

XII. Guidelines

Guidelines on Fitness to Continue in Study on the Grounds of Health and/or Safety

Note: These Guidelines and other relevant University procedures and protocols are developed with the underlying principle that a student leads the management of their own wellbeing. However, these Guidelines also recognise that the University may need to act at times when a student is unwilling or unable to manage their wellbeing in a way that supports their own health and safety, and which may affect people around them. The University has a duty of care to all students and staff, which must be balanced against the duty of care to an individual student and the limited support that can be provided within the University environment. However, the University does not stand in loco parentis; that is, the University does not assume the duties, responsibilities or obligations of a parent. Variance from the Guidelines may be undertaken with agreement from the Director of Academic and Student Affairs. Also see Other Regulations: Student Health Regulations.

These Guidelines aim to support students to remain on their programme of study wherever possible; however, it is acknowledged that there are occasions where all options of support have been exhausted (Informal Stage), and the student is not well enough to continue. In such instances this process may recommend or require temporary withdrawal from studies.

The behaviours of a student displayed within the context of fitness to continue in study on the grounds of health and/or safety sit alongside the University's Conduct Regulations. There are occasions where a student's behaviour is such that, under normal circumstances, they would be subject to disciplinary procedures. However, if there is evidence that the student has an identified disability or long-term condition that is impacting on their fitness to continue in study, the processes set out below may provide a more appropriate alternative to disciplinary procedures.

A student who voluntarily withdraws, or who is required to withdraw temporarily on health and safety grounds, is subject to the University's Regulations for Students, including limits on temporary withdrawals and accommodation regulations.

1. Introduction

1.1 The following Guidelines apply to situations where the University needs to respond appropriately to situations where significant concerns are identified about a student's personal circumstances and or behaviours which may have a negative impact on the health, safety and wellbeing of the student or other persons. These circumstances are considered independently to academic concerns.

1.2 Fitness to continue in study includes a student's ability to cope with University life and remain in the study environment. This includes being able to take the responsibility expected of all students in upholding the University's regulations and engaging with relevant procedures as outlined in the Student Charter.

1.3 The University is committed to promoting the wellbeing of all students including those with disabilities or long-term conditions. This includes working to promote positive attitudes

and reduce discrimination. The University recognises that there may be occasions when it may be in the best interest of a student to take a break from their studies in order to concentrate on their health and wellbeing. Any action taken under this procedure will only take place if it is deemed to be in the best interest of the student and/or others around them.

1.4 It is important to establish whether the cause of such concerns may relate to the manifestation of a diagnosed condition, or to behaviours deemed to be consistent with a long-term condition or disability. It is also important, where a condition or disability is involved, that decisions are based on evidence, and that assumptions about a condition or disability are avoided. Such assumptions may give rise to instances of direct unlawful discrimination on the grounds of a student's disability. The University is committed to creating an inclusive environment and promoting equality, and this procedure applies equally to all students where there is concern for their wellbeing impacting on the health and safety of themselves or others around them.

1.5 The University will make reasonable efforts to engage the student at all steps of the process. If the student fails to co-operate or to engage with the University at any point in the procedure the University has the right to continue with the process in their absence.

1.6 These guidelines apply to any person currently enrolled as a student at Queen's University Belfast. However, if undertaking a placement or period of study abroad, the relevant organisation or institution may have their own policies and procedures which need to be followed.

The process outlined in these Guidelines is set out in a flow chart in Annex 1.

2. Informal Stage: Student Intervention

Ordinarily the first step relating to issues concerning the wellbeing of a student would be to meet with the student to discuss the concerns. If unsure if this is the correct course of action staff can contact the Student Disability and Wellbeing Service for advice and guidance on how to manage the situation in accordance with the Student Support Protocol (which can be found at: <http://www.qub.ac.uk/directorates/sgc/wellbeing/InformationforStaff/>).

The procedure for use in emergency situations is set out in 6 below.

2.1 If the staff member meets with the student the issues of concern should be discussed and, if appropriate, the University's concerns and expectations around the student's behaviour and management of their wellbeing. As an outworking of the meeting the student can be appropriately signposted for further support. Please note that information can be shared with appropriate University staff, their GP or external organisation, as in line with the University's Student Privacy Notice.

2.2 If the student chooses not to attend a meeting with the staff member, the staff member should contact Student Disability and Wellbeing Services for further advice and guidance as in line with the Student Support Protocol.

2.3 The member of staff raising concerns about the student may refer the student to the University's Occupational Health Service under; the Occupational Health Student at Risk Referral Process. If the student declines the referral, they will be advised that this may be to their detriment. The School will in turn make a decision based upon the information available, in consultation with the Head of Student Disability and Wellbeing or Head of Student Affairs or Senior Nominee.

2.4 The Occupational Health Service will give support and advice to students referred to them, including those undertaking a temporary withdrawal on medical grounds, and will develop a timeline for review of a student's status. The Occupational Health Service may also direct a student to withdraw temporarily on medical grounds, in line with University regulations (Regulations for Students 1.21).

2.5 The University or Occupational Health Service may also require the student to attend an examination by a psychiatrist, psychologist or other healthcare professional approved by the University.

2.6 The Occupational Health Service seeks to support the normal work of the School and outcomes of assessments will be made known to Schools where there is consent from the student. If the student does not give their consent the Occupational Health Service will as a minimum requirement advise the School if the student is fit or not to continue in study. Academic progression remains the responsibility of the School.

3. Formal Stage

3.1 As a general rule, the Formal Stage of this Procedure will only be invoked when the student's personal circumstances or behaviours are perceived to be of a serious or potentially serious nature.

3.2 Because of the serious nature of the behaviour leading to instigation of the Formal Stage, it is recognised that consideration must be given at all times to the wellbeing of the student, and how the process is impacting on their wellbeing.

3.3 Where there are particular and ongoing concerns about a student, their behaviour and their overall wellbeing, and where there is no engagement, no improvement or a further deterioration, despite supportive interventions, the Head of Student Disability and Wellbeing or Head of Student Affairs or Senior Nominee may recommend instigating the Formal Stage.

In such instances the referring staff member, School Manager and staff from the Student Disability and Wellbeing Team will meet and compile a report of the facts known about the situation, for submission to the School Fitness to Continue in Study Panel.

Fitness to Continue in Study Panel

3.4 The School shall establish a special Fitness to Continue in Study Panel within two weeks of receiving the afore mentioned report, consisting of at least three and no more than five members, including the Head of School, another senior member of School staff and at least one of the following, as deemed by the School to be necessary or appropriate:

- i. Head of Student Affairs or nominee
- ii. Head of Student Disability and Wellbeing or nominee
- iii. Head of Accommodation and Hospitality or nominee
- iv. Head of International Student Support or nominee
- v. Head of Public Engagement or nominee

In addition, the staff member that raised initial concerns about the student may be asked to attend to provide information to the Panel.

The member representing central support services should not be the same person who has met with the student through the Student Support Protocol.

Representatives for example from Occupational Health, Academic Affairs, Legal Services, Safety, Student Records and Examinations, Income and Student Finance may be asked to attend at specific points during the meeting in an advisory capacity, to provide further information or to clarify a policy or procedure.

External professionals may be invited to attend and/or to provide information on the student's case or situation and/or to provide general information and advice on support and care that can be accessed:

- i. Representative from the University Health Centre or other GP practice as appropriate
- ii. Appropriate representative from Health and Social Care
- iii. Professionals in disability, counselling or mental health fields

3.5 The Panel may ask the student for evidence from relevant health and social care professionals, to confirm that they are fit to study or may require the student to attend for examination by a medical professional appointed by the University. Where external evidence is being considered, the University's Occupational Health Service or Head of Student Affairs, or Senior Nominee, shall make clear to health care professionals the level of reasonable support the University can provide and the limitations of this support.

Notes of the meeting and any supporting information will be maintained by Student Affairs.

3.6 A student will be given five days notice of the meeting, and the student may be accompanied by a registered student of the University (which includes a Students' Union Sabbatical Officer), or by a member of staff of the University or University Chaplaincy. The student will be provided with any documentation to be considered by the Panel.

In the event that the student feels unable to attend the meeting as arranged, the University will make every reasonable effort to enable the meeting to take place, for example by moving the meeting to a time or location with which the student feels comfortable.

The student may ask the Panel to consider a written statement from him/her. This may be in addition to attendance at the Panel, or if the student wishes, instead of attendance.

If, despite the University's best endeavours, the student feels unable to attend a Panel meeting to discuss their specific circumstances regarding fitness to continue in study, the meeting may take place in their absence with the Panel's decision being communicated to the student as set out below.

3.7 The Panel will seek to ensure that all possible measures have been put in place to support the student and that the limits of reasonableness have been reached, including consideration for obligations under the Disability Discrimination Act 1995 and the Special Educational Needs and Disability (Northern Ireland) Order 2005.

3.8 The Panel may choose one of the following options:

- i. No further action required;
- ii. Continue with the current support plan and review student progress on a more frequent basis;
- iii. Seek further information or professional advice before considering any further action;
- iv. Recommend that a student should withdraw temporarily from studies to concentrate on his/her wellbeing;
- v. Direct that a student be withdrawn temporarily from studies to concentrate on his/her wellbeing.

3.9 The student will be informed in writing of the Panel's decision and shall be invited to meet the Head of Student Affairs, or nominee, and a representative from the student's School to discuss the Panel's decision. The student may be accompanied by another student or member of staff of the University (including a Sabbatical Officer) or University Chaplaincy for support.

If the Panel deems it appropriate, reasonable efforts will be made to allow the student access to University support services during their period of withdrawal, which will be discussed at this meeting. If the Panel deems it appropriate, the student may also be permitted access to some learning material to help them maintain a connection with their School/studies and to assist a possible return to study, unless a complete break has been recommended by medical professionals.

The Return to Study procedure will be discussed with the student at this meeting.

3.10 Where appropriate, the Panel's decision and the outcome of the discussion with the student will be communicated to the Head of Accommodation and Hospitality. All students who have agreed a contract for accommodation with the University are subject to the regulations relating to Student Accommodation, including those relating to withdrawal from the University and requesting release from contracts.

4. Student Appeals Process

4.1 The student will have the right to appeal against the decision of the Fitness to Continue in Study Panel to the Central Student Appeals Committee (see Academic Appeal Regulations (Taught Programmes)) or the Central Student Research Appeals Committee (see Academic Appeal Regulations (Research Degree Programmes)), as appropriate, in accordance with University regulations.

5. Return to Study

5.1 Any student who is required, who withdraws before there is an outcome or who chooses to withdraw temporarily from study after following a Fitness to Continue in Study process

will be subject to periodic review in the light of further developments or improvements in the student's wellbeing.

5.2 As every student's situation is different, a 'withdrawal review date' will be agreed with the student and the University's Occupational Health Service at the time of withdrawal.

5.3 Where a student has been required to withdraw or has withdrawn voluntarily, following the Formal Stage of this process, their return to the University must be considered by a Panel, comprising the Head of Student Affairs (or nominee), a representative from the University's Occupational Health Service and a representative from the student's School.

5.4 The student will be required to meet with the Panel in person. In addition, the student may furnish written information for consideration by the Panel.

5.5 Prior to the Panel meeting, the student will be required to meet with the University's Occupational Health Service, to enable a report to be prepared for consideration by the Panel. The student may also be required to attend for examination by a medical professional, as directed by the Panel.

5.6 The student may be accompanied by another student or member of staff of the University (including a Sabbatical Officer) or University Chaplaincy for support.

The purpose of this discussion is to review the student's situation and to consider:

- i. The actions the student has taken to improve their situation;
- ii. The support they have accessed;
- iii. Any support they would find helpful in ensuring a successful return to study, including a re-referral to the Disability and Wellbeing Team;
- iv. Information about confidentiality/sharing of information.

5.7 Outcomes from this meeting may include:

- i. Recommend to the Head of School that the student's return to study be approved;
- ii. Seek further medical information before considering any further action;
- iii. Continue the student's temporary withdrawal and review student progress after a set period of time.

Approval from the student's Head of School must be obtained before re-registration.

5.8 The student will be informed of the decision and any specific recommendations or suggestions about the support that they are recommended to access if they return to studies. The student will also remain under the monitoring of the Student Disability and Wellbeing Team for the remainder of the academic session, subject to ongoing review.

5.9 The student may request a review of the Panel's decision by the Director of Academic and Student Affairs.

5.10 All withdrawn students are subject to University regulations relating to withdrawals defined under Regulations for Students. This may include limits on applications for temporary withdrawal.

6. Emergency Situations/Serious Incidents Involving a Student

6.1 Emergency incidents involving students are rare and the immediate situation should be dealt with by calling the University's Safety Team on extension 2222 or 028 9097 5099. The Safety Team will contact appropriate emergency services, respond to the scene and contact other relevant support providers, including the Head of Student Disability and Wellbeing.

6.2 To prevent reoccurrence of any action and to protect the members of the University community in general, or a particular member or members, the Vice-Chancellor may apply a precautionary suspension as set out in the Conduct Regulations, where it is urgent and necessary to take such action pending outcomes from the formal process. This may include temporarily suspending a student's access to University information systems or buildings, or prohibit contact with specific students or members of staff, on health and safety grounds.

7. Record Keeping

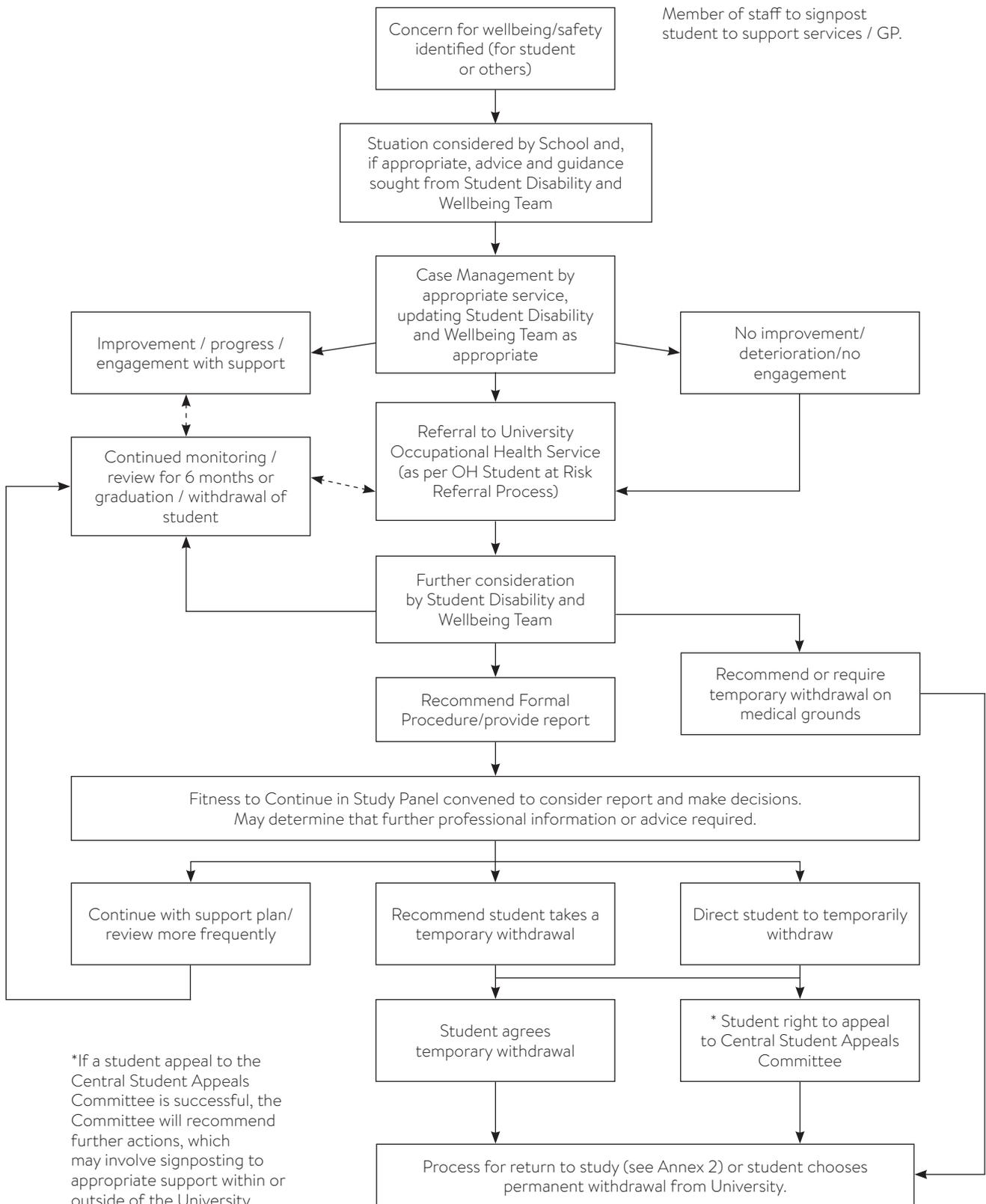
7.1 Records and information relating to specific students will be held as follows:

- i. Individual support services accessed by a student maintain their own records, in accordance with the University's Data Protection Policy.
- ii. Records and information held under the Student Support Protocol are normally kept in the office of the Head of Student Disability and Wellbeing. However, information relating to a student's interactions with support services and Accommodation and Hospitality will be held within the service, shared with the Student Disability and Wellbeing Team, as appropriate, in line with the University's Student Privacy Notice.
- iii. Records and information relating to School Fitness to Continue in Study Panel meetings will be held within Student Affairs.
- iv. Records and information relating to Appeals will be held within the office of the Director of Academic and Student Affairs.

All information held about a specific student is subject to Data Protection and Freedom of Information legislation. Information will be stored and destroyed in line with University records management policies.

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Annex 1: Flow Chart – Fitness to Continue in Study



Guidelines on Fitness to Continue in Study on the Grounds of Health and/or Safety

Annex 2: Flow Chart – Fitness to Return to Study

