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University

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STUDENT FITNESS TO STUDY PROCEDURE

CARDIFF METROPOLITAN UNIVERSITY

STUDENT FITNESS TO STUDY PROCEDURE

This procedure is subordinate to any specific requirements of Professional Bodies.

'Fitness to Study' means an undergraduate or graduate student's fitness:

- to commence a distinct programme of academic study; or
- to continue with his/her current programme of academic study; or
- to return to his/her current or another programme of academic study; and his/her ability to meet:
- the reasonable academic requirements of the programme; and
- the reasonable social and behavioural requirements of a student member without his or her physical, mental, emotional or psychological health or state having an unacceptably deleterious impact upon the health, safety and/or welfare of the student and/or University staff.

1. Introduction

1.1 On occasions, students' health or mental well-being deteriorates to the point where they find it difficult to meet the usual expectations of University life and/or their studies and continuing to engage may have a detrimental effect on their health. This procedure sets out a consistent approach, which will be invoked following concerns expressed over a student's health or behaviour, which have led to:

- ⓪ concerns from staff over the student's fitness to study at the University and/or manage whilst on a placement (these doubts might arise from reports of non engagement with the programme or reports from third parties);
- (i) disruption to the teaching, learning or support of other students.

1.2 Wherever possible, such concerns about their physical or mental well-being should primarily be considered from a supportive perspective, rather than a disciplinary one. The Procedure should be used sensitively to minimise the risk of causing additional stress to the student. In all situations, students should be encouraged to engage fully with the Wellbeing Team in Student Services (see Student Handbook); this may include providing medical evidence. However, the University reserves the right to invoke the Student Disciplinary Procedure and/or Student Fitness to Practise Procedure where their health or behaviour poses a risk of harm to themselves or others, or where students do not respond positively to more supportive interventions, within the remits of the Equality Act.

1.3 This procedure has three stages based on the seriousness of risk posed by the health or behaviour of the student. Concerns should be acted upon promptly to avoid the situation becoming more complex. These three stages reflect the level

of difficulty or disruption highlighted, as well as the response of a student to any intervention.

- 14 It is not necessary to progress through each stage of the procedure in every case. Identification of the appropriate stage of the procedure to use will be determined following risk assessment by the Student Wellbeing Service. Where a serious risk is identified, the procedure may be entered at Stage 2 or 3 depending on the level of risk. Should a student be unwilling to play a part in the procedures, then the process should continue in their absence, with all options remaining available.

2. Stage 1 - Emerging Concerns

Applies where emerging concerns about a student's health, safety or well-being are raised.

- 21 A member of the University's staff with primary responsibility and/or knowledge of the student (e.g. Personal Tutor, Head of Student Wellbeing, Chaplain, Mental Health Advisor, and Programme Director) shall take the lead role and shall arrange a supportive exploratory meeting with the student. The student may be accompanied by a third party, who may be a friend, family member or Students' Union representative (but not a solicitor, barrister or other form of legal advisor) to support them at the meeting.
- 22 The concerns must be supported by evidence, for example, of extensive non attendance or missed deadlines, and must be clearly communicated to the student. Information should be provided about sources of support within the University that the student can access (e.g. Students' Union, Student Services, counselling including bereavement counselling). Where appropriate, the possibility of submitting a Mitigating Circumstances Form shall also be considered.
- 23 The student shall be encouraged to co-operate and to access available support, or modify behaviour, as appropriate. In cases where the student does not respond positively, then staff concerned must discuss the situation with the School Deputy/Associate Dean* or Head of Student Wellbeing and invoke Stage 2 below.

* In the case of a research student, this should be the School Director of Research.

3. Stage 2 - Continuing Concerns

Applies where continuing or serious concerns about a student's health, safety or mental well-being are raised. Academic Staff should refer to the Head of Student Wellbeing.

- 31 The student shall be invited to meet with the appropriate member of the Student Wellbeing team to discuss the issues. Together they can assess the student's perception of the impact of his/her health and/or behaviour on him/herself and/or others in the University Community. The student may be accompanied by a third party, who may be a friend, family member or Students' Union

representative (but not a solicitor, barrister or other form of legal advisor) to support them at the meeting.

32 An Action Plan shall be devised to put in place support for the student and formally agree expectations for the student to observe. These expectations may be academic and/or conduct related.

33 A formal record of the meeting will be kept, with a copy sent within 5 working days to: (i) the student; (ii) the Head of Student Wellbeing; (iii) the School Deputy/Associate Dean*; and (iv) the relevant Personal Tutor and/or Programme Director*.

* In the case of a research student, this should be the School Director of Research and Director of Studies.

34 The student shall be encouraged to respond positively to the Action Plan and as such co-operate fully, access available support, or modify behaviour. This will be monitored by the member of Student Services responsible for devising the Action Plan. In cases where the student does not respond positively, then staff concerned must discuss the situation with the School Deputy/Associate Dean* or Head of Student Wellbeing. In such circumstances, it may be necessary to invoke stage 3 below.

* In the case of a research student, this should be the School Director of Research.

4. Stage 3 – Immediate, Significant or Persistent Concerns

Applies where there are immediate, significant or persistent concerns are raised about an individual student's actions or behaviour that are putting the health, safety, well-being or academic progress of him/herself or other members of the University at significant risk and/or are likely to adversely affect the reputation of the University.

4.1 The relevant School Deputy/Associate Dean* or nominee will call a Case Conference to discuss the situation. Those present at the Case Conference will normally be:

- Relevant School Deputy/Associate Dean* or nominee
- Head of Student Wellbeing or nominee
- Student's Union Representative

* In the case of a research student, this should be the School Director of Research.

The following may also attend as appropriate to the case:

- Mental Health Advisor
- Chaplain
- Other relevant staff from Student Services

- Other relevant academic staff (e.g. Personal Tutor, Programme Director).

University access to medical evidence will be required in most cases and should relate to the specific issue(s) of concern. This shall not preclude an independent assessment of fitness to study commissioned and paid for by the University.

A formal record of the Case Conference will be kept by a member of staff of Registry Services.

- 4.2 The Case Conference shall agree either an enhanced Action Plan, or a recommendation to the Chair of the Special Cases Committee for a suspension of the student's studies for a specified period.
- 4.3 The student shall be invited to meet with the School Deputy/Associate Dean* or nominee and the Head of Student Wellbeing to receive and to discuss the recommended actions from the Case Conference. The student may be accompanied by a third party, who may be a friend, family member or Students' Union representative (but not a solicitor, barrister or other form of legal advisor) to support them at the meeting.

*In the case of a research student, this should be the School Director of Research.

- 4.4 The School Deputy/Associate Dean* shall inform Registry Services of the outcome from the Case Conference.

*In the case of a research student, this should be the School Director of Research.

- 4.5 If the recommended action is an enhanced Action Plan, this plan must have a review date from the outset, the identity of the person responsible for the review, and the consequences of not adhering to the plan must be made clear to all parties. A copy of the agreed Action Plan shall be submitted to Registry Services.
- 4.6 If the recommended action is a suspension of studies, the student will be temporarily suspended with immediate effect. Registry Services will then inform the student in writing of the decision of the Chair of the Special Cases Committee regarding the period of suspension and any associated matters (e.g. consequential extension to the deadline for completion of studies, requirement for medical evidence prior to resuming studies).
- 4.7 Any suspension of studies will be subject to periodic review by the Special Cases Committee in the light of any developments backed up with corroborative evidence. Such review shall include consideration of both medical evidence and academic advice from the relevant School Deputy/Associate Dean* or nominee.

* In the case of a research student, this should be the School Director of Research.

5. Appeal against Outcomes of Case Conference

- 5.1 If a student considers that due process has not been followed, or has new evidence that could not be brought to the attention of the Case Conference, and wishes to appeal against the outcome of the Case Conference, he/she must write within 14 working days to the President & Vice-Chancellor.
- 5.2 Upon receipt of the letter, the President & Vice-Chancellor or nominee shall respond to the student within 10 working days. The decision of the President & Vice-Chancellor or nominee, after consulting with expert opinion where appropriate, shall be sent to the student in a Completion of Procedures letter and shall be final. Where new evidence has been provided, such decision could include bringing forward any review.
- 5.3 Once the appeal stage has been completed, a student may submit a complaint to the OIA if he/she considers that due process has not been followed. Any such complaint must be submitted by sending a completed scheme application form together with all relevant information to the OIA within three months of the date on the "Completion of Procedures Letter" from the University on completion of its internal procedures. A scheme application form can be downloaded from the OIA website www.oiahe.org.uk or by telephoning or writing to the OIA. The contact details for the OIA are as follows:-

OIA Second Floor, Abbey Gate, 57-75 Kings Road, Reading, RG1 3AB
TEL:- 0118 9599813
Email: enquiries@oiahe.org.uk

6. Crisis Situations

- 6.1 If a student's mental well-being is so extreme that he/she needs emergency assistance outside these procedures, staff should refer to the following page on the Staff Portal:
<https://tsr.cardiffmet.ac.uk/Units/SS/Disability/Pages/Essentials.aspx>
On office hours contact Student Services 02920 416170
Out of hours support is available via GPs' Out of Hours services or the University Chaplain 07917818524 or the Samaritans

7. Student Disciplinary Procedures/Student Fitness to Practise Procedures

- 7.1 Where a student who suffers from a mental health difficulty breaches aspects of acceptable student conduct, he/she will not necessarily be exempt from disciplinary action or from consideration under the Student Fitness to Practise Procedure.

8. Students at Collaborative Partner Institutions

For students studying a University programme at a Collaborative Partner the above regulations will apply with the following amendments only:

- 81 The Head of Student Wellbeing may be substituted by an equivalent nominee at the partner institution. In such cases the University's Head of Student Wellbeing will be available to provide advice and guidance. In the case of partners based outside of the UK this will normally be through email, telephone or videoconferencing.
- 82 The Students' Union Representative may be substituted by a student representative appointed at the partner institution. In such cases Students' Union Officers will be available to provide advice and guidance. In the case of partners based outside of the UK this will normally be through email, telephone or videoconferencing.
- 83 In the case of partners based outside of the UK, any meetings which require attendance by University representatives may be held via videoconferencing if deemed appropriate by the School Deputy/Associate Dean.