

9. FITNESS TO CONTINUE IN STUDY

PROCEDURE

9.1 Introduction

1. This procedure will be used where concern about a student's mental or emotional well-being, health or behaviour is deemed to be sufficient that it could have an impact on the health and safety, welfare or ability to study of the student or other students or staff. A student is fit to continue in study if s/he is 'capable of living independently (with adequate support) whilst also being able to continue in study and not have such a negative impact on others in the study environment as to significantly impair the learning experience of others'.
2. Staff may initiate use of the procedure by raising a specific welfare concern, via the appropriate form, with the Student Support Welfare Concern Group. The Student Welfare Concern process is primarily one of support, to ameliorate risk and prevent the deterioration of behaviour, including 'radicalisation' (i.e. being drawn into terrorism or extremist behaviour)¹. Staff should consult the University's Mental and Emotional Well-being Guidelines for more detailed advice on what signs to look for and what to do if a student is exhibiting concerning or disturbing behaviour. These Guidelines are located in the Student Section of the Staff Intranet.
3. Staff who are concerned about a student's health or behaviour should use this procedure. If there is a concern of this nature, it is appropriate to explore the student's health issues or pattern of behaviour as promptly as possible and agree supportive action.
4. A student 'giving cause for concern' is likely to be one who is behaving **out of character**. Members of University staff are expected to embrace and accept difference; a diverse range of backgrounds, abilities and disabilities will be

¹ See also Appendix 6 of the University's Policy on Safeguarding Children, Young People and Vulnerable Adults.

represented. A student may therefore display behaviour that a casual observer may consider unusual but which is characteristic for that student. Therefore, signs to look for and which might give rise to the need to invoke the Fitness to Continue in Study procedures include but are not limited to:

- A number of third party reports about a student. These may be an indication that there is a need to address:
 - under-performance in academic work; frequent lateness/absence from lectures, missing deadlines or poor concentration;
 - lack of self-care; self-harm; suicidal thoughts; substance misuse;
 - unusually loud or aggressive behaviour or withdrawn or unusually quiet behaviour;
 - concern about how well a student may manage their learning experience on off-site activities (e.g. residential trips) within a module or programme, or year abroad study. Students may have been receiving support but staff may be concerned as to how well a student may cope in an unusual environment even when support issues have been addressed.
5. The Head of Student Support will keep relevant departments of the University fully informed of the outcome of any formal assessment of Fitness to Continue to Study, whilst keeping in mind the legitimate concerns around confidentiality, data protection and professional guidelines.
 6. The procedure has two stages based on the perceived level of risk to the health and safety, welfare or ability of the student to continue in study or the risk to others posed by the health or behaviour of the student. Cause for concern can lead to the activation of the procedure at either of the stages as appropriate.
 7. If staff are unsure about implementing this procedure, they should seek advice and discuss their concerns, anonymously and in general terms with a member of the Student Support Welfare Concern Group (i.e. the Student Counsellor, the Inclusion Co-ordinator or the Academic Information and Guidance Co-ordinator) or the Head of Student Support. The Group meets on a regular

basis to discuss student issues and concerns that have arisen within, or as referrals to, Student Support.

8. In situations in which a student on a professional programme is giving cause for concern, the Fitness to Practice procedures might also need to be invoked; in particular, this might apply with regard to the ability of a student to undertake or continue a placement. The Fitness to Continue in Study procedures will apply to all aspects of study that do not involve placement opportunities or similar contacts with external agencies. In situations where the application of Fitness to Continue in Study procedures results in the suspension of a student from their programme of study, this will apply to a student's entire programme of study necessarily including any placements. Thus in such cases, the suspension of the student will lead to the automatic suspension of any Fitness for Professional Practice procedures that are ongoing.

9.2 Stage One Procedure

1. Emerging concerns about an individual's health and safety and/or their effects on others, e.g. significant changes in appearance, attitude and/or behaviour, might require a response from the University and / or a referral to an external organisation (e.g. Channel, The Zone), with the student's consent, where it is considered that external support may be more appropriate.
2. A member of staff with primary responsibility for a student's academic progress and/or well-being, such as a Personal Development Tutor, should in the first instance approach the student in a sympathetic and understanding way. Other staff should report their concerns to the Student Welfare Concern Group via studentsupport@marjon.ac.uk in order to make the approach.
3. The nature of the concerns should be clearly identified to the student and reported to the Student Support Welfare Concern Group, normally with the student's knowledge, using the Student Welfare Concern form. The student

concern will be brought to the next meeting of the Student Support Welfare Concern Group or, if appropriate, a special meeting will be convened.

4. The Group will consider the referral and nature of the concerns before deciding whether:
 - no further action should be taken; or
 - a member of the Student Support Welfare Concern Group should be appointed to liaise with the student and all staff concerned (by way of an informal meeting and/or other appropriate mechanisms) to offer and co-ordinate support and referrals, as appropriate: or
 - a case conference should be convened, on the grounds that there is evidence of persistent anti-social behaviour, withdrawal or extreme physical change / uncharacteristic episodes that have not been or are unlikely to be resolved without such a meeting.
5. If it is agreed that a case conference should be convened, the Head of Student Support will write to the student, detailing the arrangements made, and all relevant parties including the University Secretary and Registrar should be sent a copy of the letter.
6. The Head of Student Support (or nominee) will chair the meeting; a nominee of the appropriate Director of School (such as the Programme Leader or Programme Area Leader) will also attend, along with the Campus Services Manager and/or the Senior Resident Warden in cases where the student is a campus resident or where the behaviour occurred in a University residence. The student may choose to be accompanied by a friend, who should normally be a student of the University or a representative of the Student Union. Students with a disability also have the right to be accompanied by a support worker (e.g. sign language interpreter or mental health worker) as appropriate to their needs.
7. The meeting will seek to ascertain the student's perception of the issue/s identified. A clear, written statement from the member of staff calling the

meeting should be sent to the student and staff attending at least 48 hours before the meeting. During the meeting, it is important to reach agreement with the student with regard to addressing the concerns whilst outlining any consequences of (a) not keeping to the agreed actions and/or (b) continuing to give cause for concern. The Head of Student Support will write to the student, detailing the arrangements made, and all relevant parties including the University Secretary and Registrar will be sent a copy of the letter; the Head of Student Support is also responsible for keeping the Student Support Welfare Concern Group informed.

8. The student's case will continue to be monitored until all those involved agree that there is no continuing cause for concern. At this point, the Head of Student Support will write to the student to confirm that the procedures have come to an end, subject to their reactivation if this becomes appropriate. All relevant parties, including the University Secretary and Registrar, should be sent a copy of the letter.

9.3 Stage Two Procedure

1. Circumstances that cause ongoing concern or 'disturbing' behaviour considered to be a serious risk to health, safety or the good order or reputation of the University will cause Stage Two to be initiated, where they have not been or are unlikely to be resolved via Stage One.
2. In such instances, a member of the Student Welfare Concern Group will immediately convene a meeting of the Group, which will discuss and agree the next step and appoint a member to liaise with all concerned and make recommendations to the Head of Student Support as appropriate.
3. A formal meeting (the arrangements for which will be as for the Stage One Case Conference) will be called by the Head of Student Support (or nominee) to discuss the most appropriate course of action. The student will have the right either to represent themselves at the first part of this meeting, accompanied if desired, or to submit a written representation to the Head of

Student Support. Should the student fail to respond or fail to attend the case conference the case conference and formal adjudication may go ahead in their absence. The formal deliberations and recommendations will follow.

4. The formal meeting, chaired by the Head of Student Support (or nominee), will include representatives from the student's academic programme, the Marjon Student Union and the Student Support Welfare Concern Group. Their contribution, however, will be subject to Data Protection legislation and/or professional codes of confidentiality. The student may also choose to be accompanied by a friend, normally a member of the University, who has a right to be heard only at such points during the proceedings as the student has a right to be heard and has directed the 'friend' to speak on his or her behalf. The Head of Student Support will write to the student, detailing the arrangements made, and all relevant parties including the University Secretary and Registrar will be sent a copy of the letter.
5. In exceptional circumstances, and in the event of extreme unacceptable behaviour or serious risk to the student and/or other members of the University, students may be denied access to the University in whole or in part, including any accommodation they occupy, with immediate effect at the point of referral. This power will only be exercised, however, if the presence of that student on the campus would jeopardise the physical and/or mental well-being of any members of staff or of the student body, or otherwise harm the good order and discipline of the University. The Vice-Chancellor or (in the Vice-Chancellor's absence) the Deputy Vice-Chancellor or Pro-Vice Chancellor (Academic) will confirm this, on the recommendation of the Head of Student Support or nominee, either before or after the case conference takes place. Any denial of access under this provision will normally be reviewed at intervals of no more than one month and the Student Support Welfare Concern Group will continue to provide support, co-ordinated by the appointed member, to the student during this period.
6. In exceptional cases those involved in the case conference may conclude, on the basis of written evidence from an appropriately-qualified professional, that extreme unacceptable behaviour or serious risk to the student and/or other

members of the University, is likely to continue throughout the two-year period stipulated, in Section 8 of this Framework (the Regulations for Academic Awards), as the maximum period during which a student can remain registered without gaining credit. In such cases, or if the student's refusal to interrupt studies is likely to impair his or her ability to successfully complete their programme of study, they are empowered to recommend to the Vice-Chancellor or (in the Vice-Chancellor's absence) the Deputy Vice-Chancellor or Pro-Vice Chancellor (Academic), via the Head of Student Support, that he or she should be excluded permanently with immediate effect. The University Secretary and Registrar must also be notified immediately of any such recommendation.

7. The student's case will continue to be monitored until:
 - it is agreed by all those involved that there is no continuing cause for concern;
 - the student withdraws; or
 - the student's registration ceases, under Section 8 of this Framework (the University's Regulations for Academic Awards), on the basis that credit has not been obtained for a period of at least two years.

At this point, the Head of Student Support will write to the student to confirm that the procedures have come to an end, subject to their reactivation if this becomes appropriate. All relevant parties, including the University Secretary and Registrar, should be sent a copy of the letter.

9.4 Return to Study

1. Where the outcome of either of the above Stages is interruption, the student's appointed member of the Student Support Welfare Concern Group will continue to monitor the student's progress towards return and liaise with all parties as necessary. The student will be required to provide sufficient evidence, from an appropriate professional who has been working with the

student, to enable the Student Support Welfare Concern Group to recommend to the University Secretary and Registrar that the student is ready to return to study after interruption. In addition, the student may be required to agree a study support plan and/or obtain formal medical clearance, for example by way of an Occupational Health assessment. This is intended to respond to any ongoing support needs the student has as well as providing terms for the student's return. Should the student not adhere to the terms, or concerns re-emerge or escalate, proceedings can be re-instigated.

2. The appointed member of staff will be responsible for continued monitoring and co-ordinating support until the student no longer gives any cause for concern.
3. If, on the other hand, the evidence provided does not enable the Student Support Welfare Concern Group to recommend that the student is ready to return to study it will advise the University Secretary and Registrar of this and recommend a further period of interruption or withdrawal from the programme, stating the reasons for their decision. The Vice-Chancellor or (in the Vice-Chancellor's absence) the Deputy Vice-Chancellor or Pro Vice-Chancellor (Academic) will confirm this, on the recommendation of the Head of Student Support or nominee.
4. The Head of Student Support will advise all relevant parties, including the University Secretary and Registrar, with regard to return to study after interruption and any related issues.

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