

Fitness to Study Policy and Procedure

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1.0 Purpose and scope

- 1.1 Writtle University College (WUC) is committed to supporting students and recognises the importance of a student's health and wellbeing for their ability to engage with their academic studies, as well as the wider student experience. WUC is committed to making all reasonable adjustments necessary to support students to access the University College's working and learning environment.
- 1.2 The University College has a duty of care to respond appropriately where there are significant concerns regarding a student's physical and/or mental health and wellbeing, and the impact this may have on the individual student and/or other members of the WUC community. This document provides a procedural framework through which concerns can be addressed. It is designed to ensure a consistent, fair and sensitive approach to managing individual situations.
- 1.3 This procedure applies to all further and higher education students enrolled at the University College and to students who are on a break from their studies. It may also apply during the University College's admissions process, where there are concerns about an applicant's fitness to study a WUC course.
- 1.4 In a situation where it is believed that a student's behaviour presents an immediate and serious risk to themselves or others, the Emergency Services should be called by dialling 999 and the WUC Wellbeing Team should be contacted immediately afterwards. Reception should be notified so that emergency services can be directed to the right location.
- 1.5 Where this is a safeguarding concern in relation to a young person or a vulnerable adult, a member of the Safeguarding Team should be contacted without delay. A member of Safeguarding Team will then decide whether to refer the matter to the Designated Safeguarding Lead, who will determine what further action is needed. All safeguarding matters should be handled under the WUC Child Protection & Safeguarding Policy and Practice Guidance:
(<https://writtle.ac.uk/pdfs/Child-Protection-and-Safeguarding-Policy.pdf>).
- 1.6 A student disciplinary incident may also be treated as a fitness to study matter and a student may find themselves subject to the application of both procedures at the same time. Depending on individual circumstances, the University College may decide not to pursue one procedure in favour of the other, or to suspend one procedure until the outcome of the other is complete.
- 1.7 Where a student suffers an exceptional and unforeseen situation that severely impacts on their learning, in particular their assessments, they should consult the WUC Extenuating Circumstances Policy:
(<https://moodle.writtle.ac.uk/course/view.php?id=1523>).
Where a student submits repeated extenuating circumstances applications due to recurrences of the same health or wellbeing issue, this will usually be treated as a fitness to study concern and will be handled under this procedure.
- 1.8 Where a fitness to study concern is raised for a student who is resident in WUC accommodation, relevant information will be shared, subject to the student's consent, with the WUC Accommodation team and Senior Warden. Where the outcome of the Fitness to Study procedure is that student must withdraw from the University College, they will also be required to leave WUC accommodation (reasonable steps will be taken by the University College to support transition to new accommodation).
- 1.9 Where concerns are raised about a resident student's ability to appropriately care for themselves and/or to live safely and respectfully alongside other students, but where there do not exist any significant concerns about their fitness to study, the situation will be dealt with by the WUC Accommodation team with reference to the student's accommodation contract.

2.0 Definitions

- 2.1 “Fitness to study” refer to a student’s ability start, continue or resume a course of academic study and means their ability to:
- 2.1.1 Meet the reasonable academic requirements of the course of study;
 - 2.1.2 Independently (or with a reasonable and appropriate level of support/adjustment) remain safe and healthy; and
 - 2.1.3 Meet the reasonable social and behavioural requirements of a student of the University College without having an unacceptably detrimental effect on the health, safety, wellbeing and/or day-to-day experience of other students or members of staff.
- 2.2 “Course of study” refers to any further or higher education course delivered by the University College, including all work placements, study abroad periods, and all voluntary or compulsory field trips.
- 2.3 “Applicant” refers to any person who has applied or is considering applying to a course of study at the University College, or a person to whom an offer (conditional or unconditional) of a place to study at WUC has been made, whether or not the offer has been accepted.
- 2.4 “Suspension” refers to a decision taken by the University College that an individual student shall be excluded from WUC premises and/or use of facilities due to concerns about their own health, safety and wellbeing, or that of other students or staff. A period of suspension must be time-limited and should not normally last for more than 4 weeks. The period will be kept under review by the Registrar & Secretary. It can be extended but will be lifted once it is clear whether the affected student is deemed fit to study. A period of suspension does not presume any wrongdoing and will only be imposed where it is considered absolutely necessary.

3.0 Data protection and confidentiality

- 3.1 University College staff are governed by the requirements of the Data Protection Act 2018. Under this, all data relating to a person’s physical or mental health is regarded as sensitive, personal data.
- 3.2 In all cases where, in the member of staff’s judgement, it would be in the student’s best interest to disclose sensitive information (e.g. so that appropriate support may be considered), the student’s informed consent should be obtained where possible. Once consent has been obtained, it is the responsibility of the individual relaying the information to ensure that it is done under the terms agreed.
- 3.3 If a student chooses not to consent, in the majority of cases this decision should be respected. In this scenario, the implications of non-disclosure in terms of additional support should be made clear. However, there are rare occasions when the student’s consent is withheld, or it is impracticable to try to obtain it, when confidentiality may be broken. These include:
- 3.3.1 When the student’s mental health has deteriorated to the extent of threatening his/her personal safety or that of others;
 - 3.3.2 When the student is at risk of serious abuse, violence, radicalisation or sexual exploitation;
 - 3.3.3 When the student’s behaviour is adversely affecting the rights and safety of others;
 - 3.3.4 Where the University College or a member of staff would be liable to civil or criminal proceedings if the information was not disclosed (e.g. If a crime had been committed);

- 3.3.5 Where the student is under the age of 18 or would be considered an adult with care and/or support needs (see WUC's Child Protection & Safeguarding Policy).

4.0 Procedure for applicants

- 4.1 Where this is a concern about an applicant's fitness to study, this should be raised with the University College by contacting the Head of Registry & Admissions (admission@writtle.ac.uk). Fitness to study is distinct from the academic or professional requirements of the course of study.
- 4.2 This procedure may also be triggered where an applicant has notified the University College that they have a health or wellbeing problem, or where they have provided information which raises questions about their fitness to study.
- 4.3 Where an applicant has a physical and/or mental health disability, they are strongly encouraged to disclose this information to the University College at an early stage, so that an appropriate needs assessment can be undertaken.
- 4.4 In all cases, the University College is committed to fulfilling its duties under the Equality Act 2010 by ensuring that all persons, regardless of disability or ongoing health issues, are given a fair chance to engage with WUC courses of study. Wherever possible, reasonable adjustments will be put in place to facilitate the access and participation of all academically qualified applicants. Planned adjustments will be discussed with the applicant and academic teams and agreed arrangements will be recorded by the Admissions team.
- 4.5 In exceptional cases where the University College determines that it cannot reasonably put in place the necessary adjustments to support an applicant on their chosen course of study, and/or where information disclosed to the University College strongly indicates that an individual is not fit to study the course, the University College may decide not to offer a place to study, or may withdraw an offer already made. No such decision will be taken without first discussing the situation with the applicant, and will as a minimum involve input from the WUC Wellbeing Team and Admissions team. The final decision will be taken by the Registrar & Secretary.

5.0 Procedure for current students

- 5.1 Any person who has concerns about a student's fitness to study may refer their concerns to the WUC Wellbeing team (student.support@writtle.ac.uk) or a member of the relevant academic course team. Concerns may be referred by third parties such as parents, guardians, friends, medical professionals or placement providers, or by the student themselves.
- 5.2 Any member of WUC staff may raise a concern about a student's fitness to study. This may be prompted by (but is not limited to) one or more of the following factors:
- 5.2.1 The student has disclosed information about which raises questions about their fitness to study;
 - 5.2.2 The student has submitted multiple extenuating circumstances applications referencing the same health or wellbeing issue;

- 5.2.3 The student has disclosed information as part of an application for extenuating circumstances which otherwise raises questions about their fitness to study;
- 5.2.4 The student's manner or behaviour indicates that there may be a condition which is having an adverse impact on their health or wellbeing (for example, erratic behaviour, mood swings, signs of substance abuse or indicators of severe depression);
- 5.2.5 The student exhibits behaviour which would normally be dealt with as misconduct, but which maybe the result of an underlying physical or mental health condition;
- 5.2.6 The students' academic performance or behaviour is not acceptable and this is thought to be the result of an underlying physical or mental health condition.

5.3 The fitness to study procedure has three levels, as indicated in the table below. Selection of the appropriate level should be based on the degree of concern and/or the apparent seriousness of the situation. In the majority of cases, Levels 1 and 2 should be used before escalating to Level 3. At each level, if the concerns raised are not remedied within a reasonable period of time, then the next level should be instigated.

5.4 The initial assessment of risk level would normally be undertaken by a member of staff in the student's academic course team. If a student presents with significant concerns and is directly escalated to Level 3, this should happen in consultation with the Safeguarding & Wellbeing Manager and the relevant Head of School.

Fitness to study procedure: risk and response levels

Level	Level of concern	Level of risk	Intervention required	Procedure
Level 1	Initial concerns	Low	Not requiring immediate intervention	Informal discussion with member of course team
Level 2	Ongoing/further concerns	Medium	May require intervention from appropriate support services	Formal meeting with Head of School and Wellbeing Manager
Level 3	Serious, persistent and/or critical concerns	High	Immediate intervention necessary	Fitness to Study Panel

Level 1: Informal discussion

- 5.5 Level 1 intervention is appropriate in situations where a student's behaviour or wellbeing causes a concern but does not present an immediate crisis (e.g. a noticeable deterioration in health, appearance, attitude, behaviour impacting on attendance, ability to meet deadlines, and/or participate in student activities).
- 5.6 The extenuating circumstances panel will normally instigate Level 1 of the fitness to study procedure where a student submits more than one extenuating circumstances applications relating to the same health or wellbeing issue in any one year.
- 5.7 A relevant member of academic staff, such as a personal tutor or module leader, should arrange a meeting with the student to discuss the concerns raised and explore what support can be provided to

manage the situation. The checklist provided in **Appendix 1** should be consulted and a written record of the meeting should be retained in a secure location.

- 5.8 Parents/guardians/carers should be invited where a student is under 18 and when the level and/or nature of concern is such that their involvement would be deemed appropriate.
- 5.9 Possible outcomes from a Level 1 fitness to study meeting are shown in **Appendix 2**.
- 5.10 As soon as possible after the discussion, a follow-up review meeting should be arranged with the student. The review meeting should normally occur between two and four weeks after the initial discussion. Parents/guardians/carers should be invited to the review meeting where a student is under 18 and when the level and/or nature of concern is such that their involvement would be deemed appropriate.
- 5.11 The review meeting should address how the student has been since the last meeting, explore any further concerns arising, any ongoing/further support required, and agree and further action to be taken. If the concerns raised at Level 1 have been resolved, then no further action is required. If the concerns raised at Level 1 persist, or have worsened, then the member of staff should escalate the fitness to study concerns to Level 2.
- 5.12 If escalation to Level 2 is necessary, the member of staff dealing with the concern at Level 1 should write to the relevant Head of School and the Safeguarding & Wellbeing Manager describing their concerns and outlining the steps taken so far to manage the situation.

Level 2: Formal meeting

- 5.13 Level 2 intervention is appropriate in situations where a student's health or wellbeing shows no improvement following intervention at Level 1, including where the student refuses to access support or engage with the actions previously agreed. Intervention directly at Level 2 may be necessary where there are serious (but not critical) concerns about a student's fitness to study, particularly where these concerns have emerged or worsened very rapidly.
- 5.14 The extenuating circumstances panel will normally instigate Level 2 of the fitness to study procedure where a student submits multiple and repeated extenuating circumstances applications relating to the same health or wellbeing issue in any one year.
- 5.15 The relevant Head of School will write to the affected student, outlining the concerns raised and informing them the situation is being dealt with under Level 2 of the WUC fitness to study procedure. The student will be required to attend a formal meeting with the relevant Head of School and the Safeguarding & Wellbeing Manager. The student should be given 5 working days' notice of the Level 2 formal meeting and provided with the following information:
 - 5.15.1 Details of the purpose of the meeting;
 - 5.15.2 A copy of the WUC fitness to study procedure;
 - 5.15.3 Who will attend the meeting;
 - 5.15.4 Whether they are required to bring any specific documents (for example, professional/medical evidence);
 - 5.15.5 Copies of any documents to be considered at the meeting;

- 5.15.6 An explanation that the meeting will be confidential and that personal information relating to the health of the student will only be shared where strictly necessary;
 - 5.15.7 That they are entitled to bring a friend or colleague to support them at the meeting.
- 5.16 Where a student is under 18, parents/guardians/carers should be provided with a copy of the Level 2 correspondence and invited to attend the Level 2 formal meeting.
- 5.17 The checklist provided in **Appendix 1** should be consulted and a written record of the meeting should be retained in a secure location.
- 5.18 Possible outcomes from a Level 2 fitness to study meeting are shown in in **Appendix 2**.
- 5.19 As soon as possible after the discussion, a follow-up review meeting should be arranged with the student. The review meeting should normally occur between two and four weeks after the initial discussion. Parents/guardians/carers should be invited to the review meeting where a student is under 18 and when the level and/or nature of concern is such that their involvement would be deemed appropriate.
- 5.20 The review meeting should address how the student has been since the last meeting, explore any further concerns arising, any ongoing/further support required, and agree and further action to be taken. If the concerns raised at Level 2 have been resolved, then no further action is required. If the concerns raised at Level 2 persist, or have worsened, then the member of staff should escalate the fitness to study concerns to Level 3.
- 5.21 If escalation to Level 3 is necessary, the Head of School should write to the Registrar & Secretary describing their concerns and outlining the steps taken so far to manage the situation.
- 5.22 In cases where a student is invited but fails to attend a Level 2 meeting (without providing adequate reason and/or notice), the situation should be discussed in the student's absence and a report of the discussion and concerns raised should be made. If there are straightforward options about how to proceed, with agreed expectations, support options and plans, there should be communicated in writing to the student within 5 working days. If the situation is more complex or unclear, steps should be taken to escalate to a Level 3 meeting.

Level 3: Fitness to study panel

- 5.23 Level 3 intervention is appropriate in situations where there is a serious or persistent concern about a student's health or wellbeing and their safety and/or ability to study at the University College. In most cases, escalation to this stage will follow attempts to address concerns through Levels 1 and 2. However, in some cases it may be appropriate to proceed directly to Level 3, for example:
- 5.23.1 Where health, wellbeing and ability to study is seriously compromised;
 - 5.23.2 Persistent non-attendance due to ill health;
 - 5.23.3 Where there are serious concerns regarding risk to the health and safety of the student and/or where there is a perceived threat and risk to others;
 - 5.23.4 Where an individual student's health and wellbeing is having a significant and detrimental impact on other students' ability to study and/or ability to take part in wider aspects of student life;

- 5.23.5 Where an individual student's health and wellbeing is having a significant and detrimental impact on a member of staff's ability to undertake the requirements of their role;
 - 5.23.6 Where there are serious concerns regarding the safety and welfare of WUC animals/livestock;
 - 5.23.7 When all other options to deal with the situation have been explored.
- 5.24 The Registrar & Secretary will convene a fitness to study panel which shall contain at least three members of staff, including a representative from the Safeguarding and Wellbeing team. Other staff or advisors may be asked to attend meetings of the panel to provide specialist input. The Registrar & Secretary will usually act as Chair of the panel.
- 5.25 In support of its decision making, the fitness to study panel may request documents or other information from relevant members of the WUC community. The panel may also request that an investigation occurs into matters which are unclear or are disputed by the student.
- 5.26 The relevant Head of School will write to the affected student, outlining the concerns raised and informing them the situation is being dealt with under Level 3 of the WUC fitness to study procedure. The student will be required to attend the panel and should be given 5 working days' notice of date and time of the panel meeting. The student will be provided with the following information:
- 5.26.1 Details of the purpose of the meeting;
 - 5.26.2 A copy of the WUC fitness to study procedure;
 - 5.26.3 Who will attend the meeting;
 - 5.26.4 Whether they are required to bring any specific documents (for example, professional/medical evidence);
 - 5.26.5 Copies of any documents to be considered by the panel;
 - 5.26.6 An explanation that the meeting will be confidential and that personal information relating to the health of the student will only be shared where strictly necessary;
 - 5.26.7 That they are entitled to submit any written documents to the panel prior to its meeting;
 - 5.26.8 That they are entitled to bring a friend or colleague to support them at the meeting;
 - 5.26.9 That the panel constitutes the final stage of the fitness to study procedure and that one possible outcome of the panel meeting is termination of enrolment.
- 5.27 Where a student is under 18, parents/guardians/carers should be provided with a copy of the Level 3 correspondence and invited to attend the Level 3 panel meeting.
- 2.5 The Registrar & Secretary may determine that the student should be suspended from their studies at WUC whilst an appropriate means of addressing their situation is considered. Suspension will normally only be considered where there is a serious risk to the health, safety and wellbeing of that student, or that of other students or staff. A period of suspension does not presume any wrongdoing and will only be imposed where it is considered absolutely necessary. The suspension must be time-limited and should not normally last for more than 4 weeks. The period will be kept under review by the Registrar & Secretary. It can be extended but will be lifted once it is clear whether the affected student is deemed fit to study.
- 5.28 Possible outcomes from a Level 3 fitness to study panel are shown in in **Appendix 2**. The panel shall endeavour to reach a consensus, but in the event that this is not achievable, the Chair of the panel shall make a final decision on the outcome of the process having considered the views and advice of everyone

involved. Due care and consideration will be exercised in reaching a decision to avoid, as far as possible, the student being placed in a more vulnerable situation or a situation that increases the vulnerability of other students.

- 5.29 The panel will write to the student, informing them of its decision and any further action required, no later than 5 working days after the panel meeting.
- 5.30 The panel may at its discretion reconsider its decision in light of any representations the student makes regarding its decision, or any new information that becomes available following the panel meeting.

6.0 Appeal of a decision to terminate enrolment

- 6.1 Where a fitness to study panel determines that a student should have their enrolment terminated, the student may ask for this decision to be reviewed by the Vice-Chancellor. No other decisions made by the fitness to study panel, or by meetings conducted under levels 1 or 2 of this procedure, are subject to appeal.
- 6.2 The request for a review (appeal) must be made in writing within 10 working days of the date the student was notified of the decision. It must be supported by evidence and should demonstrate:
 - 6.2.1 That the decision made by the fitness to study panel was unreasonable; and/or
 - 6.2.2 That the panel did not consider all available information in reaching its decision; and/or
 - 6.2.3 That new information has since arisen which could not have been made available earlier.
- 6.3 After reviewing the decision of the fitness to study panel, the Vice-Chancellor may:
 - 6.3.1 Affirm, overturn or vary any decision reached;
 - 6.3.2 Refer the matter, or any part of it or any decision, to the panel for further consideration.
- 6.4 The Vice-Chancellor's decision is final.

7.0 Return to studies

- 7.1 Following a period of absence from the University College for reasons of ill health, behaviour, recuperation or treatment, it may be appropriate for the student to resume studies.
- 7.2 The University College will require the student to produce appropriate confirmation of their health and ability to resume studying from an appropriate recognised medical or health professional who has sufficient knowledge of the health and wellbeing of the student during the period of interruption and the potential impact that returning to study might have. If a student suspended their studies due to psychiatric ill health, they will need a formal assessment by a psychiatrist before returning to study. In some cases (particularly in circumstances related to deteriorating physical health and medical conditions), the University College might also consider it necessary to have an independent occupational health assessment.
- 7.3 The relevant academic team, working in partnership with support services teams, will conduct a review of the documentary evidence of the student's mental and/or physical wellbeing and contextualise it

within the demands of the course/programme of study. A joint decision will be made as to whether, and on what basis, an individual can return to study.

7.4 In all cases where a student resumes studies following a period of ill health, WUC support teams will work with the student to draw up a 'Return to Study Plan'. The plan should normally address the following:

- 7.4.1 Any specific study-related support and any other support reasonably required in the short term;
- 7.4.2 Any longer term support or reasonable adjustments required and any conditions that might or will apply to that provision;
- 7.4.3 Details of any formal reviews that may need to be built in as a condition of return; and
- 7.4.4 A risk management plan that takes account of the experiences that led to the initial suspension of studies.

7.5 Any return to study will be subject to the student's co-operation with this process and full adherence to any agreed conditions.

This policy supersedes any other policy and procedural guidelines, which may be in other existing University College documents. Writtle University College may amend this policy from time to time and any such amendments will be notified via the website, through Writtle Weekly or by email.

If this information is difficult to access, read or understand, it can be provided in another format, for example in Braille, in large print, on audiotape, in another language or by someone talking it through with you.

Version Control

Version Number	Purpose/Amendment	Date
1.0	Introduction of policy	July 2017
2.0	Update to distinguish fitness to study from fitness to reside and provide further procedural clarifications	February 2020
Policy Owner		Department
Registrar & Secretary		Senior Management Team
Version Number	Date drafted/Date of review	
2.0	February 2020	
Date Equality Impact Assessed	Has Prevent been considered (see Policies Guidance if unsure)	
	N/A	
Reviewed and Approved by (see Policies Guidance for approval process)	Date	
Academic Board	tbc	
Access (tick as appropriate)		
Public access (website) ☒ And/Or Internal access (MyWi) ☐		Staff and Student access ☒ Or Staff access only ☐

Appendix 1: Checklist for Level 1 and 2 fitness to study meetings

1. Explain the purpose for the meeting and the fitness to study procedure
2. Detail the concern(s)
3. Provide an opportunity for the student to give their perspective of what is happening and what support they feel they need
4. Consider any relevant background information and any new mitigating or medical evidence
5. Review all supporting paperwork/evidence/documents from other sources
6. Clarify WUC boundaries and rules and highlight any other relevant policies/procedures
7. Clarify expectations (e.g. standards and behaviours)
8. Discuss with the student what would be helpful in relation to their support, in order to minimise the concerns
9. Where appropriate, signpost the student to external and internal help/support/agencies and consider reasonable adjustments
10. Discuss next step options
11. Agree SMART actions (including any interim measures required to safeguard an individual or individuals/adjustments/support/risk assessments to be carried out etc.)
12. Agree details of a review meeting (date and who should attend), the progress expected and any interim monitoring arrangements
13. Explain the consequences of a lack of improvement/deterioration
14. Explain next steps of the fitness to study procedure.

Appendix 2: Possible outcomes of fitness to study interventions

Possible outcomes from interventions under the WUC fitness to study procedure		
<i>Outcomes from Level 1 and level 2 fitness to study meetings should be mutually agreed with the student, but a student may ultimately reject the recommendations. If a student rejects the recommendations, they should be asked to provide a reason for doing so and the matter should be escalated to the next level in the procedure.</i>		<i>Outcomes from a level 3 fitness to study panel are final and constitute a formal requirement. A student's rejection of the panel's decision may lead to termination of enrolment.</i>
Level 1 RECOMMENDED outcomes	Level 2 RECOMMENDED outcomes	Level 3 REQUIRED outcomes
No further action	No further action	No further action
Additional support to be put in place using internal and/or external services	Additional support to be put in place using internal and/or external services	Additional support to be put in place using internal and/or external services
Adjustments or special arrangements to be made (Individual Learning Plan)	Adjustments or special arrangements to be made (Individual Learning Plan)	Adjustments or special arrangements to be made (Individual Learning Plan)
Mode of attendance to be altered (part-time or full-time)	Mode of attendance to be altered (part-time or full-time)	Mode of attendance to be altered (part-time or full-time)
Postponement of part of a course of study (e.g. a placement)	Postponement of part of a course of study (e.g. a placement)	Postponement of part of a course of study (e.g. a placement)
Transfer to a different course of study	Transfer to a different course of study	Transfer to a different course of study
Refer to Level 2	Refer to level 3	Termination of enrolment
<p>A student may at any point request an interruption in studies, as per the WUC withdrawals, intermissions and resumption of study policy. The University College recognises that interruption may be an appropriate measure to help recuperate from a health or wellbeing and issue and support return to study. However, interruption will normally be treated as a 'last resort' and will only be approved where there is a reasonable prospect of resuming study and a clear willingness to do so. Interruption must be instigated by a student; the University College will never require that a student interrupts their studies.</p>		