

## **Fitness to Study Policy**

Middlesex University

### **1. Purpose and Scope**

1.1 The Fitness to Study policy is intended to address concerns that a student's health is:

- disrupting their own studies;
- the studies of others; or
- is placing unreasonable demands on staff or other students.

1.2 The term "fitness to study" as used in this policy encompasses all aspects of university life (including within halls of residence) and not just the student's ability to engage with their studies. The University seeks to maintain an environment which is safe and conducive to teaching and learning.

for the student to continue their studies with  
their studies without academic consequences

to ensure a safe and comfortable environment for  
instance in which a student is not in a position to  
well-being the policy will allow the University to  
and the wider University community. The Fitness to  
health condition has not been diagnosed or  
the diagnosis.

ed to hospital, a risk-based approach may be  
arranged with someone from student support and

the Care and Concern procedure will invoke the  
levels detailed below.

y policy will be guided by the following principles:

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2.2 Students may invite a friend, family member or an adviser from the [Students' Union](#) to accompany them to the Support to study meeting and / or the Fitness to Study Panel. The University welcomes relevant Healthcare or Social care professionals who wish to accompany students to Fitness to Study meetings. Any other representative (such as a Legal Adviser) would not usually be allowed without express advance permission. Students are required to inform the panel of anyone who will be accompanying them. To avoid a potential conflict of interest, members of staff may not accompany students or act as the student's representative during the Fitness to Study process. Students with disabilities may be accompanied by a Support Worker if required.

### **3.0 Confidentiality**

3.1 When the Fitness to Study Policy is invoked the University will take account of the rights of the student under the Equalities Act and the Data Protection Act. Staff will act with regard for the expectation of an appropriate level of student confidentiality. Any personal information that is disclosed will be handled and stored as sensitive data.

3.2 If the student chooses not to provide their consent this decision should be respected in most instances. In this scenario, the implications of nondisclosure in terms of additional support should be made clear. However, there exist 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:

- When the student's mental health has deteriorated to the extent of threatening his/her personal safety;
- When the student is at risk of serious abuse or exploitation;
- When the student's behaviour is adversely affecting the rights and safety of others;
- Where the member of staff would be liable to civil or criminal procedure if the information were not disclosed (e.g. if a crime had been committed);
- Where the student is either under 18 years or a vulnerable adult (see University Safeguarding Policy).

3.3 Staff should first consult with Wellbeing Services if they believe there is a need to break the commitment to confidentiality. Initial discussion should not identify the student until the grounds for breaking confidentiality have been established and agreed upon.

### **4.0 Level 1 – Informal Intervention**

4.1 Any concerns about a student's fitness to study should initially be raised through the Care and Concern procedure. This may result in a referral to Level 1 of the Fitness to Study procedure.

4.2 At this level the student's Head of Departmenttea-6.6 (nes)-2 (t)-6dMC /P /M (i)2.6 str(epar)4.9 (t)-h

4.3 This discussion will be supportive in nature and will communicate to the student the precise nature of the behaviour that has caused concern to have been raised.

4.4

5.5 The meeting shall normally include the Head of Department *or nominee*, Head of Well Being Services *or nominee* and either the Disability and Dyslexia Support Manager *or nominee* or the Student Mental Health Manager *or nominee* or a safeguarding officer who is part of the Care and Concern team. Other members of staff may be invited but attendance should be limited to those that can contribute to a possible solution or be there for the purpose of taking notes.

5.6 The meeting shall normally proceed if the student does not attend or engage in the process and the meeting may normally consider the case even if the student has not provided requested evidence.

5.7 The purpose of the meeting will be to ensure that: the student is made fully aware of the nature of the concerns which have been raised, the student's views are heard and taken account of; the best way to proceed is agreed upon and the student is fully aware of the possible outcomes if difficulties remain.

5.8 The conclusions drawn from the content and nature of the discussion shall determine possible outcomes. The outcome shall, if serious concerns remain, normally lead to an action plan to address and remove the serious concerns including the provision of any appropriate support articulated at the meeting. The meeting may, without prejudice to other conclusions, decide on one or more of the following:

- That no further action is necessary;
- That it is necessary to agree an Action Plan with the student;
- That, subject to the student's consent, it is necessary and appropriate for the Dean of Faculty to consider an adjustment to hours of study;
- That, subject to the student's consent, it is necessary and appropriate to agree an interruption from the programme;
- That it is necessary to make a referral to Level 3 of the procedure;
- That it is necessary to make a referral to other University procedures, as appropriate, for example the Student Disciplinary procedure;
- Where the student is on placement, to propose to the student suspending the placement or (if available) switching to a programme without a placement;
- Any other actions intended to support the student to success

5.12 Review meetings shall be convened as agreed. Attendees at review meetings may be different to those at the original Level 2 meeting. At a review meeting, the student shall have the opportunity to be accompanied by a friend or supporter. A written record of the meeting shall be made and this, together with the outcome shall be given to the student normally within 10 working days of the review meeting. For monitoring purposes, the Chair or nominee may request regular updates on the student's progress against any action plan.

5.13 If the concerns about a student's fitness to study have been substantially reduced, and/or eliminated, no further action shall be taken. If the student does not abide by the provisions of the action plan, the Chair may convene a review meeting before the planned date or escalate, as appropriate. If there is insufficient improvement following the Level 2



Adjudicator. The student should write, within three months of receiving notification that the internal procedures of the University have been completed, to the OIA. They should enclose a copy of the final decision of the University and state the reasons for seeking redress from the Higher Education Independent Adjudicator. Email enquiries may be sent to [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk). The website address is [www.oiahe.org.uk](http://www.oiahe.org.uk)

## 9.0 Medical Evidence

9.1 Before the Support to study meeting a student may be asked to provide evidence of a recent medical assessment so that the University can accurately assess the fitness to study. This medical evidence should state:

- The nature and extent of any medical condition from which the student may be suffering;
- Their prognosis;
- The extent to which it may affect his/her/their fitness to study and manage the demands of student life;
- Any impact it may have or risk it may pose to others;
- Whether any additional steps should be taken by our University, in light of the medical condition, to enable the student to study effectively;
- Whether the student will be receiving any on-going medical treatment or support.

9.2 Any cost incurred by the student in connection with the medical assessment should be covered by the student. Any costs should be covered by the student.

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## Appendix A

