4.4. It is anticipated that the student will respond positively, co-operate and access the available support or, where appropriate, modify their behaviour.
- 4.5. The meeting should be followed up with an e-mail to the student setting out any agreed actions and, if appropriate, arrangements for a follow-up meeting with the student at a later date.
- 4.6. If the student is unwilling or unable to respond positively, the member of staff from the School should discuss the situation with the Manager, Student Welfare & Counselling or the Head of Student Support & Wellbeing. The University may then decide to invoke Stage 2 of the Procedure.

5. Stage 2 – Continuing Concerns

- 5.1. Where continuing or serious concerns about an individual student's health, safety or mental wellbeing are raised, the member of staff from the School should contact the Manager,

Student Welfare & Counselling, to arrange a joint meeting with the student. The student will be notified in advance of the purpose of the meeting.

- 5.2. Together they can assess the student's perception of the impact that their health and/or behaviour is having upon them and/or the wider University community, and ensure the student understands the University's expectations regarding fitness to study.
- 5.3. If the student is on a professionally regulated course, there will be consideration of any implications for professional practice and, if so, whether the Fitness to Practise Procedure should be invoked.
- 5.4. An Action Plan will be drawn up, setting out any reasonable support measures and any conditions that the student is required to adhere to, which may relate to their health and wellbeing, academic studies and/or behaviour.
- 5.5. The Action Plan will include a review date, and it will be made clear that failure to adhere to the Action Plan may result in Stage 3 being invoked. The Action Plan will be sent to the student within 5 working days of the meeting, and the student will be required to confirm acceptance of the terms in writing. A copy of the agreed Action Plan will be held by the School Office and Student Support & Wellbeing.
- 5.6. The Action Plan will be reviewed by the School, with assistance from the Manager, Student Welfare & Counselling, where required. It is expected that the student will respond positively to the Action Plan and co-operate fully, access the outlined support and/or modify his/her behaviour accordingly.
- 5.7. If the student does not engage positively or fails to adhere to the Action Plan, or if the meeting gives rise to more serious concerns about the student's fitness to study, the matter should be referred to the Head of Student Support & Wellbeing. It is then likely that Stage 3 will be invoked.

6. Stage 3 – Significant or Persistent Concerns

- 6.1. This Stage will be invoked when significant or persistent concerns are raised about an individual student's actions or behaviour that are putting the health, safety, wellbeing or academic progress of him/herself or other members of the University community at significant risk.
- 6.2. The Head of Student Support & Wellbeing will convene a Case Conference to establish the facts and discuss an appropriate course of action. The Case Conference should consider all reasonable options to enable the student to continue with their studies.
- 6.3. The Case Conference will comprise:
 - Director, Student & Academic Support Service (SASS) (Chair).
 - Head of Student Support & Wellbeing.
 - Manager, Student Welfare & Counselling.
 - Dean/Head of School.
- 6.4. The student will normally be invited to attend the Case Conference and will be given at least 5 working days' notice of the date and time of the meeting. The student will be provided with copies of any documents to be considered at the Case Conference and may submit any documents they wish the Case Conference to consider.
- 6.5. It is standard practice for the student to attend the Case Conference but adjustments will be made where reasonably necessary where the student is too unwell to attend such as submission of written representations or a representative to attend the Case Conference on behalf of the student. The representative can be a person of the student's choosing

including a friend or family member and may be a member of the Student Union Advice and Representation Centre.

- 6.6. The following staff may also be invited to attend, as appropriate:
- Manager, Student Accommodation Services.
 - Manager, University Security.
 - Head of International Student Support Service.
 - Other relevant School staff e.g. personal tutor, course leader or Senior Administrative Officer.
 - Other relevant staff from Student & Academic Support Service e.g. Disability Advisor or University chaplain.
 - A member of the Students Union Affairs' Committee (with the student's consent).
- 6.7. An officer of Academic Quality and Awards will act as Secretary to the Case Conference. S/he will brief the members about the Procedure and take a record of the proceedings.
- 6.8. The outcome of the Case Conference may be one of the following:
- that no further action is required; or
 - to agree an enhanced Action Plan; or
 - to agree to a voluntary interruption of the student's studies, in line with section C9.2 of the Academic Regulations; or
 - to recommend an interim suspension of the student's studies, in line with section C2 of the Regulations for the Conduct of Students, to enable a full assessment of the circumstances with regard to the student and his/her course of study to be carried out; or
 - any other action considered to be appropriate and proportionate.
- 6.9. If the student is on a professionally regulated course, the Case Conference will also consider whether there are implications for professional practice and, if so, whether the Fitness to Practise Procedure should be invoked.

Enhanced Action Plan

- 6.10. Any agreed enhanced Action Plan will have a review date. It will be made clear that if the student does not adhere to the Action Plan, this could result in further action under this Procedure, including an interim suspension of studies. The Action Plan will be drawn up by the Manager, Student Welfare & Counselling in consultation with representatives from the School and other relevant staff and will be reviewed by the Case Conference team on the agreed review date.

Voluntary Interruption of the Student's Studies

- 6.11. It may only be possible for a student to return to study at certain points in the academic calendar, depending on the particular circumstances of the student and the course of study.
- 6.12. If a student decides to voluntarily interrupt their studies at any stage of this Procedure, the University will be entitled to request satisfactory evidence that the original concerns have been overcome or are under control, before the student can be re-admitted at a suitable point in the academic year.

Interim Suspension

- 6.13. The terms of an interim suspension will be specified, including any arrangements relating to access to support services or University accommodation, or whether the student can continue with their studies and/or assessments, and if so in what form. Any conditions which must be satisfied in order for the student to return will be clearly set out

(see section 7.3 below) together with any applicable timeframe i.e. it may only be possible for a student to return to study at certain points in the academic calendar, depending on the particular circumstances of the student and the course of study.

- 6.14. It is important to note that an interim suspension of studies is not a disciplinary sanction, but is intended to allow a period of time for a full assessment of the circumstances with regard to the student and his/her course of study.
- 6.15. In the case of an interim suspension the following must be informed: Dean/Head of School; Senior School Administrative Officer; Manager, Student Accommodation Services (if appropriate); Security Manager; Head of Library Services; Head of Student Support & Wellbeing who will inform relevant staff in the Service. The University is also required to inform the UKVI in the case of a significant change in the circumstances of a Tier 4 international student.
- 6.16. The Director, Student & Academic Support Services will confirm the outcome of the Case Conference in writing to the student within 5 working days.
- 6.17. The student may appeal against the outcome from the Case Conference by writing within 10 working days to the Director, Student & Academic Support Service. The Director, Student & Academic Support Service will review the matter and respond to the student within 10 working days of receiving the appeal.

7. Actions following an Interim Suspension

- 7.1. An interim suspension of studies will be reviewed every four weeks in the light of any developments or upon receipt of any other relevant evidence. Such a review will not normally involve a hearing or submissions made in person.
- 7.2. The student will be required to provide or co-operate with the University in obtaining satisfactory evidence that the original concerns are overcome or under control before being permitted to return to study. Any failure to co-operate with the University may result in further action under this Procedure.
- 7.3. The required evidence will be specified in the outcome letter, and will include a report from an appropriately qualified professional expert approved by the University, with sufficient knowledge about the health and wellbeing of the student during the relevant period and its potential impact, confirming that the student is fit to study on a particular course and as a member of the University community, and recommending any reasonable support measures for the University to consider
- 7.4. The Director, Student and Academic Support Service will consider the report received under section 7.3 and any other evidence, and will consult with staff from the Case Conference. S/he may decide:
 - a. the student is fit to study and should be permitted to resume the course. This will be subject to an Action Plan identifying relevant support measures and any conditions. Regular review meetings will be arranged with the School and/or Student Support & Wellbeing Service so that the student's progress can be monitored and support modified if necessary;
 - b. to recommend to the Director, Student and Academic Support Service that the student remains unfit to return and should be suspended for a further specified period. His/her return to study will be subject to confirmation by the Director, Student and Academic Support Service and an Action Plan;
 - c. to recommend to the Director, Student and Academic Support Service that the student is not fit to study and should be withdrawn from the course and the University in line with section C1 of the Regulations.

- 7.5 A copy of the decision and associated reasons will be provided to the student in writing within 10 working days.

8. Appeal

- 8.1. In the case of a decision by the Director, Student and Academic Support Service that the student should be suspended from the University for a further specified period or that the student should be withdrawn (see 7.4 b and 7.4 c above), the student may appeal against the decision of the Director, Student and Academic Support Service in line with section F of the Regulations.

9. Confidentiality and Disclosure

- 9.1. There may be occasions where the University judges that it would be in the best interests of the student to disclose sensitive information e.g. to the student's designated Emergency Contact or to an external agency such as the Community Mental Health Team. In these circumstances, the student's informed consent should be obtained where possible.
- 9.2. If the student chooses not to provide consent, the implications of non-disclosure should be made clear. However, there may be rare occasions where the student's consent is withheld or it is impracticable to obtain it, when confidentiality may be broken e.g.
- If the student is putting their life at risk.
 - If the student is putting the life of someone else at risk.
 - If the student's mental health has deteriorated to a serious level such that they are unable to maintain daily living routines and relationships.
 - If the student is at risk of serious exploitation or abuse.
 - If the student's behaviour is adversely affecting the rights of others.
 - If staff are being placed in a position in which their professional integrity is compromised.
- 9.3 Staff should consult with the Head of Student Support & Wellbeing or the Manager, Student Welfare & Counselling and the Information Governance Officer where there is a need to disclose information without consent.

10. Emergency Situations

- 10.1 In cases of emergency, staff or students should contact University Security on 333 or 2068 or 01772 892068 who will co-ordinate appropriate services depending on the situation.
- 10.2 In cases of urgency, the Director, Student and Academic Support Service shall be empowered to suspend a student with immediate effect, in line with section C2 of the Regulations, pending the invocation of this Procedure.

11. Monitoring of the Procedure

- 11.1 The University will collect aggregated data about Fitness to Study cases and will submit an annual report to the relevant Academic Board Sub-committee for the purpose of quality assurance and enhancement. The effectiveness of the Fitness to Study Procedure will also be reviewed at this point and, where appropriate, changes will be made.