



## **FITNESS TO STUDY PROCEDURE**

2016/17 to Present

## **STUDENT REGULATIONS AND POLICIES**

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## **UNIVERSITY OF CENTRAL LANCASHIRE FITNESS TO STUDY PROCEDURE**

### **1. Introduction**

- 1.1. The University is committed to supporting students and recognises the importance of their health and wellbeing in relation to their academic progress and University experience. The Fitness to Study procedure is a supportive process used when a student's health or wellbeing is having a detrimental impact on their (or others) ability to progress academically and/or function in the University community appropriately.

### **2. Scope and Purpose**

- 2.1. This Procedure applies to any student admitted or enrolled by the University, and forms part of the Regulations for the Conduct of Students (the Regulations).
- 2.2. There may be occasions where the health or wellbeing of a student deteriorates to the point where it raises questions about their fitness to participate in University life and/or to continue their studies.
- 2.3. This Procedure will be used to support staff and students in all areas of the University to deal with instances where concerns have been expressed over a student's health or behaviour, which have led to:
- concerns about a student's fitness to study at the University and/or ability to meet the learning outcomes of the course, notwithstanding reasonable adjustments;
  - a negative impact on the health, safety, wellbeing and/or learning of the student and/or others with whom s/he has contact.
- 2.4. Problems may manifest themselves in a variety of different forms including e.g. long-term damage to the student's health; deterioration in the student's appearance, attendance, behaviour or ability to meet deadlines; disruption of the studies of other students; unsustainable demands being made of staff; detention under the Mental Health Act, serious or persistent inability to function within Student Accommodation and the wider University community.
- 2.5. This Procedure will normally be applied in relation to concerns which arise on University premises or whilst the student is engaged in a course activity whether at the University, an approved partner organisation and/or placement provider. However, incidents which occur outside the University which raise concerns about a student's fitness to participate in University life and where it is considered necessary to protect the safety, interests and reputation of the University, its staff or students, may also be considered under this Procedure.
- 2.6. This Procedure will apply where students present with difficulties due to their physical or mental health or wellbeing. However, the University reserves the right at any stage in the Procedure, to invoke either: a. the Fitness to Practise Procedure where there are concerns about a student's suitability to progress with a professional qualification; or b. the Disciplinary Procedure where a student's behaviour poses a risk of harm to either themselves or others, or where students do not engage positively with supportive interventions.
- 2.7. The University also operates a scheme for extenuating circumstances where a student suffers some unforeseen illness or misfortune that adversely affects their ability to complete an assessment. A student may not submit a claim covering a period beyond the current semester. If extenuating circumstances are on-going and result in further claims, the School will consider whether other action is appropriate including referring the student to Student Support & Wellbeing or agreeing a voluntary interruption of studies (Academic Regulation C) or invoking this Procedure (where the student does not recognise that they are not making satisfactory progress).

- 2.8. This Procedure has three stages, based on the level of support needed by the student and/or the seriousness of risk posed by the health or behaviour of a student. Depending on the concern raised, it may be appropriate to move straight to a higher level. Students are encouraged to engage with the University and access all support available to them. It might however be deemed necessary for a student to take a period of absence whilst they obtain professional medical help. Accessing this support and sharing progress with UCLan will inform the appropriate stage of the Procedure. If they choose not to do so, then this Procedure may continue without their involvement.

### **3. General principles**

- 3.1. All references in this Procedure to the Dean/Head of School or other University post holder include their appointed nominee.
- 3.2. At all stages of this Procedure the student is entitled to be accompanied and/or represented by a person of their choosing, who may be a friend, family member or a representative from the Students' Union Advice and Representation Centre.
- 3.3. The University will make reasonable adjustments to this Procedure if required by a student's disability or for other good reason.

### **4. Stage 1 – Emerging Concerns**

- 4.1. When a concern about a student's health, safety or mental wellbeing is raised within a University School, a member of staff from the School with primary responsibility and/or knowledge of the student (e.g. Dean/Head, Course Leader or Academic Advisor) should approach the student in a supportive manner to request a meeting. The member of staff from the School may seek advice and guidance from the Student Support & Wellbeing team as appropriate.
- 4.2. Where the concern has arisen outside School activity e.g. in University managed accommodation, the member of staff from the School may be accompanied by an appropriate member of University staff e.g. from the Student Accommodation Service.
- 4.3. The meeting should be conducted in an informal way with an emphasis on supporting the student. The nature of the concern should be explained to the student, and they should be encouraged to discuss the issues (it is possible that they will not have realised the impact of their actions). If appropriate, this is an opportunity to provide information to the student about relevant University regulations and procedures, and support that is available within and external to the University, such as: Student Support & Wellbeing, Medical Centre, Students' Union Advice Centre. It should also be explained that a continuation of the same or any additional concerns could result in an escalation to stage 2 of this Procedure.
- 4.4. It is anticipated that the student will respond positively, co-operate and access the available support or, where appropriate, modify their behaviour.
- 4.5. The meeting should be followed up with an e-mail to the student setting out any agreed actions and, if appropriate, arrangements for a follow-up meeting with the student at a later date.
- 4.6. If the student is unwilling or unable to respond positively, the member of staff from the School should discuss the situation with Student Support & Wellbeing. The University may then decide to invoke Stage 2 of the Procedure.

### **5. Stage 2 – Continuing Concerns**

- 5.1. Where continuing or serious concerns about an individual student's health and wellbeing are raised, the member of staff from the School should contact Student Support & Wellbeing to arrange a joint meeting with the student. The student will be notified in advance of the purpose of the meeting. The School representative will be required to outline academic progress and

any further concerns observed by the school, e.g. attendance at timetabled activities. They will also be required to outline options available to the student at this stage where a student has not progressed sufficiently. Alternatively Student Support & Wellbeing can also instigate this meeting if they have continuing considerable concerns.

- 5.2. Together they can assess the student's perception of the impact that their health, wellbeing and/or behaviour is having upon them and/or the wider University community, and ensure the student understands the University's expectations regarding the Fitness to Study procedure.
- 5.3. If the student is on a professionally regulated course, there will be consideration of any implications for professional practice and, if so, whether the Fitness to Practise Procedure should be invoked.
- 5.4. An Action Plan will be drawn up by all parties involved in the process, setting out any reasonable support measures and any conditions that the student is required to adhere to, which may relate to their health and wellbeing, academic studies and/or behaviour.
- 5.5. The Action Plan will include a review date, and it will be made clear that failure to adhere to the Action Plan may result in Stage 3 being invoked. The Action Plan will be sent to the student within 5 working days of the meeting, and the student will be required to confirm acceptance of the terms in writing. A copy of the agreed Action Plan will be held by the School and Student Support & Wellbeing.
- 5.6. The Action Plan will be reviewed by the School, with assistance from Student Support & Wellbeing where required. It is expected that the student will respond positively to the Action Plan and co-operate fully, access the outlined support and/or modify his/her behaviour accordingly.
- 5.7. If the student does not attend the stage 2 meeting (without good cause), engage positively or fails to adhere to the Action Plan, or if the meeting gives rise to more serious concerns about the student's fitness to study or participation in university life, the matter should be referred to the Head of Customer Support Services. It is then likely that Stage 3 will be invoked.

## **6. Stage 3 – Significant or Persistent Concerns**

- 6.1. This Stage will be invoked when significant or persistent concerns are raised about an individual student's actions or behaviour that are putting the health, safety, wellbeing or academic progress of him/herself or other members of the University community at significant risk. These may be continuing concerns from on-going matters or it may be a new significant concern which the university deems appropriate for immediate stage 3 action.
- 6.2. The Head of Customer Support Services will convene a Case Conference to establish the facts and discuss an appropriate course of action. The Case Conference should consider all reasonable options to enable the student to continue with their studies.
- 6.3. The Case Conference will comprise of the following as a minimum:
  - Service Director or Deputy (Chair)
  - Head of Customer Support Services or Deputy.
  - Student Support & Wellbeing representative.
  - Dean/Head of School or nominee.
- 6.4. The student will normally be invited to attend the Case Conference and will be given at least 5 working days' notice of the date and time of the meeting. The student will be provided with copies of any documents to be considered at the Case Conference and may submit any documents they wish the Case Conference to consider.
- 6.5. It is standard practice for the student to attend the Case Conference but adjustments will be made where reasonably necessary where the student is too unwell to attend as follows:

- the student can provide written representations or a representative to attend the Case Conference where it is believed the student has the capacity to make this decision
- a 'fact finding meeting' will take place without the student to put in interim arrangements at the best interests of the student (e.g. so they do not continue to accrue university tuition fees when hospitalised) until the student is well enough to represent themselves at a case conference

6.6. The following staff may also be invited to attend, as appropriate:

- Student Accommodation Services representative
- University Security representative
- Home Office Compliance Team representative

6.7. The outcome of the Case Conference may be one of the following:

- that no further action is required; or
- to agree an enhanced Action Plan; or
- to agree to a voluntary interruption of the student's studies, in line with section C9.2 of the Academic Regulations; or
- to recommend an interim suspension of the student's studies, in line with section C2 of the Regulations for the Conduct of Students, to enable a full assessment of the circumstances with regard to the student and his/her course of study to be carried out; or
- any other action considered to be appropriate and proportionate.

6.9. If the student is on a professionally regulated course, the Case Conference will also consider whether there are implications for professional practice and, if so, whether the Fitness to Practise Procedure should be invoked.

#### **Enhanced Action Plan**

6.10. Any agreed enhanced Action Plan will have a review date. It will be made clear that if the student does not adhere to the Action Plan, this could result in further action under this Procedure, including an interim suspension of studies. The Action Plan will be drawn up in consultation with all member of the Case Conference Panel and review dates with appropriate parties will be set at the panel meeting.

#### **Voluntary Interruption of the Student's Studies**

6.11. It may only be possible for a student to return to study at certain points in the academic calendar, depending on the particular circumstances of the student and the course of study.

6.12. If a student decides to voluntarily interrupt their studies at any stage of this Procedure, the University will follow the procedure outlined in the 'Returning to Study' section of this document.

#### **Interim Suspension**

6.13. The terms of an interim suspension will be specified, including any arrangements relating to access to support services or University accommodation, or whether the student can continue with their studies and/or assessments, and if so in what form. Any conditions which must be satisfied in order for the student to return will be clearly set out (see section 7.3 below) together with any applicable timeframe i.e. it may only be possible for a student to return to study at certain points in the academic calendar, depending on the particular circumstances of the student and the course of study.

6.14. It is important to note that an interim suspension of studies is not a disciplinary sanction, but is intended to allow a period of time for a full assessment of the circumstances with regard to the student and his/her course of study.

6.15. In the case of an interim suspension the following must be informed: Head of School; Head of Campus Administrative Services; Manager, Student Accommodation Services (if appropriate); Manager, Security Services; Director of Learning & Information Services, Head of Customer Support Services. The University is also required to inform the UKVI in the case of a significant change in the circumstances of a Tier 4 international student.

6.16. The Chair will confirm the outcome of the Case Conference in writing to the student within 5 working days.

6.17. The student may appeal against the outcome from the Case Conference by writing within 10 working days to the Director of Learning and Information Services who will review the matter and respond to the student within 10 working days of receiving the appeal.

## **7. Actions following an Interim Suspension**

7.1. An interim suspension of studies will be reviewed as agreed at the Case Conference or in the light of any developments or upon receipt of any other relevant evidence. Such a review will not normally involve a hearing or submissions made in person.

### **Returning to Study**

7.2. The student will be required to provide or co-operate with the University in obtaining satisfactory evidence that the original concerns are overcome or under control before being permitted to return to study. Any failure to co-operate with the University may result in further action under this Procedure.

7.3. The student should provide evidence as outlined by the University, which may include (as appropriate) a report from a qualified professional (approved by the University), with sufficient knowledge of the student to accurately assess whether he or she is fit to participate in University life, study on a particular course and act as a member of the University community. This professional would also recommend any reasonable support measures for the University to consider

7.4 The Chair will consider the report received under section 7.3 and any other evidence, and will consult with staff from the Case Conference. S/he may decide:

- a. the student is fit to participate in University life and should be permitted to resume the course. This will be subject to a Return to Study meeting and Action Plan identifying relevant support measures and any conditions. Regular review meetings will be arranged with the School and/or Student Support & Wellbeing Service so that the student's progress can be monitored and support modified if necessary;
- b. that the student remains unfit to return and should be suspended for a further specified period. His/her return to study will be subject to confirmation by the Chair and 7.4a will apply
- c. that the student be withdrawn from the course and the University in line with section C1 of the Regulations.

7.5 A copy of the decision and associated reasons will be provided to the student in writing within 10 working days.

## **8. Appeal**

8.1. In the case of a decision by the Chair that the student should be suspended from the University for a further specified period or that the student should be withdrawn (see 7.4 b and 7.4 c above), the student may appeal against the decision in line with section F of the Regulations.

## **9. Confidentiality and Disclosure**

9.1. There may be occasions where the University judges that it would be in the best interests of the student to disclose sensitive information e.g. to the student's designated Emergency

Contact or to an external agency such as the Community Mental Health Team. In these circumstances, the student's informed consent should be obtained where possible.

9.2. If the student chooses not to provide consent, the implications of non-disclosure should be made clear. However, there may be rare occasions where the student's consent is withheld or it is impracticable to obtain it, when confidentiality may be broken e.g.

- If the student is putting their life at risk.
- If the student is putting the life of someone else at risk.
- If the student's mental health has deteriorated to a serious level such that they are unable to maintain daily living routines and relationships.
- If the student is at risk of serious exploitation or abuse.
- If the student's behaviour is adversely affecting the rights of others.
- If staff are being placed in a position in which their professional integrity is compromised.

9.3 Staff should consult with the Head of Customer Support Services, Director of Learning & Information Services and the Information Governance Officer where there is a need to disclose information without consent.

## **10. Emergency Situations**

10.1 In cases of emergency, staff or students should contact University Security on 333 or 2068 or 01772 892068 who will co-ordinate appropriate services depending on the situation.

10.2 In cases of urgency, the Director of Learning and Information Services shall be empowered to suspend a student with immediate effect, in line with section C2 of the Regulations, pending the invocation of this Procedure.

## **11. Monitoring of the Procedure**

11.1 The University will collect aggregated data about fitness to study cases and will submit an annual report to the relevant Academic Board Sub-committee for the purpose of quality assurance and enhancement. The effectiveness of the Fitness to Study Procedure also be reviewed at this point and, where appropriate, changes will be made.