

Fitness to Study

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2. College Statement

- 2.1 The College has a series of procedures that can be applied if there is any question as to the fitness of a student to proceed with their studies. There is a variety of circumstances when this may be activated, including cases related to eating disorders, for which the college refers to the guidance issued by HEOPS¹. Sometimes fitness will be a matter of physical state (for instance some protracted or severe illness). It could be the mental or social state of the student, or it might relate to circumstances arising in the student's family or surroundings that could have a significant impact on their ability to study effectively. Cases may be raised directly by a student, by their friends, by a Supervisor, Director of Studies or Tutor or be relayed from elsewhere in the University.
- 2.2 The College understands students with mental health conditions are often highly aware of their difficulties and needs, that they act responsibly in seeking help, and that doing so is right; and that asking for help does not necessarily engage this more formal process of assessment. Occasionally a situation that would normally have been considered cause for a disciplinary proceedings of some sort will be judged to call for pastoral rather than punitive action and will be fed into this scheme.
- 2.3 The overriding aim of Trinity's procedures is to find a balance so that proper support is put in place for students to enable them to fulfil their potential while not allowing potential

¹ https://heops.org.uk/wp-content/uploads/bsk-pdf-manager/2019/09/1521730766HEOPS_Guidance_Fitness_to_Study_with_Severe_Eating_Disorders_v2.pdf

disruption or distraction to go untreated. Students should be given a clear understanding of the routes open to them to enable them to fulfil their potential and the procedures that the College and University will apply when dealing with them. To this end the scheme is described in terms of three stages:

- 2.4 Stage 1 normally commences when a potential cause for concern is raised often by others. In extreme or urgent cases it will be possible to escalate instantly to Stages 2 or 3. Stage 1 attempts to maintain as informal a style as possible: the student will meet with his or her tutor and will have an opportunity to discuss why issues of fitness to study have been raised. In some cases, at the end of such a meeting all will end up reassured and no further action will be needed, but more often some equally informal follow-up will be established to confirm that whatever gave rise to concern has been resolved. The Tutor will be able to explain University options (e.g. sometimes the availability of the University Disability Resource Centre or Counselling Service, sometimes the procedures for special arrangements for sitting exams, or for seeking examination allowances). If all parties are satisfied this may complete the proceedings, but any case of disagreement or for issues that prove difficult to resolve at that level either the student or the College can escalate the case to Stage 2.
- 2.5 Stage 2 is similar in intent to stage 1, and happens entirely within the College, but involves a small panel who can take representations from the student and collect reports from others who may be involved. Its discussions will be recorded and the object of the exercise is to bring in some independent but experienced voices and seek ways in which whatever might have been disrupting or seeing to disrupt the student's progress or ability to function fully in the College environment are resolved so as to allow the student to proceed through their course and graduate successfully.
- 2.6 If problems remain beyond Stage 2 the College will take advantage of a University-wide scheme which is broadly similar in structure to Stage 2 but that is (a) further independent of the College and hence may be valuable if there could be seen to be any conflicts of interest arising in any internal process and (b) has stronger ultimate powers to enforce solutions in extreme cases, up to and including excluding a student from the University either on a temporary or permanent basis. It is anticipated that rather few cases will reach this level.
- 2.7 Incoming undergraduates are sent a copy of the University's explanation of its part of this scheme (i.e. basically Stage 3) as part of the pre-admission information pack. There are also some long notes in guidance for those who administer the scheme, that cover such issues as the ability of a student involved in one of the more formal meetings to bring along a supporter (for instance a Cambridge SU officer as well as or as an alternative to their Tutor). But the scheme, as a whole applies to all junior members (both postgraduates and undergraduates) as well as to exchange students, students while on their year abroad and so on.
- 2.8 It should be stressed that the Fitness to Study procedures are seen as part of the provision of pastoral care within the College and University and not as any form of disciplinary process, and that it is very much hoped that what is called 'Stage 1' here in fact reflects what has been current practice for many years - with now the stages beyond that merely

codifying how a Tutor can escalate issues that they have found intractable or a student can appeal against outcomes that do not satisfy them.

3. Introduction to the Procedure

- 3.1 This procedure sets out the steps which will be taken by the College and University when there is concern that a student's behaviour or health has the potential to disrupt or threaten the welfare or academic progress of the student, or of others in the academic community. It applies to all matriculated students.
- 3.2 Where a student has such problems, it may not be appropriate for him or her to be subject to normal disciplinary proceedings, but the problems may be such in their impact on the student or others that there is no option but to suspend or terminate his other studies.
- 3.3 Decisions made concerning a student's fitness to study are made through a collective supportive process, after appropriate consultation and after consideration of the student's ability to study, learn effectively and to complete his or her course successfully.
- 3.4 [The procedures described below will be set out in Ordinances and are intended to work consistently with other University and College regulations.].
- 3.5 The Fitness to Study procedure is in three stages:
 - Stage 1: Informal College action (discussion with the student and encouragement to seek support)
 - Stage 2: College Case Review Group (more structured meeting with action plan)
 - Stage 3: Joint Fitness to Study Review Panel (formal consideration, which includes powers for the student to be temporarily suspended pending consideration of his or her case)
- 3.6 Cases can be considered via each stage, or serious cases can be taken directly to Stage 2 or 3.
- 3.7 Stages 1 and 2 are managed by the student's College regardless of whether the concerns are raised by members of the student's College, another College, or the student's Faculty or Department. Stage 3 is joint, and involves a Panel of both University and College members. The Panel is empowered to take decisions on behalf of the University, and to make recommendations to the student's College.
- 3.8 The procedure allows for temporary suspension by the University in cases causing very serious concern.
- 3.9 The procedure is separate from disciplinary and academic progress procedures; and from Fitness to Practise procedures

4. What are the benefits of having this procedure?

- 4.1 This procedure sets out for all parties how concerns about fitness to study will be dealt with, and in course of being applied will provide the individual student with a clear understanding

of his or her full responsibilities and what is expected of him/her in terms of his or her commitment to study and life within the Collegiate University community.

- 4.2 If and when a problem arises, steps taken will be limited to those necessary to protect the best interests of the student, and other members of the Collegiate University and to ensure a consistent and sensitive approach to managing what can be difficult situations. Tutorial, academic or support staff can initiate the procedure when they have concerns about a student's fitness to study, to allow issues to be identified and addressed in a structured manner as early as possible.
- 4.3 Others, including fellow students, may express concern about a student's fitness to study in writing to the Senior Tutor of the student's College, clearly showing the author's (or authors') name(s) and address(es). Anonymous referrals shall only be acted upon in exceptional circumstances as the Senior Tutor sees fit, having regard to the seriousness of the issues raised and the fairness to any individuals mentioned in the referral. The Senior Tutor may also consider that the identity of the individual or individuals raising the concern may need to be withheld or protected at any stage in the procedure in exceptional circumstances.

5. Purpose and Scope of the Procedure

- 5.1 All students should be able to study in a safe and comfortable environment. The reality of College and University life means that students not only work but also live in close proximity to each other.
- 5.2 'Fitness to study' as used in this document relates to the entire student experience, and not just a student's ability to engage with their studies. The College and University expect students to be able to live and work in harmony with others, and not to conduct themselves in a way which has an adverse impact on themselves or those around them. This procedure is not designed to address academic performance issues (which will be dealt with under the normal academic assessment and monitoring procedures) or disciplinary issues (which will be dealt with under normal disciplinary procedures) except where they clearly result from a fitness to study issue where the normal procedures may not be appropriate.
- 5.3 A student's fitness to study may be called into question if illness, mental health difficulties, psychological or emotional problems, or personality disorders are seriously disrupting his or her own studies or the studies of others, or result in unreasonable demands being placed on staff or other students.
- 5.4 If concerns are raised whilst a student is on authorised study away from Cambridge (e.g. is on a Year Abroad, has leave to Work Away, or is on a placement), the College will discuss with the other institution and the University Department, where appropriate, alternative arrangements that might address any concerns.
- 5.5 Unless the student is still legally a child (that is not yet 18 years old), parents/guardians may only be informed that the fitness to study procedure has been invoked with the express consent of the student. Such consent should be communicated to the Senior Tutor.

6. Circumstances under which this procedure may be implemented

- 6.1 A student's fitness to study may be brought into question as a result of a wide range of circumstances. These include (but are not restricted to) the following:
- (a) Serious concerns about the student emerge from a third party which indicate that there is a need to address the student's fitness to study.
 - (b) The student has told a member of the College that he/she has a problem, and/or has provided information which indicates that there is a need to address his or her fitness to study.
 - (c) The student's disposition is such that it indicates that there may be a need to address an underlying problem because his or her behaviour is causing him/her serious problems or serious problems to others.
 - (d) Behaviour that would otherwise be dealt with as a disciplinary matter, but is considered may be the result of an underlying physical or mental health problem.
 - (e) The student's academic performance or persistent behaviour is not acceptable and this is thought to be the result of an underlying problem which may mean he/she is not fit to study.
- 6.2 If staff within the College, or the student's Faculty or Department, have concerns regarding a student's fitness to study they should discuss them with the student's Senior Tutor. The Senior Tutor has a duty to investigate and to consider whether it is appropriate to initiate the fitness to study procedure.
- 6.3 The severity of the problem and the student's engagement with efforts to respond to it will determine which stage of the procedure is invoked. The Junior Member shall have the right of appeal to the College Council. Within seven days of receiving the decision of the Disciplinary Committee, he/she must make a written submission to the Secretary to the College Council stating the grounds upon which the appeal is based. Otherwise the matter will be considered closed.

7. Stage 1 - Informal Action by the College

- 7.1 If the Senior Tutor determines that concerns about a student's fitness to study warrant initiation of the procedure, a member of College staff designated by the Senior Tutor to handle the case at Stage 1 should approach the student and explain to him or her that concerns about his or her fitness to study have emerged. The designated person would usually be the student's College Tutor, but might be a College nurse or other member of the pastoral support team. Should the Tutor or other member of staff require advice or guidance on how to approach the matter, he or she should contact the Senior Tutor.
- 7.2 The designated member of College staff should make the student aware of the precise nature of the behaviour that has caused the concerns about the student's fitness to study to be raised. The designated member of staff, involving others as appropriate will attempt to resolve the matter by informal discussions with the student. The student should be given

the opportunity to explain his or her own views on the matter, and be encouraged to think about using one or more of the support services offered by the University or the College. It may also be necessary to consider whether all 'reasonable adjustments' to the academic arrangements and support have been put in place to enable the student to study effectively.

- 7.3 In most cases issues can be resolved at this level, and that the student will respond positively. It may be necessary to obtain independent corroboration as to whether support offered is being taken up.
- 7.4 A review period should be determined by agreement between the designated member of the College and the student. At the end of this period a meeting should be held to discuss steps taken by the student to address the concerns about his or her fitness to study. If the concerns have been addressed satisfactorily, this will be noted. Further meetings may be scheduled to continue to monitor the situation.
- 7.5 If, however, the concerns have not been addressed to the satisfaction of the designated member of College staff, a further review period may be agreed, or the case will move to Stage 2 of the procedure.
- 7.6 The informal discussions, advice and any undertakings made by the College and/or the student should be documented and should be kept confidential to the designated person, the Senior Tutor and the student. A letter setting out what has been agreed should be given to the student. If the concern was raised by a member of the student's Faculty or Department, the Senior Tutor will inform him or her that a discussion has taken place, and that action has been agreed to address his or her concerns.
- 7.7 If a student is unable or unwilling to co-operate, he or she should be informed that more formal action under Stage 2 of this procedure may be considered appropriate.

8. Stage 2 - College Case Review Group

- 8.1 If the action taken under Stage 1 has not been successful, or it is felt that the case is too serious to be dealt with informally, Stage 2 of the procedure will be invoked. The student's Faculty or Department will be informed on a 'need to know basis' both that Stage 2 of the procedure has been invoked, and the reasons for this. The student's Head of Faculty or Department or other nominated person, who might for example be the student's supervisor in the case of a research student, will be invited to provide a written report on any concerns he/she has that might relate to the case review.
- 8.2 A meeting of a College Case Review Group will be convened by the Senior Tutor. The Group will be made up of the student's Tutor and the Senior Tutor, and may include others as deemed appropriate by the Senior Tutor, including the College Director of Studies, or Faculty/Departmental representatives. The student may be accompanied to this meeting by a student or other friend or representative and will notify the Senior Tutor 24 hours in advance whether he or she will be accompanied and, if so, by whom. The Senior Tutor may request that a representative from the Counselling Service or Disability Resource Centre also attend to advise the Group.

- 8.3 The Senior Tutor shall designate a member of the College as the point of contact with the student. The designated person will normally be the student's Tutor, who should ensure that the Senior Tutor is kept informed of all communications. The Senior Tutor should be the main point of contact with all other agencies and individuals and should keep records of the whole process. The Senior Tutor should appoint a deputy if unavailable to act at any stage.
- 8.4 Before the meeting, an assessment may be sought from a qualified practitioner familiar with the HE environment and the spectrum of student difficulties, or from the University Occupational Health Service, Disability Resource Centre of University Counselling Service or other expert. The student will be encouraged to consent to this.
- 8.5 The assessment will form part of the material used to determine the following matters:
- (a) the nature and extent of any condition from which the student may be suffering;
 - (b) the student's prognosis;
 - (c) the extent to which it may affect his or her fitness to study and manage the demands of student life;
 - (d) any impact it may have or risk it may pose to others;
 - (e) whether any additional steps could reasonably be taken by the College, in light of any medical condition, to enable the student to study effectively; and
 - (f) whether the student will be receiving any ongoing medical treatment or support.
- 8.6 The student will be asked to authorise full disclosure to the College Case Review Group of the results of any medical examination. The College recognises that any such information disclosed will constitute "sensitive data" for the purposes of the Data Protection Act 1998 and will be handled, processed and stored accordingly.
- 8.7 Should the student refuse to undertake an assessment, or to disclose its results, the College may continue this procedure based on the information already in its possession.
- 8.8 The student will be given at least 14 days' notice of the convening of a College Case Review Group and informed of the purpose of the meeting. This period may be shortened in an emergency on the decision of the Senior Tutor. The student will also be provided with any documents that will be considered by the Group, and asked to provide any documentation he or she may wish the Group to consider at the meeting.
- 8.9 The student may be accompanied at the meeting by a Cambridge Students' Union representative, a fellow student, or other representative. A support worker may also accompany disabled students. The student should notify the Senior Tutor at least 24 hours in advance of the meeting if he or she is to be accompanied and by whom.
- 8.10 The purpose of the meeting will be to ensure that:
- (a) the student is made fully aware of the nature of the concerns that have been raised;
 - (b) the student's views are heard and taken account of; and
 - (c) the student is fully aware of the possible outcomes if difficulties remain.
- 8.11 The Case Review Group will order its proceedings at its own discretion. If the student declines to attend the meeting of the Case Review Group it may still proceed, and outcomes will be communicated to the student in writing by the Senior Tutor.

- 8.12 The Case Review Group may decide:
- (a) that no further action is required; or
 - (b) that one or more of the following actions should be taken:
 - i) to formally monitor the student's progress for a specified period of time; and/or*
 - ii) to recommend that special academic arrangements or support are put in place; and/or*
 - iii) with the consent of the student, to agree that his or her studies be suspended for a period of time with appropriate application to the relevant University authority. Return to College would also be conditional on medical approval particularly from the College's psychiatric nurse;*or
 - (c) to refer the case to the Joint Fitness to Study Review Panel, for consideration under Stage 3 of this procedure; or
 - (d) in the case of a medical or veterinary student, refer the case for consideration under the University's Fitness to Practise procedures.
- 8.13 The Senior Tutor, as convenor, will record the decisions of the College Case Review Group and will communicate them to the student, and will ensure that any follow up action is taken.
- 8.14 If the student's progress is to be monitored under (b)(i), an action plan will be agreed with the student, outlining any steps which the student will be required to take, and/or any support to be provided to the student. Regular review meetings with the student will be arranged with a nominated member of College staff, to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the student to study effectively is being provided.
- 8.15 The student will also to be informed of the consequences of any breaches of the action plan, which will normally involve his or her fitness to study being considered at Stage 3.
- 8.16 If it is recommended that special academic arrangements or support are put in place under (b)(ii), the details should be agreed with the student's Faculty or Department (and in the case of a research graduate student with his or her Research Supervisor) and by the student, and approved by the relevant University authority.
- 8.17 The student will be informed that unless these arrangements remedy the concerns to the College's satisfaction, and the satisfaction of his or her Faculty or Department if appropriate, his or her fitness to study may be considered at Stage 3 of these procedures.
- 8.18 The case will only be referred for consideration under Stage 3 of this procedure in the most serious of cases where, for example evidence of a serious risk to either the health and safety of the student or others has been identified, and it is thought that suspension, exclusion or expulsion of the student may be the appropriate course of action, or where a particular course of action has been recommended but the student does not agree.
- 8.19 The decision of the Case Review Group, together with a record of the meeting, will be sent to the student by the Senior Tutor within 14 days from the date of the meeting, and a copy kept on the student's personal file. A copy of this documentation will also be sent to the student's Faculty or Department on a 'need to know' basis and, in the case of a PhD student, to his or her Supervisor.

9. Stage 3 - Joint Fitness to Study Review Panel

- 9.1 This stage of the procedure may be implemented
- (a) following a written referral from a Stage 2 Case Review Group; or
 - (b) if, after consultation between themselves, in the opinion of the Senior Tutor or Head of Faculty or Department initial concerns are raised in writing which are sufficiently serious as to warrant the consideration of the student's suspension, exclusion or expulsion; or
 - (c) following a written referral from College or University disciplinary proceedings in the light of concerns about a student's fitness to study.
- 9.2 In cases where a student's condition or conduct gives rise to a need for immediate action, the Chair of the Joint Fitness to Study Panel, in consultation with the Senior Tutor and Head of Faculty or Department, if appropriate, is empowered to suspend the student from the University for periods of up to 21 days at a time, pending consideration by the Joint Fitness to Study Panel, with renewals determined by the Chair of the Panel. The Senior Tutor may independently determine whether to exclude temporarily the student from College.
- 9.3 The Joint Fitness to Study Review Panel shall comprise:
- (a) a member of the Regent House who shall act as Chairman;
 - (b) a Senior Tutor; and
 - (c) a medically qualified person.
- 9.4 Members of the Panel shall be appointed by the Registry in consultation with the Chair of the Colleges' Committee, from standing panels appointed by: for category (a) the University Council; for category (b) the Senior Tutors' Committee, and for category (c) the University Council. No member of the Panel will have any potential conflict of interest in and will not have had any previous involvement in the case. The Registry shall also appoint a Secretary to the Panel.
- 9.5 The Panel will give preliminary consideration to the written case made under paragraph 47 to determine whether a prima facie case has been made to warrant full implementation of stage 3 of this procedure. If the Panel considers that there is no prima facie case it may refer the case back to stage 2, or may make other recommendations as it deems appropriate.
- 9.6 The Chair will fix a date for a formal meeting of the Joint Fitness to Study Panel to hear the case and invite the student to attend to discuss the concerns and all relevant issues.
- 9.7 The student will be given at least 14 days' notice of the meeting of the Joint Fitness to Study Panel. The student will be informed of the purpose of the hearing, and will be provided with any documents to be considered at the meeting. He or she will be invited to provide any documentation he or she wishes the Panel to consider. The Secretary of the Panel will ensure that all parties have access to the same documents.
- 9.8 The student may be accompanied at the meeting by a Cambridge Students' Union representative, a fellow student or other representative. Disabled students may also be accompanied by a support worker. The student should notify the Chairman of the Panel at least 48 hours in advance of the meeting if he or she is to be accompanied and by whom.

- 9.9 The purpose of the meeting will be to consider the evidence available and to reach an appropriate decision, action plan or other outcome. The student's Senior Tutor and Head of Faculty or Department (as appropriate) will be requested to provide relevant written evidence to the Panel, and may be requested to attend at the Panel's discretion. The Panel may request other specialist opinion, including medical reports, and may also call for documents and records resulting for consideration of the student's case at Stages 1 and 2.
- 9.10 The Panel shall make such decisions and recommendations in respect of a student's fitness to study as it considers necessary and proportionate. These decisions and recommendations may include, but are not limited to, the following:
- (a) referring the case back to stage 2, requesting that the College, in association with the Faculty or Department as appropriate, formally monitor the student's progress for a specified period of time in accordance with an agreed action plan, outlining any steps which the student will need to take and/or any support to be provided to the student to address the concerns identified. The student will be informed of the consequences of any breaches of the action plan;
 - (b) temporarily excluding the student from the University and the College, and determine how an application to resume study should be handled. For the purposes of candidature for examination, any terms during which a student is suspended by the Panel will be disregarded;
 - (c) permanently excluding the student from the University and the College;
 - (d) referring the case for consideration under the University's disciplinary procedures;
 - (e) in the case of a medical or veterinary student, referring the case for consideration under the University's Fitness to Practise procedures;
 - (f) recommending to the College that the case be considered under the College's disciplinary procedures, or other relevant process within the College's Statutes and Ordinances;
 - (g) agreeing that no further action be taken by the University and recommending that no further action is taken by the College.
- 9.11 The Joint Fitness to Study Review Panel shall make a decision by a simple majority.
- 9.12 The student shall be notified in writing of the decision, with reasons, within 14 days of the meeting of the Panel. It is advisable that the decision is communicated in such a way that support is available to the student at the time, preferably from the student's Tutor or Senior Tutor.
- 9.13 A Completion of Proceedings letter will be issued at the conclusion of the proceedings, and the student may seek to have his or her case reviewed by the OIA.

10. Return to Study

- 10.1 After a break in study as a result of fitness to study proceedings at Stages 1, 2 or 3, the student may make a request to the University and his or her College for permission to return to the course. If the request is made after temporary exclusion by the Joint Fitness to Study Panel at Stage 3, the request to return will be considered in accordance to the procedures recommended by the Panel.
- 10.2 If the request is made as a result of proceedings at Stage 1 and 2, the student will only be permitted to return if, after receiving medical advice, the College and relevant University authority is satisfied that the individual is fit to study and able to comply with any conditions imposed for his or her return.
- 10.3 In the event that a student's request to return to study is declined by the relevant University authority, the student will have a right of review under the review procedures for the decisions by that authority. If the College declines the student's request, the student may seek a review under the College's complaints procedure.
- 10.4 In the event that the request is declined and the relevant University or College (as the case may be) procedures have been exhausted by, a Completion of Proceedings letter will be issued at the conclusion of the proceedings, and the student may seek to have his other case reviewed by the OIA.

Policy Information

Committee	Liaison Committee
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