

POLICY FOR ESTABLISHING STUDENT FITNESS TO ATTEND

1. Introduction

- 1.1 In accordance with our Equality Scheme Aberystwyth University welcomes a diverse student body, both as an educational resource for all and as an intrinsic part of the overall learning experience. This includes students with temporary or long-term medical conditions who wish to fulfil their intellectual potential and progress their career prospects through their chosen programme of study.
- 1.2 The University expects its students to be able to live independently, with respect, and in harmony with others; University Rules and Regulations stipulate that it is not acceptable for students to conduct themselves in ways which have an adverse impact or impose risk on others.
- 1.3 The existence of medical or other problems does not obviate the responsibility of the student for their education or their responsibility towards other members of the academic community. In line with University rules and regulations on the "Omission or Misrepresentation of Significant Information During Application or After Registration" students are required to declare any illness or disease likely to interfere with their studies or the health of other students. This is to ensure the University is in a position to discharge its duty of care to safeguard the health, safety and wellbeing of all its students and to enable reasonable adjustments to be made to support students in their studies in line with Equality Legislation.

2 Purpose

The following procedure has been formulated to:

- identify the appropriate response by academic and support service staff in circumstances where it is not considered appropriate to apply disciplinary procedures, in particular, because the student's behaviour should be managed rather than punished;
- provide a co-ordinated and appropriate use of professional competence within the University community for responding to such situations;
- provide guidance on the course of action to be taken where it is apparent that a student's mental health condition may prevent him/her from gaining benefit from the educational provision at a particular time (reasonable adjustments notwithstanding) or where there is an adverse impact on to the interests of students/staff around them;
- enable staff to identify the limits to the support and reasonable adjustments which they as individuals and the University as a community can provide;
- ensure appropriate support is provided to students and staff affected by or involved in working with a student in the aforementioned circumstances.

3 Scope

- 3.1 The University takes seriously its duty of care to all its members, and the Fitness to Attend Policy should not be confused with the University's specific equality duty, health & safety, disciplinary, academic performance or attendance policies which are covered elsewhere.
- 3.2 As a general rule this policy is intended for use in cases where the behaviour, disruption or risk presented by the student to themselves or others is perceived to be of a serious or potentially serious nature and the student is unwilling or unable to modify their behaviour or actions. Wherever possible, the support services available to students should be used as the first port of call prior to taking any formal action.
- 3.3 The Fitness to Attend Policy is intended to provide an effective framework where, as a result of mental ill health or disability a student's behaviour is impacting adversely on the health, safety, wellbeing or academic progress of themselves or others and requires positive management rather than disciplinary action. It should be seen as one mechanism among others for protecting the integrity of a student's learning, academic achievement and student experience and for ensuring that effective and appropriate support is available for those facing a mental health crisis.
- 3.4 The University reserves the right to use the student disciplinary or academic progress procedures to respond to behaviour which is the result of mental health issues depending on the individual circumstances of each case.
- 3.5 This policy applies to both undergraduate and post graduate students studying on Campus, and encompasses all aspect of campus life, including academic progress and behaviour in University residences.
- 3.6 This policy does not prevent an appropriate emergency response where it is believed that students pose an immediate risk to themselves or others – see 4 below.

4 Emergencies

- 4.1 Where a student's behaviour presents an immediate risk to themselves or others, the Emergency Services should be contacted by dialling 999. The University's Security Services should also be contacted by dialling 222. Details of the incident should be followed up later by notifying the Student Wellbeing Service (x 1761) of the details of the incident and action taken and by completing an Incident & Occupational Health Report Form. <https://www.aber.ac.uk/en/media/departmental/healthsafetyenvironment/procedurespractice/sforms/en-incident+occ-health-rep-new3.pdf>
- 4.2 If it is deemed safe to remain, staff or students witnessing the student's behaviour should not leave the scene until emergency services have been briefed.
- 4.3 Following an emergency, the Wellbeing Service will ensure that contact is made with the student.
- 4.4 It may be necessary to temporarily and without prejudice, suspend the student's studies for recuperation. In line with the University's general policy, suspensions falling within this category must be authorised by the relevant Pro Vice-Chancellor.

5 The Role of Student Support/Student Wellbeing Service

- 5.1 Student Support and Careers Services delivers a range of services direct to students. This assists the University in meeting both its legal responsibilities and widening access aspirations and facilitates independent and equal access to the learning community for students. Student Support Services also provides advice to both staff and students on the range of support available to students throughout the University and appropriate responses to a range of student related issues.
- 5.2 In cases where a student's fitness to attend/study is of concern it is the role of Wellbeing Services within Student Support and Careers Services to co-ordinate the University's response to students facing a mental health crisis and to advise staff/students on the support available and next steps. It should be noted that services provided by the Student Wellbeing Service complement rather than replace services provided by statutory agencies. In responding to such situations Wellbeing Services may refer students or staff seeking advice to external or statutory agencies as appropriate.
- 5.3 The Student Wellbeing Service does not provide a crisis resolution service. This role falls rightly within the remit of the relevant statutory services. Access to these statutory services is only available via a student's GP, out of hours GP or the Accident and Emergency department at Bronglais Hospital.

6 Potential Indicators for Concern Regarding Fitness to Attend

- 6.1 A Student's fitness to attend may be brought into question as a result of a wide range of circumstances such as:
- Serious concerns about the wellbeing or behaviour of the student emerge from a third party (such as flat mate, member of the public, placement provider or medical professional) which indicate that there is a need to address the student's fitness to attend;
 - The student has disclosed information to a member of staff that indicates there is a need to address their fitness to attend;
 - The student's disposition is such that it indicates there may be a need to address underlying mental health issues (for example, they have become withdrawn, aggressive, distressed, irritable, have mood swings or show signs of depression);
 - Behaviour which would otherwise be dealt with as a disciplinary matter which is considered to be the result of an underlying mental health problem;
 - The student's academic performance or physical behaviour is not acceptable, has been dealt with under disciplinary or academic progress procedures but is considered to be the result of an underlying mental health problem and where the student is unwilling or unable to modify their behaviour or actions.

7 Emerging Concerns

- 7.1 In advance of this policy being invoked and when initial or moderate concerns about a student's health, wellbeing, behaviour are noted but do not present an immediate crisis or do not appear to be impacting significantly on themselves or others then these are best dealt with locally by a member of staff known to the student or by signposting the student to the Student Wellbeing Service to explore support available. This contact is outside of the Fitness to Attend Policy.
- 7.2 This informal discussion should provide an opportunity for both student and staff member to explore their perception of the situation; for the student to be made aware of the possible implications for their studies and to investigate/ put into place any support that may be helpful.
- 7.3 Where the student prefers to discuss the matter with staff outside of the Student Wellbeing Service advice on how to approach this discussion, or on the support that may be available for the student's individual circumstances is available from the Student Wellbeing Service (x1761).
- 7.4 In some circumstances it may be appropriate at this point to advise the student to consider a temporary withdrawal.
- 7.5 A follow up discussion should be arranged between the staff member and the student at a mutually agreed date no later than two weeks from the date of the original discussion. This may be extended if the student returns home or if it falls within a vacation period.
- 7.6 In most cases it is hoped that issues can be resolved at this informal stage and that students will respond positively, taking advantage of the support available.
- 7.7 Notes of the discussion should be logged on Aladdin and if no further concerns emerge in the interim or after the review period, no further action is required.
- 7.8 Where a student is unable or unwilling to modify their behaviour or to co-operate with the process or action plan the student should be informed that their case will be escalated to the next stage of the policy.

8 Ongoing/Continuing Concerns (Formal Stage 1)

- 8.1 Should the preliminary action as outlined in section 7 above be unsuccessful and where a student's health, wellbeing, behaviour continues to give cause for concern, it is important that the Fitness to Attend Policy is invoked promptly. This should be done using the referral form available on <http://www.aber.ac.uk/en/toolkit/training-resources/resources-policies-procedures/fitnesstoattend/> Referral forms must be completed in full and endorsed by the Head of Department or Head of Academic Institute .
- 8.2 It is extremely important that in cases of emergency, the procedure outlined in section 4 (above) is followed.
- 8.3 On receipt of the referral form the Student Wellbeing Service will consider the priority of the referral and indicate the likely time frame for consideration of the case with reference to an assessment of risk and available staffing resources. The Student Wellbeing Service will arrange to meet with the student. The Student Wellbeing Service may decide from the information available that it is necessary to invoke Stage 2 of the Policy immediately.

- 8.4 The student will be informed in writing that the Fitness to Attend Policy (Formal Stage 1) is being invoked and that they are required to attend a meeting with the Student Wellbeing Service. The concerns identified will be communicated to the student, with due regard to confidentiality and the exigencies of the situation. The student will be informed that s/he may be accompanied to this meeting by their Personal Tutor, Mentor, parent, friend or representative from the Students' Union.
- 8.5 Prior to the meeting the Student Wellbeing Service may seek further information from either the student, the member of staff who has made the referral or from others who have expressed concerns about the student. With the student's consent, evidence may also be sought from the student's GP or other health or health related professionals with whom the student may be involved.
- 8.6 At the meeting with the Student Wellbeing Service, the concerns expressed about the student's behaviour will be explained to the student and the student will be invited to comment on his/her own perception of their behaviour/situation. Advice will be provided to the student regarding referral to/support from appropriate external agencies/internal services and to any reasonable adjustments that may be made. Consideration will also be given to actions that may be necessary to meet the University's obligations under legislation currently in force and an evaluation undertaken of the risks that may be associated with continuing attendance. It may be appropriate to advise the student to consider a temporary withdrawal.
- 8.7 An action plan will be agreed with the student to include where appropriate: arrangements for additional support from internal services/external agencies; details regarding any medical or other supporting evidence that may be required; consent for the University to contact the student's named emergency contact in the event of significant concerns emerging at a later date in accordance with Aberystwyth University policy. A written copy of the action plan will be shared with the student and other relevant colleagues.
- 8.8 A meeting will be arranged to assess progress with the agreed action plan no later than two weeks from the date of the meeting with the Student Wellbeing Service. This may be extended if the student returns home or if it falls within a vacation period.
- 8.9 Where a student is unable or unwilling to modify their behaviour or to co-operate with the process or action plan the student should be informed that their case will be escalated to the next stage of the policy, or that the student should be subject to academic or disciplinary procedures.

9 Extreme Disruptive Behaviour, and/or Persistent or Significant Concerns where the Wellbeing, Safety or Academic Progress of the Student or others is at Risk (Formal Stage 2)

- 9.1 The decision to invoke formal stage 2 of this policy will be made by the Student Wellbeing Service either on initial referral or following action under Formal Stage 1. A decision to invoke Formal Stage 2 will be based on there being a strong indication of extreme disruptive behaviour, and/or persistent or significant concerns where the wellbeing, safety of the student or others may be at risk.
- 9.2 In such cases the student will be required to attend a Fitness to Attend Assessment.
- 9.3 The assessment may take the form of a case conference led by the Deputy Head of Student Support and Careers Services or nominee and will include appropriate representation from across

the University as warranted by the individual circumstances of each case. Medical or other supporting evidence may be obtained and consent may be requested to contact the student's named emergency contact in the event of significant concerns emerging.

- 9.4 The student will be informed that the Fitness to Attend Policy (Formal Stage 2) is being invoked and the concerns identified will be communicated to the student, with due regard to confidentiality and the exigencies of the situation. The student may be accompanied to any case conference or meeting with the Student Wellbeing Service by their Personal Tutor, Mentor, parent, friend or representative from the Students' Union.
- 9.5 It will be made clear to the student that the referral is quite separate from the University's Disciplinary Procedures. It will also be made clear that the University is recommending this course of action because one or more of the following applies:
- the student's behaviour is disrupting others around him/her and that support which has been offered to assist the student has been declined;
 - that support has been put in place but the situation has not improved and behaviour which is unacceptable has continued;
 - that having made reasonable adjustments and put in place appropriate support the student's behaviour is now beyond the professional competence and statutory powers of the University to manage;
 - that despite the provision of reasonable adjustments the student is unable to make satisfactory academic progress, and would otherwise be excluded from his/her course;
 - that the student has been unwilling or unable to engage with the process.

10 The Outcome of the Fitness to Attend Assessment

- 10.1 The assessment may conclude as follows:
- the student is fit to attend and the case is deemed closed and/or the student should be subject to disciplinary or academic progress procedures;
 - the student is fit to attend, subject to certain terms and conditions and including a stated period for review or expiry. (These terms and conditions may include a recommendation for temporary exclusion from University residences);
 - where this can be accommodated within the requirements of the academic course the student may be deemed not fit to attend but may be fit to study
 - the student is unfit to attend and should be suspended immediately on health grounds for a temporary period pending improvement in their health. In determining the period of suspension account will be taken of the requirements of the course, the time of the academic year and academic progression regulations. A temporary suspension will usually be no longer than one academic year in the first instance.
 - the student should be subject to disciplinary or academic progress procedures.
- 10.2 In reaching these conclusions, thought will be given to any reasonable adjustments that may be implemented and due care and consideration will be exercised to avoid, as far as possible, the student being placed in a more vulnerable situation. Every effort must be made to achieve a voluntary agreement if possible.
- 10.3 It shall be the responsibility of the Student Wellbeing Service to formally communicate the outcome of the assessment to the relevant parties, with due regards to confidentiality.

- 10.4 If the student's behaviour is such that under normal circumstances he/she would have been subject to disciplinary procedures, this may remain the most appropriate course of action even if there is evidence that the student has an identified mental health issue/problem. The fact that a student has mental health issues/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 issues/problems should be balanced against the duty of care to other students and staff.
- 10.5 In the event that a student is considered unfit to attend and declines to withdraw voluntarily from his/her course of study, the relevant Pro Vice-Chancellor, in line with the University's general procedures on suspension, will be called upon to exercise powers to suspend the student (without prejudice) and to re-admit the student only when evidence of fitness to return to study becomes available and subject to the Fitness to Return Policy.
- 10.6 If the student decides to take temporary withdrawal voluntarily, whilst the fitness to attend process is still ongoing, they must inform the Academic Quality and Records Office of this in writing so that their record can be updated. When the student applies to return to study the fitness to attend process will be reinitiated.

11 Appeals

- 11.1 Where a student declines to withdraw voluntarily and the Student Wellbeing Service calls upon the Pro Vice-Chancellor to exercise his/her powers to suspend the student, a student may appeal in writing against the decision of the assessment to another Pro Vice Chancellor within ten days from the date of written communication of the outcome of the assessment. The appeal may be made on grounds of process or on information which could not have been known at the time of the assessment.
- 11.2 An Appeal Panel, consisting of an alternative Pro Vice-Chancellor, Director of Student Support and Careers Services and a representative from the Students' Union, will usually hear the appeal within 5 working days of its receipt by the University.
- 11.3 Where a student remains dissatisfied he/she will have the right to submit a complaint to the Office of the Independent Adjudicator (www.oiahe.org.uk)

12 Advice and Support

- 12.1 At all formal stages of this policy the student should be advised that the Students' Union is available for advice and representation. The Advice, Information and Money Service (AIMS) will be able to offer advice on the financial implications of withdrawal, and the Student Fees Office will formally notify the student's sponsor that the student is suspending their studies. Students subject to Tier 4 status should contact the Aberystwyth University International Office for advice on any visa implications.
- 12.2 Where a student is suspended or takes voluntary withdrawal and deemed not able to make the necessary practical arrangements (e.g. removal to alternative accommodation) or is deemed not able to safeguard themselves, it may be necessary to inform their emergency contact in line with the requirements of the University Emergency Contact Policy.

12.3 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 alternative accommodation arrangements), 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 other external agencies (including embassies or social services).

13 Support for staff and students

13.1 During any immediate crisis, the Wellbeing Service will offer support to other students involved.

13.2 Staff will be directed to the provision made by the University in its strategy for staff supporting students experiencing personal crisis.
<https://www.aber.ac.uk/en/media/departmental/theuniversity/policies/studentsupport/Supporting-staff-who-are-supporting-students-in-crisis.pdf>

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