

Fitness to Study Procedure

1. Scope of Procedure

This procedure applies to all registered students, with the exception of PGCE students who are subject to a separate Fitness to Teach process. This procedure may be used for any student whose ability to cope with university life, to study and progress on their programme is seriously compromised as the result of their health, wellbeing or a disability.

The procedure is designed to ensure that any concerns related to a student's ability to study are managed and addressed in a timely, equitable and supportive manner.

2. Definition of Fitness to Study

The University defines Fitness to Study as a student's ability to engage fully with his/her programme of study in accordance with the expectations set out in the [Student Charter](#) and the University's Ordinances and Regulations and in a manner which does not have a negative impact on the student, other students, staff or third parties.

A student may be deemed unfit to study where they are unable to meet the above definition and/or where one or several of the following criteria apply:

- 2.1. The student is unable actively to engage in their programme of study, to attend classes or meetings with tutors or supervisors or to spend sufficient regular time in private study in such a way as to enable them to succeed;
- 2.2. The student's continued study is likely detrimentally to affect their health and wellbeing;
- 2.3. The student's continued study is likely to have a detrimental impact on fellow students, staff or the University's external partners;
- 2.4. The adjustments required in respect of the student's disability (including mental health difficulty) have become unreasonable.

3. Principles

The procedure is informed by the following principles:

- 3.1. All students at Loughborough University must be able to meet the requirements of study as set out in the University's [Student Charter](#).
- 3.2. Where disability (including a long-term medical condition or mental health difficulty) as defined under the Equality Act 2010 may be a determining factor in a student's fitness to study, the University will make all reasonable adjustments to support the student in continuing to study.
- 3.3. The process followed to determine a student's fitness to study will be open, transparent and consistent.
- 3.4. The process followed to determine a student's fitness to study will be staged (with the possibility for immediate escalation) as set out below.
- 3.5. Wherever possible the student will be fully involved in each stage of the procedure.

4. When should this Procedure be used?

- 4.1 Concerns should be acted on promptly as early intervention and support can result in better outcomes for the student and may avoid the situation becoming more complex.
- 4.2 The Fitness to Study Procedure should be considered where there is significant concern that a student's attendance and academic progress is being negatively affected by a mental or physical ill health or

disability or that his/her behaviour is having a negative impact on other staff, students or third parties. It is an alternative to disciplinary procedures (Ordinance XVII) or procedures for managing unsatisfactory academic progress. Advice on the application of this procedure is available from the Director of Student Services and the Academic Registrar.

5. Stage 1: Informal Intervention

- 5.1. Where staff have concerns that a student may not be Fit to Study as outlined above, the Personal Tutor or other appropriate staff member should meet with the student to discuss the concerns and develop a plan of action, in agreement with the student and colleagues from professional services where appropriate. Actions may include steps to be taken by students and/or adjustments to be made by the academic School or University generally in order to facilitate a student's progress (in particular in relation to a disability or mental-health-related issue).
- 5.2. A written record of the meeting and of any agreed actions should be kept.
- 5.3. A review date should be set and agreed with the student.
- 5.4. At the review meeting progress against actions should be assessed. If the concern is still not resolved the case may be escalated through the formal Fitness to Study process as outlined in Section 6 below.

6. Stages 2 and 3 : Formal Fitness to Study Procedure

- 6.1. The formal process should be instigated where there are serious and persistent concerns about a student's ability to meet the criteria for Fitness to Study as outlined in [Section 2](#) above which have not been resolved through the informal steps outlined in Section 5. Exceptionally, Stage 3 may be invoked without the full implementation of Stages 1 and 2, where in the opinion of the Director of Student Services, the student's behaviour constitutes a serious and immediate risk to their health and well-being or the health and well-being of others and action to suspend the student temporarily under section 4 of the Student Disciplinary Procedures (Ordinance XVII) is not appropriate.

6.2. Stage 2

- 6.2.1. The student should be formally notified in writing that the Fitness to Study Procedure is being instigated and should be provided with a link to this procedure. The nature of the specific concerns should be outlined to him/her in this communication and the student should be advised that he/she may be accompanied to a meeting with the staff noted in paragraph 6.2.2 below. The student should normally be given 5 working days' notice of the meeting unless there is an urgent reason to call it in a shorter timescale.
- 6.2.2. The student will be invited to a meeting with two members of staff from the School, nominated by the AD(T) or AD(R) (as appropriate). One or more professional services staff may also be involved depending on the nature of the situation.
- 6.2.3. At the meeting, the specific concerns regarding the student's Fitness to Study will be discussed. The focus of the meeting should be on the best interests of the student, how the concerns can be alleviated and the options available. If the student wishes to continue their studies in the short term, targets should be set and these may be more restrictive than those identified in Stage 1 above, including binding attendance requirements and evidence of substantial behaviour change. Further adjustments by the School or University may also be agreed.
- 6.2.4. Detailed records of the meeting should be kept as well as an agreed record of actions and targets.
- 6.2.5. A review date should be set (with a reasonable timeframe given the actions identified and in any case within 4 weeks, defined as term time for taught students) and agreed with the student.

6.2.6. At the review meeting progress against actions will be measured. Three options are available:

- i. *No further action required.* Targets have been met and staff have been satisfied that the student is fit to study.
- ii. *Resetting of targets.* This may be appropriate where targets have been partially met or where further, relevant targets are helpful to maintain progress and these have been identified in the course of the review meeting.
- iii. *Escalation.* Where targets have not been met and the setting of further targets would not appear unlikely to yield any progress the case should be escalated to Stage 3 (see below).

6.3. Stage 3

6.3.1. Stage 3 represents the final stage of the process. It is intended for use when the informal and initial formal steps outlined above have been exhausted without success.

6.3.2. Stage 3 consists of a panel assessment of the case. The panel should be composed of three or four members identified in accordance with the following:

- One or two senior members of academic staff from another School, nominated by the Pro Vice-Chancellor (Teaching) who have no prior knowledge of the case one of whom shall act as Chair
- One or two senior members of staff from professional services, nominated by the Chief Operating Officer who have no prior knowledge of the case
- A member of the Students' Union Executive (with the agreement of the student and the LSU Executive) who has no prior knowledge of the case

A member of Academic Registry staff will act as Secretary.

6.3.3. The student will be invited to attend the meeting and may be accompanied if he/she so wishes. The student should normally be given 7 working days' notice of the meeting unless there is an urgent reason to call it in a shorter timescale. The accompanying person may present the student's case on his/her behalf.

6.3.4. The staff from the School and any relevant professional services staff who referred the case for Stage 3 consideration under paragraph 5.4 following the Stage 2 procedure above or who have judged a situation to be sufficiently severe that one or more of the early stages of the procedure should be bypassed will be invited to present documentation regarding the earlier stages of the procedures and their current concerns regarding the student's continued study at the University. This documentation should normally be submitted to the Secretary at least 3 working days before the meeting.

6.3.5. The student will be invited to provide relevant independent medical or other professional practitioner evidence of his or her health and the potential impact of this on his/her ability to study and function as a member of the University community. This should be provided to the Secretary at least 3 working days in advance of the meeting. The student will normally be expected to bear the cost of this unless the report is requested by the panel to aid its assessment of the case or there are compelling financial hardship grounds in which case the Student Support Centre may be contacted for advice on securing financial assistance.

6.3.6. The panel should consider the evidence base and give the staff and student involved the opportunity to give their perspectives of events. The panel may ask questions of all parties to enable it to gain a fuller understanding of the situation and the possible options. The student and staff previously involved with the case will be asked to leave at the end of these discussions to allow the panel to consider its decision in private.

- 6.3.7. Given that lower-key interventions will have been investigated and proved unsuccessful in Stages 1 and 2, the potential range of outcomes for Stage 3 are as follows (though this list is not exhaustive):
- 6.3.7.1. Recommending to the Academic Registrar that the student be permitted to continue immediately with his/her studies in the current mode of study with no conditions attached.
 - 6.3.7.2. Recommending to the Academic Registrar that the student be permitted to continue immediately with his/her studies in the current mode of study with specified conditions, intended to safeguard the well-being of the student and/or the well-being of others, attached. If these conditions are not met the panel will be reconvened to reconsider the case.
 - 6.3.7.3. Recommending to the Academic Registrar that the student be permitted to continue immediately with his/her studies but be required under Regulation IX to adopt a less demanding mode of study (i.e. part-time/ stretched degree).
 - 6.3.7.4. Recommending to the Academic Registrar that the student be required to take Leave of Absence under the provisions of Regulation IX, paragraph 36 and setting specific conditions which must be met before he/she may resume his/her studies.
- 6.3.8. The student will be informed of the decision of the panel and the reasons for it in writing within 3 working days of the meeting.
- 6.3.9. If the student is placed on Leave of Absence, he/she will need to provide written evidence that he/she now meets the conditions set under para 6.3.7.2. A meeting of the Stage 3 panel and the attendees under 6.3.3 and 6.3.4 above should be convened to consider this information and will recommend to the Academic Registrar whether the student should be permitted to resume his/her studies. The student should provide the written material at least 10 working days before the date of the meeting and, at the discretion of the Chair of the Panel, written comments on the material submitted by the student may be sought from the staff involved in the case under para 6.3.4 or other relevant individuals. Such comments will be made available to the student, normally within 5 working days of the meeting.
- 6.3.10. If the student is unable to meet the conditions for return from their initial period of Leave of Absence, he/she may be granted further periods of Leave of Absence in accordance with Regulation IX. Such Leave is unlikely to be agreed for more than a period of three academic years and the length of the Leave will be the decision of the Dean on academic grounds. Where further Leave is not granted and the student is unable to meet the conditions for return, his/her studies will be terminated in accordance with paragraph 35 of Regulation IX.

7. Appeals Process

Students may appeal against the decisions of the Academic Registrar based on the recommendations set out in paragraph 6.3.7 above in accordance with the provisions of paragraphs 37 and 38 of Regulation IX.