

Fitness to Study Procedure

1. Introduction

- 1.1 In fulfilment of an aspect of the Health and Wellbeing Policy the following sets out a procedure for Fitness to Study for students at the Bailrigg campus.
- 1.2 Fitness to Study is understood as a student's ability to suitably engage with their studies and the wider University community in a way that does not significantly compromise the health and wellbeing of themselves or others. Consideration of Fitness to Study is not a disciplinary process; it is not intended to punish breaches of rules but rather to support students in difficulty.

2. Crisis situations

- 2.1 If a student poses an imminent risk to themselves or others then immediate action should be taken.
- 2.2 The emergency services should be contacted by dialling 999. If this is done from a University phone you will be connected to security who will contact the emergency services for you. If you use a mobile, contact security on 01524 594541 so that they can ensure the emergency vehicles are directed to the correct location.
- 2.3 Follow up by informing Student Wellbeing Services on welfare@lancaster.ac.uk or 01524 592690.
- 2.4 Once the imminent risk has been removed the student should, as appropriate, be considered under the other sections of this policy.

3. Stage 1 - initial or emerging concerns

- 3.1 Stage 1 is used where there are initial or emerging concerns about a student's health, wellbeing or behaviour. In most cases these will be raised by the student themselves or identified by a member of staff. Where a concern is voiced by a fellow student, staff should use their discretion in determining an appropriate course of action.
- 3.2 The first level of support is best handled "locally" i.e. through the pastoral system that already exists within the academic department, college or other area (e.g. Chaplaincy centre). The student is more likely to respond positively to a discussion with a member of staff with which they are familiar. If the student would be more comfortable talking to another staff member (e.g. someone of another gender due to nature of issues) this can be requested and should be taken into account.
- 3.3 The staff member should use a sensitive approach with an emphasis on support. They should invite the student for an informal meeting to discuss the issue. Before the meeting the staff member should establish the exact nature of the concerns from within the department or college and gather together any relevant information such as attendance records or evidence of what action has been taken already.

- 3.4 Other members of staff may be included in the meeting if this is appropriate (e.g. a College Residency Officer alongside a College Administrator) however because this is a relatively informal process numbers of staff should be kept to a minimum. Similarly, the student may also bring a friend or other support to the meeting.
- 3.5 If concerned the staff member can have an informal conversation with a member of staff in Student Wellbeing Services to discuss how to approach the issues.
- 3.6 The student should be given specific information about the nature of the concerns raised including factual information such as times and dates of incidents, specific behaviour that has been witnessed, attendance records and concerns of others.
- 3.7 The staff member should allow the student to explain their situation and should listen to what the student has to say in response to these concerns. The student should be encouraged to access Student Wellbeing Services and also to contact their GP where health and wellbeing issues are specifically mentioned. Any discussions and actions should be documented by the staff member and stored within the department, college or other area.
- 3.8 Staff should recognise their own limitations and where issues appear to require specialist knowledge, students should be referred appropriately (advice can be obtained from Student Wellbeing Services).
- 3.9 It is hoped that most cases can be resolved at this stage of the policy without the need to move onto further levels, however where a student is unable or refuses to engage in Stage 1 of the process or where continuing or serious concerns remain following the meeting, it may be appropriate to move to more formal action under Stage 2.
4. **Stage 2 – continuing or serious concerns**
 - 4.1 If the interventions at Stage 1 do not appear to have removed the issues, or an issue arises which appears to seriously affect students' performance and/or wellbeing then a Stage 2 process will be considered. Again the emphasis will be placed on support and genuine concern to help the student with their difficulties.
 - 4.2 Where a staff member has these concerns they should alert the Student Wellbeing Services Manager.
 - 4.3 If the Student Wellbeing Services Manager (or nominated representative) deems the issues to be of appropriate concern they will invite the student to a meeting. The invitation will be provided in writing at least 3 working days before the meeting is due to be held (please note: as much notice should be given as possible).
 - 4.4 Students attending such a meeting will be sent a copy of the procedure and may be accompanied by their college tutor, a friend, a Students' Union representative or a member of University support staff.

- 4.5 Prior to the meeting information will be gathered relating to the student including any documents gathered under stage 1 of this policy. It may be appropriate to ask the academic department and/or the college for further information about the behaviour or progress of the student. It may also be deemed appropriate to approach medical professionals with whom the student has had prior contact such as the counsellor/mental health adviser, GP or psychiatrist.
- 4.6 The meeting will be run by the Student Wellbeing Services Manager (or nominated representative) and other relevant staff members may be invited where it is deemed appropriate such as an accommodation representative, disability officer or counsellor/mental health adviser.
- 4.7 The meeting will discuss concerns with the student and will afford the opportunity for the production of any relevant evidence. Further actions will then be determined. The Student Wellbeing Services Manager (or nominated representative) will ensure the student is fully aware of the possible outcomes. Actions agreed could include but are not limited to:
- no further action is required;
 - support and/or reasonable adjustments are agreed between the student, the department, college or professional services;
 - a period of monitoring is agreed to give the student time to evidence improvement. An action plan will be agreed and signed by both the Student Wellbeing Services Manager (or nominated representative) and the student which may include an agreement on appropriate support to be provided and/or appropriate behaviour to be expected. In this case the student should be advised that the consequences of breaking the agreement will lead to their case being referred to Stage 3 of the policy;
 - the student is referred to the next level of the policy;
 - it is agreed that the student take a voluntary intercalation of study.
- 4.8 Following the meeting the student will be provided with an outcome in writing within 5 working days of the meeting including full articulation of any actions to be taken.

5. Stage 3 - persistent or critical concern

- 5.1 If: (1) the interventions at stage 2 have been unsuccessful; or (2) have resulted in a referral to stage 3; or (3) there is significant threat of harm to self or others, the third stage will be used. Staff members with concerns about students under (3) above should draw these to the attention of the Student Wellbeing Services Manager.
- 5.2 This stage of the process will usually follow on from Stages 1 and 2. However the University retains the authority to require a student to engage at Stage 3 without the previous steps, particularly where the health and wellbeing of staff or students is considered to be at significant risk.
- 5.3 The Student Wellbeing Services Manager will draw the case to the attention of The Director of Student Based Services (or nominated representative). There will be an initial consideration with professional input as to whether it is in the best interests of the student or those around them to temporarily remove them from accommodation and/or the course of study. Should this be deemed necessary, the University Secretary or their nominated deputy, in agreement with the Director of Student Based Services or their nominated

deputy, and the Students' Union President or a nominated Sabbatical Officer, shall have powers to temporarily remove for a period of up to thirty days, pending further appropriate investigations and/or a stage 3 Fitness to Study Meeting, a person whose continued presence on University premises is deemed to constitute a threat to the health and wellbeing of themselves or others. Exceptionally the agreement of two members will suffice. Where, exceptionally, it is considered by the University Secretary that removal for a period of thirty days may be inadequate the decision over whether a removal should be imposed and, if so, the period of any removal should be taken by the Vice-Chancellor. The University will ensure that any student subject to temporary removal has a suitable place to go (for example the family home).

- 5.4 During a period of temporary removal the student will receive support from Student Wellbeing Services. Their status as a student will not be affected by the temporary removal; relevant personnel (department and college) will be informed of the duration but not the reasons.
- 5.5 The Director of Student Based Services (or nominated representative) will normally invite the student to a Stage 3 Fitness to Study Meeting formally in writing at least 24 hours before the meeting is due to be held (please note: as much notice should be given as possible).
- 5.6 There may be occasions where it is not possible or not appropriate for the student to attend the meeting themselves (e.g. if they are currently in hospital). In this case the student should be given the opportunity to send a representative in their place.
- 5.7 The student will be asked to provide any documentation they wish to be considered at the meeting in advance where this is possible or, where only short notice is given, the documentation should be presented at the meeting.
- 5.8 Students attending such a meeting may be accompanied by, for example, their college tutor, a friend, a LUSU representative or a member of University support staff.
- 5.9 The Stage 3 meeting will consist of a panel chaired by the Director of Student Based Services (or nominated representative) and also including a senior member of the Department and/or the College and a suitably qualified member of the Counselling and Mental Health Service who has not had prior involvement with the case. Careful consideration should be given to the make-up of the panel depending on the nature of the issues to be discussed.
- 5.10 Prior to the meeting the Director of Student Based Services and as many members of the panel as available may choose to hold a case conference with relevant parties to gather information about the student, the concerns and the earlier stages of the process. This case conference might include representatives from the department, college, other support services or medical professionals involved with the care of the student concerned. It is not expected that the student would be invited to this case conference. This conference is fact finding only, and no decisions in relation to the student will be made. Notes of the meeting will, however, be provided to the student for information.
- 5.11 Proceedings for the meeting can be flexibly determined by the panel to suit the nature of the case. These will be determined prior to the hearing and communicated to all parties. It is not required, but where it is deemed in the student's best interest people may be called to present evidence or medical opinion either in person or in writing.

- 5.12 The Stage 3 Fitness to Study panel will make a decision based on all the evidence available to them and the advice received.
- 5.13 Actions agreed could include but are not limited to:
- a period of monitoring is required to give the student time to evidence improvement. An action plan will be agreed with the student which will be signed by both the chair and the student and may include an agreement on appropriate support to be provided or appropriate behaviour to be expected. In this case the student should be advised that the consequences of failing to comply with the action plan will lead to their case being dealt with again at Stage 3 of the policy;
 - that the student is required to intercalate for a specific period of time (to be agreed based on relevant medical information noting that the academic requirements for that student on their course of study may affect the time of return);
 - the temporary removal of the student from the university or from a stated part of it, until such a time that they can demonstrate suitable fitness to return. The University will ensure that any student subject to temporary removal has a suitable place to go (for example the family home);
 - that the University makes contact with the student's registered next of kin (wherever possible this would be done with the full consent of the student but there may be cases where for their health and safety, contact is made without consent);
 - any other action considered to be appropriate and reasonable.
- 5.14 During a period of temporary removal the student will receive support from Student Wellbeing Services. Their status as a student will not be affected by the temporary removal; relevant personnel (department and college) will be informed of the duration but not the reasons.
- 5.15 Following the meeting the student will be notified of the outcome in writing within 5 working days of the meeting including full articulation of any actions to be taken.

6. Appeal

- 6.1 It is the intention and expectation of the University that decisions will be made in agreement with the student. However the University, under its wider duty of care to all students and staff, retains the authority to insist on outcomes even when the student does not concur. The student has the right of appeal at both stages 2 and 3. Appeals will be considered where the student can evidence that:
- the student was prejudiced by a failure of the Stage 2 or 3 Fitness to Study Meeting or its officers to follow the procedures as set out above or by a breach of the requirements of natural justice;
 - exceptionally, substantial new evidence, not previously available to the panel, is identified.
- 6.2 An intention to appeal by the student must be submitted to the University Secretary (or nominee, as will be stated in the outcome letter) within 10 working days of receipt of the outcome. A timeframe for production of evidence will then be agreed between the University Secretary (or nominee) and the student.

- 6.3 If valid procedural grounds have been determined then the Provost (or nominated representative) will consider the appeal.
- 6.4 The decision of the Provost (or nominated representative) will be final and will consist of one of the following decisions:
- the confirmation of the original decision;
 - the referral back to an earlier level of the process (if the process has not been followed or if new evidence is made available).

7. Return to Study

- 7.1 Following periods of intercalation or temporary removal, return to study will be managed as follows.
- 7.2 Students will be required to demonstrate suitable fitness to return by providing satisfactory evidence from a recognised independent health professional with sufficient knowledge of the wellbeing of the student during the period of intercalation/temporary removal.
- 7.3 The decision to allow a student to return will be taken by the Director of Student Based Services, based on evidence presented, and consultation with relevant parties including the student's Head of Department.
- 7.4 At the discretion of the Director of Student Based Services, and in consultation with all parties including the student, ongoing arrangements to support the student and prevent a reoccurrence of the original difficulties will be agreed.