

## **Fitness to study policy and procedure**

### **Policy**

#### **1. What is fitness to study?**

Fitness to study relates to an individual's capacity to participate fully and satisfactorily as a student, in relation to academic studies and life generally at the University of Bristol.

The University is committed to supporting student wellbeing and recognises that a positive approach to the management of physical and mental health is crucial to student learning and academic achievement.

#### **2. The purpose and scope of this policy**

The purpose of this policy is to provide a suitable and co-ordinated response by academic and support staff in circumstances where:

- the situation is deemed to be urgent; and
- other internal procedures such as the progress rules or the Student Disciplinary Regulations are not appropriate; and
- all other avenues within schools and faculties have been exhausted.

This policy does not relate to fitness to practise – certain professional programmes have fitness to practise procedures which operate outside the scope of this policy.

#### **3. When to use this policy**

This policy should be used when a student's fitness to study is a cause for concern and all other procedures or options have been considered or exhausted. It is to be used as a last resort. A student's fitness to study may be a cause for concern as a result of a wide range of circumstances, including (but not restricted to) the following:

- Behaviour which would usually be dealt with as a disciplinary matter, which may be known to be or suspected to be the result of an underlying physical or mental health difficulty.
- A student's health difficulties are adversely affecting the health, safety or wellbeing of themselves or others.
- A student's academic performance is unsatisfactory and may be known to be or suspected to be the result of an underlying physical or mental health problem.
- A student's behaviour where they live is adversely affecting the student and the people around them and calls into question the student's ability to live independently in halls or in the community.

#### **4. Informal action**

It is expected that schools, faculties and residences staff will approach students once concerns regarding fitness to study have been raised and attempt to resolve the matter by informal discussions with the student. The student should be encouraged to use one or more of the support services offered by the University.

Good communication between staff in halls and in faculties and schools may be key to achieving informal resolution of concerns regarding fitness to study.

Specific academic arrangements should be considered by faculties and schools and action plans agreed with the student, which are regularly reviewed.

The majority of cases can be resolved this way.

## **5. Procedure**

The Fitness to Study policy may be invoked when all informal avenues have been unsuccessful, the other procedures available such as the progress rules and the Student Disciplinary Regulations have been considered and deemed to be inappropriate, the student is not engaging and action plans have not been met.

### **5.1. Stage 1 – Case Review**

A meeting of a Case Review Panel can be convened by the Faculty Education Manager (FEM) from the student's faculty, who will act as clerk to the Panel, usually made up of the following:

- An academic representative from the student's school
- the Faculty Undergraduate or Postgraduate Education Director
- a representative from the Student Services Division (normally not the person supporting and advising the student)
- the Equality and Diversity Manager
- a representative from the Secretary's Office
- the Head of Residential Student Life or a Warden (where concerns have been raised regarding behaviour in the halls or in the community).

Before the Case Review Panel meeting medical assessment may be sought, usually from the student's GP or medical practitioner. The student will be encouraged to consent to the assessment. The student will be able to submit documents for the Panel to consider and will be given a copy of any documents seen by the Panel. The student may request to attend all or part of the Case Review Panel meeting. The Panel will make a reasoned decision regarding whether the student should attend. If the student does attend, they will have the right to bring a friend or representative to the meeting.

A letter will be sent to the student after the meeting setting out any decision made and the reasons for the decision.

The Panel will order its proceedings as it sees fit and may call witnesses if necessary.

The outcome agreed by the Panel will normally be an outcome not already attempted as part of the informal action taken by the school or faculty. The outcomes available to the Panel are:

- No further action required
- To monitor the student formally for a specific period of time. An action plan will be agreed with the student detailing any steps the student will need to take and the support to be provided to the student. This action plan will normally detail different actions to any plan previously agreed as part of the informal action taken by the school or faculty. Regular review meetings will be arranged with the student and a nominated member of staff. The student should be made aware of what will happen if the action plan is breached, which will normally involve their case moving to stage 2.

- To recommend a specific academic arrangement be put in place which may include a suspension of studies. Such recommendations should be agreed by the student's school and faculty where appropriate (normally the representatives on the Panel) and the student. If the student does not agree, the case will move on to stage 2.
- To refer the case to a Fitness to Study Panel, under stage 2 of this procedure. This will be appropriate in serious cases, for example where all previous attempts to support the student have been unsuccessful, where the student has little insight regarding their fitness to study or where there is evidence of a serious risk to the health and safety of the student or others in the university community. This course of action would be used when it is considered that suspension, temporary exclusion, permanent exclusion or withdrawal may be the appropriate course of action or if the student has not agreed to a recommendation or action plan made under stage 1.

## **5.2. Stage 2 – Fitness to Study Panel**

This stage will only be invoked in the following circumstances:

- Following a temporary exclusion under section 6 of this policy; or
- following a referral from a Case Review Panel; or
- if the student does not agree or is not engaging with a recommendation of a Case Review Panel; or
- if in the opinion of the Deputy University Secretary the case is sufficiently serious and urgent to warrant an immediate referral without consideration of stage 1.

The Deputy University Secretary can convene a Fitness to Study Panel to consider the case and will act as clerk to the Panel.

The Members of the Panel will usually be:

- An academic representative of the student's school
- A representative of the student's faculty (usually the FEM and/or the FED)
- A representative of another faculty or school
- A representative from the Student Services Division (normally not the person supporting and advising the student)
- The Equality and Diversity Manager
- The Head of Residential Student Life or a Warden (where concerns have been raised regarding behaviour in the halls or in the community).

As with the Case Review Panel the student will have the opportunity to submit documents for the Panel to consider and will be sent a copy of any documents seen by the Panel.

The student may request to attend all or part of the Panel meeting or may ask for a Student Adviser from the Just Ask unit of the Students' Union to attend the meeting on their behalf. The Panel will make a reasoned decision regarding whether a student should attend, which may not be appropriate in all cases.

The Panel may order the proceedings at its discretion and may call witnesses if required. The Panel may request further medical evidence. If a Panel is convened following a temporary exclusion under section 6, medical evidence will be required regarding the student's fitness to study before the Panel meets.

The Panel will make a recommendation to the Pro Vice-Chancellor (Education and Students). Possible recommendations may include

- A short term exclusion to allow the student to be assessed by a medical professional, access support services both within and outside of the University or for the University to obtain further information. The exclusion will be reviewed within four weeks as set out below in relation to emergency temporary exclusion.
- Suspension with conditions for a period up to twelve months. A student who is suspended from the University may be prohibited from participating in University activities and may also be prohibited from entering the University premises or have restricted rights to enter the premises. The terms of the suspension will be notified to the student in writing, depending on the circumstances of the case. The decision to suspend a student shall be reviewed as necessary by the Panel.
- Exclusion or requirement to withdraw - if the Panel concludes, taking into account the individual circumstances of the case and any supporting medical evidence, that there is no reasonable prospect of the student re-engaging with their programme a recommendation will be made to the Pro Vice-Chancellor that the student is permanently excluded or required to withdraw. This recommendation should only be made in the most serious cases.
- Any other action considered to be appropriate and proportionate.

## **6. Temporary Exclusion**

The Deputy University Secretary may refer the case straight to the Pro Vice-Chancellor if it is considered that the risk to the student or the University is very high and an immediate temporary exclusion is the most appropriate course of action.

The Pro Vice-Chancellor may impose a temporary exclusion with immediate effect pending the invoking of this policy. A student who is subject to a temporary exclusion order is prohibited from entering university premises and from participating in university activities. The exclusion may, exceptionally, be subject to qualification, such as the permission to take an examination or to enter university premises to attend a meeting with a support service, such as the Student Counselling Service or the Students' Health Service. The terms of exclusion will be individual to each case and will be notified to the student in writing. A student will be marked as 'suspended' on their student record during the period of exclusion so that accommodation and tuition fees do not continue to accrue.

The decision to exclude will normally be reviewed after four weeks at the request of the student. The review may include a recommendation that a Fitness to Study Panel be convened to consider the case.

## **7. Return to study**

The Case Review Panel or Fitness to Study Panel that made the recommendation regarding a suspension or temporary exclusion, or as many members of the original Panel as possible, will be reconvened to consider whether the student is fit to return to study.

Further medical evidence will be requested from the student regarding their ability to fully engage with their studies, meet the requirements of the programme and live independently in halls or in the community. A student will only be permitted to return if, after receiving the medical evidence, the Panel is satisfied that the individual is fit to study.

If a student agreed to suspend studies under stage 1, the Case Review Panel that originally considered the matter can make the decision regarding a return to studies without referral to the Pro Vice-Chancellor if it is satisfied that the student is fit to return.

If the Pro Vice-Chancellor made the decision to suspend or temporarily exclude under stage 2 on the recommendation of the Fitness to Study Panel, the Panel should reconvene to consider whether the student is fit to return to study and make a recommendation to the Pro Vice-Chancellor. The Pro Vice-Chancellor will make the final decision in the light of the Panel's recommendation.

Where a student returns to study after a temporary exclusion under this policy a Fitness to Study Panel will be convened under stage 2 to consider whether the student is fit to return and if so to consider any support that the student may require to support a return to studies, such as regular review meetings or a return to study action plan. The general expectation is that the student will take personal responsibility for fully engaging with this support.

## **8. Right of appeal**

The student may appeal against a suspension or requirement to withdraw. A letter setting out the grounds of appeal should be addressed to the University Secretary and emailed to [university-secretary@bristol.ac.uk](mailto:university-secretary@bristol.ac.uk), to be received within 21 days of the date on which the order for suspension or the requirement to withdraw was made. The student is encouraged to seek assistance from the Students' Union Advice Service when preparing the letter of appeal.

The appeal will be heard by a committee or Board of Trustees. The membership and procedure of an appeal committee will be the same as that set out under the Student Complaints Procedure.

## **9. Nominees**

References in these Regulations to the holders of any office shall be construed to refer either to the office holder or to their respective nominee.