

HE Fitness to Study Policy

*Integrity, Valuing Others, Teamwork,
Supportiveness*



Our Mission

To inspire learners to recognise and achieve their full potential

Our Values

Excellence, Passion, Team Work, Integrity, Innovation,

Sustainability, Valuing Others and Supportiveness

University Centre Sparsholt, incorporating Andover College

The *HE Fitness to Study Policy* was approved by the Board of Governors in January 2019.

Equality Impact Assessment	Conducted:
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1. What is Fitness to Study?

- 1.1 University Centre Sparsholt is committed to supporting student wellbeing and recognises that a positive approach to the management of physical and mental health is crucial to student learning and academic achievement.
- 1.2 Fitness to study relates to an individual's capacity to engage fully with their studies to meet the learning outcomes of their programme, with reasonable adjustments where necessary/appropriate, within the limitations that they are able to do so in safety, and without endangering the safety or wellbeing of themselves or others.
- 1.3 Grounds for concern about a student's fitness to study may include, but not be restricted to, the following:
 - the student poses a risk to his/her own health, safety and/or wellbeing and/or that of other persons;
 - the student's behaviour is, or is at risk of, negatively affecting the teaching, learning and/or experience of others in the Sparsholt community;
 - the student's behaviour is, or is at risk of, negatively affecting the day-to-day activities of Sparsholt or an industry placement provider.
- 1.4 This Policy covers students studying full-time, part-time and distance-learning who are enrolled with University Centre Sparsholt for all levels of study

2. Applicants to University Centre Sparsholt and Fitness to Study

- 2.1 Applicants to a programme of study, who declare a health condition or disability, will be subject to Fitness to Study consideration.
- 2.2 For further information individuals should consult the Admissions Policy which can be found at <https://www.sparsholt.ac.uk/policies-reports/>.

3. Raising a Fitness to Study concern

- 3.1 Concerns about a student's fitness to study may be raised by the student or by a third party i.e. other students, Academic staff, Business Support staff, Disabled Student Allowance (DSA) staff or their agents, either whilst the student is at Sparsholt or whilst engaged in Sparsholt-led outside activities such as work placements or field trips.
- 3.2 Academic staff should normally discuss any cases with the Faculty's Fitness to Study Adviser (FSA), which is the Assistant Principal – Higher Education, but may be another member of Faculty staff as nominated by the FSA. Business Support staff should raise their concern with the Course Leader or Personal Tutor of the student who in turn will discuss with the FSA. Other students should raise the concern with their Tutor or Course Leader who in turn will discuss with the FSA. The FSA will at all times seek advice from specialist staff within the Wellbeing team. The Designated Safeguarding lead will serve as the moderator for Fitness to Study cases.

4. Confidentiality and the sharing of information

- 4.1 University Centre Sparsholt will follow the Sparsholt College practice and policy detailed in the Data Privacy Statement for Learners and the Sparsholt College Data Protection Policy. For fitness to study matters the University Centre seeks to limit access to sensitive personal information to those who require it to enable the student's fitness to study to be established and/or who need it to support the student.
- 4.2 Staff should discuss with the student the need/desirability to be able to share personal data with other members of staff on a need-to-know basis. Where possible, an agreement should be reached with the student on who their sensitive personal data (health data) can be disclosed to and their written consent to this obtained. The student should be made aware that they may change/remove their consent at any time but conversely, that if their situation deteriorates, it might be necessary to share their data with health professionals without their prior consent.

5. Actions upon initial concerns

Concerns raised by Academic staff

- 5.1 Where a member of Academic staff becomes concerned that a student may be unfit for study, or such concern has been brought to their attention by a student or member of staff, then they should raise the issue with the FSA. The FSA will check that appropriate advice is sought from the Wellbeing team and then will arrange for themselves and the relevant academic tutor or Wellbeing coordinator to meet with the student.
- 5.2 It is encouraged that the student be accompanied by a family member or friend to the meeting, and the student should be informed of this when they are invited to the meeting.
- 5.3 At the meeting it should be explained to the student, in a supportive and understanding way, that concerns about their fitness to study have emerged. The student will be made aware of the precise nature of the behaviour that has caused the concern. The staff will attempt to resolve the matter by informal discussions with the student. The student should be encouraged to explain their views on the matter and should be encouraged to use the support services offered by the Wellbeing team at University Centre Sparsholt. The staff should consider with the student whether any specific academic arrangements or other types of support could be applied to help the student to study more effectively.
- 5.4 It is anticipated that in most cases the concerns can be resolved at this stage and that the student will engage with this process and access the student support services that are available to them at University Centre Sparsholt or with external organisations. Any plans agreed between the staff and the student should be set out in a letter to the student so it is clear what has been agreed.
- 5.5 A review period should be established, by agreement between the student and the staff. Sufficient time should be given to allow the student to consider their behaviour and seek support. At the review meeting the steps taken to address the concerns should be discussed.

- 5.6 Further meetings may be scheduled to monitor the situation and progress made by the student. The FSA, or appropriate member of staff, should, if required, help the student access the support available to them to enable them to continue with their studies. The general expectation is that the student will take personal responsibility and fully engage with the support recommended by staff.
- 5.7 The FSA will ensure that advice is sought from the Wellbeing team at all times as necessary.
- 5.8 If the student has not engaged with the initial attempt to resolve the concerns, e.g. the concerns have not been addressed, support has not been sought, and the FSA feels that progress has not been made, then the case can be referred to a Fitness to Study Panel.
- 5.9 At any stage during an initial attempt to act on initial concerns raised by an academic member of staff the matter may be referred to a Fitness to Study Panel

6. Fitness to Study Panel

- 6.1 Request for a Fitness to Study Panel may be made by any member of staff (academic, wellbeing, DSA support or other appropriate person) where the concern is considered significant enough to justify the panel in the best interests of the student and the wider student and staff community.
- 6.2 The panel will consist of the FSA, Wellbeing coordinator and Designated Safeguarding Lead, plus the student if they are available to attend. If the student is unable to attend they can provide a written submission to explain the behaviour that has raised the Fitness to Study concern.
- 6.3 Having considered the evidence presented to the Panel, the Panel shall determine whether the student is fit to study and declare one of the following outcomes:
1. The student is fit to study and the case should be dismissed. The student should be advised what behaviour caused the concern and how it should be avoided in the future, or, it may be that student conduct action is more appropriate and the Student Code of Conduct regulations will be followed (available at <https://www.sparsholt.ac.uk/policies-reports>).
 2. The student is fit to study if a managed study plan is followed, the Panel should liaise with the relevant Course tutor and Wellbeing team to ensure that the requirements of the managed study plan can be adhered to.
 3. The student is unfit to study and will not be fit to study in the foreseeable future and the student should be excluded.
 4. The student is unfit to study but may be fit to study after a determined period of time and the student should be temporarily suspended (study break). For more information see HE Withdrawal and Temporary Suspension of Studies policy at <https://www.sparsholt.ac.uk/policies-reports/>

7. Returning to study

- 7.1 Where a student was temporarily suspended and is at the point of returning to study, it must be determined that they are fit to return. The relevant FSA, relevant Course Leader, and

relevant Wellbeing Coordinator will meet to consider whether the student is fit to return to study.

- 7.2 Further evidence will be requested from the student that considers their ability to fully engage with their studies and meet the requirements of the programme. A student will only be permitted to return if, after receiving the appropriate evidence, the FSA, Course Leader and relevant Wellbeing Coordinator are satisfied that the individual is fit to study.
- 7.3 Where an overseas student has returned home, and appropriate evidence cannot be provided, it may be necessary for the student to return to the UK to be assessed by an appropriate professional; University Centre Sparsholt Wellbeing staff will advise on this matter.
- 7.4 Where a student returns to study after a temporary suspension under this Policy the FSA, Course Leader and relevant Wellbeing Coordinator will consider any support that the student may require to facilitate a return to studies, such as regular review meetings or a return to study action plan. The general expectation is that the student will take personal responsibility for fully engaging with this support.
- 7.5 Where the FSA, Course Leader and relevant Wellbeing Coordinator are not satisfied that the individual is fit to study, they shall not be permitted to return to the course and will be excluded.

8. Appeals

- 8.1 A student shall have the right of appeal against the findings of the Fitness to Study Panel and/or against the determined outcome. No other person may appeal.
- 8.2 An appeal is lodged by the submission of a signed and dated statement from the student to the Deputy Principal, which should be headed 'Statement of Appeal'.
- 8.3 A Statement of Appeal must be lodged within ten working days of the date of issue of the Decision Notice.
- 8.4 The Statement of Appeal must be based on one or more of the following grounds:
 - i) a material procedural irregularity in the way in which the Panel hearing was conducted, which might have impacted significantly on the validity of the initial concern and the subsequent outcome;
 - ii) new evidence that could not reasonably have been made available to the Panel, and can be expected to potentially have led the Panel to have made a different decision;
 - iii) that the outcome was perverse when the circumstances of the case and the treatment of other students in similar positions are considered.
- 8.5 The appeal will be considered within 10 working days of receipt, or if additional information is required the student will be notified of the need for an extension to the time required to make a response to the appeal.
- 8.6 A student may withdraw an appeal at any time by giving notice in writing to the Deputy Principal. On receipt of this, a written acknowledgement will be sent to the appellant. Once

the appeal has been withdrawn, the appeal shall be deemed to have failed and the matter will be closed.