

Health, Wellbeing and Fitness to Study Policy

1.0 Introduction and background

- 1.1 The University of Northampton is committed to supporting its students and recognises the importance of students' health and wellbeing in relation to their academic progression. It has a responsibility to respond appropriately to situations where a student's illness, disability or psychological, personality or emotional state may have a profoundly disturbing impact on the functioning of the individual student and/or the wellbeing of the wider University community.
- 1.2 It is the aim of the University to foster independence, self-awareness and personal responsibility amongst students. In this context it is important that students take an active part in the learning process, and take appropriate steps to manage their own health and wellbeing.
- 1.3 This Health, Wellbeing and Fitness to Study Policy can be used by staff when there are concerns or indications that, due to a student's health or behaviour, the continuation of a student on his/her programme may
- not lead to sustainable academic progress and/or
 - be personally detrimental and/or
 - be detrimental to others in the university and/or on placement.
- 1.4 The University recognises that the use of a formal procedure may lead to stress and so recognises that this procedure should be implemented with sensitivity and with a focus on the principles of natural justice. It also recognises that the range of matters to be addressed is wide and that individual cases will require many different considerations to be taken into account. All matters dealt with under this Procedure will be dealt with according to the individual circumstances. This may include varying the process in the interests of fairness and/or health and safety.

2.0 Purpose and scope

- 2.1 This policy and procedure addresses the need for students to be able to meet the requirements of study in higher education, and also to meet the standards of professional behaviour set down by the relevant professional bodies. It is intended to be invoked in cases where other avenues of support and guidance have not been effective and the university feels the necessity to impose a course of action.
- 2.1 This policy will work in accordance with the following principles:
- The best interests of the student are the primary consideration in relation to their personal situation, their health, wellbeing and/or any disability.

- Students are offered reasonable support to enable them to study to the best of their ability, and wherever possible to meet the required learning outcomes and complete their course.
- Students who are experiencing difficulties in relation to their health, wellbeing and/or disability are supported to address their difficulties at the earliest opportunity.
- Students are able to make informed decisions regarding options available.
- Any reasonable adjustments to which the student may be entitled are considered and, where appropriate, put in place.
- Staff from Faculties and from central Support Services work together where appropriate so that students experience a consistent and fair process.

3.0 Definitions

- 3.1 Where in this Procedure reference is made to any named university role, such references are to be read as including reference to their nominees.
- 3.2 Presenting reasons: reasons that may lead to the instigation of this policy.

4.0 Key principles

- 4.1 Students who are dealt with under this Policy are entitled at any level to be accompanied by a 'Friend' (see Appendix to this Policy).

Should a student be unwilling or unable to participate at any level of this Procedure or to attend a meeting, the University may nonetheless follow this Procedure where it is reasonable to do so. The University may, where it is reasonable to do so, deal with issues on the basis of written reports and/or statements in the absence of the student and/or his/her representative.

- 4.2 Presenting reasons for use of this policy will normally be:
- the student's behaviour, resulting from an illness, disability or worsening mental or physical health, is negatively affecting the experience of other students and/or staff and/or presents a risk to self and/or others and this is not being addressed through academic assessment;
 - an existing declared condition has substantially changed and/or deteriorated;
 - a student has developed a condition during the period of their registration;
 - a student is not able to manage symptoms resulting from an illness, disability or worsening mental or physical health;
 - the student displays concerning lifestyle choices, such as neglect of own health and personal care, or risk-taking behaviour, which is negatively affecting the experience of other students and/or staff and/or presents a risk to self and/or others;
 - there is no, or negligible, academic progress.

4.3 Concerns about a student's fitness to study will be dealt with under the following Procedure, which has two levels of action:

- Informal (Level 1): Initial and/or emerging concerns
- Level 2: Serious, ongoing or persistent concerns

The Procedure may be initiated at either level, without any requirement for an earlier level to have been commenced or exhausted, although it is hoped that most situations can be remedied by action taken at the informal level. At which level the Procedure is implemented will depend upon factors such as the nature of the concern, the seriousness of any risk posed, the student's perception of his/her behaviour, and the response of the student to any steps taken by the University to manage the situation.

4.4 The processes under all levels of the Policy will be undertaken in a transparent manner, and the student will normally be informed of the identity and capacity of any persons with whom the University consults (including third parties such as health professionals).

4.5 Prior to implementing this Policy it is strongly advised that relevant University staff contact Student Services, in order to consider the student's immediate support needs and the appropriateness of intervening under this Policy.

5.0 Procedure

5.1 *Interim Suspension*

5.1.1 Where the Academic Registrar and Director of Library, Learning and Student Services or nominee reasonably believes that a student about whom a fitness to study concern has been raised poses a risk to:

- Their health, safety and/or wellbeing and/or that of others
- University property, and/or
- The reputation of the University

and immediate action is required, she/he may:

- Suspend the student for a specified period of time and/or
- Exclude the student from University premises for a specified period of time pending steps being taken under this Procedure.

5.1.2 Where a student is suspended in accordance with the above paragraph, the Academic Registrar and Director of Student & Academic Services will review this at regular intervals to determine whether it is reasonable for the suspension to continue or whether it should be revoked or extended.

5.1.3 In addition the Academic Registrar and Director of Student & Academic Services will consider whether specific arrangements can reasonably be put in place for the student in order to minimise the impact on their studies (for example, to allow the student to undertake study at home or to permit the

student to attend at the University to sit an examination or submit an assessment).

5.1.4 Where the Academic Registrar and Director of Student & Academic Services suspends a student in accordance with the above, the student will be notified in writing to all known addresses, normally within two working days of the suspension.

5.1.5 Any suspension is a neutral act and is not a determination under this Procedure regarding the student's fitness to study.

5.2 Initial or emerging concerns (Level 1)

5.2.1 Initial or emerging concerns about a student's fitness to study will normally be dealt with informally.

5.2.2 A member of University staff who knows the student (for example, the Personal Tutor, Programme or Module Leader, Academic Adviser) will notify the student that there is a concern about his/her fitness to study, the nature of that concern, and that the matter is to be managed under this Procedure. The student will be provided with a copy of this Procedure. The member of staff will arrange a meeting with the student. The student will be notified at least 5 days in advance of the meeting¹. They will be informed who will be present at the meeting and will be reminded that they can bring somebody with them for support (see Appendix).

5.2.3 The aim of the meeting will be to discuss the concern, any support needs the student may have, and to seek to identify the student's perception of the concern. The student will be given the opportunity to respond to the concern. A member of the Mental Health Adviser Service or ASSIST team will be invited to be present at the meeting where appropriate. The staff member may also invite other relevant staff to attend (for example an accommodation manager). They may also consult with other relevant staff members in order to deal with the matter and to provide appropriate support to the student.

5.2.4 Where serious concerns about a student's health and/or wellbeing have been raised, and a student has external support, for example through a Community Psychiatric Nurse or Social Worker, the staff member will seek consent to liaise with the external support to obtain their professional/medical opinion regarding the student's suitability to study, and in particular:

- whether engagement with studies is likely to impact negatively on any ongoing treatment plan;

¹ The meeting may be held more quickly if the student requests this and it is possible to schedule it more quickly

- whether changes to the student's condition could have or are having a significantly detrimental impact on academic performance.

5.2.5 The staff member will determine whether the student's fitness to study is impaired, or may become impaired, and any actions to be taken. Such actions may include (but are not limited to) one or more of the following:

- No further action be taken.
- Additional support arrangements and/or reasonable adjustments be put in place for the student.
- An action plan be drawn up, where possible with the agreement of the student, setting out how the matter will be managed and any requirements to be placed on the student (for example, in respect of his/her conduct or support s/he should seek). The student will be informed that where s/he fails to comply with any requirements his/her fitness to study may be referred to the next level of this procedure. The student will be provided with a copy of the action plan. A date will be arranged at which the action plan will be reviewed and a decision taken on whether the action plan should continue and, if so, whether it should be amended, and whether any requirements have been complied with and, if not, whether the matter should be referred to Level 2 of this Procedure. The student will be invited to the review meeting and the outcomes of the review meeting notified to the student in writing.
- The matter be referred to another Level of this Procedure.
- The matter be referred to another Policy – normally Student Disciplinary Policy, Fitness to Practise Policy or Mitigating Circumstances Policy.

5.2.6 The student will be notified in writing of the staff member's decision, normally within five working days of the meeting, with reasons and any actions to be taken.

5.2.7 Summary notes of the meeting should be made and a copy kept in the student file.

5.3 *Serious, ongoing or persistent concerns (Level 2)*

5.3.1 The particular process to be followed in dealing with a matter under Level 2 will be at the discretion of Academic Registrar and Director of Student & Academic Services and will depend upon the circumstances of the matter (for example, the seriousness of the concern and any risk posed). Normally this process will include:

- An investigation into the situation.
- One or more meetings with the student.
- One of more case conferences involving relevant university staff.

5.3.2 Where Level 2 is instigated, the Academic Registrar and Director of Library, Learning and Student Services will appoint a senior member of staff to conduct an investigation. The investigation is designed to consider whether the student's fitness to study is impaired, or may become impaired. It must also consider whether there is any evidence that the student is subject to pressure, coercion or exploitation that may result in them being radicalised. If there is any evidence that this may be the case, the investigator, following discussions with the Academic Registrar and Director of Library, Learning and Student Services, will follow the requirements of the PREVENT duty guidelines. Any consideration under the PREVENT duty guidelines will be undertaken in parallel with this policy.

5.3.3 This investigation is likely to incorporate:

- Meetings with relevant academic and professional services staff to seek information about the student or further information on certain disabilities. External guidance from relevant health professionals may be used where there are concerns about breaches of confidentiality or concerns about damage to the current professional relationships with the student.
- Meetings with the student. The student will be informed of any meeting in writing at least 5 days in advance, including the purpose of the meeting, the nature of the concern, and that the matter is to be managed under Level 2². The student will be provided with a copy of this Procedure. The student will be requested to notify the University in advance whether or not s/he will be attending and the identity and role of any person(s) who will be accompanying and/or representing them at the meeting (see Appendix). The process followed will allow the student a full opportunity to respond to the concern. A member of any relevant Student Services sections may be present at any meeting.

5.3.4 The investigator will present their report and proposed recommendations to the Academic Registrar and Director of Library, Learning and Student Services. Recommendations may include (but are not limited to):

- No further action be taken.
- Support arrangements and/or reasonable adjustments to be put in place for the student.
- An action plan to be drawn up, where possible with the agreement of the student, setting out how the matter will be managed and any requirements to be placed on the student (for example, in respect of his/her future conduct or support s/he will seek). The student will be informed that where s/he fails to comply with any requirements further actions may be taken. The student will be informed that where s/he fails to comply with any requirements his/her ability to continue on the programme of study may be re-considered. The student will be provided with a copy of the action plan. A date will be arranged at which the action plan will be reviewed and a decision taken on whether the action plan should continue and, if so, whether it should be amended,

² The meeting may be held more quickly if the student requests this and it is possible to schedule it more quickly

and whether any requirements have been complied with and, if not, whether further actions will be taken. The student will be invited to the review meeting and the outcomes of the review meeting notified to the student in writing.

- It be recommended to the student that s/he take a period of voluntary interruption.
- The student be referred to another policy – normally the Student Disciplinary Policy, Fitness to Practise Policy or the Mitigating Circumstances Policy.
- The student be withdrawn from placement, overseas study or other University related activity.
- The student be permitted to continue on a part-time basis or to study by distance learning with appropriate support.
- The student be suspended for a stated period of time, with or without conditions for any subsequent return to study.
- A recommendation be made to the Vice Chancellor that the student's programme of study is terminated.

5.3.5 Where these recommendations require further consideration prior to an outcome being agreed a case conference will be held. The case conference will comprise, as is appropriate in the circumstances and at the discretion of the Chair, relevant members of staff such as:

- The Academic Registrar and Director of Student & Academic Services (or his/her representative) as Chair
- Representatives from the student's Faculty (usually the Personal Tutor and the Programme Leader)
- Representatives from relevant Student Services sections
- A representative from the Students' Union
- An Academic Adviser (where not present in another role)
- A note-taker.

Although the student may be invited to attend the case conference, it is expected that this would not normally be the case.

5.3.6 Summary notes of any meetings should be made and a copy kept in the student file.

5.3.7 The case conference will consider the recommendations of the investigation and whether the actions proposed by the investigator are the most appropriate to be taken or whether an alternative action is most appropriate.

5.3.8 The outcome of Level 2 will be communicated to the student either in writing or in person. Where done in person the outcome will subsequently be communicated in writing. The manner in which this is done will take account of the nature of the case and will be sensitive to the needs and circumstances of the student. This would normally be done within 2 working days of the outcome being agreed.

5.4 Appeals

5.4.1 A student who is dissatisfied with the outcome of the investigation may appeal in writing to the Academic Registrar and Director of Library, Learning and Student Services within ten working days of the outcome being communicated. The appeal may only be based on one or more of the following grounds:

- That the University has failed to follow its own Policy adequately
- That the decision is unreasonable and/or a disproportionate sanction has been imposed
- That the student has material new information/evidence which was not reasonably available before.

The student must submit a full and final statement of the grounds for the appeal accompanied by evidence if relevant.

5.4.2 The Academic Registrar and Director of Library, Learning and Student Services will consider the appeal submission and determine whether there are valid grounds to appeal.

5.4.3 Where valid grounds have been determined and the student is *appealing against suspension or termination*, the Vice Chancellor will consider the appeal. The VC will either dismiss or uphold the appeal. If the appeal is upheld they will:

- Refer the matter back to an earlier level of this Procedure for reconsideration (e.g. if the correct process had not been followed);
- Refer the matter back to an earlier level of this Procedure for fresh reconsideration (e.g. if material new information or evidence has been made available);
- Determine an alternative outcome from the list in 5.3.4 above.

The outcome of the appeal, together with reasons, will be notified to the student in writing within seven working days of determination of the appeal. This decision is final and will conclude this Procedure. A "Completion of Procedures" letter will be issued to the student. Further information on procedures for external and independent review can be obtained from the Office of the Independent Adjudicator for Higher Education website (www.oiahe.org.uk).

5.4.4 Where valid grounds have been determined and the student is appealing against an outcome *other than suspension or termination*, a Dean or Deputy Dean (not from the student's Faculty) will consider the appeal. They will either dismiss or uphold the appeal. If the appeal is upheld they will:

- Refer the matter back to an earlier level of this Procedure for reconsideration (e.g. if the correct process had not been followed);
- Refer the matter back to an earlier level of this Procedure for fresh reconsideration (e.g. if material new information or evidence has been made available);
- Determine an alternative outcome from the list in 5.3.4 above.

The outcome of the appeal, together with reasons, will be notified to the student in writing within seven working days of determination of the appeal. This decision is final and will conclude this Procedure. A "Completion of Procedures" letter will be issued to the student. Further information on procedures for external and independent review can be obtained from the Office of the Independent Adjudicator for Higher Education website (www.oiahe.org.uk).

5.4.5 The Students' Union is able to support students through the appeal process.

5.5 Return to Study

5.5.1 A request to return to study must be made by a student in writing to the Academic Registrar and Director of Library, Learning and Student Services.

5.5.2 The process by which the outcome of a return to study request will be determined may vary according to the circumstances of the matter and the interests of fairness, and will be at the discretion of the Academic Registrar and Director of Library, Learning and Student Services. Each student's case will vary depending upon the context and specific circumstances. In each case, however, a return to study by a student will be dependent upon the student satisfying the Academic Registrar and Director of Library, Learning and Student Services that s/he is fit to study and that s/he has complied with any conditions placed upon his/her return. It is likely that the Academic Registrar and Director of Library, Learning and Student Services will involve a senior member of staff from the Counselling and Mental Health Team and/or the Additional Student Support & Inclusion Services Team (ASSIST) in making the decision.

5.5.3 Normally the student will be invited to meet with the Academic Registrar and Director of Library, Learning and Student Services or a senior member of staff from the Counselling and Mental Health Team and/or the Additional Student Support & Inclusion Services Team (ASSIST) to consider the request to return to study. S/he may require the student to produce satisfactory medical and/or other evidence of his/her fitness to study (for example, a psychiatrist's report or GP's letter) from recognised professionals who have sufficient knowledge of the student, the demands of higher education, and the student's intended programme of study in order to give an informed opinion.

5.5.4 The Academic Registrar and Director of Library, Learning and Student Services will determine whether to permit the student to return to study. In reaching his/her decision, s/he may consult with relevant University staff and/or external professionals. S/he may impose conditions upon any return to study (for example, relating to the student's conduct, any support s/he should seek or academic progress). The Academic Registrar and Director of Library, Learning and Student Services will consider any support and/or reasonable adjustments which should be put in place for the student in connection with his/her return to study and will be responsible for ensuring that any support and reasonable adjustments identified are provided/made.

- 5.5.5 The decision of the Academic Registrar and Director of Library, Learning and Student Services will be notified to the student in writing, with reasons, normally within five working days of the student's written request to return to study. If the request is denied, the letter will include information on the process of re-application for a return to study.
- 5.5.6 The decision of the Academic Registrar and Director of Student & Academic Services is final.
- 5.5.7 The University will work collaboratively with the student in respect of any support arrangements put in place for a return to study. Before or on his/her return, the student will be invited to attend a Return to Study Meeting with appropriate members of academic staff (e.g. the Programme Leader) and the Mental Health Adviser Service and/or ASSIST. At the Return to Study Meeting, an action plan will be drawn up to support the student's successful transition back to study.

The action plan will detail any conditions imposed and any support identified by the Academic Registrar and Director of Library, Learning and Student Services or the Counselling and Mental Health Team and/or the Additional Student Support & Inclusion Services Team (ASSIST) in respect of the student's return. The action plan will include a timetable for any review meetings which have been deemed necessary to assist the student's successful return to study. If conditions are attached, failure to comply will lead to further Fitness to Study procedures. The student will be sent a summary of the Return to Study Meeting and a copy of the action plan, normally within five working days of the meeting.

6.0 Key responsibilities

- 6.1 Support is available from
- University Mental Health Advisors
 - University Student Counselling Service
 - University ASSIST team
 - The Academic Registrar and Director of Student & Academic Services
 - Student Support and Advice Team

7.0 Links to related UN Policies/Guidance/Regulations

- 7.1 Mitigating Circumstances Policy
- 7.2 Student Disciplinary Policy
- 7.3 General Student Regulations
- 7.4 Fitness to Practise Policy
- 7.5 PREVENT Duty and Safeguarding Guidelines

8.0 Links to related external documents (e.g. QAA)

n/a

9.0 Appendices

9.1 Guidance on accompanying friend

9.2 Summary sheet

9.1 Guidance on Accompanying 'Friend'

The University of Northampton recognises that providing support and advice to persons making a complaint or an appeal should extend to enabling them to be accompanied at any formal meeting or hearing.

Legal Representation

Because the proceedings of appeal and complaint hearings are part of University's internal arrangements, formal legal representation is not normally either helpful or appropriate: legal representation is therefore likely to be the exception, rather than the norm. A complainant or appellant who intends to be accompanied at a meeting or hearing by a legal representative, or another person acting in a professional capacity, must contact the University to request this at least 5 working days prior to the hearing and set out the reasons for making this request. Any such request will be considered by the Director of Library, Learning and Student Services (or nominee) and a decision made. The decision, and reasons for it, will be relayed to the student. Where a legal representative is to be present the University may consider whether to include its own legal representation. In such circumstances it may become necessary to postpone the meeting to a later date.

Role of the 'Friend'

The University normally restricts the role of friend to that of support and advice. The friend will not normally be allowed to present the student's case on his/her behalf, nor respond directly to questions. At the discretion of the investigator or the Chair of the Hearing, the friend may present a brief supporting statement. Where a student wishes his/her friend to take a more active role this should be requested to the Chair of the Hearing in advance (with reasons). The Chair will decide whether or not to accept the request.

The appellant or complainant has the right to confer with their companion during the course of the hearing or meeting, for example, before responding to any question from the panel or the investigator.

The appellant or complainant may not be represented in their absence by a third party: in such cases the panel will normally consider the case in their absence. Where, through reasons of disability, the appellant or complainant is unable to represent themselves, appropriate adjustments will be made and these arrangements will be subject to approval by the Director of Academic and Student Services.

9.2 Summary Sheet:

Policy Title:	
Health, Wellbeing and Fitness to Study	
Purpose of Policy and to whom it applies (please specify cohorts):	
<p>This policy ensures that students whose health is causing concern to tutors, other students and/or university staff are promptly and effectively removed from their study environment until they are well enough to return</p> <p>This covers all students on taught and research degree programmes at the University of Northampton. It is expected that delivery organisations delivering EWO provision will have comparable policies in place</p>	
Owner and Department:	
Kathryn Kendon, SAS	
Principal contact:	
David Fitzgerald, Head of Student Services; and Anna Quinn, Student Support and Advice Manager	
Dissemination and implementation plan:	
Via SEC and SSECs On website	
Date of initial committee approval (state committee name):	
Date of Senate approval:	October 2014 (via Chair's Action)
Date for implementation and cohorts to which it applies:	October 2014
Proposed date of annual update:	June 2023
Date of last annual update:	June 2023
Proposed date of full review:	June 2024
Date of last full review:	n/a
Version number and date:	4.0 June 2022