



# FITNESS TO STUDY POLICY

Date of Policy	June 2019
Approved by CSVPA Board	August 2019
Key Staff	Faculty Dean, Curriculum
Lead for Review	Provost

## Introduction

CSVPA is committed to supporting students and recognises the importance of health and wellbeing in relation to academic progress and student experience. Students are expected to be proactive in managing their own health and wellbeing and to engage with the support available, in order to fulfil their academic potential.

Where a student has disclosed that they have a physical and mental impairment that has a substantial and long-term impact on their ability to undertake normal daily activities as a student CSVPA will make reasonable adjustments to enable them to continue their studies and meet the learning outcomes for their course.

## Scope and Purpose

This Procedure applies to any student admitted or enrolled by CSVPA and forms part of our policies and procedures for students.

There may be times where the health or wellbeing of a student declines to the point where it raises questions about their fitness and suitability to continue their studies.

This Procedure will be used to help staff in all areas of CSVPA to deal with instances where concerns have been raised over a student's health or behaviour, which have led to:

- concern from staff about a student's fitness to study at CSVPA and/or ability to meet the learning outcomes of the course, despite reasonable adjustments;
- a negative effect on the health, safety, wellbeing or learning of the student and/or others with whom the student has contact.

Problems may arise in a variety of different forms including, for example, long-term damage to the student's health; disruption of the studies of other students; unsustainable demands being made of staff; detention under the Mental Health Act.

This Procedure will normally be used to deal with concerns which arise on CSVPA premises or whilst engaged in a course activity whether on campus or with an approved partner organisation. However, incidents which occur outside CSVPA which raise concerns about a student's fitness to study and where it is considered necessary to protect the safety, interests and reputation of CSVPA, its staff or students, may also be considered under this Procedure.

## Stages

This Procedure has three stages, based on the level of support needed by the student and/or the level of risk posed by the health or behaviour of a student. Depending on the concern raised, it may be appropriate to move straight to a higher level. Students are encouraged to engage with CSVPA and access all support available to them. If they choose not to do so, then this Procedure may continue without their involvement.

### Stage 1 – Emerging Concerns

When a concern about a student's health, safety or mental wellbeing is raised, a member of staff with primary responsibility and/or knowledge of the student (e.g. Course Leader, Pathway Leader or Tutor) should approach the student in a supportive manner. The member of staff may seek advice and guidance from the Head of Welfare or member of staff responsible for pastoral welfare where appropriate.

Where the concern has arisen outside CSVPA, e.g. in managed accommodation, the member of staff from CSVPA may be accompanied by an appropriate member of staff e.g. from the Student Accommodation Service.

The nature of the concern should be explained to the student, and they should be encouraged to discuss the issues, (it is possible that they will not have realised the impact of their actions). If appropriate, this is an opportunity to provide information to the student about relevant **CSVPA** policies and procedures, and support that is available locally. It should also be explained that if the concern continues to be an issue, it could result in an escalation to stage 2 of this Procedure.

It is anticipated that the student will respond positively, co-operate and access the available support or, where appropriate, change their behaviour.

The meeting should be followed up with an e-mail with 2 working days to the student setting out any agreed actions and, if appropriate, arrangements for a follow-up meeting with the student at a later date, which should be kept on the student's file.

If the student is unwilling or unable to respond positively, the case should be discussed with a member of staff responsible for pastoral care and, if necessary, a relevant partner university representative. **CSVPA** may then decide to invoke Stage 2 of the Procedure.

### **Stage 2 – Continuing Concerns**

Where continuing or serious concerns about a student's health, safety or mental wellbeing are raised, the concerned member of staff from **CSVPA** should contact the Head of Welfare (or acting member of staff in charge of pastoral support) and arrange a meeting with the student.

Together they can assess the student's understanding of the impact that their health and/or behaviour is having upon them and/or the wider campus community, and ensure the student understands **CSVPA** and the university partner's expectations regarding fitness to study.

An Action Plan will be created, setting out any reasonable support measures and any conditions that the student is required to follow, which may relate to their health and wellbeing, academic studies and/or behaviour.

The Action Plan will include a review date, and it will be made clear to the student that failure to adhere to the Action Plan may result in Stage 3 being invoked. This will be sent to the student within 5 working days of the meeting, and the student will be required to confirm acceptance of the terms of the Action Plan in writing. A copy of the agreed Action Plan will be held on the student's file.

The Action Plan will be reviewed by the Rector (or nominee), with assistance from the person responsible for pastoral care, where required. It is expected that the student will respond positively to the Action Plan and co-operate fully, access the outlined support and/or change his/her behaviour accordingly.

If the student does not engage positively or fails to adhere to the Action Plan, or if the meeting finds more serious concerns about the student's fitness to study, the matter should be referred to the Rector (or nominee). It is then likely that Stage 3 will be invoked.

### **Stage 3 – Significant or Persistent Concerns**

This Stage will be used when significant or persistent concerns are raised about an individual student's actions or behaviour that are putting the health, safety, wellbeing or academic progress of him/herself or other members of the **CSVPA** community at significant risk.

The Rector (or nominee) will convene a Case Conference to establish the facts and discuss an appropriate course of action.

The Case Conference will comprise a team of **CSVPA** staff appointed from the following areas, as appropriate:

- CSVPA Academic Management
- Central Administration
- Student Welfare
- Other relevant Centre staff e.g. tutor, course leader or administrative officer.

A Chairperson will be appointed from the team to brief the members about the Procedure and a Secretary will be appointed to take a record of the proceedings.

The outcome of the Case Conference may be one of the following:

- that no further action is required; or
- to agree an enhanced Action Plan; or
- to recommend an interim suspension of the student's studies to enable a full assessment of the circumstances with regard to the student and his/her course of study to be carried out.

#### Enhanced Action Plan

If the agreed action is an enhanced Action Plan, this plan will have a review date. It will be made clear that if the student does not stick to the Action Plan, this could result in further action under this Procedure, including an interim suspension of studies. The Action Plan will be created by the person nominated by the Chair of the Case Conference and will be reviewed by the Case Conference team on the agreed date.

#### Interim Suspension

If the agreed action is an interim suspension of studies, the terms of the interim suspension will be specified, including any arrangements relating to access to support services or accommodation, or whether the student can continue with their studies and/or assessments, and if so in what form. The timeframe will be specified where it is only possible for the student to return to study at a certain point in the academic calendar.

**It is important to note that an interim suspension of studies is not a disciplinary sanction, but is intended to allow a period of time for a full assessment of the circumstances with regard to the student and his/her course of study.**

In the case of an interim suspension the following service providers must be informed: Rector, Course Leader, Student Services, Accommodation Manager, who will inform relevant staff as appropriate.

The Chairperson will inform the student in writing of the outcome of the Case Conference within 5 working days.

The letter will include an invitation, where appropriate, for the student to meet with members of the Case Conference team, to receive and discuss the outcome of the Case Conference. CSVPA will aim to arrange the meeting within 15 working days of the Case Conference. The student may be accompanied by a friend, parent, guardian or agent for support at this meeting. Where an interim suspension of studies has been agreed, this meeting will include consideration of any issues arising e.g. financial, academic etc.

If the student wishes to make written representations against the outcome from the Case Conference, s/he must write within 10 working days to the Chairperson who will review the matter and respond to the student within 10 working days of receiving the written representations.

#### *Actions following an Interim Suspension*

A suspension of studies will be reviewed at regular, agreed points, in the light of any developments or upon receipt of the report and any other evidence received. Such a review will not normally involve a hearing or submissions made in person.

The student will be required to provide or co-operate with CSVPA in obtaining satisfactory evidence that the original concerns are overcome or under control before being permitted to return to study. Any failure to co-operate with CSVPA may result in disciplinary action and/or Withdrawal from studies.

The required evidence will be specified in the outcome letter, and will include a report from an appropriately qualified professional expert approved by CSVPA, with sufficient knowledge about the health and wellbeing of the student during the relevant period and its potential impact, confirming that the student is fit to study on a particular course and as a member of the CSVPA community, and recommending any reasonable support measures for CSVPA to consider.

The Chairperson will consider the report and any other evidence, and will consult with staff from the Case Conference. S/he may decide:

- the student is fit to study and should be allowed to resume the course, subject to an Action Plan identifying relevant support and any conditions. Regular review meetings will be arranged with the student so that progress can be monitored and further support arranged if necessary;
- to recommend that the student remains unfit to continue and should be suspended for a further specified period. His/her return to study will be subject to an Action Plan;
- to recommend that the student is not fit to study and should be withdrawn from the course

A copy of the decision and associated reasons will be provided to the student in writing within 10 working days of the review.

For students on a Tier 4 visa, immigration rules regarding sponsorship will be taken into account. This may require the student to leave the UK and to reapply for a new visa once the student is ready to return to study. Generally, students would not continue to be sponsored without studying for more than 60 days. Exceptions to this will need to have special approval from the Rector. In all cases, students who will be unable to complete their course within their existing period of Tier 4 leave will be required to have their current sponsorship withdrawn. CSVPA will support return to study and assign a new CAS when suitable evidence is submitted, and Return to Study approved, as detailed below.

### Return to Study

Each case will depend upon the specific circumstances and context out of which concern arose but in all cases return to study will depend upon satisfactory medical evidence of fitness to study and the provision of information about appropriate support services with a recommendation of the benefit of continuing to study with support. Evidence submitted should be from a recognised health professional who has sufficient knowledge of the nature and extent of the student's previous problems and the school's concerns about them to be able to make an informed statement of the student's renewed ability to manage the demands of study.

The decision to permit a return to study will be made by the Dean of Academic Programmes or the Course Leader with The Head of Welfare and Student Services (or designate) who will be satisfied of the student's fitness to study, compliance with any conditions imposed, compliance with academic regulations and availability of support upon return. CSVPA may require a meeting to be held with the student prior to their return to inform the decision-making process by CSVPA and the student of the fitness to return to study.

In any case where a student returns to study following the implementation of this policy CSVPA may decide that there should be regular review meetings with the student that can be used to support and monitor a return to study plan and provide staff with an agreed context in which to provide ongoing pastoral care. If so, the student must provide their continued co-operation in this respect and such review meetings may continue for part or all of their remaining time at CSVPA.

It may only be possible for a student to return to study at certain points in the academic calendar, depending on the particular circumstances of the student and the course of study.

If a student decides to voluntarily interrupt their studies at any stage of the Procedure, CSVPA will be entitled to request satisfactory evidence that the original concerns have been overcome or under control, before the student can be re-admitted at a suitable point in the academic year.

### Appeal

In the case of a decision that the student is suspended from CSVPA for a specified period or that the student is withdrawn, the student may appeal against the decision via the CSVPA Student Complaints Procedure and Policy.

### Confidentiality and Disclosure

Students on Level 3 courses, or any students under 18, should refer to the Confidentiality Policy. However, for all students there may be occasions where CSVPA judges that it would be in the best interests of the student to disclose sensitive information, e.g. to the student's designated Emergency Contact or to an external agency such as the Community Mental Health Team. In these circumstances, the student's informed consent should be obtained where possible.

If the student chooses not to provide consent, the implications of non-disclosure should be made clear. However, there may be rare occasions where the student's consent is withheld or it is impracticable to obtain it, and when confidentiality may be broken, e.g.

- If the student is putting their life at risk or if the student is putting the life of someone else at risk.
- If their mental health has deteriorated to a serious level such that they are unable to maintain daily living routines and relationships.
- A student is at risk of serious exploitation or abuse.
- If the student's behaviour is adversely affecting the rights of others.
- If staff are being placed in a position in which their professional integrity is compromised.

Staff should consult with the Rector (or nominee) where there is a need to disclose information without consent.

### Emergency Situations

In cases of emergency, staff or students should contact the **Designated Safeguarding Lead: Thomas Marty on 07912 555773** who will co-ordinate appropriate services depending on the situation.

#### ***Local emergency details***

CSVPA Emergency Number – 07860 586528  
Designated Safeguarding Lead – 07912 555773  
Deputy Safeguarding Lead – 07747 533306  
CSVPA Nurse – 01223 341343  
Cambridge Police Station – 01223 358966  
Non-Emergency Police – 101  
Emergency Services - 999

In cases of urgency, the Rector (or nominee) shall be empowered to suspend a student with immediate effect, pending the invocation of this Procedure.

### Monitoring of the Procedure

CSVPA will collect aggregated data about Fitness to Study cases on an annual basis for the purpose of quality assurance and enhancement. The effectiveness of the Fitness to Study Procedure will also be reviewed at this point and, where appropriate, changes will be made.

## Student Disclosure Confidentiality Policy

CSVPA will aim to ensure that, as far as possible, support appropriate to a disabled student's needs is provided. The law requires us to make 'reasonable adjustments' to our provision to ensure disabled students are not discriminated against and are not placed at a 'substantial disadvantage'.

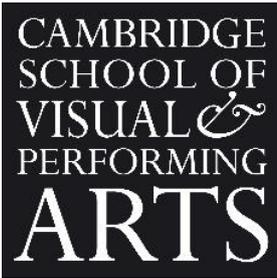
If you are aware that you have a specific learning difficulty or disability we encourage you to contact us on application so that we can assess the support you will require whilst studying with us. Failure to inform us may impact on the ability for us to be able to support you.

If you have already started studying we encourage you to inform us of your disability/learning difficulty so that we can support you.

The information provided will be used to liaise with colleagues who need to know about the support that you require.

Your data will be disclosed for this purpose only, and not for other purposes without consent or when personal safety issues arise. Information will be held on our administration system for the purpose stated above, in line with the Data Protection Act 2018.

If you are providing information about your disability on your extenuating circumstances form, please note that this does not count as disclosure for reasonable adjustments as these forms are intended for use only by the Board of Examiners. We strongly urge you to disclose any persistent medical condition, specific learning difficulty or disability to a member of the school welfare team or your personal tutor.



## Details of a Disability/Long-term Medical Condition/Specific Learning Condition

Please return this form to: CSVPA Student Services

**Please remember to include the most recent documentary evidence from a health care professional/educational psychologist.**

Name:

Address (term):

Address (home):

Contact telephone numbers:

Email:

ID:

Centre:

Course:

I confirm that I have the following condition:

Nature of disability's impact on studies:

Nature of disability's impact on day to day living:

Please tick the support that you have previously used/may require and give brief details below:

- Alternative assessment/examination
- Scribe
- Alternative materials (Braille, Large Print, Coloured Paper)
- Assistance using the library
- Specialist Equipment
- Sign Language support
- Access & orientation
- No support required