

Fitness to Study Policy and Procedure

Agreed by Senate November 2017

1 Purpose of this policy

- 1.1 We have a responsibility for the health, safety and wellbeing of all of our students and staff. Fitness to Study, as a term, encompasses the ability to engage with studying, to live independently and harmoniously with others and not to have an adverse impact on others.
- 1.2 This policy sets out how we will respond when a student is either in significant distress or is causing significant concern to those around them as a result of possible mental health difficulties. In such circumstances a student might be in breach of our Student Code of Conduct and this policy enables us to take a supportive approach wherever possible.
- 1.3 The procedure under this policy is intended to help us address the issues giving serious cause for concern and aim to find agreed ways for the student to continue their study, with appropriate support, or to take a break from their studies until they are fit to return and engage with student life and study.
- 1.4 This policy and procedure should be used in reference to our Student Charter, and our Rules, Regulations and Procedures for Students. Other procedures may also be relevant including Cause for Concern procedures, Fitness to Practice and disciplinary procedures. The University reserves the right to decide the appropriate procedure to use in any given student case and at any point in the consideration.
- 1.5 This policy applies only to core Anglia Ruskin students, and not those at Associate Colleges.

2 Use of this policy and procedure

- 2.1 This policy and procedure is only intended for use where the behaviour, disruption or risk presented by the student is perceived to be of a serious or potentially serious nature. This will include situations where a student appears

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unaware of the consequences of their behaviour on others e.g. causing disruption or distress, and/or where concerns exist about the safety of the student or of others. The policy is not applicable to concerns about poor academic judgement or decisions.

2.2 Our response will aim to protect the interests of the student and balance these with the needs of other students and staff, ensuring that we continue to provide an appropriate environment for the purposes of higher education.

2.3 Wherever possible the usual support services available to students will be used before any response is made in line with this policy. In particular, the Cause for Concern Procedures will generally be used to deal with emerging or low-risk concerns.

3 Note - Emergency situations

3.1. This procedure should not distract from the emergency actions required in acute or dangerous situations where it is believed that a student's behaviour presents an immediate risk to themselves or others.

3.2. In such situations the Emergency Services should be contacted by dialling 999 and University Security should also be contacted on 6666.

3.3. This should be followed up later by notifying the Deputy Director of Student Services and relevant Dean of the details of the incident and action taken. This will enable us to ensure a more coordinated and informed response to any current or potential future causes for concern.

4 The Procedure

4.1 Fitness to Study procedures will typically be invoked:

4.1.1 Where a Cause for Concern report suggests that behaviours or disruption are sufficiently serious and/or there is a potentially serious risk of harm to self or others.

4.1.2 If previous reports of concern have resulted in offers of support and encouragement to engage with support but the student does not respond and concerning behaviours continue or escalate.

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4.1.3 If disciplinary procedures have previously been invoked for related concerns or a student has been suspended and there is reason to believe that behaviours are due to a mental health condition.

4.1.4 If the Fitness to Study Policy and Procedure has previously been used but concerning behaviours have returned or escalated.

4.1.5 If a student has engaged with Counselling and Wellbeing and a risk assessment indicates a risk of harm to self or others that cannot be adequately supported and managed through internal support frameworks and the student does not willingly engage with external support.

5. Suspension

5.1 At any point in the procedure we may need to consider suspending a student where there are serious concerns about the safety and wellbeing of the student or those around them, or serious disruption to our university business. If a student is suspended we will implement this procedure at either the Meeting or the Review stage as appropriate.

6. Decision to call a Fitness to Study meeting.

6.1. The Head/Deputy Head Counselling and Wellbeing will consult as appropriate with the relevant Deputy Dean/Director of Studies and/or Residential Services Manager to establish the full extent and context of the concerns and a decision will be taken on whether to proceed with these formal procedures.

7. Fitness to Study Meeting

7.1. Purpose:

- To ensure the student is aware of the concerns
- To enable the student's view to be heard and considered
- To consider any relevant medical evidence

- To agree an action plan to manage risks or bring about changes in unacceptable behaviour.
- To explore possible intermission to allow for a student to recuperate.
- To explain possible outcomes if serious concerns remain.

7.2 The Head/Deputy Head Counselling and Wellbeing or Deputy Dean/Director of Studies, as appropriate, will write to the student to require them to attend for a Fitness to Study meeting.

7.3 The student will generally be given at least 7 days' notice however shorter notice may be given if risk is considered high. They will be informed of nature of the concerns and the purpose of the meeting. The supportive nature of the meeting will be explained and the student will be invited to bring a friend or SU representative. This will not include a lawyer or legal adviser.

7.4 The student may request an alternative date for the meeting and this will be agreed wherever possible. If a student fails to attend or requests a date in the future that may mean an excessive delay, the meeting may take place in the absence of the student. In these circumstances we will always seek to protect the interests of the student and balance these with the needs of other students and staff.

7.5 The Fitness to Study Meeting will be chaired by the Head of Study Support and Wellbeing/Deputy Director of Student Services or Deputy Dean. The panel will usually consist of no more than three members of university staff drawn from the following:

- Head/Deputy Head, Counselling and Wellbeing/Deputy Director of Student Services;
- Deputy Dean/Director of Studies;
- Residential Services Manager (if appropriate).

Also:

- Student;
- Student Representative;

7.6 In certain circumstances additional staff from the Study Support Service, Counselling and Wellbeing or the faculty may attend the meeting if their specific professional expertise is required.

8 Possible outcomes from the Fitness to Study meeting will be:

8.1 No issues or concerns to answer/no actions

8.2 Action Plan- this may include:

8.2.1 Conditions/undertakings of appropriate behaviour or conduct

8.2.2 Requirement for the student to engage with appropriate internal and/or external support services, including external medical services.

8.2.3 Requirement for the student to seek medical assessment to enable our University to address the student's difficulties in the most effective manner possible, and make an accurate assessment of risk. See Appendix 1

8.2.4 Intermission is advised and the student agrees to action this.
If intermission is discussed at the meeting, the student will be given formal guidance on any financial or Academic Regulatory implications of this option.

8.3 Recommendation to suspend

8.3.1 Where warranted by the level of concern or risk, an outcome of the Meeting may be a recommendation that the student is suspended pending medical evidence of fitness to study. See appendix 1

8.4 Recommendation for the case to be dealt with under disciplinary procedures.

8.5 A review date for the Action Plan will be agreed at the Fitness to Study Meeting. This will not be longer than 6 weeks and may be shorter. All parties may agree to an appropriate 'check-in' arrangement in the interim, as appropriate to the circumstances.

8.6 Following Fitness to Study Meeting, a record of the decisions, the action plan and, if relevant, a record of any guidance given regarding intermission will be

sent to the student within 7 working days by the Deputy Head of Counselling and Wellbeing, Deputy Dean or Director of Studies as appropriate.

9 Action Plan Review

9.1 After the agreed review period, the staff involved in the original Fitness to Study Meeting, or their nominated deputies, will consider achievement of the Action Plan.

9.2 The Review may be held sooner than the agreed period if concerns or disruption escalate.

10 Outcomes of the Review will be:

10.1 The action plan is complete. No further actions.

10.2 The Action Plan is extended for a further 6 weeks.

This will apply where there is partial achievement of the original Action Plan, sufficient to reduce any risk to the student or others, and/or remove disruption to the learning of others.

10.3 Action Plan not met. Further or additional actions/recommendations required.

10.3.1 In this situation the student will be invited to a Review Meeting. This meeting will be held in the absence of the student if they decline or fail to attend (see para 7.4)

10.3.2 At this stage the likely outcomes of the review are:

10.3.3 The student is advised to intermit and agrees to action. See paras 8.2.4 and 11

10.3.4 A recommendation is made to the Vice Chancellor/Secretary and Clerk to the Board to suspend the student. See appendix 2

10.3.5 The student may be asked to seek a medical assessment of their wellbeing and their fitness to study. Before a return to study date and plan can be agreed. See appendix 1

11 Support and guidance for students who intermit or who are suspended

- 11.1 Students who intermit or who are suspended will be given the opportunity to talk to staff within Student Services and/or the faculty to discuss financial, support and study implications and other issues that may arise.
- 11.2 The student will also be informed of the 'Return to Study' procedure and process and an agreement made about how we will keep in contact with the student during their absence.

12. Return to Study

- 12.1. It is hoped that after whatever time is required, a student covered by this policy will feel ready to return and engage with study at our university.
- 12.2. Each case will depend upon the specific circumstances and context out of which concern arose but in all cases return to study will be dependent upon a) satisfactory medical evidence of fitness to study and b) an assessment of need to determine what support would be necessary or of benefit, and whether this can be reasonably provided.
- 12.3. In cases where we have any continuing concerns about the student's fitness to study, we may require a second medical opinion. In this case a student may be asked to submit themselves for medical examinations by doctors/specialists nominated by our University (at our expense). Students will only be permitted to return if, after receiving medical advice, our University is satisfied that the individual is fit to study and able to comply with any conditions or expectations stated by our university and in keeping with our Rules, Regulations and Procedures for students.
- 12.4. The decision to permit return to study will be made by the Director of Student Services and the relevant Deputy Dean/Director of Studies, in consultation with the Course (Group) Leader, taking into account medical evidence provided and a statement from the student. Depending on the circumstances that led to study

being interrupted we may also require agreement from a member of the Vice-Chancellors Group.

12.5. In accordance with the Rules, Regulations and Procedures, if a suspension lasts longer than three weeks then a student has a right to appeal to the Board of Governors.

12.6. In any case where a student returns to study following the implementation of the Fitness to Study Policy, our University may decide that there should be regular review meetings with the student that can be used to support and monitor a return to study plan and on-going support. If so, the student must provide their continued co-operation in this respect and such review meetings may continue for part or all of their remaining time at our University. This is likely to be with a member of the Counselling and Wellbeing Service.

Appendix 1

Requirement for a medical assessment of Fitness to Study.

An outcome of either the Fitness to Study Meeting or the Fitness to Study Action Plan Review may be a requirement for the student to seek medical assessment to enable our University to address the student's difficulties in the most effective manner possible, and make an accurate assessment of risk.

The medical assessment may be used to determine:

- The nature and extent of any medical condition from which the student may be suffering;
- Their prognosis;
- 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 additional steps should be taken by our University, in light of the medical condition, to enable the student to study effectively;

- Whether the student will be receiving any on-going medical treatment or support.

Medical evidence/assessment submitted should be from a recognised health professional who has sufficient knowledge of the nature and extent of the student's medical situation and the concerns that led to intermission/suspension, to be able to make an informed statement of the student's fitness to study at university level and in a university community.

The student will be asked to authorise full disclosure to our University of the results of any assessment. Our University recognises that any such information disclosed will constitute "sensitive data" for the purposes of the Data Protection Act 1998 and will be handled, processed and stored accordingly.

Should the student decline to undertake a medical assessment, our University may either continue this policy based on the information already in its possession, or as previously stated, reserve the right to address the current issues under our Disciplinary Procedures.

Appendix 2 - Suspension

A recommendation to suspend a student is a possible outcome of the Fitness to Study Meeting or the Action Plan Review. However, at any point in the procedure we may need to consider suspending a student where there are serious concerns about the safety and wellbeing of the student or those around them, or serious disruption to our university business.

The decision to recommend suspension will usually be agreed by the staff involved in the Fitness to Study Meeting or the Action Plan Review. The Deputy Dean or Director/Deputy Director of Student Services will send a recommendation to suspend the student to the Vice Chancellor/Secretary and Clerk to the Board. Appropriate advice will be provided to the student by Student Services.

If the Vice Chancellor/Secretary and Clerk to the Board agree to the recommendation to suspend, a letter will be sent to the student in accordance with the Rules, Regulations and Procedures. If a suspension lasts longer than three weeks then a student has a right to appeal to the Board of Governors.

Suspension under the Fitness to Study Policy and Procedure is likely to require that the student provides our university with medical evidence of their Fitness to Study prior to their return. Guidance on the medical evidence requirements will be given to the student (see appendix 1).

Students who are suspended will be given the opportunity to talk to named staff within Student Services to discuss financial, support and study implications and other issues that may arise. The student will also be informed of the 'Return to Study' procedure and process and an agreement made about how we will keep in contact with the student during their absence.