

# Fitness to Study Procedure

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PRIFYSGOL  
**BANGOR**  
UNIVERSITY

<b>Date</b>	<b>Supersedes</b>	<b>Description of Change</b>
12 April 2023	2021 Version 01	Update to include professional, statutory, or regulatory bodies, or sponsors.
1 October 2021	2018 Version 2.4	Updating job and department titles in line with the restructure. Stage 3 now lies within the remit of Governance Services. DVC and PVCs are now included in Panels.
1 February 2021	2018 Version 2.3	Minor changes to timescales.

<b>Document Owner</b>	<b>Approved By</b>	<b>Date Approved</b>	<b>Review Frequency</b>
Deputy Secretary / Head of Governance Services	Senate Regulations and Special Cases Committee.	6 October 2022.	Every three years.

Note: In exceptional circumstances, and subject to approval by the Chair of the Senate Regulations and Special Cases Committee, responsibilities assigned to Schools, Heads, of School, School Officers or School Committees in these Regulations may be assumed by the College, Head of College, College Officers or College Committees respectively, as appropriate.

## Fitness to Study Procedure

This Procedure outlines how concerns about a student's health and wellbeing may be raised and managed, and details support which may be offered to the student.



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### Introduction

1. This procedure applies to students who are causing significant concern and/or presenting a risk of harm to themselves or others. Students' studies may be suspended by the University because of ill health as specified by the General Regulations for all Students.
2. The procedure **must not be used** to suspend the studies of students under the following categories<sup>1</sup>:
  - Approved short absences (e.g. short-term illness). Such cases should be treated as authorised absences on the assumption that students can continue with background work, can access electronic resources and that appropriate extensions to coursework can be approved.
  - Situations that can be addressed through schools' procedures for dealing with extenuating circumstances.
  - Extensions to enrolment periods. Such cases should be considered under the procedures for extending a period of study.
  - Disciplinary cases. Such cases should be considered under Regulation 21: Student
  - Cases involving academic misconduct. Such cases should be considered under the Academic Integrity Procedure.
  - Voluntary interruption of study on health and other grounds. Such cases should be considered under the Procedure for Approving Interruption of Studies.
  - Termination of studies on the grounds of commitment or engagement with an academic programme. Such cases should be considered under the Termination of Studies Procedure.
  - Students who are in debt. Such cases should be considered under the procedures for dealing with debtors.
  - Academic progress which is considered by Examination Boards according to the regulations and procedures defined by the Regulations for Taught Programmes and Regulations for Postgraduate Research Programmes.
  - Students whose studies may be suspended or terminated by specific procedures approved as part of the approval/validation process for their course, including conditions imposed by professional, statutory, or regulatory bodies, or sponsors.

<sup>1</sup> All Regulations mentioned in this section can be accessed from <https://www.bangor.ac.uk/regulations/index.php.en>

3. The University has a duty of care to respond appropriately where there are substantial concerns relating to a student's health and wellbeing, and the impact that may have upon the individual and/or other members of the University community.
4. Students who present with difficulties should, wherever possible, be considered from a supportive perspective. The University is committed to promoting positive attitudes towards students with physical or mental ill health.
5. This procedure describes the support available where a student's health and wellbeing deteriorates to the point where they may not be fit to study, including where they may be at risk of harm to themselves and/or others. It is designed to ensure a consistent and sensitive approach to managing situations.
6. Concerns about the health or wellbeing of a student can be raised by both staff and students, and this document is to be used by staff in any situation where a student's welfare is questionable. Students will not be expected to manage such situations and should always approach a member of staff, or a representative of the Students' Union.
7. Staff are expected to manage situations wherever they feel confident to do so within the parameters of their professional role and should consult with Student Services if they feel unable to deal with a situation, or need advice or guidance on how best to proceed with a student ([www.bangor.ac.uk/studentservices](http://www.bangor.ac.uk/studentservices)).
8. Students enrolled on courses where a practical professional placement is required (including health, social work and education) have additional responsibilities placed upon them regarding not only their conduct but also their professional suitability, as outlined in relevant regulatory and/or professional body codes of practice. These should be fully explored before using the Fitness to Study procedure.
9. This policy should not be used in crisis or emergency situations, for example where a student is threatening to harm themselves, or has harmed themselves, or has been injured. Most often in this case, the emergency services should be called.

### **Guidelines**

10. The purpose of this procedure is to support students and staff in managing situations and incidents that cause significant concern. The procedure has three levels, based on the perceived level of risk to the health, safety and mental wellbeing of the student or others and on the response of a student to any intervention. The cause for concern can result in:
  - invoking the procedure at any of the 3 levels,
  - staying at a level, or
  - progressing through the levels, should the cause for concern not be remedied by recommended and agreed actions.
11. Concerns about a student's health or wellbeing may be prompted by:

- mood swings or unusual behaviour (e.g. aggressive, withdrawn, obsessive, overly effusive or elated, distressed, irritable);
- significant non-attendance or engagement;
- a sudden deterioration in academic performance or motivation;
- changes in appearance or obvious signs of ill health (e.g. dramatic weight loss or gain, ongoing lack of personal hygiene and care);
- inappropriate behaviour (e.g. inappropriate touching, invading personal space, excessive, unexpected and prolonged laughter or chattering, uncharacteristically bad language such as swearing);
- withdrawal from social, cultural, or sporting activities once considered important;
- lethargy or signs of lack of sleep, or unusual disorientation;
- obvious signs of substance/alcohol misuse;
- information about specific episodes (e.g. self-harm/suicidal thoughts or attempts);
- changes in behaviour or health that make the student's use of equipment etc., dangerous to themselves and/or to others.

12. When assessing the perceived level of risk to a student's health and wellbeing, communication is paramount. Early intervention in issues, and recommendations for support, can avoid crisis situations from occurring. Should staff feel that they are not confident about dealing with a situation or feel unsure about whether to invoke this procedure, they are encouraged to seek advice from a mental health adviser, the Head of Student Support & Well-being (or their nominee).

13. To ensure appropriate levels of confidentiality, this advice should initially be sought without disclosing details of the student concerned, e.g. on an anonymous basis.

14. Students should be involved in the management of their own wellbeing wherever possible. However, there may be times where a student is unwilling or unable to work within these procedures. In these cases, the process should continue, with concerns being raised, advice being sought, and action being taken, as appropriate.

15. If a student elects to interrupt their study, the Fitness to Study investigation will resume prior to the students' return to study.

### **Process Stage 1 – Emerging or initial concerns**

16. Stage 1 is used if emerging or initial concerns about an individual student's health, safety or mental wellbeing are raised.

17. If a student has concerns about a fellow student, they should discuss these with the member of the University they feel most comfortable with. This might be a tutor, senior tutor, hall mentor or senior warden, school administrator, Students' Union officer, or staff member. The student will not be expected to deal with the situation themselves and having discussed the issue with a staff member, this person will make an appropriate referral, or deal with the issue.

18. If concerns have been identified by a member of staff, then that member of staff, or another with primary responsibility and/or knowledge of the student (either

academic or professional services) should talk to the student in a sympathetic and understanding manner, and indicate that there are concerns about the student's fitness to study, registered by use of this procedure. Staff may contact a mental health adviser, the Head of Student Support & Well-being (or their nominee to discuss whether the use of this procedure is appropriate.

19. In initiating Stage 1, the nature of the concerns should be clearly identified, and the student should be encouraged to discuss the issues, including the potential impact on themselves and others. It should be made clear to the student that, whilst the University has a duty of care to support students with ill health, it is the student's responsibility to be fit to study. Information should be provided about sources of professional support within the University that the student can access (e.g. Student Support, Counselling Service, Disability Service, the student's GP).
20. The student and member of staff should agree a date to meet within 10 working days, where practicably possible, to review the situation (known as the Stage 1 review meeting), and to discuss the effectiveness of the support that the student has been accessing. The key points and agreements, including action points arising from this discussion should be recorded and communicated to the student (Appendix 1). A copy of the form must be sent to the student within 5 working days, where practicably possible. A copy of this information should be kept on the student's file for an agreed time period. The student should be reassured that the purpose of keeping it on file is to ensure that the University is providing all necessary support, to ensure that the student continues to be fit to study. A copy of the form should also be sent to the Head of Student Support & Well-being (or their nominee) for monitoring and recording purposes.
21. Students should be informed that if the concerns continue, any additional cause for concern arise, or they refuse or are unable to engage in the process, this could result in their fitness to study being further considered by moving to Stage 2.
22. It is important to make more than one contact with the student at Stage 1. Where there is no response to contact or the level of concern is increased, the member of staff should seek advice from the Head of Student Support & Well-being (or their nominee). This may also include a decision to escalate to Stage 2.

### **Process Stage 2 – Continuing and/or Significant Concerns**

23. Stage 2 is used if continuing or significant concerns about an individual student's health, safety, or mental wellbeing are raised.
24. Stage 2 will be carried out by the Head of Student Support & Well-being (or their nominee), who will work collaboratively with other Student Services staff and staff within the School. The final decision on whether Stage 2 of the procedure is invoked will be taken by the Head of Student Support & Well-being (or their nominee) after receiving information from other relevant staff.
25. The student will be invited to meet with the Head of Student Support & Well-being (or their nominee) to discuss the issues, with the member of staff who has raised the issue present, if appropriate. The student will be informed that engaging with Stage 2 of the procedure is mandatory and refusal to engage may result in further escalation to Stage 3.

26. The purpose of the meeting will be to ascertain the student's perception of the issues that have been identified, including the impact which ill-health and/or behaviour are having on the student and/or the University community.
27. The student should be informed of the purpose of the meeting, and be advised of any documents that may be required for the meeting. The student may be accompanied by someone to this meeting – for example, this could be a member of the Students' Union, a member of University staff acting in a supportive capacity, or a close family member. Disabled students may also be accompanied by a support worker (e.g. sign language interpreter or mental health worker). During the meeting a mutually agreed action plan will be devised to put in place support for the student and formally agree expectations for the student to observe. This Action Plan will have a specific review date, and the consequences of not keeping to the agreed action plan must be made clear to the student. This may involve moving to Stage 3 of the procedure, where a suspension of studies may be considered necessary.
28. If an action plan cannot be agreed at Stage 2, then the case must move to Stage 3.
29. A report of the meeting and its outcomes will be recorded by the Head of Student Support & Well-being (or their nominee) or appropriate Head of Service. A copy of the agreed Action Plan will be submitted to the Head of Student Support & Wellbeing (or their nominee) and the student's School Senior Tutor. The Senior Tutor will disseminate this to relevant staff in the School as appropriate.
30. The student should be informed that if the Action Plan is not adhered to, or any additional cause for concern arise, this could result in their fitness to study being further considered by moving to Stage 3.

### **Process Stage 3 – Serious or Persistent Concerns**

31. Stage 3 is used if serious or persistent concerns are raised about an individual student's actions or behaviour that are putting the health, safety, wellbeing of the student or other members of the University community at significant risk.
32. In such cases the Head of Student Support & Well-being (or their nominee) will contact the Deputy Secretary / Head of Governance Services (or their nominee) to discuss the case. Should a decision be made to proceed to Stage 3 then the following process will apply:
33. The Deputy Secretary / Head of Governance Services or nominee will arrange a Fitness to Study Panel to discuss the situation.
34. Those present at the Panel meeting would normally include:
  - Deputy or Pro Vice-Chancellor [Chair]
  - The Director of Student Services and Administration or a nominated representative
  - The Head of Student Support & Well-being (or their nominee)
  - Relevant Academic/School representative(s)
  - Appropriate representatives from Student Services and Administration teams
  - The Students Union President or nominee

- Appropriate members of Estates & Campus Services (including where relevant the Halls Office)
- The Deputy Secretary / Head of Governance Services
- An appropriate medical representative where this is relevant, and on the recommendation of the Head of Student Support & Well-being (or their nominee)
- The Senior Student Conduct and Complaints Officer (Secretary)

35. The Fitness to Study Panel Meeting will determine an agreed action which will normally be one of the following:

- an enhanced Action Plan to support the student, overseen by the Head of Student Support & Well-being (or their nominee); or
- a recommendation for a possible suspension on health and wellbeing grounds, to be approved by the Chair prior to the conclusion of the meeting.

36. If the Fitness to Study Panel recommends an enhanced Action Plan, the student will be invited to meet with the Head of Student Support & Well-being (or nominee) to receive and discuss the recommended actions. The student will be invited to bring along a person to support them at the meeting. The plan will have a specified review date, and the consequences of not adhering to the Action Plan will be made clear. A copy of the agreed Action Plan will be submitted to relevant staff within Student Services and Administration, relevant staff within other Professional Services (e.g. Halls Office) and to the Senior Tutor.

37. If the agreed recommended action is a suspension of studies, = the student will be notified in writing by the Deputy Secretary / Head of Governance Services (or their nominee). In certain cases it may be necessary to inform the student verbally indicating that the suspension is immediate and that a formal letter will follow.

38. Suspension of studies will only be recommended in the most serious of cases, and when all avenues of support have been exhausted, when the student will not interrupt their studies voluntarily, or when the student has not engaged with agreed support. The suspension is intended to give the student time away from studies to address health and wellbeing issues, in order, wherever possible, to return to the University and resume study.

### **Return to Study**

39. The University's decision to suspend a student's studies will not be lifted until the student has provided the Head of Student Support & Well-being (or their nominee) with appropriate medical and/or other relevant evidence from a medical or other relevant professional that the student is considered fit to return to study. The University may ask the medical professional to answer specific questions or consider specific issues, and will not make a decision to lift the suspension until satisfied that the student is fit to return to the University environment. The University may also require the student to attend an interview with relevant staff to consider the students' Fitness to Study.

40. The University will make every effort to allow the student to continue with their studies, within the limits set by University Regulations. This may include repeating periods of study. The ability to repeat or return to study will depend upon the

feasibility and reasonableness of such a proposal, and will be decided on a case-by-case basis.

## **Appeal Procedure**

41. Appeals against the decision of the Fitness to Study Panel (as specified in paragraph 37) may be submitted to the Vice-Chancellor. Appeals should be submitted in writing within 10 working days of the date on which the student receives notification of the University's decision.
42. Appeals will only be considered on the following grounds:
  - Defects or irregularities in the conduct of the Fitness to Study Panel and where such defects, irregularities, or advice could have affected the Panel's decision.
  - Exceptional personal circumstances that relate to the Panel's decision. The appellant must explain why such personal circumstances were not made known to the Panel before its meeting. Where a student could have reported exceptional circumstances to the Panel prior to its meeting, but did not do so, those circumstances cannot subsequently be cited as grounds for appeal.
43. The Vice-Chancellor (or nominee) will investigate the concerns in any manner that is deemed appropriate in order to gather full and relevant information before making a judgment on the appeal. The Vice-Chancellor's judgement will normally be issued within 10 working days of the date when an appeal is received.
44. The Vice-Chancellor may reach one of the following conclusions:
  - The appeal is not upheld. The Vice-Chancellor will write to the appellant to inform them that the appeal was not upheld and that the University's procedures have been concluded.
  - The appeal is upheld. The Vice-Chancellor will arrange for a further Fitness to Study Panel to consider the case. In such cases the Deputy Secretary / Head of Governance Services or nominee will aim to ensure a different membership for the appeals Panel. The Vice-Chancellor will identify the grounds upon which the appeal was upheld.
45. The decision of the Vice-Chancellor is final.
46. The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. Bangor University is a member of this scheme. If the student remains unhappy with the outcome of the Fitness to Study Procedure they may be able to ask the OIA to review the case. Further information about making a complaint to the OIA and the remit of the OIA can be found there: <https://www.oiahe.org.uk/students>

Students will need to have completed all steps within this Procedure before referring the matter to the OIA. In such cases the University will issue the student with a letter known as the 'Completion of Procedures Letter' when a student reaches the end of these processes and there are no further steps which can be taken internally.

If a complaint/appeal is not upheld, the University will issue the student with a Completion of Procedures Letter automatically. If the complaint/appeal is upheld or



partly upheld a student can still ask for a Completion of Procedures Letter from the University if they want one.

To bring a complaint to the OIA, a student will need to submit a completed OIA Complaint Form within 12 months of the date of the University's final decision (usually the date of the Completion of Procedures Letter).

### **Disciplinary Action**

47. If a student, who is experiencing difficulties breaches any of the University's regulations, the breaches will be considered under Regulation 21: Student Discipline. Students will not normally be exempt from a disciplinary investigation because they are being considered under this procedure. Each case will be considered on its own merits, with due regard given to issues relating to mental health. The Deputy Secretary / Head of Governance Services or nominee should be informed if a case requires consideration under Regulation 21.

### **Monitoring**

48. Data will be collected on the use of this procedure as follows:

- numbers of cases at each stage of the procedure,
- numbers of suspensions of study,
- final outcomes e.g. return to study.

49. All the above information will be monitored by reference to college and school, and by gender, ethnicity, disability, age, religion/belief, and sexual orientation where possible, to ensure a fair and consistent application of the procedure.

50. Student Support and Administration will collect this data and will raise any issues which arise directly with colleges and schools.

**Appendix 1**



<b>Record of concern for a student's health and wellbeing</b>	
Date:	
Students' name:	ID Number: 500_____
Contact details:	Local address:
	Tel:
	E-mail:
Students' GP: (if appropriate)	
Concern discussed with: (i.e. staff member)	
Brief outline of concern:	
Agreed action points:	

Any other information/ Comments:	
Date of review (if appropriate)	

**Declaration:**

I understand the nature of the concern(s) raised by the university, as has been explained to me and outlined in this document, and the possible impact/consequences that this/these concern(s) may have upon my own fitness to study.

I also understand the impact that this/these concern(s) may have upon the community of staff and fellow students who are working and studying at the University and to which I belong.

I have agreed to work towards the action plan outlined above, which has been developed to support me.

I understand that if I am unable or unwilling to carry out the action plan, the University will need to consider taking appropriate actions, as my situation requires.

I understand and consent to information surrounding my fitness to study being shared with other relevant services within the University. A copy of this action plan will therefore be submitted to the Head of Student Support & Well-being (or their nominee) and disseminated to relevant staff where appropriate.

Whilst I understand that the University has a duty of care to support me, ultimately I am responsible for my own health and wellbeing and it is my responsibility to be fit to study.

I am also signing to agree to attend a review meeting at the agreed time, in order to review the progress I have made.

Student's name \_\_\_\_\_ Signature \_\_\_\_\_

Staff member \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_ Review date \_\_\_\_\_