



Access to Higher Education Policies & Procedures

Last edited: 20th September 2022

Next review is due: December 2022

Scope

This Fitness to Study Policy & Procedure applies to all students registered on a course at TheWRD.

Purpose

- a) To provide a suitable and co-ordinated response by staff in circumstances where it is not considered appropriate to apply other internal procedures, such as the Student Disciplinary Procedure.
- b) To encourage early intervention and active collaboration between all staff in managing situations where there are concerns regarding fitness to partake in Academy learning and activities.
- c) To provide a non-judgemental, consistent and sensitive approach to the management of situations which may require different levels of response according to the perceived level of concern.

What is Fitness to Study?

Fitness to study relates to an individual's capacity to participate fully and satisfactorily as a student, in relation to academic studies and participation in activities at TheWRD.

TheWRD is committed to supporting student wellbeing and recognises that a positive approach to the management of physical and mental health is crucial to student learning and academic achievement.

When to use this Policy

A student's fitness to study may be a cause for concern as a result of a wide range of circumstances, including (but not restricted to) the following:

- Concerns about the student's fitness to study are raised from a third party i.e. a friend, relative, housemate, colleague, employer, Institute staff or medical

professional either whilst the student is at TheWRD or whilst engaged in external activities such as placements, gigs, tutorials or venue visits.

- The student's disposition is such that it indicates that there may be a need to address an underlying health issue.
- Behaviour which would usually be dealt with as a disciplinary matter, which may be known to be or suspected to be the result of an underlying physical or mental health difficulty.
- A student's health difficulties are adversely affecting the health, safety or wellbeing of others.
- The student's academic performance is being hindered to the point where it is impacting adversely on their ability to progress and/or achieve and is thought to be the result of an underlying physical or mental health problem.
- The student's personal conduct is not acceptable and is thought to be the result of an underlying physical or mental health problem.

Stages of Action

The procedure can be entered at any of the stages outlined below, depending on the level of concern and urgency, though the objective is for most situations to be remedied by action taken at stages 1 or 2.

Stage 1 – Informal Stage

Once concerns have been raised about the student, a member of staff (typically with a remit for Student Support but can also be a member of staff with a good existing relationship) should approach the student and explain to them, in a supportive and understanding way, the concerns about their fitness to study. That member of staff should contact the Director of Student Experience if they require advice or guidance on how to approach the student and discuss difficult issues.

The student will be made aware of the precise nature of the circumstances causing concern, and the member of staff will attempt to resolve the matter in informal discussions with the student. The student should be encouraged to explain their views and should be encouraged to avail fully of the support services offered by TheWRD. The member of staff should consider with the student whether any specific academic arrangements or other types of support could be applied to help the student study more effectively.

Any plans agreed between the member of staff and the student should be set out formally via email to the student, so it is clear what has been agreed.

If possible, a review period should be agreed between the student and member of staff, for which sufficient time should be granted to allow the student to consider their behaviour and seek support. At the review meeting, the steps taken to address the concerns should be discussed in detail.

Further meetings may be scheduled to monitor progress made by the student, and the member of staff should help the student access the support available to enable them to continue and engage with their studies. The general expectation is that the student will take personal responsibility and fully engage with the support recommended by staff.

If the concerns have not been addressed, support has not been sought, and the member of staff feels that the progress has not been made in the agreed time frame, the case can move on to Stage 2.

Stage 2 – Case Review

If action taken under Stage 1 has not been successful or if the concerns raised are too serious to be dealt with informally, Stage 2 should be invoked.

A meeting of a Case Review Panel can be convened by one of TheWRD Directors, who will chair the Panel, which will normally be made up of the following members of staff:

- The relevant member of staff with responsibility for Student Support
- The relevant member of staff with responsibility for the student's learning (ie personal tutor or senior education officer, Chief Education and Learning Officer)
- Any other support staff involved in the case

Before the Case Review Panel meeting, medical assessment may be sought, usually from the student's GP or medical practitioner, and the student will be encouraged to consent to the assessment. The student will be able to submit documents for the Panel to consider and will be given a copy of any documents seen by the Panel. The student may request to attend all or part of the Case Review Panel meeting. The Panel will make a reasoned decision regarding whether the student should attend. If the student does attend, they will have the right to bring a friend or representative to the meeting.

A letter will be sent to the student after the meeting setting out any decision made and the rationale for that decision.

The Panel will order its proceedings as it sees fit and may call witnesses if necessary. The outcomes available to the Panel are:

- No further action required.
- To monitor the student formally for a specific period of time. An action plan will be agreed with the student detailing any steps the student will need to take and the support to be provided to the student. Regular review meetings will be arranged with the student and a nominated member of staff. The student should be made aware of what will happen if the action plan is breached, which will normally involve their case moving to Stage 3.
- To recommend a specific academic arrangement be put in place, which may include a suspension of studies. Such recommendations should be agreed between a nominated Director of TheWRD and the student. If the student does not agree, the case will move on to Stage 3.
- To refer the case to a Fitness to Study Panel under Stage 3 of this procedure. This will be appropriate in serious cases, for example where there is evidence of a serious risk to the health and safety of the student or others. This course of action would be used when it is considered that suspension, temporary exclusion, permanent exclusion or withdrawal may be the appropriate course of action, or if the student has not agreed to a recommendation or action plan made under Stage 2.

Stage 3 – Fitness to Study Panel

This stage will only be invoked following a referral from a Case Review Panel or if, in the opinion of the member of staff responsible for Student Support in consultation with the Chief Executive Officer or Chief Learning and Education Officer, it is decided that the case is sufficiently serious and urgent to warrant an immediate referral without consideration of Stage 1 or 2. One of TheWRD Directors (named above) can convene a Fitness to Study Panel to consider the case and will act as chair of the Panel.

The Members of the Panel will usually be:

- The relevant member of staff with responsibility for Student Support
- The relevant member of staff with responsibility for the student's learning (ie personal tutor or senior education officer)
- Chief Executive Officer or Chief Education and Learning Officer
- Any other support staff involved in the case

As with the Case Review Panel, the student will have the opportunity to submit documents for the consideration and will be sent a copy of any documents seen by the Panel.

The Panel may order the proceedings at its discretion, may call witnesses if required and may request further medical evidence.

The student will not be invited to attend but may send a representative to observe the process.

The outcomes available to the Panel include:

- A short-term exclusion to allow a student to be assessed by a medical professional, access internal and external support services or for further information to be obtained. The exclusion will be reviewed within four weeks as set out below in relation to emergency temporary exclusion.
- Suspension with conditions for a period up to twelve months. A student who is suspended from TheWRD may be prohibited from participating in activities and may either be prohibited from partaking in online learning activities or site visits. The terms of the suspension will be notified to the student in writing, depending on the circumstances of the case. The decision to suspend a student shall be reviewed as necessary by the Panel.
- Exclusion or requirement to withdraw - if the Panel concludes, taking into account the individual circumstances of the case and any supporting medical evidence, that there is no reasonable prospect of the student re-engaging with their course in the short to medium term, the student will be permanently excluded or required to withdraw. This option should be reserved for the most serious cases.
- Any other action considered to be appropriate and proportionate by the Panel.

Temporary Exclusion

The Panel may impose a temporary exclusion for a set period of time with immediate effect. A student who is subject to a temporary exclusion order is prohibited from entering lessons or workshops and from participating in Academy activities. The exclusion may, exceptionally, be subject to qualification, such as the permission to take an examination or attend a meeting with support services. The terms of exclusion will be individual to each case and will be notified to the student via email. A temporary exclusion does not affect the student's status at TheWRD.

The decision to temporarily exclude will normally be reviewed within four weeks. The review may include a recommendation that a Fitness to Study Panel be convened to reconsider the case.

Return to Study

The Case Review Panel or Fitness to Study Panel that made the decision regarding a suspension or temporary exclusion, or as many members of the original Panel as possible, will be reconvened to consider whether the student is fit to return to study.

Further medical evidence will be requested from the student which considers their ability to fully engage with their studies and meet the requirements of the course. A student will only be permitted to return if, after receiving the medical evidence, the Panel is satisfied that the individual is fit to study.

If a student agreed to suspend their studies under Stage 2, the Case Review Panel that originally considered the matter can make the decision regarding a return to studies without referral to a Fitness to Study Panel if it is satisfied that the student is fit to return.

If the Fitness to Study Panel made the decision to suspend or temporarily exclude under Stage 3, the Panel should reconvene to consider whether the student is fit to return to study and make a decision.

Where a student returns to study after a temporary exclusion/suspension under this policy, the relevant Panel will consider any support that the student may require to support a return to studies, such as regular review meetings or a return to study action plan. The general expectation is that the student will agree to this support plan and take personal responsibility for fully engaging with this support.

Crisis Situations

It is possible that, if a situation requires Stage 3 outlined in this policy, the student may pose an extreme risk to themselves and/or others that will require emergency measures to be taken by members of Student Services and assistance from outside agencies.

In such a situation, the Emergency Services or the local Mental Health Crisis Team should be contacted by a member of staff (as for cases of psychosis or suicidal ideation, for example). This should be followed up later by notifying a member of staff with responsibility for Student Support with details of the incident and action taken.