

Fitness to Study Procedure

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**University
of Dundee**

dundee.ac.uk

1. Purpose

- 1.1 The University has obligations under the Equality Act (2010) and will make reasonable adjustments where necessary to support students during their time at the University.
- 1.2 The University understands that there may be occasions during a student's studies when their health, wellbeing or disability, whether or not formally diagnosed, may significantly affect their ability to continue on their chosen course. There may also be occasions on which a student's mental or physical ill-health (including where this relates to a disability) may lead them to behaving in a way which poses a risk to themselves or to the health, wellbeing or safety of other members of the University community. These matters will be referred to as fitness to study.
- 1.3 If a concern is raised about a student's fitness to study, the University will seek to ensure that relevant support is available to assist students in overcoming any difficulties they may be facing. Information about some of the support services or resources that are available to students are set out at Appendix 2.
- 1.4 This Procedure applies to all currently enrolled students at the University of Dundee. It is not disciplinary in nature and any decisions resulting from it shall be made in order to support the student's health and wellbeing, and, where relevant, with the interests of the health, wellbeing and safety of other members of the University community in mind.
- 1.5 The University is committed to addressing fitness to study concerns with students in a supportive and co-operative way and, wherever possible, shall attempt to resolve matters informally and with the student's agreement at Stage 1 – initial meeting. However, if it becomes apparent that agreement with a student is not likely to be reached then Stage 2 will be followed.
- 1.6 The University has other policies, procedures and regulations which may relate to concerns about students' health and wellbeing and which may operate alongside (or in place of) this Procedure (see Appendix 1).
- 1.7 This Procedure will only be used once all other University support mechanisms have been exhausted.

2. Matters which may result in consideration of fitness to study

- 2.1 A student's fitness to study may require to be considered under this Procedure if their health, wellbeing or a disability is or may be seriously compromising their progress on their programme of study.
- 2.2 The following is a list of circumstances which may give cause to consider whether a student's fitness to study might be reviewed. Individually these do not necessarily mean fitness to study has been impaired. They are examples of the kinds of warnings which may lead a School to explore further in deciding whether or not a student's fitness to study is impaired. Examples include, but are not limited to, the following:
 - Evidence that the student's behaviour has become concerning and is impacting, or is deemed likely to impact, significantly and detrimentally on their health and wellbeing, and/or on other members of the University community;

- The student has self-referred to their School or Student Services regarding difficulties they are currently experiencing in relation to their health, wellbeing or disability;
- The student has disengaged from their studies (including failing to respond to communications, attend classes/appointments, submit assessments, and/or attend examinations/placements);
- Repeated mitigating circumstances forms submitted;
- Disengagement from recurring circumstances support plan;
- The University considers that requests from the student for adjustments in respect of a disability have become unreasonable, and there are concerns about a student's ability to continue on course;
- The student is due to embark on an external placement, such as study abroad or practical placement, where there are concerns about the level of support available to safeguard the student's health and welfare, or the welfare of others the student will come into contact with;
- A referral has been made from the Safeguarding Advisory Group;
- A referral has been made from an external source such as a GP or other medical professional regarding the student's mental health or wellbeing;
- A referral has been made from the Police.

2.3 This Procedure does not replace the Fitness to Practise Procedure for students studying in the four professional Schools (see:<https://www.dundee.ac.uk/governance/discipline-complaints-appeals/fitness-practice>). However, in some circumstances this Procedure may be considered to be more appropriate and will take precedence over the Fitness to Practise Procedure in those circumstances.

3. Procedure

3.1 Raising a concern

- 3.1.1 A concern can be raised by any member of staff, student or other member of the University community.
- 3.1.2 The recommended way to raise a concern, to ensure that it is dealt with most efficiently, is by speaking to the relevant School Manager or sending details of the concern in an email to FTS@dundee.ac.uk.
- 3.1.3 Alternatively, a concern may be raised by filling in a Raising a Concern Form which can be found here: [Raising a Concern Form](#).
- 3.1.4 In the case of an emergency situation where there is an immediate threat to the safety/wellbeing of a student please contact the emergency services on 999.

3.2. Stage 1 – initial meeting (informal stage)

- 3.2.1 Once a concern has been raised about a student's fitness to study, the relevant School Manager (or nominee) shall notify the student's Adviser of Studies, who will arrange for a meeting to take place with the student. If the Adviser of Studies is not available or is not the most appropriate person to deal with the matter, the School Manager shall nominate another member of staff who is known to the student to arrange the meeting.

- 3.2.2 An initial meeting with the student should be held as soon as possible, and within 15 working days of the concern being raised, to ensure that the student is aware of it and has access to sufficient and appropriate support.
- 3.2.3 At the meeting, the student should be made aware of the concerns about their fitness to study and should be encouraged to seek relevant support if they have not already done so.
- 3.2.4 The Adviser of Studies (or other nominated member of staff) should work with the student to agree an outcome that best addresses the concerns raised about the student's fitness to study. Examples of outcomes that may be considered include, but are not limited to, the following:
- No follow-up action is required;
 - Studies to continue with an action plan, and/or additional support from the School/Student Services;
 - Studies to continue and to engage in regular review meetings with the School/Student Services including discussion of any review plan which may be required or is currently in place;
 - To refer the student to the Stay on Course team within Student Services for support and assistance in creating a stay on course plan (see the Student Support Team website at: <https://www.dundee.ac.uk/student-support-team>);
 - Studies to continue and to engage with an external health professional;
 - To refer the student to another University Policy or Procedure;
 - The student to submit a Mitigating Circumstances form
 - The student to submit an application for a temporary withdrawal (with conditions on return to studies as may be advised).
- 3.2.5 If a temporary withdrawal from studies is considered, the Adviser of Studies (or other nominated member of staff) should discuss all other options available to the student. The Adviser of Studies (or other nominated member of staff) should also assist the student in understanding any financial implications, immigration issues (if relevant) and conditions for returning to study (see paragraph 4 below) which may apply if a temporary withdrawal is to occur. Such assistance may take the form of signposting to relevant external agencies.
- 3.2.6 Following the initial meeting, the Adviser of Studies (or other nominated member of staff) shall provide the student and the relevant School with a note of any agreed actions. The note shall also include a clear timetable for actions to be taken by, and clear indications of any tasks which the student is required to undertake themselves. The student shall be required to indicate that the actions are agreed.
- 3.2.7 If (i) the student does not engage with the Adviser of Studies (or other nominated member of staff) or with supports put in place and concerns remain, (ii) the student does engage with supports put in place but the University is of the view that concerns remain which cannot reasonably be managed at Stage 1, and/or (iii) it is not possible to reach agreement in relation to the outcome as per paragraph 3.2.4, then the matter shall be referred to Stage 2.

3.3. Stage 2 – Fitness to Study Panel

- 3.3.1 Once it has been determined by the University that the matter cannot be resolved at Stage 1, concerns relating to a student's fitness to study will move to Stage 2 and be considered by the Fitness to Study Panel ("the Panel").
- 3.3.2 The relevant School Manager (or nominee) shall arrange a meeting of the Panel to take place as soon as possible after the matter has been passed to Stage 2.
- 3.3.3 The Panel shall consist of at least 3 members of staff taken from those listed below. The Dean of School can delegate Convenership to another senior member of staff within the School.
- Dean of School (Convener);
 - School Manager, or nominee;
 - Associate Dean, Learning and Teaching;
 - Student's Year Lead or Programme Lead;
 - Director of Student Services or their nominee;
 - President of DUSA or their nominee
 - Student's Senior Adviser of Studies;
- 3.3.4 The student will be given at least 10 working days prior notification of the reason for the meeting, the date/time of the meeting, a copy of any relevant documentation, and a note of any witnesses who the Panel are inviting to the meeting.
- 3.3.5 The student will be given the opportunity to provide the Panel with a written statement, medical evidence, or other relevant documentation. If they choose to do so, they should send copies to the relevant School Manager by email at least 5 working days prior to the meeting.
- 3.3.6 The student will be informed of their right to be accompanied at the meeting by a friend or student supporter (such as a member of the DUSA Advice team).
- 3.3.7 Should the student decide not to attend after due notification, the meeting may proceed in their absence. In exceptional circumstances, attendance can be arranged by telephone or electronic means (such as Teams) on acceptance of the Convener of the meeting. The option to attend by telephone or electronic means (such as Teams) shall always be available to Distance Learning students.
- 3.3.8 The role of the Panel is to make an independent decision on the student's fitness to study, based on the evidence gathered and presented to them. The Panel should take into account (i) all concerns raised regarding the student's health or wellbeing (ii) the impact of these concerns on the student, (iii) the impact of the concerns raised on other members of the University community, (iv) any measures that have already been put in place by the University to support the student, including any reasonable adjustments which have been made, (v) the extent to which any such support has been taken up by the student; and (vi) any other factors which the Panel determines in its discretion to be relevant.
- 3.3.9 Following the meeting, a decision on an appropriate outcome will be made by the Panel. Examples of outcomes that may be considered include, but are not limited to, the following:

- No follow-up action is required;
- Studies to continue with an action plan, and/or additional support from the School/Student Services;
- Studies to continue and to engage in regular review meetings with the School/Student Services including discussion of any review plan which may be required or is currently in place;
- To refer the student to the Stay on Course team within Student Services for support and assistance in creating a stay on course plan (see the Student Support Team website at: <https://www.dundee.ac.uk/student-support-team>);
- Studies to continue and to engage with an external health professional;
- To refer the student to another University Policy or Procedure;
- The student to submit a Mitigating Circumstances form
- Subject to the student's agreement, it is necessary and appropriate for the student to temporarily withdraw from their studies.

3.3.10 If a temporary withdrawal from studies is considered, the Panel should discuss all other options available to the student. The Panel should also assist the student in understanding any financial implications, immigration issues (if relevant) and conditions for returning to study (see paragraph 4 below) which may apply if a temporary withdrawal is to occur. Such assistance may take the form of signposting to relevant external agencies.

3.3.11 Within 5 working days of the meeting, the Convener of the Panel shall send the student an outcome letter (the "Outcome Letter") which shall:

- set out the concerns relating to the student's fitness to study
- confirm the decision of the Panel and any actions or next steps to be taken
- explain that the student has the right to appeal the decision.

3.3.12 The Outcome Letter may be sent by email.

3.3.13 Where an action plan is put in place but the student does not abide by its provisions, the Convener may convene a review meeting. Where possible, the members of the Panel at that review meeting should be the same as in the original Panel meeting. The outcomes open for consideration at the review meeting are the same as those listed in 3.3.9 of this Procedure.

3.4. Stage 3 – Appeal

3.4.1 If a student is dissatisfied with the decision at Stage 2, they have the right of appeal. The student will have 10 working days from the date they receive the Outcome Letter to notify the Deputy University Secretary in writing that they wish to appeal, setting out the reasons for their appeal (i.e. appeal against the decision or the condition, or both).

3.4.2 The appeal will then be considered at an appeal meeting by an Appeal Panel consisting of at least 3 of the following staff members, who will have had no prior involvement in the case (the "Appeal Panel"). The Appeal Panel should normally include an academic member of staff.

- The Deputy University Secretary (or their nominee) (Convener);
 - A member of Student Services;
 - A representative from the School;
 - Students' Assessor on Senate;
 - A member of the DUSA Executive Group.
- 3.4.3 The appeal meeting shall take place as soon as can be arranged after the student submits their appeal.
- 3.4.4 The student may be accompanied at the appeal meeting by a friend or student supporter (such as a member of the DUSA Advice team).
- 3.4.5 The Appeal Panel may seek further information from the student or Convener of the Stage 2 Panel meeting to help in their consideration of the appeal.
- 3.4.6 Following consideration of the appeal, the Appeal Panel may make one of the following decisions:
- To uphold the appeal and allow the student to continue with their studies;
 - To uphold the appeal but impose revised conditions;
 - To impose alternative conditions (which may be more severe than the stage 2 decision);
 - To not uphold the appeal.
- This list is not exhaustive and other outcomes may be considered by the Appeal Panel.
- 3.4.7 Within 5 working days of the appeal meeting, the Deputy University Secretary (or their nominee) shall send the student an outcome letter which shall set out the decision of the Appeal Panel (the "Appeal Outcome Letter"). The Appeal Outcome Letter may be sent by email.
- 3.4.8 The outcome of the Appeal Panel will be final with no further right of appeal.

4. Returning to study

- 4.1 Where a student has temporarily withdrawn from their studies, an agreement may be made between the University and the student at any stage of this Procedure for the student to return to study, and as to any conditions required to be met by the student prior to any recommencement of their studies.
- 4.2 These conditions may be health related and require the student to demonstrate they are fit to return to studies. This will normally include a letter from a qualified medical practitioner indicating that they believe the student is fit to resume studies and any additional support they believe would be beneficial to the student. Alternatively, at the University's discretion, the student may be referred to Occupational Health for assessment of their fitness to study.
- 4.3 The Deputy University Secretary (or their nominee) and the Director of Student Services (or their nominee) will consider all evidence produced and make an assessment as to whether, in their judgement, the student is fit to return to their studies. They may wish to consult with the School, in reaching their decision.
- 4.4 If the student is deemed fit to return to study, the Deputy University Secretary (or their nominee) will consult with the relevant School regarding an appropriate return to study date.

- 4.5 The Deputy University Secretary (or their nominee) will write to the student to advise them of the outcome of the assessment of their fitness to return to study, and, where applicable, indicate a date for return to studies and any support plan which may be required on return. A copy of this letter will also be sent to the relevant School.
- 4.6 The student will be advised to contact the School Office, prior to their return date, to discuss their return and any support plan which has been put in place.
- 4.7. A return to study date should, where possible, be within 4 weeks of the student being notified that they have been deemed fit to return to study.

5. Information sharing

- 5.1 The University complies with all relevant data protection legislation. Information regarding fitness to study shall only be disclosed for the purposes of dealing with the concern(s) raised under this Procedure. In this respect, the University has the right to disclose such information to relevant members of University staff.
- 5.2 Personal data shall not be shared without the student's consent, unless the University has a statutory obligation to do so. See the University's [Privacy Notice](#).
- 5.3 Further information regarding the University's sharing of data can also be found using the following links:
 - [How to request information about our students: guidance for parents or guardians](#)
 - [Verification guidelines: personal data](#)

6. Recording and monitoring

- 6.1 Outcomes of the meetings held under Stages 2 and 3 of the Procedure will be reported to the relevant School and Student Services. They should also be emailed to FTS@dundee.ac.uk.
- 6.2 Statistical information will be reported six-monthly to the Student Governance Oversight Group of the Senate.

Appendix 1

Relevant Policies and Procedures

The following University Policies and Procedures may also apply when considering a concern under the Fitness to Study Procedure:

- Fitness to Practise Procedure
- Student Discipline Procedure
- Safeguarding Policy and Protocol
- Dignity at Work and Study Policy
- Student Terms and Conditions
- UG/PG Regulations
- Tuition Fee Refund Policy
- School Handbook or School Study Guide
- Student or Staff in Mental Distress process
- Stay on Course

Appendix 2

Support

The following support services/resources may also be beneficial to students referred under the Fitness to Study Procedure:

Your School Office

Your Advisor of Studies

Enquiry Centre, Student Services: <https://www.dundee.ac.uk/student-services/>

Counselling Service: <https://www.dundee.ac.uk/counselling>

Disability Services: <https://www.dundee.ac.uk/disability-services>

University Health Service: <https://www.dundee.ac.uk/health-service>

Immigration Compliance: <https://www.dundee.ac.uk/student-services/compliance/>

Live Smart website: <https://libguides.dundee.ac.uk/livesmart>

DUSA Advice: <https://www.dusa.co.uk/advice>

Your own GP

Samaritans Tel: 116 123 (24hr freephone number) Email: jo@samaritans.org

Breathing Space Tel: 0800 83 85 87 (Mon-Thur 6pm-2am, 24hrs at weekends)

Shout Text: 85258 In a Crisis? Get help 24/7 from our team of Crisis Volunteers

NHS 24 (Doctor) Tel: 111