



FITNESS TO STUDY POLICY AND PROCEDURE

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This Policy applies to University Centre Weston (UCW) and meets the requirements of the Office for Students (OfS), the Quality Assurance Agency (QAA), and the Revised UK Quality Code. Where required guidance from the Competition and Markets Authority (CMA) and the Office of the Independent Adjudicator (OIA) will be observed.

1 PURPOSE

- 1.1 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.
- 1.2 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 their 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.
- 1.3 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.
- 1.4 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 their enrolment should be suspended or terminated.

2 SCOPE

- 2.1 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.
- 2.2 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 using 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.
- 2.3 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.
- 2.4 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.

3 POLICY STATEMENT

- 3.1 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.

- 3.2 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.
- 3.3 HEART and the HE Specialist 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.
- 3.4 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.
- 3.5 In all cases HEART and the student's personal tutor should be contacted. The Welfare and Retention or Welfare and Wellbeing Lead at UCW 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.

4 PROCEDURE

4.1 Stage 1: Informal Action

Should any Fitness to Study concerns be raised, and if informal discussions between a student and their personal tutor and/or HEART have not led to an improvement in the situation, then the matter will be dealt with under Stage 1: Informal Action. It is worth stating that this Stage is designed to manage support for the student rather than addressing behaviour that is causing concern.

A Risk Assessment will be completed by either the Welfare and Retention Lead, or the Welfare and Wellbeing Lead (Appendix 1). This document will assess any potential risks and identify support measures that need to be put in place, it would ideally also be completed with the student's personal tutor or Course Co-ordinator.

The student will be invited to a meeting with either the Welfare and Retention Lead, or the Welfare and Wellbeing Lead to discuss the perceived risks and the support measures identified. The student will have the opportunity to express their views on the situation and the Risk Assessment will be agreed by both parties. The Risk Assessment will be a 'live' document and can be modified throughout a student's time at UCW. This will allow for additional support measures to be put in place as the student's course continues. Academic conditions may also be agreed to support the student with their studies, such as Reasonable Adjustments or Mitigating Circumstances.

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 the agreed support measures. Further review meetings may be arranged to further monitor progress, re-visit the Risk Assessment, and ensure access to all appropriate support continues.

It will be documented on the students' record that Fitness to Study concerns have been raised and that support measures are in place and no further action is required.

If 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 Stage 1 process, they will be informed that more formal action through Stage 2 of the Fitness to Study Policy may be considered appropriate.

4.2 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 Academic Registrar or the HE Specialist Support Manager will be informed of the situation and will request for all documentary evidence to be supplied to them. If a Risk Assessment (Appendix 1) has not already been created, it will be created at this point.

The student will then be invited to a meeting with the HE Academic Registrar/HE Specialist Support Manager and their personal tutor and/or Course Co-ordinator. Support will be made available to the student by either the Welfare and Retention Lead, or the Welfare and Wellbeing Lead. The student can also be accompanied another member of HEART or a friend, family member or support worker. The student will be provided with a copy of this policy prior to the meeting.

During this meeting, the perceived risks and support measures will be discussed. The student will have the opportunity to express their views on the situation and the Risk Assessment will be formally agreed (along with an agreed Review Period). The Risk Assessment will be a 'live' document and can be modified throughout a student's time at UCW. This will allow for additional support measures to be put in place as the student's course continues. Academic conditions may also be agreed to support the student with their studies, such as Reasonable Adjustments or Mitigating Circumstances.

As the situation is deemed to be at Stage 2; the student will be required to attend regular progress meetings with either the Welfare and Retention Lead, or the Welfare and Wellbeing Lead and the Risk Assessment will be monitored by the HE Academic Registrar/HE Specialist Support Manager. Should the student not adhere to the recommendations of the Risk Assessment, or choose not to attend the progress meetings, then Stage 3 of the Fitness to Study Policy will be initiated.

It will be documented on the students' record that Fitness to Study concerns have been raised and that progress meetings are in place.

4.3 Stage 3: Final Review

This stage can be initiated by HE Academic Registrar or the HE Specialist Support Manager after Stage 1 and/or 2, or if the case is considered serious enough, Stage 3 can be implemented.

The student will be invited to a formal meeting with the HE Academic Registrar/HE Specialist Support Manager and their personal tutor and/or Course Co-ordinator. The student will be informed of the meeting in writing at least 48 hours in advance, they will be informed of 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. Support will be made available to the student by either the Welfare and Retention Lead, or the Welfare and Wellbeing Lead, and they will be able to attend the meeting with the student if required. The student can also be accompanied another member of HEART or a friend, family member or support worker

The student will be requested to notify the meeting organiser in advance whether 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. Any completed Risk Assessment (Appendix 1) will be revisited at this point; or one will be created if the case is being considered at the first time at Stage 3.

After the Stage 3 meeting with the student, a Fitness to Study Panel meeting with key members of UCW staff will then take place. The Panel meeting will take place whether or not the student has attended the meeting with the HE Academic Registrar/HE Specialist Support Manager.

The panel meeting will include three (or more) of the following members of staff:

- Deputy Director of Higher Education (Chair)
- HE Academic Registrar and/or the HE Specialist Support Manager (one of which to provide a summary of their formal meeting with the student)
- HE Welfare and Wellbeing Lead/HE Welfare and Retention Lead
- HE Programme Co-ordinator or Personal Tutor
- HE Partnership and Development Manager (if the Deputy Director 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 or provide relevant information.

Provision may be made for the production of written reports (for example, medical reports). In some instances, the student may be invited to attend the panel meeting, however it is not expected that this would normally be the case, the student can submit a written statement to the Panel should they wish.

The Fitness to Study Panel will consider all relevant documentation/evidence and any completed Risk Assessment. They will then determine whether the student's fitness to study is impaired, or may become impaired, and any actions to be taken. At this point it would then be necessary to inform the Awarding Organisation (partner university) to discuss the matter, and the decision of the Fitness to Study Panel.

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 their future conduct or support they 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 course related activity (such as field trips or work placements).
- The student be permitted to continue their studies on a part-time basis.
- The student be required to move out of the (UCW/Weston College managed) student accommodation.
- 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.

It will be documented on the students' record that Fitness to Study concerns have been raised and the decision of the Fitness to Study Panel will be recorded.

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 based on written reports and/or statements in the absence of the student and/or their representative.

4.4 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 Director of Higher Education 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 the Director of Higher Education. The evidence provided will be considered and they 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).

4.5 Return to Study

Should the sanction imposed on a student require them to suspend their studies, there is a process that must be following for returning to study at UCW. A request to return to study must be made in writing to the HE Academic Registrar. 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 HE Academic Registrar that they have complied with any conditions placed upon their return (if applicable).

Normally the student will be invited to meet with the HE Academic Registrar and the HE Specialist Support Manager 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 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 Director of Higher Education 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. They 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 (if appropriate).

The decision of the Director of Higher Education 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 Course Co-ordinator) 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 Practise 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.

5 RESPONSIBILITIES

Compliance, monitoring and review

- 5.1 This policy and procedure has been written with reference to the Office of the Independent Adjudicator's "Good Practice Framework: Disciplinary procedures".
- 5.2 The policy and procedure will be reviewed in 2024.

Reporting

No additional reporting is required

Records management

- 5.3 Staff must maintain all records relevant to administering this policy and procedure using the Weston College (ISO) recordkeeping system.

6 DEFINITIONS

- 6.1 The following definitions provide clarification of key terms used in this policy and their relevance to its implementation.

Office of the Independent Adjudicator: The independent student complaints scheme for England and Wales.

7 RELATED LEGISLATION AND DOCUMENTS

[The Equality Act 2010](#)

UCW Fitness to Practice Policy

UCW Student Code of Conduct

UCW Admissions Policy

UCW Academic Regulations

UWE Academic Regulations

Bath Spa Regulations

8 APPENDIX

1. Risk Assessment

Appendix 1

UCW Fitness to Study: Risk Assessment



Name of Student:

Programme of Study:

WS No:

Risk Assessment Completed By:

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				

Identify the support measures that need to be put in place to support the student:

Agreed Review Period:

Date of Next Review Meeting:

Signed: (student)

Signed: (staff)