

# Fitness to Study

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**Approved by:** *Academic Committee*  
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## Policy version tracking

Version Number	Date	Revision Description	Editor	Status
1.0	06/07/2022	General update to the Policy.	Matthew Clark (Senior Registry Officer)	Approved

## Fitness to Study Policy

### 1. Purpose and Scope

- 1.1 This policy explains how concerns regarding the health, wellbeing or behaviour of students are addressed and dealt with by the University.
- 1.2 'Fitness to Study' is understood as a student's ability and suitability to engage with their studies and the wider 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 experiencing difficulty.

### 2. General Principles

- 2.1 Regent's University London is committed to supporting students and recognises the importance of health and wellbeing to their academic progress and wider experience. The University provides support for students in a number of ways, for example study support arrangements, counselling, extenuating circumstances, break in studies and support provided by the Support & Welfare team.
  - 2.2 The University aims to foster independence, self-awareness, and personal responsibility among all students. It is also important that students take an active part in the process and take suitable action to manage their own health and wellbeing in order to fulfil their academic potential.
  - 2.3 This policy is mainly intended to support students. Staff can use this policy when a student's health, wellbeing and/or behaviour is harming their ability to progress academically and/or to meet the course requirements.
  - 2.4 The University will consider the Fitness to Study policy as an alternative to other ways of managing problematic behaviour, academic conduct and progress, if the concerns:
    - a. Seem likely to be caused by mental or physical ill health or disability; or
    - b. Could affect the wellbeing, health and/or safety of the student or other people.
  - 2.5 The policy has three stages, each represents the degree of the concern or the seriousness of the situation (or both). The procedure can be entered at any stage, however, in most cases stages 1 and 2 should normally be used before escalation to stage 3.
  - 2.6 The University reserves the right to refer matters under the Fitness to Practise policy if the incident is in contravention of the fitness to practise standards, provisions and requirements of the course.
  - 2.7 The Head of Student Support will consider whether the circumstances require temporary suspension from the course or accommodation.
- ### 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. When 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 by a member of staff the student is familiar with, for example a personal tutor.
- 3.3 The staff member should use a sensitive approach with an emphasis on support. They should invite the student to an informal meeting to discuss the issue. Before the meeting the staff member should establish the exact nature of the concern(s) and gather 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 and attend the meeting if this is appropriate, and the student may bring a friend or other support to the meeting.
- 3.5 If the staff member has any questions about the process, they can contact the Student Support & Welfare team for support and advice.
- 3.6 The staff member should provide the student with 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 the concerns. The student should be encouraged to access the available student wellbeing support and to contact their GP. Any discussion and actions should be documented by the staff member and a copy provided to the Student Support & Welfare team to store on the student record.
- 3.8 The staff member should write a meeting report that includes any agreed actions. A copy should be sent to the student within 5 working days of the meeting. A copy should also be provided to the Student Support & Welfare team.
- 3.9 The staff member should normally arrange a review meeting within three months of the stage 1 meeting. The stage 1 review meeting should discuss the following:
  - a. Review how the student has been since the first meeting;
  - b. Describe and explore any further concerns;
  - c. Explore any further or ongoing support needed;
  - d. Review the progress of the agreed actions; and
  - e. Agree whether or not further action is needed. If the concern has been resolved, no further action may be needed. If concerns continue or have increased, the meeting should consider progression to stage 2.
- 3.10 Hopefully, most matters can be resolved at this stage of the policy without the need to move onto further stages. However, where a student is unable or refuses to engage with 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 another stage, normally stage 2.

#### 4. **Stage 2: Continuing or Serious Concerns**

- 4.1 If the intervention at stage 1 does not appear to have removed the issue(s), or an issue arises which appears to seriously affect the student's 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 concerns, they should notify the Director (Content). The Director (Content) may seek advice from the Student Support & Welfare team.
- 4.3 If the Director (Content), in conjunction with the Student Support & Welfare team, deem 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 held.
- 4.4 The meeting will be held with the Director (Content) and a senior member of the Student Support & Welfare team.
- 4.5 The student will be sent a copy of the policy and may be accompanied by another student, a friend, or a Student Union representative.
- 4.6 Prior to the meeting, information will be gathered relating to the student, including any documents gathered at stage 1. It may also be deemed appropriate to approach medical professionals with whom the student has had prior contact such as a counsellor/mental health advisor, GP, or psychiatrist for documentation relating to the student.
- 4.7 The meeting will discuss the concerns with the student, and the student will be given the opportunity to share any relevant evidence. Further actions will then be determined. The Director (Content) will ensure the student is fully aware of the possible outcomes. Actions agreed could include, but are not limited to:
  - a. No further action is required;
  - b. Support and/or reasonable adjustments are agreed;
  - c. A period of monitoring is agreed to give the student time to evidence improvement. An action plan will be agreed and signed by the member of staff and the student. This may include an agreement on appropriate support to be provided and/or appropriate behaviour to be expected. The student will be informed of the consequence of breaking the agreement, which will lead their case being referred to stage 3 of the policy;
  - d. The student is referred to stage 3 of the policy; or
  - e. It is agreed that the student takes a voluntary break in studies and will be informed of the conditions of return.
- 4.8 Following the meeting the student will be provided with the outcome in writing, within 5 working days of the meeting. This will include full articulation of any actions to be taken. A copy will be provided to the Student Support & Welfare team to log confidentially on the student record.
- 4.9 The stage 2 review meeting should include:
  - a. Review how the student has been since the first meeting;
  - b. Review whether agreed actions have been taken and completed;
  - c. Describe and explore any further concerns;
  - d. Consider new or ongoing relevant mitigating evidence;
  - e. Explore further or ongoing support or adjustments that may be needed;
  - f. Agree whether or not a further action plan is needed. If the concerns have been resolved no further action will be needed. If the concerns remain or have increased, a further action plan may be put into place, or a stage 3 meeting may be required.
- 4.10 If the student does not attend the stage 2 meeting or stage 2 review meeting the matter can be progressed in their absence.

## **5. Stage 3: Persistent or Critical Concern**

- 5.1 If the interventions at previous stages have been unsuccessful or have resulted in a referral to stage 3, or if there is significant threat of harm to self or others, the third stage will be used.
- 5.2 There may be occasions where it is not appropriate for the student to attend the meeting themselves (e.g., if they are in hospital). In this case the student should be given an opportunity to make written submissions.
- 5.3 The Head of Student Support will invite the student to a stage 3 meeting formally in writing at least 24 hours before the meeting is due to be held. The meeting may be held online, via video conferencing.
- 5.4 The student will be asked to provide any documentation to be considered at the meeting in advance, or where only short notice is given, the documentation can be presented at the meeting.
- 5.5 A student attending such a meeting may be accompanied by another student, a friend, or a member of the Student Union.
- 5.6 The stage 3 meeting will consist of a panel chaired by the Head of Student Support and will also consist of two senior members of the University (normally the Director (Content), Course Leader or a Head of Service). Careful consideration should be given to the make up of the panel depending on the nature of the issues to be discussed. Other relevant staff members may be invited, where it is deemed appropriate.
- 5.7 The stage 3 fitness to study panel will make a decision based on all the evidence available to them and the advice received. This process is not a legal proceeding, and the decision will be made on the balance of probabilities.
- 5.8 The actions that the panel could make include but are not limited to:
  - a. A period of monitoring is required to give the student time to evidence improvement, which will include agreed and set review meetings. An action plan will be signed by both the Chair and the student. The student should be advised of the consequences of failing to comply with the actions;
  - b. The participant is required to take a break in studies, with defined conditions of return;
  - c. The University is to make contact with the student's next of kin (wherever possible this would be done with consent from the student but there may be cases where for their health and safety contact is made without consent);
  - d. That the matter is referred to the Fitness to Practise policy;
  - e. That the student is withdrawn from the course of study. This is normally only used in the most serious cases;
  - f. Any other actions that the Panel deem appropriate and reasonable.
- 5.9 If the student does not engage with these proceedings and does not confirm the basis of their absence and/or attend the meeting, the panel may proceed to hear and make a set of agreed actions and outcomes in the student's absence. By not engaging, the student loses the right to contribute to the decision-making process.

- 5.10 During periods of break in studies the student will be advised of the wellbeing support available to them.
- 5.11 Following the meeting the student will be notified of the outcome in writing within 5 working days, including full articulation of any actions to be taken. A copy will be sent to the Student Support & Welfare team to keep confidentially on the student record.
- 5.12 The student can submit an appeal if they are dissatisfied with the outcome and believe their circumstances meet the available appeal grounds as set out in the Academic Appeal regulations. The student has 10 working days, from the outcome, to submit an appeal application.