

# CANTERBURY CHRIST CHURCH UNIVERSITY

## Student Fitness to Study Procedure

### Version Control Statement

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# CANTERBURY CHRIST CHURCH UNIVERSITY

## STUDENT FITNESS TO STUDY PROCEDURE

1. Canterbury Christ Church University (CCCU) is committed to supporting students. CCCU recognises the importance of health and wellbeing in relation to a student's academic progression and student experience.
2. CCCU is an adult learning environment, and treats students as mature individuals able to study and live alongside people of all ages and backgrounds. CCCU encourages students to make full use of support options available to them and aims to work collaboratively in order to help them succeed in their studies. There are however times when the University needs to increase support and action planning in order to help the student continue to study effectively, and there are occasions when the University may need to intervene because a student appears to no longer be fit to study.
3. Fitness to study refers to the impact of a student's health, wellbeing and/or related behaviour on their capability to participate fully and appropriately in the learning environment.

It may occur when a student:

- a. Appears to be experiencing health or wellbeing difficulties affecting their ability to study effectively, and/or
  - b. Exhibits behaviour which raises significant concern about their safety or causes significant distress or concern for the safety of others. (This could include unacceptable conduct as set out in the Student Conduct Procedure.), and/or
  - c. Does not engage with their programme through lack of attendance, use of the Learning Platform Suite or submission of assessments as set out in the Student Engagement in Learning Policy, and/or
  - d. Demonstrates an unsatisfactory record of assessment submission/completion of work or academic performance, as determined by the Course Director.
4. *Where it is clear there is an underlying health or wellbeing issue*, such that action under other relevant procedures is not considered appropriate, action may be taken under this Procedure with the consent of the student, in all but the most serious cases as explained in section 18 below:
    - a. Entry into the Fitness to Study procedure is normally voluntary for the student, with the student agreeing to take specified actions and identified support being put in place.
    - b. If there are persistent or serious concerns that threaten staff or students' wellbeing, the procedure may be applied without the voluntary engagement of the student. This will only be done following a full risk assessment and

consideration of the use of other relevant University procedures, including the Student Conduct Procedure.

- c. Fitness to Study should not generally be used in place of the Student Conduct Procedure in cases where specialist investigation is needed to substantiate a conduct issue. However, a referral into Level 3 of the Fitness to Study procedure may be made as an outcome from a case which has been investigated under the Student Conduct Procedure.
5. This Procedure sets out the process to identify the needs of the student, the support available and the implications for other students and members of staff.
  6. This procedure applies to all registered students, both taught and research students. The term 'student' includes those registered or enrolled on a course, including a course or programme of study delivered by one of CCCU's collaborative partners. It includes those on an interruption of study, temporary withdrawal or temporary exclusion or suspension, with the following exceptions:
    - a. where the provisions of a fitness to practise/professional suitability policy apply.
    - b. when the student is a member of the University staff and University Human Resources policies apply.
  7. Where the student is enrolled with a collaborative partner institution, it is the partner institution's responsibility to identify relevant members of staff who will conduct this Procedure and to communicate the relevant arrangements and contact details to students and staff.

#### What is the purpose of the Student Fitness to Study Procedure?

8. The intention of the Fitness to Study Procedure is to support and protect the student and others when a student's health, wellbeing and/or related behaviour has a detrimental impact on their ability to progress academically and function at CCCU.
9. The aim is to ensure that students who cause concern can expect a considered and consistent response.

#### How to use this procedure

10. There is an expectation that Schools and Professional Services departments use the Raising a Concern Process in the first instance wherever possible. The Fitness to Study Procedure should be used for intervention beyond the scope of the Raising a Concern Process overseen by Student Wellbeing Services.
11. Concerns should be acted on promptly once issues set out in paragraph 3 above are identified. Early intervention and collaborative support planning can result in better outcomes for the student and may avoid the situation becoming more complex.
12. Before initiating the Fitness to Study Procedure, the School or Department must seek advice and discuss their concerns with Student Wellbeing further to making use of the Raising a Concern process. Once the decision is made to use the Procedure, the student should have the opportunity for full engagement, including being able to

request optional assistance from a Student Wellbeing Services practitioner, a CCSU representative and/or the support of a friend or family member.

13. The student can withdraw from this Procedure at any time up to the decision to proceed to Stage 3 (see below). In these circumstances, the University may act under other relevant procedures, including the Student Conduct Procedure, or utilise this procedure under section 4b above, without the voluntary engagement of the student.

#### Structure of this procedure

14. The Procedure should be conducted using the following stages, which are described in more detail in the appended table:
15. **Stage zero: *Initial concern raised***  
Student referred to the Student Wellbeing Services through the Raising a Concern Process.
16. **Stage one: *Emerging concerns – beyond Raising a Concern***
  - Informal meeting with student to agree a support action plan to achieve agreed outcomes and timescales
17. **Stage two: *Continuing concerns***
  - Formal meeting with student to determine a support action plan to achieve agreed outcomes and timescales
18. **Stage three: *Severe and/or persistent concerns***
  - Formal panel/meeting with confirmed outcome, with or without the voluntary engagement of the student
19. ***Please Note:*** *Where there is a clear and present risk to the health and safety of the student, and/or other students or staff, Stage 3 may be instigated immediately without the voluntary engagement of the student or recourse to an earlier stage of this procedure. This a University decision. Otherwise the stages should be followed sequentially.*
20. **Precautionary Action:** this is described in points 22-27 and should only be instigated in line with those specific criteria and processes. This could be without recourse to any of the above stages, and may be the first course of action taken where the need is identified by the Head of School/Department and/or agreed as appropriate by the Head of Student Wellbeing, or their nominee and signed off by the Interim Measures Panel (IMP).
21. **Stage Three Outcomes:** Outcomes at Stage 3 of the procedure can include, but are not limited to:

- a. Continuation of requirements already established via precautionary action or new requirements, such as non-contact with specified students, notice to quit from accommodation etc.
- b. A decision to suspend the student's study for a fixed period, and/or subject to the student meeting set criteria demonstrating their Fitness to Study as part of a Return to Study action plan.
- c. A decision to terminate the student's studies. This would not preclude the student applying for readmission, but this would be subject to compliance with set criteria demonstrating their Fitness to Study as part of a Return to Study action plan.

A decision to suspend or terminate a student's studies under this Procedure requires the approval of a member of the Senior Management Team.

22. **Student right to appeal a Stage 3/Precautionary Action decision** If the student is unhappy with a Stage 3/precautionary action outcome, a letter or email setting out the reasons for their appeal should be addressed to the Director of Student Wellbeing, Community and Belonging (or their nominee) to be received within 10 working days of the date on which the order for suspension or the requirement to withdraw was made. Where they have had prior involvement with the case, the Director will nominate another member of the Senior Leadership Group to review the appeal, in order to ensure an independent review. The appeal request may only be made on the grounds that:
- the procedure was not followed correctly and/or
  - the outcome is disproportionate to the concerns raised and/or
  - there is new material evidence that contradicts the findings of the meeting/panel which good not previously have been provided, with good reason.
23. The Director (or nominee) may reject an appeal that is received late and there is no explanation given as to why the 10 working days timeframe could not be met; or which does not clearly state the grounds on which the appeal is being made; or which is entirely without merit.
24. After reviewing the original decision and penalty the Director may: reject the appeal and uphold the whole or part of the original outcome, uphold or partially uphold the appeal, or refer the case to a new formal meeting chaired by a member of the Senior Management Team (if the outcome includes a suspension or termination of studies).
25. A close of procedure letter will be sent with the appeal outcome, at which point a student may take the case to the Office of the Independent Adjudicator. At each earlier stage, where outcomes are satisfactory, a close of procedure letter will be sent to confirm this.

## Taking action under the fitness to study procedure in an emergency

22. Where there is a perceived threat to health and safety of the student or to other students, staff or visitors, the case may be referred by the Head of School or Department or their nominee to the Student Wellbeing Services for an urgent assessment and response. As part of the case-by-case risk assessment and safety planning undertaken by appropriate practitioners within the Student Wellbeing Services, recommendations may be made for appropriate interim measures or precautionary actions.
23. Precautionary action is not a penalty or sanction. It does not indicate that the University has concluded that the student is not fit to study. This may proceed without the consent of the student to secure their safety and that of the University community.
24. Precautionary action must be reasonable and proportionate to secure the health and safety of the individual and others, and may include, but is not limited to, the following:
  - a. Imposing conditions on the student (for example, requiring the student to move accommodation)
  - b. Suspending the student<sup>1</sup>
  - c. Excluding the student<sup>2</sup>
25. If the Head of Student Wellbeing or their nominee agrees that the recommended interim measures or precautionary action needs to be put in place, they will seek confirmation via a Fitness to Study Interim Measures Panel (IMP) led by the Head of Safeguarding. If the agreed measures include suspension or exclusion this will need to be approved by the Deputy Vice Chancellor or other nominated member of the Senior Management Team (SMT).
26. Any measures agreed by the Fitness to Study Interim Measures Panel (IMP) will be reviewed by the Head of Safeguarding, Head of Student Wellbeing, or their nominee/s every 10 working days or sooner if there is a material change to the risk assessment or a breach of the precautionary action. Precautionary actions will remain in place while the Fitness to Study Procedure is underway or until such time as a risk assessment indicates they are no longer necessary.

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<sup>1</sup> Suspension means that the student is prohibited from participating in the academic activity of the University and the student's registration on his/ her course is put on hold. A qualified or partial suspension may be put in place where appropriate.

<sup>2</sup> Exclusion means that the student is prohibited from taking part in University activities, using University facilities and or/ entering University grounds or premises. A qualified or partial exclusion may be put in place where appropriate.

## Resumption of study

29. In cases where the outcome of a decision by the University resulted in a suspension of study or an exclusion from the University, the procedure for considering a student's resuming studies should be made clear to the student at the time of communicating the decision to suspend/exclude.
30. In all cases the student may be required to provide professional evidence of overcoming the original difficulties and that they are able to resume study. The nature of the evidence will depend on the student's circumstances.
31. Consideration of resumption of study requests will be made with reference to the University's Policy for Students who Reapply to Complete an Undergraduate or Postgraduate Taught Award. In addition to the process set out in that policy:
  - a. Where the decision to interrupt, suspend or exclude the student was taken at Stages 1 or 2, the resumption of study arrangements should be considered by a meeting of those who heard the original case, with the addition of colleagues from Registry and/or Admissions as appropriate.
  - b. Where the decision to interrupt, suspend or exclude the student was instigated at Stage 3, the Head of Student Wellbeing will ensure arrangements for resuming study are put in place.
  - c. In both of the above cases, consideration should be given to the support needs of the returning student. These support needs are to be set out in a Return to Study action plan for the student, together with identifying those responsible for providing the support.
32. For students suspended or excluded as a result of the Fitness to Study procedure, the Course Director must invite the student to a resumption of study review. This should be scheduled before the student's return to University. This is to ensure support is in place and to identify expectations on the part of both the student and University.

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### Stages of the Procedure

		Who initiates	Action	Outcome	Further action
Stage 0	<b>Initial concern</b> Student causes concern (e.g. not attending, not completing work, disruptive in class or accommodation, causes concern to other students)	Academic or Professional Services staff. Student Wellbeing records reports, and advises Schools, Departments and the student if multiple reports of a serious nature.	Normal referral to support services through Raising a Concern Process	Student engages with support services: 1. Issue resolves 2. Issue remains, move to Stage 1  Student does not engage with support services: 1. Issue remains, move to stage 1	No formal action required. Student encouraged to continue to make use of support options as required.
Stage 1	<b>Emerging concern</b> Student continues to cause concern, has not engaged with support services, is not engaging with their course as set out in the Student Engagement in Learning Policy, denies a problem or does not attend/engage with initial concern discussions	Member of staff who is closely involved in student support or academic progression, such as the Personal Academic Tutor	Arrange informal meeting with student (usually led by someone in the academic team). There is a need to act promptly in arranging a meeting.	Discussions of concerns, plan of action if appropriate, with dates for review. Record of meeting of student, Personal Academic Tutor/ Course Director and SWS.	No further action, confirmed by a close of procedure letter, if the outcome of the meeting and/or review by the School or Department after a maximum of one month is satisfactory.  If there are continuing concerns, proceed to Stage 2, with the agreement of the student.  If the student does not agree, and there are continuing concerns, student may be referred to Stage 3, without their consent or to Stage 1 of the Student Conduct Procedures if this is deemed more appropriate.



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<p>Stage 2</p>	<p><b>Continuing concern</b> Student has not responded to agreed action and concern continues</p>	<p>Personal Academic Tutor/Course Director and/ or Manager from Student Wellbeing</p>	<p>Student invited to attend meeting with Course Director or nominee and a member of staff from Student Wellbeing. Student can be accompanied by a friend, family member, disability adviser or mental health practitioner or CCSU representative.</p>	<p>Discussions of concerns, plan of action if appropriate, with dates for review. Record of meeting of student, Personal Academic Tutor/ Course Director and SWS</p>	<p>No further action, confirmed by a close of procedure letter, if the outcome of the meeting and/or review by the School or Department after a maximum of one month is satisfactory.</p> <p>If continuing concerns proceed to Stage 3. The University takes the decision to proceed to Stage 3, and can do so without the consent of the student. A decision may also be taken to refer (back) to the Student Conduct Procedure if this is deemed more appropriate.</p>
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<p>Stage 3</p>	<p><b>Severe or persistent concern</b>                  Student has not responded to agreed action and concern continues, student does not agree to/attend meeting at Stages 1 or 2</p> <p>This stage also applies where the concern is so severe that immediate action at Stage 3 is required.</p>	<p>Head of School, Head of Student Wellbeing.</p>	<p>Student asked to attend a meeting with Head of School, a senior member of staff from Student Wellbeing (Head of Student Wellbeing, Disability Services Manager or Mental Wellbeing Services Manager) in an advisory capacity, and another member of the Senior Leadership Group who has not had previous involvement with the case. Student can ask to be accompanied by a friend, family members, disability adviser, mental health practitioner or CCSU representative.</p> <p>The meeting may proceed in the absence of the student unless the student requests a rescheduling of the meeting within a reasonable timescale. A representative may attend the meeting on the student’s behalf, with the explicit written consent of the student.</p> <p>When notified about the panel, the student would be allowed to raise concerns about the individuals making up the decision-making panel, in advance of the panel meeting.</p>	<p>Discussions of concerns, plan of action if appropriate, with dates for review. Record of meeting of student, Head of School, senior member of SWS, and another member of the Senior Leadership Group who carries decision-making capacity.</p>	<p>No further action, confirmed by close of procedure letter, if the outcome meeting is satisfactory.</p> <p>If outcome of meeting and/or review is not satisfactory student may be suspended from studies for a specified period with re-entry, subject to review of agreed criteria as part of a Return to Study action plan.</p> <p>Exceptionally, the student might be required to withdraw from the course. The student would not be barred from reapplying for admission to the University under the Admissions arrangements. However, they would be required to meet agreed criteria as a part of a Return to Study action plan agreed at the point of withdrawal.</p> <p>The panel’s decision to suspend or withdraw the student will be signed off by a member of the Senior Management Team (SMT) and confirmed in writing within 10 days of the panel meeting.</p>
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Review Process Student Initiated	If student is unhappy with Stage 3/precautionary action outcome	Student	A letter or email setting out the reasons for their review request should be addressed to the Director of Student Wellbeing, Community and Belonging to be received within 10 working days of the date on which the order for suspension or the requirement to withdraw was made.	The Director of Student Wellbeing, Community & Belonging will consider the request for review.  The Director may nominate an appropriate person to undertake the review.	The Director may: reject the appeal and uphold the whole or part of the original outcome, uphold or partially uphold the appeal, or refer the case to a new formal meeting chaired by a member of the Senior Management Team (if the outcome includes a suspension or termination of studies).
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# STUDENT FITNESS TO STUDY OPERATIONAL GUIDELINES

## Routes through the Fitness to Study Procedure

