



Fitness to Study Policy

1 Introduction

This Fitness to Study policy describes the University's approved procedures for the management of concerns raised against the behaviour of one or more students.

Under the Fitness to Study policy, issues which may otherwise be considered as a disciplinary matter may be investigated through a Fitness to Study process if they are considered to be the result of an underlying physical and/or mental health difficulty and/or other issues that impact their ability to study.

2 General principles

2.1 Who does this procedure apply to?

The Fitness to Study procedure may be applied to any student, at any stage of their study. It does not apply to applicants who are yet to be offered a place at Cranfield or those who have been offered a place but have not yet registered for their study.

The procedure may be applied where:

- as a result of an underlying physical or mental health problem;
 - A student poses a risk to their own health, safety and/or wellbeing and/or that of others
 - A student's behaviour is (or is at risk of) adversely affecting the teaching, learning and/or experience of fellow students and staff and/or the spirit of studying, working and living co-operatively and in close proximity with others
 - The student's behaviour, appearance or demeanour presents a serious concern or risk to themselves or others and/or the University's reputation
 - The student has behaved in any other way that would otherwise be dealt with as a disciplinary matter, but evidence (from an internal or external source) has been provided to show that the student's behaviour may be the result of an underlying physical (e.g. serious long term health issue) or mental health problem linked to their Fitness to Study.

or where;

- a student's support needs fall outside the scope of the support and other services which the University can reasonably be expected to provide either directly or indirectly
- there is progressive or sudden deterioration in a student's attendance, engagement, quality of work, demeanour, or behaviour
- the student has themselves raised a concern with a member of the University that indicates that there is a need to address the student's Fitness to Study
- the student's participation in their course or their agreed research activities is not enabling them to make progress with their studies or research and there is reason to believe that this is linked to their Fitness to Study.

2.2 Who can raise a concern?

Any student may raise a concern about their own fitness to study, and any student or member of staff may raise a concern about another student's fitness to study. In addition the University will consider concerns raised by persons external to the University including, but not limited to; the Police, GP or other medical professionals, industrial placement supervisors, family members and landlords or accommodation managers.

Concerns should be raised to the following persons, who will refer the concern to the Head of Student Support and Wellbeing:

- The student's Course Director or Supervisor
- School Assistant Registrar
- The School's Director of Education or Research
- The student themselves
- A Board of Examiners
- A Learning Support Officer or member of the Student Advice Centre

Where the Head of Student Support and Wellbeing feels it is appropriate to investigate a student's fitness to study he or she will [manage the Fitness to Study process](#) as detailed in section 3.

This process is designed to support students where there are concerns about their fitness to study, and students may have concerns about a fellow student. Students with concerns are encouraged to discuss these with one of the persons listed above. Genuine concerns will be considered by staff as appropriate. Concerns about a fellow student which are found to be vexatious, however, will be considered as a disciplinary matter.

2.3 Transparency

During the course of any Fitness to Study process, the student(s) in question will be kept informed at all times of:

- the names of the people who have been appointed to consider the case;
- the projected timescales for the completion of this (usually within twenty working days) and, if there are unexpected delays or deferrals, any revised timescales;
- all evidence received or collected by the person(s) considering the case;
- the final agreed decision(s), in writing.

In taking action under this Policy, the University will be mindful of the sensitive and confidential nature of fitness to study matters and its obligations under the General Data Protection Regulations 2018 and Equality Act 2010.

2.4 Conduct of meetings

Any student who is going through the Fitness to Study process has the right to be accompanied by a person of their choice. At all times this person will be referred to as their "friend" (irrespective of their status or professional role). The friend is entitled to discuss any matter with the student or member of staff during the course of the meeting (including requesting a private discussion), but is not entitled to represent him or her, or his or her views on their behalf.

Students may only bring a friend to a meeting if they have notified the meeting organiser in advance. If they have not, the meeting may be cancelled and re-arranged at a future point.

2.5 Suspension of registration of students under investigation

In most cases, students will continue their studies with the University while the matter is considered. At any stage, however the Head of Student Support and Wellbeing may refer a case to the Academic Registrar for consideration of a temporary suspension.

If the Academic Registrar believes the matter under investigation, or the student's behaviour or response to the investigation, represents a health or safety risk to any member of the University, he or she may authorise a temporary suspension of registration (with the period of the student's registration automatically extended to account for the period of suspension of study) and/or a restriction to the student's presence on University premises.

The Academic Registrar may only take such action on receipt of clear evidence and after due consultation with other staff of the University.

3 Fitness to Study initiation

Once a concern has been raised this concern is directed to the Head of Student Support and Wellbeing.

The Head of Student Support and Wellbeing will consider the concern and liaise as necessary with the student and/or staff within the University as appropriate to inform the case (this may include members of the course team, a student's supervisor(s), University Accommodation managers and staff in the Student Advice Centre).

The Head of Student Support and Wellbeing, with the approval of the School's Director of Education or Research will consider the case and decide whether the Fitness to Study process is appropriate.

Where a case is to be investigated, when sending forward the case for investigation, the Student Casework team will inform the investigator whether the student has a Learning Support Agreement in place. Investigators should then make reasonable adjustments where appropriate (in consultation with Learning Support Officer if required), to accommodate these needs (e.g. meet in a ground floor room if student has mobility issues, emails sent during working hours to allow the student the opportunity to access support where required etc.).

4 Stage 1 – Informal investigation

Stage 1 of the Fitness to Study process is an opportunity to informally investigate the concern raised and to agree with the student (and if appropriate their supervisor or course team) any adjustments or support that may be put in place to enable the student to continue their studies.

The Head of Student Support and Wellbeing will meet with the student in question, and if appropriate their supervisor or members of the student's course team (either separately or together), to discuss the concern that has been raised. At this meeting any party may raise suggestions for any adjustments, strategies or support that can be introduced to support the student's study, which can be agreed if appropriate. In the event that a student is unwilling or unable to attend a meeting or participate in any other aspect of the Fitness to Study procedure, the University may still follow the procedure where it is reasonable to do so. The University may also deal with issues on the basis of written reports and/or statements in the absence of the student and/or his/her representative.

It may be appropriate for professional medical advice to be sought by the University in order to support the investigation. If so students are expected to accommodate this to support the fitness to study process.

It may be decided at the Stage 1 meeting that both parties agree that the process should be escalated to Stage 2, or that the University may escalate the process to Stage 2 if the concerns are of a serious nature and no support measures are considered appropriate.

The outcome of any Stage 1 Fitness to Study process will be confirmed in writing to the student.

Where measures are put into place these are reviewed by the Head of Student Support and Wellbeing or member of their team (e.g. Learning Support Officer) at an appropriate point as agreed to assess their impact, and whether a positive change has been made to the student's situation. If any such measures have not had a positive enough effect the process will be escalated by the Head of Student Support and Wellbeing to Stage 2.

5 Stage 2 – Formal investigation

At Stage 2 a Fitness to Study panel is convened to consider the case and the appropriate actions to be taken.

The Fitness to Study panel will consist of:

- the Head of Student Support and Wellbeing;
- the School's Director of Education or Research;
- the Student's Course Director or supervisor;
- or those staff members' appropriate nominees.

The Panel will meet¹ with the student to determine the appropriate action to support the student and/or resolve the situation. The panel may meet without the student present, however the student will always be invited to attend. It may be appropriate for professional medical advice to be sought by the University in order to support the investigation. If so students are expected to accommodate this to support the fitness to study process.

The possible outcomes of the FTS Panel are:

- to implement further support mechanisms for the student
- to recommend to the Academic Registrar that the student be temporarily suspended. At the end of any period of temporary suspension a student will need to undertake a further Stage 1 Fitness to Study (return) process
- to recommend to the Academic Registrar that the student's access to University facilities and premises should be restricted or subject to specified conditions
- to recommend to the Academic Registrar that the student be permanently withdrawn
- to dismiss the Fitness to Study case and refer the matter to the University's disciplinary procedures.

Temporary suspensions of status are put into place with immediate effect. Where a permanent withdrawal is recommended the student is placed on temporary suspension for 20 working days in order for any review request to be submitted, and then permanently withdrawn, or reinstated dependent on the results of any review.

Where the outcome of a FTS panel is temporary suspension, it will be agreed with the student what the conditions of return will be (such as a fitness note from a medical professional, ongoing performance/conduct agreements). The student's meeting of the conditions of their return can be signed off by the Head of Student Support and Wellbeing.

The outcome of the Stage 2 process will be communicated to the student and their Supervisor or Course Director in writing.

¹ This meeting should usually take place within ten working days of the commencement of the stage 2 investigation. The timing of any panel may be delayed by the need to seek external professional evidence or opinions.

6 Stage 3 – Review

The University takes concerns raised over student welfare/behaviour and their investigations extremely seriously, and acts in an appropriate manner to ensure that fairness for all parties is maintained throughout. It will likely assert that decisions arising from an investigation have been the result of a fair and thorough investigation, and are based on evidence provided by the parties concerned.

Students, however, have the right to request a review under particular circumstances:

- A. that the decision of the person(s) or panel at Stage 1 or Stage 2 was based on incomplete or inaccurate evidence, to the extent where it is reasonable to conclude that the decision may have been different;
- B. that the person(s) or panel at Stage 1 or Stage 2 were prejudiced or biased against the student in question, including any undisclosed conflicts of interest.

Any request for a review must be submitted within twenty working days of the Stage 1 or 2 decision to appeals@canfield.ac.uk.

The review will be considered by a Director of Education or Research from another school and the Academic Registrar, and will focus on the specific grounds cited, and is in essence limited to an investigation into the conduct of the Stage 1 and/or Stage 2 process.

The outcome of any review will be communicated to the student, and their Supervisor or Course Director in writing.

7 External Complaint

At the completion of Stage 3, the University will consider any decision it has made to be final and complete, with no further right of appeal. This is equally true if any review request made is dismissed summarily by the Academic Registrar, or if a student has no grounds for a review.

If, however, a student remains dissatisfied with the outcome or the way that the University has managed the process, they have the right to submit a complaint against the University to the external regulator for the UK higher education sector, the Office of the Independent Adjudicator for Higher Education (OIA). More information about the OIA can be found at www.oiahe.org.uk.

In order for a student to use the OIA, the University must agree that they have exhausted the internal procedures. This is managed by the Academic Registrar issuing a “completion of procedures letter”. A “completion of procedures letter” will be provided following the conclusion of any Stage 3 review (whether it is not accepted, summarily dismissed or fully investigated).

Students may also request from the Academic Registrar a “completion of procedures letter” at any point in the process if they do not believe the University is capable of following its own procedures fairly, and if they do not wish to engage further with the University on this matter. Please note that the OIA will not consider any complaint unless a “completion of procedures letter” has been provided by the University.

Any complaint to the OIA must be registered within twelve months of the University issuing a “completion of procedures letter”.

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