

Policy and Procedures

UCW Fitness to Study Policy

2018 - 21

Higher Education Directorate



UNIVERSITY
CENTRE
WESTON

Document Consultation		Approval	Dissemination		
HEDMT	STUDENT engagement	CLB	HEMT	HE CPD	HEBS
Aug 2018	Sept 2018	n/a	Sept 2018	July 2018	16.10.2018
Review date: July 2021					

Background and National Context

Introduction

University Centre Weston (UCW) is committed to supporting its students and recognises the importance of a student's health and wellbeing in relation to their academic progress and student experience. UCW has an obligation to provide support so that students can fulfil their potential while studying on a course.

University Centre Weston recognises that there may be instances where a student's physical or mental health may give rise to concerns about the student's fitness to study; for example the student's capacity to engage with their studies and/or to function more widely as a member of the UCW community. It may be that UCW is concerned that:

- A student poses a risk to his/her own health, safety and/or wellbeing and/ or that of others.
- A student's behaviour is (or is at risk of) adversely affecting the teaching, learning and/or experience of other students.
- A student's behaviour is (or is at risk of) adversely affecting the day-to-day activities of UCW or a placement provider.
- A student's support needs fall outside the scope of the support and other services which UCW can reasonably be expected to provide.

This policy sets out how UCW may respond to instances where a concern is raised regarding a student's fitness to study and the type of action that UCW may take to manage the matter and support the student. It is intended that this policy provides an alternative means of dealing with a situation in which unacceptable behaviour is likely to be a result of ill health and it is therefore considered inappropriate to follow the disciplinary procedures.

UCW recognises that concerns may be raised by a variety of individuals, for example academic staff, other students, and third parties (such as health professionals or placement providers). This policy seeks to promote early intervention, active collaboration between staff, students and third parties, and consistency of approach. Matters will be dealt with sensitively and non-judgementally. Whilst UCW will seek to work with students, cases may arise in which it may, under this policy, determine that a student is unfit to study and that his/her enrolment should be suspended or terminated.

This procedure applies to all students throughout their period of enrolment and includes students:

- On campus;
- Engaged in course related activities away from campus (such as placements, field trips and study abroad);
- In UCW student accommodation.

Generally, this policy is only intended for use in cases where the behaviour, disruption or risk presented by the student is perceived to be of a serious or potentially serious nature. The level of risk posed by a student, either to themselves, others, or UCW, will be measured by the use of a risk assessment (Appendix 1). This will provide a consistent and transparent means of assessing the perceived risk and will be co-ordinated by the HE Academic Registry Team (HEART) involving and liaising with other staff as appropriate. The Fitness to Study policy has three stages. Depending on the perceived and/or assessed severity of the situation and potential seriousness of risk, action may be initiated at any stage.

Aims

The aims of this policy are to provide:

- A transparent and practical procedural framework for students, prospective students and relevant staff at UCW.
- A basis for a consistent, transparent and sensitive approach.

The policy is intended to manage and support, rather than punish, student behaviour that causes significant concern. The policy is not intended to deal with emergency or crisis situations.

Pre-entry

University Centre Weston is committed to admissions protocols which do not discriminate directly or indirectly against applicants on the grounds of disability (reference should be made to the UCW Admissions Policy for further clarification). UCW encourages disclosure of a disability during the application process for courses, so that any additional support requirements can be discussed, and where practicable arranged prior to arrival.

HEART and the HE Learning Support Team will work with prospective students to discuss and co-ordinate support, and will also advise students on applying for a Disabled Students' Allowances.

When a student's fitness to study may be questioned

A student's fitness to study may be questioned as a result of a wide range of circumstances. These include, but are not limited to the following:

- Serious concerns are raised by a third party, such as a housemate, friend, peer, GP or family member;

- The student has disclosed to a member of staff that they have a problem which is seriously impacting on their ability to function;
- Changes are noticed in a student's demeanour or behaviour, which raise concern. For example: changes in appearance or obvious signs of ill-health, a sudden deterioration in academic performance or engagement, mood swings or other uncharacteristic behaviour.

In all cases the Welfare & Retention Officer (or the HE Specialist Support Instructor: Mental Health and Wellbeing) and the student's personal tutor should be contacted. The Welfare & Retention Officer will co-ordinate initial enquiries and advise the appropriate staff (on a need to know basis) of the concern raised and ensure any necessary support is provided.

Stage 1: Informal Action

If initial contact and action is unsuccessful, the HE Welfare & Retention Officer will complete a risk assessment (Appendix 1) and arrange to meet with the student and explain to them that concerns about their fitness to study have arisen. The student should be made aware of the nature of the behaviour that has caused the concern and, if appropriate to discuss the level of perceived risk as measured by the risk assessment. It may be necessary to involve the HE Specialist Support Instructor: Mental Health and Wellbeing at this point.

The HE Welfare & Retention Officer will attempt to resolve the matter by informal discussion with the student. The student will have the opportunity to express their views on the situation and an action plan will be agreed, which may include on-going contact with the HE Welfare & Retention Officer and/or the HE Welfare and Wellbeing Lead, or referral to an internal or external specialist agency. Special academic conditions may also be agreed, alongside a mitigating circumstances submission, in order to enable the student to continue with their studies.

It is hoped that most cases can be resolved at this stage and that students will respond positively to, and co-operate fully with the process and take advantage of the support available. A review period will be agreed and a meeting scheduled to review the progress made by the student and to address the concerns raised. Further review meetings may be arranged in order to further monitor progress and to ensure access to all appropriate support continues.

If, however, the student has not taken the necessary steps to address the concerns, a further review period will be agreed, or the student will be informed that the case will move to Stage 2 of the Fitness to Study Policy. If a student is unable to co-operate with the above informal process they will be informed that more formal action through Stage 2 of the Fitness to Study Policy may be considered appropriate.

Stage 2: Formal Action

If there is no improvement in the situation, or it is felt the situation is too serious to be managed informally, Stage 2 can be initiated. The HE Welfare & Retention Officer will inform the Deputy Academic Registrar and will forward all relevant documentary evidence. The Deputy Academic Registrar will then review the submitted evidence and will arrange to meet with the student and the HE Welfare & Retention Officer and/or the HE Welfare and Wellbeing Lead. The student can be accompanied by a Students' Union Officer, the HE Student Experience and Engagement Officer, friend, family member or support worker.

It will be explained to the student that if significant concern remains about their engagement with their study, or their health and behaviour following the above, a further meeting will be held to consider the most appropriate course of action. Regular progress meetings will be held with the student by the HE Welfare & Retention Officer and an action plan will be monitored. This will result in either no further action, or the Deputy Academic Registrar initiating Stage 3 of the Fitness to Study Policy.

Stage 3: Final Review

This stage can be initiated by the Deputy Academic Registrar following Stages 1 and 2, or if the case is considered serious enough, Stage 3 can be implemented.

The student will be asked to attend a meeting with either the Deputy Academic Registrar, or the Assistant Director HE: Academic Registry. The student will be informed of the meeting in writing at least 24 hours in advance, the purpose of the meeting, the nature of the concern, and that the matter is to be managed under Stage 3. The student will be provided with a copy of this policy. The student will be requested to notify the meeting organiser in advance whether or not they will be attending and if anyone will be accompanying and/or representing them at the meeting. This meeting will allow the student a full opportunity to respond to the concern and will consider any support needs; it will also seek to identify the student's perception of the concern. Other relevant staff members may be invited to attend the meeting (the HE Support Co-ordinator/HE Student Engagement and Experience Officer) in order to deal with the matter and to provide support to the student. Academic staff may also be required to attend if the concern relates to placements/external professional bodies.

A Fitness to Study panel meeting will also be called to discuss the nature of the concerns and consider possible outcomes. The panel meeting will include three (or more) of the following members of staff:

- Assistant Director HE: Academic Registry
- Deputy Academic Registrar
- HE Welfare & Retention Officer

- HE Welfare and Wellbeing Lead
- HE Support Co-ordinator
- HE Programme Co-ordinator or Personal Tutor
- HE Partnership Manager (only if the Assistant Director HE: Academic Registry is unavailable)

A minute taker will also be present. Other individuals may be called upon to provide information (for example, staff who have been involved with the student) either in person or in writing. Relevant external professionals (for example, psychiatrists, GPs, mental health workers) may also attend. Provision may be made for the production of written reports (for example, medical reports). Although the student may be invited to attend the panel meeting, it is not expected that this would normally be the case as the meeting may be held prior to and/or following any meeting with the student.

The Fitness to Study panel meeting will determine whether the student's fitness to study is impaired, or may become impaired, and any actions to be taken. Such actions may include (but are not limited to) one or more of the following outcomes:

- Support arrangements and/or reasonable adjustments to be put in place for the student.
- An action plan to be drawn up, where possible with the agreement of the student, setting out how the matter will be managed and any requirements to be placed on the students (for example, in respect of his/her future conduct or support he/she will seek). The student will be informed that where s/he fails to comply with any requirements, his/her fitness to study may be dealt with again at Stage 3. A copy of the action plan will be provided to the student. A date will be arranged at which the action plan will be reviewed and a decision taken on whether the action plan should continue and, if so, whether it should be amended, and whether any requirements have been complied with and, if not, whether the matter should be referred again to Stage 3. The student will be invited to the review meeting and the outcomes of the review meeting notified to the student in writing.
- The student be withdrawn from placement, overseas study or other course related activity.
- The student be permitted to continue on a part-time basis.
- It be recommended to the student that they take a period of voluntary suspension.
- The student be suspended for a stated period of time.
- The student be withdrawn from UCW.

The student will be notified in writing of the decision and outcome of the panel meeting with reasons, normally within three working days. The proceedings of the panel meeting will be minuted and circulated to all in attendance and kept by HEART.

In implementing this Procedure, UCW will at all times remain mindful of its duty of care and its obligations to students under the Equality Act 2010, including in appropriate cases its obligation to make reasonable adjustments. It will also remain mindful of the confidential and sensitive nature of fitness to study matters and of its obligations under the Data Protection Act 1998.

Should a student be unwilling or unable to participate at any level of this policy or to attend a meeting, UCW may nonetheless follow this Procedure where it is reasonable to do so. The panel, where it is reasonable to do so, may deal with issues on the basis of written reports and/or statements in the absence of the student and/or their representative.

Appeals

Students may raise a written appeal against the outcome of Stages 2 and 3 of this policy within ten working days of the date of the notification on one or more of the following grounds:

- UCW has failed to follow its own Fitness to Study Policy.
- The decision is unreasonable.
- The student has new information/evidence which was not reasonably available before.

The Assistant Director HE: Academic Registry will consider the appeal submission and determine whether there are valid grounds to appeal.

Where valid grounds have been determined, the student will be invited to submit additional evidence within a specified timeframe for further consideration by either the Assistant Director HE: Academic Registry, or the Assistant Principal: HE. The evidence provided will be considered and he/she will determine an appeal against suspension or expulsion. One of the following decisions will be made:

- Dismiss the appeal; or
- Uphold the appeal, and:
- Refer the matter back to an earlier level of this Procedure for reconsideration, e.g. if the correct process had not been followed; or
- Refer the matter back to an earlier level of this Procedure for fresh reconsideration, e.g. if new information or evidence was made available; or
- Impose an alternative sanction.

The outcome of the appeal will be notified to the student in writing together with reasons within seven working days of determination of the appeal. This decision is final and will conclude this procedure. A 'Completion of Procedures' letter will be issued to the student. Further information on procedures for external and independent review can be obtained from the Office of the Independent Adjudicator for Higher Education website (www.oiahe.org.uk).

Return to Study

A request to return to study must be made in writing to the Assistant Director HE: Academic Registry. Each student's case will vary depending upon the context and specific circumstances. In each case, however, a return to study by a student will be dependent upon the student satisfying the Assistant Director HE: Academic Registry that they have complied with any conditions placed upon their return.

Normally the student will be invited to meet with the Assistant Director HE: Academic Registry to consider the request to return to study. The student may be required to produce satisfactory medical and/or other evidence of their fitness to study (for example, a psychiatrist's report or GP's letter) from recognised professionals who have sufficient knowledge of the student, the demands of higher education, and the student's intended programme of study in order to give an informed opinion.

The Assistant Director HE: Academic Registry will determine whether to permit the student to return to study. In reaching their decision, they may consult with relevant staff and/or external professionals.

The Assistant Director HE: Academic Registry may impose conditions upon any return to study (for example, relating to the student's conduct, any support they should seek or academic progress). The student will be notified in writing, with reasons, normally within ten working days of the student's written request to return to study. If the request is turned down, the letter will include information on the process of re-application for a return to study.

The decision of the Assistant Director HE: Academic Registry is final.

UCW will work collaboratively with the student in respect of any support arrangements put in place for a return to study. Before or on their return, the student will be invited to attend a Return to Study Meeting with appropriate members of academic staff (e.g. the programme leader) and HEART. At the Return to Study Meeting, an action plan will be drawn up to support the student's successful transition back to study. The action plan will detail any conditions imposed and any support identified in respect of the student's return. The action plan will include a timetable for any review meetings which have been deemed necessary to assist the student's successful return to study. If conditions are attached, failure to comply will lead to further Fitness to Study procedures under Stage 3. The student will be sent a summary of the Return to Study Meeting and a copy of the action plan, normally within five working days of the meeting.

Appendix 1

UCW Fitness to Study: Risk Assessment



Name of Student:

Programme of Study:

WS No:

1.	Briefly explain the situation and why fitness to study has been questioned:				
2.	List all the identified risks and assign to each risk an assessment of seriousness and likelihood. Use a scale of 1-3 with 3 being the highest seriousness and highest likelihood: S = Seriousness(1-3) L = Likelihood (1-3) RR = Risk Rating (1-9) L x S = RR				
			S	L	RR
	2.1				
	2.2				
	2.3				
3.	Has the student disclosed a disability?			Yes	No

4.	Does the student have a Disabled Student Allowance (DSA)?	Yes	No
5.	List any condition which may contribute to risk:		
	5.1		
	5.2		
6.	What has been done to minimise the risk from occurring:		
	6.1		
	6.2		
	6.3		