



Fitness to Study Policy and Procedure

Owner:	Director of Student Support Services
Reviewed by:	Student Life Committee
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FITNESS TO STUDY POLICY & PROCEDURE

1. Purpose and Scope

- 1.1 Whilst at University all students should be able to study and perform to the best of their ability, in a safe and comfortable environment. The reality of University life means that students not only work but also often live in close proximity to each other. While many students find studying and living in such an environment manageable and enjoyable, others can find it more challenging. This policy and procedure aims to support students to achieve their potential when there are concerns about their fitness to study. The policy may be applied after the point that the contractual relationship with the student is formed or in preparation for a student's arrival. The three supportive stages of this procedure are included in Appendix 1.
- 1.2 The term 'fitness to study' as used in this policy and related procedure relates to the entire student experience, and not just a student's ability to engage with their studies. For example, the University expects its students to be able to live independently and in harmony with others, and not conduct themselves in a way which has an adverse impact on those around them. This procedure is not designed to address academic performance or issues relating to attendance or individual mitigating circumstances.
- 1.3 Similarly, a student's fitness to study may be questioned if health problems are disrupting their own studies or the studies of others, or result in unreasonable demands/adjustments being placed on staff or other students. In addition, the University is bound by health and safety legislation and has a duty of care to its community. It is obliged to take action if a student presents a risk to themselves or to others.
- 1.4 The level of risk posed by a student will be measured through the use of a risk assessment process, utilised throughout the procedure, to provide a consistent means of assessing the risk to the student, other individuals and the University. This process will be led by managers in Student Support Services working in close collaboration with department staff and Wellbeing staff.
- 1.5 As a general rule this procedure 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, particularly if the student seems unaware that their behaviour is inappropriate or is unprepared to engage in a discussion on the issue.
- 1.6 In order to maintain and enhance the University community, students need to conform to certain standards of behaviour, and the University has a [Student Code of Conduct](#) and [Student Disciplinary Regulations](#) in place to manage situations that involve students whose behaviour falls outside these standards. However, it is recognised that the cause of misconduct may include issues relating to a student's health and general wellbeing, where disciplinary action may not always be appropriate and this policy and procedure may be applied. The decision is made by Support Service Managers in consultation with Disciplinary Officers.

- 1.7 The University reserves the right to take measures pursuant to its Disciplinary Regulations to deal with behaviour which is the result of physical or mental health issues, depending on the individual circumstances of the case, and in particular where a student's health or behaviour poses a risk to themselves or others or where the student fails to positively respond to more supportive interventions.
- 1.8 In order to address adverse circumstances that arise out of mental health conditions, the University will be clear about any limits of support provision, particularly where little to no progress is made in the overall stability of the individual student concerned.
- 1.9 If concerns are raised while a student is on placement, where the University's ability to engage with the student may be limited, if possible, the University will discuss with the placement provider alternative arrangements that might address any concerns. If the concern is not appropriate for Fitness to Study procedures, refer to the Fitness to Practise Policy for guidance. This decision will be made by Student Support Services in consultation with the academic department/school.

2. Definitions and Triggers for use of Fitness to Study Procedure

- 2.1 A student may be invited to engage with the Fitness to Study process for many reasons and circumstances. These include (but are not restricted to) the following:
- Student Support Services Risk Management Review Group recommendation (see Appendix 3).
 - A period of hospitalisation or sectioning.
 - Serious concerns about the student emerge from a third party.
 - The student's disposition is such that it indicates that there may be a condition which is having a significant adverse impact on their health, or which causes them to have difficulty making adjustments of a reasonable nature.
 - The student exhibits behaviour, which would otherwise be dealt with as a disciplinary matter, but which it is considered may be the result of an underlying physical or mental health problem.
- 2.2 In all cases, the student's Student Wellbeing Officer, Academic Guidance Tutor, Programme/Research Convenor or Director of Studies should be notified so that the department/school is aware of the situation and can provide any necessary support. If the issues relate to living in halls of residences, the respective Head of College and Senior Warden should also be notified.

3. Procedure

- 3.1 There are three stages of the process that are designed to support the student and provide every appropriate opportunity for engagement with the University's services to address concerns in order to progress. See Appendix 1 for details. These stages range from initial informal contact with a student presenting behaviour of concern, to a formal panel that makes a decision on whether or not a student may continue to study at the University. At each stage the student is encouraged to participate fully and all interactions will be taken seriously and recorded.
- 3.2 Relevant staff will be involved in each stage of the process. Support will be tailored to the unique needs of each individual student and the University may take action to ensure student safety in line with any of the three stages of the policy and procedure.
- 3.3 The University acknowledges that as a result of implementing this policy it will receive Special Category Data pertaining to the student and other third parties, and shall ensure that all such data is handled, processed and stored according to the University's [Data Protection Policy](#). There are a number of lawful reasons for disclosing data in order to protect harm to self or others.

4. Preliminary Suspension and temporary removal from accommodation

- 4.1 When there is potential or actual risk to self or others, the University has the power to take immediate precautionary action pending careful consideration under this policy and procedure. The decision to enforce temporary suspension or removal from accommodation is made by the Vice-Chancellor, Deputy Vice-Chancellor & Provost, University Secretary or Chief Operating Officer.
- 4.2 The student has a right to request a review of this decision by an impartial member of staff.
- 4.3 The suspension or removal from accommodation will be time-limited and reviewed on an ongoing basis.
- 4.4 The student will be given reasons for the suspension in writing by the decision-making officer, unless in the interests of their safety it would be more appropriate to discuss this with them in person. The relevant decision-maker will consider utilising the emergency contact procedure.
- 4.5 It will be made clear that interim suspension or removal from accommodation is a neutral act and that the minimum steps necessary to manage the risk will be taken.

5. Right to Appeal

A student wishing to appeal against a Stage 3 decision may do so in writing to the University Secretary within 14 days of the date of the official notification of a decision. The notice of appeal must be accompanied by a written statement that identifies precisely the grounds upon which the appeal is based and any supporting evidence.

6. The Office of the Independent Adjudicator

Decisions taken under these regulations may be eligible for review by the Office of the Independent Adjudicator for Higher Education (OIA), which is an independent body set up to review student complaints and appeals.

More information about the OIA can be accessed at <http://www.oiahe.org.uk>. The OIA can be contacted on 0118 959 9813 or enquires@oiahe.org.uk. Where applicable, students will be provided with a Completion of Procedures Letter and information about how to apply to the OIA for a review of a decision taken under these regulations.

7. Statistics

The Director of Student Support Services will report the statistics of all Fitness to Study Stage 2 and 3 outcomes to Senate for Monitoring purposes.

8. Appendices

8.1 Appendix 1:

- Stage 1 – Mapping out a Support Pathway
- Stage 2 (informal) – Enhanced Support Panel
- Stage 3 – Formal Review Panel

8.2 Appendix 2 – Return to Study

8.3 Appendix 3 – Student Support Services: Weekly Risk Management Review Group

8.4 Appendix 4 – Equality Impact Assessment (EIA)

APPENDIX 1

STAGE 1 – (Informal) Mapping Out a Support Pathway

- 1.1 A member of staff should approach the student and explain to them, in a supportive and understanding manner, that concerns about their wellbeing have emerged. This would ordinarily be a member of staff within the academic department/school with primary responsibility and/or knowledge of the student concerned (e.g. their Academic Guidance Tutor or Director of Studies) together with the Departmental Disability Coordinators. However, if concerns arise outside of the teaching environment, then the Student Wellbeing Officer or Head of College should take the lead, in consultation with the student's Department/school. Should a member of staff require advice or guidance on this they should contact the Head of Wellbeing or Head of Disability Services. The purpose of this stage is to understand the student's needs and to refer to Student Support Services to put the support in place.
- 1.2 The student should be made aware of the precise nature of the behaviour that has caused these concerns to be raised, including, if appropriate, reference to the level of perceived risk presented by the student as measured by the risk assessment process. The member of staff will attempt to resolve the matter through discussions with the student. The student should be given the opportunity to explain their own views on the matter, and be encouraged to think about using one or more of the support services offered by the University or available outside the University. It may also be appropriate to look into the possibility of making special arrangements to enable the student to study effectively.
- 1.3 It is hoped that in most cases issues can be resolved at this level, and that students will respond positively, cooperating fully with the process and taking advantage of the support available.
- 1.4 A review period should be determined between staff and student to note progress made. If concerns have been addressed satisfactorily, this will be noted. If, however, the concerns have not been addressed, a further review period may be agreed, or the case will move to the next stage of the procedure.
- 1.5 The informal discussions, advice and any undertakings made by the Department/School/College and/or the student should be documented for the benefit of both the department/school and the student. Student Support Services should be provided with the notes in order to update risk assessments and ensure that all follow-up procedures are in place.
- 1.6 If a student does not engage with support or if concerns cannot be addressed through the informal route, they should be informed that more formal action under Stage 2 of this policy and procedure may be considered appropriate.

STAGE 2 – Enhanced Support Panel

- 2.1 If the action taken under Stage 1 has not been successful, or it is felt that the case is too serious to be dealt with informally, Stage 2 of the policy will be invoked. A meeting of an Enhanced Support Panel shall be convened by Student Support Services managers and can include the Head of Department/ School (or delegate) or Head of College (or delegate) as appropriate. The group is led by Student Support Services and can comprise of appropriate representatives of the student's academic department/ school/ college. Regardless of who makes up the Enhanced Support Panel, the Head of College and/or Head of Department/ School should be alerted to the activation of Stage 2.
- 2.2 As part of this process, a medical assessment or a medical history will be sought. The student will be strongly encouraged to consent to this, as it will ultimately enable the University to address the student's difficulties in the most effective manner possible and make an accurate assessment of risk. The medical assessment will be used to determine the following matters:
 - the nature and extent of any medical condition from which the student may be experiencing challenges;
 - their prognosis;
 - the extent to which it may affect their 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 the University in light of the medical condition to enable the student to study effectively;
 - whether the student will be receiving any ongoing medical treatment or support.
- 2.3 The student will be asked to authorise full disclosure to the University of the results of any medical examination. The University recognises that any such information disclosed will constitute "Special Category Data" for the purposes of the Data Protection Act 2018, and will be handled, processed and stored appropriately.
- 2.4 Should the student refuse to undertake a medical examination, the University will continue this process based on the information already available, which may limit outcome options due to lack of information.
- 2.5 The student will normally be given at least 7 days' notice of the Enhanced Support Panel and informed of the purpose of the meeting. They will also be provided with any documents which will be considered by the panel and asked to provide any documentation they may wish the panel to consider within 48 hours prior to the meeting. In emergency situations it may be necessary to hold a meeting with less than 7 days' notice.
- 2.6 The student may be accompanied at the meeting by a supportive representative of their choice. The role of the supporter is to provide advice and emotional support, but is not normally an advocacy role. Neither the University nor the student will normally be permitted to be represented by a legal practitioner at meetings or hearings held under these regulations. A supporter cannot act both as a witness and as a supporter.

2.7 The purpose of the meeting will be:

- to make the student aware of the nature of the concerns that have been raised;
- to hear and consider the student's views and to identify what support needs are present;
- to agree the best way to proceed and to map out a supportive plan;
- to ensure that the student is fully aware of the possible outcomes if risk remains.

2.8 The Enhanced Support Panel will order its proceedings at its own discretion and may invite other staff to attend, including Student Support staff working with the student, and institute enquiries to assist its deliberations. If the student is unwilling to engage with the process or does not attend the initial meeting, the hearing can take place in the absence of the student.

2.9 The Enhanced Support Panel may decide:

- To formally monitor the student's progress for a specified period of time. In this case an action plan will be agreed with the student, outlining any steps which the student will need to take and/or any support to be provided to the student to address the concerns identified. Regular review meetings with the student will need to be arranged with a nominated member of staff (to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the student to study effectively is being provided). The student will also need to be informed of the consequences of any breaches of the action plan, which will normally involve their fitness to study being escalated to Stage 3 review.
- To recommend part-time study (where appropriate and available) or that special academic arrangements be put in place. Such recommendations would need to be agreed by the student's department and by the student, and appropriately processed. The student should also be advised to seek guidance regarding the possible financial implications of moving to part-time study before agreeing to this change. The student will be informed that unless these arrangements remedy the concerns to the University's satisfaction, an interruption will be recommended or their fitness to study may be considered at Stage 3.
- Where the student is on placement, to propose to the student suspending the placement or (if available) switching programmes to a 'without placement' equivalent. Students may be suspended from the placement component of the course if they are unable to meet the requirements of professional regulatory bodies. Refer to the 'Fitness to Practise' Policy if the individual case cannot be appropriately managed by Fitness to Study procedures.
- With the consent of the student, to agree that their studies be interrupted or suspended for a mutually agreed period of time.

- To refer the case to the University Secretary to be considered under Stage 3 of this procedure. This will only be appropriate in the most serious of cases, where, for example, evidence of a serious risk to either the health and safety of the student or others has been identified, and it is thought that suspension, exclusion or expulsion of the student may be the appropriate course of action, or where a particular course of action has been recommended (such as part-time study or suspending a placement) but the student does not agree.

2.10 The decision of the Enhanced Support Panel, together with a concise record of the meeting, should be sent to the student within 7 working days from the date of the meeting, and a copy kept on the student's personal file within the department.

STAGE 3 – Formal Review Panel

- 3.1 This stage of the procedure will normally be implemented following a referral from a Stage 2 Enhanced Support Panel, but Stage 3 could also be triggered in exceptional circumstances where there is heightened risk or urgency. In some exceptional circumstances, both the University Secretary and Chief Operating Officer will consider if the concerns raised are of a nature sufficiently serious to warrant the student's interruption/suspension, exclusion or expulsion (e.g. if they pose a potential threat to the health and safety of themselves or others, or disruption to the working of the institution).
- 3.2 The University Secretary shall then convene a Formal Review Panel which shall be chaired by the Deputy Vice-Chancellor & Provost or nominee. This will normally comprise the DVC & Provost, the Head of Department/School, the Director of Student Support Services and a member of Senate (or their nominees).
- 3.3 The University Secretary will arrange a date for a meeting of the Formal Review Panel to hear the case and invite the student to attend to discuss the concerns and all relevant issues. A member of the Governance and Legal Office will act as Secretary to the panel.
- 3.4 The student will normally be given at least 7 days' notice of the meeting of the Formal Review Panel. The purpose of the hearing will be explained and any documents to be considered at the meeting will be provided.
- 3.5 The student may be accompanied at the meeting by a supporter. The role of the supporter is not to advocate for the student. The University will not normally permit the student to be represented by a legal advisor.
- 3.6 The purpose of the meeting will be to consider the evidence available, including the student's perception of these concerns, and for the panel to reach an appropriate decision, action plan or other outcome.

- 3.7 The Formal Review Panel will order its proceedings at its discretion and may call witnesses and institute enquiries to assist its deliberations, including staff working with the student, which may include requesting further medical assessments of the student's fitness to study. It will also consider an updated risk assessment where appropriate.
- 3.8 The student shall be notified of the decision within 7 working days' of the meeting of the Formal Review Panel. This may include one or more of the following:
- To convert from full-time to part-time study with support; special academic arrangements are put in place; or an interruption/suspension of studies occurs. The student should be advised to seek guidance regarding the implications of such a measure. The student will be informed of the consequences should these arrangements fail to remedy the concerns identified to the University's satisfaction.
 - Any other action considered to be appropriate and proportionate.

APPENDIX 2

Return to Study

1. After a period of interruption/suspension on health grounds reached by mutual consent, the decision as to whether to permit the student to return to study will be made by a manager in Student Support Services along with the Head of Department. There will also be a fitness to return review following a mental health section.
2. To this end, a manager in Student Support Services, in consultation with the Department, will identify the issues of concern the University has in respect of the student's fitness to study. The Student Support Services manager will contact the relevant medical professional for an assessment of the student's ability to manage the demands of studying at University, drawing attention to the nature and extent of the student's previous problems and the University's concerns about them.
3. Similarly, if the issues related to living in Halls of Residence rather than an academic context, the Student Support Services manager will contact the relevant medical professional for an assessment of the student's ability to live independently and look after and care for themselves, drawing attention to the abilities and skills needed by a student to live successfully in university accommodation.
4. Students will only be permitted to return if, after receiving medical advice, the University is satisfied that the individual is fit to study and able to comply with any conditions imposed on their return.
5. For suspensions made by the Chief Operating Officer, the same medical evidence will normally be required to inform the Chief Operating Officer in deciding if the suspension may be lifted.
6. In cases where the University has any continuing concerns about the individual's fitness to study, a medical examination will be required in order to properly evaluate the student's current state and provide a second medical opinion. If this is the case, the University will nominate a doctor/specialist and cover the cost.
7. In any case where a student returns to study following the implementation of the fitness to study procedure, the University may decide that there should be regular review meetings with the student that can be used to monitor and support a return to study plan. 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 University.

APPENDIX 3

Student Support Services – Weekly Risk Management Review Group

1. Purpose

To provide a forum for multi-disciplinary discussion regarding students who are a cause for concern, and to implement risk management procedures.

This group will provide:

- enhanced coordination of complex casework;
- coherent and cohesive Student Experience advice to academic departments, including Fitness to Study Chairs;
- a framework for staff to act flexibly in the interests of the student;
- robust individual and institutional risk management;
- clear allocation of responsibilities;
- a way to manage demanding cases that are utilising varied services, ensuring full communication;
- identification of cross cutting issues and needs (e.g. emerging issue re support workers).

2. Referrals

Referrals can be made from any member of staff though it is anticipated that the majority of referrals will be raised through Student Services staff.

3. Threshold for referral

Referrals can be made due to wide variety of concerns, including (but not restricted to) mental ill-health, risk to self, disability, sexual assault, serious self-harm, suicidal ideation and/or attempt and radicalisation/extremism. The threshold for referral should be if the usual provision of service(s) is not sufficient to manage risk.

4. Process

Open discussion and rigorous debate culminating in a decision from the Chair which articulates:

1. The way in which individual services will provide support;
2. The boundaries around service provision;
3. A communication plan for Student Services staff;
4. Advice to other members of the University community.

5. Membership

Chair – Director of Student Support Services
Deputy Director of Student Support Services
Head of Wellbeing
Head of Disability Services/ Disability Adviser
Student Wellbeing Officers
Mental Health Adviser

APPENDIX 4

University of Roehampton – Equality Impact Assessment

1. Name of the University initiative
Fitness to Study Policy and Procedure.
2. What is the aim, objective or purpose of initiative?
To formalise putting support in place for a student when their health and mental health is impacting their fitness to study.
3. Who is responsible for developing the initiative?
Student Support Services.
4. Who is responsible for implementing the initiative?
Student Support Services.
5. Who is the initiative intended to benefit?
Staff and Students.
6. What is intended to be achieved by the initiative?
Risk management relating to student welfare and wellbeing; student retention and satisfaction; healthier students.
7. How will you know if this initiative has been successful?
Increase in students accessing support; decrease in high-risk situations; improved student satisfaction; improved retention.

8. What is the impact of the initiative on people or groups with respect to the following characteristics? Please include information or evidence to support your answer.

	Positive	Negative	Neutral	Explanation and evidence available
Age	x			Mental health affects everyone and therefore risk management, formalising support and provision will positively impact everyone.
Disability	x			
Gender reassignment	x			
Marriage and civil partnership	x			
Pregnancy and maternity			x	
Race	x			
Religion or belief	x			
Sex	x			
Sexual orientation	x			

9. Is the initiative designed or does it have the potential to promote equality for particular groups or good relations between groups? If so, how?

It has a disproportionately positive impact on students with disabilities but aims to improve the experience of all students and promotes equality to all groups because everyone has mental health.

10. Who has been consulted?

Support Services, Heads of College, Registry, Academic Departments, Student Life Committee, University Secretary.

11. Do you need to carry out further formal/informal consultation internally or externally in order to answer questions 8 or 9? If so, who needs to be consulted? What method or mechanism would be best suited for this consultation?

No

12. What action could be taken to mitigate any negative impacts identified or is there an opportunity to take steps to address different needs or promote equality of opportunity more effectively? If yes, please comment and complete action plan (see below).

We will do some annual reviewing of statistics relating to FTS, based around protected characteristics, to understand the experience of particular groups of students.

13. Who will be responsible for monitoring the implementation of the action plan?

Student Support Services.

14. Please outline how you have revised the initiative (if necessary) in the light of the Equality Impact Assessment. If no change is to take place, please give reasons.

No change as the EIA is core to developing this policy and process.

15. Please indicate when you think this initiative should be reviewed next:

2021

16. Equality Impact assessment completed by:

Name:	Dr Aleata Alstad-Calkins
Post title:	Director of Student Support Services
Department:	Student Support Services
Date completed:	02 July 2019