



# Fitness to Study Procedures

## 1. Introduction

- 1.1 The College is committed to provide students with a high quality academic experience and the support they need to succeed in and benefit from their studies in line with the expectations of the Quality Code for Higher Education.
- 1.2 These procedures are informed by equivalent procedures of the University of Gloucestershire, contextualised for Moorlands College, and the expectations of the Office of the Independent Adjudicator for Higher Education. They reflect guiding principles of fairness, impartiality, accessibility, clarity, transparency, preservation of dignity, respect, supportiveness, proportionality, timeliness, and confidentiality and enable the College to improve the student experience.
- 1.3 These procedures form part of the College's Academic Framework, and indicate how the College handles situations where a student's fitness to study is in question. Their primary aim is to promote student welfare though they also facilitate the maintenance of the community of the College and safeguarding of the College's reputation.
- 1.4 Distinctions should be made between three systems of the College, which run separately:
  - pastoral care (described in *Academic Framework 9H: Pastoral Support*), and relating to personal, relational and/or emotional issues that impact the student)
  - Conduct Review Procedures (described in *Academic Framework 9E: Expectations of Conduct*, and *9F: Conduct Review Procedures*, and initiated by allegations of misconduct)
  - Fitness to Study Procedures (described here, and initiated when there are serious concerns over a student's ability to study given reasonable amounts of support) — it should be noted that in some programmes "ability to study" includes within it the ability to engage in a placement).
- 1.5 It is possible, though unusual, for a student to be involved in more than one of these systems at the same time.
- 1.6 These Fitness to Study procedures have two levels, based on the seriousness of risk posed by the situation and the response of the student to any previous intervention. Depending on the situation, it is possible to commence the procedures at either Level 1 or Level 2.
- 1.7 The College's Student Welfare Analysis Committee monitors the wellbeing of students to enable the College to develop its support of students. For this purpose, anonymised data from both levels of Fitness to Study Procedures are shared with that body in line with the College's Data Protection Policy.

## 2. Level 1: Progression Plan

- 2.1 This level is invoked to support a student when there is a concern that their physical or mental health may

- negatively impact their own studies or wellbeing, or
  - disrupt the teaching, learning or support of other students.
- 2.2 The student is invited to meet with their personal tutor and another member of staff to discuss the issues. Together they can assess the student's perception of the impact of their ill-health and/or behaviour on the student, their studies and/or the College community. A Progression Plan is devised to put in place support for the student and formally agree expectations for the student to observe. It should be noted that Progression Plans do not constitute medical advice.
- 2.3 The Progression Plan may cover a broad range of topics:
- specific actions that will be taken by the student
  - expectations of behaviour
  - encouragement or requirement that the student access medical or chaplaincy services
  - a referral to the chaplains to perform a "counselling needs assessment" — personal tutors do not directly refer students for professional counselling
  - proposals for alterations to assessment arrangements, e.g., extensions to deadlines, which need to be approved by the relevant Programme Leader
  - proposals for alterations to placement expectations, e.g., non-attendance for a limited time, which need to be approved by the Placements Manager
  - the consequences of not adhering to the Progression Plan.
- 2.4 Every plan includes a review date and requires the tutor to vouch that the student has given permission for appropriate sharing of anonymised data based on the plan (see 1.7).
- 2.5 The tutor sends a copy of the Progression Plan to both the student and the Student Welfare Manager. Progression Plans are not deemed active by the College until they are received by the Student Welfare Manager.

### **3. Level 2: Case Conference**

- 3.1 This level is invoked in any of the following cases:
- there is a concern that a student may not be able to continue with their studies
  - there is a concern that continuing with studies may be detrimental to the student's wellbeing
  - a Progression Plan has not been followed or otherwise has been unsuccessful.
- 3.2 The Welfare Panel conducts a "Case Conference" to discuss the situation, involving consideration of any appropriate medical evidence that it has access to and any relevant Progression Plan(s). The Case Conference is attended by the student's Personal Tutor, and, normally, a trained member or appointee of the Student Representative Association. Normally, the student is invited to part of the meeting to give their perspective on their situation. Should a student be unwilling to play a part in these procedures, then the process continues in their absence, with the potential of suspension of studies still able to be invoked in the most extreme cases.
- 3.3 At the conclusion of the Case Conference the panel may take one of the following steps:
- determine that no further action is required
  - create a new Progression Plan
  - interrupt the student's studies for up to twelve months, identifying appropriate further review mechanisms, including academic or (from an appropriately qualified practitioner) medical advice, to be considered by another Case Conference.

- 3.4 In the case of the establishment of a new Progression Plan or interruption of studies, the student is informed in writing within five days, with a copy of the letter sent to the Registry, the student's Programme Leader and the Principal. In many circumstances, it may be helpful for the letter to be given to the student in person, so that it can be explained, with a personal tutor present.

#### **4. Appeal**

- 4.1 If the student wishes to appeal against the outcome from the Case Conference, they should do so by making a formal complaint. This will be handled at stage 3 of the College's Complaints Procedures. It should be noted that, once this appeal/complaint process is completed, there may be appropriate avenues to take the issue further, either with the University of Gloucestershire or the Office for the Independent Adjudicator for Higher Education (see the complaints procedures for details).

#### **5. Operation of Fitness to Study Procedures**

*This section is written to guide staff.*

- 5.1 All staff involved in Fitness to Study Procedures should keep the student's welfare in view, while paying careful attention to questions of pastoral support and academic implications throughout. They must stay aware of the potential for presenting issues to relate to Equality, Diversity and Inclusion (in which case the relevant policy should be consulted), Safeguarding (in which case the Safeguarding Lead should be consulted) or Prevent (in which case the Prevent Lead should be consulted). The College's Data Protection Policy must be followed at all times.
- 5.2 When the Student Welfare Manager receives a Progression Plan, they
- a) ensure that all the necessary staff members have been involved in the process and have received the information required for them to fulfil their roles adequately
  - b) if the plan includes an expectation of accessing the College's chaplaincy services, pass it to the chaplains
  - c) file it securely
  - d) pass appropriate, anonymised data from it to the facilitator of the Student Welfare Analysis Committee (see 1.7).

#### **6. Conduct of the Welfare Panel**

- 6.1 The Panel is composed of a member of the College's Executive Leadership Team (chair), one other member of academic staff, a member of the administrative staff of the College, who facilitates the panel, the relevant Programme Leader, and the relevant Regional Centre Senior Tutor for cases involving undergraduate students studying at Regional Centres. For specific cases, to avoid conflicts of interest (normally including when a panel member is a personal tutor for one of the students concerned), to manage workloads or to add necessary expertise, additional members may be co-opted from the tutor team and/or the Executive Leadership Team.
- 6.2 The panel has a quorum of three. Its meetings are private. The facilitator summarises the main points of meetings and these must be confirmed by the chair. Once confirmed, the record of each meeting is forwarded to the Principal, appropriate flagging of the seriousness of any situations and any potential risks to the wellbeing of students or staff or to the reputation of the College.

- 6.3 As part of each panel meeting, the panel should give careful consideration to who should be given what information about the process and ensure that the relevant people are made aware of the student’s situation to an appropriate extent.
- 6.4 The panel is responsible to decide when a Case Conference is required.
- 6.5 The outcome of a Case Conference must be formally communicated to the student in a Completion of Procedures letter.
- 6.6 A Completion of Procedures letter should include:
- the phrase “completion of Fitness to Study Procedures” prominently, preferably as the heading of the letter
  - an indication of the dates of the decision and of the letter
  - a statement of the decision taken by the panel
  - clarification of the issues considered (this may be given in a separate, but attached document)
  - advice regarding the possibility of all possible next steps, including opportunities to appeal, raise the matter with any validating University where relevant, and/or with the Office of the Independent Adjudicator for Higher Education, including an indication of the permissible timescale
  - any other relevant information.
- 6.7 Summaries of Case Conferences, related evidence and copies of the Completion of Procedures letters are recorded on the relevant student’s (paper) file.
- 6.8 The chair of the panel is required to produce an annual report for Academic Board indicating the number and nature of Progression Plans and Case Conferences, using broad categories that will protect confidentiality.

## 7. Document History

18 December 2013	First approved by Academic Board
16 September 2021	Approved by Academic Board: incorporation of guidance to staff, strengthening of material relating to data protection, addition of material about Progression Plans and placements
12 October 2021	Changed College Life Handbook references to Academic Framework references