

FITNESS TO STUDY
POLICY AND PROCEDURE

Effective date: September 2016

Review date: July 2017

Approved by: Academic Board

Responsible Department:
Student Services

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1. INTRODUCTION

- 1.1** The Fitness to Study Policy and Procedure is an intervention procedure for students causing significant concern and/or presenting risk of harm to self or others
- 1.2** There is a growing awareness of the need for Higher Education Institutions to respond appropriately to situations where visible signs of ill health (including mental health difficulties, psychological, personality or emotional disorders) may have an impact on the functioning of individual students, and the wellbeing of others around them.
- 1.3** Students who present with difficulties should be considered from a supportive perspective. Goldsmiths is committed to promoting positive attitudes towards students with physical or mental ill health.
- 1.4** The College has a duty of care to respond appropriately where there are substantial concerns relating to a student's health and wellbeing, and the impact that may have upon the individual and/or other members of the College community.
- 1.5** This document outlines the procedure and support available where a student's health and wellbeing deteriorates to the point where they may not be fit to study, including where they may be at risk of harm to themselves and/or others. It is designed to ensure a consistent and sensitive approach to managing situations. Concerns for the health or wellbeing of a student can be raised by both staff and students, and this document is to be used by staff in any situation where a student's welfare is at risk. Students will not be expected to manage these situations and should always approach a member of staff, or a representative of the Students Union if they have a concern.
- 1.6** Personal Tutors, Senior Tutors and Programme Leaders are the staff members most likely to identify that a student is experiencing difficulties and will be provided with training, support and advice from Student Services to enable them to initially manage the situation using this procedure.
- 1.7** This policy is not concerned with academic progress, which is dealt with by each department under separate arrangements, and in accordance with the College's Academic Regulations. The policy supports the work of the departments to sustain the progress of students. This policy is also not about

discontinuation or expulsion of students for misconduct, this is dealt with by the Student Disciplinary Procedure.

1.8 Where there is a Fitness for Professional Practice issue, the Fitness for Professional Practice Procedure, which takes account of the requirements of the Professional, Statutory and Regulatory Bodies, should take precedence.

1.9 In a situation where it is believed that a student's behaviour presents an immediate risk to themselves or others, the Emergency Services should be contacted by dialling 999. University Security should also be contacted by dialling 7979. This should be followed up later by notifying the Associate Director Student Services the details of the incident and action taken. The person witnessing the student's behaviour should not leave the scene until they have briefed the emergency services.

2. PROCEDURE GUIDELINES

2.1 The purpose of this procedure is to support students and staff in managing situations and incidents that cause significant concern. The procedure has three levels: Emerging concerns, Continuing/Significant concerns; Serious/Persistent concerns, based on the perceived level of risk to the health, safety and mental wellbeing of the student and the impact of their behaviour on others in the College community. The cause for concern can result in:

- invoking the procedure at any of the 3 levels
- staying at a level or
- Progressing through the levels, should the cause for concern not be remedied by recommended and agreed actions.

2.2 Anyone who has a sufficient level of concern about a student's health, safety and mental wellbeing should refer to this procedure for guidance.

2.3 Staff members can approach Student Services, see contact list page 12, for advice and guidance, or to make a referral.

2.4 Examples of behaviour that would raise concerns regarding the student's fitness to study:

- mood swings or unusual behaviour (e.g. aggressive, withdrawn, distressed, irritable);
- significant nonattendance or engagement with academic programme;
- a sudden deterioration in academic performance or motivation

Further information and guidance around student mental health can be found - <http://www.studentminds.org.uk/>

- 2.5** Concerns should be acted upon promptly, and should be illustrated with either evidence that there has been a decline in the student's health and wellbeing over a period of time, or a legitimate reason for believing that the student is at risk of harm to self or others. Evidence may include reports from staff members or other students about situations which have arisen.
- 2.6** When reviewing the perceived level of risk to a student's health and wellbeing, communication is paramount. Early intervention in issues and recommendations for support can avoid crisis situations from occurring.
- 2.7** In most situations it will be appropriate to start at Stage 1 of the procedure. However there will be some occasions when the level of risk requires a move straight to Stage 2 or 3. The level of risk must be judged based on the risk to the student concerned as well as the impact on other students and staff, especially where the student is living with other students in accommodation or is affecting the provision of teaching or services.
- 2.8** It is recognised that these situations can be difficult to deal with and that the level of risk is often hard to determine. Student Services is available to provide support and advice. If any staff member is unsure about whether to invoke this procedure; they are encouraged to seek advice from Student Services, see contact list on page 12.
- 2.9** A student may disclose a mental health illness or disability and may request that this information be kept confidential. This is a delicate issue and staff should try and respect students' wishes whenever possible. Staff should encourage students to share this type of information in order for the College to offer support at an early stage. Students should also be informed that the College has a duty of care to students and staff are therefore obligated to take action, including alerting appropriate colleagues within the department and Student Services, should they have concerns about a student's wellbeing. It is important whenever a student makes a disclosure of this nature that staff members keep a record of it and any advice given to students about accessing support and services.
- 2.10** Students in certain disciplines (such as Social Work and Teaching or other disciplines which are subject to the requirements of Professional, Statutory and
- 2.11** Regulatory Bodies) may be subject to separate and over-riding obligations to declare significant health issues.

- 2.12** Students should be involved in the management of their own wellbeing wherever possible. However, there may be times where a student is unwilling or unable to work within these procedures. In these cases, the process should continue, with concerns being raised, advice being sought, and action being taken, as appropriate.
- 2.13** If there are any concerns that the student is experiencing, or is at risk of abuse as a 'vulnerable adult', then this should be discussed with Student Services in the first instance. Where necessary this must be reported and Student Services can help to advise and support staff members with this.
- 2.14** If a student elects to interrupt their study, the Fitness to Study process will resume should the student decide to return to study.

3. STAGES IN THE PROCESS

- 3.1 Stage 1 – Emerging or initial concerns** - Emerging or initial concerns about an individual student's health, safety or welfare are raised.
- 3.1.1** If a student has concerns about a fellow student, they should discuss these with the member of the College staff they feel most comfortable with. This might be a personal tutor, programme leader, Student Union officer or staff member, or student representative. The student will not be expected to deal with the situation themselves. If they have discussed the issue with a staff member, this person will make an appropriate referral, or deal with the issue.
- 3.1.2** If it is a student representative, they will refer to a Student Union officer or staff member, who will make the appropriate referral.
- 3.1.3** If concerns have been identified by a member of staff, then that member of staff, or another with primary responsibility and/or knowledge of the student (e.g. personal tutor or programme leader) should talk to the student in a sympathetic and understanding manner, and indicate that there are concerns about the student's fitness to study, registered by use of this procedure.
- 3.1.4** The nature of the concerns should be clearly identified, and the student should be encouraged to discuss the issues, including the potential impact on themselves and others, including specific reference to the invocation of other student-facing procedures if appropriate. The key points and agreements, including action points arising from this discussion should be recorded and communicated to the student (Please see **Appendix 1** pro forma).

- 3.1.5** It should be made clear to the student that, whilst the University has a duty of care to support students with ill health, it is the student's responsibility to be fit to study. If appropriate, information should be provided about sources of professional support within the College that the student can access (e.g. GSU, Health Centre, Student Services). Staff members should, if necessary, assist and support the student in making contact with support services.
- 3.1.6** The student and member of staff should agree a date to meet within one month to review the situation (known as the **Stage 1 review meeting**), and to discuss the effectiveness of the support that the student has been accessing.
- 3.1.7** A copy of the **Record of Concern for a Students Health and Wellbeing, Appendix 1**, must be sent to the student within 5 working days. A copy of this information should be kept on the student's file. The student should be reassured that the purpose of keeping it on file is to ensure that the University is providing all necessary support to ensure that the student continues to be fit to study. A copy of the 'Record of Concern' should also be sent to Student Services for monitoring and recording purposes.
- 3.1.8** Students should be informed that if the concerns continue, any additional cause for concern arises, or they refuse to engage in the process, this could result in their fitness to study being further considered by moving to Stage 2.
- 3.1.9** Staff members are encouraged to make three attempts to engage the student with this process as they are in the best position to have the initial meeting due to their direct observation of the fitness to study issues. As highlighted above, should staff need advice and support or feel unsure about whether to invoke this procedure, they are encouraged to seek advice from Student Services, see contact list on page 12. This may include making a referral if they feel that they are unable to address concerns at Stage 1, in which case Student Services will work collaboratively with the staff member.
- 3.2** **Stage 2 – Continuing and/or Significant Concerns** - Continuing or significant concerns about an individual student's health, safety or welfare are raised.
- 3.2.1** Stage 2 will be carried out by Student Service, who will work collaboratively with staff within the Department. Staff from the Department or other professional services should contact Student Services if they think there are grounds to move to stage 2. The final decision on whether stage 2 of the procedure is invoked will be taken by Student Services (Head of Student Advice and Wellbeing or Wellbeing Manager - Mental Health) after receiving information from other relevant staff.

- 3.2.2** The student will be invited to meet with a member of the Student Services to discuss the issues, with the member of staff who has raised the issue. Ideally this should be arranged within 5 working days of the decision to move to stage 2 of the procedure. The student will be informed that engaging with stage 2 of the procedure is mandatory and refusal to engage may result in further escalation to stage 3.
- 3.2.3** The purpose of the meeting will be to ascertain the student's perception of the issues that have been identified, including the impact which his/her ill-health and/or behaviour are having upon him/herself and/or the College community. This meeting should be supportive and aimed at assisting the student to progress on their programme of study.
- 3.2.4** The student should be informed of the purpose of the meeting, and be advised of any documents s/he may be required to bring. The student may be accompanied by someone to this meeting – for example, this could be a member of the Students' Union, a member of College staff acting in a supportive capacity, or a close family member. Disabled students may also be accompanied by a support worker (e.g. sign language interpreter or mental health worker).
- 3.2.5** During the meeting a mutually agreed action plan will be devised to put in place support for the student and formally agree expectations for the student to observe. In cases where academic adjustments are required, the appropriate member of Inclusion and Learning Support will be consulted. This Action Plan will have a specific review date, and the consequences of not keeping to the agreed action plan must be clearly outlined to the student. The student should be informed that if the concerning behaviours discussed continue, or any additional cause for concern arises, this could result in their fitness to study being further considered by moving to Stage 3.
- 3.2.6** If an action plan cannot be agreed at Stage 2, then the case must move to Stage 3.
- 3.2.7** A report of the meeting and its outcomes will be recorded by Student Services. A copy of the agreed Action Plan will be submitted to the Senior Tutor in the student's Department . The Departmental Senior Tutor will disseminate this to relevant staff in the Department where appropriate.
- 3.3** **Stage 3 – Serious or Persistent Concerns** - Serious or persistent concerns are raised about an individual student's actions or behaviour that are putting the health, safety, wellbeing or academic progress of him/herself or other members of the University community at significant risk.

- 3.3.1** The Director of SALS or a nominated representative will call a 'Case Conference' to discuss the situation. Those present at the Case Conference may include:
- The Associate Director (Student Services) or a nominated representative (Chair)
 - A nominee of the Head of Department
 - Academic/Department representative
 - Appropriate representatives from Inclusion and Learning Support and/or Wellbeing
 - Student's G.P or other relevant professional (with student's consent)
- 3.3.2** The student will be informed of the case conference in writing by the Associate Director (Student Services). Students will be entitled to submit written representations to the Case Conference and at the discretion of the Chair, the student may be invited to attend the Case Conference.
- 3.3.3** The Case Conference will determine an agreed action:
- an enhanced Action Plan, or
 - a recommendation to the Head of Department for a possible interruption/suspension on health and wellbeing grounds
- 3.3.4** Where appropriate, the agreed action will take into account whether there are any reasonable adjustments that can be put in place, or whether the limits of reasonableness have been reached at that time (in accordance with the Equality Act 2010).
- 3.3.5** If the recommendation is that of an enhanced Action Plan, the student will be invited to meet with the Associate Director (Student Services) or a nominated representative to receive and discuss the recommended actions from the Case Conference. The student will be invited to bring along a person to support them at the meeting. The plan will have a concrete review date, and the consequences of not adhering to the Action Plan will be made clear. A copy of the agreed Action Plan will be submitted to the Departmental Senior Tutor.
- 3.3.6** If the agreed recommended action is an interruption/suspension of studies, the Associate Director (Student Services) will inform the Head of Department, who will follow the process below to suspend the student.
- 3.3.7** Normally no student shall be suspended unless s/he has been given the opportunity to make representations to the Head of Department, either in person or in writing, as the student chooses. Such representations may be

put forward by the student or by a friend or representative (not acting in a legal capacity, and with the written consent of the student).

- 3.3.8** In cases deemed to be urgent, particularly if the safety of others is perceived to be at risk, a student may be suspended with immediate effect, and before being given the opportunity to make representations. In this instance the student or his/her representative will be permitted to put forward representations at the earliest possible opportunity after the interruption/suspension.
- 3.3.9** Interruption/suspension of studies will only be recommended in the most serious of cases, and when all avenues of support have been exhausted, or the student has not engaged with support. The interruption/suspension is intended to give the student time away from studies to address health and wellbeing issues, in order wherever possible to return to the College and resume study.
- 3.3.10** Upon interruption/suspension provision may be made to provide the student with the necessary resources to continue their studies from home (e.g. access to a local library, blackboard, and other educational support mechanisms).
- 3.3.11** A student who is suspended may be wholly or partly prohibited from entering College premises and from participating in College activities, including working at the College or Students Union, or exercising their functions or duties of any office or committee membership in the College or the Students' Union. Interruption/suspension may be subject to qualification, such as permission to take an examination. A suspended student should seek guidance from their Department on how they might best continue their studies.
- 3.3.12** A decision to suspend will normally be conveyed by the Head of Department at a meeting with the student (and representative if required). This meeting will include a consideration of issues arising from interruption/suspension e.g. financial, academic etc. and Student Services will offer appropriate support and referrals in this case. Where the student wishes to voluntarily interrupt the course at this stage, this should be favourably considered with the provision for a review of the health and wellbeing of the student at the end of the interruption/suspension period following the College's Fitness to Return to Study Procedure.
- 3.3.13** Written reasons for the decision to suspend will be recorded and made available to the student by the Department, The terms of the interruption/suspension will be notified in writing to the student.

3.3.14 If a decision to suspend impacts upon a student's tenancy in College Accommodation, Accommodation Services will consider where appropriate a temporary or permanent change to a student's accommodation arrangements.

3.3.15 In cases of interruption/suspension of study the following must be informed:

- Records and Enrolments to ensure that any student records are amended accordingly
- Programme Leaders to advise on academic status and any current module registrations
- Relevant Colleagues (e.g. Accommodation Manager)
- H.R or Students Union if the student works for the University or the Union

4 REVIEW OF/END OF INTERRUPTION/SUSPENSION

4.1 Any decision to suspend a student will be subject to review after 15 working days.

4.2 Such a review shall not involve a hearing but the student, either personally or through a representative, will be entitled to submit written representations.

4.3 The review will be conducted by a member of the Executive Committee and will be serviced by an officer of the College. The Executive Committee member conducting the review will have access to all the documentation from the stage 3 "case conference" and will consider the written representations of the student.

4.4 A student may request to return to study after an interruption/suspension under the Goldsmiths' Return to Study Procedure. This procedure is in place to ensure that a student is well enough to successfully return to their studies and that appropriate support and accommodations are in place at their point of return.

4.5 The University will make every effort to allow the student to return to continue with their studies, within the limits set by University Regulations. This may include repeating periods of study. The ability to repeat study will depend upon the feasibility and reasonableness of such a proposal, and will be decided on a case by case basis.

5 APPEALS AGAINST INTERRUPTION/SUSPENSION

- 5.1** If the student wishes to appeal against the interruption/suspension, the appeal must be made in writing to the College within 10 working days of the written confirmation of the decision and must specify the grounds on which it is based. An appeal may only be lodged on one or more of the following grounds:
- i)** that evidence is available which for good and reasonable cause has not been brought to the attention of the Head of Department previously
 - ii)** that there has been a relevant and significant error in the operation of procedures of the Fitness to Study policy
 - iii)** that the decision was unreasonable, where unreasonable shall be taken to mean perverse: that is, the outcome was not a conclusion a similar Officer acting on behalf of the University might have taken
- 5.2** The Head of Governance Services may reject an appeal if, in his/her view, it is out of time, or not lodged in accord with the allowable grounds, and shall report that decision to the student and the Fitness to Study Appeals Panel.
- 5.3** Upon receipt of the letter the University will respond to the student within 10 working days, and will convene Fitness to Study Appeal panel within 21 working days.
- 5.4** The Fitness to Study Appeals Panel shall be drawn from a pool of staff members appointed by Academic Audit and Governance Committee and nominees of the Students' Union.
- 5.5** Each meeting of the Fitness to Study Appeals Panel shall comprise two staff members, one of whom shall be Chair, and one nominee of the Students' Union.
- 5.6** All panel members shall be drawn from outside the student's Department.
- 5.7** Any person who was involved in earlier stages of the Fitness to Study process shall take no part in the meeting of the Fitness to Study Appeals Panel (except for the purposes of presenting a report). An officer of College shall act as Secretary.
- 5.8** The Fitness to Study Appeal panel may dismiss an appeal without a full hearing if it considers that the appeal, although not rejected by the Head of Governance Services, was in fact lodged other than in accord with the allowable grounds or was out of time.

- 5.9** The Panel can decide to uphold or withdraw the interruption/suspension. Where the Panel permits a student to return to study it may require them to meet with Student Service or programme staff to agree support and reasonable adjustments or place other conditions on their return as it considers to be reasonable to ensure the wellbeing of the individual student and the wider University community.

6 INVESTIGATORY & DISCIPLINARY PROCEDURES

- 6.1** **There are occasions where a student who is experiencing mental ill health** may behave in such a way as to invoke the Student Disciplinary Procedure. In such cases, they will not necessarily be exempt from investigation and potential disciplinary action. Each case will be considered on its own merits, with due regard given to issues relating to mental ill health.

7 CRITICAL ILLNESS OF STUDENTS

- 7.1** From time to time there may be a situation where a student finds him/herself severely incapacitated, e.g. through injury or critical illness. In such a situation, where it would be unreasonable to expect a student to submit a request for consideration of personal mitigating circumstances, deferral or apply for an interruption/suspension of study, it would be reasonable to act in accordance with instructions/requests from the student's duly authorised representative, e.g. parent, partner.

8 MONITORING OF THIS POLICY

- 8.1** Data will be collected on the use of this policy as follows:

- Numbers of cases at each stage of the policy
- Numbers of interruption/suspensions of study
- Final outcomes e.g. return to study.

- 8.2** All of the above will be monitored by College and Department, and by gender, ethnicity, disability, age, religion/belief and sexual orientation where possible, to ensure fair and consistent application of the policy.

- 8.3** Student Services will collect these data and will raise any issues which arise directly with Departments, or with the College, as appropriate.

9 CONTACTS

| | |
|---|---|
| Assistant Director of Student Services | Sara Doherty T: 020 7896 2785 M: 07713 709374 s.doherty@gold.ac.uk |
| Head of Student Advice and Wellbeing | Louise Jennings T: 020 8228 5647 M: 07702 443601 l.jennings@gold.ac.uk |
| Wellbeing Manager (Mental Health) | Lucy Antich T: 020 7919 7339 M: 07702 443599 l.antich@gold.ac.uk |
| Student Centre | T: 020 7919 7050 studentcentre@gold.ac.uk |

Record of Concern for a Student's Health & Wellbeing

Student's Name:

ID Number:

Staff present at meeting:

Concern raised by:

Brief outline of concern:

.....

Student's response to concerns raised:

Feedback and action plan following meeting with student:

Declaration:

1. I understand the nature of the concern(s) raised by the university, as has been explained to me and outlined in this document.
2. I have agreed to work towards the action plan outlined above, which has been developed to support me.
3. I understand that if I am unable or unwilling to carry out the action plan, the university will need to consider taking appropriate or remedial actions.
4. I understand and consent to the information in this document being shared with other relevant services within the University in order for me to receive the appropriate help and support.
5. Whilst I understand that the University has a duty of care to support me, ultimately I am responsible for my own health and wellbeing and it is my responsibility to be fit to study.

| | |
|-----------------------------|--------------------------|
| Student's name | Signature |
| Staff member | Signature |
| Date | Review date |

Appendix 2

| Wellbeing Action Plan (Level 1 / 2 / 3) (Delete as appropriate) | |
|---|--|
| Wellbeing Action Plan for (name): | |
| Completed by (names): | |
| Date of completion: | |
| Date of review: | |
| Notes on referral: <ul style="list-style-type: none"> ○ What is referral route? ○ Why has the student been referred – is this part of a policy or procedure? | |
| Reasons for meeting and for the creation of a Wellbeing Action Plan. <ul style="list-style-type: none"> ○ What is the nature of the risk, level of concern etc. | |
| Has support already been provided and if so what has this been? <ul style="list-style-type: none"> ○ Has this been effective? ○ Are new measures required? | |
| What action would be helpful and how could this be put in place to address the concerns? | |
| For the purposes of establishing support networks and clarifying confidentiality – is there contact with external support / family / next of kin? | |
| Explanation of next steps regarding possible escalation / risk assessment. <ul style="list-style-type: none"> ○ Does the student agree with the measures proposed in the Plan? | |

| When will the Wellbeing Action Plan be monitored and by whom? | |
|---|--|
| Note of any arrangements to meet again, when and with whom. | |
| Confidentiality / Disclosure | |
| <p>1.1 I agree to the above information being stored and shared with relevant University staff and outside agencies as agreed, for the purpose of obtaining or maintaining my support in line with the Wellbeing and Fitness to Study procedure.</p> <p>1.2 I agree to disclose to the university any new information connected to my Wellbeing and Fitness to Study when it becomes available. This includes correspondence from my doctor, medical professional, reports or specialist assessments which will help maintain my support.</p> <p>1.3 I agree to the University liaising with external support (Name to be confirmed:) or next of kin as detailed above.</p> <p>1.4 I understand that if I do not consent to information being shared in this way, it may not be possible for the university to put support arrangements in place for me. Additionally, I understand that staff might need to extend confidentiality in the following circumstances:</p> <ul style="list-style-type: none"> ○ When I am putting myself at serious risk of harm; ○ When my behaviour is presenting a risk or exposing other to the risk of harm; ○ When my behaviour is presenting unreasonable demands on staff and their wellbeing or gives rise to a risk to the proper functioning of the university and / or its reputation. ○ When disclosure is required by law. <p>If this is the case we may need to escalate and assess in order to decide on what we should do next. We would endeavour to keep you informed at each step.</p> <p>I consent to the above / I do not consent to the above (delete as appropriate)</p> <p>Signed: _____ Date: _____</p> <p>Staff signature: _____ Date: _____</p> | |

Appendix 3

Dear xxxxx,

You are invited to attend a Fitness to Study meeting on:

Date

Time

Where

With

The aim of this meeting is to give us an opportunity to further discuss the concerns that have been raised about your fitness to study and to agree an action plan between us, of support or another intervention that will help you in re-engaging with your studies and getting you back on track with achieving your academic intentions at Goldsmiths.

As part of this process you are encouraged to bring someone to support you to the meeting, this could be a parent, friend, support worker etc. It is important that you contribute to this meeting and you're encouraged to provide us with any relevant information or medical evidence that might support the discussion process.

Please be assured that the information shared and the discussion that will take place during this meeting will be treated sensitively and only shared with members of staff at Goldsmiths or external agencies that are directly involved with your studies.

Finally, I have enclosed a copy of the Fitness to Study student factsheet for your information and reference.

Kind Regards,

xxxxxxxxxxx