Policy and Procedures to Determine and Support a Student's Fitness to Continue in Study

In the Policy and Procedures to Determine and Support a Student's Fitness to Continue in Study and all Appendices the term "student" includes apprentices on degree apprenticeship programmes

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Contents

1. Quick Guide to the University's Policy and Procedures to Determine Fitness to Continue in Study 2
2. Introduction 2
3. Scope 3
4. Responsibilities 4
5. Operating Guidelines 5
6. Grounds for Concerns about a Student's Fitness to Study 6
7. Generic Fitness Standards 7
8. Provision of Standard Support 8
9. Stage One – Emerging/Initial Concerns 9
10. Stage Two – Continuing Concerns 10
11. Stage Three – Student in Crisis or Escalation from Stage Two 12
12. Referral to the Occupational Health Physician 15
13. Stage Four – Return to Study 16
14. Appeals 18
Appendix One Student Occupational Health Referral Letter 20
Appendix Two Referral Form to Stage Two of Fitness to Continue in Study Policy 25

1. Quick Guide to the University's Policy and Procedures to Determine Fitness to Continue in Study

The following quick guide has been produced to direct staff to the relevant parts of the Policy. It is not a substitute for reading the whole document. If you are reading an electronic version of this document, press control and click on the section number to be taken directly to the relevant section.

1.1. If you have concerns about the immediate safety of an individual contact emergency services via security.
1.2. If you have concerns about an individual's mental health you can seek guidance from the Mental Health Advisory Service.
1.3. If you have general concerns about a student's safety or wellbeing you can seek advice from Student Welfare Advice and Guidance.
1.4. Establishing Fitness to Continue in Study requires staff involved with supporting a student to articulate their concerns clearly and where possible to discuss these concerns with the student.
1.5. The Fitness to Continue in Study Policy is not an alternative to addressing academic progress issues or providing support through the usual routes. Staff who wish to refer a student to stage two will be required to provide evidence of the support which has already been offered to the student and the student's response to this support.
1.6. Individuals have designated responsibilities under this Policy. See section 4 for details.
1.7. Most concerns about a student's wellbeing should be dealt with locally either as emerging concerns or as stage one of this procedure.
1.8. Stage two of this procedure provides an opportunity to develop a supportive Individual Learning Support Plan to address issues of concern.
1.9. Stage three of this procedure provides for the suspension or very rarely termination of a student's studies

2. Introduction

2.1. The University of Liverpool is committed to supporting the wellbeing of students and staff and to providing an environment that is safe and conducive to study.

2.2. The University recognises that students may experiences a range of difficulties throughout their studies related to academic and personal factors and has a number of polices which are designed to address concerns about a student's academic progress and support needs. Specifically:

- Code of Practice on Assessment Appendix M- Extenuating Circumstances
- Code of Practice on Assessment Appendix E -Progress of Students - A Guide for Officers, Staff and Students
- Policy Regarding Reasonable Adjustments and Support for Disabled Students
- Mental Health Policy
- Policy on Student Conduct and Discipline
- Policy and Code of Practice on Fieldwork and Working away from the University

2.3. The Fitness to Study Policy (hereafter referred to as this policy) is intended for use where the behaviour, disruption or risk presented by a student is perceived to be serious or potentially serious and there is a clear link to a health condition. **The policy is intended to be supportive rather than disciplinary in nature.**

2.4. This Policy is designed to be supportive and latter stages are designed to be used only in exceptional circumstances when other approaches to support have not been effective or met the needs of the individual and/ or wider University community. Any referral to Stage Two of this Policy will need to demonstrate which other procedures have been considered and why these are not sufficient to address the concerns.

2.5. If a student is experiencing a mental health crisis, the priority is to ensure that the student is accessing support from appropriate external services. The Mental Health Advisory Service should be contacted for advice about supporting a student who is experiencing mental health crisis. This procedure would not normally be used when a student is in crisis however, where there are ongoing risks which cannot be managed through other support routes this Policy may be used.

2.6. If staff are unsure which policy is the most appropriate to address a specific concern about a student they should seek advice from the Head of Student Services.

3. Scope

3.1. This Policy applies to student conduct on University premises, in University accommodation, during study/research activities off site (for example field work or placements) and to any other situation where there are concerns about a reasonably foreseeable risk to the health, safety or wellbeing of the student or others.

3.2. This may include when a person's conduct is unacceptable in how they behave and treat other people, how they function in managing their own health and safety and where this type of behaviour impacts on other students, staff or members of the public.

3.3. If a student is due to undertake field work or study abroad then appropriate risk assessments and functional declarations should be completed in line with the Policy and Code of Practice on Fieldwork and Working away from the University. If the student is found not fit to participate in the activity then a referral may be made to this procedure.

3.4. This Policy applies to all students including Degree Apprenticeships, studying on any campus of the University and students studying for a University of Liverpool award who spend any time off campus (such as on placement, year abroad/in industry, off-site research), although under certain partnership arrangements, e.g. with XJTLU, LSTM and Laureate, other arrangements may apply and these will be referred to in the documentation which

students receive when they commence their studies. For students who are on programmes leading to some clinical qualifications, the Fitness to Practise Policy may take precedence over the Fitness to Study Policy. For details of that policy and the programmes which it covers please see http://www.liv.ac.uk/student-administration/student-administration-centre/policies-procedures/fitness-to-practise/ and seek advice, if required, from the Academic Compliance Team.

3.5. Where concerns about a student's Fitness to Continue in Study are raised whilst a student is off campus, the University may have limited opportunities to interact with the student and/ or take action under this policy. The specific circumstances of the case will be taken into account when determining an appropriate course of action. Where a variation to the procedure is required to act in the student's best interests the variation will be agreed by the Head of Student Services.

3.6. The fitness of students to continue to reside within University accommodation may be considered under this policy; it is possible for a student to be found unfit to reside in University accommodation whilst still remaining fit enough to continue with their studies. In such circumstances the implications for the student's health and academic studies of being required to leave University accommodation will be considered as part of the process.

4. Responsibilities

4.1. **The Head of Student Services** is responsible for providing advice about the appropriate policy to use in specific cases and for advising about the operation of this policy and procedure. S/he is also responsible for confirming that the measures proposed in an Individual Student Learning Plan are appropriate. S/he is also responsible for convening any hearings at Stage Three of the procedure and for ensuring that students returning from suspension of students on health grounds are provided with appropriate support by specialist central services.

4.2. **The Head of Student Welfare Advice and Guidance** is responsible for deciding whether a student should be considered under Stage Two of this procedure, for overseeing the student's engagement with the ISLP at Stage Two of the procedure and for providing advice and guidance to staff about conversations to be held at stage one of the procedure.

4.3. **The Senior Mental Health Advisor** is responsible for ensuring that appropriate advice is provided to staff who are concerned about a student's mental health.

4.4. **Members of Student Services** are responsible for developing the Independent Student Learning Plan with the student and providing support as appropriate.

4.5. **The Occupational Health Physician** is responsible for providing independent medical advice about the student's fitness to study.

4.6. **All staff** are responsible for ensuring that where there are concerns about a student these are raised with the relevant student support contact within their school or service.

4.7. **Student support contacts and Hall Wardens** are responsible for ensuring that where there are emerging concerns about a student these are addressed in a timely manner and referred to specialist services as appropriate.

4.8. **Executive Pro Vice Chancellors** are responsible for deciding whether a student should be suspended or have their studies terminated based on the recommendation of the Case Review Panel.

5. Operating Guidelines

5.1. The University's Policy on Student Conduct and Discipline sets out expected standards of behaviour and the procedures for addressing any breaches of these standards.

5.2. The University recognises that some students will experience health conditions which result in conduct or behaviour which presents a risk to themselves or others or which results in unreasonable demands being placed on staff, students or others. In such circumstances, it may not be appropriate to implement the Policy on Student Conduct and Discipline. Where it is unclear which policy should be followed, advice should be sought from the Head of Student Services and the Academic Compliance Manager who may recommend a referral to the Occupational Health Physician for independent medical advice. If, following consultation, it is decided to take action under the Policy on Student Conduct and Discipline reasonable adjustments may be made to the procedures if necessary.

5.3. All information provided regarding fitness to continue in study will remain confidential for use within the procedure and is subject to the requirements of the Data Protection Act. Only staff directly involved in the procedure will be given access to confidential information, except in circumstances where subsequently a decision is taken to implement the Policy on Student Conduct and Discipline or Fitness to Practise Policy, in which case staff directly involved in that implementation may also be provided with this confidential information, where this is deemed necessary. Where there are concerns about a significant risk to the student or to others, relevant information may need to be shared more widely in line with Student Services protocols.

5.4. Where a student has disclosed a disability to the University, they should be encouraged to contact the Disability Support Team to ensure that reasonable adjustments are put in place for their studies. Where required, reasonable adjustments will also be implemented when implementing this procedure.

5.5. The University strives to ensure consistency and sensitivity in these matters; decisions will be reached following consultation and advice from relevant

individuals. The student's views will form part of the consideration, as will an assessment of their ability to learn, study and interact with the University community.

5.6. Where there are significant concerns about a student and/or the student is unable/unwilling to engage in the procedure, the matter may be escalated directly to Stage Three of the procedure without passing through the intermediate stages. Similarly, where there are repeated concerns about a student's behaviour following previous use of this procedures it may be appropriate to escalate to Stage Two or Three of the procedure immediately.

5.7. All parties involved in providing support to students about whom there are concerns and/or who are involved in this procedure should maintain accurate and confidential notes about the case. Notes must be stored in line with the University's Data Protection Guidance.

5.8. Timescales provided in this policy are provided in calendar days and refer to normal timescales. There may be occasions when it is not possible to meet these timescales e.g. during vacations, Christmas closure, or due to staff absences in which case student will be kept informed of reason for delay and likely adjusted timescale.

6. Grounds for Concerns about a Student's Fitness to Study

6.1. The Fitness to Study Policy is not intended to address general concerns about a student's support needs. The University has a range of established support mechanisms and these should be considered before a referral.

6.2. Grounds for concerns about a student's fitness to study might include (but not be limited to):

6.2.1. A progressive or sudden deterioration in a student's attendance, attention, quality of work, appearance, or behaviour;

6.2.2. Where serious concerns have been expressed about the student's well-being or safety that indicate that there is a need to address the student's fitness to study;

6.2.3. Where the student has provided a member of the University with information that indicates that there is a need to address the student's fitness to study;

6.2.4. Where the student's participation in their programme or their agreed research activities is not enabling them to make progress with their studies or research and there is reason to believe that this is linked to their fitness to study;

6.2.5. Where the student's physical behaviour or demeanour is causing concern about the safety of themselves and or others, and is thought to be the result of an underlying physical or mental health issue;

6.2.6. Where the student has been unable to provide medical evidence to obtain insurance through the University insurance scheme for a placement or other activity.

7. Generic Fitness Standards

7.1. The University seeks to ensure equity and consistency of treatment for all students. The following generic fitness standards apply to all students.

7.2. Students should have:

7.2.1. An appropriate awareness of their own health and safety and that of others.

7.2.2. An appropriate awareness of the risk of physical danger to themselves and others.

7.2.3. The ability to communicate effectively with fellow students, staff and other professionals. (This would include alternative methods of communication such as, for example, BSL or computer aided speech.)

7.2.4. The ability to undertake periods of study independently (using appropriate support mechanisms as required).

7.2.5. The ability to attend and engage effectively in lectures, tutorials and other learning activities, with appropriate adjustments as necessary.

7.2.6. The ability to submit coursework within required academic timescales with appropriate adjustments.

7.2.7. The ability to undertake assessment and engage effectively with the assessment process, with appropriate adjustments.

7.3. In addition, students in University accommodation should demonstrate:

7.3.1. The ability to live independently (with support from external agencies if required).

7.4. To understand when a student's behaviour may indicate they are not meeting the above generic fitness standards the following behavioural indicators may be useful and will be used to inform risk assessments about the appropriate course of action. The student:

7.4.1. Repeatedly behaves inappropriately within the University living and/or learning community;

7.4.2. Does not demonstrate insight into the potential impact of their behaviour on self and/or others;

7.4.3. Does not demonstrate appropriate awareness of the risk of physical danger to themselves and/or others;

7.4.4. Does not demonstrate appropriate awareness and understanding of the potential impact of her/his health condition on self and/or others;

7.4.5. Repeatedly does not engage with agreed strategies to manage the impact of their health condition.

Fitness to Study Procedure

8. Provision of Standard Support

8.1. The University has a range of well-established support mechanisms for students. School based and central support mechanisms are designed to address the majority of concerns students experience. In many cases students will approach a member of staff to explain the difficulties they are experiencing and staff can signpost the student to appropriate support.

8.2. In some situations, staff may become concerned about a student's wellbeing, health, safety or behaviour either as a result of their own observations or based on concerns reported by a third party. If more than one member of staff is concerned then the staff members should agree who will approach the student to raise their concerns.

8.3. Staff should either approach the student in an empathetic and non-confrontational manner to try to ascertain the issue, or alternatively should suggest to the student that they make contact with the school-based Student Support Officer or central Student Support Services for support.

8.4. Where concerns relate to a student's fitness to reside in University Residences, staff and Residential Advisors should advise the student to contact the appropriate Hall Warden or Accommodation Officer for advice and support.

8.5. The member of staff who talks to the student concerned should outline their concerns to the student and offer to assist with referring the student to the school-based Student Support Officer or Student Support Services who will be able to discuss available support in more detail with the student and, where appropriate, implement agreed support measures.

8.6. If these discussions identify health issues which the department believes indicate that the student cannot meet the generic fitness standards, the department can refer the student to Occupational Health. Any referral must indicate which of the generic fitness standards the department believe the student is unable to meet.

8.7. Referral to the Occupational Health Physician can only be made with the student's consent. If the student does not consent to a referral to the Occupational Health physician then the student will be considered under this procedure in the usual manner

8.8. If the Occupational Health Physician recommends that the student is not fit to study, the student's case will be considered under Stage Three of this procedure.

8.9. If the Occupational Health Physician recommends that the student is fit to study, the student's case should be considered under Stage One of the procedure.

9. Stage One – Emerging/Initial Concerns

9.1. If, following provision of general support, concerns persist about the student's wellbeing, health, safety or behaviour a more formal conversation should take place between the student and a member of staff; if concerns are raised in the Academic department this may be the Academic Adviser or a member of Professional Services staff; if concerns are raised in accommodation the warden should lead the discussion with the student supported by an appropriate member of professional services. Staff can seek guidance and support in relation to such conversations from the Head of Student Welfare, Advice and Guidance

9.2. The member of staff should outline the concerns to the student and explain that there are concerns about the student's fitness to study. The member of staff should inform the student that they are now in Stage One of the Fitness to Study procedure. The member of staff should clearly articulate any changes in the student's behaviour which are required.

9.3. The member of staff should ask the student what support they have already accessed and whether this has helped. They should discuss other support available to the student.

9.4. Following the meeting the member of staff should provide the student with a written summary of the meeting (by email to a University email address is acceptable). This should clearly state the concerns any agreed support mechanisms and an agreed review date.

9.5. Where the concerns relate partially or wholly to behaviour any expected improvement in the student's behaviour should also be clearly stated There should be a clear timeframe within which expected improvements should take place, usually fourteen calendar days.

9.6. The member of staff should monitor the student's behaviour to see if required improvements have been made. If at the end of the specified period there are no further concerns the member of staff should write to the student to confirm that no further action will be required and that they are no longer considered to be in Stage One of the Fitness to Study Procedure. This letter should also remind the student of the support which is available to them.

9.7. If the student does not make the required improvements or if their conduct in the meeting indicates that they are not willing to make any such improvements, the member of staff should contact the Advice and Guidance team making a referral to stage two of the process.

10. Stage Two – Continuing Concerns

10.1. If a student's health, safety, wellbeing or behaviour continues to cause concern, the matter should be referred to the Advice and Guidance Team in Student Services using the referral form in Appendix Two . The referral should be signed by the Head of Department.

10.2. The Advice and Guidance Team Leader will, following consultation with other colleagues as appropriate, consider whether the referral meets the threshold for consideration under Stage Two of the Fitness to Study Policy.

10.3. If the Advice and Guidance Team Leader does not think the matter should be considered under Stage Two of the Fitness to Study Policy they will inform the Head of Student Welfare, Advice and Guidance (or nominee) in writing providing the reasons for this recommendation.

10.4. If the Head of Student Welfare, Advice and Guidance accepts this recommendation she will confirm this in in writing to the Advice and Guidance Team Leader.

10.5. The Advice and Guidance Team Leader will then inform the individual who made the referral of the decision and where appropriate will advise them that the student will be contacted by an appropriate member of Student Services to offer support. The Advice and Guidance Team will also advise the referrer about other options for supporting the student and/ or addressing the School's concerns e.g. by referral to other policies.

10.6. Where appropriate a member of Student Services will contact the studentto offer support.

10.7. If the Head of Student Welfare, Advice and Guidance disagrees with the Advice and Guidance Team Leader's recommendation that the matter should not be dealt with under Stage Two of Fitness to Study she will state this in writing expressing the reasons why and the referral will proceed.

10.8. If the referral is accepted under the Fitness to Study Policy, the Advice and Guidance Team Leader will inform the member of staff who made the referral. If the referral is not accepted the Advice and Guidance Team Leader will inform the referrer who will be given an opportunity to provide any additional information.

10.9. If the referrer remains dissatisfied with the decision s/he can discuss this with the Head of Student Welfare Advice and Guidance.

10.10. The student will be invited to attend an initial interview with an appropriate member of Student Services (named member of staff). Depending on the circumstances of the case the meeting may involve more than one member of Student Services staff. If the referral contains concerns about the student's

behaviour in Halls a member of Halls staff may be involved in the meeting. Where appropriate the referring member of staff may also be invited to this meeting. This meeting should usually take place within 14 calendar days of receipt of the referral.

10.11. If the student is unable to attend the first appointment offered, one subsequent appointment will be offered. The student will be informed that failure to attend this appointment may be considered as a lack of engagement in the process and the matter may be referred to Stage Three of the procedure.

10.12. At the meeting, the student will be given an opportunity to discuss her/his perceptions of the situation and their actions. The named member of staff will set out the concerns and identify risks.

10.13. The student may be accompanied by a friend to support them in this meeting and will be informed of the support provided by the Liverpool Guild of Students Advice Service who may act in this capacity.

10.14. The named member of staff will undertake a risk assessment with the student which identifies risks and proposed measures to mitigate these risks.

10.15. This risk assessment will form the basis of an Individual Student Learning Plan (ISLP). This document should be agreed by the student and staff member. This may include utilising internal support teams but may also include referral to external services. The named member of staff may liaise with staff from other areas of the University before finalising the support plan to ensure that proposed actions are appropriate. The ISLP will indicate how long it will be in place and the frequency of reviews.

10.16. The ISLP will be sent to the Head of Student Services to counter sign to confirm that the measures in the risk assessment are appropriate. The Head of Department will also be asked to confirm if the measures are appropriate. If concerns relate to a student's behaviour in Halls the Director of Residential and Commercial Services will also confirm that the measures are appropriate.

10.17. The student will be advised in writing that if they do not adhere to the Individual Student Learning Plan, they may be referred to Stage Three of this procedure.

10.18. Once the named member of staff and the student have agreed the ISLP a copy will be held by Student Services as part of the student's record. The plan will indicate who else should be informed of the ISLP and copies will be sent to appropriate staff and/ or external agencies.

10.19. If it is not possible to agree an ISLP, the named member of staff will document the measures which were proposed to the student and any comments from the student about the proposed measures. The named member of staff will inform the Head of Student Services who will decide whether to escalate the matter

directly to Stage Three of the procedure or whether to arrange a further meeting with the student to offer a final attempt at agreeing an ISLP.

10.20. The named member of staff will be responsible for ensuring monitoring takes place to confirm that the student is complying with the ISLP. Review meetings form an essential part of this monitoring. During the review meetings the named member of staff will consider whether the support measures continue to be appropriate and whether the duration of the ISLP should remain the same or be extended. If the duration is to be extended this must be agreed with the Head of Student Services.

10.21. If the student does not attend planned review meetings, this will be considered to be a lack of adherence to the ISLP.

10.22. If the student does not adhere to the ISLP, the matter will be escalated to Stage Three of the procedure.

10.23. At the end of the agreed period of the ISLP, if the student has complied with the ISLP and there are no further concerns the named member of staff will confirm to the student in writing that s/he is no longer subject to Stage Two of this procedures. The student will also be informed that should concerns about her/his fitness to study be raised in future, these will normally be considered under Stage Two of this procedure.

11. Stage Three – Student in Crisis or Escalation from Stage Two

11.1. Stage Three of the procedure may be initiated when:

11.1.1. The student does not adhere to an agreed ISLP;
11.1.2. There are substantial concerns that a student is an immediate risk to themselves and/ or others;
11.1.3. The student has adhered to the ISLP but the situation persists and/ or the student's conduct continues to cause concern.
11.1.4. The student's department has referred them to Occupational Health and the student has been found not fit to study.
11.1.5. The student's studies have been terminated by a Board of Examiners and the student subsequently submits a claim for extenuating circumstances which raises concerns about their fitness to study.

11.2. The Head of Student Services will inform the student in writing that her/his case is being considered under Section Three of this procedure and that there will be a meeting of a Case Review Panel to consider the student's case

11.3. The Head of Student Services will convene a Case Review Panel consisting of, at least, the Head of Student Services (or nominee) and the student's Head of Department (or nominee) and one other member of staff (where the student is believed to have a mental health issue this should usually be the Head of Counselling and Mental Health Advisory Services, the Senior Mental Health Adviser,

or the Mental Health Adviser). Care will be taken to avoid any conflict of interest, and wherever possible to avoid direct involvement of staff with a therapeutic relationship with the student, and with independent advisory roles, in the final management decision. If the concerns relate to behaviour in University accommodation, the Director of Residential and Commercial Services (or nominee) will be part of the Panel. Other members may be invited to the panel as appropriate.

11.4. The Case Review Panel will normally be held within 14 calendar days of initiation of Stage Three of the procedures.

11.5. The Case Review Panel will consider the details of the student case, including information about the student's personal circumstances. The panel will consider any previous risk assessment and will update this where necessary.

11.6. The student will be invited to attend part of the panel meeting and/or to provide the panel with a written statement of their views and any independent medical evidence they wish to be taken into account. If the student chooses to attend, they may be accompanied by a friend and will be informed of the support provided by the Liverpool Guild of Students Advice Service who may act in this capacity.

11.7. If the student and/ or their representative are unable to attend the original meeting date an alternative date within seven calendar days of the original date will usually be offered. Where it is not possible to rearrange the meeting in a timely manner the student and their representative will be offered the opportunity to discuss any further issues or information with the Head of Student Services in addition to making a written submission to the panel.

11.8. The panel's initial and final deliberations may take place without the student or their representative present. Full notes of these discussions will be kept and will be made available to the student.

11.9. The panel will seek advice from Legal Services and/ or Occupational Health as required. The panel will be responsible for making the final recommendations and indicating the information which has been taken into account and the reasons for these recommendations.

11.10. After the initial panel meeting the panel may make recommendations including but not limited to:

11.10.1. Further information about the student's health is required in the form of an Occupational Health Assessment. In this case the student may either:

11.10.1.1. be required to suspend studies until such time as the Occupational Health Assessment is available; or

11.10.1.2. be allowed to continue their studies whilst the Occupational Health assessment is ongoing (with or without an ISLP).

11.10.2. The student should be permitted to continue their studies with a new ISLP in place;

11.10.3. The student should be permitted to continue their studies without an ISLP in place;

11.10.4. The student should be required to suspend studies until such time as they are fit to return to studies;

11.10.5. The student should be required to withdraw from their studies.

11.11. If the student is required to have a new ISLP the named member of staff will be informed of this and will normally arrange to meet the student within 14 calendar days of the case review panel to agree a new ISLP. The agreement of the ISLP shall proceed as in 10 above with the exception that if it is not possible to agree an ISLP the matter will be referred back to the Case Review Panel.

11.12. Wherever possible the student should be given an opportunity to suspend studies voluntarily. However, if the student does not agree to a voluntary suspension the University can require the student to suspend studies. It is important to note that suspension of study is not a disciplinary sanction but is to allow a period of time for a full assessment of the circumstances with regard to the student and their programme of study and or for recovery to enable the student to fully participate in their programme.

11.13. The recommendation that a student should be required to withdraw from their studies will only be made under exceptional circumstances and will not usually be made the first time that a student reached Stage Three of the procedure.

11.14. This recommendation and rationale for this recommendation will be made to the Executive Pro-Vice-Chancellor for the relevant Faculty (or nominee).

11.15. The decision to require a student to suspend studies/withdraw from the programme will be taken formally by the Executive Pro-Vice-Chancellor for the relevant Faculty (or nominee).

11.16. The student will be notified formally in writing of the decision of the panel and the reasons for that decision. Where the student is being permitted to continue their studies, the notification will be sent by the Head of Student Services and will include any requirements such as the need for a new ISLP. Where a suspension from studies is required, the notification of this and of any associated terms and conditions shall be sent by the relevant EPVC. The letter will include contact details for the named member of staff who will act as a point of contact for the student during their period of suspension. Where the student is required to withdraw from studies, the notification shall be sent by the relevant EPVC. Any notification of a suspension from studies or a requirement to withdraw from studies shall include details of the student's right to appeal that decision in accordance with section 14 below.

12. Referral to the Occupational Health Physician

12.1. As noted in 8.6 above, where a department believes that a student is unable to meet a generic fitness standard they can refer the student to the University's Occupational Health Service.

12.2. If the Case Review Panel decides to refer the case to the Occupational Health Physician, the Head of School/Department will make the referral to Occupational Health using the form found in Appendix One. In some circumstances the Case Review Panel may agree that it would be more appropriate for the referral to come from the Head of Student Services. The Head of Student Services may use their discretion to offer the student the opportunity of an Occupational Health Assessment prior to the panel if this appears to be the most expeditious way of conducting matters.

12.3. Referral to the Occupational Health Physician can only be made with the student's consent. If the student does not agree to be assessed by the Occupational Health Physician, the Case Review Panel will make a recommendation based on the information available to them.

12.4. The Occupational Physician may, with the student's permission, contact their medical practitioner/consultant or other relevant health professional for information regarding their health issues/current condition. If the Occupational Health Physician does not contact the student's medical practitioner/ consultant they will indicate the reason for this in the report.

12.5. The Occupational Health Physician will provide a report which indicates whether or not the student is fit to study on health grounds. The report will refer to the evidence obtained to inform the report. The Occupational Physician is not able to advise management about fitness to study on grounds of conduct alone. If the student is not fit to study on health grounds, the report will indicate which of the generic fitness standards the student is unable to meet and why they are unable to meet them. It will also indicate any steps which may allow the student to recover fitness to study in future on health grounds and/or any adjustments which the University should make to enable the student to meet the standards. Where possible the OHP should indicate how long it may take for the steps and/or adjustments to allow the student to meet the standards. If it is not possible to provide this information the OHP should indicate why this is the case. This will assist the Case Review Panel to reach a decision about the appropriate course of action.

12.6. The Case Review Panel will reconvene to consider the Occupational Health Physician's Report and will update the risk assessment in light of this report. The judgement with regard to whether any adjustments are reasonable is for management to make, on grounds of costs and practicality, in accordance with the code of practice issued with the Equality Act. If the Occupational Health Physician attends the Case Review Panel, s/he shall do so as an adviser.

12.7. The Panel would normally invite the student and their representative to attend this meeting but may choose not to do so depending on the specific circumstances of the case.

12.8. If the student has been invited and they and/or their representative are unable to attend on the original meeting date an alternative date will usually be offered. Where it is not possible to rearrange the meeting in a timely manner the student and their advocate will be offered the opportunity to meet with the Head of Student Services to discuss any further issues or information.

12.9. If the student does attend the panel meeting, the panel's initial and final deliberations may take place without the student or their representative present. Full notes of these discussions will be kept and will be made available to the student.

12.10. After this second meeting the panel may make recommendations including but not limited to:

12.10.1. The student should be permitted to continue their studies with a new ISLP in place;
12.10.2. The student should be permitted to continue their studies without an ISLP in place;
12.10.3. The student should be required to suspend studies until such time as they are fit to return to studies;
12.10.4. The student should be required to withdraw from their studies.

12.11. j) The remainder of the decision-making process will proceed as set out in 11.3-11.16.

13. Stage Four – Return to Study

13.1. Students who have suspended voluntarily during Stage Two or Three of this procedure and those who have been required to suspend their studies will be provided with support during their period of suspension and during their return to enable them to successfully re-engage with their programme.

13.2. Students will be encouraged to maintain contact with the named member of staff in Student Services during their period of suspension, to advise of their progress and to facilitate a return to study when the student is well enough.

13.3. For voluntary and required suspensions, the initial period of suspension will be for a period of up to 12 months. In most cases, students would be expected to have recovered sufficiently within this time to be able to resume studies. In exceptional circumstances, a further 12 month period of suspension may be allowed (a total maximum of 24 months). If, at the end of the 24 month period, the student is not well enough to resume studies, their studies will normally be terminated.

13.4. If the period of suspension results in the student exceeding the normal maximum period of registration, their studies will be terminated except that, in exceptional circumstances, a notwithstanding case may be made to allow the student to continue with their studies.

13.5. Students will usually only be permitted to return from suspension at the start of an academic term.

13.6. Students will be expected to return to the same mode of study as they were originally undertaking, i.e. full-time or part-time. Where a request to return to studies includes a request to change the mode of study or the intensity of study, this will be considered by the Case Review Panel. The request must be academically viable and should enable the student to complete the programme within the normal maximum registration period.

13.7. The Head of Student services will write to all students who have voluntarily suspended studies during Stage Two or Three of this procedure and those who have been required to suspend studies under this procedure three months before they are due to return to study asking whether they intend to return. This letter will be copied to the named member of staff in Student Services who will also attempt to contact the student and will offer support in relation to a potential return to study.

13.8. The Head of Student Services may ask students who have voluntarily suspended studies during Stage Two or Three of this procedure and those who have been required to suspend studies to be referred to the Occupational Health Physician for an assessment of their current fitness to study. Such an assessment should usually take place no more than eight weeks before the student's intended return to study date.

13.9. Referral to the Occupational Health Physician can only be made with the student's consent.

13.10. With the student's permission, the Occupational Health Physician may need to contact their medical practitioner/consultant for updated information regarding their health issues/current condition.

13.11. The Case Review Panel will meet to consider the Occupational Health Physician's report and any additional information, including any information which may be provided directly by the student.

13.12. The student will be invited to attend part of the panel meeting and/or to provide the panel with a written statement of their views and any independent medical evidence they wish to be taken into account. If the student chooses to attend they may be accompanied by a friend and will be informed of the support provided by the Liverpool Guild of Students Advice Service who may act in this capacity.

13.13. The panel's initial and final deliberations may take place without the student present. Full notes of these discussions will be kept and will be made available to the student.

13.14. The Case Review Panel will consider whether any additional measures are required to support the student's return to the University, including whether an updated ISLP is required.

13.15. If the student has been required to suspend, the Case Review Panel will make a recommendation to the relevant EPVC.

13.16. If the student suspended voluntarily, and the Case Review Panel is satisfied that the student can return to study the Head of Student Services will notify the student.

13.17. If the student suspended voluntarily and the Case Review Panel recommends that the student is not fit to return to study, the Case Review Panel will make a recommendation to the relevant EPVC.

13.18. If the student does not consent to referral to the Occupational Health Physician the Case Review Panel will complete a risk assessment to identify whether there is sufficient information on which to assess whether the student is fit to return to study. The Case Review Panel will make a recommendation to the relevant EPVC.

13.19. The decision to allow a student who has been required to suspend to return to the University will formally be taken by the relevant EPVC who will inform the student in writing of this decision and any associated terms and conditions.

13.20. Students who have chosen to suspend on medical grounds outwith this procedure will also be required to provide medical evidence that they are fit to return to their studies. This should be provided to the relevant School office one month prior to the date the student intends to return to studies. If the School has any concerns about the student's fitness to return on receipt of such a letter the Head of School may refer the student to Occupational Health. In such cases a Case Review Panel may be called in line with the procedure set out in section 11.

14. Appeals

14.1. Students who have been required to suspend or withdraw have the right to appeal against this decision.

14.2. Appeals must be made in writing to the Deputy Vice-Chancellor. Usually the appeal should be received within 14 calendar days of the initial decision.

14.3. If a student has been required to withdraw and the student's health condition means they were unable to appeal within 14 calendar days (usually as a result of severe and enduring mental health difficulties), then an appeal may be

accepted up to two years after the date of required withdrawal provided that the student will still be able to complete their programme within the maximum time frame. For such an appeal to be accepted the student would be required to provide appropriate independent evidence that their condition was such that they could not have appealed within the 14 day period and that they are now fit to resume studies and can reasonably be expected to complete within the remaining period of registration.

14.4. Students can appeal on the following grounds:

14.4.1. That there was a procedural irregularity in the original decision to terminate their studies

14.4.2. That they have recovered more quickly than anticipated and therefore are now in a position to complete their studies within the remaining period of registration

14.4.3. That there is material evidence which could not be made available to the original Case Review Panel for reasons beyond the control of the student.

14.5. The Deputy Vice-Chancellor, a senior member of the University with no previous involvement in the case and a Student Representative Officer will consider the appeal. In so doing, they will consider the original decision and the information provided in the appeal.

14.6. The Deputy Vice Chancellor may request independent medical evidence that the student is now fit to resume studies and can reasonably be expected to complete their programme within the remaining period of registration.

14.7. The Deputy Vice-Chancellor may invite the student to meet with him/her and the Student Representative Officer or they may choose to consider the written evidence only. If the student is invited to meet with the Deputy Vice- Chancellor and the Student Representative Officer, they may be accompanied by a friend and will be informed of the support provided by the Liverpool Guild of Students Advice Service who may act in this capacity

14.8. The Deputy Vice-Chancellor will normally write to the student with the outcome of the appeal within twenty eight calendar days of receipt of the appeal.

14.9. There is no further right of appeal within the University but students may be eligible to request a review by the Office of the Independent Adjudicator for Higher Education (the OIA) of the University's decision and the outcome letter sent by the Deputy Vice-Chancellor shall, accordingly, include a Completion of Procedures section.

Appendix One

UNIVERSITY OF LIVERPOOL

Student Occupational Health Referral Letter

1. Student details

Name:
School or Faculty:
Contact address:
Email address:
Date of Birth:
Course of study:
Date of proposed or actual commencement of course:

2. Course details and background information, including concerns about performance:

3. Generic fitness standards and questions which you are asking to assist with a managerial decision.

Students are expected to be able to meet the generic fitness standards of fitness to study listed below, which apply to all study courses for non-regulated professions. The Occupational Health assessment will consider whether the student meets these standards. If your study programme has any additional requirements e.g. participation in potentially hazardous activities, please indicate these additional requirements below, and describe any additional questions you want the Occupational Physician to answer.

i. An appropriate awareness of their own health and safety and that of others.
ii. An appropriate awareness of the risk of physical danger to themselves and others.
iii. The ability to communicate effectively with fellow students, staff and other professionals. (This would include alternative methods of communication such as, for example, BSL or computer aided speech.)
iv. The ability to undertake periods of study independently (using appropriate support mechanisms as required).
v. The ability to attend and engage effectively in lectures, tutorials and other learning activities, with appropriate adjustments as necessary.
vi. The ability to submit coursework within required academic timescales with appropriate adjustments.
vii. The ability to undertake assessment and engage effectively with the assessment process with appropriate adjustments.

Appendix One

I confirm that this student understands that the purpose of this referral is to obtain objective, independent medical advice to assist with a decision about fitness to study, and has given explicit, informed consent for the referral, the consultation and for a report to be sent to the referring supervisor based on the consultation.

Referring Supervisor: Name:
Date:
Professional title:
Email address:

Please submit the completed referral letter, in PDF format, to ohadmin@liv.ac.uk .

Details of Sickness Absence Record

From	To	Total training period absent	Reasons for Absence

Appendix One

Consent for Student Referral to the Occupational Health Service

Name of student: _____

School or Faculty: _____

Programme title: _____

Date of Birth: _____

Date of commencement of course:

I confirm that I understand the purpose of this referral is to obtain objective, independent medical advice to assist with a management decision regarding my current fitness to study. I understand that the Occupational Health Doctor is obliged to provide a report for the referring manager without unreasonable delay, in a manner which is not biased towards the student or the University and is not permitted to withhold or conceal any relevant information. The Doctor will summarise his conclusions to me at the end of the consultation. If I want a copy of the report to the manager, I am aware that I can ask the Doctor to send this to me at the end of the consultation, or at later date I can obtain this by asking the referring manager for a copy or writing to the Doctor at the Occupational Health Service.

I consent to the referral, the consultation and for a report to be sent to the referring manager based on the consultation.

I have been informed that if I am found not fit to study on health grounds, the report will indicate which of the generic fitness standards I am unable to meet and why I am unable to meet them. It will also indicate any steps which may allow me to recover fitness to study in future on health grounds and/or any adjustments which the University should make to enable me to meet the standards.

I have been informed that the recommendations within the report may be discussed by a Case Review Panel as part of Stage Three of the University's Fitness to Study Policy.

Student signature:_____Date:_____

Referred by (Name):_____

Email address: _____

Professional title: _____

Signature:_____Date: _____

Appendix Two

Referral Form to Stage Two of Fitness to Continue in Study Policy

Student name:
Student ID number:
Referrer name:
STAGE ONE
Concern: (Please provide summary of concern and support offered to date. NB Students should usually have been provided with support at Stage One of the process before a referral to Stage Two. Please provide details of this support below. Evidence should be supplied if student has given full consent. - When was student informed of Fitness to Study? Confirmed in writing? - What support meetings have taken place? - What support has been offered/ accepted?
Stage one signed off by Head of Department to refer to Stage Two? Yes No
Date student informed of Stage Two referral: (Please attach written evidence of when student was informed that they were being referred e.g. copy of email sent to student).
STAGE TWO
Ongoing concern: (Please provide reason for referral to stage two).
General background of concerns:
Specific reasons for referral:

Appendix Two

Consent obtained from student? Yes No	
Sign off by Head of Department	Name: Signature: