

# **Selwyn College**

## **Fitness to Study Procedure**

### **Introduction**

The purpose of this document is to set out the procedures which the College follows when there are concerns about the fitness to study of one of its undergraduate or postgraduate students.

It outlines the steps that will be taken by the College if there is concern that a student's behaviour or health has the potential to disrupt or threaten the welfare or academic progress of either that student or of others in the academic community.

Decisions concerning a student's fitness to study are made through a collective and supportive process after both appropriate consultation and consideration of the student's safety, their ability to study, to learn effectively and to complete their course successfully.

The procedures described below do not take precedence over the relevant provisions of the College's Statutes and Regulations and policies or, where applicable, the University's Statutes and Ordinances, or the College's obligations under the Prevent legislation.

This procedure is only intended for use in cases in which the behaviour, disruption or risk presented by the student is perceived to be of a serious or potentially serious nature. Where possible the tutorial system and other student support services should initially be used to address the situation, prior to taking any formal action.

### **What are its benefits?**

- Having a written procedure enables the student to obtain a reference document containing a clear summary of their full responsibilities and of the expectations of the College in relation to their commitment both to study and to life within the College community.
- If and when a problem arises, the steps taken can be seen to be limited to what is necessary to protect the best interests of the student and other members of the College community whilst ensuring a consistent and sensitive approach to managing the specific situation.
- Tutorial, academic or support staff can initiate the procedure as soon as serious concerns about a student are raised thus allowing for issues to be detected and addressed in a structured manner before the situation escalates.
- Use of the formal process enables shared concerns in different sections of the College and the University community to be collated.
- The problem-solving approach is objective-oriented, allowing the student to focus on agreed actions and achievable aims that are clearly documented and come from a supportive perspective rather than a disciplinary one.

### **Background knowledge**

Before this procedure is initiated there are other support services in the College and the University to which students may be directed by Tutors or other support staff as appropriate.

Students with a mental or physical health difficulty:

- are strongly encouraged to speak to their Tutor, Director of Studies or other appropriate member of staff in the College about their difficulties and any related problems that they may be experiencing.
- are strongly advised to consult all the relevant support services within the College and the University, and in particular
- the University Counselling Service, the University Mental Health Adviser, their General Practitioner, and the Accessibility & Disability Resource Centre. However, **the first port of call should usually be the College Tutor.**

Early intervention in student health issues or behavioural matters and the implementation of suitable support can often avoid the development of a crisis situation. (For a definition of 'crisis situations' see appendix.)

Advice available from Tutors and in the self-help leaflets available from the University Counselling Service ([www.counselling.cam.ac.uk/leaflets.html](http://www.counselling.cam.ac.uk/leaflets.html)) will be useful, as may advice from one or more of the following:

- University Mental Health Advisor: [www.counselling.cam.ac.uk/staffcouns/leaflets/mha](http://www.counselling.cam.ac.uk/staffcouns/leaflets/mha)
- University Counselling Service: [www.counselling.cam.ac.uk](http://www.counselling.cam.ac.uk)
- College Nurse: contact details from the Porters or Tutorial Office
- Cambridge University Students Union: [www.cusu.cam.ac.uk/welfare/](http://www.cusu.cam.ac.uk/welfare/)
- Graduate Union: [www.gradunion.cam.ac.uk](http://www.gradunion.cam.ac.uk)
- Accessibility & Disability Resource Centre: [www.admin.cam.ac.uk/univ/disability/](http://www.admin.cam.ac.uk/univ/disability/)
- Occupational Health [www.admin.cam.ac.uk/offices/oh/](http://www.admin.cam.ac.uk/offices/oh/)
- Student Advice Service. [www.studentadvice.cam.ac.uk](http://www.studentadvice.cam.ac.uk)
- Adult eating disorder service [www.cambsadulteds.nhs.uk/](http://www.cambsadulteds.nhs.uk/)
- Drinksense [www.drinksense.org/](http://www.drinksense.org/)
- CAMEO [www.cameo.nhs.uk/](http://www.cameo.nhs.uk/)
- Alcoholics anonymous [www.alcoholicsanonymous.org.uk/](http://www.alcoholicsanonymous.org.uk/)
- Cocaine anonymous [www.cauk.org.uk/](http://www.cauk.org.uk/)

## **Fitness to Study Procedure**

### **1. Purpose and Scope of the procedure**

1.1 During their time at Cambridge University all students should be able to study and perform to the best of their ability in a safe and comfortable environment. The reality of College and University life means that students not only work but also live in close proximity to each other. Whilst many students find studying and living in such an environment easy and enjoyable others can find it more challenging.

The term 'fitness to study' as used in this document relates to the entire student experience and not just a student's ability to engage with their studies. For example, the College expects its students to be able to live in harmony with others without conducting themselves in a way which has an adverse impact on those around them. This procedure is not designed to address issues of poor academic performance (which should be dealt with under the normal academic assessment and monitoring

procedures or the Academic Committee) except where this is a result of a fitness to study issue. It is anticipated that occasionally a case may be referred to the Academic Committee, just as that body may be likely to refer some cases to be dealt with under Fitness to Study procedures.

1.2 In order to maintain and enhance the cohesion of the College community, students need to conform to certain standards of behaviour. However, it is recognized that the cause of concern regarding fitness to study may include issues where disciplinary action may not be appropriate. The College and University have disciplinary mechanisms in place to deal with students whose behaviour falls outside acceptable standards see College and University Regulations:

<http://www.admin.cam.ac.uk/univ/so/2011/chapter02-section17.html#indexterm-d2e5013>

The College guidance can be found via: <http://www.sel.cam.ac.uk/life-selwyn/information-students/>.

1.3 A student's fitness to study may be questioned if health problems are disrupting their own studies or the studies of others, or result in unreasonable demands being placed on staff or other students. The College has a duty of care to its community and is bound by health and safety legislation and the Equality Act, which means that it is obliged to take action if a student presents a risk to themselves or to others.

1.4 The level of risk to the student, or to others posed by that student will be measured by the use of a risk assessment process throughout the procedure to provide a consistent means of evaluating the risk to the student, other individuals and the institution. This process will be led by the Senior Tutor, or the Senior Tutor's nominee, in close collaboration with health professionals. Even when no risk to a student's safety or that of others is involved the fact that a student has a problem does not in itself justify or excuse inappropriate behaviour.

1.5 Once this procedure has been implemented (at any of the three stages) behaviour subsequently observed will normally be considered under this procedure rather than under a disciplinary procedure.

1.6 If concerns are raised whilst a student is on authorised study away from Cambridge (e.g. is on a Year Abroad, has leave to Work Away, or is on a placement) the College will discuss alternative arrangements that might address any concerns with the other institution and the University Department, where appropriate,

## **2. Circumstances under which a student's fitness to study may be brought into question**

2.1 A student's fitness to study may be brought into question as a result of a wide range of circumstances. These include (but are not restricted to) the following:

- Serious concerns emerge from a third party (e.g. Tutor, supervisor, Director of Studies, friend, other student, department, placement provider, member of the public, medical professional etc.), which indicate that there is a need to address the student's fitness to study.

- The student has told a member of the College that they have a problem and/or have provided information which indicates that there is a need to address their fitness to study.
- The student's disposition is such that it indicates that there may be a need to address an underlying issue because their behaviour is causing problems to themselves or others, for example if they have demonstrated mood swings, shown signs of depression or become withdrawn.
- Behaviour is exhibited that would normally be dealt with as a disciplinary matter, but is thought to be the result of an underlying physical or mental health problem.
- The student's academic performance or persistent behaviour falls below acceptable standards and this is thought to be the result of an underlying physical or mental health problem.

If Tutorial, Academic or Support Staff have concerns regarding a student's fitness to study they should discuss this initially with the Senior Tutor or the student's Tutor. That person may consider implementing Stage 1 of the procedure.

This Fitness to Study Procedure has three stages depending on the perceived level of risk, the severity of the problem and the student's engagement with efforts to respond to it. When a member of College raises concerns, the relevant member of College staff (most usually the Tutor) has a duty to initiate this policy as part of their larger duty of care to College members.

### **3. Stage 1- Informal Action by the College**

3.1 Should preliminary action in terms of informal support and guidance be unsuccessful, the designated member of College staff (ordinarily the College Tutor) should approach the student and explain to them, in a supportive and understanding manner, that concerns about their fitness to study have emerged. Should the Tutor or other member of staff require advice or guidance they should contact the Senior Tutor.

3.2 The student should be made aware of the precise nature of the behaviour that has caused these concerns to be raised. Normally the Tutor, but on occasions the DoS or other staff member will attempt to resolve the matter by informal discussions with the student. The student should be given the opportunity to explain their own views on the matter, and be encouraged to think about using one or more of the support services offered by the University. It may also be appropriate to look into the possibility of applying academic arrangements or support to enable the student to study effectively.

3.3 It is hoped that in most cases issues can be resolved at this level, and that the student will respond positively, co-operating fully with the process and taking advantage of the support available. It may be necessary to obtain independent corroboration as to whether support offered is being taken up. The responsibility for providing this will lie with the student.

3.4 A review period should be determined by agreement between the Tutor, DoS (if applicable) and the student to allow the student to consider their own behaviour and seek advice from the support services available. At the end of this period a meeting should be held to discuss any steps taken by the student to address the concerns. If the concerns have been addressed satisfactorily, this will be noted.

Further meetings may be scheduled to continue to monitor the situation/progress and help ensure that continued support is provided to the student to enable them to study effectively. If, however, the concerns have not been addressed, a further review period may be agreed, or the case will move to the next stage of the policy.

3.5 The informal discussions, advice and any undertakings made by the College or University and/or the student should be documented for the benefit of the College, the University and the student, but should be kept confidential. Copies of documents are to be kept by the Tutor and the student. A letter setting out what has been agreed should be given to the student.

3.6 If a student is unable or unwilling to co-operate with the above process or modify their behaviour, they should be informed that more formal action under Stage 2 of this procedure may be considered appropriate.

#### **4. Stage 2- Case Review Group**

4.1 If the action taken under Stage 1 has not been successful, or it is felt that the case is too serious to be dealt with informally, Stage 2 of the procedure can be invoked.

A meeting of a Case Review Group shall be convened by the Senior Tutor, made up of the student's Tutor and the Senior Tutor as well as any of the following thought to be appropriate: the student's Director of Studies; the Dean of Chapel, another Tutor or Director of Studies, a Fellow in Medicine, the College Nurse or another member of the College's support team. The student may be accompanied to this meeting by a student or other friend or representative if they so wish. Representatives such as the University Mental Health Advisor or a member of the Accessibility & Disability Resource Centre may also attend for information and advice if felt appropriate by the Senior Tutor.

In both the stage 2 and the stage 3 processes the student's Tutor should be the point of contact with the student and should ensure that the Senior Tutor is kept informed of all communications. The Senior Tutor should be the main point of contact with all other agencies and individuals and should keep records of the whole process.

The Senior Tutor should appoint a deputy if unavailable to act at any stage.

4.2 Before the meeting, a medical assessment may be sought from a qualified practitioner familiar with the Cambridge University system and the spectrum of student difficulties or from the University Occupational Health Service. The student will be encouraged to consent to this, as it will ultimately enable the College to address the student's difficulties in the most effective manner possible and make an accurate assessment of risk. The medical assessment will be used to determine the following matters:

- the nature and extent of any medical condition from which the student may be suffering;
- whether the student is receiving or will be receiving any on-going medical treatment or support;
- the student's prognosis;
- the extent to which it may affect 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 reasonable steps should be taken by the College in the light of the medical condition, to enable the student to study more effectively.

4.3 The student will be asked to authorise full disclosure to the College of the results of any medical examination. The College recognises that any such information disclosed will constitute "sensitive data" for the purposes of the Data Protection Act 1998 and it will be handled, processed and stored accordingly.

Should the student refuse to undertake a medical examination, or disclose the results, the College may continue this procedure based on the information already in its possession.

4.4 The student will be given at least 7 working days' notice of the convening of a Case Review Group and informed of the purpose of the meeting. This period may be shortened in an emergency on the advice of the Senior Tutor. The student will be provided with any documents that will be considered by the Group, and asked to provide any documentation they may wish the Group to consider, in good time for the meeting.

4.5 The student may be accompanied at the meeting by a Students' Union representative, a fellow student, or other advisor. A support worker, if required, may also accompany disabled students. The student should notify the Senior Tutor at least 24 hours in advance of the meeting if they are to be accompanied and by whom.

4.6 The purpose of the meeting will be to ensure that:

- the student is made fully aware of the nature of the concerns that have been raised;
- the student's views are heard and taken into account;
- the best way to proceed is agreed upon;
- the student is fully aware of the possible outcomes if difficulties remain;
- whether any additional steps should be taken by the College, in light of the medical condition, to enable the student to study effectively;
- whether the student will be receiving any ongoing medical treatment or support.

The student will be asked to authorise full disclosure to the College of the results

4.7 The Case Review Group will order its proceedings at its own discretion and may call witnesses, including Student Services staff (as in paragraph 3) working with the student, and institute enquiries to assist its deliberations.

4.8 The Case Review Group may decide one of the following:

a) That no further action is required. **Or**

b) To formally monitor the student's progress for a specified period of time. In this case an action plan will be agreed with the student, outlining any steps which the student will need to take and/or any support to be provided to the student to address the concerns identified. Regular review meetings with the student will be arranged with a nominated member of College staff to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the student to study effectively is being provided.

The student will also be informed of the consequences of any breaches of the action plan, which will normally involve their fitness to study being considered at Stage 3.

**Or**

c) To recommend that special academic arrangements or support are put in place. Such recommendations should be agreed with the student's department and by the student and approved by the relevant University authority. The student will be informed that unless these arrangements remedy the concerns to the College's satisfaction, their fitness to study may be considered at Stage 3 of these procedures.

**Or**

d) With the consent of the student, to agree that their studies be suspended for a period of time with appropriate application to the relevant University authority. **Or**

e) To refer the case to the appropriate Senior Member of the College, to be considered under Stage 3 of this procedure. This will only be appropriate in the most serious of cases, where for example evidence of a serious risk to either the health and safety of the student or others has been identified, and it is thought that suspension, exclusion or expulsion of the student may be the appropriate course of action, or where a particular course of action has been recommended but the student does not agree.

4.9 The decision of the Case Review Group, together with a concise record of the meeting, should be sent to the student within 7 working days from the date of the meeting, and a copy kept on the student's personal file. A copy of this documentation should be sent to the student's Department where relevant and appropriate.

### **5. Stage 3 - College Review Panel**

5.1 This stage of the procedure will only be implemented following a referral from a Stage 2 Case Review Group, or if in the opinion of the Senior Tutor (having consulted as appropriate) initial concerns are raised which are sufficiently serious as to warrant the consideration of the student's suspension, exclusion or expulsion (e.g. if they pose a potential threat to their own or others' health and safety, or are disrupting the workings of the institution).

5.2 As a first step in this stage the Senior Tutor shall consider whether interim suspension of the student pending further action is appropriate, including exclusion from College accommodation.

5.3 The Senior Tutor shall then convene a Fitness to Study Review Panel, which shall be chaired by a senior member of the College Governing Body with no previous involvement in the case. The Review Panel will normally comprise the Chair, the student's Tutor, the Senior Tutor, and another independent member of the Governing Body who is not involved in Disciplinary matters and who has no previous close connection with the student.

5.4 The Chair will fix a date for a formal meeting of the College Review Panel to hear the case and invite the student to attend to discuss the concerns and all relevant issues. The Senior Tutor's Assistant will act as Secretary to the Panel.

5.5 Wherever possible the student will be given at least 7 working days' notice of the meeting of the College Review Panel. The student will be informed of the purpose of the hearing, provided with any documents to be considered at the meeting, and asked to submit any documentation they may wish the Panel to consider in good time for the meeting. In serious cases the College may temporarily suspend a student, including sending out of residence, pending a meeting of the Review Panel.

5.6 The student may be accompanied at the meeting by a Students' Union representative, a fellow student or other adviser. Disabled students may also be accompanied by a support worker where required. The student should notify the Senior Tutor at least 24 hours in advance of the meeting if they are to be accompanied and by whom.

5.7 The purpose of the meeting will be to consider the evidence available, including the student's perception of these concerns, and to reach an appropriate decision, action plan or other outcome.

5.8 The Review Panel will order its proceedings at its discretion and may call witnesses including College staff working with the student, institute enquiries to assist its deliberations and request further medical assessments of the student's fitness to study as appropriate. It will also consider any previous risk assessments.

The Chair of the Review Panel will ensure that all parties have access to all documents.

5.9 The Chair of the Review Panel shall confirm the collective decision of members of the Panel.

5.10 The student shall be notified in writing of the decision, with reasons, within 14 working days of the meeting of the College Review Panel. It is advisable that the decision is communicated in such a way that support is available to the student at the time, preferably from the student's Tutor or Senior Tutor.

The decision may include one or more of the following:

a] *To formally monitor the student's progress for a specified period of time.* In this case the Panel will provide the student with an agreed action plan, outlining any steps which the student will need to take and/or any support to be provided to address the concerns identified. Regular review meetings with the student will be arranged with a



nominated member of staff to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the student to study effectively is being provided. The student will also be informed of the consequences of any breaches of the action plan. **Or**

b] *That, following consultation with the Academic Department, and subject to the approval of the relevant University authority, special academic arrangements are put in place or an interruption of studies is agreed.* The student will be informed of the consequences should these arrangements fail to remedy the concerns identified to the College's satisfaction. **Or**

c] *To recommend that the College exercises its statutory power to suspend or exclude the student.* **Or**

d] *Any other action considered to be appropriate and proportionate.*

Any decision regarding suspension or exclusion should be communicated by the Senior Tutor to the University and to any support services who have been involved with the student.

## **6. Return to Study**

6.1 After a break in study, the student may make a request to the College to be allowed to return to the course. The decision as to whether to ask the University to grant permission for the student to be put in standing to return to study will then be made by the Senior Tutor who will request the necessary authorization from the relevant University authority.

6.2 To this end, the Senior Tutor, in consultation with relevant organisations such as the University Counselling Service, the University Mental Health Advisor, and Accessibility & Disability Resource Centre. etc., will identify any issues of concern that the College may have in respect of the student's fitness to study.

The Senior Tutor will also contact the relevant medical professional for an assessment of the student's ability to manage the demands of returning to studying at Cambridge University, drawing attention to the nature and extent of the student's previous problems and the College's concerns about them.

6.3 The student will only be permitted to return if, after receiving medical advice, the College and relevant University authority are satisfied that the individual is fit to study and able to comply with any conditions imposed on their return.

6.4 In cases where the College has any continuing concerns about the individual's fitness to study, a second medical opinion may be required. In this case the student may be asked to submit themselves for medical examination by doctors and/or specialists, (including the University Mental Health Advisor), nominated by the College, at the College's expense, to allow the situation to be properly evaluated.

6.5 In any case where a student returns to study following the implementation of the fitness to study procedure, the College should hold an initial meeting with the student

to discuss what support measures need to be put into place for the student's return and establish a Return to Study Plan.

This initial meeting should include the student's Tutor, the Senior Tutor and the Director of Studies. At this meeting it may be decided that there should be regular review meetings with the student in order to monitor and support a Return to Study Plan. If so, the student must provide their continued cooperation in this respect. Such review meetings may continue for part or all of their remaining time at College.

There should be a written record of the agreed terms of the Return to Study Plan and a copy must be given to the student.

The Senior Tutor should ensure that, where appropriate, a copy of the plan is sent to any support agencies who have agreed to help implement it and that any necessary support from agencies external to the College is put in place.

The Senior Tutor should make arrangements for monitoring that the support plan is being delivered and accepted.

## **7. Right of Appeal**

If at any stage in the proceedings the student is not satisfied with a decision made in accordance with the Fitness to Study Procedure, they should follow the College complaints procedure within 14 days of the receipt of a letter outlining that decision,

## **8. General Matters**

8.1 The College will take account of relevant legislation such as the Data Protection Act, the Mental Health Act, the Human Rights Act, the Equality Act 2010 and the general rights and expectations of a student to confidentiality. In cases where Stages 2 or 3 of the Fitness to Study Procedure have been invoked, the Chair will decide whether the student's emergency contacts should be informed, and discuss with the student whether any statutory services should be contacted.

8.2 The College acknowledges that during the implementation of this procedure it will receive personal sensitive data and data of a confidential nature pertaining to the student and other third parties, and shall ensure that all such data is handled, processed and stored accordingly.

## APPENDIX

### **Crisis Situations**

It is possible that a student may pose such an extreme risk to themselves and / or others that they require emergency assistance outside these procedures.

If a situation arises where it is believed that a student's behaviour presents an immediate risk to themselves or to others, the Emergency Services should be contacted by dialling 999.

The College Porters' Lodge should be informed.

The Senior Tutor must be notified of the details of the incident and of the action taken as soon as possible.

The person(s) witnessing the student's behaviour should not leave the scene until they have briefed the Emergency Services, bearing in mind the primary necessity to ensure their own safety.

The Porters' Lodge will keep a record of the action taken by the Emergency Services and will pass this on to the Senior Tutor who will make contact with the student, the student's Tutor and Director of Studies, (or Supervisor in the case of graduates), either themselves or via their nominee. They will ensure that an appropriate level of detail is provided and that appropriate arrangements are made with regard to follow up.

In the case of medical and veterinary students, incidents should be reported by the Senior Tutor to the Medical and Veterinary Progress Panel for advice as to whether there might be Fitness to Practice issues to consider.