



FITNESS TO STUDY GUIDANCE

Scope

All internal taught and research programmes leading to an award of City, University of London.

Associated Senate Regulations: 10: Fitness to Study

Approved/re-approved: (July 2018)

Date for review: To be reviewed as specified in the cycle of review of City policies and regulations, with allowance for minor updates by Educational Quality Committee, as required by changes in law or in operational practices.

Equality and Diversity statement

City, University of London is committed to promoting equality, diversity and inclusion in all its activities, processes, and culture, under its Public Sector Equality Duties and the Equality Act 2010. This includes promoting equality and diversity for all, irrespective of any protected characteristic, working pattern, family circumstance, socio-economic background, political belief or other irrelevant distinction.

Where relevant to the policy, decision-making panels will ensure a reasonable gender balance (with at least one man and one woman) and will actively consider representation of other protected groups.

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Fitness to Study Policy – Guidance

1. Relevant Documentation

1.1 The **Fitness to Study Policy and Guidance** is available here:

https://www.city.ac.uk/_data/assets/pdf_file/0004/386806/Fitness-to-Study-Policy.pdf

1.2 The **Fitness to Study Regulation (Regulation 10)** is available here:

https://www.city.ac.uk/_data/assets/pdf_file/0003/331068/Senate_Regulation_10_Fitness_to_Study_Regulation_20160916.pdf

1.3 Related City, University of London Policy and Regulation that may interact with this Policy include:

- Reasonable Adjustments (policy in development in 2017/18)
- Extenuating Circumstances Policy – details are included in Senate Regulation 19 (Assessment Regulations) *
- Interruption of Studies Policy – details are included in Senate Regulation 19 (Assessment Regulations)*
- Fitness for Practice (applies to programmes within School of Health Science and Counselling Psychology) – staff in the relevant Schools who are unsure about the use of the Fitness to Study Policy as opposed to the Fitness to Practise process should take specialist advice from the relevant School and a relevant student support service
- Student Discipline Policy & Regulation – details are included in Regulation 13*
- Student Complaint Policy & Regulation – details are included in Regulation 26*

1.4 Where a student may be subject to Professional Bodies requirements, it should be noted that actions taken in accordance with the Fitness to Study Policy is not considered disciplinary action.

*<https://www.city.ac.uk/about/city-information/governance/constitution/senate-regulations>

2. Definition of what is considered “fitness to study”

2.1 The following lists what would be considered reasonable expectations of any student:

- awareness of their own health and safety and that of others.
- awareness of the risk of physical danger to themselves and others.
- the ability to communicate reasonably effectively with fellow students, staff and other professionals.
- the ability to undertake periods in private study without supervision.
- the ability to attend and engage effectively in lectures and tutorials, with reasonable adjustments if necessary.
- the ability to submit coursework within standard academic timescales (or within agreed timescales with reasonable adjustments, if agreed).
- the ability to attend examinations and engage effectively with the examination process, with reasonable adjustments if agreed.

3. Circumstances in which use of the Fitness to Study Policy may be considered

3.1 Circumstances in which the use of the Fitness to Study Policy and Regulation may be appropriate is set out in the Policy.

3.2 More detailed advice on whether a particular concern may warrant consideration under the Fitness to Study Policy can be obtained from a relevant student support service – see the section regarding Support below for contact details of staff who can provide advice.

4. Information and Support for students and staff

4.1 Students who are currently registered with a support service (eg. Health Centre, Student Counselling & Mental Health Team, Learning Success) and wish to know more about this Policy and Regulation may like to first discuss any query with their contact in that Service.

4.2 Students are encouraged to seek advice and support from Students' Union about the use of the Policy and application of the Fitness to Study Regulation – contact details for the Students' Union are available on their website: www.culsu.co.uk and listed below.

4.3 The list below outlines services within City which can provide advice and support to staff who have concerns regarding the well-being of a student, or provide advice about the use of the Fitness to Study Policy and Regulation.

4.4 Both students and staff are encouraged to refer to the table below and contact the Service they believe is most relevant to the nature of their enquiry.

Name of the Service	Type of enquiry the Service may be able to help with	Contact details
Student Health Service	This service provides advice on minor illnesses, accidents and general advice on health matters. This service may be able to support staff if they are concerned that a student may have a health issue but they would like to discuss this concern further, or the staff member would like to get information to help support a student with a health issue.	020 7040 5999; healthservice@city.ac.uk
Student Counselling and Mental Health Service	<p>Student Counselling This Service offers confidential, emotional support to current students who may be experiencing personal or academic issues</p> <p>Mental Health Team This service supports students with diagnosed mental health condition(s), students referred by the Counselling Service, and students who are care leavers (see their website for further information about the support provided to Care leavers). The Service can provide support, advice, in-house mentoring.</p>	020 7040 8094; coun@city.ac.uk (Counselling Service); mentalhealth@city.ac.uk (Mental Health Team)
Learning Success And Disability Support	Learning support is provided by three teams within Learning Success: Disability Support, Neurodiversity Support and Academic Learning Support.	020 7040 0246

	<p>The Disability Support Service service works with students diagnosed with a range of disabilities and long-term health conditions. They can work with students to identify strategies and reasonable adjustments to support students in their studies.</p> <p>This service can also support temporary arrangements in relation to short-term injury or illness.</p> <p>The Neurodiversity Support team offers assistance to students with dyslexia and other Specific Learning Differences (SpLDs).</p> <p>The Academic Learning Support Team aims to help develop students' skills to that they can learn more effectively.</p>	<p>www.city.ac.uk/study/student-support/learning-support</p> <p>disability@city.ac.uk</p>
<p>Student & Academic Services (Student Voice team)</p>	<p>This team can provide information about the Fitness to Study Policy, Regulation, Guidance and other potentially relevant processes and application of the Policy and Regulation.</p>	<p>020 7040 0234;</p> <p>ace@city.ac.uk</p>
<p>Union Advice - City Students' Union</p>	<p>Independent, confidential and impartial advice on academic processes and regulations such as fitness to study, academic misconduct, appeals, complaints, extenuating circumstances, fitness to practise, student conduct and disciplinary matters.</p>	<p>020 7040 5600</p> <p>unionadvice@city.ac.uk</p> <p>www.citystudents.co.uk/advice/</p>

4.5 Staff are encouraged to contact the above teams initially with queries regarding a concern or support for a student. Where liaison with City's Safety Office or Occupational Health is considered appropriate, this can be discussed with a support service team noted above. Where a decision is made that a student should be referred for an OH Assessment, staff responsible for correspondence with the student will need to discuss this decision with them and obtain their consent to refer them to OH for assessment.

5. Emergency action

5.1 In the event of a life-threatening emergency - where someone is seriously ill or injured or their life is at risk, an ambulance should be called via dialling *9 – 999* or *9 – 112*. Following this, Security should be informed (via 020 7040 3333) as soon as possible so they can facilitate access for any emergency services.

5.2 In the event of an emergency that requires first aid – staff should call for the nearest First Aider or contact Security on 020 7040 3333.

5.3 Where the situation is not life-threatening, but still requires serious and prompt action, a process for Emergency Action is outlined in the Fitness to Study Regulation. Staff should refer to the Regulation for details.

5.4 Temporary, immediate suspension or exclusion of a student may be considered when:

- the student's behaviour may represent immediate risk to the safety of the student or others to the extent that the School and the relevant specialist student support service agree that the student's registration should be suspended or the student should be excluded from specific City-related activities/facilities/requirements for their own and/or others' safety
- the student may or may not have been considered under the Fitness to Study procedure already
- the student may or may not be registered with a student support service

5.5 Temporary, immediate suspension or exclusion of a student is intended for situations where a risk assessment demonstrates a valid concern of an immediate, significant risk to the student's safety or to other members of City's community should that student continue to engage with that particular aspect of their studies or City activity.

5.5 Suspension might be appropriate where there is significant concern for the student's well-being or concern about their general behaviour, and it is considered that the student continued engagement with their studies or City activity overall is putting that student or other members of City's community at an immediate, high level of risk.

5.6 Exclusion might be appropriate where there is some concern about the risk associated with a student's engagement with particular aspects of their studies, specific City facilities or particular students or staff – exclusion would work to manage the risk without removing the student from their studies.

6. Record keeping

6.1 The Regulation outlines what information should be collated to assist with the consideration of any concern raised. The Regulation also outlines what information should be provided to the student at specific times.

6.2 The Head of Academic Services in the student's School should ensure the appointment of a member of staff to co-ordinate the collation and retention of the record of the process that takes place within the School. All documents relied on in the consideration of any concern should be retained on the student's record within the School. Material should be retained in accordance with the Information Retention Guidance (refer to City's Information Compliance for further information).

6.3 Once a referral to a Fitness to Study Panel is made, Student & Academic Services takes over responsibility of management of the file. Following the outcome of the Fitness to Study Panel, where the student continues with their studies, the responsibility for management of the file returns to the School.

6.4 The Regulation outlines what steps should be taken in the instance that a student does not agree with the record of a meeting, or similar.

7. Correspondence

7.1 The Regulation sets out when students should be sent correspondence and what should be included in correspondence.

7.2 Examples of correspondence to be sent out at relevant stages of the Fitness to Study process are included with this Guidance note – see Appendix.

8. Risk Assessment

8.1 The purpose of a Risk Assessment is to identify what hazards or risks might exist to a particular student or others (including students, staff, City's partners) and work out what steps can be taken to prevent or reduce those risks. The Risk Assessment will note what actions (if any) have already been taken to manage the potential risks, and who is responsible for ensuring these actions are taken.

8.2 A Risk Assessment should be undertaken by the relevant student service supporting the case (e.g. Student Counselling and Mental Health Team or Student Health Service) to identify the level of risk to the student and/or others and to consider whether continued study may put the student and/or others at unacceptable risk or exacerbate the student's difficulties.

8.3 A Risk Assessment should be conducted at the instigation of the use of the Fitness to Study process and may be conducted again should a concern exacerbate or a new concern emerge.

8.4 The Risk Assessment will be recorded on a Risk Assessment Report (the template is attached to this Guidance – see the Appendix). The Report should be retained by the School for reference. If the concern is referred to a Fitness to Study Panel a copy of the Report should be provided to the Panel.

9. Level 1 – Student Support Review

9.1 The Regulation outlines the process which should be followed if using Level 1. Staff and students are asked to read the Regulation for full details.

9.2 If a student does not engage with the Student Support Review, the meeting can still proceed in the student's absence. Consideration should be given to whether the student's non-engagement is consistent with the original concern, and whether the agreed actions from the Review may respond to the student's non-engagement.

10. Level 2 – Fitness to Study Panel

10.1 The Regulation outlines how the Panel should be managed. Staff and students are asked to refer to the Regulation for full details.

10.2 It would normally be expected that only the most serious, urgent or chronic concerns be directed immediately to this Level. Normally, a concern should be resolved via preliminary investigation and associated action(s) or directed to Level 1 (Student Support Review) in the first instance.

10.3 The template Form to request the referral to a Fitness to Study Panel should be completed to initiate action under Level 2. The form is available from the Quality Manual – Section 4 (see the Forms tab) and should be completed by the Head of Academic Services (or nominee) within the relevant School.

11. Action Plans

11.1 This is intended to be a record of agreed commitments and actions for the student, School and/or the student service(s) supporting the student. The Plan could take a variety of formats. An example has been provided in the Appendix.

12. Return to study

12.1 Where a student has sought an Interruption of Studies themselves (even where this may be one of the outcomes of action taken under the Fitness to Study Policy), the arrangements for their return should be managed in accordance with the Interruption of Studies process.

12.2 Where a student has been suspended or excluded as a result of a decision made under the Fitness to Study Policy, the Regulation outlines the expectations for managing a student's return from suspension or exclusion. Staff are asked to refer to the Regulation for full details. 12.3 Even in the case where a student believes their health and well-being has improved significantly since the last occasion their situation was considered under the Fitness to Study Policy and they wish to return to their studies before the agreed review date, the agreed review date should be retained with no option to bring the review day forward. This policy is in place to ensure appropriate management of the student's studies within the normal academic year, and maintaining the agreed review and return dates support best management of the student's studies.

13. Student Complaints during preliminary actions or actions taken under Level 1 of the Fitness to Study Policy

13.1 The Regulation outlines how complaints raised by the student whilst their case is under consideration should be managed.

13.2 This section of the Regulation refers to where a student raises a complaint or concern about any aspect of City's services which is unrelated to the concern which is the focus of the action under the Fitness to Study procedure - for example, the student could have concerns about the delivery of a service unrelated to the concern being discussed, or City facilities which have no relevance to the concern. In this instance, the Student should be asked to raise their complaint under City's complaint process (Regulation 26).

13.3 Where a student raises complaints about the Fitness to Study process itself (the process as it is set out in the Regulation, or how this is being applied) these complaints should, where possible, be managed and responded to within the process by the staff managing the process. Where a student complaint has been considered within the Fitness to Study process, the Fitness to Study process has come to a conclusion and the student continues to be dissatisfied, the student should be referred to City's Student Complaint procedure. This process is outlined in Regulation 26 – see <https://www.city.ac.uk/about/education/academic-services/student-appeals-and-complaints/complaints> for further information.

14. Student Appeals against Fitness to Study Panel process or outcome

14.1 Any student subject to a decision by a Fitness to Study Panel is able to appeal that decision. The Regulation outlines that right to appeal, how the student may submit an appeal, and the process by which the appeal would be managed.

14.2 In order to appeal, the student must submit a written statement (there is no form to complete). The statement could be submitted via email to ace@city.ac.uk, via post to Student & Academic Services (Student Appeals) or in person addressed "Student Appeal -

Student & Academic Services” via the Student Centre. Student & Academic Services can be contacted for further details about submitting the appeal (see contact details above). Appeals against the outcome of a Fitness to Study Panel will be managed by Student & Academic Services.

14.3 Where a student’s appeal is referred to an Appeal Panel, this Panel will have had no prior involvement in the student’s case. Papers to support the Appeal Panel’s consideration of a student’s appeal will be shared with the student, and this will include a suggested order of business for the panel.

Appendix 1

Roles and Responsibilities

Role	Responsibilities
Student	Engages with staff when invited to attend meetings to discuss concerns; Where relevant, provides accurate information to relevant staff about their disability, health condition, learning difficulty etc. in a timely fashion; Gives due consideration to support offered/provided; Engages with support mechanisms as appropriate
Head of Academic Services, School	Leads on management of concern regarding student at Preliminary Investigation stage; Makes decision (in consultation with relevant student support service, and Student & Academic Services) regarding referral of concern; Where a nominee is acting in the place of the Head of Academic Services, this nominee should have appropriate knowledge, experience and delegated authority to perform in this role.
Programme Director, School	Sits on a Fitness to Study Panel; Where a nominee is acting in the place of the Programme Director, this nominee should have appropriate knowledge, experience and delegated authority to perform this role.
Student Support Service (e.g. Disability Team, Student Counselling & Mental Health Team, Learning Success)	Provides support to a student; Provides information and advice to School and Student & Academic Services regarding best management of concerns regarding student; Provides professional expertise in Student Support Review; Sits on Fitness to Study Panel (nominated staff member within relevant team with no prior direct involvement in support for student)
Student & Academic Services	Oversees application of Fitness to Study Policy and Regulation; Provides information and advice to students and staff regarding use of Policy and Regulation; Provides secretarial support to Fitness to Study Panel
Fitness to Study Panel	Responsible for consideration of high risk concerns; Makes recommendations on support for student; Where considered necessary, makes decision to change student registration status
President	Approves request for immediate, temporary exclusion or suspension

Appendix 2
Example Student Concern Evaluation

Student Concern Evaluation for [student's name]		Notes/ Record of action taken
What is the hazard/risk? (Personal, academic, physical, well-being)	Who is at risk?	
What is already been done to manage the risk/hazard?	Who will take the action?	Date of Assessment: Action to be taken from [date] to [date/unending]
What other action could be done?		

Appendix 3

Example Correspondence for staff use

These are examples of correspondence that may be sent to a student during the Fitness to Study process. Notes are included with each example to suggest when such correspondence would be sent and by whom. The examples can be used as a basis for drafting correspondence and will need to be adapted to accommodate the particulars of a student's situation and the support provided to them.

Invitation to student to a Preliminary Investigation meeting.

This is would be sent by a School to a student at the point when it is not clear what the cause for concern is. The concern may or may not be related to a Fitness to Study issue, and the wording of any correspondence at this stage should be careful not to assume what the concern relates to.

Dear Student,

I write to you regarding some concerns that have been reported to me relating to your well-being and your studies. These concerns have arisen following reports from your lecturers in *Introduction Studies* about your attendance at lectures and tutorials and your apparent distress when you met with your lecturer on Monday of this week.

I would like to meet with you to discuss these concerns. We would like to work with you to consider what support might be useful to you and what support the School could provide.

I have been reviewing your attendance records – we are concerned about your continuing lack of attendance and the potential impact on your studies and would like to discuss these with you when we meet. I enclose a copy of the records for your information now.

I can meet with you on Friday at 2pm in my office (X101). Please let me know as soon as possible if this time suitable for you?

You are welcome to bring one person with you if you wish to have some support during this meeting. If you would like someone to accompany you but don't wish to bring a friend or family member, you may like to contact the Students' Union to ask them for advice. I would appreciate if you could let me know if you intend to be accompanied at the meeting.

Yours sincerely,

Confirmation of the outcome of Preliminary Investigation meeting

This correspondence would be sent by the School as soon as possible following a meeting.

Dear Student,

Thank you for meeting with me today.

It was very helpful to discuss our concerns about your well-being with you today, and to hear from you about your situation. Thank you for being willing to discuss your circumstances with us – we appreciate the opportunity to provide support to you at this difficult time.

You said that you have been experiencing family difficulties for the last few months, and that this is having direct impact on your ability to attend lectures and tutorials. You explained that you have been experiencing what you described as high levels of stress during this time, and this likely affected your behaviour during your meeting with your lecturer.

We discussed the options available to you. We agreed that you would seek an appointment with the Student Counselling & Mental Health Team. We agreed that you would contact the Programme Director to make an appointment to discuss your current situation, and seek some guidance on catching up on the content you will have missed and to see if there's any other support the Programme team can provide whilst you are working on managing your family difficulties. We did discuss interrupting your studies, however, you expressed a wish not to pursue that option at this stage. If you change your mind in the future, you agreed to contact me as soon as possible.

You agreed to contact your Personal Tutor to discuss your circumstances with them and the option of submitting an extenuating circumstances claim.

I enclose a note of what we discussed. Let me know if you have any questions about this note.

I will contact you again in 3 weeks to check in with you about how you are managing and see if there's any further help we can provide you with.

Yours sincerely,

Invitation to Student Support Review

This correspondence should normally be sent by the School. This example correspondence is set within the scenario of the student having met with staff in the School previously. This invitation could be sent following a meeting having been held as part of a Preliminary Investigation. Staff should refer to the Regulations for further detail about what to include in the correspondence and what additional documentation a student may require at this point. The student may not have already agreed to staff sharing information about them between other relevant City staff: if this has not already been agreed, wording should be inserted into this letter to (a) inform the student what information we would like to share, (b) who the information will be shared with, and (c) how we will be sharing and retaining information about them. More specific guidance can be sought from Information Compliance or the Student Voice Team.

Dear Student,

I write to you following our initial meeting with you on [date].

At that meeting, it was agreed that you would make an appointment with the Disability Support Team and provide them with medical evidence confirming your disability. The purpose of this was to enable the Team to discuss the options for reasonable adjustments with you and the School. You agreed that you would do this by [date].

Whilst we appreciate that you say that you continue to be supported by the Student Counselling Service, unfortunately, we are aware that the issues raised with you when we met on [date] continue to be causing concern for you and your studies. We understand that you have not yet made an appointment with the Disability Team.

Given the increasing concerns about your well-being and the potential risks to your studies, and the range of support that we would like to offer you, we have decided that this would be best co-ordinated by a meeting with you and a number of staff from student services. We have scheduled this meeting for [date/time] – please let me know as soon as possible if you can attend this meeting. Also attending will be your Programme Director and [name] from [student service] and [name] from [student service].

Yours sincerely,

Confirming the outcome of Student Support Review

Staff should refer to the Regulations for further detail about what to include in the correspondence and what additional documentation a student may require at this point.

Dear Student,

Thank you for meeting with us today in our Student Support Review. It was very helpful to discuss our concerns about your well-being and progression with you today, and to discuss the options for support.

At this meeting, we agreed the following actions:

- You will provide the Disability Support Team with evidence to assist them to update the reasonable adjustments in place for your support
- You will make an appointment to meet with a member of the Mental Health Team, aiming to meet with them by [date]
- By [date] you will submit an extenuating circumstances claim in relation to your assessment that was due [date]
- We will meet on [date] to assess the progress of these actions and review the support already in place

You agreed that I may contact your Personal Tutor to explain what support has been agreed. As discussed, if the agreed actions (noted above) are not taken, and the concerns regarding your well-being and your progression in your studies continue, it may be necessary to refer your case to a Fitness to Study Panel. We discussed what a Fitness to Study Panel would involve, but if you would like more information please refer to the copy of the Regulation we provided you with or contact me.

As agreed I look forward to our meeting in three weeks.

I enclose a copy of the record of the Review for your information. If you have any questions about this record, please contact me.

Yours sincerely,

Confirming a referral to a Fitness to Study Panel

This correspondence may be sent at any point, as long as the concern meets the criteria for consideration by a Fitness to Study Panel. The nominated contact in the School should send this correspondence, unless otherwise agreed (for example, where there is a concern that this may exacerbate a student's distress or the well-being of the staff member).

Dear Student,

Thank you for meeting with me and X from the Disability Support Team today.

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During our meeting it was decided that there is sufficient concern about your well-being and the potential risk to your health if you are to continue to engage with your studies to warrant asking a Fitness to Study Panel to consider your case. We discussed what a Fitness to Study Panel was, and what this would involve.

We will need to pass over the details of the concern about your well-being to Student & Academic Services so they can co-ordinate the Panel. They will contact you directly with more detail about the Panel and the arrangements for your meeting with the Panel.

If you have any questions about this correspondence, please do contact me directly.

Yours sincerely,

Notification about Fitness to Study Panel

This correspondence would be sent by Student & Academic Services. Staff should refer to the Regulations for further detail about what to include in the correspondence and what additional documentation a student may require at this point.

Dear student,

I write to you in relation to our receipt of a request from your School that a Fitness to Study Panel consider your case. I am based in Student & Academic Services, and I am co-ordinating the Fitness to Study Panel.

You may already be familiar with the term Fitness to Study Panel as we understand that staff in the School have explained this is part of City's Fitness to Study process.

The School believe that your case needs further consideration and have decided to refer your case to a Fitness to Study Panel for more consideration.

What is a Fitness to Study Panel?

A Fitness to Study Panel is comprises approximately four City staff who have no prior direct involvement with you. This Panel is asked to consider the concerns raised about your well-being and your studies; what actions have been taken so far to support you; and, what options are available to the School and City to support you. The Panel is authorised to make decisions about the allocation of further support, and/or the options in relation to your on-going studies.

Further information about the Fitness to Study process is available via the Policy (see *web link*), and the Regulation (see *weblink*). You can also seek advice about this process from the Mental Health team (which I understand you have been in contact).

I have started the process of identifying a date for this meeting and once I have confirmed a date, I will write to you to provide you with details and to invite you to attend. We anticipate that it may be possible to schedule this meeting to take place in about 3 weeks.

You are invited to provide the Panel with any information or documentation you would like to be considered during this Fitness to Study Panel meeting. If you would like to provide us with documentation, please do let me know as soon as possible. Documentation will be circulated to all those attending the meeting approximately seven calendar days prior to the meeting.

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If you have any questions about this email or anything about the Fitness to Study Panel, please do let me know.

Yours sincerely,

Confirming outcome of Fitness to Study Panel

This correspondence is sent out by Student & Academic Services. This would be sent out along with a note of the meeting, which would provide specifics for any actions, deadlines for actions and responsibilities.

Dear Student,

Fitness to Study Panel meeting

I write following the meeting of the Fitness to Study Panel on [date]. Thank you for attending this meeting.

This letter confirms in writing the Panel's decision, which was initially provided verbally at your meeting with the Panel. The accompanying note of the meeting provides further detail about the meeting.

The Panel's decision is outlined below:

- (a) The Panel noted that you wished to interrupt your studies (via City's *Interruption of Studies* procedure) – the Panel endorsed your intention to apply for Interruption of Studies effective as soon as possible. You should submit your application for Interruption to your School;
- (b) The Panel permit you to return to your studies dependent on receiving a report from your doctor that you are able to return safely. This would be from next academic year;
- (c) Once you return you are asked to register with the Disability Support team and meet with them regularly, as agreed with that team;
- (d) Disability Support and your School will co-ordinate any reasonable adjustments put in place following your return to studies;

Please continue to keep in contact with your School and liaise with them if you have any questions about providing your doctor's report.

A student who is subject to a decision by a Fitness to Study Panel may appeal the Panel's decision, but only on the ground that the Fitness to Study Panel was not conducted in accordance with the relevant regulations. Further information about the appeal process can be found in Regulation 10 – you can find a copy of this in the papers circulated in advance of the meeting with the Panel.

If you have any questions about this correspondence, please do not hesitate to contact me.

Yours sincerely

Appendix 4

Example of Action Plan

Student Name and Registration No.: X, 12345678

School: School of Sport

Programme: BSc Sport Studies

Date this Action Plan was agreed: [DATE]

X will attend 60% of lectures and 90% of tutorials over the next term (date – date);

X will meet weekly with Y of the Student Mental Health Team over the next term – to be reviewed after 10 weeks;

X will submit “Coursework” by (revised due date); or X cannot do so, will submit an EC claim within 7 days of this date;

Y will provide the School with weekly updates of X’s status

Z (Module lead) will meet with X once every 2 weeks to run through the content of the module and ensure X has appropriate support.

(Agreed by student – Signature or via email)

(Agreed by Y)

A copy of this document will be provided to the student and the staff mentioned in this agreement.

Appendix 5

Guidance for Fitness to Study Panels

This Guidance is specifically for members of Fitness to Study Panels

Purpose and Remit of the Panel

The purpose of the Panel is outlined in the Regulation. The Panel is called on to consider concerns that are agreed to have met criteria set out in the Regulation. These concerns will represent potential significant risk to the student themselves, other students, staff or the learning environment.

Membership of Panel

Chair is chosen from a list of staff members nominated by Deans of Schools to be approved (on an annual basis) to sit on institutional-level Panels (such as Disciplinary Panels and Validated Appeal Panels). These staff members will be considered by their Deans to have considerable experience and expertise in the consideration of student cases and management of panel investigations.

Panel members will be representing the School (Programme Director, or nominee) and the relevant student support service(s).

Responsibility of the Chair

The Chair is responsible for:

- ensuring the Panel is convened in accordance with the Regulation
- that conflicts of interest are addressed
- that the Panel takes due account of all relevant City policies, and assessment requirements
- that the Panel upholds the principles of fairness and natural justice both for the individual student and the City community in general
- that Panel members and attendees fulfil their designated roles during the hearing
- that the Panel has access to specialist representation where needed (e.g. Visa Compliance)

The Chair should convene a short briefing meeting for the Panel Members and Secretary to ensure the smooth running of the meeting (eg. that it will run to time, that all the relevant information will be available). This meeting will normally run for approximately 10 minutes, directly prior to the meeting.

The Chair should ensure that the Panel is satisfied that all relevant information has been presented, and the student has had a full opportunity to make any statements or provide any information. The Panel will normally ask the student to withdraw from the meeting whilst the Panel deliberates before reaching its decision. The Panel Secretary and any specialist advisors may remain for the purpose of recording the decision and advising on relevant Regulation and Policy; they do not, however, form part of the Panel and should not take part in the discussion apart from for the purposes stated. The Panel Advisor may also reference relevant precedents to assist the Panel; these are non-binding and the Chair should ensure that decisions are taken within the context of each individual case.

Following the Panel the Chair will ensure that the written record of the meeting is a true record and the decisions are accurately noted. The Panel may also be involved in this.

Where agreement with another area of City is required following the Panel recommendation, the Chair will ensure this is resolved (with support from the Secretary). The Chair will also ensure in the notification to the student is clear and supportive.

Responsibility of Panel members

Panel members will be responsible for:

- the consideration of high risk concerns regarding our duty of care in relation to student well-being or safety;
- The Panel will be responsible for ensuring that all relevant information is considered during the course of the Panel process, identifying any information that should be made available and ensuring this is sought;
- ensuring the recommendations made in relation to the concern (e.g for support or further actions) are in line with the outcomes set out in the Regulations;
- ensuring that the Panel's decision is clear, that any actions are clearly defined, responsibilities are allocated, and deadlines for actions are clear;
- that decisions that have an impact on other stakeholders (School staff, support services) are agreed with the affected area or individual(s)
- making any recommendations

Role of Secretary

The Secretary is responsible for:

- ensuring the student is informed about the referral of the concern to a Panel, they have information about the Panel process and they know they can be accompanied and submit documentation ;
- liaising with the student's support service to ensure any reasonable adjustments for the meeting are taken into account;
- scheduling the Panel meeting (convening the Panel members);
- making arrangements for a suitable venue for the meeting;
- collating the papers for the Panel to consider and circulating these to all attendees;
- recording the process of the hearing, the decision and rationale, and any actions/deadlines and responsibilities
- sending correspondence out to the student

Involvement of consultants

City staff members or external experts may be called on by the Panel to provide information or advice to the Panel. This expertise may be provided in person (at the meeting of the Panel) or in writing or via telephone conference (or similar). They will have no direct role in decision-making.

Conflicts of interest

It is important to be mindful of the following:

- that no individual responsible for decision-making relating to the complaint at an earlier level, is then responsible for decision-making at a later stage (eg. Student Support Review/Fitness to Study Panel)
- that no individual who might potentially be biased through prior knowledge of the case be responsible for decision-making at a later stage of the process
- that no individual involved in consideration of the matter at School-level is later responsible for decision-making at Fitness to Study Panel
- Potential conflicts of interest might include where an academic has had substantive involvement in the teaching or assessment of a student, or conducted a preliminary investigation prior to Panel and has been party to information not disclosed in the documentation or subsequently made available to the rest of the Panel. In both these cases the individual might be called on to give evidence at a Panel but it might not be appropriate for them to be members of that Panel with responsibility for the decision. If you feel there is a potential conflict of interest speak to the Secretary as soon as possible.

Appendix 6

