



Fitness to Study Policy

Policy owner:	Head of Student Services
Implementation date:	October 2023
Review date:	April 2026
Related policies:	<p>Fitness to Study Policy and Procedure: Guidance for Students</p> <p>General Regulations for First Degrees</p> <p>General Regulations for Higher Degrees</p> <p>University Dignity at Work and Study Policy and Procedure</p> <p>University Safeguarding Policy</p> <p>University Student Mental Health Policy</p> <p>University Suicide Prevention and Response Policy</p> <p>University Equality and Diversity Policy</p> <p>University Drugs, Alcohol and Other Substances Policy</p> <p>University Attendance and Engagement Policy and Procedure</p> <p>University Data Protection Policy and Privacy Notice</p> <p>Student Contract</p> <p>Suspension of Studies form</p> <p>Withdrawal form</p>
Related procedure:	Fitness to Study Procedure

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Version History

Version	Approved by	Revisions made	Date
1	Senate	New Policy	07/06/23
2	Registrar	Update to roles	25/04/26

Fitness to Study Policy

1. Introduction

- 1.1 The University of Buckingham (the University) is committed to providing a welcoming, safe and supportive environment for its students, staff and visitors. This policy and its supporting procedures forms part of the overarching framework of policies connected to student mental and physical wellbeing, aimed to promote a culture where individuals are noticed and supported, with disclosures of mental or physical health conditions and or difficulties, responded to swiftly, sensitively and appropriately.
- 1.2 University staff and students are encouraged to discuss any concerns under this policy with the Head of Student Services.

2. Purpose

- 2.1 The purpose of this policy is to establish what action the University should take where a student's health, wellbeing and/or behaviour are having a detrimental impact on their ability to progress academically and function effectively at the University.
- 2.2 The policy provides a practical framework for University staff to enable timely identification, intervention and support for dealing with issues relating to fitness to study in order to, wherever possible, enable a student to engage or progress with their studies.

3. Scope

- 3.1 This policy applies to students enrolled at the University, including those seeking a return to study where enrolment has previously been interrupted or suspended under this policy. This policy is applicable to all students (excluding those enrolled on Medical, Education and Collaborative programmes) engaged with University activity or on University premises, giving rise to a fitness to study concern.
- 3.2 For students on Medical or Education programmes, their respective Faculty Support teams will advise on the relevant support available and the policies to be applied. Students enrolled on education programmes will normally be subject to the staff policies within their places of employment or School Centred Initial Teaching Training (SCITT) provider.
- 3.3 The policy does not apply to applicants who have yet to register on a programme of study or are yet to be offered a place at the University. Concerns at this level should be referred to the Admissions Tutor for consideration.
- 3.4 This policy is not an alternative to the University non-academic misconduct policy. The University reserves the right to revert to the non-academic misconduct policy and procedures to deal with inappropriate conduct, depending on the individual circumstances of the case, and where the student fails to respond positively to supportive interventions.

4. Legislative context and relationships with other policies

- 4.1 In taking action under this policy, the University will be mindful of the sensitive and confidential nature of fitness to study matters and its obligations under the Data Protection Act 2018, GDPR and Equality Act 2010.

- 4.2 The policy and its supporting procedures are applicable to programmes and Faculties that do not have a separate Fitness to Practice process. Fitness to Practice would normally take precedence over the Fitness to Study where a serious concern arises about a student's ability to register and practice under a professional programme (e.g. teacher training or Medicine).
- 4.3 In the event of a concern connected to a student's behaviour, attendance and/or lack of academic progress is found to be unrelated to a physical or mental health condition or disability, the University may implement and consider at a Faculty level, alternative procedures (e.g. the Non-Academic Misconduct procedure or a course-specific procedure) instead of, or in addition to taking action under this policy.
- 4.4 This policy and its supporting procedure should in no way detract from any acute or dangerous situations where it is believed that a student's behaviour presents an immediate risk to themselves or others.

5. Policy statement

- 5.1 The University recognises that for many students, their university journey although challenging, is an experience which helps cultivate independence, self-awareness, resilience and personal responsibility. However for a small number, difficulties may arise which create a cause for concern about their capacity to adequately engage or progress with their studies. When these circumstances arise, the University is committed so far as it is reasonably practicable, to the following principles:
- To provide a consistent, appropriate and sensitive response to the management of a concern about a student's fitness to study;
 - To adopt a supportive approach to the process to enable a student to progress and complete their learning journey;
 - To ensure an appropriate and co-ordinated response in situations where other internal procedures (e.g. Fitness to Practise, Non-Academic Misconduct Procedure etc.) are deemed to be more appropriate;
 - To undertake informed decision making, taking into consideration medical evidence, the student's progression to date, the level of content missed and any course competency standards;
 - To establish clear lines of responsibility for staff and ensure that decisions are taken by people without actual or perceived conflicts of interest;
 - To communicate openly and transparently with the student regarding the process, information being considered, decisions being made and request a review in accordance with the Fitness to Study Procedure;
 - To maintain records of the procedure, in line with the University GDPR policy.
- 5.1.1 The Fitness to Study procedure comprises three levels for managing concerns about a student's fitness to study:
- *Level 1* (initial and/or emerging concern) is used to manage relatively minor concerns typically through informal meetings with the student.
 - *Level 2* (serious and/or continuing concern) is a more formal intervention to be used when Level 1 has not been successful, or the student's conduct or circumstances indicate that further intervention is required.

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- *Level 3* (persistent and/or critical concern) is a formal intervention where a type of suspension or termination of studies is a typical recommended outcome.

6. Responsibility

6.1.1 All students and staff mentioned within this policy are expected to be aware of the policy and their responsibilities when dealing with a concern related to a student's ability to progress in their studies.

6.1.2 If a student is unwilling or unable to participate in any aspect of the Fitness to Study procedure, the University may deal with issues in the student's absence, using written reports and/or statements.

6.2 Implementing the procedure

6.2.1 *Any member of staff, student or visitor can raise a concern* about a student's behaviour, mental health or wellbeing via the Fitness to Study Concern Form (Annex A, Fitness to Study procedure).

6.2.2 The *Faculty or Dean* can initiate and will have oversight of the procedure where concerns are raised about academic performance, whilst the *Head of Student Services* can initiate and will have oversight of the procedure where concerns are raised about the physical or mental wellbeing of a student¹. If a concern is a mix of both, they will jointly have oversight.

6.2.3 On receipt of a concern being raised, those in 6.2.2 will (i) review the information provide determine whether to initiate the supporting procedures, (ii) determine what Level the concern sits (iii) for Level 1, they will assign a designated lead to take the procedure forward (this would ordinarily be a staff member with knowledge of the student, such as their Personal Tutor, Programme Lead/ Director or Faculty Mentor) (iv) for Level 2, they will assign to the *Faculty Registrar* to take forward (v) for Level 3, they will take forward and convene the Fitness to Study Panel (vi) ensure that for any level, the student is provided with a copy of the policy and relevant procedures.

6.2.4 The *Faculty Mitigating Circumstances Committee* is responsible for ensuring the University has a record of all actions taken throughout the process. They will therefore collate and store confidential records for all fitness to study cases.

6.2.5 The *Wellbeing Hub* should be consulted in order to inform action taken under the procedure. The *Lead Mentor* should be consulted at a minimum and can (i) act as a point of reference to Faculty and University staff to check the appropriateness of initiating the Fitness to Study procedure and (ii) ensure specialist advice/support is brought in (e.g. University Medical Officer (GP), University Wellbeing Hub team, Deputy Head, Disability and Inclusivity Team leader etc).

¹ Within the Faculty of Medicine and Health Sciences (FMHS), the FMHS Student Support team is the first point of contact for any concerns relating to a student's fitness to study or practice.

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- 6.2.6 *Level 1* – the *designated lead* will meet with the student to develop an informal action plan with the aim to address the raised concern. Approval for the plan should be sought as explained in 6.2.2 above.
- 6.2.7 *Level 2 - Faculty Registrar* will convene and *Chair the Faculty Mitigating Circumstances Committee* to consider the students circumstances and to decide what action should be taken. The Chair may consult and invite other University staff and/or external professionals to attend the meeting, in addition to the student and their Personal Tutor. Approval for any proposed actions should be sought as explained in 6.2.2 above.
- 6.2.8 *Level 3 - Faculty or Dean or Head of Student Services* will convene and be members of the Fitness to Study Panel. Membership to include the Faculty Registrar (as Chair of the Faculty Mitigating Circumstances Committee) to consider the students' circumstances and to decide what action should be taken. The Chair may consult and invite others to attend the meeting as outlined in 6.2.7 above, in addition to the student and their Personal Tutor. Approval for any proposed actions should be sought as explained in 6.2.9 and 6.2.10 below.

In some cases, serious and ongoing safeguarding concerns may be identified through Wellbeing, Safeguarding, or external agencies rather than through a Faculty-led process.

Where a formal risk assessment identifies a high and unacceptable risk that cannot be adequately mitigated within the University environment, the University may initiate or proceed under Level 3 of the Fitness to Study procedure without prior progression through earlier levels.

In such cases, the decision-making and review arrangements for Level 3 apply fully.

- 6.2.9 The Registrar is responsible for considering and approving all proposed suspensions and exclusions from premises or activities.
- 6.2.10 The Vice-Chancellor has exclusive authority to permanently terminate a student's studies in line with this policy. Where it is deemed there may be a conflict of interest, responsibilities will be transferred to a member of Council in line with University Statutes 16.6e and Section 11.5 in the Scheme of Delegation.
- 6.2.11 The Faculty or Dean can approve a student returning to study under this procedure. The Faculty Registrars and Faculty Administration Managers should be involved in supporting a student's return to study through monitoring action plan progress and the return to study process.
- The Head of Student Services (or nominee) should be consulted as part of the return to study decision and will provide oversight to ensure appropriate wellbeing support and reasonable adjustments are in place, including alignment with any existing Students of Concern or Fitness to Study considerations.

7. Definitions

Student

As used within the policy refers to a student enrolled at the University (whether full or part-time) and includes those of undergraduate, postgraduate taught, postgraduate research and professional programmes of study.

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Engagement

As used within the policy refers to the level of effort expected by a student to fulfil the academic requirements of their course in accordance with the terms of the University Student Contract.

Fitness to Study

Relates to a student's capacity to participate fully and or satisfactorily in their academic studies and student life generally at the University.

Fitness to Practice

Relates to a student's capacity to register and or practice in line with the requirements for a given profession. In connection with this policy, it applies to healthcare professions.