



Fitness-to-Study Policy and Procedure

Reviewed by	ND
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Introduction

UKCBC is fully committed to supporting and ensuring the health and wellbeing of its students both individually and as a population. This will lead to a positive learning experience, physically, mentally and behaviourally, enabling students to successfully attain their qualifications in a committed and managed approach.

The college has a responsibility to all students and staff, to monitor and action any concerns raised about the suitability of an individual's behaviour or capacity to engage, in a meaningful way, with the academic and learning functions and relationships associated with the student body of UKCBC.

This policy also considers the opportunity for the student to return to study where a temporary suspension or deferment has taken place.

Links to QAA Quality Code

This document is designed to underpin the support the college provides to its students, to enable student to progress through their learning and development in a timely fashion and to mitigate against any reduction of the wellbeing of students. In doing so it takes reference from the Quality Code expectations for quality core practices guiding principles:

Enabling Student Achievement – Guiding Principles 1-9

Links to other policies

The remainder of this policy will relate to elements that may raise a concern about a student's suitability for study post admission, enrolment and registration. UKCBC recommends that this policy is understood in the context of the wider management of quality and standards, and particularly in relation to the following policies:

- Student Charter
- Safeguarding Policy
- Attendance Monitoring Policy
- Student Disciplinary Policy
- Appeals Policy

Scope and definition of Fitness-to-Study

For the purpose of this policy within UKCBC, 'Wellbeing' means the ability of a student to satisfactorily engage as a member of the learning community, in a progressive and supportive manner. It considers their physical and mental health along with their behaviour and social interactions with students and staff alike. Where concerns are raised, an assessment of the risk that that student poses to themselves, others and the college will be made in reference to the likelihood that the student is still on course to achieve their chosen qualification within the time period originally planned. It also relates to time when a student is on work placement or work experience as part of their programme, and where a student may be representing the college during field trips or within the wider community.

Concerns about a student's fitness-to-study may be raised by themselves, another student, staff member, employer or external family or friend. In any case it may be considered as a significant change in:

- Physical health
- Mental health
- Social behaviour in the college or on work placement/experience
- Changes in personal circumstance, for example
 - Pregnancy, Maternity, Paternity or Adoption
 - Change of financial security
 - Change of accommodation security

A concern may be received by the college verbally or in writing. In the first instance they may be received by a lecturer, Campus Manager or Academic Manager. The severity of the concerns will indicate at which stage the student will be supported. There are 3 possible stages in the process supporting this policy:

- Informal: Initial and/or emerging concerns,
- Formal – stage A: Continuing and/or serious concerns
- Formal – stage B: Persistent, complex and/or critical concerns

In all cases the aim of this policy is to identify appropriate support strategies to avoid a crisis for the student and enable them to attain their qualification within a timely manner.

Additionally, with regards to the sensitivity of the concerns, all Fitness-to-study conversations and documentation, including the Fitness-to-study Notes Record (Appendix 1), will be kept confidential, except where there is a statutory duty placed on UKCBC to declare details to relevant third parties.

Furthermore, it is not UKCBC's intention to expose any student to further stress or discomfort as a result of fitness-to-study conversations. Therefore, students may seek the support or representation from a student colleague, (Lead) Student Representative or even a non-college-based family member. The college will communicate only with the student except where the student has provided express permission for communication with another individual, or the student is incapacitated, for example in hospital. The college will endeavour to follow this process to ensure consistency of support to all students, however it reserves the right to amend the process where circumstances dictate that the student would be exposed to increased stress and reduced wellbeing if the process were maintained fully, for example requesting a meeting if the student is under medical treatment.

The policy and process aim to assist and enable students to make meaningful progress during their studies whilst maintaining a wholesome learning environment for all students. This will be managed and reviewed by the administrative department with adequate communication and reporting channels to relevant departments as indicated in the process.

Process for ensuring the fitness-to-study of a student

It is not always clear to identify when a student's capacity to sufficiently participate with fellow students or the learning environment at large is compromised. However, concerns may be raised as a result of one of the following (note is not an exhaustive list):

- Long periods of absence due to medical treatment or convalescence
- Deterioration of a pre-existing medical condition
- disruption to teaching, learning and support of other students due to deterioration of the student's health (physical or mental)
- Potential risk to the student or others due to a decline in the student's health.
- Behaviour which disrupts or prevents the teaching, learning and support of other students
- Deterioration of a student's attitude or appearance
- The student's academic performance or personal conduct is not acceptable and may be known to be or suspected to be the result of an underlying physical or mental health problem.

Dependent on the severity of the concerns raised and the impact of them on the student and the wider community, the discussions with the student may result in any of the following (note this is not an exhaustive list):

- Agreed actions as detailed within a Learning Contract (Appendix 2)
- Reasonable adjustments as detailed within a Learning Contract
- Specific support with named UKCBC staff or departments
- Specific support with named external agencies
- Withdrawal from any current placement, or other college related activity
- Voluntary/temporary withdrawal from the college for the remainder of the semester
- Voluntary/temporary withdrawal from the college for the remainder of the academic year

Where a student has experienced a leave of absence, then the criteria for eligibility to return to study will be set out in a letter. At the point of just prior to returning to study the college reserves the right to meet with the student to confirm the criteria have been met.

Informal: Initial and/or emerging concerns

- A Concern is shared with staff (lecturer/ Campus Manager/ Academic Manager) directly involved as early as possible ("**Day Zero**").
- This member of staff will be known as the Staff Lead with regards to this case.
- The Staff Lead should discuss the situation with the Director of Studies, Head of Administration or Safeguarding Officer within **two working days** of "day zero" to identify support options for the student or whether stage A should be invoked.
- The student is to have a one-to-one meeting with the Staff Lead to discuss the concerns from the student's perspective within **10 working days of "day zero"**
- **It is expected that to reduce stress for the student, communication should always be initially verbal and supported in writing, and the number of staff attending this informal meeting is kept to the absolute minimum**
- Together the student and staff member agree on any specific academic arrangements or other types of support which could be considered to effectively assist the students' study.
- It is expected that concerns can be dealt with informally at this stage and agreed arrangements or support will be recorded as an action plan within a Learning Contract
- The learning contract is sent to the student and Administration department within **5 working days** of the one-to-one meeting
- The Learning Contract will be monitored during an agreed period by reviewing the student's progress within the learning community at regular review meetings. The member of staff dealing with the concern will monitor the progress against the learning contract.
- If the student does not agree with the specific support and arrangements offered by the college, or the student's academic progress or social situation does not improve, then the Fitness-to-study stage A or B process may be invoked
- Students are to be informed of their right to appeal using the UKCBC Appeals Policy

Formal – stage A: Continuing and/or serious concerns

- If the concern highlighted during the informal proceedings has not been managed or it is of enough seriousness, then the formal Stage A may be invoked
- The staff member (lecturer/ Campus Manager/ Academic Manager) who identified or was made aware of a concern would manage the process from the outset ("**Day Zero**")
- The student will be notified verbally and in writing of the concern raised within **5 working days of "day zero"**. **It is expected that to reduce stress for the student, communication should always be initially verbal and supported in writing**
- The Staff Lead would convene a Student Support Panel comprising of

- Themselves (Staff Lead)
- Director of Studies (Chair)
- Head of Admission
- Safeguarding Officer (if appropriate)
- Minute-taker
- The panel would ordinarily seek any medical evidence/reports relating to the student including any new medical assessments where appropriate.
- The Staff Lead would invite the student to attend the panel, to discuss the concerns and any medical evidence or reports where relevant. The invitation would be sent at **least 5 working days** before the meeting.
- The student can bring a supporting friend or a student representative, along to the meeting, however they are unable to contribute to the conversation unless agreed in advance.
- If the date of the scheduled meeting is unsuitable the student is entitled to request an alternative date. This will be accommodated subject to operational restrictions or availability of panel members. Additionally, if the student is unable to attend the appointment due to a medical emergency, they are to inform the Staff Lead as soon as possible
- The Panel would meet with the student, usually **between 10 and 20** working days of “day zero” to cover the following:
 - Explanation of the concerns that have been identified
 - Presentation by the student of the historical perspective and experiences of the concerns and how they have been managed previously
 - Clarification of relevant College policies.
 - Clarification of the student’s responsibilities to the learning environment.
 - A review of any medical reports and evidence
 - Consideration of supportive actions that may assist or make a difference to the student to minimise the concerns and enable their academic progress.
 - Encourage the student to engage with any relevant College support services.
 - Clarification of the agreed actions and support options to change and improve the current situation
 - Explicitly clarifying the consequences if the student does not complete the agreed actions and if the issues continue to cause concern.
 - Agreeing a date to meet again to review the situation including interim monitoring of outcomes or measures.
- In cases where a student does not attend a Student Support Panel meeting, the panel will decide of the student’s fitness-to-study, based on the evidence available, in their absence. The Staff Lead will inform the student of the outcomes accordingly.

- The notes of the Student Support Panel meeting including a Learning Contract will be sent to the student and Administration department within **5 working days** of the panel meeting.
- The Learning Contract will be monitored during an agreed period by reviewing the student's progress within the learning community at regular review meetings. The Staff Lead will monitor the progress against the learning contract and maintain appropriate contact with the student.
- If the student does not agree with the specific support and arrangements offered by the college, the students' academic progress or social situation does not improve, or the concerns are complex and critical, then the Fitness-to-study stage B process may be invoked.
- Students are to be informed of their right to appeal using the UKCBC Appeals Policy

Formal – stage B: Persistent, complex and/or critical concerns

- If the concern highlighted during the informal proceedings or stage A has not been managed or it is of enough seriousness, then the formal Stage B may be invoked. This would be **"Day Zero"**. This signals a very significant concern about the student's capacity to continue studying at the college.
- **The Staff Lead for previous stages of this process would be the main point of contact during this stage to minimise stress for the student.**
- The Staff Lead would convene a Student Support Panel comprising of
 - Themselves
 - Principal (chair)
 - Head of Admissions
 - Safeguarding Officer
 - Lead Student Representative from the student's campus
 - Minute-taker
- The panel would ordinarily seek any medical evidence/reports relating to the student including any new medical assessments where appropriate.
- The Staff Lead would invite the student to attend the panel, to discuss the concerns and any medical evidence or reports where relevant. The invitation would be sent at **least 5 working days** before the meeting.
- The student can bring a supporting friend or a student representative, along to the meeting, however they are unable to contribute to the conversation unless agreed in advance.
- If the date of the scheduled meeting is unsuitable the student is entitled to request an alternative date. This will be accommodated subject to operational restrictions or availability of panel members. Additionally, if the student is unable to attend the appointment due to a medical emergency, they are to inform the Staff Lead as soon as possible.

- The Panel would meet with the student, usually **between 10 and 20** working days of “day zero” to cover the following:
 - An explanation of the concerns that have been identified
 - A review of any action plans to date to address the concerns
 - A presentation by the student of the historical perspective and experiences of the concerns and how they have been managed previously
 - A clarification of relevant College policies.
 - A clarification of the student’s responsibilities to the learning environment.
 - A review of any medical reports and evidence
 - A consideration of supportive actions that may assist or make a difference to the student to minimise the concerns and enable their academic progress.
 - To encourage the student to engage with any relevant College support services.
 - A clarification of the agreed actions and support options to change and improve the current situation
 - To explicitly clarify the consequences if the student does not complete the agreed actions and if the issues continue to cause concern.
 - To agree a date to meet again to review the situation including interim monitoring of outcomes or measures.

- In cases where a student does not attend a Student Support Panel meeting, the panel will decide of the student’s fitness-to-study, based on the evidence available, in their absence. The Staff Lead will inform the student of the outcomes accordingly.

- The notes of the Student Support Panel meeting including a Learning Contract will be sent to the student and Administration department within **5 working days** of the panel meeting.

- Where the outcome of the meeting results in a leave of absence, then the criteria for eligibility to return to study will be set out in a letter within **5 working days** of the panel meeting.

- Students are to be informed of their right to appeal using the UKCBC Appeals Policy.

Returning to Study

In all cases where a withdrawal from the college is agreed upon, the criteria for the student to successfully return to study and complete their course will be specified at the point of the leave of absence.

At the end of the absence and prior to return, the original members (where possible) of the Student Support Panel will convene with the student to review the evidence of the student’s improved capacity for engaging with the learning environment and requirements. Evidence may be provided by health and social care professionals along with the personal presentation by the student.

The college may seek reports from medical assessments provided by the student's own medical professionals. Where the college requests a second opinion the student will be asked for consent to be assessed by medical professionals nominated by the college at the college's cost.

The decision to allow a student to return to study will be made by the principal. This may be accompanied by conditions relating to further pastoral care and support packages including Learning Contract and a review of the student's progress in their studies.

Upon a return to study the college reserves the right to invoke the fitness-to-practice process at any time where the health and wellbeing of the student, the wider student community or the college reputation is under threat.

Appeals of decision regarding fitness-to-study

A student may appeal if made and will only be considered on the following grounds:

- That an **administrative error** or **material irregularity** has occurred in the conduct of the fitness-to-practice process;
- The severity of the outcome is excessive with respect to the case;
- That there were personal circumstances which the student believes would have affected the decision taken by the panel had they been made aware of them. **There must be good reason not to have revealed the circumstances at the point of notification of a concern of fitness-to-study.**

An appeal request will be made through the complaints and appeals process, details are on the website (<http://www.ukcbc.ac.uk/wp-content/uploads/2016/01/Complaints-and-Appeals-Procedure.pdf>) and also in the Student Handbook. The Appeal review or investigation will be concluded in line with the Appeals timelines and will consist of the following members:

Stage of Fitness to Study	Chair	Panel Members
Informal	Director of Studies	Plus Note-taker
Stage A	Principal	Someone not previously involved in the Fitness-to-study process plus Note-taker
Stage B	Director of Quality, Enhancement and Development	Someone not previously involved in the Fitness-to-study process plus Note-taker

Students are also able to appeal directly to the Office of the Independent Adjudicator (OIA) (and any successor) after all appeal stages have been followed.

Appendix 1 FITNESS-TO-STUDY NOTES RECORD

Fitness-to-study Case Number (eg WH/1617/0001)					
Name of Student					
Student Number					
Programme of Study					
Level					
Cohort Number					
Campus					
Module code & Title					
Academic Session of Concern (eg: Sep 2016 Semester 1)					
Date of concern being raised					
Name of Staff Member Receiving concern (Staff Lead)					
Position					
Stage of Concern	Informal		Stage A		Stage B
Provide details of the Concern:					
Outcome of initial consideration (Please tick)					
No Case		Corrective action in class		Escalate to next stage	
Date of Fitness-to-study Panel Meeting					

Appendix 2 STUDENT LEARNING CONTRACT

Name of Student	
Student Number	
Student Learning Contract Case Number	
Programme of Study	
Level	
Cohort Number	
Campus	
Academic Session of Concern (eg: Sep 2016 Semester 1)	
Date of Learning Contract Signed	
Name of Staff Member Completing	
Position	
Supporting Documentation	
Provide Details Of Background Information (Details of any assessment):	
Communication About the Student's Support Plan	
The following members of staff have already been informed –	
The following members of staff need to be informed –	
Communication with the Student During Learning Contract	
The student will be provided with all necessary information as needed	
Any particular preferences for communications?	
Health and Safety (Anything special/extraordinary that is required to complete the studies)	
Assessments	
There may be a problem with assessments deadlines in mm yyyy. These need monitored and alternative dates required if needed.	

Reasonable Adjustments to Academic Requirements To Be Determined

The following adjustments will be discussed:

Learning Contract Related Absence (who and how often any external support agents are used)

Practical Arrangements (who and how often any internal support services are used)

Action Plan

See Page 3 for notes

Updates: Date	Actions Updated & agreed	Date	Actions Updated & agreed
a)	Yes/No/Partial	b)	Yes/No/Partial
c)	Yes/No/Partial	d)	Yes/No/Partial
e)	Yes/No/Partial	f)	Yes/No/Partial

Details of any additional actions to remedy situation:

Signature of
chair of UKCBC
Staff

Date:

Signature of
Student

Date:

