



## **UNIVERSITY OF CUMBRIA**

### **FITNESS TO STUDY POLICY AND PROCEDURES**

#### **Academic Registry**

This Policy is available on the University of Cumbria website and it should be noted that any printed copies are uncontrolled and cannot be guaranteed to constitute the current version of the policy.

This document can be made available in alternate formats. Please contact Student Procedures to make a request via:

[studentprocedures@cumbria.ac.uk](mailto:studentprocedures@cumbria.ac.uk).

# **Fitness to Study Policy and Procedures**

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## 1. The Fitness to Study Policy - Introduction

The University of Cumbria, hereafter referred to as the University, is an education provider, set within local communities across a diverse geographical area, offering a range of programmes each with their own requirements and expectations. The University recognises the importance of a student's health and wellbeing in relation to their academic performance and retention and their wider student experience and it is with this in mind that a framework of support to study is necessary to ensure safety and to apply due process.

## 2. Aims and Objectives

The University understands that on occasions students may experience wellbeing difficulties that have a detrimental impact on their ability to study, beyond the normal sickness absence, and normal extenuating circumstances procedures. This policy's aims are to ensure a consistent approach to supporting students whose mental and/or physical wellbeing is of such concern, that interventions need to be put in place to support them by the University. The emphasis of this policy is on supporting a student's wellbeing, where the wellbeing is having a detrimental impact on the student's ability to study, or the impact on others around them, or poses a risk under Safeguarding or Health and Safety.

It should be noted that:

- Where a concern is raised about a student's academic ability, the **Student Progress Review** procedure may be a more appropriate process to follow.
- Where a concern is raised about a student's behaviour, the **Student Code of Conduct** and **Disciplinary Procedure** may be a more appropriate process to follow.
- Where a student is on a programme of study that may lead to a professional qualification, the **Fitness to Practise Policy & Procedures** would be a more appropriate process to follow in relation to their clinical, professional or teaching practice.

However, there may be instances where the Fitness to Study Procedure is run in parallel with one or more of the aforementioned procedures.

The objective of this policy is to support the retention of the student

where possible on their chosen course of study. However, it needs to be recognised that some students may not be able to continue with their studies at that moment in time (and therefore may need to intercalate), or consider an alternative programme of study (where it may be appropriate to move to a non-professional course), or continue at the University.

It should be clear that the ability or inability of the student to continue their course of study on wellbeing grounds may mean that under a duty of care or possible health and safety grounds it is in the best interest of the student to be offered alternative options as an outcome of the procedure. Where a student's health and wellbeing is impacting on their ability to continue on their course their health issues may constitute a disability, the University will make reasonable adjustments in line with its duties under the Equality Act 2010

### **3. Scope**

All students enrolled on any course or programme of study at the University are covered by these procedures, with the exception of students who are not on regulated programmes in Health, Social Care and Education where the Fitness to Practise Policy should be used.

The procedure is applicable to any activity the student is engaged in as part of their studies (lectures, seminars, assessment, etc.) including activity on campus (including accommodation owned by the University), placement attendance and any other activity constituting their study experience (by way of illustrative example field trips and study abroad).

Students enrolled with other institutions will be subject to the policies and procedures of their own institution or organisation.

“Fitness to study” as used in this policy pertains to the entire student experience, their fitness to reside in university managed accommodation, and not only a student’s ability to engage with their studies.

## 4. Definitions

**Disciplinary Procedure** – is the mechanism by which a student is informed that a concern, grievance or allegation about them has been made, and that enquiries and/or investigations will be undertaken to ascertain whether or not the **Student Code of Conduct** has been breached and the range of sanctions that may be considered in the event of such a breach.

**Fitness to Practise** – Students on professionally approved/regulated programmes whose practice brings them into contact with member of the public including vulnerable people, patient, client groups, children, young adults and other multi-agency professionals are subject to a separate Fitness to Practise policy. The University, in conjunction with the professional and regulatory bodies, has a duty to ensure the student is fit to practise during and up to the point of registration or recording of qualification and academic credit

**Student Code of Conduct** - This describes the expectations of students' behaviour as students (and representatives) of the University in a variety of locations and environments, both internal and external to the University.

**Student Progress Review** – This meeting, which may be requested by either the student, or by a tutor, programme leader or other member of staff involved in teaching or supporting the student on their course of study. The purpose of the Student Progress Review meeting is to discuss the concerns about the student's study, engagement, or conduct and to identify signposting opportunities where appropriate. A Student Progress Review meeting may be arranged to support the student in planning for reassessment or deferred assessment where the Assessment Boards have put an Assessment Contract in place.

**Wellbeing** - The World Health Organisation defines wellbeing as "a positive state experienced by individuals and societies. Similar to health, it is a resource for daily life and is determined by social, economic and environmental conditions."

## **5. The Fitness to Study Procedures**

The University recognises that concerns may be raised about a student's wellbeing by a variety of individuals, for example University staff, other students, and third parties (such as health professionals, placement providers or the police) as well as the individual student concerned. The University will encourage students to take responsibility for their own wellbeing wherever possible.

This Procedure seeks to promote early intervention, active collaboration between staff, students and third parties with a consistent approach. Matters will be dealt with sensitively and in a non-judgmental and coordinated manner across the University to maintain dignity of the student as much as possible.

Whilst the University will seek to work with students in a spirit of cooperation, cases may arise in which it may, under the terms this policy, be determined that a student is unfit to study and that their registration should be suspended or terminated.

The University will adhere to this procedure whilst remaining mindful of the obligation under the Equality Act 2010, and making reasonable adjustments where applicable (see Section 6). It will also be mindful of the sensitivity inherent in fitness to study concerns, and therefore be diligent in its obligation to comply with the Data Protection Act 2018.

The policy procedures follow three distinct stages reflecting the potential impact the wellbeing issue(s) have on the student's ability to function whilst at University. The three stages reflect the level of difficulty the student faces or the risk/disruption highlighted, as well as the type of intervention required by the University and the responsibilities of the student. In the event that a student is unable or unwilling to participate in any of the processes associated with this policy and procedures, the University will continue with the process where it is deemed reasonable to do so given the risk involved.

### **Degrees of Concern**

The member of staff who responds to the concerns should do so in a non-confrontational manner, and should strive to uphold the dignity of the student.

## **Stage 1: Initial and/or Emerging Concerns**

Initial and/or Emerging concerns are typically attributed to low levels of risk, that do not require immediate additional specialist support. A Stage 1 concern would normally consist of a Student Progress Review with the student as soon as possible. A member of staff who knows the student (for example a personal tutor, senior lecturer or programme leader supported by an appropriate member of staff, for example from Student Services) would normally be the appropriate person to respond to this level of concern.

Outcomes that may be required from this intervention include:

- a) No further actions  
Or one or more of the following:
- b) That the student should be asked to moderate their behaviour, take steps to address the concern, or to seek help with the presenting issue within an agreed timeframe.
- c) The member of staff who engages with the student in this situation should make sure they are familiar with support services within the University including the Mental Health & Wellbeing Service and encourage the student to attend (and to acknowledge that neither service provides mandated interventions)
- d) The member of staff refers the student to Occupational Health for an assessment of the student's Fitness to Study
- e) Agreed extension(s) to assessment submission deadline(s)
- f) Extenuating Circumstances may be submitted
- g) Other modes of study may be considered if it is a viable option
- h) The student takes time off due to ill health, or where appropriate they intercalate

Where the student responds positively, no further action would be required. Where the student fails to respond positively, or refuses to engage in the process, progression to stage two would be required.

## **Stage 2: Continuing and/or Moderate Concerns**

Continuing and/or Moderate concerns may be attributed to needing an appropriate and timely intervention from one or more internal

support services (the Psychological Wellbeing Service or Disability Service, by way of example), or external support services (such as a Doctor's appointment or referral to Occupational Health).

Outcomes that may be required in this intervention include:

- a) Either a review of the initial Student Progress Review where one has taken place, or a new Student Progress Review if more appropriate by the personal tutor or programme lead, and where appropriate a representative from the Student Development and Wellbeing team or appropriate other professional service staff, should be invited to attend to offer advice and support for all parties
- b) The member of staff refers the student to Occupational Health for an assessment of the student's Fitness to Study
- c) Putting in place reasonable adjustments and/or other support structures and interventions where appropriate
- d) Recommending the student is advised to take a period of voluntary absence (sickness absence or intercalation)
- e) Agreed extension(s) to assessment submission deadline(s)
- f) Extenuating Circumstances may be submitted
- g) Other modes of study may need to be considered
- h) Unless it is decided that no further action needs to be taken, an Action Plan should be drawn up outlining specific behaviours and concerns that need to be addressed.

### **Stage 3: Enduring and/or Severe Concerns**

Enduring concerns may be of a nature where the support needs of the student require significant ongoing specialist external interventions which are outwith the scope of the University's internal support services and which mean the student is unable to effectively function either on programme or in residential accommodation. Severe concerns may require an immediate and/or emergency intervention as appropriate to the situation. Where the fitness concerns are critical a 999 call will be required for the appropriate emergency response as the first port of call.

The student should have Intercalation options discussed with them at the appropriate time (e.g. if and when they can make informed decisions). Where a member of staff reasonably believes that there is a risk to the health, safety or wellbeing of a student, or that the

behaviour linked to the student's wellbeing is currently or potentially going to adversely affect the teaching, learning or experience of other students or the University activities then a temporary suspension without prejudice may be put in place, following the Student Precautionary Actions and Suspension Procedure.

Outcomes that may be required in this intervention include:

- a) The student decides to intercalate
- b) The student withdraws from their studies
- c) Agreed extension(s) to assessment submission deadline(s)
- d) Extenuating Circumstances are submitted
- e) A Disciplinary meeting/investigation/committeetakes place leading to outcomes as set out in the Disciplinary Procedure
- f) The member of staff refers the student to Occupational Health for an assessment of the student's Fitness to Study
- g) Putting in place reasonable adjustments and/or other support structures and interventions
- h) Other modes of study may need to be considered
- i) The student may be suspended without prejudice
- j) The member of staff should consider recording the details via the Incident Reporting procedures to Estates

### **Returning to Study**

Where a student has required a substantive break in their studies due to illness, compassionate pastoral support should be in place ready for their return. This may include a referral to Occupational Health for advice on reasonable adjustments. A carefully managed and monitored return to study is likely to enable a positive experience for the student and improve retention. It should be recognised at the stage where a student intercalates that access to services external to the University may take several weeks or months and beyond to access, and for treatments and interventions to show positive effect. Students returning from intercalation or suspension should be offered a mandatory Student Progress Review in line with the Student Progress Policy and Procedure.

### **Resolving Concerns**

In the event that a student perceives that the Fitness to Study Policy

and Procedure has not been applied as it is intended, they should outline their concerns to the relevant Programme Leader, or to the Principal Lecturer if the Programme Leader has been involved in the procedure. The student may also wish to seek advice and guidance from the [Students' Union](#) or from the Student Procedures team within the Academic Registry. Students should seek informal resolution in the first instance under the Student Complaints Policy and Procedure which is available at [Student Policies and Procedures | MyCumbria](#).

## **6. Equality, Diversity and Inclusion**

The University of Cumbria is committed to providing an inclusive environment, where staff, students and visitors are encouraged to be their true self, in order to enhance the individual and collective experience. As a university community, we share the social responsibility of enabling this inclusive environment by valuing, respecting and celebrating differences, to ensure that we generate a sense of understanding and belonging.

The University recognises that our differences are our strength, seeking and valuing different perspectives and ideas, in an environment that is without prejudice and bias.

We are committed to embracing our responsibility as a facilitator of change and continue to develop our equality agenda in line with and, where appropriate, beyond the Equality Act 2010. We do not tolerate discrimination, bullying or harassment in any form on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

The Fitness to Study Policy and Procedure and its implementation have been subjected to the University's Equality Impact Assessment (EIA) process. This ensures that due regard to any equalities impact has been considered and that appropriate action has been taken to meet the needs of our community, without unlawfully discriminating.

## **7. Risk Management Statement**

Failure to comply with this policy could have a wide range of consequences, from failure to achieve and progress, through to actual

risk of harm to self and other.

Failure to comply with this policy could lead to failure to uphold relevant legislation including Equality Act, Safeguarding, the protection of vulnerable adults, and Health and Safety legislation and could result in action being taken through the Courts against individuals and/or the organization.

## **8. Roles and Responsibilities**

It is the responsibility of:

- The Academic Board to approve the Policy and monitor its implementation via an annual report on student cases
- Vice Chancellor's Directorate to endorse and support the Policy and Procedure's implementation
- Staff members to implement the procedures as and when necessary

## **9. Contact Details**

For further information regarding any of the issues covered by this policy please contact Student Procedures:

Email: [studentprocedures@cumbria.ac.uk](mailto:studentprocedures@cumbria.ac.uk)

Address: University of Cumbria, Bowerham Road, Lancaster. LA1 3JD

**UNIVERSITY OF CUMBRIA POLICY DOCUMENT  
CONTROL SCHEDULE POLICY SCHEDULE**

Policy title	Fitness to Study Policy and Procedure
Policy owner	Academic Registry
Policy lead contact	Student Casework Manager
Approving body	Academic Board
Date of approval	January 2025
Date of implementation	January 2025
Version no.	2024/25
Review interval	Annual monitoring with triennial review
Revisions following recent review	<p>Updates to reflect organisational changes</p> <p>Updates to ensure alignment to other university procedures</p> <p>Availability of document in alternate formats added</p> <p>Severe and Enduring concerns defined</p> <p>Role of Academic Board defined to replace that of University Board</p> <p>Extension(s) to assessment submission deadline(s) added as an outcome</p>

**REVIEW SCHEDULE**

Review	Due date	Reviewed by	Approved by	Completion date
V1			Academic Board	1 September 2015
V2			Academic Board	12 December 2024