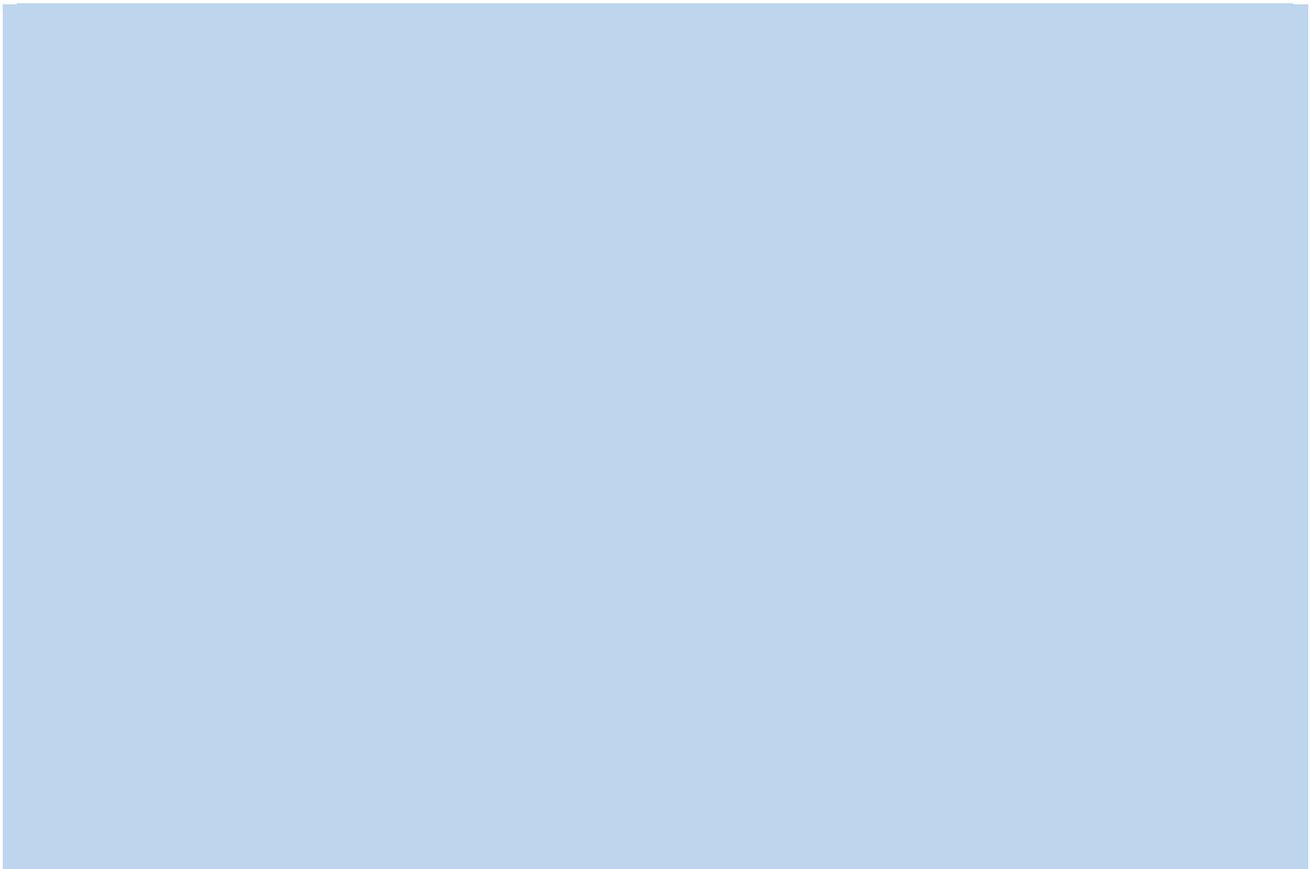




Higher Education Fitness to Study Procedures



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V1	New	Jan 2020	

Monitoring and review

This policy will be reviewed by the Academic Board at least every 2 years.

Related Polices/Procedures/Regulations

- Higher Education Student Appeals Policy
- Higher Education Work Based Learning/Placement Policy
- Higher Education Student Complaints Policy
- Higher Education Student Complaints Procedure
- Learning Support for Students with Disabilities and/or Learning Difficulties Policy

This procedure is part of Bradford College University Centre's Fitness to Study Policy. When using this procedure staff should always ensure that the process is supportive and handled as sensitively as possible.

1. Aims of the Procedure

1.1. This procedure aims to:

- 1.1.1. Provide a supportive process to students whose fitness to study is causing concern
- 1.1.2. Ensure that the student is receiving adequate, timely and appropriate support
- 1.1.3. Ensure that, where required, disability related reasonable adjustments have been considered and provided
- 1.1.4. Enable the student to complete and achieve the learning outcomes of their programme of study

- 1.1.5. Identify a plan of how to progress with clear boundaries, support and expectations. (Typical options may include students continuing their programme of study with adjustments, provision of additional support, suspension of study for a set period of time or repeating a year of study)
- 1.1.6. Ensure the student's voice is clearly heard and respected throughout the collaborative process

2. Structure of the Procedure

The procedure has three levels reflecting the degree of concern. The student would enter the process at a stage appropriate to the level of concern.

2.1. Stage 1. Emerging concerns:

- 2.1.1. This stage is instigated where concerns about a student's deterioration in health, appearance, attendance, attitude, behaviour, ability to meet deadlines, ability to succeed academically, or ability to participate in student life have been identified by a member of staff. Appendix 1 offers a range of issues that may indicate the need to instigate the fitness to study procedure.
- 2.1.2. In this case, the member of staff should approach the student in a sensitive way and request a one to one meeting. They should advise the student that this is as a result of concerns expressed about their health, well-being and ability to study. The student should be advised that the process aims to be supportive and the aim of the process is to keep the student on their programme of study where at all possible.

2.2. Stage 1. Initial meeting:

- 2.2.1. The member of staff should clearly outline for the student the nature of the concerns (specific examples can be helpful) and the possible implications for their programme of study of study
- 2.2.2. During the meeting the student will be given full opportunity to give their views on what is happening to them, the challenges they are facing, the strategies they may already be using to manage their studies, and how affective they think these are
- 2.2.3. The member of staff should explore with the student what would be helpful to support him/her

- 2.2.4. The Fitness to Study Initial Action Plan should be completed stating the issues discussed, referrals made and date for review. (The review date should be agreed with the student to give them sufficient time to consider the issues and seek support)
- 2.2.5. The member of staff should advise the student on the support available in College and, if necessary (where significant concerns are identified) and with the agreement of the student, make a referral to the appropriate support services within College or externally, e.g.:
- The Counselling Service
 - Disability Services and Learning Support
 - One of the Well-being Advisors
 - One of the Designated Safeguarding Officers
 - Enhanced level of personal tutor support
- 2.2.6. Following referral to a College service, the staff within that service will explore with the student how their health condition affects their learning (e.g. difficulties with performance, completion of coursework, memory, concentration, side effects of any medication etc). They will also explore how the student feels their health condition may affect them in continuing or completing their chosen programme of study. The member of staff may, with the student's written permission, get an assessment from Occupational Health or appropriate GP / Consultant to advise the College on the implications for continuing with the programme of study until the medical condition is resolved or under control.
- 2.2.7. Information gained from this exploration will be kept confidential and only shared with the express permission (in writing) of the student. The precise diagnosis of a condition is confidential – however the impact on study, and adjustments recommended, will be shared via a learning support agreement for the student. Within this agreement will be the detail of the adjustments to be provided by Disability Services staff and recommended adjustments to be provided by curriculum staff and others.
- 2.2.8. There could be exceptional circumstances when breaking confidentiality without the student's permission is deemed to be appropriate. These could include:
- When the student poses a serious risk of harm to themselves or others
 - When the student is at risk of abuse or exploitation
 - When the student's behaviour is adversely affecting the rights and safety of others
 - A serious breach of the law
 - If a student is working on dangerous equipment and their level of concentration is considered to be affected

2.2.9. It should be made clear to the student that the Fitness to Study procedure is supportive, rather than disciplinary. However, the College reserves the right to invoke the Student Positive Behaviour Policy if subsequently deemed to be appropriate.

2.2.10. The student should also be advised that whilst the College has a duty to support students with ill health and disabilities, it is the student's own responsibility to develop strategies to manage their own health, well-being and ability to study.

2.2.11. Finally, the student should be informed that the procedure will progress to Stage 2 if the actions taken do not resolve the issues and the concerns of staff remain (see Appendix 2 Action plan proforma and declaration).

2.3. Stage 1 Review/Follow up meeting should include:

2.3.1. A review of progress against the action plan

2.3.2. Explanation or exploration of any further concerns arising

2.3.3. Exploration of further/ongoing support needed (the member of staff - usually the personal tutor or Programme leader- should help the student to access support available to them if necessary)

2.3.4. Agreement of whether further action is needed

2.4. Stage 1 Review/Follow up meeting, possible outcomes:

2.4.1. If the concern has been resolved no further action is needed. The expectation is that the student will take personal responsibility and fully engage with any support recommended

2.4.2. If concerns have not been addressed, support has not been accessed or the member of staff feels that progress has not been made, escalation to Stage 2 should be considered

2.5. Stage 2 – Continuing concerns:

Stage 2 of the procedure will be instigated at the review date of the Initial Action Plan if:

2.5.1. The initial concerns of a member of staff or the student are continuing

2.5.2. The student is still experiencing difficulties and has not accessed help or the help designed in stage 1 has not met the student's needs

2.5.3. The student has not done what was agreed in the Initial Action Plan

At this point a referral will be made to the Assistant Principal HE or Assistant Principal Student Experience or Head of the Department/ School/Faculty.

2.6. A Stage 2 Case Review Panel will be convened and should include:

- 2.6.1. The Lead person from Stage 1 (e.g. personal tutor)
- 2.6.2. The Chair (either Assistant Principal HE of the Assistant Principal Student Experience or Head of the Student's Department)
- 2.6.3. A Representative from College support services (eg Well-being Advisor or Learning Support Tutor)

The student should be invited to attend a Stage 2 Case Review Panel in writing and should be given at least 5 working days' notice.

The invitation to the meeting should include:

- 2.6.4. Date, time and venue of the meeting
- 2.6.5. The purpose of the meeting
- 2.6.6. Whether the student needs to bring in any documents (e.g. medical evidence)
- 2.6.7. A list of people who will attend the meeting and the reason they will be there
- 2.6.8. A web link or hard copy of the Fitness to Study Policy and Procedure
- 2.6.9. Advice to the student that they may be accompanied by someone in a supportive capacity (e.g. a friend, advocate, member of College Disability Services staff, member of the Students' Union), but not by someone acting as a legal advocate
- 2.6.10. Disabled students may also need to be accompanied by a support worker (e.g. sign language interpreter) as appropriate to their needs

2.7. Stage 2 Case Review Panel meeting should include:

- 2.7.1. Explanation of the concern providing specific examples and any past relevant information
- 2.7.2. A chance for the student to give their point of view on the concern and, if appropriate, a history of events, past experiences and helpful strategies or support for managing these issues
- 2.7.3. Clarification of relevant University Centre / College expectations and regulations
- 2.7.4. Clarification of the student's responsibility at the University Centre and College (e.g. to be 'well enough' to study and to be respectful of others)
- 2.7.5. Consideration of what could be helpful or may support the student to minimise the concerns and maximise their opportunity to engage in studies (this may include suspension of studies pending improvement in health)
- 2.7.6. Explanation of any relevant College support services (e.g. counselling, Disability Services etc.) from which they may benefit

2.8. Stage 2 Case Review Panel meeting: possible outcomes:

2.8.1. Following the Panel meeting, the Assistant Principal HE / the Assistant Principal Student Experience or Head of Department will discuss the options or the decision made with the student.

This will be either:

2.8.2. The Panel considers that the programme of study is still within the student's capability and their needs can be supported by the University Centre and College; an Extended Action Plan will be drawn up. A copy of this will be sent to the student within 5 working days. Review meetings will be planned which involve the student, their tutor (Lead Person) and other agency or College support staff, as appropriate. The Lead Person will make the decision as to whether the concern is resolved by the end of the agreed monitoring period and no further action is required.

2.8.3. The Panel believes that the programme of study is not within the student's capability and that the impact of their condition is sufficiently serious to warrant a period of required non-attendance (e.g. suspension from studies for an indefinite period or temporary exclusion for a defined period). The Panel must ensure that the student is fully aware of the implications and record the decision on the Extended Action Plan. The student should be given a clear indication of the proposed return date and regular reviews should be built in. They need to be advised what needs to happen in order for a return to study to be considered. Responsibilities for arranging meetings and obtaining evidence and documentation must be confirmed and included in the meeting notes. If a decision is made for the student to be suspended from studies, the student must be informed of the decision in writing and the reasons for it within 5 working days.

2.8.4. The student will also need to be advised to consult the Students' Union or student Registry about the potential effect on student finance and fees.

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2.9. Stage 3 – significant concerns

2.9.1. When a member of staff has significant concerns about a student in that their behaviour is putting health and safety, well-being or academic progress of self or others at risk then the Assistant Principal HE or Assistant Principal Student Experience must be informed immediately. The Assistant Principal will review the status of the student and their support plans. If the student, despite the implementation of the support plans and the review process, finds that the range of interventions are not supportive enough to allow the student to continue their programme of student they will contact the Vice Principal Quality to exclude

the student for the sake of the student's health and the impact their ill health is having on their ability to study. (see appendix 3 flow chart).

3. Appeals

- 3.1.1. Any student who is the subject of a decision under the Fitness to Study procedures must be advised of their right to appeal that decision and have it reviewed.
- 3.1.2. An appeal must be made by the student in writing within 10 working days of the College decision. Students should note that a request for review of a decision will only be accepted if there is evidence of:
 - Demonstrable procedural irregularities in the conduct of the procedures
 - Evidence of prejudice or bias on the part of one or more participants in the process
 - Evidence of other material circumstances which could not have reasonably been expected to be submitted to the Panel for consideration. These might include new documented medical evidence
- 3.1.3. Students should lodge any appeal against the decision to the Head of Quality.
- 3.1.4. A member of the Executive Team will then assign a reviewer to the case from the leadership team. This must be a member of that team who has had no involvement in the assessment of fitness to study at any stage.
- 3.1.5. The student's appeal must be acknowledged within 5 working days.
- 3.1.6. The reviewer will consider all aspects of the case and how it has been handled by the College.
- 3.1.7. The findings of the review will be communicated to the student within 15 working days of the appeal in a 'completion of procedures letter'. If the review is complex and likely to exceed this timeframe the student must be kept informed of progress.
- 3.1.8. The reviewer's decision is final however, if the student remains dissatisfied with the outcome they have the right to go to the Office of the Independent Adjudicator. This will require completion of an OIA scheme application form upon receipt of the 'completion of procedures' letter.
- 3.1.9. The scheme application form must be submitted within twelve months of the date that the completion of procedures letter was issued. The OIA website provides further information regarding the scheme and its eligibility criteria: <http://www.oiahe.org.uk>

4. Independent Advice and Support

Independent advice and support for students in relation to this Procedure is available from the Students' Union Advice Centre.

5. Critical illness of Students

From time to time there may be a situation where a student finds themselves severely incapacitated, e.g. through injury or critical illness.

In such a situation, where it would be unreasonable to expect a student to submit a Personal Mitigating Circumstance form or apply for an interruption of study, it would be reasonable to act in accordance with instructions/requests from the student's duly authorised representative, e.g. parent, partner, to interrupt that student's course of study.

If a student is incapacitated or detained for treatment, then the College may pause the Fitness to Study procedure and resume it, as appropriate, when the student is sufficiently recovered.

6. Managing a period of required non-attendance:

After a period of required non-attendance, the student may be well enough to resume their studies. The decision will be taken by the Assistant Principal HE or the Assistant Principal Student Experience in conjunction with the appropriate Head of School and other staff supporting the student. This decision will be taken following an interview with the student concerned and consideration of information from their G.P. or other external agencies.

The appropriate support will be put in place and monitored regularly.

A return to the College must include:

- Meeting the medication and support requirements of their Care Plan (drawn up by an external health professional) or prescribed treatment from their G.P./Consultant
- Attending meetings with their personal tutor, and (if appropriate) external agencies or other College support staff every 4 weeks to review the student's progress
- Satisfactorily completing a mutually agreed probationary period

7. Monitoring and Evaluation

The Policy will be monitored by the College's Equality, Diversity and Inclusion Committee.

Appendix 1

Signs which may cause staff to consider engaging a student with the Fitness to Study policy / procedure

It is likely staff will consider initiating the Fitness to Study procedure if there is one or more of the following:-

1. Lack of engagement with study (poor attendance, lack of communication with staff, non-submission of assessments)
2. Poor or declining academic performance
3. Behaviour or disposition which may indicate a student needs additional support, such as mood swings or unusual behaviour (e.g. aggressive, withdrawn, distressed, irritable)
4. Apparent signs of ill health (e.g. dramatic weight loss or gain, ongoing lack of personal hygiene and care)
5. Withdrawal from social, cultural or sporting activities once considered important
6. Lethargy or signs of lack of sleep
7. Obvious signs of substance/ alcohol misuse
8. Information about specific episodes (e.g. self-harm/suicidal thoughts or attempts)
9. Inappropriate behaviour (e.g. inappropriate touching, invading personal space, excessive, unexpected and prolonged laughter, uncharacteristically bad language such as swearing)
10. Disruption to the teaching and learning activities of other students, including placements
11. Unreasonable demands being placed on staff or other students
12. Persistent behaviour which is unacceptable
13. Self-referral where the student advises a member of the College of difficulties they are experiencing
14. Concerns emerge through a third party outside the College

AND it seems likely or possible that the above signs are caused by a physical, mental or emotional issue.

Appendix 2: Fitness to Study Action Plan

Student's name & roll number:

Present:

Concern raised by:

Brief outline of concern:

Feedback following meeting with student:

Agreed action points:

Declaration:

I understand the nature of the concern(s) raised by the College, as has been explained to me and outlined in this document and the possible impact/consequences that this/these concern(s) may have upon my own fitness to study.

I also understand the impact that this/these concern(s) may have upon the community of staff and fellow students who are working and studying at the College and to which I belong.

I have agreed to work towards the action plan outlined above, which has been developed to support me.

I understand that if I am unable or unwilling to carry out the action plan, the College will need to consider taking appropriate or remedial actions, or referral as my situation will require.

I understand and consent to information surrounding my fitness to study being shared with other relevant services within the College. A copy of this action plan will therefore be submitted to the Head of Department and disseminated to relevant staff in the School / Curriculum Area where appropriate. I am aware that this report and its outcomes will also be recorded by the Student Service.

Appendix 3. University Centre Bradford College Fitness to Study Procedures Flowchart

