

PLYMOUTH UNIVERSITY

TEACHING AND LEARNING COMMITTEE

Fitness for Study Policy and Procedures

Revised: July 2016

Introduction

Plymouth University is committed to an ethos of equality and inclusivity, and aims to facilitate and promote positive health and wellbeing through the recognition and understanding of all relevant health conditions and disabilities. This is essential to our wider agenda to empower and transform lives through education. Where necessary, the University encourages all students to seek help and support from the appropriate service(s) at the earliest possible opportunity.

1. DEFINITION, SCOPE AND PURPOSE

- 1.1 **The University defines Fitness for Study as the ability to participate appropriately as a student, a member of the University community and/or a resident in University managed accommodation.** Appropriate participation is defined in point 1.2, and is further elaborated in this document and the Appendix below.
- 1.2 The University is committed to supporting all students to fulfil their potential. Occasionally a student's circumstances or health may impact upon their own, or others' ability to fulfil that potential. **The University expects its students to be able to live and work with others, and to conduct themselves in ways which do not have an adverse impact on other members of the University and the local community.** This policy and the accompanying procedures are designed to outline the processes that the University will follow in instances where this ability is in doubt and/or associated levels of risk are unacceptable. This may be as a result of a student's extended absence, health condition, wellbeing concern or other circumstances that lead to an inability to progress in their programme, or that adversely affect others.
- 1.3 **In an emergency situation where it is believed that a student's health or wellbeing condition presents an immediate risk to themselves or others, the appropriate Emergency Services should be contacted** and the Director of Student Services, or nominee, should be notified as soon as possible. The Fitness for Study procedures will be invoked subsequently as appropriate. (See the Appendix below for further information about dealing with emergencies.)
- 1.4 **'Prevent' Strategy**

This regulation applies to students at PU sites of delivery and in all UK and International partnerships unless exceptions to regulations have been formally approved.

The University is committed to supporting and promoting the welfare of its students and is committed to the provision of a safe environment conducive to work, study and the enjoyment of a positive experience for all members of its learning community. The University will take all safeguarding concerns, including suspicions and allegations of exploitation, radicalisation, harm or abuse, seriously and will conduct a risk assessment as soon as possible.

If the concern is found to be valid, the University will promptly make a referral to the relevant statutory authority.

If you are concerned about the welfare of a student in relation to suspicion of allegations of exploitation or harm please contact Claire Oldfield on 01752 582052 or at claire.oldfield@plymouth.ac.uk. Claire Oldfield has responsibility for dealing with concerns around allegations or suspicion of exploitation on behalf of the Director of Student Services.

2. AIMS OF THE FITNESS FOR STUDY POLICY

To ensure that students:

- 2.1 Can benefit from their programme of study and pursue it for the required period with a reasonable chance of successfully obtaining the award for which they are registered.
- 2.2 Do not in any way prevent, hinder or disrupt the study or assessment of other students; staff in the discharge of their duties or academic pursuits; or visitors to the University from carrying out their lawful business.
- 2.3 Do not, as a consequence of their required or necessary presence on campus, present an unacceptable risk to the health or safety of themselves or others.
- 2.4 Are in a position to engage satisfactorily in any elements of study or assessment which take the form of placements, particularly those taking place in a professional and/or work-based setting.

3. FITNESS FOR STUDY IN RELATION TO OTHER POLICIES

- 3.1 This policy runs parallel to other relevant policies for those programmes that are professionally accredited, e.g. in health and education, where fitness to practise policies are in place. These processes are normally managed by the Faculty within which the programme is located; the outcome of these processes may also need to be reported centrally. Postgraduate research (PGR) students will be referred to the Graduate School; the Graduate School Manager (GSM) will be responsible for this process.
- 3.2 Students enrolled on professional or statutory regulated programmes with their own regulatory body (PSRB accredited) may require reporting of the

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outcomes of these processes to the relevant body as part of their mandate to protect the public and the profession; please see the specific programme handbook for details.

3.3 Any related Health and Safety issues will be considered under the provisions of University's Safety Policy.

3.4 The Appendix contains links to other relevant Plymouth University policies and useful documents.

4. KEY RESPONSIBILITIES

4.1 The University has responsibilities in relation to the health, safety and wellbeing of all members of our community, including students, staff and visitors.

4.2 The Deputy Vice Chancellor, Education and Student Experience (or nominee) is responsible for the overall management and implementation of this policy and the accompanying procedures. The DVC may delegate this responsibility as appropriate to the Director of Student Services (DoSS) or other senior staff. Members of staff are responsible for acting within the framework of this policy and the accompanying procedures where there are concerns as outlined in 1.2 above, or where a student self-refers to a member of staff because of a significant concern.

4.3 Students are responsible for informing the University about any changes to their ability to study or otherwise to engage safely and appropriately with others as a member of the University community. We recognise that there may be times when a student is unable to do this. Inability or refusal to do so may result in a student's study being interrupted, in accordance with this policy, until such time as the student is able or prepared to re-engage appropriately with the University as a student or resident.

5. DATA PROTECTION AND CONFIDENTIALITY

5.1 The University is governed by the Data Protection Act 1998 and will treat all personal information (including sensitive personal information relating to students' mental, physical health or personal circumstances) as confidential within the terms of the legislation.

5.2 Personal information about a student obtained under this policy and procedure will only be shared within the University amongst those members of staff who need to know that information in order to offer the student appropriate support, to enable the operation of this policy and procedure, or where it is required, with accrediting professional, regulatory or statutory bodies.

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- 5.3 The University may ask a student for his or her agreement to share personal information obtained under this policy and procedure with relevant professionals outside of the University in order to offer the student appropriate support. The University will not normally share any personal information about a student without their agreement, but may do so in exceptional cases, where permitted by law.
- 5.4 International students should be aware that the University is required to report any interruptions to study or withdrawal to UK Visas and Immigration.

6. ASSESSMENT OF RISK

- 6.1 A definition of risk and links to documents providing further guidance are given in the Appendix below. Levels of risk (as defined in the Appendix and in sections 7 to 9 below) will be assessed by members of University staff on a case-by-case basis, and in conjunction with other appropriate professionals where necessary, to ensure that relevant issues can be dealt with in a supportive, equitable and transparent fashion.

7. LOW RISK SITUATIONS (EMERGING CONCERNS)

Low risk situations arise where there are emerging concerns which do not warrant a formal Student Support Meeting or Case Conference being called. In these situations actions should be taken such as:

- 7.1 **Concerns arising in academic contexts:** the student should be invited by an appropriate member of staff within that student's School (e.g. personal tutor/senior tutor, module leader, or PGR student's supervisor) to discuss the concerns identified, possible solutions and relevant support available.
- 7.2 **Concerns arising in social contexts** (e.g. in Halls of Residence, on campus, in the local area, or outside of programme activities): the student should be invited by an appropriate member of Student Services (e.g. Residence Life, Mental Health support or Disability Assist) staff to discuss the concerns identified, possible solutions and relevant support available.
- 7.3 At such low risk meetings it should be made clear that it is the student's responsibility to inform the University of any issues related to fitness for study. The explicit causes/instances for concern should be explained to the student, with clear examples provided. The student should be made aware of appropriate sources of academic and personal advice and support. The student should be informed that if concerns persist, a more formal meeting (medium risk) will need to be called. **A record should be kept and the relevant FR/GSM and the DoSS must be informed that the low risk meeting has taken place.**

8. MEDIUM RISK

A risk may be judged to be medium where an informal meeting with the student as defined in either 8.1 or 8.2 above (low risk) has been held but no improvements have occurred in relation to the situation identified, or when additional issues have arisen. In such cases a **Student Support Meeting (SSM)** should be organised to consider what additional assistance is appropriate. **An SSM is a formal meeting to be organised by a FR, GSM or the DoSS (or their nominee) depending on whether the concerns arise primarily from academic or social contexts.** In either case it will involve the student and appropriate members of academic and/or professional services support staff, such as a Disability Adviser, Residence Life or Mental Health Worker. **University professional services staff in attendance will act in an advisory capacity and not as advocates for the student.**

- 8.1 Where the level of risk is judged to be medium **the student will be asked to agree an action plan as a result of the SSM.** This may include:
- a) requiring the student to attend weekly appointments with a nominated member of staff for regular monitoring; and
 - b) requiring the student to engage with support services within the University or from external professionals, such as the student's GP and/or other relevant medical services.
- 8.2 The FR, GSM, DoSS (or their nominee) will also **set a date for review of the student's progress against the agreed action plan** (normally after 15 working days) and will inform the student that inability or refusal to meet the conditions agreed will result in the need for a high risk Case Conference with the possibility of the student being interrupted until such time as they are able or prepared to re-engage appropriately with the University.

9. HIGH RISK

- 9.1 A situation will be judged high risk if immediate interventions are required and/or previous interventions (low and medium risk) have not been successful or are no longer appropriate. **In serious situations a high risk Case Conference should be called directly without low or medium risk interventions.**
- 9.2 In **exceptional circumstances, such as where there is deemed to be an unacceptable level of risk to the student or members of the University community, the Director of Student Services or Dean may decide that a student will be interrupted from their studies and required to leave the University premises as soon as possible,** pending further investigation, and prior to the holding of a High Risk Case Conference. Where the student is

resident in University accommodation, a reasonable amount of time must be allowed for the student to vacate their accommodation. Where the student poses a risk to others they may be required to move to alternative temporary accommodation pending arrangements for their departure from the campus. In such circumstances the student may also be asked to refrain from being present on the University campus, except by invitation to attend meetings in relation to this policy.

- 9.3 In situations of high risk, **where academic concerns predominate**, the FR will contact the Dean of Faculty (or nominee) in order that a Fitness for Study (FfS) **Case Conference** can be arranged. Where the concerns arise **primarily in social contexts**, the DoSS (or nominee) will arrange and chair the Fitness for Study (FfS) **Case Conference**
- 9.4 Case Conference attendees will include academic and professional services staff necessary and appropriate to consider the case (e.g. the student's personal tutor, PGR student's supervisor, programme leader, appropriate healthcare professionals, or other staff). **University professional services staff in attendance will act in an advisory capacity and not as advocates for the student. The student will normally be invited to attend the Case Conference and may be accompanied by a friend or representative (but not a member of University staff, and not someone acting in a legal capacity). The University's policy on legal representation is outlined in the Appendix below.**
- 9.5 The FfS Case Conference will be an evidence-based process where appropriate, drawing upon expert professional judgement, for example a registered health practitioner, a social worker, law enforcement or rehabilitation professional. Appropriate medical evidence may include a letter from the student's GP or a report from a clinical psychiatrist or psychologist. **The University reserves the right to make decisions based on the full range of information available in each case and is not obliged to act upon the specific opinions or recommendations of any professional.**
- 9.6 The FfS Case Conference may consider various options in relation to the student, including additional support strategies, a change in the mode of study, interruption from study, or a recommendation to the Vice Chancellor that the student be withdrawn from the University.
- 9.7 The decision of the FfS Case Conference will be communicated to the student in writing (normally within 10 working days of the conference by the FR or nominee).

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- 9.8 If it is deemed appropriate that the student should be interrupted from studies then they will also be informed in writing of the general procedures for return to study below, and of any particular arrangements specific to their case.
- 9.9 In situations where the student is likely to be suffering a high degree of anxiety or distress, the chair will give consideration to restricting the number of staff in attendance at any one time.

10. IMPACT ON ACADEMIC PROGRESS

- 10.1 In cases where an action plan has been agreed as part of medium or high risk interventions, continued failure to make academic progress, or to engage with the requirements of the programme of study, may result in the decision of the award assessment board to interrupt or withdraw the student from the programme directly. In the case of PGR students, any impact on academic progress will be considered under the appropriate procedures within the Graduate School.

11. APPEAL

11.1 Students have the right to appeal against any decision taken under the medium and high risk Fitness for Study procedures.

Appeals will only be accepted if there is evidence of procedural irregularity, bias or failure to reach a reasonable decision, or if the student submits further material circumstances which could not reasonably have been expected to have been submitted for consideration at the appropriate time. Guidance on the grounds for appeal and an appeal proforma are available from the Complaints and Appeals Office at appeals@plymouth.ac.uk. **The University will normally respond to any appeal within 20 working days.**

11.2 Appeals against interruption will be dealt with as follows:

- a) Appeals against interruption must be made in writing to the Complaints and Appeals Office within 10 working days of notification of the interruption clearly outlining the grounds for appeal. The Complaints and Appeals Office will prepare an appeal file for consideration by the Deputy Vice Chancellor, Education and Student Experience (or nominee), and a representative from the Students' Union.
- b) The Deputy Vice Chancellor, Education and Student Experience or nominated representative will review the appeal and may overturn the decision to interrupt a student if they believe it appropriate. The decision of the Deputy Vice Chancellor (or nominee), and Students' Union representative will be final.

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- c) Where a student's appeal is rejected, a Completion of Procedures letter will be issued.

11.3 **Appeals against withdrawal** will be dealt with as follows:

- a) Appeals against withdrawal must be made in writing to the Complaints and Appeals Office within 10 working days of notification of the withdrawal clearly outlining the grounds for request. The Complaints and Appeals Office will prepare an appeal file for consideration by the Vice Chancellor or their nominee.
- b) The Vice Chancellor or nominated representative will review the appeal and may overturn the decision to withdraw a student if they believe it appropriate. The Vice Chancellor's decision will be final. The Student will be issued with a Completion of Procedures letter at this stage.

12. **RETURN TO STUDY**

- 12.1 Following any period of interruption from the University under these procedures, it may be appropriate for the student to return to resume their studies.
- 12.2 Each student's case depends on the specific circumstances but in all cases, return to study will be conditional upon satisfactory evidence of fitness for study. This may take the form of an Occupational Health assessment report commissioned by the University to take account of the evidence. Evidence provided for this purpose could be from a registered health practitioner, a social worker, law enforcement or a rehabilitation professional who has enough knowledge of the student's circumstances to be able to make an informed statement about the student's fitness for study. **The University reserves the right not to permit a return to study if the evidence provided is deemed insufficient to mitigate any perceived remaining risk.**
- 12.3 The decision to permit a student to return to study will be made by the Dean of Faculty (or nominee) or the Director of Student Services and an academic tutor, who may impose such conditions as they deem appropriate to the relevant case (such as a return to study plan or a requirement for the student to attend regular review meetings). The Director of Student Services must be notified in each case.
- 12.4 In cases where a student has taken the decision independently to interrupt their studies, the University reserves the right to utilise the return to study process to determine if appropriate support is in place where needed, and if a return to study can be approved.

13. **OIA**

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If, after exhausting the Appeals process, the student remains dissatisfied with the University's final decision they may submit a complaint to the Office of the Independent Adjudicator for Higher Education. Contact details for the Independent Adjudicator are:

Office of the Independent Adjudicator
3rd Floor
Kings Reach
38 – 50 Kings Road
Reading
RG1 3AA
Tel: 01189 599813

Email: enquiries@oiahe.org.uk

14. Review of this policy

This policy and procedures will be subject to an annual review meeting to be Chaired by the Deputy Vice Chancellor, Education and Student Experience (or nominee); and including the Director of Student Services, Head of Learning Support and Wellbeing; the Complaints and Appeals Manager; the Faculty Registrars; and the Student Union's Vice President (Welfare) or nominee.

APPENDIX

Links to other relevant Plymouth University policies, useful information and documents

- **Defining Risk**
Risk may be defined as the potential that a chosen action, choice of inaction or lack of consideration of a need for action will lead to an undesirable outcome. The notion implies that a choice that had or could have an influence on the outcome exists, or existed. In the context of this policy, the risk can be to the individual student or member of staff, to others that might be affected by a student's actions or inactions, or to the institution, including its reputation.
- **Legal representation**
Academic Board has approved the following statement: "A student will not be permitted to bring a legal representative to a formal hearing unless the decision of the Panel or Committee is likely to exclude the student from professional registration permanently, without right to appeal, thereby preventing the student from following his or her intended career".
- **Academic Regulations:**
<https://www.plymouth.ac.uk/student-life/academic-regulations>

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- **Student Disciplinary Procedures, Code of Conduct and General Regulations for Students.**
https://www.plymouth.ac.uk/uploads/production/document/path/1/1555/Student_Code_of_Conduct_and_Disciplinary_Procedure.docx
- **Information about Learning Support and Wellbeing services** via the Learning Gateway: <https://www.plymouth.ac.uk/student-life/services/learning-gateway>
- **Disability Assist webpages:** <https://www.plymouth.ac.uk/disability>
(Includes FAQs and links to information about Student Support Documents (SSD); enabling and learning support; fieldtrips; and specific conditions: Asperger syndrome; ADHD developmental coordination disorder; dyslexia; hearing impairment; mental health conditions; mobility impairment and physical disabilities; visual impairment and visual stress)
- **Student Counselling webpages:** <https://www.plymouth.ac.uk/counselling>
- **Guidelines for action in cases of risk of serious harm to self or others:**
https://www.plymouth.ac.uk/uploads/production/document/path/1/1703/59500_0_261548_9881_Guidelines_for_Action_TD.pdf
- **Guidelines for action: staff with concerns about a student's well-being:**
https://www.plymouth.ac.uk/uploads/production/document/path/1/1703/59500_0_261548_9881_Guidelines_for_Action_TD.pdf
- **University guidance on supporting students experiencing mental health difficulties:**
https://www.plymouth.ac.uk/uploads/production/document/path/2/2601/Supporting_students_experiencing_mental_health_difficulties.doc.doc
- **Faculty of Health & Human Sciences Fitness to Practise procedures for Healthcare, Nursing and Social Work students:**
https://www.plymouth.ac.uk/uploads/production/document/path/2/2057/Fitness_to_Practice_Procedure_for_Students.pdf
- **Peninsula Schools of Medicine & Dentistry**
A link to the appropriate documentation will be provided when available.
- **Plymouth University Safeguarding Policy**
A link to the appropriate documentation will be provided when available.