

Fitness to Study Policy and Procedures

Contents

1	Introduction.....	2
2	Procedure Guidelines	3
3	Stages in the Process	5
4	Appeals.....	11
5	Investigatory and Disciplinary Procedures	12
6	Return to study	12
7	Critical Illness of Students.....	13
8	Monitoring of this Policy	14
9	Contacts	14

Ownership	Associate Director (Student Support Services)
Approval	Academic Board
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1 Introduction

- 1.1 The Fitness to Study Policy and Procedure is an intervention procedure that can be initiated if students in full time or part time attendance are causing significant concern and/or presenting risk of harm to themselves or others, in turn leading to unsatisfactory academic progress.
- 1.2 Higher Education institutions have a Duty of Care to respond appropriately where there are substantial concerns relating to a student's health and wellbeing (including a deterioration of physical health, mental health difficulties, psychological, personality or emotional disorders) and the impact that this may have upon the individual and/or other members of the College community.
- 1.3 Goldsmiths is committed to promoting and celebrating diversity across its student body and ensuring that all students have an equal experience and opportunity and are fully supported to reach their academic potential.
- 1.4 This document outlines the procedure and support available where a student's health and wellbeing deteriorates to the point where there are concerns that a student 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.
- 1.5 Concerns for 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 at risk. Students will not be expected to manage these situations and should always approach a member of staff, or a representative of the Students' Union if they have a concern.
- 1.6 Personal Tutors, Senior Tutors and Programme Leaders are the staff members most likely to identify that a student is experiencing difficulties and will be provided with training, support and advice from Student Support Services to enable them to initially manage the situation using this procedure.
- 1.7 Where there is a Fitness for Professional Practice issue, the Fitness for Professional Practice Procedure, which takes account of the requirements of the Professional, Statutory and Regulatory Bodies, should take precedence.
- 1.8 In a situation where it is believed that a student's behaviour presents an immediate risk to themselves or others, the Emergency Services and College Security should be contacted immediately. The Associate Director (Student Support Services) should then be notified of the details of the incident and any action taken. The person witnessing the student's behaviour should not leave the scene until they have briefed the emergency services.

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- 1.9 In the extremely rare circumstance that a student is incarcerated during their studies, consideration for their capacity to study should not be treated as a Fitness to Study issue. Student Conduct and College's Safeguarding Policy, if applicable, should be engaged.
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2 Procedure Guidelines

- 2.1 The purpose of this procedure is to support staff in managing situations and incidents that cause concern in an academic context.
- 2.2 If concerns are raised in the context of a student's fitness to reside in Goldsmiths' student accommodation, appropriate steps may be taken as part of the Accommodation Agreement, mirroring the steps of the Fitness to Study procedure below. Colleagues in Accommodation Services may be invited to Fitness to Study meetings if there are compounding issues in the accommodation.
- 2.3 The procedure has three levels: Emerging concerns/Cause for Concern, Continuing/Significant concerns; Serious/Persistent concerns, based on the perceived level of risk to the health, safety and mental wellbeing of the student and the impact of their behaviour on others in the College community.
- 2.4 A cause for concern conversation can occur at any level
- 2.5 The cause for concern conversation 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.
- 2.6 Anyone who has a sufficient level of concern about a student's health, safety and mental wellbeing should refer to this procedure for guidance.
- 2.7 Staff members can approach Student Support Services (see contact list page 14) for advice and guidance, or to make a referral.
- 2.8 Concerns should be acted upon promptly and should be illustrated with either evidence that there has been a decline in the student's health and wellbeing over a period of time, or a legitimate reason for believing that the student is at risk of harm to self or others. Evidence may include reports from staff members or other students about situations which have arisen.
- 2.9 When reviewing 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.

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- 2.10 In most situations it will be appropriate to start at Level 1 – Cause for Concern. However, there will be some occasions when the level of risk requires a move straight to level 2 or 3. The level of risk must be judged based on the risk to the student concerned as well as the impact on other students and staff, especially where the student is living with other students in accommodation or is affecting the provision of teaching or services. As is outlined in appendix 2.
- 2.10.1 There may be occasions where staff need to disclose information to additional personnel, to third parties or to make contact with a student's 'emergency contact' as provided at enrolment. This would only be done in a case whereby the student is presenting serious risk. However, Goldsmiths believes that, on occasion, it is important it is able to take this step. Permission for this should be sought from the College's Designated Safeguarding Officer, Associate Director (Student Support Services).
- 2.11 It is recognised that supporting students where there is concern can be difficult to manage and that the level of risk is often hard to determine. Student Support Services is available to provide support and advice. If any staff member is unsure about whether to invoke this procedure; they are encouraged to seek advice from Student Support Services (see contact list on page 14)
- 2.12 A student may disclose a mental health illness or disability and may request that this information be kept confidential. Staff should respect students' wishes but encourage students to share this type of information in order for the College to offer support at an early stage.
- 2.13 Students should also be informed that the College has a duty of care to students and staff and are therefore obligated to take action, including alerting appropriate colleagues within the department and Student Support Services, should they have concerns about a student's wellbeing. It is important whenever a student makes a disclosure of this nature that staff members keep a record of it and any advice given to students about accessing support and services.
- 2.14 Students in certain disciplines (such as Social Work and Teaching or other disciplines which are subject to the requirements of Professional, Statutory and Regulatory Bodies) may be subject to separate and overriding obligations to declare significant health issues. A student's wellbeing is of paramount importance and if a cause for concern conversation has been instigated, either the Fitness to Practice policy or this process should be initiated dependent on the circumstance, with concerns being raised, advice being sought, and action being taken, as appropriate.

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- 2.15 If a student elects to interrupt their study whilst engaging with the Fitness to Study process, a Return to Study meeting will be initiated before the student resumes their studies (see Paragraph 6, Return to Study).
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3 Stages in the Process

3.1 **Level 1 – Cause for Concern (a Support to Study meeting)** - Emerging or initial concerns about an individual student's health, safety or welfare are raised and a cause for concern conversation is instigated.

3.1.1 If a student has concerns about a fellow student, they should discuss these with the member of the College staff they feel most comfortable with. This might be a Personal Tutor, Programme Leader, Students' Union officer or staff member, or student representative. The student will not be expected to deal with the situation themselves. If they have discussed the issue with a staff member, this person will make an appropriate referral, or resolve the issue.

3.1.2 If concern is raised regarding a student representative the student will be referred to a Student Union officer or staff member, who will make the appropriate referral.

3.1.3 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 (e.g. Personal Tutor or Programme Leader) should meet with the student and listen to what is going on for them in an understanding manner whilst acknowledging that there are concerns about the student's wellbeing.

3.1.4 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, including specific reference to the invocation of other student-facing procedures if appropriate. This is an informal conversation but key references and action points should be recorded and communicated to the student.

3.1.5 It should be made clear to the student that the College has a duty of care to support students and to ensure that a student is well and fit to study. If appropriate, information should be provided about sources of professional support within the College that the student can access (e.g. Goldsmiths Students' Union, Health Centre, Student Support Services). Staff members should, if necessary, assist and support the student in making contact with support services.

3.1.6 The student and member of staff should agree a date to meet again to review the situation and to discuss the effectiveness of the support that the student has been accessing.

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- 3.1.7 A copy of the Cause for Concern meeting, must be sent to the student within 5 working days and the student to be advised that a copy will also be kept on their file. The student should be reassured that the purpose of keeping it on file is to ensure that the College is providing all necessary support to ensure that the student continues to be fit to study. The Fitness to Study Policy should also be shared with the student for transparency.
- 3.1.8 Students should be informed that if the concerns continue, additional causes for concern arise, or they refuse to engage in the process, this could result in their fitness to study being further considered by moving into a Level 2 meeting.
- 3.1.9 Moving a case from Stage 1 to Stage 2 should be initiated within 2 weeks of the concerns worsening or continued unsatisfactory progress. The Stage 2 meeting should not be initiated in situations where the student would be unable to bring themselves up to date in time for an exam board.
- 3.1.10 Staff members are encouraged to make three attempts to engage the student with this process as they are in the best position to have the initial meeting due to their direct observation of the fitness to study issues.
- 3.1.11 As highlighted above, should staff need advice and support or feel unsure about whether to invoke this procedure, they are encouraged to seek advice from Student Support Services (see contact list on page 14).
- 3.2 **Level 2 – Continuing and/or Significant Concerns a Support to study meeting** - Continuing or significant concerns about an individual student's health, safety or wellbeing are raised.
 - 3.2.1 Level 2 will be led by Student Support Services, who will work collaboratively with staff within the Department. Staff from the Department or other professional services should contact Student Support Services if they think there are grounds to move to Level 2. The final decision on whether Level 2 of the procedure is invoked will be taken by Student Support Services (Head of Student Support or Deputy Head of Wellbeing and Disability) after receiving information from other relevant staff.
 - 3.2.2 Firstly, the student should be notified by their academic Department that due to ongoing concerns about their wellbeing, they have been progressed to Level 2 of the Fitness to Study process known as Support to Study and to expect a meeting invite from Student Support Services inviting them in for a meeting.

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- 3.2.3 The student will be invited to a Fitness to Study, Level 2 meeting called a Support to Study Meeting, by a member of the Student Support Services and to include a member of the students' academic team and a member of the accommodation team if required, to discuss ongoing wellbeing concerns. Ideally this should be arranged within 5 working days of the decision to move to Level 2 of the procedure. The Fitness to Study Policy should be shared with the student.
- 3.2.4 The purpose of the meeting will be to ascertain the student's perception of the issues that have been identified and the impact that this is having on themselves and/or the College community. This meeting should be supportive and aimed at assisting the student to progress on their programme of study, refusal to engage may result in further escalation to Level 3.
- 3.2.5 The student should be informed of the purpose of the meeting, and be advised of documents they may be required to bring and that they are entitled to bring a person to support them at the meeting. The accompanying person could include a member of the Students' Union, a member of College 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). It would be advisable for the student to let the College know who is attending the Stage 2 meeting in advance, so that the College is aware of their support mechanism.
- 3.2.6 During the meeting an action plan will be devised to put in place all necessary support to enable them to re-engage with their studies. In cases where academic adjustments are required, the appropriate member of the Disability Team will be consulted.
- 3.2.7 Where appropriate, the agreed action will also take into account whether there are any reasonable adjustments that can be put in place, or whether the limits of reasonableness have been reached at that time (in accordance with the Equality Act 2010 and other relevant legislation).
- 3.2.8 The Level 2 meeting action plan will have a specific review date, and the importance of keeping to the agreed action plan must be clearly outlined to the student. The student should be informed that if the wellbeing concerns continue, or any additional cause for concern arises, this could result in their fitness to study being further considered by moving to Level 3.
- 3.2.9 If an action plan cannot be agreed at Level 2, then the case must move to Level 3. A report of the meeting and its outcomes will be recorded by Student Support Services. A copy of the agreed Action Plan will be emailed to the student and shared with all attendees of the meeting.

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- 3.3 Level 3 – Serious or Persistent Concerns (Consideration Panel) -**
Serious or persistent concerns are raised about an individual student's engagement, actions or behaviour that is putting the health, safety, wellbeing or academic progress of themselves or other members of the College community at significant risk.
- 3.3.1 The Associate Director, Student Support Services or a nominated representative will consider the previous meeting notes, action plans and any other relevant documentation and a timeline of events to determine whether a Level 3, Fitness to Study meeting should be convened.
- 3.3.2 Ideally this meeting will be arranged within 5 working days of the decision to move to Level 3 of the procedure but this will be led by student and staff availability. A Level 3 meeting should be called in situations where the student would be unable to bring themselves up to date in time for an exam board.
- 3.3.3 Those present at the Level 3, Fitness to Study meeting may include (but are not limited to):
- The Student
 - Student representative
 - The Associate Director (Student Support Services) or a nominated representative (Chair)
 - A nominee of the Head of Department
 - Academic/Department representative
 - Appropriate representatives from the Disability and/or Wellbeing team
 - Student's GP or other relevant medical professional (with student's consent)
- 3.3.4 The student will be invited to the Level 3, Fitness to Study meeting by the Associate Director (Student Support Services) or their nominee and advise that they can be accompanied by someone to support them through the meeting. Disabled students may also be accompanied by a support worker (e.g. sign language interpreter or mental health worker). The Fitness to Study Policy will be shared with the student.
- 3.3.5 The Level 3 meeting will determine an agreed action:
- An enhanced Action Plan, or
 - Interruption/Withdrawal (voluntary), or
 - Interruption, suspension or withdrawal on health and wellbeing grounds to be decided by the Chair of the Stage 3 panel.

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- 3.3.6 Where appropriate, the agreed action will take into account whether there are any reasonable adjustments that can be put in place, or whether the limits of reasonableness have been reached at that time (in accordance with the Equality Act 2010 and any other relevant legislation).
- 3.3.7 If the recommendation is that of an enhanced Action Plan, the plan will have a timely 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 emailed to the student and shared with all attendees of the meeting.
- 3.3.8 In cases deemed to be urgent, particularly if the safety of others is perceived to be at risk, a student may be suspended with immediate effect, and before being given the opportunity to make representations. In this instance the student or his/her representative will be permitted to put forward in writing, with supporting evidence, an appeal after the interruption/suspension.
- 3.3.9 If the agreed recommended action is a voluntary interruption/withdrawal of studies, the Associate Director (Student Support Services) will inform Registry Operations who will follow the process below to interrupt/suspend the student.
- 3.3.10 If the decision is to interrupt, suspend or withdraw the student due to the ongoing wellbeing concerns that have been identified through the Fitness to Study Procedure, then the Associate Director (Student Support Services) will inform the academic department representative on the Stage 3 panel and Registry Operations, who will follow the process to Interrupt/Suspend/Withdraw the student.
- 3.3.11 The Chair of the Fitness to Study Panel will inform the student of the decision within 5 working days including details of the appeals process (see paragraph 4).
- 3.3.12 The decision to interrupt/suspend/withdraw through the Fitness to Study procedure will normally be conveyed to the student by the Associate Director ideally face to face but also by letter and email.
- 3.3.13 This meeting/communication will include a consideration of issues arising from interruption/suspension e.g. financial, academic etc. and Student Support Services will offer appropriate support and referrals in this case.
- 3.3.14 Interruption/suspension/withdrawal of studies through the Fitness to Study procedure will only be recommended in the most serious of cases, and when it is reasonable and feasible due to a student's lack of ability and/or unwillingness to engage with the process or continued unsatisfactory academic progress.
- 3.3.15 The interruption/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 College and resume study.

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- 3.3.16 Upon interruption/suspension through the Fitness to Study procedure provision may be made to provide the student with the necessary resources to continue their studies from home (e.g. access to a local library, and other educational support mechanisms).
- 3.3.17 A student who is interrupted/suspended through the Fitness to Study procedure may be wholly or partly prohibited from entering College premises and from participating in College activities, including working at the College or Students' Union, or exercising their functions or duties of any office or committee membership in the College or the Students' Union.
- 3.3.18 As is outlined in the Accommodation Regulations, the College shall be entitled to terminate their Accommodation Agreement (if applicable) upon withdrawal or interruption from or termination of the student's programme of study providing 28 days' notice to end the Accommodation Agreement. In such cases rebates may be claimed for the remainder of the term's accommodation fee and for the deposit.
- 3.3.19 Interruption/suspension may be subject to qualification, such as permission to take an examination. A suspended student should seek guidance from their Department on how they might best continue their studies.
- 3.3.20 If a decision to suspend through the Fitness to Study procedure impacts upon a student's accommodation agreement in College Accommodation as outlined in the Accommodation Regulations Paragraph 3.7, Accommodation Services will consider where appropriate a temporary or permanent change to a student's accommodation arrangements.
- 3.3.21 When a student has interrupted they will be asked to attend a compulsory Return to Study meeting towards the end of the interruption period to discuss their health and wellbeing, agree they are fit to return and to ensure they have a fully supported return to study. This should usually take place one month before re-enrolment.
- 3.3.22 In cases of interruption/suspension/withdrawal of study through the Fitness to Study procedure the following must be informed by the Head of Department or their nominee:
- Registry Operations to ensure that any student records are amended accordingly and student record system has been updated;
 - Programme Leaders to advise on academic status and any current module registrations;
 - Relevant Professional Services Colleagues (e.g. Accommodation Services, Security Services);
 - HR or the Students' Union if the student works for the College or the Union.

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- 3.3.23 Suspensions made under Level 3 will be reviewed by Governance Services, in line with Student Regulations.
- 3.3.24 A student may request to return to study and must do this by contacting the Associate Director (Student Support Services) in writing after the expiration of the period of interruption/suspension under the Goldsmiths' Return to Study Procedure (see Paragraph 6):

If a Return to Study is possible under the College Regulations, then a review of the health and wellbeing of the student will be arranged by Student Support Services to ensure that the student is well enough to successfully return to their studies. This will require the student to submit medical evidence from a recognised independent health professional with sufficient knowledge about the health and wellbeing of the student during the period of interruption and the potential impact that returning to study might have on the student. An agreed action plan of support or another intervention that will help the student in re-engaging with their studies in order to achieve their academic intentions at Goldsmiths prior to their return will be put in place.

4 Appeals

- 4.1 For all cases where the Fitness to Study Level 3 Panel have taken the decision to Interrupt/Suspend/Withdraw a student may appeal to the Student Casework Team in writing to appeals@gold.ac.uk. There are three grounds for appeal:
- Any fresh evidence that could not reasonably have been made available to the Fitness to Study Panel at the time of the Stage 3 meeting;
 - There were procedural irregularities in the conduct of the Fitness to Study Policy; or,
 - That the outcome was not reasonable in the circumstances: that is, the decision made by the Fitness to Study Panel was not one a similar panel could have made acting on behalf of the College with the same information available.
- 4.2 If the student does wish to challenge the decision made by the Fitness to Study Panel. They must do so in writing, where the case will be reviewed independently to the Stage 3 Panel and an outcome issued to the student.
- 4.3 Once the review has been completed and the outcome communicated, the Fitness to Study procedure will be concluded. If the student is unhappy with the decision made at the Appeal Stage, they are entitled to refer the matter to the [Office of the Independent Adjudicator \(OIA\)](#).

5 Investigatory and Disciplinary Procedures

- 5.1 There are occasions where a student who is experiencing mental ill health may behave in such a way as to invoke the [Student Disciplinary Procedure](#). In such cases, they will not necessarily be exempt from investigation and potential disciplinary action. Each case will be considered on its own merits, with due regard given to issues relating to mental ill health.
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6 Return to study

- 6.1 If a period of interruption is an outcome of a Fitness to Study process, then it is important that the student is provided with clear guidance about what will happen when the interruption period is over and they are due to return to study in attendance.
- 6.2 The Department or a member of the Student Support Services team (or both) should nominate a named member of staff for the student to contact during their period of interruption if required, and that staff member should initiate contact with the student during that period. This contact might include but does not need to include strategies to help the student remain engaged with their studies at Goldsmiths during their defined period of interruption.
- 6.3 At the point that the student is proposing to return to study, a Return to Study meeting will be arranged in all circumstances. The Return to Study meeting will where possible be made up of the previous members who were present during the Fitness to Study Panel and the student with the intention of reviewing current circumstances and the reasons for interruption, what has changed and re-entry requirements.
- 6.4 The Student will be requested to provide evidence in advance of this meeting if it was a requirement of the Fitness to Study process, which confirms that they are well enough to return to the satisfaction of the panel members.
- 6.4.1 The precise nature of the evidence required from the student will be dependent on the individual circumstances, but in all cases it is expected that this will involve a report from a recognised independent health professional with sufficient knowledge about the health and wellbeing of the student during the period of interruption and the potential impact that returning to study might have.
- 6.4.2 The report should include specific detail about the appropriateness of the student's health in the context of the proposed Return to Study; examples of relevant questions will depend on the academic discipline, but may include:

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- Consideration of risks associated with course of study/accommodation etc.
 - Consideration of the demands of work based courses;
 - Consideration of the demands of small group work on the student;
 - How equipped the student is to deliver presentations, either to large or small groups;
 - Evidence of a diagnosis of a medical condition that will assist in accessing support upon a return to study.
- 6.5 The decision on whether or not to allow the student to Return to Study will be made by the Panel.
- 6.6 In the event that the Return to Study Panel decides that the student should not return due to not being Fit to Study, such decision will be subject to review by the Case Review Panel as outlined in paragraph 4 of this policy.
- 6.7 The decision will be communicated in writing to the student prior to their planned return date by the department or by Student Support Services, along with detail of any special arrangements that will be implemented to support their return.
- 6.8 The Student's department will determine the ongoing arrangements with respect to support and will arrange to review progress at regular intervals in order to minimise the risk of the recurrence of the original difficulties. After the student returns to study; if further concerns are raised about the student at a future point these concerns will be managed under this Fitness to Study Policy.
- 6.9 Any student returning to study following a period of interruption will be required to attend a Return to Study meeting with the purposes of facilitating a successful return to study. This meeting may be facilitated by the wellbeing team within Student Support Services.

7 Critical Illness of Students

- 7.1 From time to time there may be a situation where a student finds themselves severely incapacitated, e.g. through injury or critical illness. In such a situation, where it would be unreasonable to expect a student to submit a request for consideration of personal mitigating circumstances, deferral or apply for an interruption/suspension of study, it would be reasonable to act in accordance with instructions/requests from the student's duly authorised representative, e.g. parent, partner.

8 Monitoring of this Policy

- 8.1 Data will be collected on the use of this policy as follows:
- Numbers of cases at each Level of the policy
 - Numbers of interruption/suspensions of study
 - Final outcomes e.g. Return to Study, Withdrawal
- 8.2 All of the above will be monitored by the College, including consideration of the data by gender, ethnicity, disability, age, religion/belief and sexual orientation where possible, to ensure fair and consistent application of the policy. Student Support Services will collect these data and will raise any issues which arise directly with the College or with Departments, as appropriate.
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9 Contacts

Staff member/Office	Contact details
Associate Director (Student Support Services)	Rocchi Acierno r.acierno@gold.ac.uk
Head of Student Support – Wellbeing, Counselling, Disability & Chaplaincy	Alexandra Stanton a.stanton@gold.ac.uk
Deputy Head of Disability and Wellbeing	TBC
Security	Telephone: 020 7919 7979 Mobile: 07827 831934
Emergency Services	Telephone: 999