



UCFB/GIS

Fitness to study procedure

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1. What is fitness to study?

- 1.1 A student is fit to study when they have the capacity to engage satisfactorily in relation to their academic commitments and in student life generally at UCFB/GIS.
- 1.2 Circumstances or difficulties relating to a student's wellbeing may have an impact on their fitness to study either on a temporary or permanent basis.
- 1.3 Where a student's fitness to study is identified as an undeclared disability then the student will be referred to the Student Services to determine if reasonable adjustments might address immediate concerns.
- 1.4 UCFB/GIS may determine, in accordance with this procedure, that a student is unfit to study and this may result in suspension or termination of their registration with UCFB/GIS.

2. When will this process be used?

- 2.1 There may be instances where a student's health or wellbeing causes UCFB/GIS concern regarding the student's fitness to study on a course. In these instances, UCFB/GIS has a duty of care to respond appropriately.
- 2.2 Concern may relate to one or more of the following aspects of a student's engagement:
 - Academic studies
 - Within a placement
 - More widely as a member of the institution's community.
- 2.3 This process is likely to be used when one of the following occurs:
 - A student poses a risk to their own health, safety or wellbeing or that of others
 - A student's behaviour is, or is at risk of, negatively affecting the experience of other students, or the day-to-day activities of UCFB/GIS and/or a placement provider.
- 2.4 This process is not disciplinary in nature and is concerned with the wellbeing of the student and the institution's community. Disruptive behaviour which does not relate to an underlying physical or mental health problem should be dealt with under UCFB/GIS's disciplinary process.

3. Relationship with other UCFB/GIS processes

- 3.1 Students registered on courses which come under the regulation of Professional, Statutory or Regulatory Bodies (PSRBs) may be subject to Fitness to Practise procedures. Concerns regarding student's fitness to study on these courses may therefore, on some occasions, be dealt with under Fitness to Practise procedures. It may also be appropriate to seek advice and guidance from the Wellbeing Service.
- 3.2 Where a student is subject to a disciplinary investigation, but that investigation reveals that the misconduct is likely to relate to an underlying physical or mental health problem, the matter could be dealt with under this process. However, the fact that a student has a mental or physical health problem in no way lessens the duty of care that UCFB/GIS owes to other students. This should therefore be weighed against the duty of care owed to the student in question and a decision made as to whether the disciplinary process or this process should be followed.
- 3.3 A student may also be referred to this process as a result of the conclusion of the disciplinary process.

4. Confidentiality

- 4.1 Personal information about students must not be disclosed to anyone outside of the institution, including parents, without the student's explicit consent. The student should be informed that information they supply may, however, need to be shared internally and no promise of absolute confidentiality should be made.
- 4.2 A student's permission will often need to be sought for the release of information from a General Practitioner or other medical advisor and from the counselling service or other referral agencies. The student is expected not to withhold such information without good reason as the actions UCFB/GIS seeks to take are in the student's future interests and in pursuit of their wellbeing.
- 4.3 The student's right to confidentiality may be waived in the exceptional circumstance where they are assessed as being at immediate risk of causing harm to themselves or others. In this eventuality, essential information may be shared with the appropriate emergency service(s).
- 4.4 The UCFB/GIS Confidentiality – Student Wellbeing Guidance Statement provides further details on the institutional approach to confidentiality.

5. Emergency Suspension

- 5.1 In the rare event that there is a risk of immediate or continuing danger to others or disruption of UCFB/GIS's normal operations because of the nature of the student's behaviour a Dean of School or Head of Student Services may, exceptionally, suspend the student from all or part of the UCFB/GIS campus, including residential accommodation, for one day (24 hours) or for a weekend (6:00pm Friday to 8:00am Monday), in the first instance and then notify the Registrar. In this event, the student will be directed into safe hands to ensure that they are getting the specialist support they require.
- 5.2 The same procedure also applies to practice placements and other off-campus learning locations in which case the student may be suspended from the placement/learning setting and all or parts of the institution's premises, including residential accommodation.
- 5.3 The Dean of School or Head of Student Services should take into account any examination attendance or assignment deadline that may apply to the student before taking the decision to suspend.
- 5.4 The Registrar or another member of the Executive Leadership Team may, at the request of the Dean of School or Head of Student Services, extend this suspension to the conclusion of a fitness to study assessment meeting and any appeal hearing (see paragraph 55-57 below).
- 5.5 The student may appeal in writing to the Registrar against the extension of their suspension. The Registrar or another member of the Executive Leadership Team will review the grounds for the suspension and the statement made by the student. Their decision is final and is conveyed in writing to the student.

6. Fitness to study procedure

- 6.1 Most day-to-day concerns relating to student wellbeing can comfortably be dealt with informally between staff and students. This process only needs to be initiated when cause for serious concern is evident.
- 6.2 The fitness to study procedure can be stopped at any stage if concerns are not felt to warrant further action.
- 6.3 The procedure should be operated in its entirety recognising the need for confidentiality but also the potential for causing distress to what may be an already vulnerable student. The process should be managed with sensitivity and compassion throughout.
- 6.4 If at any stage the student agrees to a voluntary suspension of studies, 'a return to study' plan (see paragraph 58) should be put in place before study recommences.
- 6.5 It is important that confidential notes are kept of all the steps taken. This ensures that UCFB/GIS has a record of the actions it took to fulfil its duty of care to the student (even during the more informal parts of the process).

Stage 1 – Initial concerns

- 6.6.1 All employees should be attentive to the various ways in which a serious concern about a student's fitness to study might come to light. They may directly observe patterns of behaviour or symptoms which cause concern to themselves or others. Third parties – whether they be other students, accommodation providers or even members of the public - may report concerns to staff. Information may come to light as part of an academic appeal or claim for mitigating circumstances. In many cases a student may raise an issue directly with a member of staff.
- 6.6.2 Concerns should in the first instance be referred to the relevant Dean (or appropriate deputy). They or their nominee will undertake initial conversations with the student's Course Leader and seek advice from any appropriate internal professional as they see fit.
- 6.6.3 A meeting should then be arranged with the student, giving at least 48 hours' notice, and including information as to why the meeting has been called and who will be there – at a minimum the Dean and the Course Leader. The student should be encouraged to bring a friend or other supporter, selected from the student body, to the meeting.

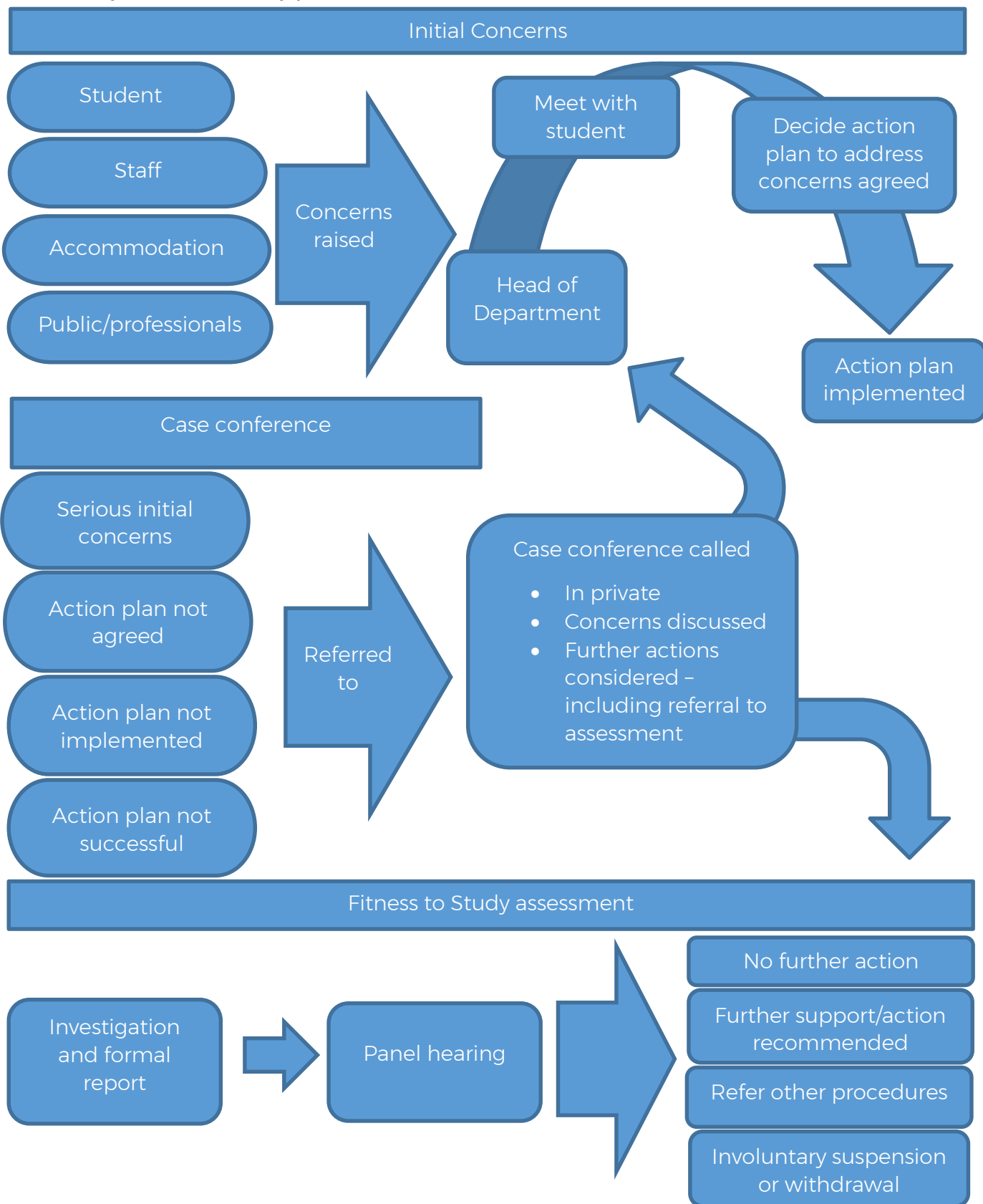
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6.6.4 At the meeting, the behaviour or symptoms which have caused concern should be discussed and the student's perceptions of the situation ascertained. Possible steps to address the situation should be discussed and agreed with the student and an action plan agreed.

6.6.5 An action plan may include one or more of the following, that the:

- Situation is monitored and managed within the School, perhaps through regular meetings with their personal tutor or appropriate academic advisor
- Student agrees to access, or be referred to, support services offered by the institution (counselling, pastoral, disability etc) or external support services
- Student voluntarily suspends from their studies for an agreed period of time.

6.6.7 If, following an initial meeting, serious concerns remain, a case conference may be called at any point.



6.7 Stage 2 – Case Conference

- 6.7.1 When local management of a situation has proved insufficient, or in some cases where serious and immediate concerns are raised precluding the operation of stage 1, a case conference should be arranged by the relevant Dean or nominee.
- 6.7.2 A case conference is an opportunity for everyone involved in supporting a student to meet in private, without the student present, to share concerns and decide on an appropriate course of action.
- 6.7.3 This is likely to include some or all of the following: the Dean of School or their nominee, Head(s) of Department, Course Leader, staff from Student Services who have been involved with the student, and staff from external support services if contact has been established.
- 6.7.4 Discussions are to be conducted on a confidential basis to ensure open and frank discussion and brief notes should be kept recording who was present, an outline of points discussed, and recommended next steps.
- 6.7.5 The case conference may recommend one or more of the following, that:
- The student be referred to other support services
 - Further medical information is sought
 - Further pastoral support is offered
 - The student be encouraged voluntarily to suspend from their studies for an agreed period of time.
- 6.7.6 The case conference may recommend any other reasonable steps to be taken by UCFB/GIS or the student that are intended to address the current issues faced by the student.
- 6.7.7 The recommended course of action will be detailed in an action plan to be agreed with the student.
- 6.7.8 Where the concern is serious and immediate the case conference may also recommend that:
- A student be subject to an emergency suspension (to be enacted by the relevant Dean as described above)

- A student's emergency contact be notified of the situation (where consent for that action has been obtained)
- A student's medical contact or support worker be notified of the situation (where consent for that action has been obtained).

6.7.9 The case conference may recommend that a formal fitness to study assessment is undertaken. This may or may not be dependent on a student's willingness to undertake the recommended actions.

6.7.10 The Dean of School or nominee should meet with the student to discuss the recommendations and the proposed action plan. The student should be encouraged to bring a friend or other supporter, selected from the student body, to this meeting. The Dean should explain the concerns and the proposed action plan, including whether referral for fitness to study assessment is dependent on their agreement with the proposed action plan.

6.7.11 If the student agrees to the action plan, and a fitness to study assessment is not recommended in any case, then a timeline for action and follow up meeting should be scheduled. Should further concerns arise at a later date, including failure of the student to action recommendations, then a second case conference should be arranged.

6.7.12 If the student does not agree to follow the recommendations, or if a fitness to study assessment was recommended in any case, then the fitness to study assessment process should be started.

6.8 Stage 3 - Fitness to Study Assessment

6.8.1 The fitness to study assessment process is intended to allow a neutral panel to assess the student's situation in relation to their academic studies and to come to a judgement about what is in the best interests of the student and the wider UCFB/GIS community.

6.9 Fitness to study assessment report

6.9.1 On the conclusion of stage 2, the Dean of School or nominee will appoint a member of staff, not previously involved in the case, to take responsibility for gathering evidence from the student concerned, witness statements from staff and students, and evidence from any external support agencies. The member of staff will write an overview report to accompany the evidence,

outlining key facts and dates and summarising the steps taken to date. The report and evidence gathering should take no longer than 10 working days.

6.9.2 At the same time the Dean of School will request that the Head of Student Services arrange a fitness to study panel meeting which should be arranged to take place within 5-10 working days of the conclusion of the maximum reporting period.

6.10 Fitness to study assessment meeting

6.10.1 The student and the Dean will be invited to the meeting at least five working days in advance, and will be supplied with the overview report, evidence gathered and information on the make-up of the panel and any witnesses requested. The student will be encouraged to bring a supporter or friend, selected from the student body, to the meeting.

6.10.2 The panel for the meeting will comprise:

- Course Leader as Chair
- A senior member of academic staff from another programme
- The Head of Student Services or nominee
- A secretary provided by Student Services or Academic Administration

6.10.3 Where the Course Leader is directly involved with the case in question, they will nominate an appropriate alternative as Chair.

6.10.4 The Chair may invite witnesses to attend the meeting. These may include other staff or students involved in the case to date, or staff from internal and external support services.

6.10.5 The panel will be supplied in advance with the overview report and evidence gathered.

6.10.6 The Chair will determine the conduct of the meeting, including any necessary adjournments.

6.10.7 The student and their supporter may be asked to withdraw so that part of the meeting can be held in private but they will be invited to return to discuss the recommended outcome.

6.11 Outcome of the fitness to study assessment meeting

6.11.1 The panel may conclude that:

- The student is fit to study and may continue on their course
- The student is fit to study but further academic or other support is recommended and should be captured in an action plan
- The student is fit to study but an allegation of misconduct is therefore outstanding and should be dealt with through the *Student Disciplinary procedures*
- The student is unfit to study and involuntary suspension is recommended, with or without conditions on return to study
- The student is unfit to study and termination of enrolment is recommended (this is expected to be an exceptional outcome).

6.11.2 The panel will communicate the outcome to the student in person at the meeting and a decision letter, along with the notes of the meeting, will be sent to the student within five working days.

6.11.3 At this point, if the student has been considered unfit to study, the fitness to study assessment report and notes of the meeting will be forwarded the Registrar to consider the recommendation for suspension or termination and to implement it if they see fit.

6.11.4 Any financial or accommodation consequences of the action taken by the institution in suspending or terminating a student's enrolment will be discussed with the student, relevant departmental Heads and the Head of Student Services and, wherever possible, the financial consequences for the student will be minimized.

7. Review process

7.1 A student who has been subject to an involuntary suspension or termination of enrolment may make a request for a review of process to the Head of Quality (as long as they have had no prior involvement with the case) or nominee. The review will examine how the process has been followed.

7.2 If the review of process finds no procedural irregularity, the appeal will be rejected and the student will be provided with a Completion of Procedures letter and advised of their right to further action through the Office of the Independent Adjudicator.

7.3 If the review of process finds that there has been a procedural irregularity the case will be referred to a new fitness to study assessment panel for consideration afresh.

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8. Support during suspension

- 8.1 Whilst a student is in a voluntary or enforced suspension from the institution it is recommended that they be provided with a key point of contact who they can liaise with, when appropriate, in order to facilitate a smooth return to study once their personal circumstances have improved.

9. Return to study

- 9.1 Return to study following a voluntary or involuntary suspension is not automatic and will depend upon the student providing evidence that they are fit to study and that any conditions set have been met.
- 9.2 Prior to the end of the agreed period of suspension, the Course Leader will arrange a meeting with the student to discuss their return to study. What, if any, evidence is required to demonstrate their readiness to return to study will be discussed and a 'return to study plan' will be agreed.
- 9.3 In some cases, medical evidence of a student's readiness to return to study will be required. Evidence submitted must be from a recognised health worker such as a mental health professional, doctor or psychiatrist who has sufficient knowledge of the student and the demands of higher education in order to make an informed decision regarding return to study. In particular, specific reference should be made to the student's capacity to return to study.
- 9.4 Following the meeting or receipt of medical evidence, should the Course Leader or Personal Tutor still have concerns regarding the student's fitness to study they will ask the Dean of School to refer the student back to a Fitness to Study assessment meeting.

10. Monitoring

- 10.1 In order to maintain a rigorous and equitable procedure, the fitness to study process will be subject to regular monitoring carried out by the Head of Student Services.
- 10.2 Students will be able to access information regarding the process through the UCFB/GIS website.