

Student Fitness to Study Policy

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| Responsibility for Policy: | Finance Director & Deputy Chief Executive |
| Relevant to: | LJMU Students |
| Approved by: | Academic Board, 30 September 2015 |
| Responsibility for Document Review: | Student Governance |
| Date introduced: | September 2008 |
| Date(s) modified: | October 2010, September 2013, September 2014, September 2015, July 2017 |
| Next Review Date: | August 2019 |

RELEVANT DOCUMENTS

RELATED POLICIES & DOCUMENTS

- Student Handbook
- Code of Conduct for Students
- Disciplinary Procedure
- Disability Policy
- Occupational Health Procedures

1. **Introduction.**

Liverpool John Moores University (LJMU) takes the health, safety and well being of all students seriously and seeks to provide an environment that is safe and conducive to study.

In this context, the University has a duty of care to respond appropriately to situations where concerns are raised about a student and is obliged to take action if a student's conduct, behaviour, or health and well-being presents a risk [to themselves or to others] or where such behaviour results in unreasonable demands being placed on staff, students or others.

The Fitness to Study Policy applies to student conduct, behaviour and/or health and well-being on University premises and during study/research activities off site (for example field work or placements) and to any other situation where conduct, behaviour and/or health and well-being is brought to the attention of the University which suggests a reasonably foreseeable risk to the student or others as described above.

For example, this is when a person's conduct is unacceptable in how they behave and treat other people, how they function in managing their own health and safety and where this type of behaviour impacts on other students, staff or members of the public. It may be that there are underlying health issues or substance misuse problems for example.

In these circumstances it is appropriate for the University to take action in order to minimise risks, prevent harm or disruption to the learning process, and to protect the health and safety of both the individual concerned and others around that person.

2. **Operating Principles**

The Fitness to Study Policy is intended for use where the behaviour, disruption or risk presented by a student is perceived to be serious or potentially serious.

The policy is intended to be supportive rather than disciplinary in nature. However the University reserves the right to refer to the Disciplinary procedures in those exceptional circumstances where students' health or behaviour poses a serious risk of harm to either themselves or others and where students have not positively responded to more supportive interventions or engaged in the Fitness to Study process.

All information provided regarding Fitness to Study will remain confidential for use within the procedure and is subject to the requirements of the Data Protection Act. Only staff directly involved in the procedure will be given access to confidential information.

The University strives to ensure consistency and sensitivity in these matters; decisions will be reached through a team approach and following consultation and advice from relevant individuals. The student's views will form part of the

consideration as will an assessment of their ability to learn, study and interact with the University community.

Students may be referred to the University Occupational Physician for assessment.

Where a student presents with significant concerns, the matter may be escalated directly to Stage 3 of the Fitness to Study procedure without passing through the intermediate stages.

LJMU seeks to ensure equity and consistency of treatment for all students and uses the following generic standards to assess Fitness to Study

Students should have;

- A full awareness of their own health and safety and that of others.
- A full awareness of the risk of physical danger to themselves and others.
- The ability to communicate effectively with fellow students, staff and other professionals. [this would include alternative methods of communication such as BSL, computer aided speech etc].
- The ability to undertake periods in private study without supervision [but using appropriate support mechanisms].
- The ability to attend and engage effectively in lectures and tutorials, with physical and study support adjustments as necessary.
- The ability to submit coursework within required academic timescales.
- The ability to undertake assessment and engage effectively with the assessment process, with appropriate adjustments

3. Supporting procedure.

3.1. Stage 1 – Emerging/Initial concerns

Staff anywhere within LJMU may become aware of issues affecting a student's health, safety, wellbeing or behaviour. This could be directly observed, reported by a 3rd party or possibly suggested by the reactions, general presentation or demeanour of the student.

Staff should either approach the student in an empathetic and non-confrontational manner to try and ascertain the issue, or alternatively should suggest to the student that they make contact with the Student Advice and Wellbeing [SAW] team for support.

If the member of staff talks to the student themselves, they should outline their concerns to the student and offer to assist with referring the student to the Student Advice and Wellbeing team. Where applicable, staff should advise on any relevant processes for example Leave of Absence and Extenuating Circumstances, Deferred Consideration, Special Mitigation.

The student should be asked to moderate their behaviour or to seek help with presenting issues.

If the student responds positively, there would be no further action needed. If the student fails to respond positively or refuses to co-operate, the member of staff should contact relevant staff in Student Advice and Wellbeing (Head of Service or Management team) to discuss progression to stage 2 of the procedure.

3.2. Stage 2 – Continuing Concerns

If a student's health, safety, wellbeing or behaviour continues to cause concern, the issue will be taken up on referral, by Student Advice and Wellbeing. Staff should complete the SAW referral form, noting their concerns and that the referral is being made under Stage 2 of the Fitness to Study Procedures. The SAW Referral Form is available at <https://www2.ljmu.ac.uk/corporate/SPR/128534.htm>.

The student will be invited to attend an initial assessment with an appropriate member of the SAW Management team. Within a confidential assessment environment, issues facing the student and the student's perception of their actions will be discussed and assessed.

A mutually agreeable Action Plan will be developed, which may include utilising internal support teams but may also include referral to external services.

The Action Plan is intended to be supportive and the student will be advised of the possible consequences of not adhering to the Action Plan. This may include further discussion and the potential for referral to Stage 3 of the Fitness to Study Procedure.

Once the Action Plan is agreed with both the student and staff concerned, a copy will be held electronically within the CRM system utilised by SAW.

If the student's health, safety, wellbeing or behaviour continues to cause concern and/or fails to engage with an Action Plan, the matter will be escalated to Stage 3 of the procedure via Student Governance.

3.3. Stage 3 – Persistent or Significant Concerns

Should the situation persist or the student's conduct, behaviour and/or health and wellbeing continues to cause concern, or when there are significant concerns (for example a student is sectioned under the Mental Health Act) then staff from SAW or the School can make a referral to Student Governance. Staff should contact Student Governance via email at Student Governance@ljmu.ac.uk, noting their concerns and that the referral is being made under Stage 3 of the Fitness to Study Procedures.

Student Governance, in consultation with SAW and other relevant parties may deem that the student's behaviour is putting health and safety, wellbeing or the academic progress of themselves and/or others at risk and will take action as appropriate. Such action may include suspension of study and / or referral to the University's Occupational Physician.

The decision to suspend and / or refer to the Occupational Health Physician will be formally taken by the Director of Legal and Governance Services [or nominee] following consultation with appropriate staff. It is important to note that suspension of study is not in itself a disciplinary sanction but is to allow a period of time for a full assessment of the circumstances with regard to the student and his/her programme of study.

The suspension procedure is managed by Student Governance to ensure consistent application of the policy across the institution. The student will be notified formally in writing of the suspension and any associated terms and conditions. Suspension will be subject to review at regular intervals.

For example a student may be suspended pending assessment by the Occupational Physician or to allow time for relevant medical treatment or a period of recovery.

The Occupational Physician may, with the student's permission, contact their medical practitioner / consultant for information regarding their health issues / current condition.

The outcome of an assessment can include:

- **Not Fit to Study – Short term.** Student remains suspended from the university for a defined period to allow time to seek help with presenting issues for example medical treatment/intervention and recovery. At the end of the suspension students can request to resume studies and a further Occupational Health Assessment will be required.
- **Fit to Study** – with or without reasonable adjustments or conditions (See Stage 4 regarding return to study).

3.4. Stage 4 – Return to Study

Students will be encouraged to maintain contact with LJMU Student Advice and Wellbeing during their period of suspension, to advise of their progress and to facilitate a return to study when the student is well enough.

Students should write Student Governance at StudentGovernance@ljmu.ac.uk indicating their wish to return to University.

Normally, the student will be referred again to the Occupational Physician for assessment so students should allow a reasonable time for this to take place. With the student's consent, the Occupational Physician may need to contact their medical practitioner / consultant for updated information regarding their health issues / current condition.

Students should be aware that return to study may only be possible at certain times of the academic cycle depending on the programme being studied. So for example

dependent upon the timing and period of suspension, return to study may only be possible at the start of a new academic year.

Students should be aware that due to modifications to modules and/or programmes during the student's suspension it may not be possible for them to return to the same academic programme/profile.

Students should also be aware that there may be financial implications in relation to suspensions and returning to study and that they should contact the Student Advice and Wellbeing, Funding Team for advice.

Prior to returning to study, Student Governance will:

- Confirm in writing to the student that they are **Fit to resume** and note any **conditions** of returning to study.
- Advise the student that they are required to contact a named member of staff from the **programme team** to discuss the academic requirements and details of returning to the programme for example start dates, module choices, induction dates and relevant tutorial support.
- Advise the student that they are required to contact the **Student Advice and Wellbeing Team** to discuss and implement relevant support for example Disability Support, Individual Support Learning Plan, Counselling and tuition fee and funding advice.
- Notify relevant staff when the suspension is lifted, in order to update University and administrative records.

Examples of Conditions of Returning to Study can include:

- Maintenance of medical treatment
- Compliance with medical advice.
- Regular contact with medical professionals
- Specified contact with Student Advice and Wellbeing

(The above list is not exhaustive and is dependent on individual circumstances).

Failure to adhere to the conditions or reoccurrences of concerns regarding conduct, behaviour or health and well-being may result in further consideration of such incidents under the Student Fitness to Study Policy or where applicable the Student Discipline Procedure.



REFERRAL TO STUDENT ADVICE AND WELLBEING Under Stage 2 of the Fitness to Study Policy

1. This form should be used to refer a student to SAW if there are continuing concerns for their health, safety or wellbeing.
2. This form should **not** be used where the concerns are relating to behaviour or discipline. Please refer to Student Governance under these circumstances.
3. You should also submit any additional evidence i.e. medical evidence, statement from the student or staff members, applications for EC, DC, LOA.
4. The relevant manager in SAW will contact you if further information is required
5. The form should be e mailed to stayoncourse@ljamu.ac.uk with supporting evidence

If you need any further information please contact Student Advice & Wellbeing:

Student Advice and Wellbeing
Aquinas Building
Maryland St
Liverpool
L1 9DE

Phone: 0151 231 3162

Email: stayoncourse@ljamu.ac.uk

REFERRAL TO STUDENT ADVICE AND WELLBEING
Under Stage 2 of the Fitness to Study Policy

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| Student Name | |
| Student Id. | |
| Telephone Number | |
| Email | |
| Course | |
| School | |
| Year of study | |
| Reason for referral | |
| Academic Advice given (e.g. EC/LOA/DC/Special Mitigation) | |
| Actions taken | |

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|--------------------|--|-------------|--|
| Referred by | | Date | |
| Signed | | | |