

The Academic Regulations Appendix 16: Fitness to Study Procedures

2019-2020



Edge Hill
University

The Academic Regulations

Appendix 16 - Fitness to Study Procedures

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Summary

The Fitness to Study procedure can be used by the University where there are concerns that a student is not fit to study. It is an open and supportive framework for dealing with a situation where a student's health, wellbeing or behaviour could have a detrimental impact on their own or others ability to progress and function.

Purpose

The purpose of this procedure is to provide guidance and information to staff and students about how any concerns relating to a student's fitness to study will be addressed. It encourages early intervention and the use of a transparent process to involve the student in discussions about their fitness to study. The procedure applies to all students, pre and post-entry, on course, placements, field trips and any University activities in and out of term time, living on and off campus.

Regulations

1 Introduction

- 1.1. Edge Hill University (the University) aims to be welcoming and inclusive by successfully admitting and supporting students with a broad range of needs.
- 1.2. The University is therefore committed to supporting the wellbeing of students and staff. We do this by providing an environment that is safe, conducive to study and fosters the ability to flourish.
- 1.3. In this context the University recognises that students may experience a range of difficulties throughout their studies related to academic and personal factors and has several policies which are designed to address concerns about a student's academic progress or support needs.
- 1.4. This Fitness to Study Procedure (referred to as this Procedure) is intended for use where the progress, behaviour, disruption or risk presented by a student is perceived to be serious or potentially serious and where this is linked to the health or wellbeing of the student.
- 1.5. The procedure is intended to be supportive rather than disciplinary in nature.
- 1.6. The procedure applies to all students, pre and post-entry, on course, placements, field trips and any University activities in and out of term time, living on and off campus.
- 1.7. The term Fitness to Study as used in these procedures relates to the whole student experience and not just a student's ability to engage with their academic studies.

2 Guiding principles

- 2.1. The University is a community and as such, decisions will be made in the context of the whole community giving due regard to the health and wellbeing of staff and other students.
- 2.2. The University has a wide range of support services and students will be encouraged and supported to engage with these services.
- 2.3. All students are allocated a personal tutor and are encouraged to engage with this support and discuss any challenges with their Personal Tutor as early as possible.
- 2.4. Students are encouraged to seek independent advice to support them through the procedure from the Edge Hill Students' Union Advice Centre.
- 2.5. The University operates under General Data Protection Regulations 2018.
- 2.6. The University is mindful of its obligations under the Equality Act 2010 and all decisions will be proportionate and carefully considered.
- 2.7. Where appropriate, the student will be kept informed of progress and provided with a written explanation regarding any decisions or actions to be taken.
- 2.8. Where possible, decisions will be made in agreement with the individual student.
- 2.9. Students are able to make independent decisions about their own fitness to study at any time and can request advice about the options which may be available to support them (including but not limited to access to support services, requesting an extension, applying for Extenuating Mitigating Circumstances or requesting an interruption of studies).
- 2.10. The University reserves the right to escalate matters to Stage 2 or Stage 3 of this Procedure without passing through the intermediate stages if a student presents serious concerns or risks to the wellbeing of themselves or others.
- 2.11. A member of staff at an appropriate level may be assigned to act on behalf of any role holder named in this procedure. The role holder can be substituted for any reason and this includes but is not limited to:
 - To replace someone who has previously made a decision under the same procedure with the same student.
 - To speed up a process where the role holder is unavailable.

3 Indicators for use of the Fitness for Study procedures

3.1. Concerns about a student's fitness to study may occur for many reasons. These could include, but are not restricted to the following examples:

- Significant deterioration in physical or mental health.
- Significant deterioration in attitude and/or attendance.
- Disregard for their own and/or others' health and safety.
- Inability or refusal to communicate effectively with fellow students, staff and professionals.
- Inability or refusal to appreciate risks of physical danger to themselves or others.
- Inability or refusal to engage effectively and independently in lectures, tutorials, support sessions and private study (with appropriate support mechanisms, physical and reasonable study support adjustments as necessary).
- Inability to undertake assessment and engage with the assessment process (with appropriate adjustments as necessary).
- Inappropriate emotional or psychological symptoms or behaviours.
- Student self-declaration of being unfit to study and/or disclosure that ongoing study is having a detrimental impact on the student's health.
- Concerns raised by a third party.
- Behaviour, which would otherwise be dealt with as a disciplinary matter, where it is considered the behaviour may be the result of an underlying physical or mental condition.
- Instances where an individual's condition, conduct or behaviour places unreasonable demands on staff or other members of our community.
- Difficulties with living communally, disruptive behaviour and/or unrealistic expectations of support from other students.

4 Other relevant policies and procedures

4.1. There are a number of other University policies and procedures that may be relevant. These include but are not limited to:

- Safeguarding Policy
- Student Disciplinary Regulations
- Fitness to Practice Procedures

4.2. Relevant staff with knowledge of the situation will determine the most appropriate procedure to be followed in each case.

4.3. In order to determine which procedure will be followed, it may be necessary for appropriate staff, to arrange an additional meeting with the student or collect additional information / evidence.

4.4. There are also further relevant policies and procedures that may support students who are finding their studies challenging due to their wellbeing. These include but are not limited to:

- Procedures for the Submission of Exceptional Mitigating Circumstances
- Interruption Policy
- Repeat Year Policy

5 Risk assessment and temporary conditions

5.1. In exceptional circumstances a student's ability to manage their health, wellbeing or behaviour may have reached a critical stage. There may be urgent, serious concerns raised about a student's wellbeing, actions or behaviour which put the health, safety, wellbeing or academic progress of themselves or other members of the University at immediate risk.

5.2. In these circumstances an immediate risk assessment will be conducted by the Director of Student Services to determine the immediacy and seriousness posed by the perceived risk.

5.3. Where possible, appropriate staff will be consulted and all information available will be considered to reach an informed decision.

5.4. The risk assessment is based on the information available at that point in time and has two possible outcomes:

- The level of risk to the student and others is deemed to be within acceptable levels and the student can remain in accommodation and continue to attend their course of study until a Fitness to Study Panel can be arranged.
- The level of risk to the student and others is currently unacceptable and conditions need to be put in place until a Fitness to Study Panel can be arranged.

5.5. The temporary conditions that can be put in place under 5.4 above can include anything that is deemed reasonable and appropriate in an attempt to ensure the safety of the student or others. Temporary conditions may include but are not limited to any of the following:

- A temporary requirement for the student not to attend classes on campus.
- A temporary requirement for the student not to enter specific areas of the campus.
- A temporary requirement for the student to move rooms in their on-campus accommodation.
- A temporary requirement for the student to leave the on-campus accommodation.
- A temporary requirement for the student not to enter the campus at all

- 5.6. Depending on the level of risk, the temporary conditions may need to be implemented immediately but where possible, reasonable notice will be given to the student.
- 5.7. If the outcome of the risk assessment is that the level of risk is unacceptable and temporary conditions are put on the student, where possible this information will be delivered in person by a member of the Wellbeing Team or another nominated suitable person.
- 5.8. The following information will be presented in writing to the student within 24 hours of the risk assessment being conducted:
 - The outcome of the risk assessment.
 - Any/all conditions put in place and the timescales for implementation.
- 5.9. If considered necessary to protect or support the student or others, individuals such as flat mates or services staff may be informed of the outcome of the risk assessment. Minimum information will be shared to enable protection or support to be provided.
- 5.10. The risk assessment can be reviewed by the Director of Student Services at any time. This may be necessary if the student's health deteriorates or behavioural issues escalate.
- 5.11. If the Fitness to Study Panel cannot take place within 4 weeks from the date the outcome of the risk assessment is communicated to the student, a review of the risk assessment will be conducted to ensure all conditions imposed remain suitable and reasonable.
- 5.12. At the risk assessment review the Director of Student Services may maintain the conditions, amend the conditions (the number of conditions may be increased or decreased), or remove the conditions. The outcome of the review risk assessment will be communicated in writing to the student.

6 Emerging Concern – Informal Action

- 6.1. Early intervention when a student is struggling with health or behaviour management can often avoid a crisis and where possible this procedure should be commenced at Stage 1.
- 6.2. Any member of staff within the University may become aware of presenting issues affecting a student's health, safety, wellbeing or behaviour.
- 6.3. Where staff outside of Student Services invoke this procedure at Stage 1 this must first be discussed with a member of the Wellbeing Service to ensure any information about the student that is available within Student Services is also considered.
- 6.4. Working collaboratively, staff will agree who will contact the student.

- 6.5. A member of staff will meet the student to discuss and consider;
- The health and wellbeing of the student.
 - The behaviour that is being displayed and the concerns this raises.
 - The limits of any support that can be provided.
 - An action plan that will support the student to reach agreed goals within an agreed timescale.
- 6.6. The member of staff will follow up with the student setting out all agreed actions and timescales in writing within 5 working days of the meeting.
- 6.7. Where the staff member writing to the student is from outside of Student Services the Wellbeing Service will be sent a copy of the communication.
- 6.8. If the student engages positively at this stage and the situation improves, there may be no need for further action.
- 6.9. If the issues are not resolved within the agreed timescale or the situation deteriorates, the decision can be made to progress to Stage 2.

7 Stage 2 Continuing Concern – referral to the Counselling and Wellbeing Manager

- 7.1. If the informal action taken at Stage 1 has not been successful, or the matter is too serious, Stage 2 (or exceptionally Stage 3) of the procedure may be initiated.
- 7.2. To begin Stage 2 the member of staff will discuss their concerns with the Counselling and Wellbeing Manager. If deemed appropriate this procedure will be invoked at Stage 2 by the Counselling and Wellbeing Manager.
- 7.3. The student will be invited to attend a review meeting with the Counselling and Wellbeing Manager and other members of staff as appropriate to review the concerns raised.
- 7.4. Other members of staff who may attend the meeting may often include (but not be limited to):
- Members of the Inclusion or Wellbeing team.
 - Members of staff from the student's academic department.
- 7.5. The following information will be presented in writing to the student:
- Meeting date, time and location.
 - A summary for the concerns raised related to the student's fitness to study.
 - Those who will attend the meeting.

- The right of the student to be accompanied to the meeting including information about the Edge Hill Students' Union Advice Centre.
 - That the meeting is being dealt with under Stage 2 of the Fitness to Study Procedure.
 - A copy of the procedure.
- 7.6. The student will be given at least 48 hours' notice of the meeting where possible.
- 7.7. The student should make all reasonable endeavours to attend the arranged meeting and if there are good reasons why it is not possible for the student to attend, reasonable efforts will be made to find a more suitable time for all attendees.
- 7.8. If the student refuses to co-operate, fails to attend or cannot engage with the process, the meeting may still take place without the student being present.
- 7.9. During the meeting the student will be encouraged to reflect on whether they feel they are fit to study and/or wish to continue on their programme.
- 7.10. If the student makes a decision during the meeting that they wish to take a break from their studies then they will be given an opportunity to discuss their options and complete appropriate paperwork. Any further decisions under the procedure will then be postponed pending the processing of the requested amendment to their student status.
- 7.11. If the student states they wish to take a break from their studies but does not complete the appropriate paperwork, or changes their mind after the meeting, the decision will then be taken by the Counselling and Wellbeing Manager as described in 7.13 below.
- 7.12. Any student who elects to take a break in studies at this stage will need to meet the requirements of the Return to Study section of this procedure (as described in section 9) at the point they wish to return.
- 7.13. Following the meeting one of the following decisions will be made by the Counselling and Wellbeing Manager;
- The student is fit to study, subject to a formal commitment to an agreed action plan with an agreed timescale.
 - The student is fit to continue with their academic programme of study, but not fit enough to continue to live on campus.
 - The student is not currently fit to study and the Counselling and Wellbeing Manager escalates this to Stage 3 of the procedure.
- 7.14. Where the decision made is that the student is fit to study, further meetings will be put in place to monitor the student's progress. The timescale of the review meeting will be decided based on the specifics of each case. If the student's health deteriorates or behavioural issues escalate before the review meeting date, this meeting may be brought forward, temporary measures

may be put in place via a risk assessment and/or the case may be escalated to Stage 3.

- 7.15. Where the decision made is that the student is fit to continue with their academic programme of study, but not fit enough to continue to live on campus, further meetings will be put in place to monitor the student's progress. The timescale of the review meeting will be decided based on the specifics of each case. If the student's health deteriorates or behavioural issues escalate before the review meeting date, this meeting may be brought forward, temporary measures may be put in place via a risk assessment and/or the case may be escalated to Stage 3.
- 7.16. Where the decision made is that the student is fit to study, the Counselling and Wellbeing Manager will inform the student in writing of the outcome of the meeting along with any agreed action plan within 5 working days of the meeting date.
- 7.17. Where the decision made is that the student is not fit to study the Counselling and Wellbeing Manager will refer the case to Director of Student Services (or their nominee). The Director of Student Services will then follow section 5 of this procedure to ensure a risk assessment is carried out before this then moves to Stage 3 and a Fitness to Study Panel meeting is arranged in line with section 8 of this procedure.

8 Stage 3 Critical, Serious Concerns – Fitness to Study Panel meeting

- 8.1. Where concerns raised about a student are of a sufficiently critical, or serious nature, where a risk assessment has been conducted under this procedure or where the outcome at stage 2 is for escalation to stage 3, a Fitness to Study Panel meeting will be arranged.
- 8.2. The members of the panel will usually include:
 - The Director of Student Services (or nominee), who will act as Chair.
 - An academic representative of the student's department.
 - An appropriate senior representative from Student Services who has not been involved in supporting the student.
- 8.3. Where the Chair feels it may be appropriate they may also invite any other member of University staff to sit on the panel and this may include, but is not limited to:
 - An appropriate representative from the Inclusion team.
 - An appropriate representative from the accommodation team.
- 8.4. The member of Student Services who has been supporting the student may be invited to attend the meeting to give information but will not be part of the decision-making process.

- 8.5. The following information will be presented in writing to the student as soon as possible:
- Fitness to Study Panel date, time and location.
 - A summary for the concerns raised related to the student's fitness to study.
 - Those who will attend the Stage 3 meeting.
 - The right of the student to be accompanied to the meeting including information about the Edge Hill Students' Union Advice Centre.
 - That the meeting is being dealt with under Stage 3 of the Fitness to Study Procedure.
 - A copy of the procedure.
- 8.6. The student should make all reasonable endeavours to attend the arranged Fitness to Study Panel and if there are good reasons why it is not possible for the student to attend, reasonable efforts will be made to find a more suitable time for all attendees.
- 8.7. If the student refuses to co-operate, fails to attend or cannot engage with the process, the Fitness to Study Panel may still take place without the student being present.
- 8.8. If the student cannot or chooses not to represent themselves in person, they have the opportunity to submit a written representation to the Fitness to Study Panel.
- 8.9. Any student who elects to take a break in studies at this stage will need to meet the requirements of the Return to Study section of this procedure (as described in section 9) at the point they wish to return.
- 8.10. At the Fitness to Study Panel, those present will examine all relevant information, including as necessary, medical reports and/or risk assessments. The student's perceptions of the issues/concerns that have been raised will be ascertained. The impact of the student's health and/or behaviour upon themselves or on other members of the University community will be discussed.
- 8.11. Following the Fitness to Study Panel one of the following decisions will be made by the panel. The Chair has the power to make the final decision if the Panel is unable to make a unanimous decision.
- The student is fit to study, subject to a formal commitment to an agreed action plan with an agreed timescale.
 - The student is fit to continue with their academic programme of study, but not fit enough to continue to live on campus.
 - The student is not currently fit to study and the student should be required to suspend their studies on the course and at the University for a specified period.

- The student is not fit to study and a recommendation should be made to the Vice-Chancellor that the student be withdrawn (with relevant consideration given as to whether the student could be granted an appropriate exit award).
- 8.12. The Director of Student Services will notify the student in writing of the outcome of the meeting together with any agreed action plan and/or conditions for continued attendance within 5 working days of the date of the meeting.
- 8.13. Where a student is required to suspend their studies, the timescale for the suspension will be based on the judgement of the panel. The student's return to study will then be subject to the return to study procedure detailed in section 9. Any academic considerations about the appropriate options available to resume study will be considered at the time the suspension is lifted.

9 Return to Study

- 9.1. Any student who has been required to suspend their studies under Stage 3 of this procedure, or any student who has elected to take an interruption of studies at any point within Stages 2 or 3 of this procedure will need to follow the return to study procedure detailed below when returning to the same course, or applying for a different course of study at the University.
- 9.2. The return to study procedure is in place to ensure that students returning to study following an enforced or elected break in studies are fit to study and live on campus and have appropriate support in place.
- 9.3. The student is expected to notify the Director of Student Services in writing of their wish to return to study.
- 9.4. After reviewing the student's request to return the student will be invited to attend a return to study review meeting with the Director of Student Services and other members of staff as appropriate.
- 9.5. Other members of staff who may attend the meeting may include (but not be limited to):
- Members of the Inclusion or Wellbeing team.
 - Members of staff from the student's academic department.
- 9.6. The following information will be presented in writing to the student:
- Meeting date, time and location.
 - Those who will attend the meeting.
 - The right of the student to be accompanied to the meeting including information about the Edge Hill Students' Union Advice Centre.

- That the meeting is being dealt with under the Return to Study section of the Fitness to Study Procedure.
 - A copy of the procedure.
- 9.7. In all cases a return to study will require satisfactory medical evidence of the student's fitness to engage with university life and academic studies. Medical evidence will only be accepted from a GP or relevant health professional who has enough knowledge of the student's circumstances to make an informed assessment of the student's fitness to study.
- 9.8. The University would expect the student to set out their renewed ability to study and where appropriate to live independently at Edge Hill University.
- 9.9. Following the meeting one of the following decisions will be made by the Director of Student Services:
- The student is fit to return to study, subject to a formal commitment to an agreed action plan with an agreed timescale.
 - The student is fit to return to their academic programme of study, but not fit enough to live on campus.
 - The student is not currently fit to return to study and the student should be required to suspend their studies for a further specified period.
 - The student is not fit to study and a recommendation should be made to the Vice-Chancellor that the student be withdrawn (with relevant consideration given as to whether the student could be granted an appropriate exit award).
- 9.10. The Director of Student Services will notify the student in writing of the outcome of the meeting together with any agreed action plan and/or conditions for continued attendance normally within 5 working days of the meeting.
- 9.11. A suspension or any previous conditions imposed will remain in place until the outcome of the meeting is communicated to the student.
- 9.12. Each situation will be different, and it may not be possible for the student to resume their studies immediately depending on their academic status.
- 9.13. The student will be written to within 15 working days of the date on the decision letter to inform them of the options available to them to return to their studies. The financial implications of each available option will be explained and the student will need to make a decision about their return taking these into consideration.

10 Appeals

- 10.1. Students have the right to appeal against any decision taken under Stage 2 and 3 or the Return to Study section of these procedures.
- 10.2. Appeals will only be accepted if based on one of the following grounds:
 - that there was a material procedural irregularity which may have affected the outcome;
 - that there is evidence which was not considered by the Investigating Officer which may have affected the outcome and which the student could not reasonably have been expected to have submitted at the time; or
 - that the decision is not one which, given the evidence, could be reasonably sustained.
- 10.3. Students may wish to seek advice from the Edge Hill Students' Union Advice Centre.
- 10.4. Appeals against a decision made at Stage 2 must be made in writing to the Director of Student Services within 10 working days of the date on the decision letter, clearly stating the grounds for appeal.
- 10.5. The Director of Student Services or nominated representative will review the stage 2 appeal. They can consult with any member of staff that may be able to provide relevant information which can include but is not limited to the original decision maker, the student's Head of Department, the student's Dean of Faculty and/or the Student's Union representative.
- 10.6. The Director of Student Services will make one of the following decisions regarding a stage 2 appeal:
 - Dismiss the appeal.
 - Uphold the appeal and decide how the correct decision should be made. This could include referring the matter back to an earlier level of this procedure for reconsideration, making an alternative decision, referring to another relevant member of staff to make the decision, or any other reasonable course of action.
- 10.7. The Director of Student Services decision will be final.
- 10.8. Appeals against the decision at Stage 3 of the procedures (not including a decision to withdraw the student) must be made in writing to the Pro Vice-Chancellor Student Experience and University Secretary, within 10 working days of the date on the decision letter, clearly stating the grounds for appeal.

- 10.9. The Pro Vice-Chancellor Student Experience and University Secretary or nominated representative will review the stage 3 appeal. They can consult with any member of staff that may be able to provide relevant information which can include but is not limited to the original decision maker, the student's Head of Department, the student's Dean of Faculty and/or the Student's Union representative.
- 10.10. The Pro Vice-Chancellor Student Experience and University Secretary or nominated representative will make one of the following decisions:
- Dismiss the appeal.
 - Uphold the appeal and decide how the correct decision should be made. This could include referring the matter back to an earlier level of this procedure for reconsideration, making an alternative decision, referring to another relevant member of staff to make the decision, or any other reasonable course of action.
- 10.11. The Pro Vice-Chancellor Student Experience and University Secretary's decision will be final.
- 10.12. Appeals against decisions at Stage 3 or the Return to Study section of the procedures to withdraw the student must be made in writing to the Vice-Chancellor within 10 working days of the date on the decision letter, clearly stating the grounds for appeal.
- 10.13. The Vice Chancellor or nominated representative will review the appeal. They can consult with any member of staff that may be able to provide relevant information, which can include but is not limited to the original decision maker, the student's Head of Department, the student's Dean of Faculty and/or the Student's Union representative.
- 10.14. The Vice Chancellor or nominated representative will make one of the following decisions:
- Dismiss the appeal.
 - Uphold the appeal and decide how the correct decision should be made. This could include referring the matter back to an earlier level of this procedure for reconsideration, making an alternative decision, referring to another relevant member of staff to make the decision, or any other reasonable course of action.
- 10.15. The Vice Chancellor's decision will be final.
- 10.16. If after exhausting the appeals processes a student believes there has been an error of judgement or that due process has not been followed the student has the right to contact the Office of the Independent Adjudicator for Higher Education – www.oiahe.org.uk

10.17. Students may also wish to seek advice from the Edge Hill Students' Union Advice Centre.

Key to Relevant Documents

As covered in section 4 there are a number of other University policies and procedures that may be relevant. These include but are not limited to:

- [Safeguarding Policy](#)
- [Student Disciplinary Regulations](#)
- [The Academic Regulations Appendix 17: Fitness to Practice Procedures](#)

There are also further relevant policies and procedures that may support students who are finding their studies challenging due to their wellbeing. These include but are not limited to:

- [The Academic Regulations Appendix 7: Procedures for the Submission of Exceptional Mitigating Circumstances](#)
- [The Academic Regulations Appendix 9: Interruption Policy](#)
- [The Academic Regulations Appendix 10: Repeat Year Policy](#)

Annexes

There are no annexes to this policy.

Endmatter

Title	Fitness to Study Procedure
Policy Owner	Director of Student Services
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