



## Fitness to Study Policy and Procedure

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### INTRODUCTION

- 1 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 New College of the Humanities.
- 2 The College is committed to supporting student wellbeing and recognises that a positive approach to the management of physical and mental health is crucial to, undergraduate and postgraduate, student learning and academic achievement.
- 3 Unless it is informed otherwise, the College expects its students to be able to live independently and in harmony with others, and not to conduct themselves in a way which has an adverse impact on those around them.

### PURPOSE AND SCOPE

- 4 The purpose of this policy is to provide a suitable and co-ordinated response to concerns raised by academic staff (from degree programmes or the NCH Diploma), professional service staff, the student themselves, or a fellow student in circumstances where:
  - 4.1 The situation is deemed to be urgent
  - 4.2 Other internal procedures are not appropriate
  - 4.3 All other avenues have been explored

### WHEN TO USE THIS POLICY

- 5 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, or not appropriate. 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 student's behaviour and engagement with their studies.

### INITIAL SUPPORT

- 6 It is expected that the student will be approached by a member of the student's major/degree faculty and the Student Wellbeing Coordinator, once concerns regarding fitness to study have been raised (under 2.), in an attempt to resolve the matter by informal discussions with the student. The Student Wellbeing Coordinator will then make the decision as to whether the Fitness to Study Policy should be invoked (see 6.1).

### CRISIS MANAGEMENT

- 7 It is possible that a student may pose such an extreme risk to themselves and/or others that they require emergency assistance outside of these procedures. In such cases the individual(s) who identifies the crisis must report it immediately to a member of the Senior Management Team (Chief Operating Officer, Executive Dean, Registrar, HR & Operations Manager and Director of Marketing) and the Student Wellbeing Coordinator. The staff members will then act accordingly, by either calling the emergency services or arranging for the student to be escorted off the premises by their next of kin or emergency contact if reasonable to do so.

### PROCEDURE

- 8 The Student Fitness to Study policy can be invoked when all informal avenues have been unsuccessful, the other procedures available such as the Undergraduate Student Engagement Policy and the Student Code of Conduct and Discipline Procedures have been considered and deemed to be inappropriate by the Student Wellbeing Coordinator.
- 9 If a student has been referred to this Policy from either the Undergraduate Student Engagement Policy or the Student Code of Conduct and Disciplinary Procedures, the point of entry to this policy (either Case Review or Fitness to Study Panel) will be determined by the Student Wellbeing Coordinator, keeping in mind the urgency of the case and the procedures that have already taken place, including any evidence submitted.

### STAGE 1 - CASE REVIEW

- 10 A meeting of a Case Review Panel<sup>1</sup> can be convened by the Head of Faculty of the student's major/degree subject which will usually be made up of the following:
  - 10.1 Head of Faculty (as Chair)
  - 10.2 An academic representative from the student's minor/contextual/enrichment subject faculty. In the case where a student does not have a minor or contextual/enrichment subject the student's Personal Tutor should attend.
  - 10.3 Head of Quality Assurance

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<sup>1</sup> It is not normally appropriate for the Student Wellbeing Coordinator to be a member of the Panel as they will be supporting and advising the student throughout the process of this procedure

- 11 The student is required to submit all relevant documentation, which will normally be from a medical professional, to aid the panel in making a decision. The student will be invited to attend all or part of the meeting and can bring a representative. The student will need to confirm, in writing, their intention to attend or not, and if they will be accompanied. A letter will be sent to the student after the meeting setting out any decision made and the reasons for the decision.
- 12 The outcome agreed by the panel will normally be an outcome not already attempted as part of the informal action taken by the faculty and Student Wellbeing Coordinator. The outcomes available to the panel are:
  - 12.1 No further action required.
  - 12.2 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 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.
  - 12.3 To recommend a specific academic arrangement to be put in place which may include a suspension of studies. Such recommendations should be agreed by the student's faculty and the student themselves. If the student does not agree, the case will move to Stage 2.
  - 12.4 To refer the case to the Fitness to Study Panel, under Stage 2 of this procedure. This will be appropriate in serious cases, for example where there is evidence of a serious risk to the health and safety of the student or others in the College. 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.

### **STAGE 2 - FITNESS TO STUDY PANEL**

- 13 This stage will only be invoked in the following circumstances:
  - 13.1 Following a referral from a Case Review Panel;
  - 13.2 If the student does not agree or is not engaging with a recommendation of a Case Review Panel;
  - 13.3 If in the opinion of the Head of Faculty, Registrar or Master, the case is sufficiently serious and urgent to warrant an immediate referral without consideration of Stage 1.
- 14 The Registrar can convene a Student Fitness to Study Panel to consider the case, the members will usually be:
  - 14.1 The Registrar (Chair)
  - 14.2 The Head of Faculty of the student's major/degree subject

- 14.3 A representative from another faculty (this must not be the same representative from the Case Review Panel)
- 15 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 is not normally permitted to attend the panel meeting. The panel may order the proceedings at its discretion and may call witnesses if required. They may also request further medical evidence.
- 16 Possible recommendations from the meeting may include:
  - 16.1 A short-term exclusion to allow the student to be assessed by a medical professional and to access support services through the help of the Student Wellbeing Coordinator. The exclusion will be reviewed within four weeks as set out below in relation to emergency temporary exclusion.
  - 16.2 Suspension with conditions for a period up to twelve months. A student who is suspended from the College may be prohibited from attending College events and may also be prohibited from entering the Registry or have restricted access. The terms of suspension will be notified to the student in writing by the Registrar. The decision to suspend a student shall be reviewed as necessary by the panel.
  - 16.3 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 that the student is permanently excluded or required to withdraw. This recommendation should only be made in the most serious cases.
  - 16.4 Any other action considered to be appropriate or proportionate.

### TEMPORARY EXCLUSION

- 17 The Student Wellbeing Coordinator may refer the case straight to the Master if it is considered that the risk to the student or the College is very high and an immediate temporary exclusion is the most appropriate course of action. If the Master is unavailable then the case must be referred directly to the Chief Operating Officer (COO).
- 18 The Master or COO 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 College premises and from attending College events. The exclusion may, exceptionally, be subject to qualification, such as the permission to take an examination or to enter the Registry to attend a meeting with College staff. The terms of exclusion will be individual to each case and will be notified to the student in writing. An exclusion order does not affect the student's status as a member of the College.
- 19 The decision to exclude will normally be reviewed after four weeks at the request of the student. The review may include recommendation that a Fitness to Study Panel be convened to consider the case. If the student does not request a review, a letter

must be sent from the Registrar confirming their permanent exclusion and stipulating a 15-working day time frame in which to respond to possibly reverse the outcome. If there is no response after 15 working days, then the exclusion will be automatically implemented.

### RETURN TO STUDY

- 20 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.
- 21 Further medical evidence will normally be requested from the student which considers their ability to fully engage with their studies and meet the requirements of the programme. A student will only be permitted to return if, after receiving the medical evidence, the panel is satisfied that the student is fit to return.
- 22 If the Master or COO made the decision to suspend or exclude under Stage 2 [7.2], a Fitness to Study Panel should be convened 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.

### RIGHT OF APPEAL

- 23 The student may appeal against a suspension, requirement to withdraw and/or a temporary exclusion. A letter setting out the grounds of appeal should be addressed to the Registrar, to be received within 21 days of the date on which the order for suspension or the requirement to withdraw was made. The Registrar will record and acknowledge the request to appeal within ten working days of receipt, and will inform the Master of the student's request.
- 24 Master will nominate a Chair to convene the Appeal Panel, which should consist of the following members:
  - 24.1 The Master
  - 24.2 Two Heads of Faculty, which must not be from the student's major/degree or minor/contextual/enrichment subjects
- 25 The student will have the right to be accompanied by another individual, either a fellow student or a representative from the Student Union.
- 26 It is the responsibility of the student to ensure that any individual accompanying them are available for the meeting and are briefed on the arrangements for the meeting.
- 27 Any new evidence that has not been presented at previous stages of the policy can only be accepted at the discretion of the Chair.

- 28 At the conclusion of the meeting, the Panel will meet in private in order to make its decision. The decision will be notified in writing to all concerned by the Registrar, normally within five working days.
- 29 The decision of the Appeal Panel will be final and the College will issue a Completion of Procedures Letter. The Completion of Procedures Letter will provide the student with all the relevant information should they decide to refer the case, within twelve (12) months of the date of the letter, to the **Office of the Independent Adjudicators**.

**MONITORING AND REPORTING**

- 30 The Registrar will maintain a record of Fitness to Study outcomes and ensure that appropriate action has been taken by the College in response to areas identified as requiring development.
  - 31 An annual report on Fitness to Study will be provided to the College’s Academic Board.
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Title	Fitness to Study Policy and Procedure	Author	Student Wellbeing Coordinator
Location	NCH Academic Handbook	Approved by	Academic Board
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Publication date	January 2017	Review date	September 2017
Related policies	Undergraduate Student Engagement Policy Student Code of Conduct and Disciplinary Procedures		
Quality Code	Quality Code Chapter B4		
Amendments since Approval	Detail of Revision	Date of Revision	Revision Approved by:
	To ensure that the relationship with other related policies was explicit	May 2017	