

## **FITNESS TO STUDY POLICY**

### **Introduction**

The University is committed to supporting and responding to student needs and to seeking to ensure a positive experience which assists students to engage with their studies and with the Southampton community. The University seeks to maintain an environment which is safe and conducive to teaching, learning and research and the well-being of all.

There may be instances where a student's health or well-being causes the University concern regarding the student's fitness to study on a course, including within a placement.

These regulations outline the policy, procedure and support available to both students and staff when a student becomes unwell and/or presents a risk to self and/or others. It is not intended to give guidance on wider matters relating to students with mental health needs but is intended to ensure a consistent and sensitive approach to managing specific situations which become problematic.

The University has a duty of care to respond appropriately to situations where there are concerns relating to visible signs of illness, mental health difficulties, psychological, personality or emotional disorders and the detrimental impact on the functioning of the individual student and/or other members of the University community. This may arise where, for example, the University is concerned that:

- i. A student's ability to study is neither manageable nor achievable in relation to specific tasks and/or activities;
- ii. A student poses a risk to his/her own health, safety and/or wellbeing and/or that of other persons;
- iii. The student's behaviour is, or is at risk of, negatively affecting the teaching, learning and/or experience of other students;
- iv. The student's behaviour is or is at risk of negatively affecting the day-to-day activities of the University and/or a placement provider.

This policy links closely to other policies of the University such as, Fitness to Practice, Special Considerations and the Progression regulations. The appropriate policy will be used for individual cases but in some cases, where student behaviour or risk is a significant factor, the University may choose to initiate another process either alongside or in place of Fitness to Study.

An annual report of the number of Fitness/Return to Study cases and their outcomes is included in the annual report prepared by Student Services which is submitted to the Academic Quality and Standards Committee (AQSC) .

#### *Definitions*

'Exclusion' is a selective restriction on attendance or access to the University, or prohibition on exercising the functions or duties of any office or committee membership in the University or Students Union, the exact detail to be specified in writing.

'Students' include all undergraduate, postgraduate taught, postgraduate research and students in full time and part time study.

'Suspension' is a total prohibition on attendance at or access to the University and on any participation in University activities. It may be subject to qualification such as, for example, permission to attend for the purposes of an examination.

### **Section A The Policy**

#### **1.0 Policy Purpose and Scope**

1.1 The purpose of this policy is to support students and staff in managing scenarios and incidents that cause significant concern and that require an appropriate level of intervention, that is:

- i. to identify the appropriate response by academic and support service staff in the circumstances where it is not considered appropriate to apply disciplinary procedures, in particular, because the student's behaviour should be managed rather than punished;
- ii. to provide a non-judgemental, consistent, sensitive and co-ordinated approach to the management of a situation where it is apparent that a student's mental and/or physical functioning may prevent him/her from gaining benefit from the educational and social provision at a particular time, or is adversely affecting the student experience of others, or has extended beyond the pastoral support that exists within the academic units and where Fitness to Practice/Disciplinary procedures are not applicable or appropriate;
- iii. to enable staff to identify the limits to the support which they can provide and the appropriateness of referring the student onto other agencies;
- iv. to signpost areas of support for staff;
- v. to identify and implement reasonable adjustments where appropriate;
- vi. to ensure appropriate support for students affected by, or involved in, the interaction with other students in the aforementioned circumstances;
- vii. to consider the lawful application of temporary suspension or permanent exclusion, and the justification for such an action.

1.2 The policy's procedure has 3 main levels and guidance for emergency situations, based on the degree of concern and/or the perceived seriousness of the situation.

- Level 1 *Emerging and On-going Concerns for Tutors* (associated with low risk)
- Level 2 *Persistent Disruptive Behaviour or Behaviour Otherwise Giving Cause for Serious Concern* (associated with medium risk)
- Level 3 *Suspension or Exclusion of Student* (associated with high risk)
- Level 4 *Emergency Situations* (associated with high risk)

Refer to the *Fitness to Study Procedure* and flowchart maps for application of the Policy.

## **2.0 Data Protection Issues**

2.1 University staff are governed by the requirements of the Data Protection Acts 1984 and 1998. Under these acts, all data relating to a person's physical or mental health is regarded as sensitive, personal data. Sensitive data, for the purpose of this policy, is deemed to be information given in confidence concerning, for example, a student's ill-health or disability, including mental health illness.

2.2 The University will process all personal information in accordance with its [Data Protection Policy](#).

## **3.0 Confidentiality**

3.1 In all cases where, in the member of staff's judgement, it would be in the student's best interests to disclose sensitive information (e.g. so that appropriate support may be provided) the student's informed consent should be obtained where possible. Once consent has been obtained, it is the responsibility of the person passing on the information to ensure it is done under the terms agreed with the student.

3.2 If the student chooses not to provide their consent this decision should be respected in most instances. In this scenario, the implications of non-disclosure in terms of additional support should be made clear. However, there exist rare occasions when the student's consent is withheld, or it is impracticable to try to obtain it, when confidentiality may be broken. These include:

- When the student's mental health has deteriorated to the extent of threatening his/her personal safety
- When the student is at risk of serious abuse or exploitation
- When the student's behaviour is adversely affecting the rights and safety of others
- Where the member of staff would be liable to civil or criminal procedure if the information were not disclosed (e.g. if a crime had been committed)

- Where the student is either under 18 years or a vulnerable adult (see University Safeguarding Policy <http://www.calendar.soton.ac.uk/sectionIV/safeguarding.html>)

3.3 Staff should first consult with Enabling Services if they believe there is a need to break the commitment to confidentiality. Initial discussion should not identify the student until the grounds for breaking confidentiality have been established and agreed upon.

#### **4.0 Support**

4.1 During all stages of the procedure, students may seek support and be accompanied to meetings by a member of their medical support team; University Support Services; Enabling Services or a SUSU representative .

4.2 The role of the individual accompanying the student is not to offer formal representation, but to offer support and advice to the student.

#### **5.0 Appeals**

Provided the student has grounds (see 5.1 below) they may appeal against a decision made under the Fitness to Study Policy by following the procedure outlined in Section B (6).

##### **5.1. Grounds for appeal**

Students may only appeal against a decision if they can show on the balance of probabilities:

- 5.1.1 They have new substantive information that may have affected the decision; and/or
- 5.1.2 That there has been significant failure of due process in the making of the original decision, which the student believes affected that decision

#### **6.0 Review of Policy and Procedures**

This policy and procedures will be the subject of a regular review, undertaken by Student Services on behalf of the University.

### **Section B The Procedure**

The Policy's procedure has 3 main levels and guidance for emergencies, based on the degree of concern and/or the perceived seriousness of the situation. They are Level 1 Emerging and On-going Concerns for Tutors (associated with low risk); Level 2 Persistent Disruptive Behaviour or Behaviour Otherwise Giving Cause for Serious Concern (associated with medium risk); Level 3 Suspension or Exclusion of student (associated with high risk); and Emergency Situations (associated with high risk).

The assessment of risk level for the student and/or other persons is best done by the Faculty or Department in consultation with the Enabling Services. Low risk situations are generally characterised as not requiring any immediate additional professional interventions; medium risk situations may imply a need for appropriate interventions from one or more university or external support services; high risk situations may imply immediate or emergency interventions as appropriate to the situation.

The procedure can be entered at any level; however, in most cases Levels 1 and 2 should be used before escalation to Level 3. If the concerns are not remedied by the recommended and agreed actions at one level then next level may be instigated. If a student presents with significant concerns and is escalated directly to Level 3, this should happen in discussion with the Service Delivery Managers in Student Services and with agreement with the relevant Faculty/Academic Unit. Process charts in the Appendix also outline the process for escalation and instigating any Fitness to Study concerns.

This procedure outlines the usual timescales at the various levels of the process. Please note that where 'working days' are mentioned, this excludes weekends, bank holidays and University closure days.

The Fitness to Study Level Table and process charts of this procedure can be found in the Appendices.

Reasonable adjustments to this procedure can be made, when appropriate, for students with additional needs or to allow for other factors that would otherwise place a student at a disadvantage. If the University and student agree, any meetings may be held by video conferencing, Skype, telephone conferencing or other appropriate means

#### **1.0 Level 1 - Emerging and On-going Concerns**

1.1 In situations where a student's behaviour or wellbeing causes concern but does not present an immediate crisis e.g. on-going depression, anxiety, eating disorder etc., initial support is best handled 'locally', i.e. through the academic or senior tutors that exist within the academic unit or Faculty, or, if the behaviour is exhibited in University owned or managed accommodation, through the Residences Support Team. The academic tutor fulfils key academic and pastoral functions, often closely interrelated, by providing a clear and crucial point of contact for the individual student in his/her interactions with the University. Additionally, the student may be supported by a member of staff that holds a responsibility for pastoral support where this exists. However, it should be made clear to the student where there are concerns relating to their mental and/or physical health, and the impact upon the individual and/or other members of the University community, that such concerns exceed the usual pastoral role and need to be referred onto the Enabling Services for specialist support. See process chart, Appendix 2.

1.2 Where it is suspected that a student's behaviour may be related to an on-going or emerging mental health problem, it is important to consult the Enabling Services. However, in cases of emergency situations e.g. immediate intent to seriously self-harm, commit suicide or to harm others, the procedure outlined in section 6 must be followed to avoid any unnecessary delay or risk.

1.3 The student should be encouraged to access the Enabling Services or to get help through their GP. Individual meetings between the Enabling Services and the student and member(s) of staff will ascertain the student's and member(s) of staff perception of the issue(s) causing concern. The concern should be reported to First Support in all circumstances. If there is a significant concern or risk that a student may cause harm to him/herself or others, then obtaining the student's permission to report these concerns is desirable, but not essential.

## **2.0 Level 2 - Persistent Disruptive Behaviour or Behaviour Otherwise Giving Cause for Serious Concern**

2.1 If the situation being monitored locally in Level 1 escalates in anyway e.g. complaints from other students regarding behaviour, a significant concern for academic achievement is held e.g. assignments missed etc., or if the student refuses to access support (in denial) and/or begins to exhibit behaviour that is causing significant concern e.g. repeated missed appointments, disengaging with study, social withdrawal, Enabling Services should be informed as soon as possible. Explicit consent from the student to contact is desirable but is not required. The Enabling Services will co-ordinate and monitor a response to the situation with the Faculty/Academic Unit through the active intervention of member(s) of specialist support staff.

2.2 An appropriate member of staff from the Enabling Services will contact or meet the student and member of staff to offer support and, in conjunction with the Enabling Services Delivery Manager where applicable, make a decision regarding referral to local statutory agencies if appropriate. If it is necessary to seek the intervention of the student's GP and/or mental health services, this will be done through the Enabling Services. The Fitness to Study policy should be explained to the student at this point to support the student while things are difficult for them. The Faculty/Enabling Services concerns and the student's options should also be discussed and made clear e.g. to seek support, reasonable adjustments that are felt to be appropriate, self-suspend, or if things do not improve, progress to formal fitness to study panel. See process chart, Appendix 3.

2.3 Where necessary and appropriate, Student Support Services will also offer support to those students and colleagues who may be affected by any incident or on-going situation e.g. in student accommodation. The Enabling Services will keep a central record of all referrals, action and developments in the case and relevant colleagues will be updated on a 'need to know' basis.

2.4 In cases where it becomes apparent that an individual student's support needs are beyond the containment of the University, the Enabling Services will alert the relevant academic lead (e.g. Director of Programmes, Associate Dean etc.) to the situation. A decision may be made to follow other related policies such as Discipline or Fitness to Practice at this point. A clear decision making process should be followed to ensure the student is treated fairly and independently but under the most relevant policy.

2.5 A decision will be made by the relevant academic lead, with advice from Enabling Services, as to whether the student's nominated emergency contact should be informed in extreme circumstances. Such decision-making needs to be guided by the University's Duty of Care.

2.6 Where appropriate, there will be contact with Residences and the Security Office, particularly if the student, or others living close to the student, may need to be moved to alternative accommodation.

## **3.0 Level 3 – Exclusion or Suspension or of Student** (see process chart, Appendix 4)

3.1 Behaviours within the context of this Policy are not mutually exclusive of existing disciplinary regulations or general powers to terminate studies, if necessary the Fitness to Study outcome and findings will feed into relevant other policies to ensure the safeguarding of all members of the University Community and associated bodies.

3.2 Unresolved significant concerns about an individual's engagement with their study or unresolved significant concerns regarding their health or behaviour, e.g. repeated suicide attempts, inappropriate or abusive language/conduct or persistent non-attendance in lectures/assigned tasks as result of health issues, will prompt a **case conference** to discuss the appropriate action. See process chart, Appendix 5.

3.2.1 The case conference can be requested by anyone in the Faculty

3.2.2 The conference will be convened and chaired by a Student Services Service Delivery Manager, or their nominee,

3.2.3 The group will include (where applicable) representative(s) from the academic unit (i.e. academic or senior tutor or supervisor), student's GP (or appropriate health worker), Residences staff and other staff as appropriate.

3.2.4 The case conference should be convened within 10 working days from the decision to take this course of action and will involve the student.

3.2.5 The student should be given the option of bringing SUSU representative or other responsible person to support them in the process. See process chart, Appendix 3.

3.2.6 All those present must, at all times, treat **all** evidence as confidential.

3.3 The case conference may consider various options in discussion with the student, including recommending additional support strategies, review of progress, alternative accommodation (see process chart, Appendix 4), exclusion or suspension.

3.4 A recommendation will be made by the Chair on whether the student should be required to take a leave of absence from their studies at the University whilst appropriate means of addressing the situation are being considered.

3.5 If the student's behaviour has caused disruption in University accommodation, it may also be necessary for the Residences Service Delivery Managers to make a decision on whether temporary or permanent exclusion from the residence is required and this is managed through separate processes See process chart, Appendix 6.

3.6 Due care and consideration will be exercised in reaching this decision, through consultation with Enabling Services, to avoid, as far as possible, the student being placed in a more vulnerable situation or a situation that increases the vulnerability of other students.

3.7 The agreed course of action will be communicated to the student by the Student Services Service Delivery Manager (or nominated other).

3.7.1 This must be communicated, in writing, i.e. Case Conference Letter, within 5 working days of the agreement if it was not able to be discussed at the completion of the case conference.

3.7.2 The manner of communication will be agreed with the student in the original case conference so that they are aware of the next steps and communication channels.

3.7.3 The student will be informed that they have the option of being supported during any further meetings that they are required to attend.

3.8 In rare emergency situations (Section 4) an immediate interim conference can be held to make decisions about the immediate wellbeing of a student.

3.8.1 This conference must involve and be chaired by a member of Enabling Services, appropriate decision makers within the Faculty

3.8.2 If required, the conference can be held via telephone or email to accommodate the student being in a safe place.

3.8.3 All those present must, at all times, treat **all** evidence as confidential.

3.8.4 Regardless of any decisions made in an immediate interim conference a full case conference (as in 3.2) should be held within 10 working days of the decision to hold a Fitness to Study panel to allow the student a fair and independent hearing.

3.8.5 An emergency meeting can put in place effective interim measures e.g. temporary suspension, recommend hospital treatment, contact with next of kin etc. to safeguard an individual.

3.8.6 Under exceptional circumstances, i.e. when the student is deemed to be at significant risk, the University will contact the student's next of kin without gaining the student's consent. NB: Particular consideration will need to be given to students who are Under 18 and those students deemed to be vulnerable adults.

Follow Up to the Case Conference:

3.9 The student will be informed of the 'Return to Study' procedure and process in the Fitness to Study Follow Up to the Case Conference meeting.

3.10 The Student Services Service Delivery Manager will clearly communicate to the student that the Fitness to Study procedures are quite separate from the University's Disciplinary Procedures. It will also be made clear why the University is recommending this course of action.

3.11 If the student's behaviour is such that under normal circumstances they would have been subject to disciplinary procedures, this may remain the most appropriate course of action, especially if there is evidence that the student has an identified mental health problem or other diagnosed condition. However, the fact that a student has mental health difficulties in no way lessens the duty of care that the University owes to other students. The duty of care to students with mental health problems should be balanced against the duty of care to other students and/or the University community.

3.12 Where the student's next-of-kin/emergency contact is not able to be involved in the practical arrangements (e.g. to assist the student in making arrangements for alternate accommodation), the student's academic department, in conjunction with University support services, will endeavour to provide a reasonable level of support in carrying out these tasks. In some cases, it may be necessary to involve external agencies. It is not the responsibility of the University to ensure safety of an individual; if this is a concern external agencies must be involved e.g. GP, Community Mental Health Teams, and Police, etc.

3.13 The student will, under normal circumstances, be given direction to request the temporary self-suspension of his/her study.

3.14 The relevant academic lead e.g. Associate Dean (or nominee) will formally notify the Faculty Academic Registrar (FAR).

3.14.1 The FAR will inform, as appropriate, the Local Education Authority, Fees, Highfield Health, University Health Service, Occupational Health, and where applicable, external health services (e.g. Home Care Team) regarding the student's suspension of studies.

3.14.2 Banner should be updated accordingly.

3.14.3 SAA should be kept included in any correspondence to ensure the student record and liaison with the student is kept appropriate and up to date.

3.15 The Student Services Service Delivery Manager will hold a de-briefing meeting(s) for relevant staff.

3.15.1 The de-briefing meeting will be held within 14 days of communicating the recommendations to the student concerned.

3.15.2 All those present must at all times treat **all** evidence as confidential.

3.15.3 A brief record of the meeting will be made and circulated to all present and to other partners on a 'need to know' basis.

3.15.4 The recording of information is underlined by the concept of 'latent duty', where it can be necessary to have evidence of what action has been taken in respect of supporting a student when a disability has been declared.

3.15.5 Any lessons learnt will be shared with relevant parties for future learning i.e. shaping of the policy.

#### **4.0 Level 4 - Emergency Situations**

It is possible that a student may pose such an extreme risk of harming themselves and/or others that they require emergency assistance outside of these procedures.

4.1 In such circumstances, the Emergency Services should be contacted by dialling 999. Where appropriate, the University's Security Service may also be contacted by dialling the 24-hour Emergency Control Centre 023 80592811 (int. 22811). This should be followed up by notifying the Enabling Services (023 8059 7488 during office hours or via Security out of hours). It should be noted that Security staff have a role to coordinate appropriate support through a referral system, not to deliver specialist support, advice or guidance direct to the student or member of staff. See process chart, Appendix 7.

4.2 In some situations a student may indicate that he/she has suicidal thoughts. It is important to ensure that the student accesses medical help as soon as possible. How this is achieved will depend on the circumstances. Generally, Enabling Services should be contacted with immediacy (023 8059 7488/7726), out of normal office hours (6pm – 8am) the Security Control Centre should be called who will contact the Student Services out-of-office on-call team for advice and support.

4.3 During surgery opening hours, and if the student is willing to see a doctor, the Enabling Services will contact the GP's surgery to explain the situation and make an emergency appointment (Highfield Health: 023 80595545 or University Health Service: 023 80593539, both numbers are 24 hours).

4.4 Enabling Services will also inform the student of the other support services and encourage a referral where appropriate.

4.5 Enabling Services will ensure that follow-up contact is made with the student.

## **5.0 Return to Study**

5.1 Following a period of absence from the University for recuperation or treatment, it may be appropriate for the student to return to resume studies. If this is the case, it will be necessary to ensure that the student is assisted by their Faculty or academic unit, with advice from Enabling Services, in their return to the University. See process chart, Appendix 8.

5.2 The student's academic unit will require the student to produce appropriate confirmation of their health and ability to resume studying from a medical or health professional. If a student has been under suspension from the University due to psychiatric ill-health, they will need a formal assessment by a psychiatrist before returning to study. The Enabling Services will support the student to access an appropriate referral.

5.3 The Enabling Services, working in partnership with relevant others will conduct a review of the documentary evidence of the student's mental and/or physical wellbeing and contextualise such evidence within the demands of the course. The student and the Faculty Academic Registrar will be informed of the outcome of the review.

5.4 The consideration of the duration of any suspension will include:

5.4.1 the most appropriate time for the student to return to study ,

5.4.2 the altered structure of the programme of study; and the ability of student support services to support the student.

5.5 Any suspension that exceeds a continuous period of 24 months will only be reviewed under exceptional circumstances.

5.6 Enabling Services will provide assistance with drawing up a 'Return to Study Plan' in consultation with the student and the relevant academic lead. The Plan will address and include:

5.6.1 the specific study-related support needs of the student in returning to education;

5.6.2 the support which is reasonably required in the short term;

5.6.3 the involvement of and liaison with external agencies;

5.6.4 any longer term support or adjustments that are reasonably required and any conditions that might or will apply to provision.

5.6.5 a risk management plan that takes account of the experiences that led to the student initially suspending from their course and any other information that is known to be relevant.

5.7 Any return to study will be subject to the student's co-operation with this process and full adherence to any agreements made.

5.7 Other members of staff within Student Services will be available to provide advice and support to facilitate the student's transition back onto the course, particularly in relation to any action that might be required under the Equality Act (2010). This will be arranged with the direct involvement of, or in consultation with Enabling Services.

## **6.0 Appeals Procedure**

Provided the student has grounds (see Section A, Policy, Appeals 5.0) they may appeal against a decision made under the Fitness to Study Regulations. See process chart, Appendix 9.

6.1 A student wishing to appeal should do so by writing (letter or email) to the Secretary of the Fitness to Study Panel within 14 working days of receiving the Case Conference Decision Letter. The letter must clearly explain their grounds for appeal and include any evidence.

6.2 The student's appeal will be passed to the Dean of Faculty (or nominee) who will appoint an Appeals Secretary (normally an Associate Dean, or nominee), who will be responsible for ensuring that the processes are correctly followed and appropriate records kept.

- 6.3 The Appeal Secretary will confirm receipt of the appeal letter within 5 working days, this communication should:
- 6.3.1 Recommend that the student consults SUSU for advice and assistance through the Appeals procedure
  - 6.3.2 Include a copy of the *Fitness to Study Regulations*
- 6.4 The Appeal Panel will hear the appeal within 14 working days of the receipt of the student's letter.
- 6.5 The Appeal Panel will normally be comprised of:
- 6.5.1 Dean of Faculty or nominee (Chair)
  - 6.5.2 Senior member of Student Services not previously involved in the Fitness to Study procedure and with expertise in this area.
  - 6.5.3 Senior member of the student's Faculty not previously involved in the Fitness to Study procedure
- 6.6 Once a date for the Appeal has been decided, the Appeal Secretary will send copies of these regulations to all parties and confirm the following in writing to the student:
- 6.6.1 The date, time and place of the meeting
  - 6.6.2 The members of the Appeal Panel
  - 6.6.3 That the student is entitled to attend in person, alone or with an independent adviser from SUSU or another member of the University.
  - 6.6.4 That the student is also entitled to bring a member of their medical support team; University Support Services; or Enabling Services if they wish.
- 6.8 All documentation, including the notes of the Fitness to Study Case Conference and Fitness to Study Case Conference letter will be sent to the student and Appeal Panel no less than 5 working days before the date of the Appeal meeting.
- 6.9 The following people will normally be present at the Appeal meeting:
- 6.9.1 The student making the appeal
  - 6.9.2 The independent adviser from SUSU or another Member of the University accompanying the student if invited by student.
  - 6.9.3 A member of the student's medical support team; University Support Services; or Enabling Services if the student wishes.
  - 6.9.4 Members of the Appeal Panel
  - 6.9.5 The Appeal Secretary, as Notetaker
  - 6.9.6 A representative of the Fitness to Study Panel who will present the case.
- 6.10 If the student is unable to attend the Appeal meeting the Appeal Panel reserve the right to proceed in the student absence. However if the student provides valid reasons in advance for being unable to attend, consideration should be given to rescheduling the meeting if practical to do so.
- 6.11 All those present must at all times treat **all** evidence as confidential
- 6.12 The Appeal Panel may wish to hold a private meeting before the start to consider the written evidence. After this at the appointed time, the Chair will invite the student, the student's representative(s) and the representative of the Fitness to Study Panel to enter the room together.
- 6.13 The Chair will then:
- 6.13.1 Welcome the student, introduce those present and explain their roles and the procedure to be followed.
  - 6.13.2 Invite the student to confirm the basis of their appeal and the outcome they are seeking.
  - 6.13.3 Invite the representative of the Fitness to Study Panel to state the facts of the case including the reasons for the decision.
  - 6.13.4 Invite the student to state their case and make any comments on the case presented by the representative of the Fitness to Study Panel.
  - 6.13.5 Invite the representative of the Fitness to Study Panel to add any further comments.
  - 6.13.6 Invite the panel to question the student and the representative of the Fitness to Study Panel.



6.13.7 Give the student and the representative of the Fitness to Study Panel the opportunity to raise any more points.

6.14 The student's representative(s) may be invited to speak at the student's request or the request of the Chair.

6.15 The student, the student's representative(s) and the representative of the Fitness to Study Panel then leave the room **at the same time** and the panel will consider its decision in private. The decision must be made solely on the basis of the evidence presented at the meeting.

6.16 Possible Outcomes of the Appeal Panel

The Appeal Panel may:

6.16.1 Uphold the student's case and agree to implement the outcome they are seeking.

6.16.2 Uphold the student's case and offer an alternative outcome.

6.16.3 Uphold the original decision

6.17 The Appeal Secretary will prepare a written report of the Appeal Panel's decision. Normally within 5 working days of the meeting, the following will occur:

6.17.1 Report sent to the Appeal Panel and the student

6.17.2 Copy will be sent to the Faculty Academic Registrar

6.17.3 Inform Student and Academic Administration (SAA) if the Appeal Panel outcome is different from the original decision.

6.18 External Review - Office of the Independent Adjudicator for Higher Education

6.18.1 A Completion of Procedures (COP) letter signifies to the student that the University's internal procedure for appeals has been completed and should be sent to the student normally within 30 working days of the University's final decision if the appeal is not upheld.

6.18.2 If the appeal is upheld or partially upheld, the student may request a COP letter

6.18.3 Information about the OIA's procedures may be found at <http://www.oiahe.org.uk/> or in the OIA leaflet 'An Introduction to the Student Complaints Scheme' which is available from the SUSU Advice Centre. Students wishing to make a case to the OIA must normally do so within 3 months of the date of the Completion of Procedures letter, in writing using the Scheme Application Form.

6.18.4 Contact details for the Office of the Independent Adjudicator are:

Office of the Independent Adjudicator

3rd Floor

Kings Reach

38-50 Kings Road

READING

Berks RG1 3AA

Tel: 01189 599813

Email: [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk)

## **SECTION C**

### **General Matters**

#### **1.0 Key Referral Contacts**

1.1 Enabling Services provides information, resources and additional contact information for students experiencing difficulties, including counselling, dyslexia and disability support, and learning support, on the University website at <http://www.southampton.ac.uk/edusupport>.

1.2 Key referral contacts within and external to the University are listed in Appendix 7.

## **APPENDICES**

### **Appendix 1-9: Flowcharts of the Procedure**

Reviewed in March 2014; changes made.

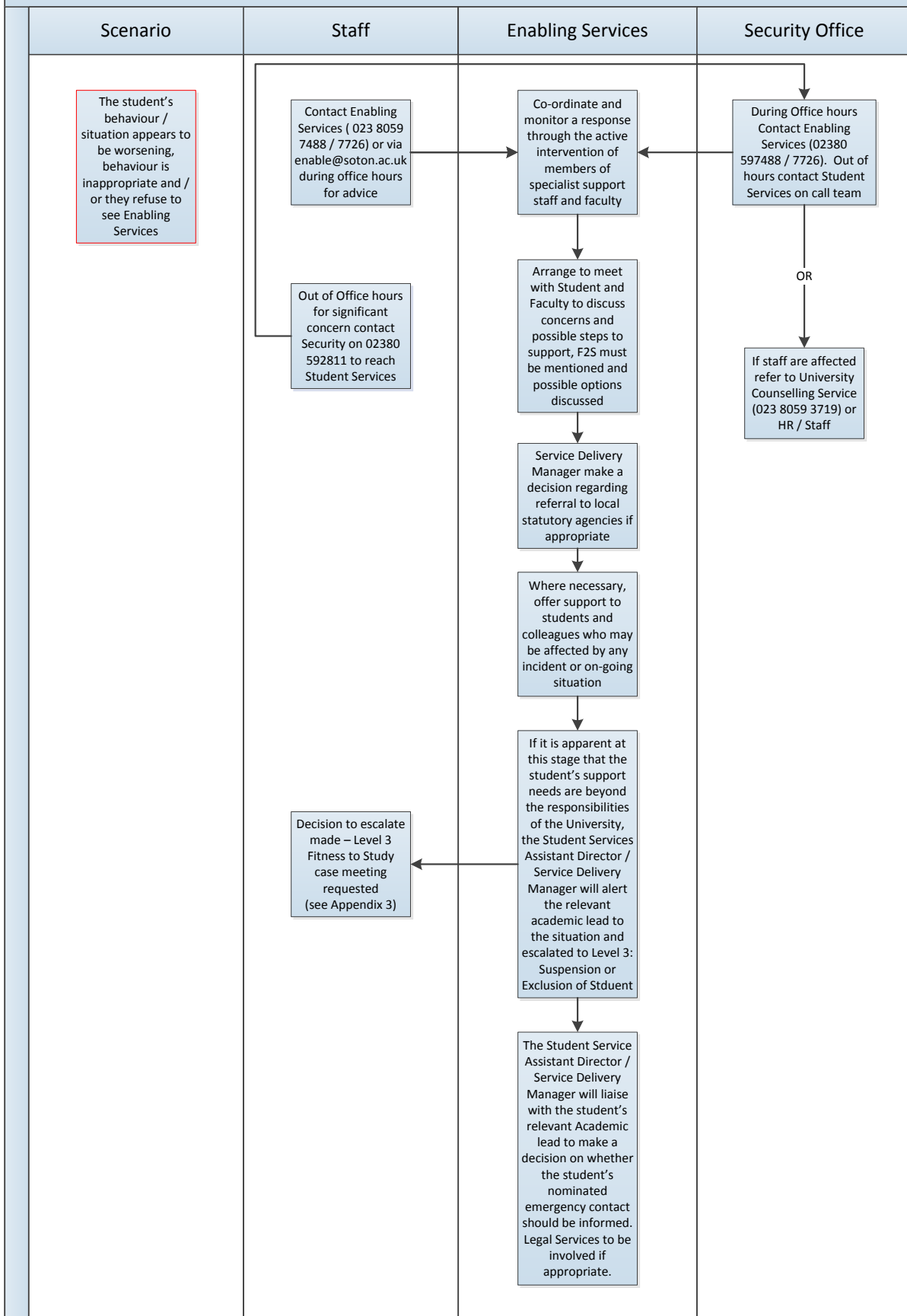
### **Appendix 10: Key Referral Contacts List**

Appendix 1 – Fitness to Study Levels			
Level 1: Emerging and On-going Concerns	Level 2: Persistent Disruptive Behaviour or Behaviour Otherwise Giving Cause for Serious Concern	Level 3: Suspension or Exclusion of Student	Level 4: Emergency Situations
Low risk	Medium Risk	High Risk	High Risk
Student's behaviour is causing concern but does not present an immediate risk (details in Procedure, section 1)	Student's behaviour/situation appears to be worsening; behaviour is inappropriate &/or they refuse to see Enabling Services (details in Procedure, section 2)	Student's behaviour/situation is deemed to be critical  (details in Procedure, section 3)	Student's behaviour present an immediate & serious risk to themselves &/or to others (details in Procedure, section 4)
Staff discussion with student    ↓	Staff contact Enabling Services    ↓	Lead academic representative to request & attend case conference    ↓	Staff or Enabling Services call Emergency Services 999; Staff or Enabling Services call University Security if need assistance with behaviour & risk Staff contact Enabling Services if not already involved   ↓
Staff discussion with Enabling Services    ↓	Enabling Services coordinate action: Meeting with Student & Faculty for discussion of concerns    ↓	Enabling Services – Service Delivery Manager convene & chair case conference with Procedure specified attendees <i>within 10 working days</i>    ↓	Enabling Services provide advice, support & guidance to student & staff where required    ↓
Enabling Services provide advice, support & guidance to student and staff    ↓	Enabling Services coordinate action: next steps dependent upon situation (in Procedure, sec 2)    ↓	Recommended action from case conference to be communicated to the student in writing <i>within 5 working days</i>    ↓	2.) <i>Student is indicating suicidal ideation</i> (details in Procedure, section 4)
Continuing issue(s): escalate to Level 2    ⇒	Continuing issue(s) & beyond the University's responsibilities: escalate to Level 3    ⇒	Student to be informed of Return to Study procedure (Procedure, section 5) & Appeal Process if not satisfied with decision    ↓	Staff contact Enabling Services    ↓
		Faculty to inform all necessary departments & organisations; Enabling Services to assist with practical arrangements as required	Enabling Services arrange emergency appointment with Health Service (GP hours)/with NHS (out of hours)  ↓ Enabling Services assess risk & make appropriate referral either internally or externally.

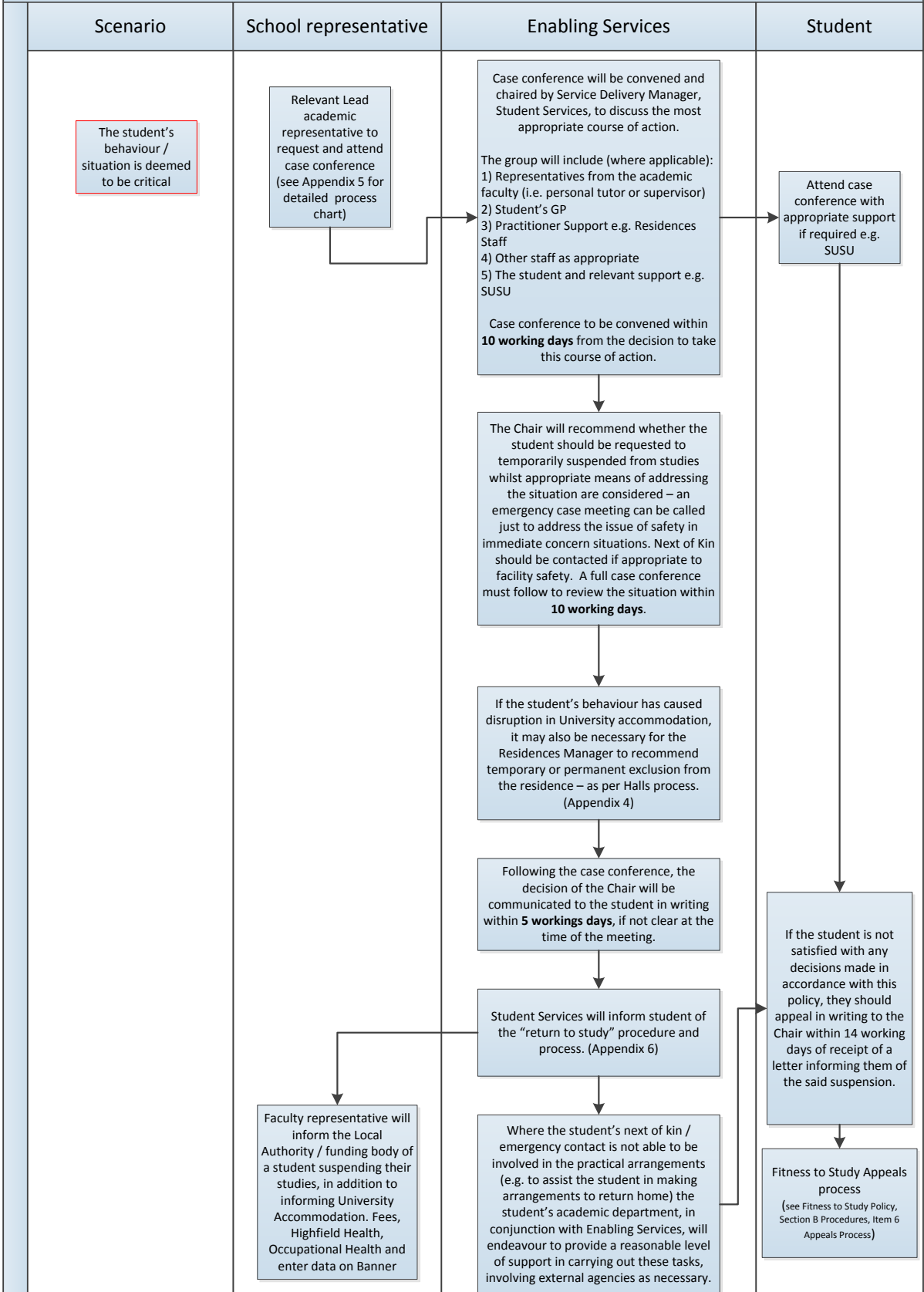
Appendix 2 – Level 1: Emerging and On-going Concern

Scenario	Individual (Staff)	Enabling Services	Examples of concern
<p>The student's behaviour is causing concern but does not present an immediate risk</p>	<pre> graph TD     A[Make it clear to the student that there are concerns relating to their mental health and / or physical health and the impact upon the individual and / or other members of the University community] --&gt; B[Seek the student's permission to contact Enabling Services]     B -- Permission given --&gt; C[Contact Enabling Services (023 8059 7488 / 7726) during office hours for support, advice and guidance relating to student]     B -- Permission not given --&gt; D[Contact Enabling Services for support, advice and guidance WITHOUT disclosing student identification]     </pre>	<pre> graph TD     E[Any decision to break student confidentiality should be made in consultation with Enabling Services] --&gt; F[Provide advice, support and guidance to student and staff as required]     </pre>	<p>Diagnosed Depression          Suspected Depression          Anxiety          Low level self-harm (no suicidal ideation)          Bereavement          Relationship breakup          Stress          Homesickness          Health conditions such as: diabetes, epilepsy, ME/CFS (but are well controlled), etc.</p>

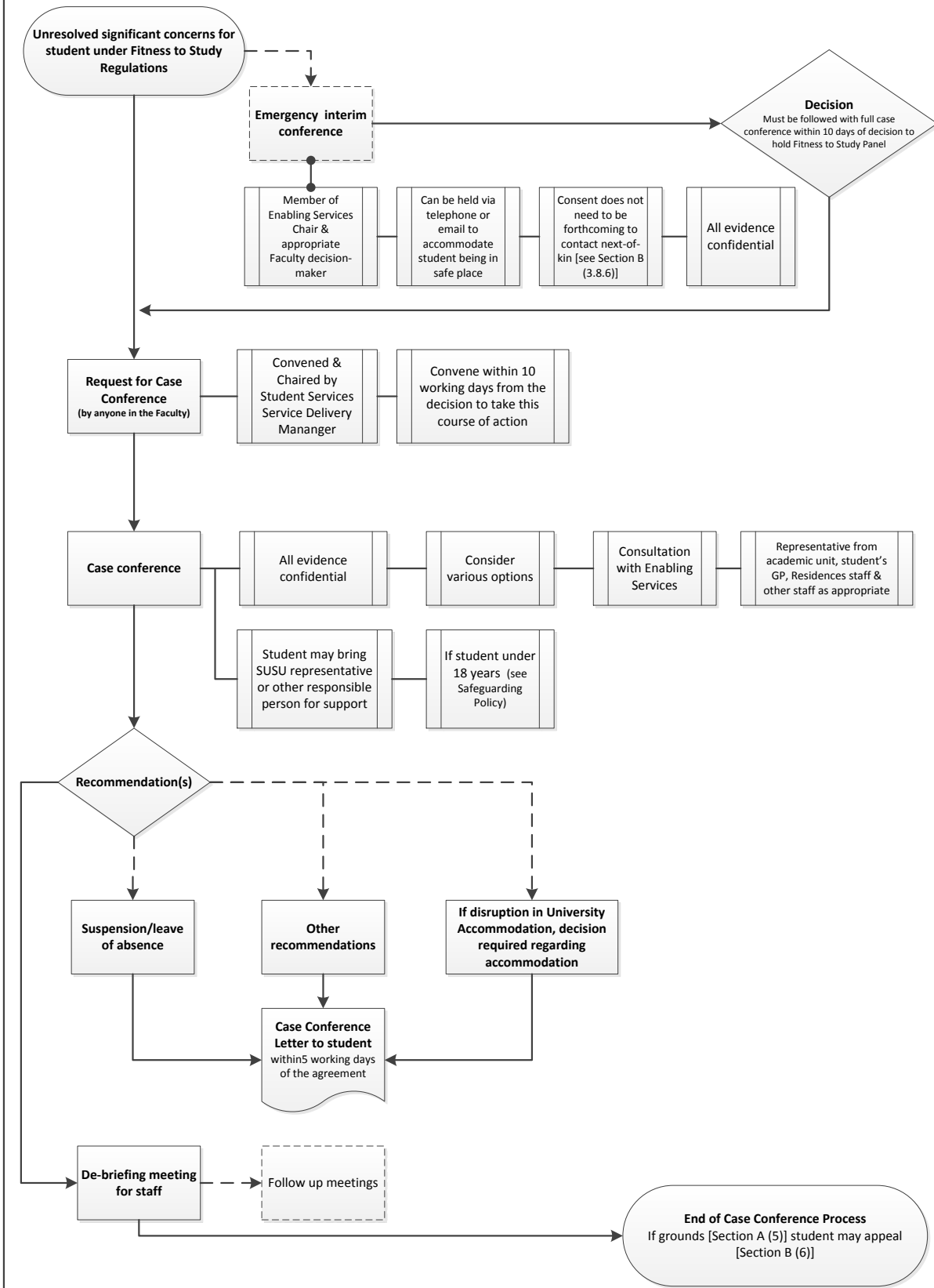
Appendix 3 - Level 2: Disruptive Behaviour or a Situation Giving Cause for Serious Concern



Appendix 4 - Level 3: Suspension or Exclusion of Student



## Appendix 5 – Case Conference Procedure



Appendix 6 - Need for alternative student accommodation

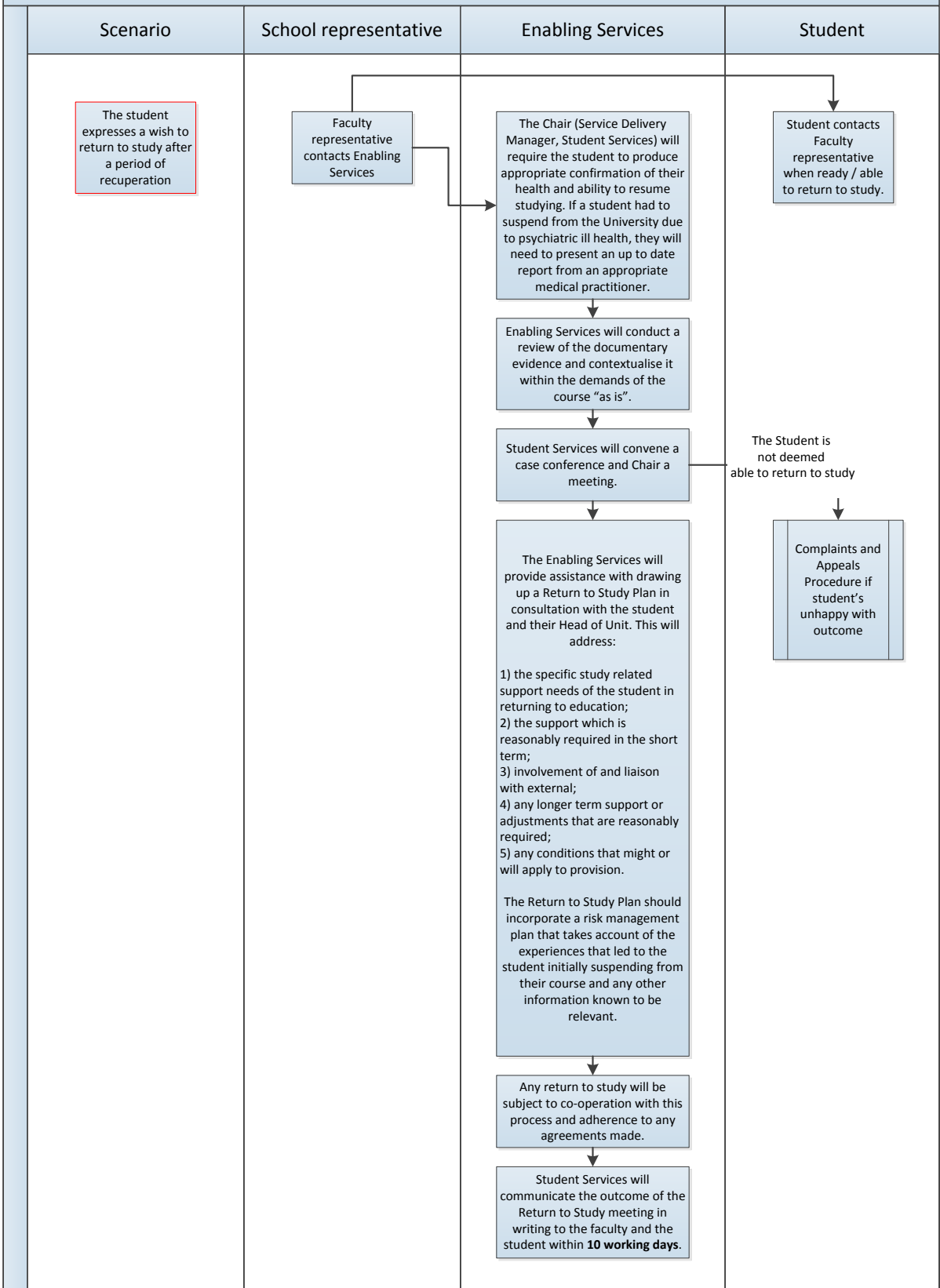
Scenario	Individual	Enabling Services	Security Office
<div data-bbox="300 360 456 524" style="border: 1px solid red; padding: 5px;">                     The student's behaviour / situation has prompted the need to be placed in alternative accommodation                 </div>	<div data-bbox="592 421 751 517" style="border: 1px solid gray; padding: 5px;">                     Contact Enabling Services (023 8059 7488 / 7726) for advice and guidance                 </div>	<div data-bbox="871 398 1031 539" style="border: 1px solid gray; padding: 5px;">                     Contact Residences Manager to make practical arrangements for alternative accommodation                 </div> <div data-bbox="871 678 1031 819" style="border: 1px solid gray; padding: 5px; margin-top: 20px;">                     Liaise with Student, Residences Support and other relevant people to facilitate safe and effective move                 </div>	<div data-bbox="1166 421 1326 517" style="border: 1px solid gray; padding: 5px;">                     Contact Enabling Services (023 8059 7488 / 7726) for advice and guidance                 </div> <div data-bbox="1166 801 1326 898" style="border: 1px solid gray; padding: 5px; margin-top: 20px;">                     Security Office monitor situation                 </div>

Appendix 7 – Level 4: Emergency Situations

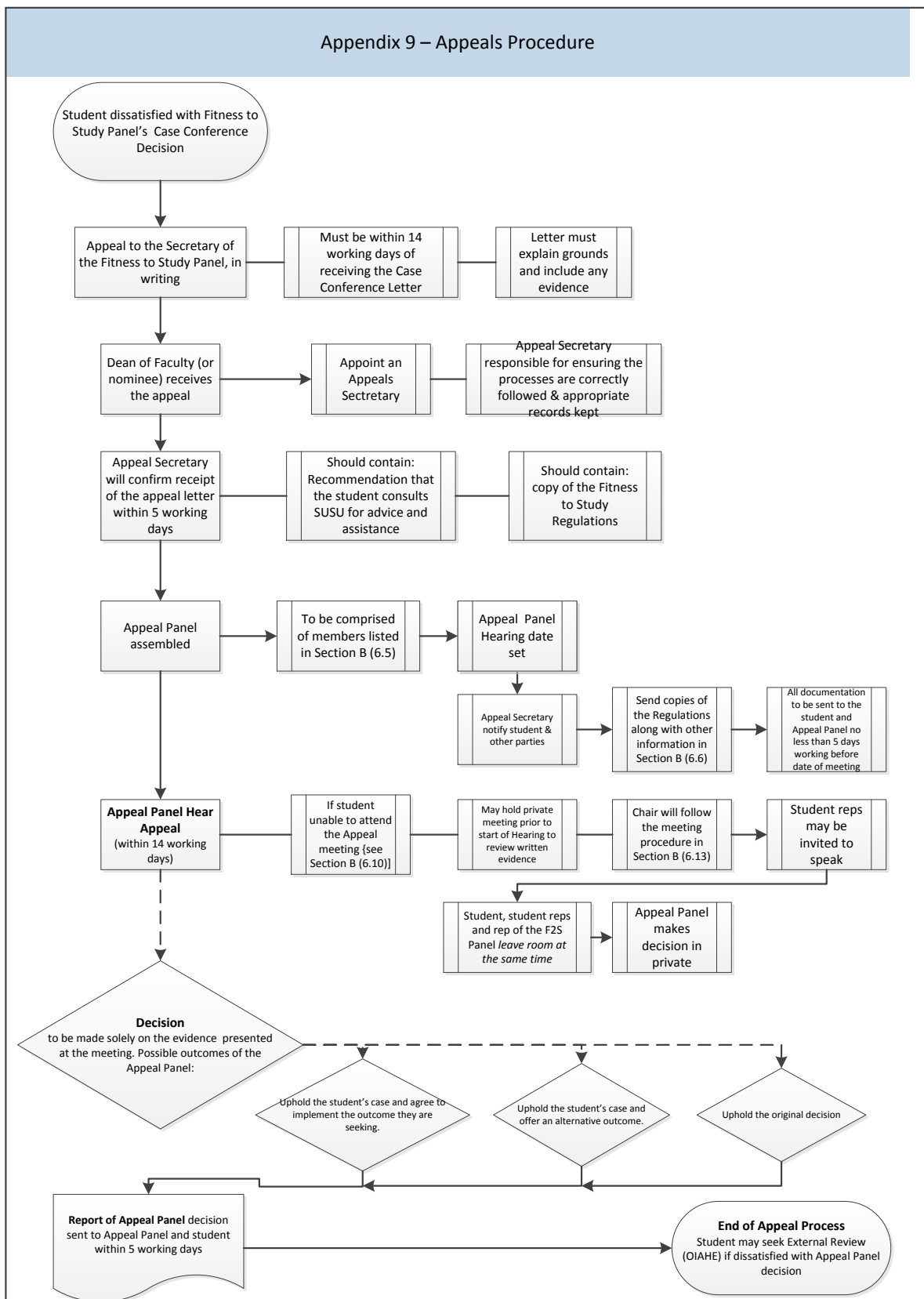
Scenario	Individual (Staff)	Enabling Services	Security
<p>The student's behaviour presents an immediate and serious risk to themselves and / or others</p>	<p>Call the Emergency Services by dialing 999</p> <p>↓</p> <p>Call the University Security Office by dialing the 24-hour Emergency Control Centre: 023 8059 2811 (int: 22811) for assistance in managing behaviour and risk</p> <p>↓</p> <p>Contact the Enabling Service by dialing: 023 8059 7488 / 7726 during office hours, or using the confidential Student Service number(s) out of hours</p>	<p>Call the Emergency Services by dialing 999</p> <p>↓</p> <p>Call the University Security Office by dialing the 24-hour Emergency Control Centre: 023 8059 2811 (int: 22811) for assistance in managing behaviour and risk</p> <p>↓</p> <p>Provide advice, support and guidance to student and staff where required</p>	<p>Call the Emergency Services by dialing 999 if this has not already been done</p> <p>↓</p> <p>Contact the Enabling Service by dialing: 023 8059 7488 / 7726 during office hours, or using the confidential Student Service number(s) out of hours</p>
<p>The student is indicating that s/he has suicidal ideation</p>	<p>Contact the Enabling Service (023 8059 7488 / 7726) 8-6pm. Out of office hours contact security on 023 8059 2811</p>	<p>During GP surgery open hours, make an emergency appointment (Highfield Health: 023 8059 5545 or University Health Service: 023 8059 3539. Out of hours use NHS emergency services</p> <p>↓</p> <p>Assess risk and make appropriate referral either internally or externally</p>	<p>Contact the Enabling Service (023 80597488 / / 7726) during office hours or out of hours the Student Services out of hours team</p>



Appendix 8 - Return to study



## Appendix 9 – Appeals Procedure



## Appendix 10: Key Referral Contacts

**Enabling Services provides information, resources and additional contact information for students experiencing difficulties, including counselling, dyslexia and disability support, and learning support, on the University website at <http://www.southampton.ac.uk/edusupport>**

### **Key referral contacts within the University are as follows:**

#### **Enabling Services – Administration:**

Enabling Services, external tel +44 (0)23 8059 7726, internal 27726

email [enable@soton.ac.uk](mailto:enable@soton.ac.uk)

#### **Enabling Services - First Support (Crisis Support):**

First Support, external tel +44 (0) 23 8059 7488, internal 27488

email [firstsupport@soton.ac.uk](mailto:firstsupport@soton.ac.uk)

**Residence Support** – For students living in university accommodation 02380 595777

**Students Union Advice Centre** – Above The Stag, Highfield Campus 02380 592085

### **Key referral contacts external to the University are as follows:**

#### **National Health Service**

University of Southampton Health Service 02380 593539

Highfield Surgery 02380 595545

NHS Direct – For advice 0845 4647

Southampton Out of Hours G.P. Service 03003 002012

#### **Samaritans**

Open to anyone at anytime      National line 08457 909090

Southampton Branch 02380 632888

## FITNESS TO STUDY PROCEDURE GUIDANCE NOTES FOR STAFF

### **Why a Fitness to Study Policy?**

The University is committed to supporting and responding to student needs and to seeking to ensure a positive experience which assists students to engage with their studies and with the Southampton community. The University seeks to maintain an environment which is safe and conducive to teaching, learning and research and the well-being of all.

The Fitness to Study procedure is intended as a supportive procedure which can be used by staff when a student's health, wellbeing and/or behaviour is having a detrimental impact on their ability to progress academically, to study, and/or function/cope with university life.

### **Does this apply to all student groups?**

The policy includes all undergraduate, postgraduate taught, postgraduate research and students in full time and part time study on the University campuses and/or placements.

### **How and When should the procedure be used?**

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.

The Fitness to Study Procedure should be considered as an alternative to other means of managing concern about academic conduct or progress where there is sufficient concern that a student's behaviour, attendance and academic progress could be the result of mental or physical ill health or disability or have an impact on the health and safety of other people.

### **What are the triggers for use of Fitness to Study Procedure?**

A student's fitness to study may be brought into question for many reasons and in a wide range of circumstances. These include, but are not restricted to, the following:

- The student has told a member of the university that they have a problem and/or provided information which indicates that there is a need to question their fitness to study.
- The student's disposition is such that it indicates that there may be a condition which is having a significant adverse impact on their health or which causes them to have difficulty making adjustments of a reasonable nature that may indicate a need to address an underlying mental health problem, for example they have demonstrated mood swings, shown signs of depression or become withdrawn.
- Serious concerns about the student emerge from a third party (e.g. house-mate, friend, colleague, placement provider, member of the public, medical professional) which indicate that there is a need to question their fitness to study.
- The student exhibits behaviour, which would otherwise be dealt with as a disciplinary matter, but which it is considered may be the result of an underlying physical or mental health problem.
- The student's academic performance or physical behaviour is not acceptable and this is thought to be the result of an underlying physical or mental health problem.

### **What about confidentiality and data protection?**

The University will process all personal information in accordance with its [Data Protection Policy](#).

The University's policy on Data Protection contains guidance on the use of sensitive information e.g. details about a student's mental health or condition and should be consulted by staff. In general, all personal data of a sensitive nature given to a member of staff by a student should be treated as confidential and should only be disclosed with the student's consent. Sensitive data, for the purpose of this policy, is deemed to be information given in confidence concerning, for example, a student's ill-health or disability, including mental health illness.

The Section A, 3. Confidentiality, Section 3.2 clearly outlines the exceptional instances when the student's consent is withheld, or it is impracticable to try to obtain it, when confidentiality may be broken.

### **What is the structure of the procedure?**

The procedure has 3 main levels, and procedure for emergency situations, based on the degree of concern and/or the

perceived seriousness of the situation. In addition, there is procedure for a student's Return to Study.

Level 1 Emerging and On-going Concern (associated with low risk)

Level 2 Persistent Disruptive Behaviour or

Behaviour otherwise Giving Cause for Serious Concern (associated with medium risk)

Level 3 Suspension or Exclusion of Student (associated with high risk)

Emergency Situations (associated with high risk)

The Policy and the process charts in the Appendices outline the specific procedure for each level.

### **What do I need to do for Emergency Situations?**

See Fitness to Study Policy, Section B Supporting Procedure, section 4 and Appendix 7 – follow the instructions.

### **What do I need to do for Level 1?**

See Fitness to Study Policy, Section B Supporting Procedure, section 1 and Appendix 2 – follow the instructions.

### **What do I need to do for Level 2?**

See Fitness to Study Policy, Section B Supporting Procedure, section 2 and Appendix 3 – follow the instructions.

### **What do I need to do for Level 3?**

See Fitness to Study Policy, Section B Supporting Procedure, section 3 and Appendix 4 – follow the instructions.

### **What is the Fitness to Study Case Conference process?**

See Fitness to Study Appendix 5 and Fitness to Study Policy, Section B Supporting Procedure, section 3 and Appendix 4 – follow the instructions.

### **What do I need to do for Return to Study?**

See Fitness to Study Policy, Section B Supporting Procedure, section 5 and Appendix 8 – follow the instructions.

### **What happens if a student is not satisfied with the decision-making process undertaken by the Fitness to Study Case Conference Panel and wishes to contest the decision?**

The student can appeal the decision of the Panel using the *Fitness to Study Appeal Process*. It is important that the student be advised to use this Appeal process rather than the University's *Regulations Governing Student Complaints*.

See Fitness to Study Policy, Section B Supporting Procedure, section 6 and Appendix 9 for specifics, including the relevant timeframes for each step.

### **Who are the key referral contacts in the university and in the community?**

Generally, if you are in doubt and need advice, contact: Enabling Service – Administration, external tel +44 (0)23 8059 7726, internal 27726

See Fitness to Study Policy, Section C General Matters, section 1 and Appendix 10.

### **What are the requirements for handling records associated with the Fitness to Study Policy and Procedure?**

You need to record in Banner all information as directed in the Procedure and appendix Flowcharts. Also record data in any Faculty or Service specific systems. Retain all related files (paper and electronic) to use to capture statistical data for annual reporting to University Programmes Committee (UPC).

Students may apply to return to study after up to 36 months of continuous absence, so it is important to retain these records for at least that period of time. It is only in exceptional circumstances that return to study will be considered after more than this period of time.

It is important to follow the University's Data Protection Policy guidelines for storage of sensitive information and to adhere to a high standard of confidentiality.

