

Fitness to Study Policy and Procedure

1. Introduction

1.1 The School seeks to maintain a safe, positive and productive learning environment and to support the wellbeing of all members of the School community. The School expects all students to take responsibility for themselves and their own actions and to live in a way that respects the rights and dignity of others.

1.2 It is recognised that in some situations the existence of medical or other physical or health-related conditions may require reasonable adjustment and support. However, it should also be recognised that such conditions do not remove the responsibility of the student for their education or their responsibility towards other members of the academic or broader community. It is not reasonable for inappropriate behaviour to persistently and negatively impact on the wellbeing of other students and staff. The fact that a student has physical, mental health, personality and/or other conditions in no way lessens the responsibilities the School owes to other students and hence responsibility to an individual needs to be balanced against responsibility to other students and staff. The School is committed, to supporting student wellbeing and recognises that a positive approach to the management of physical and mental health, personality and/or other conditions contributes to a positive student experience, learning and academic achievement.

1.3 This policy describes how the School supports students whose health or medical conditions are raising concerns within the institution regarding actual or potential risks to either themselves or other students. This policy should be applied when there are concerns for example around student behaviour; disruption by a student or where the risk(s) presented by a student to themselves or others is perceived to be of a serious, or potentially serious nature and impacts, or potentially impacts adversely the health, safety, wellbeing or academic progress of themselves or others.

1.4 This policy will, where appropriate, be applied typically as an alternative to disciplinary procedures, however, the School reserves the right to use disciplinary procedures in addition to this policy to respond to student behaviour having an adverse effect or impact or real risk of impact on themselves or others.

2. When is this Policy Applied?

2.1 The School has a responsibility to respond appropriately to situations where there are concerns relating to visible signs of illness, mental health, psychological, personality or emotional conditions which may have, or are having a detrimental impact on the functioning of the individual student and/or other members of the School community.

2.2 A student's fitness to study may be a cause for concern as a result of a wide range of circumstances. For example a student's mental health difficulties are significantly impacting on the health, safety and wellbeing of other students as they are working in a group. The student's personal conduct is deemed to be unacceptable by relevant staff and is thought to be the result of an underlying physical or mental health condition.

2.3 This protocol can be applied on its own or concurrently with a disciplinary procedure. It should be noted that where a student who is being supported through this policy breaks disciplinary regulations they may not necessarily be exempt from the disciplinary process or from any disciplinary action being taken.

4. General Principles

3.1 Where a student does not engage with the initial stages described in this policy the Head of Studies will refer the case to the Academic Registrar and a recommendation will be made to the Director for the student to be temporary or permanently withdrawal and any conditions that may need to be fulfilled if temporary.

3.2 In sufficiently serious cases exclusion or expulsion may be considered.

Students required to withdraw will be given the opportunity to talk to student services to discuss financial issues; support and study implications and other issues which may arise (including visa, student loan as appropriate).

Agreement about how the School will keep in touch with the student during their absence will be made for periods of temporary withdrawal.

A student returning from a period of temporary withdrawal or exclusion may be subject to a fitness to return assessment. This should be outlined in the decision letter sent to the student. Support from student services will be available following successful completion of a fitness to return assessment and immediately prior to a planned return to the School.

3.3 At all stages of the process due consideration will be given to issues of confidentiality and data protection and the School will take into account relevant legislation (e.g. GDPR and data protection, Mental Health Act, Human Rights Act, Equality Act). (It should be noted therefore that others potentially impacted by the behaviour of an individual being taken through the procedure, will not normally be updated on the progress of it).

5. Stages of Action – the Procedure

The stages of this procedure can be entered at any point depending on the level of concern and urgency although it is hoped that most situations can be remedied by early intervention at stages 1 or 2. It is expected that there would be ongoing communications with the personal tutor and term tutor before the stage one procedure was initiated.

5.1 Stage 1: Informal Procedure

5.1.1 Once concerns have been raised about a student, the student will be invited to a meeting with their personal tutor and term tutor. The aim is to resolve the matter through informal discussions encouraging the student to access the appropriate support services offered by the School and externally.

4.1.2 Where the student is willing and able to engage with the process, a written record of the actions the student needs to take will be agreed with the personal tutor and student, fully documenting agreed expectations and commitments with timescales for the student to achieve. The plan will include details and timings for progress reviews to be held.

It may be appropriate at this stage, to discuss with the student, the potential of involving parents/guardians should the situation deteriorate further, and if agreed, to gain clear and written consent from the student under which circumstances this may be actioned.

5.1.3 Following review, where concerns have been addressed and where adequate progress has been made, the student will be encouraged to continue with relevant support as appropriate and will be discharged from the informal procedure.

5.1.3 Following review, where concerns have not been addressed and/or support not sought and where the required progress has not been made, the student will progress to Stage 2.

5.2 Stage 2: Student Care Planning Meeting

5.2.1 If action taken under Stage 1 has not been successful or if the concerns raised are too serious to be dealt with informally (e.g. where there is clear evidence of risk of harm to self, or significant harm or disruption to others), the case shall be progressed to Stage 2.

5.2.2 A Student Care Planning meeting shall be convened with the Head of Studies and including Academic Registrar, term tutor and the personal tutor to discuss (i) the previously identified concerns and any new areas of concern and (ii) to assess the student's fitness to attend (iii) the risk to other others. The student will be invited to attend (accompanied by a friend or relative if they wish).

5.2.4 The date, time and place of the meeting shall be notified to the student in writing typically at least five working days beforehand. This notification shall make clear the cause of concern and who will attend the meeting.

5.2.5 Where the concern covers health matters, the School may seek an appropriate professionally qualified opinion which addresses specific issues (nature of condition, its current status, its severity, details of the way the condition adversely affects the student or others, and how it might be exacerbated). Other professional opinions may also be requested/provided.

5.2.6 The student may also provide professional medical evidence. The student will be able to submit this and other documents for consideration at the meeting.

5.2.7 The student will be given a copy of any documents provided to the meeting typically at least three working days before the meeting. This will include an agenda for the meeting.

5.2.8 The Chair of the Meeting may vary the order of proceedings as appropriate and may ask other relevant parties to attend.

5.2.9 The Chair will make a reasoned decision, taking into account the specific case, as to whether the student should attend all, part or none of this meeting, and this rationale should be noted. If the student does attend, they will have the right to bring a friend or supporter to the meeting and should notify the convenor in advance of the meeting who they would like to bring. It should be noted that this friend/supporter's role is to support the student only and they cannot represent the student in their absence and would not be able typically to answer questions on behalf of the student. If, having been properly notified, the student fails to attend, the meeting will proceed in the student's absence. Only in exceptional circumstances will rescheduling of the meeting be considered.

5.2.10 The Student Care Planning meeting is empowered to determine one of three outcomes:

(1) No further action required.

(2) Confirm full engagement and agreement by the student to a formal Support Action Plan to remedy the situation. The Support Action Plan shall be drawn up by the Chair of the Student Care Planning meeting detailing clear objectives, behavioural expectations, milestones, timescales and review points and should be signed by the student as a clear agreed commitment and undertaking.

(3) A recommendation for a period of temporary withdrawal by the student. A clear indication of expectations for return to study shall be provided to the student by the Chair.

5.2.11 A written record of the meeting shall be made, including all decisions made and action points agreed, and will be sent to the student within 5 working days of the meeting. Parties involved in supporting the student carry out the actions agreed will also receive a copy of the letter.

5.2.12 In all cases the student should be made aware that if the agreed outcome actions are breached their case will progress to Stage 3.

5.2.13 If the student does not accept the decision of the panel the case will automatically be escalated to Stage 3.

5.2.14 If the student agrees that a period of temporary withdrawal is the best course of action this will be requested on their behalf supported by the Student Care Planning meeting.

5.2.15 Temporary withdrawal is normally allowed for up to two terms over the duration of a course.

5.2.16 Students are not permitted to attend classes either formally or informally during a period of temporary withdrawal. However, to help students prepare for their return to the School IT facilities will normally continue during the period of temporary withdrawal.

5.2.17 Return to the School following the period of temporary withdrawal will be subject to any conditions determined when the request to withdraw temporarily is approved.

5.3 Stage 3: Referral to Director

5.3.1 Stage 3 can be entered when serious significant concerns are raised about an individual student's actions or behaviour that put the health, safety, wellbeing or academic progress of his/herself or other members of the School community at significant risk.

5.3.2 Following a referral from a Student Care Planning meeting or if in the opinion of the Head of Studies and Academic Registrar a case is sufficiently serious and urgent to warrant an immediate referral without consideration of Stage 1 and 2, a case can be progressed under Stage 3.

5.3.3 Stage 3 the Director will consider the evidence submitted and for the health, safety and welfare of the student and other students and staff can require the student to withdraw temporarily or permanently. The decision of the Director will be final and the reason for the decision will be communicated to the student.

6. Version Control

Version Number	Changes	Author, Title	Date
0.1	-	Michele Maher, Academic Registrar	28/05/2020
0.2	Changes following feedback from Academic Board	Michele Maher, Academic Registrar	12/06/2020