



QSC 10.22-05

Fitness to Study Policy and Procedure

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FITNESS TO STUDY POLICY

1. Introduction

- 1.1. The Institute has a responsibility to ensure a safe and comfortable environment for staff and students and so, in the rare circumstance, in which a student is not in a position to identify their own deterioration in health or well-being, the policy will allow the Institute to intervene for the wellbeing of the student and the wider Institute community. The Fitness to Study policy may be used in cases where a health condition has not been diagnosed or when the Institute has not been notified of the diagnosis.
- 1.2. This Policy is complementary to the Fitness to Practise Policy and others relating to student support, conduct and discipline.

2. Scope

- 2.1. This Policy applies to all students at the Metanoia Institute including those on CPD courses.
The Fitness to Study policy is intended to address concerns that a student's health is:
disrupting their own studies;
disrupting the studies of others;
is placing unreasonable demands on staff or other students.
- 2.2. Where there are concerns that a student's health is, or is likely to, present a risk to patients then the Fitness to Practise Policy should be used. If a student is on a programme leading to a professional accreditation or if the student is a registered practitioner, then consideration should be given each time this policy is applied to them whether their health is a fitness to practise concern. Failure to constructively engage with the Fitness to Study procedures may in itself trigger a fitness to practise investigation or review.
- 2.3. The term "fitness to study" as used in this policy encompasses all aspects of Institute life and not just the student's ability to engage with their studies. The Institute seeks to maintain an environment which is safe and conducive to teaching, learning and research and the well-being of all.

3. Definitions

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4. Principles

- 4.1. This policy allows for an agreed way for a student to continue their studies with appropriate support or to take a break without academic consequences until they are fit to return to their course. It will only be invoked in instances of a serious or potentially serious nature as it is anticipated that the usual support services available to students will be used before any response is made in line with this policy.
- 4.2. All actions under the Fitness to Study policy will be guided by the following principles:
To act in a fair and proportionate manner when dealing with vulnerable individuals;
To consider relevant professional advice and guidance where appropriate;

To comply with legal duties and responsibilities;
To safeguard the needs of staff and students affected by inappropriate behaviours;
To consider the impact of any breaks in study holistically and provide appropriate, advice, information and guidance to those concerned.
This policy is complementary to but does not replace the Student Conduct and Disciplinary rules, the Safeguarding policy or the Fitness to Practise policy.

5. Support for students during the process

- 5.1. Students with physical or mental health difficulties will be encouraged to avail themselves of support from the Institute Disability Officer. Where possible, this service will be accessed before the Support to Study meeting is called.
- 5.2. Students may invite a friend, family member or Student Representative to accompany them to the Support to Study meeting and / or the Fitness to Study Panel. The Institute 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.

6. Confidentiality

- 6.1. When the Fitness to Study Policy is invoked, the Institute will take account of the rights of the student under the Equalities Act and the Data Protection Act (GDPR). 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.
- 6.2. If the student chooses not to provide their consent, this decision should be respected in most instances. In this scenario, the implications of non-disclosure 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 may 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 Institute Safeguarding Policy).

If the student is doing any clinical work or placements or if they are on an accredited programme, serious consideration should be given about using the Fitness to Practise policy.

- 6.3. Staff should first consult with the Head of Faculty 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.

7. Procedures

- 7.1. Any concerns about a student's fitness to study should initially be raised with the DoS or course leader. They will then decide whether to take an informal approach (Stage 1 of this Policy) or, where there are more serious concerns, escalate directly to Stage 2.

7.1.

7.2. Informal Intervention (Stage 1)

7.2.

- 7.2.1. The DoS or their nominee (normally an experienced tutor on the course) will invite the student in for an informal discussion. The staff members can request advice from the Disability and Student Support Officer. The meeting should be held as soon as possible once the concerns have been raised at a time which is convenient to the student.
- 7.2.2. 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. During the discussion the student will be given an opportunity to share any mitigating circumstances or previously undisclosed medical history, and they will be provided with information on the support available within the institution and how it can be accessed. Where it is appropriate, an action plan and a review period should be agreed.
- 7.2.3. A letter recording the meeting, issues and agreed actions will be sent to the student within seven days of the meeting. A copy of this letter will be sent to the appropriate Faculty Head.
- 7.2.4. Where the student shows a lack of insight into or acknowledgement of their behaviour or where they are unwilling to engage in appropriate remedial actions, there should be an immediate referral to Stage 2 of Fitness to Study.
- 7.2.5. At the end of any agreed review period, the case should be reviewed by the DoS or their nominee. If the concerns for the student's fitness to study have significantly reduced or been eliminated, then a decision of no further action can be agreed. This should be confirmed in writing to the student with a copy sent to the Head of Faculty. If, however, the concerns remain, then the case should be referred to Stage 2 of the Fitness to Study policy.

7.3. Support to Study meeting (Stage 2)

- 7.3.1. The relevant Faculty Head or their nominee is responsible for chairing the Support to Study meeting (at Stage 2) and ensuring a conclusion is reached at this level.

- 7.3.2. Stage 2 is a second level intervention to be used when:

Stage 1 has not been successful;

the student has not kept to the action plan agreed; or
the student's conduct or circumstances indicates that further intervention is required.

7.4. Behaviours triggering a support to study meeting may include:

complaints from other students regarding behaviour continued to be made;
a significant concern for academic achievement is held;
instances whereby the student refuses to access support and/or exhibits
behaviour that gives increasing cause for concern e.g. repeated missed
appointments, disengaging with study, social withdrawal.

The DoS or the Faculty Head need to carefully consider that the Fitness to Study process is, and remains throughout, the best way of dealing with the student. At any time, the Student Conduct or Fitness to Practise Policies may be more appropriate. The student should be informed as soon as possible if any other Policies are to be employed.

7.5. A Stage 2 intervention normally comprises a formal Support to Study meeting with the student initiated by the Faculty Head or their nominee. The Faculty Head should inform the Registrar of the requirement to instigate Stage 2 of the Fitness to Study Policy. The student shall be given reasonable written notice of the meeting. The letter or email shall inform the student:

- 7.5.1. of the meeting under the Fitness to Study Policy, and the nature of the meeting being supportive;
- 7.5.2. of the purpose of the meeting, and shall request any necessary detailed information and documentation including, if appropriate, medical evidence;
- 7.5.3. that they can be accompanied by a friend/supporter/representative (per paragraph 2.2 above).

7.6. The meeting shall normally include the Faculty Head (or nominee) and either the Disability and Student Support Officer or the safeguarding officer who is part of the Cause of 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.

7.7. 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.

7.8. 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.

- 7.9. 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:
- 7.9.1. That no further action is necessary;
 - 7.9.2. That it is necessary to agree an Action Plan with the student;
 - 7.9.3. That, subject to the student's consent, it is necessary and appropriate for the relevant Faculty Head to consider an adjustment to hours of study;
 - 7.9.4. That, subject to the student's consent, it is necessary and appropriate to agree an interruption from the programme;
 - 7.9.5. That it is necessary to make a referral to Stage 3 of the procedure;
 - 7.9.6. That it is necessary to make a referral to other Institute procedures, as appropriate, for example the Student Conduct and Discipline Policy procedure;
 - 7.9.7. Where the student is on placement, to propose to the student suspending the placement or (if available) switching to a programme without a placement;
 - 7.9.8. Any other actions intended to support the student to successful completion of their studies, for example assessment deferral if evidence has been provided
- 7.10. If the student does not agree to the discussed supportive proposed outcome, the member of staff should advise the student that Stage 3 action will normally be taken.
- 7.11. The Chair of the meeting shall ensure that there is a written record of the meeting and any determined actions. If an action plan is agreed, it shall normally include the specification of desirable behaviour and appropriate expectations, support mechanisms together with a date for a review meeting. If appropriate, it may also detail the consequences of no engagement by the student. The action plan may also include a request for the student to provide medical evidence as to fitness to study.
- 7.12. The record and action plan shall normally be sent to the student within 7 calendar days of the meeting. The student shall be asked to agree to the action plan by signing and returning one copy or, by confirming their agreement by Institute email. A copy of the documentation shall be held securely.
- 7.13. Review meetings shall be convened as agreed. Attendees at review meetings may be different to those at the original Stage 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 7 calendar 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.

7.14. 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 Stage 2 initial or review meetings, or there is otherwise a failure to engage in the Institute's Fitness to Study Procedure or, finally, the case is too serious to be addressed at Stage 2, Stage 3 of the procedure will normally be invoked.

8. Fitness to Study Panel (Stage 3)

8.

8.1. An independent Faculty Head or nominee is responsible for chairing the Fitness to Study Panel (at stage 3) and ensuring a conclusion is reached at this level.

8.2. This stage of the procedure will only be implemented once Stage 1 (Informal Intervention) and Stage 2 (Support to Study meeting) have been followed, or if concerns are deemed to be sufficiently serious to warrant starting the procedure at Stage 3. If a student has been suspended under another Institute procedure, then the Fitness to Study process will start at Stage 3.

8.3. The initiation of Stage 3 will be the decision of the nominated, independent, Faculty Head in consultation with the relevant Faculty Head. The Head of Academic Quality will also discuss the case with relevant professional staff within Student Support Services.

8.4. Once it has been agreed to go to Stage 3, the Head of Academic Quality will call the Fitness to Study Panel to determine more definitive action.

8.5. Those present at the Fitness to Study Panel will include:

8.5.1. The Faculty Head(s);

8.5.2. The Head of Academic Quality;

8.5.3. The Chair of the Academic Board;

8.5.4. The student, who may be accompanied by a friend or family member, a relevant health or social care professional, or a Student Representative (students should inform the panel of who is accompanying them prior to the panel meeting).

8.6. The primary purpose of the Fitness to Study Panel is to determine:

8.6.1. Why the level 2 action plan has not been successful;

8.6.2. Whether an alternative action plan is appropriate; or

8.6.3. Whether or not a student is required to interrupt their studies for a period of time. Their return may be at the start of a subsequent academic year or, following a fixed-term period of suspension, within the same academic year.

- 8.7. Student Support services will provide appropriate information, advice and support to the student in either event. Where a student interrupts a course of study, arrangements will be made for the student to have a named member of Institute staff to keep in contact with, and with whom the student's case and circumstances can be reviewed regarding return to study (see below).
- 8.8. Another outcome to the Fitness to Study Panel could be to offer the student a compulsory part-time route to completing their programme if available.
- 8.9. If the Fitness to Study Panel suspends or interrupts a student's studies, they will be informed in writing. A student has the right to appeal against the decision of the Fitness to Study Panel. Students who withdraw or who are suspended will be given the opportunity to talk to named staff within professional services to discuss financial, support and study implications, and other issues that may arise. The student will also be informed of the 'Return to Study' procedure and process, and an agreement will be made about how the Institute will keep in contact with the student during any absence.
- 8.10. Fitness to Study Panels must keep a record of the outcome of their deliberations. The FFtS Servicing Officer will notify all necessary parties within the Institute as appropriate, particularly in the case of discontinuation (e.g. Academic Registry, MCPS).

9. Return to Study

- 9.1. It is envisaged that, after whatever time is required and is allowable within the Institute's Regulations regarding completion of programme, a student covered by this policy will feel ready to return and engage with their studies. After a period of interruption or suspension on health grounds, the decision as to whether or not to permit the student to return to study will be made by the relevant faculty, having taken advice from professional services.
- 9.2. Each case will depend upon the specific circumstances and the context out of which concern arose, but in all cases return to study will be dependent upon:
 - 9.2.1. satisfactory medical evidence of fitness to study;
 - 9.2.2. an assessment of need to determine what support is deemed necessary or of benefit and, whether this can be reasonably provided.
- 9.3. Evidence submitted should be from an independent and recognised health professional that has sufficient knowledge of the nature and extent of the student's medical situation and the concerns that led to the student's withdrawal or suspension, and who is able to make an informed statement of the student's fitness to study at Institute level and within its community.

- 9.4. Upon taking the decision to permit a student to return to study, the faculty is responsible for informing the Fitness to Study Panel. This is to allow professional services to engage the student in ensuring that the relevant financial and support arrangements are put in place for the student's return.
- 9.5. In the event that it is not immediately clear to the faculty that return to study is appropriate for the student, the decision should be re-referred to a Stage 3 Fitness to Study Panel.

10. Appeal's Procedure

Right of Appeal

- 10.1. A student aggrieved by a decision to recommend suspension shall have the right of appeal to the Chief Executive Officer or nominee within 10 working days from notification of the decision, giving the grounds for the appeal. The Chief Executive Officer or nominee shall consider the appeal and shall decide whether to uphold or amend the decision made.
- 10.2. The decision of the Chief Executive Officer or nominee shall be final. These procedures are now complete, opening the way for the student to approach the Office of the Independent Adjudicator.
- 10.3. In the event that the appellant wishes to lodge an external appeal with the Office of the Independent Adjudicator (OIA), the student should write, within three months of receiving notification that the internal procedures of the Institute have been completed, enclosing a copy of the final decision of the Institute and stating the reasons for seeking redress from the Higher Education Independent Adjudicator to the following address:

Office of the Independent Adjudicator for Higher Education
Third floor, Kings Reach
38-50 Kings Road
Reading
RG1 3AA
United Kingdom

- 10.4. Email enquiries may be sent to enquiries@oiahe.org.uk. For further information, please visit www.oiahe.org.uk.

11. Medical Evidence

- 11.1. Before the Support to Study meeting, a student may be asked to provide evidence of a recent medical assessment so that the Institute can accurately assess their fitness to study.

11.2. This medical evidence should state:

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

11.3. Any cost incurred in obtaining this medical evidence will be borne by the student. If the student declines to provide medical evidence, the Institute will come to a decision based on the available information or alternatively may address the issue under an alternative policy, for example, the Student Conduct and Discipline rules.

11.4. Should the medical evidence state that the student is fit to study, it will be the decision of the Fitness to Study Panel how much weight is given to the medical report and to conclude based on all available evidence whether the student is fit to study.

12. Students on Placement

12.1. Where concerns are raised about a student's fitness to study while they are on a placement, the Institute will discuss the possibility of alternative arrangements with the placement provider. If alternative arrangements are not possible the placement may be withdrawn, deferred or a switch to a placement free equivalent programme may be considered where possible.

13. Notifiable Diseases

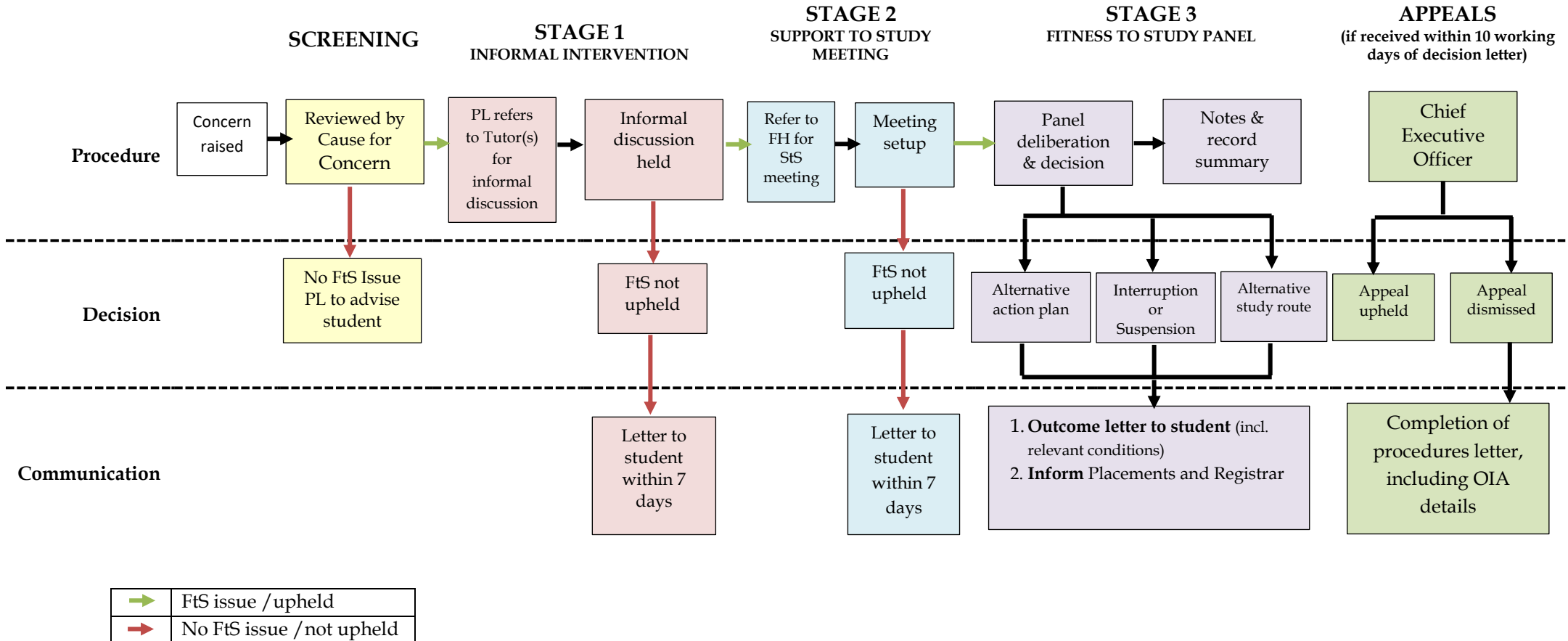
13.1. Students are asked to disclose contagious/transferable infections/diseases to Disability and Student Support Services so that this may be managed in a safe way. Such disclosure will be treated confidentially at all times. In the event that the Institute becomes aware that a student has contracted a notifiable disease, the student will be suspended from the training with immediate effect. Re-admission to Metanoia Institute will be on the basis of certified medical evidence.

14. Student Finance and Suspension

14.1. It shall be the student's responsibility to inform the Student Loans Company (www.slc.co.uk/), sponsor, tutor or any other relevant person/group of any suspension, interruption or withdrawal.

- 14.2. If the student is required to undertake an interruption, suspension or withdrawal of their studies, they shall be referred to Registry and Finance professional staff. Students who are required to or choose to interrupt their studies need to be advised on the implications; on their liability to pay the tuition fees and the impact on their funding from the Students Loans Company.

Appendix1: Fitness to Study Flowchart



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