

UCP- FIT002 Higher Education Fitness to Study Policy

1. INTRODUCTION

- 1.1 We have a responsibility for the health, safety and wellbeing of all of our students and as such we will take steps to provide a supportive learning environment and facilities to promote this. This will include awareness raising events for mental health, debt management and wellbeing. Fitness to Study, as a term, encompasses the ability to engage with studying, to live independently and harmoniously with others and not to have an adverse impact on others.

2. PURPOSE

- 1.2 This policy sets out how we will respond when a student is either in significant distress or is causing significant concern to those around them as a result of possible mental health difficulties. In such circumstances a student might be in breach of our Student Code of Conduct and this policy enables us to take a supportive approach wherever possible.
- 1.3 The procedure under this policy is intended to help us address the issues giving serious cause for concern and aim to find agreed ways for the student to continue their study, with appropriate support, or to take a break from their studies until they are fit to return and engage with student life and study.
- 1.4 This policy and procedure should be used in reference to our Student Charter, and our Rules, Regulations and Procedures for Students. Other procedures may also be relevant including Fitness to Practice and disciplinary procedures. UCP reserves the right to decide the appropriate procedure to use in any given student case and at any point in the consideration.

3. SCOPE

- 3.1 This policy applies exclusively to all Higher Education provision offered by University Centre Peterborough. This also applies to sub contractual provision
- 3.2 This policy and procedure are only intended for use where the behaviour, disruption or risk presented by the student is perceived to be of a serious or potentially serious nature.
- 3.3 This will include situations where a student appears unaware of the consequences of their behaviour on others e.g., causing disruption or distress, and/or where concerns exist about the safety of the student or of others.
- 3.4 Our response will aim to protect the interests of the student and balance these with the needs of other students and staff, ensuring that we continue to provide an appropriate environment for the purposes of higher education.
- 3.5 Wherever possible the usual support services available to students will be used before any response is made in line with this policy.

- 3.6 Where it is believed that a student's behaviour presents an immediate risk to themselves or others. In such situations the Emergency Services should be contacted by dialling 999 and UCP Reception should also be contacted on 01733 214466. A log of this action should be taken and reported immediately to Student Support. UCP will also inform the student's next of kin.

4. **RELATED DOCUMENTS**

- 4.1 UCP-FIT001 Higher Education Fitness to Practice Policy
UCP-CRI001 Higher Education Declaration of Criminal Convictions Policy
UCP-REC001 Higher Education Recruitment and Admissions Policy
UCP Terms and Conditions of Admissions and Enrolment
UCP-ASS005 Higher Education Academic Appeal Policy

5. **RESPONSIBILITIES**

- 5.1 The Academic Director has overall responsibility for the policy but has delegated day-to-day responsibility for overseeing its implementation to the staff identified. All relevant members of staff have been made aware of the procedure and have received appropriate training.

6. **RISK ANALYSIS**

- 6.1 This policy is required to ensure that any impact on a student's fitness to study is fairly evaluated and supported by the institution as bound by UK legislation. This policy is dependent on the student communication and evidence.

Analyse risks of non-adherence to this policy

- 6.2 Failure to adhere to this policy could lead to academic failure of students, complaints and in extreme cases, legal action with regard to the Equality Act 2010.

Staff training needed

- 6.3 All staff involved in teaching, enrolling, supporting students and offering IAG are required to undertake annual training delivered by the HE Student Support Team to outline the support that is available and the process by which students can be referred for support. This training will be enhanced by annual updates provided on procedural requirements which will be delivered by the Academic Office.

7. **DATA PROTECTION**

- 7.1 UCP complies with the provisions of the General Data Protection Regulation Data Protection Act, 2018. As such, applicant and student data are treated as confidential by all staff involved in this process and is not divulged unnecessarily or inappropriately. However, the aforementioned Act requires UCP to release certain information to UK authorities upon request in order to assist those authorities with the prevention and detection of fraud or other crimes. We will release the requested information on receipt of an appropriate request from UK authorities such as (but not limited to) the Police, Home Office (for immigration and related matters), local authorities, and the Department for Work and Pensions. We may use anonymised data collected for the purpose of fulfilling statistical and reporting requirements.

8. PROCEDURE

8.1 Fitness to Study procedures will typically be invoked:

- i. When behaviours or disruption are sufficiently serious and/or there is a potentially serious risk of harm to self or others.
- ii. If previous reports of concern have resulted in offers of support and encouragement to engage with support but the student does not respond and concerning behaviours continue or escalate.
- iii. If disciplinary procedures have previously been invoked for related concerns or a student has been suspended and there is reason to believe that behaviours are due to a mental health condition.
- iv. If the Fitness to Study Policy and Procedure has previously been used but concerning behaviours have returned or escalated.
- v. If a student has engaged with Student Support and a risk assessment indicates a risk of harm to self or others that cannot be adequately supported and managed through internal support frameworks and the student does not willingly engage with external support or is unable to accept that there is a concern. At this point and/or at the point of emergency referral we will contact the student's next of kin as we believe this is in the best interest of the student.

Suspension

- 8.2 At any point in the procedure, we may need to consider suspending a student where there are serious concerns about the safety and wellbeing of the student or those around them, or serious disruption to our university business. If a student is suspended, we will implement this procedure at either the Meeting or the Review stage as appropriate. Suspension may be up to 6 months in this instance but can be shortened if the student is able to provide appropriate medical evidence.

Decision to call a Fitness to Study meeting.

- 8.3 The Head of Student Support will consult as appropriate with the HE Manager to establish the full extent and context of the concerns and a decision will be taken on whether to proceed with these formal procedures.

Fitness to Study Meeting

8.4 Purpose:

- a) To ensure the student is aware of the concerns
- b) To enable the student's view to be heard and considered
- c) To consider any relevant medical evidence
- d) To agree an action plan to manage risks or bring about changes in unacceptable behaviour.
- e) To explore possible intermission to allow for a student to recuperate.
- f) To explain possible outcomes if serious concerns remain.
- g) To ensure that the student is aware of crisis phone numbers and contacts

- 8.5 The Head of Student Support or HE Manager, as appropriate, will write to the student to require them to attend for a Fitness to Study meeting.

- 8.6 The student will generally be given at least 7 days' notice however shorter notice may be given if risk is considered high. They will be informed of the nature of the concerns and the purpose of the meeting. The supportive nature of the meeting will be explained and the student will be invited to bring a friend or the Student Officer. This will not include a lawyer or legal adviser.

- 8.7 The student may request an alternative date for the meeting and this will be agreed wherever possible. If a student fails to attend or requests a date in the future that may mean an excessive delay, the meeting may take place in the absence of the student. In these circumstances we will always seek to protect the interests of the student and balance these with the needs of other students and staff.
- 8.8 The Fitness to Study Meeting will be chaired by the Deputy Director or designated other.
- 8.9 The panel will usually consist of no more than three members of university staff drawn from the following:
- i. Head of Student Support;
 - ii. HE Manager;
 - iii. Chair
 - iv. Student;
 - v. Student Representative;
- 8.10 In certain circumstances additional staff from the Student Support Team or wider referral services may attend the meeting if their specific professional expertise is required.
- 8.11 Possible outcomes from the Fitness to Study meeting will be:
- a) No issues or concerns to answer/no actions
 - b) Action Plan- this may include:
 - i. Conditions/undertakings of appropriate behaviour or conduct
 - ii. Requirement for the student to engage with appropriate internal and/or external support services, including external medical services.
 - iii. Requirement for the student to seek medical assessment to enable our University Centre to address the student's difficulties in the most effective manner possible. The student will be asked to authorise full disclosure to UCP of the results of any assessment. UCP recognises that any such information disclosed will constitute "sensitive data" for the purposes of the GDPR Act 2018 and will be handled, processed and stored accordingly.
 - iv. Should the student decline to undertake a medical assessment, UCP may either continue this policy based on the information already in its possession, or as previously stated, reserve the right to address the current issues under our Disciplinary Procedures.
 - v. Intermission is advised and the student agrees to action this. If intermission is discussed at the meeting, the student will be given formal guidance on any financial or Academic Regulatory implications of this option.
 - c) Recommendation to suspend. Where warranted by the level of concern or risk, an outcome of the meeting may be a recommendation that the student is suspended pending medical evidence of fitness to study.
 - d) Recommendation for the case to be dealt with under disciplinary procedures.
- 8.12 A review date for the Action Plan will be agreed at the Fitness to Study Meeting. This will not be longer than 6 weeks and may be shorter. All parties may agree to an appropriate 'check-in' arrangement in the interim, as appropriate to the circumstances.

- 8.13 Following the Fitness to Study Meeting, a record of the decisions, the action plan and, if relevant, a record of any guidance given regarding intermission will be sent to the student within 7 working days by the Chair of the meeting.
- 8.14 Action Plan Review
- i. After the agreed review period, the staff involved in the original Fitness to Study Meeting, or their nominated deputies, will consider achievement of the Action Plan.
 - ii. The Review may be held sooner than the agreed period if concerns or disruption escalate.
- 8.15 The Outcomes of the Review will be:
- i. The action plan is complete. No further actions.
 - ii. The Action Plan is extended for a further 6 weeks. This will apply where there is partial achievement of the original Action Plan, sufficient to reduce any risk to the student or others, and/or remove disruption to the learning of others.
 - iii. Action Plan not met. Further or additional actions/recommendations required.
- 8.16 In this situation the student will be invited to a Review Meeting. This meeting will be held in the absence of the student if they decline or fail to attend. At this stage the likely outcomes of the review are:
- a. The student is advised to intermit and agrees to action.
 - b. A recommendation is made to Academic Director to suspend the student.
 - c. The student may be asked to seek a medical assessment of their wellbeing and their fitness to study. Before a return to study date and plan can be agreed.
- 8.17 Support and guidance for students who intermit or who are suspended
- i. Students who intermit or who are suspended will be given the opportunity to talk to staff within the Student Support Centre to discuss financial, support and study implications and other issues that may arise.
 - ii. The student will also be informed of the 'Return to Study' procedure and process and an agreement made about how we will keep in contact with the student during their absence.
- 8.18 Return to Study
- i. It is hoped that after the required time, a student covered by this policy will feel ready to return and engage with study at our university.
 - ii. Each case will depend upon the specific circumstances but in all cases return to study will be dependent upon a) satisfactory medical evidence of fitness to study and b) an assessment of need to determine what support would be necessary or of benefit, and whether this can be reasonably provided.
 - iii. In cases where we have any continuing concerns about the student's fitness to study, we may require a second medical opinion. In this case a student may be asked to submit themselves for medical examinations by doctors/specialists nominated by UCP (at our expense). Students will only be permitted to return if, after receiving medical advice UCP is satisfied that the individual is fit to study and able to comply with any conditions or expectations stated by our university and in keeping with our Rules, Regulations and Procedures for students.
 - iv. The decision to permit return to study will be made by the Head of Student Support and the Deputy Director, in consultation with the HE Course Leader, taking into account medical evidence provided and a statement from the student. Depending on the circumstances that led to study being interrupted we may also require agreement from the Academic Director.

- v. If the student is not deemed to be medically well and does not withdraw, we will expel.
- vi. In any case where a student returns to study following the implementation of the Fitness to Study Policy, our University may decide that there should be regular review meetings with the student that can be used to support and monitor a return to study plan and on- going support. 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 our University. This is likely to be with a member of the Student Support Team.