

Fitness to Study (Undergraduates)

Rationale for the Policy

A Fitness to study policy is needed to resolve the following situations:

- i. Cases where a student wishes to suspend study voluntarily;
- ii. Cases where the College believes that in order to continue studying a student may require a support plan (compiled by the University Disability Advice service [DAS] or similar) but the student is unwilling to seek the advice of a competent medical professional;
- iii. Cases where the College wishes a student to suspend study but the student is unwilling to suspend;
- iv. Cases where the college wishes to terminate a programme of study;
- v. Cases where a support plan has been put in place to enable a student to continue studying but the student negates or refuses to engage with the support plan;
- vi. Cases where a student wishes to extend the length of suspension of study but the College does not support the application;
- vii. Cases where a student is on a year abroad or other placement.

Definition of Fitness to Study

For the purposes of this policy, 'Fitness to Study' refers to a student's fitness:

- to commence a distinct course of academic study; or
- to continue with his/her current course of academic study; or
- to return to his/her current or another course of academic study

and his or her ability to meet:

- the reasonable academic requirements of the course or programme; and
- the reasonable social and behavioural requirements of a student member (whether resident in college or not) without his or her physical, mental, emotional or psychological health or state having an unacceptably deleterious impact upon the health, safety and/or welfare of the student and/or other students and/or University or college staff.

Related policies and student support

The College subscribes to the University's guidelines on confidentiality and to the Common Disability Framework

https://www.ox.ac.uk/media/global/wwwoxacuk/localsites/studentgateway/documents/health/Guidance_on_Confidentiality_in_Student_Health_and_Welfare.pdf

http://www.admin.ox.ac.uk/media/global/wwwadminoxacuk/localsites/aad/documents/disability/A_common_framework_for_supporting_disabled_students.pdf

Free welfare support is available to all students within the College and also at University level:

<https://www.bnc.ox.ac.uk/current-students/welfare-support/welfare>

<https://www.ox.ac.uk/students/welfare?wssl=1>

Free independent advice is also available to all students:

<https://ousu.org/advice/student-advice-service/>

Guiding Principles

The College recognises that concerns over Fitness to Study may be raised by a variety of individuals, for example College or University staff, other students, and third parties such as medical professionals. The College will through its procedures promote early intervention and active collaboration between staff, students, and third parties to ensure as far as is reasonably possible consistency of approach. The College will endeavour to deal with such matters sensitively and non-judgementally and in a spirit of cooperation with students. Nevertheless, it is recognised that cases may arise in which, under its procedures, the College may make a determination that a student is unfit to study and that his or her studies should be suspended or terminated.

Fitness to Study Procedures

The Fitness to Study procedures are not an alternative to decanal or academic disciplinary action. These and other procedures (for example, fitness to practice) may also be initiated where appropriate. Similarly, a student's fitness to study may be considered notwithstanding that other procedures have been invoked. The College will, however, refrain from considering parallel procedures about the same substantive matter.

All matters dealt with under Fitness to Study procedures will take into account individual circumstances. Whilst it is anticipated that such cases will be exceptional, the College reserves the right to vary the process it follows when considering a matter in the interests of fairness and/or health and safety. The Fitness to Study procedures are based on the premise that students should be involved in the management of their own wellbeing wherever possible. Should a student, however, be unwilling or unable to participate in the procedures, the College may nevertheless follow its Fitness to Study procedures where it is reasonable to do so.

The Standard Procedure

Standard Procedure is expected to apply in the great majority of Fitness to Study cases which involve requests to suspend study or where academic progress concerns indicate that a support plan may be needed or an existing plan modified. The College's Lead Fitness to Study Officer (LFO) is the Diversity, Equality and & Harassment Officer. The College's Designated Fitness to study Officer (DFO) will depend on the specific event but in most undergraduate cases will be the Senior Tutor (ST). The DFO will administer the standard procedure, consulting with the LFO and other Welfare Officers as appropriate. The LFO will administer the special procedures which may lead, in exceptional cases, to the College either suspending a student or terminating a programme of study. The LFO and DFO will both operate under the oversight of the Dean who exercises overall responsibility for College welfare provision.

At the onset of a Fitness to Study case, the DFO (or another appropriate College Officer acting on his or her behalf) will normally take the following actions:

- Contact the student, and where possible request a medical assessment which describes the nature of the student's condition and provides a plan or prognosis for his or her recovery.
- Seek the student's consent to discuss (in a discreet manner and on a need-to-know basis) his or her circumstances with other relevant College or University officers.
- Consider – on the basis of any medical documentation, on advice sought from the College Doctors and University Disability Office as appropriate, and in conjunction with the relevant College or University officers – whether reasonable adjustments could be made by the College or the University which would enable the student to make appropriate progress on his or her programme of study.

In cases where deferral or suspension is requested, the DFO will :

- Facilitate – in consultation with the relevant Subject Senior Tutor or other Tutors, or with the Director of Undergraduate Studies or other appropriate departmental officer, the arrangements for the student in question to be granted an appropriate period of suspension from his or her programme of study.
- Maintain contact with the student at appropriate intervals during the period of suspension or deferral.

- At the end of the intermission or period of deferral or suspension, follow the procedure for resuming a programme of study described below.
- Maintain (securely and confidentially) written records throughout the process in accordance with the University's confidentiality guidelines.

Where a student suspends study the following additional actions will normally be taken. The DFO (or another appropriate College Officer acting on his or her behalf) will:

- Make contact with the student to establish his or her intentions in respect of returning to study.
- Where appropriate, request medical certification which confirms in principle that the student is fit to return to study.
- Seek the student's consent to update and consult as appropriate with other relevant College or University officers to facilitate return arrangements.
- Consider on the basis of medical documentation and/or advice sought from DAS whether reasonable adjustments need to be made in respect of the student's return to study.
- Maintain contact with the student at appropriate intervals following his or her return.
- Maintain (securely and confidentially) written records throughout the process in accordance with the University's confidentiality guidelines.

Special Procedure A

Special Procedure A will apply in exceptional cases where there are reasonable grounds to believe that one or more of the following applies:

- a student poses a risk to his/her own health, safety, and/or well-being and/or to that of others;
- a student's behaviour is adversely affecting the day-to-day activities of other students or there is a credible risk of this occurring;
- a student's support needs fall outside the scope of the support and other services which the college and University can reasonably be expected to provide either directly or indirectly;

The cases will be referred to the Lead Fitness to Study Officer (LFO) who will operate under the oversight of the Dean who exercises overall responsibility for College welfare provision.

At the onset of a Fitness to Study case, the LFO will normally take the following actions:

- Contact the student, and where possible request a medical assessment which describes the nature of the student's condition.
- Seek the student's consent to discuss (in a discreet manner and on a need-to-know basis) his or her circumstances with other relevant College or University officers.

- Determine – on the basis of any medical documentation, on advice sought from the College Doctors and University Disability Office as appropriate, and in conjunction with the relevant College or University officers – whether the student is able to continue on a programme of study with appropriate support, or should be suspended from study and residence, or whether the student’s programme of study should be terminated.
- Facilitate – in consultation with the DFO and the relevant Subject Senior Tutor (or other Tutors), or with the Director of Undergraduate Studies or other appropriate departmental officer, the arrangements for the student in question to be granted an appropriate period of suspension from his or her programme of study.
- Maintain contact with the student at appropriate intervals during the period of suspension.
- At the end of the period of suspension, follow the procedure for resuming a programme of study described below.
- Maintain (securely and confidentially) written records throughout the process in accordance with the University’s confidentiality guidelines.

Special Procedure B

Special Procedure B will apply in cases where a competent medical professional has advised that support be put in place to enable a student to continue studying but the student negates the support plan and one or more of the following apply:

- a student poses a risk to his/her own health, safety, and/or well-being and/or to that of others;
- a student’s behaviour is adversely affecting the day-to-day activities of other students or there is a credible risk of this occurring;
- a student is unable to fulfil the standard academic obligations set out in the Blue Book, section B4, and/or the standard Decanal obligations set out in the Blue Book, section C1.

The cases will be referred to the Lead Fitness to Study Officer (LFO).

At the onset of a Fitness to Study case, the LFO will normally take the following actions:

- Contact the student, and where possible request a medical assessment which describes the nature of the student’s condition;
- Seek the student’s consent to discuss (in a discreet manner and on a need-to-know basis) his or her circumstances with other relevant College or University officers.;
- Determine – on the basis of any medical documentation, on advice sought from the College Doctors and University Disability Service as appropriate, and in conjunction with the relevant College or University officers – whether the student is able to continue on a programme of study subject to an agreement to follow the recommendations of competent medical professionals, or should be suspended from

study and residence, or whether the student's programme of study should be terminated.

- Maintain (securely and confidentially) written records throughout the process in accordance with the University's confidentiality guidelines.

Appeals Procedure

Any student wishing to appeal against decisions taken with respect to fitness to study and suspension must give notice in writing (email suffices) to the Principal within five working days of receiving written (including email) notification of the decision. This period may be extended at the Principal's discretion.

The appeal shall normally be considered by a panel consisting of the Principal, Vice Principal, and Dean. If anyone who would otherwise have served on the panel has been involved in the case, or is a Tutor of the student appealing, or is for some other valid reason unable to serve then the Principal will appoint a Tutorial Fellow who has not previously been involved to serve in his or her place. The panel will have discretion to reach a decision on the basis of written reports or statements where it is reasonable to do so as an alternative to requesting the student to present his or her evidence in person. In the latter case, the student may be accompanied by a representative of his or her choice who is a member of College or the OUSU Student Advice Service.

The panel shall have the authority to seek professional medical advice (in the first instance from the College Doctors). The College also reserves the right to refer appeals to the University Fitness to Study Panel and ask it to make a recommendation, should the student dispute a decision. The College panel would then decide whether to implement the recommendation of the University Fitness to Study Panel. Relevant College or University officers may also be asked to provide information or attend as appropriate. The panel shall convene as soon as is consistent with due process and communicate the decision to the student in writing within five working days of the panel's decision being made.

The decision of the panel represents the College's completion of procedures and this should be stated in the decision letter. Further recourse, should the student remain dissatisfied with the outcome, would be to the Office of the Independent Adjudicator.

i. Cases where a student wishes to suspend study voluntarily

Undergraduates admitted to the College are normally expected to commence and complete their course of study within the specified duration of the relevant programme. It is recognised, however, that a delay or an intermission to study will sometimes be necessary and in the interests of an individual student's health or well-being. The College also recognises that in some cases reasonable adjustments are required to enable a student to continue on course, or return to study following a period of intermission. This section sets out a general framework within which such cases will be managed but it is recognised that

each case will also be managed on an individual basis, paying due regard to individual circumstances.

The DFO will apply the Standard Procedure and make a recommendation to the College's Executive Council. In determining whether to recommend a voluntary suspension of study, the DFO will give weight to the following considerations:

- whether there is clear and compelling evidence that the student is unfit to continue studying;
- whether suspension will improve the student's well-being, with the reasonable expectation that the student will be fit to continue study at the end of the period of voluntary suspension (if necessary, with appropriate support and reasonable adjustments);
- in cases where reason for suspension arises from a long-term and/or on-going health condition, whether the student has engaged with welfare support and services and it is clear that continuation with reasonable adjustment and appropriate support is no longer feasible;
- in cases where a student has completed course work and has reached the FHS examination stage or commenced final examinations, whether there are alternatives to suspension that would permit graduation (for example, an aegrotat or splitting FHS examinations over two sessions).

Recommendations for intermission will be put to the Executive Council by the DFO for agreement at the stated College Meetings. If appropriate, conditions will be attached to a student's return to College: for example, provision of a medical certificate from a medical professional with experience of the demands of study at Oxford. Any conditions attached by Executive Council shall be specified at the time in writing by the DFO or other designated College Officer.

ii. Cases where the College believes that in order to continue studying a student may require a support plan but the student is unwilling to seek the advice of a competent medical professional

These cases may arise as a result of unsatisfactory academic progress (specified in blue Book section B.6), or as a result of decanal disciplinary issues, or where a student's behaviour is adversely affecting the day-to-day activities of other students or there is a credible risk of this occurring. The DFO will apply the Standard Procedure in such cases.

iii. Cases where the College wishes a student to suspend study but the student is unwilling to suspend

These cases are expected to arise infrequently as a result of one or more of the following circumstances:

- Significantly compromised physical state taking into account HEOPs guidance and medical advice specific to the student case. .
- Significantly compromised psychological or social function (eg suicide risk, profound social withdrawal, marked cognitive impairment).
- Need for intensive treatment (day patient, inpatient, or in some cases outpatient where students find it very difficult to make time for treatment) as recommended by a medical professional.

The LFO will apply Special Procedure A and make a recommendation to the College's Executive Council. In determining whether to recommend a compulsory suspension of study, the DFO will give weight to the following considerations:

- whether there is clear and compelling evidence that the student has a significantly compromised physical state and/or a significantly compromised psychological or function.

iv. Cases where the College wishes to terminate a programme of study

These cases are expected to be exceptional. Where they arise, one or more of the following circumstances will apply:

- a student poses a risk to his/her own health, safety, and/or well-being and/or to that of others;
- a student's behaviour is adversely affecting the day-to-day activities of other students or there is a credible risk of this occurring;
- a student is unable to fulfil the standard academic obligations set out in the Blue Book, section B4, and/or the standard Decanal obligations set out in the Blue Book, section C1;
- a student's support needs fall outside the scope of the support and other services which the college and University can reasonably be expected to provide either directly or indirectly.

In such cases, the LFO will apply Special Procedure A and make a recommendation to the College's Executive Council.

v. Cases where a competent medical professional has advised that support be put in place to enable a student to continue studying but the student negates the support plan

These cases are expected to arise infrequently as a result of one or more of the following circumstances:

- a student poses a risk to his/her own health, safety, and/or well-being and/or to that of others;
- a student's behaviour is adversely affecting the day-to-day activities of other students or there is a credible risk of this occurring.

The LFO will apply Special Procedure B in such cases and make a recommendation to the College's Executive Council.

vi. Cases where a student wishes to extend the length of suspension of study but the College does not support the application

Suspension of study is usually only possible for a period of time not exceeding one year. It is recognised, however, that a further period of suspension may exceptionally be necessary and in the interests of an individual student's health or well-being.

The DFO will apply the Standard Procedure in such cases and make a recommendation to the College's Executive Council in the case of further suspension requests.

vii. Cases where a student is on a year abroad or other placement

If a concern regarding fitness to study arises whilst the student is on placement, the DSO may discuss and consider alternative arrangements with the University Department or Faculty. If it is not possible for alternative arrangements to be made, the student's placement may be withdrawn and suspension, deferral, or other adjustments considered.

The DFO will apply those aspects of the Standard Procedure that are reasonable and appropriate to the specific circumstances and make a recommendation to the College's Executive Council.

viii. Reporting mechanisms

The DSO or LSO will report Fitness to Study cases, arising under either the standard or special procedures, to the Executive Council and to Welfare Committee (under reserved business).

Senior Tutor

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