



# **Fitness to Study Policy and Procedural Guidance**

**September 2024**

**Version 1.1**

**Approved by the Board of Governors**

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## 1. Introduction

The UKB Business College (“UKBC” or “College”) is committed to supporting students' well-being as they work towards fulfilling their academic and personal potential. This policy provides guidelines for interventions required to support students causing significant concern and/or presenting risk to themselves and others that is impactions on ability to achieve academic progression and success.

There is growing awareness among professional bodies and groups working in the field of student support of the need for Higher Education to respond appropriately to situations where signs of illness, mental health challenges, psychological, or personal crisis may have a significant adverse impact on the functioning of individual students and on the health and wellbeing of others around them, including fellow peers and College staff. UK Business College (UKBC) works transparently to enhance access and participation for students from diverse backgrounds.

## 2.Principles and Scope of Policy

UKBC has a duty of care to respond appropriately and effectively to situations where there are substantial concerns relating to a student's health and wellbeing and the health and wellbeing of others and the impact upon the individual and/or other members of the College's community (Reasonable Adjustment Policy). This guidance assists College staff in addressing issues concerning a student's behaviours that might fall outside of, or beyond other policy guidance that promotes and inclusive and positive attitudes towards students with additional support needs.

The College is committed to maintaining students' wellbeing and this policy outlines the process and support available to both students and staff when a student presents a risk to the self-and/or others by virtue of experiencing a deterioration in disability, physical and/ or mental health. UKBC has robust and quality assured student support procedures and processes in place. The Fitness to Study policy should be considered when there are serious and pressing concerns that a student's behaviour, disability or mental ill-health is impacting adversely on their ability to engage with the student's lifecycle (attendance, assessment and/or progression) and presents an actual and/or perceived risk to the self-and/or others. This policy can apply as an alternative to the Student Code of Conduct where there are concerns that a student's behaviour, caused by a deterioration in disability, physical and/or mental ill-health, is impacting on study and/or presents an actual and/or perceived risk to the self-and/or others and should be considered alongside the Safeguarding Policy.

### 3. Rationale for the Policy

It is important for staff to establish whether the behaviour causing concern may be due to a diagnosed illness or with behaviour(s) deemed to be consistent with a deterioration in disability, physical or mental health.

This policy further enhances student support processes and procedures by assisting staff in taking a consistent and sensitive approach to managing situations which become problematic. It is not intended to give guidance on wider matters relating to students with mental health needs; College's policies and processes will address these matters.

These guidelines are intended to enable a non-judgmental, consistent, and sensitive approach to managing situations that require an appropriate level of intervention.

### 4. Objectives of the Policy

The purpose of this document is

4.1 to provide support to staff in managing scenarios and incidents that cause significant concern,

4.2 to identify the appropriate response by academic and support services staff in circumstances where it is not considered appropriate to apply disciplinary procedures because the student's behaviour should be managed rather than reprimanded,

4.3 to provide a coordinated approach to the management of a situation where it is apparent that a student's mental health and/or physical functioning may prevent him/her from engaging effectively study at a particular time, or is adversely affecting the experience of others,

4.4 to enable academic staff, support services staff and Personal Academic Tutors to recognise the limits to the support which they can provide and the appropriateness of referring the student onto other agencies,

4.5 to signpost areas of support for staff,

4.6 to identify and implement reasonable adjustments where appropriate,

4.7 to ensure appropriate support for students and staff affected by, or involved in, the interaction with students in such circumstances,

4.8 to consider and justify the application of relevant University Academic Partner and/or

## 5. Safeguarding and Emergency Situations

Emergency situations are rare; however, it is good practice to adopt an anticipatory duty to the management of problematic situations so the College's duty of care is exercised with consistency and sensitivity.

This policy should in no way distract from any acute or dangerous situations where it is believed that a student's behaviour presents an immediate risk to themselves or others. Such situations will be managed locally and it is important that the relevant policy and process be enacted and the relevant senior team informed.

## 6. Ongoing and Emerging Concerns

Where a member of academic staff, Personal Academic Tutor, Course Lead or Third-Party suspects that a student's behaviour may be impacting adversely on his or her ability to engage with studies, support services staff should be notified to ensure that all relevant support, including Disabled Students Allowances (DSAS) and Reasonable Adjustments are in place and being accessed by the student.

The Personal Academic Tutor and Student Support Services are responsible for coordinating and monitoring an appropriate Personal Learner Support Plan for a student presenting with a Fitness to Study issue.

## 7. Fitness to Study Panel

In most cases, Fitness to Study issues will be resolved at informally at campus level with the relevant package of support and regular planning meetings. Only in exceptional circumstances will a Fitness to Study Panel be convened.

Prior to convening a Fitness to Study Panel, the student may informally be asked to consider suspending their studies for a period. This decision should involve the student, course leader and member(s) of support services staff. The outcome of this decision may preclude the need to convene a Fitness to Study Panel.

Unresolved and or escalating or immediate significant concerns about an individual's engagement with their study or regarding their health or behaviour will prompt the formation of a Fitness to Study Panel. Appropriate supporting evidence should be compiled to inform the decision to convene a Fitness to Study Panel.

The decision to convene will be at the discretion of the Associate Dean. This decision will be communicated to the student within three working days of this course of action being determined.

If it is deemed appropriate to convene a Fitness to Study Panel, notification should be provided to the campus Associate Dean who can advise on other relevant policy if required.

The Panel will be convened and chaired by the Associate Dean within ten working days of this course of action being determined.

Panel members would be selected by the Associate Dean, in consultation with the most appropriate suitably support services staff, course leader, academic staff and, where appropriate, members of the executive committee or their appointed delegate.

The Panel may choose to consult external expertise (i.e., medical services or other qualified professional) in reaching a decision regarding a student's fitness to study.

The student has the right to be present and accompanied by a friend or representative at the meeting. Under this procedure the definition of 'friend' or 'representative' does not include members of the legal profession engaged to act in their professional capacity.

The Panel may consider alternative support options, including recommending additional support strategies, suspension for a defined or undefined period, or exclusion.

The decision of the Panel will be communicated to the student within five working days.

## 8. Right to Appeal

If the student is dissatisfied with the Panel's decision, they have a right to request a final appeal. This request should be submitted in writing within ten working days of receipt of the outcome to the Head of Registry.

The Associate Dean will convene an appeals committee of three independent individuals from academic and support services to review the Panel's decision and the evidence provided to the Panel. This appeals committee will meet within fifteen working days of receipt of appeal, and has the right to invite any relevant person to attend.

The outcome of the appeals meeting is conveyed in writing to all relevant parties within three working days. This outcome is the final stage of the process.

## 9. Data Protection

UKBC is committed to the Protection of Data in line with the Data Protection Act (2018) and to protecting the privacy of individuals. Existing University data protection and student confidentiality protocols continue to apply in Fitness to Study considerations.

## 10. Monitoring

UKBC Registry are responsible for recording the number and nature of Fitness to Study concerns that are formally reported, and how they are addressed. This information will be captured at the end of each academic year and returned to Quality Manager or designated officer. The Policy will be approved by the College's Board of Governors.

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