

University of Liverpool

FITNESS TO STUDY AND ENGAGE IN STUDENT EXPERIENCE

<p>Executive Summary</p>	<p>The Policy and Procedure to Determine a Student’s Fitness to Continue in Studies has been in operation for a number of years. The final stages of that Policy were used only for single digit numbers of students during its operation. The formal nature of stages caused some difficulties in the operation of the Policy and it did not capture the range of supportive work which takes place before reaching the point where a student’s fitness to study needs to be considered. The Policy has previously covered engagement in Halls life and other aspects of the Student Experience but this is now more explicit in the title.</p> <p>Previously the requirement to engage with Occupational Health caused significant delays as they needed to seek external input. OH have confirmed that they think the revised approach is appropriate as it relies on information from mental health staff from within the University who have been working with students for some time.</p> <p>The new Policy introduces a Risk Assessment which aligns with the Student Conduct Policy and provides clear appeal routes.</p> <p>Discussion with colleagues from HLS also identified confusion about when Fitness to Study should be used and when Fitness to Practise should be used. This is addressed in the new Policy. If this Policy is approved, a minor amendment will also be required to the Fitness to Practise Policy to ensure consistency about which Policy is applied. This would mean amending 2fi in the Fitness to Practise Policy to read <i>For students who are on a programme included in the scope of this policy, these Procedures will take precedence over sections 10-13 of the University’s Fitness to Study Policy</i></p>
<p>Version Number</p>	<p>1.0</p>
<p>Document Status</p>	<p>This is a new policy which replaces the Policy and Procedures to Determine and Support a Student’s Fitness to Continue in Study</p>

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Policy Author	Dr Paula Harrison, Paula.Harrison@liverpool.ac.uk		
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	FSLT	26.09.22	YES
	HSGC	19.10.22	YES
	Education Committee	20.10.22	YES
	Senate	16.11.22	
	Council	09.02.23	
Linked Documents	Fitness to Practise Policy		
Does this replace any previous policies?	This is a new policy which replaces the Policy and Procedures to Determine and Support a Student's Fitness to Continue in Study		
Consultation	Consultation has taken place with Student Experience Teams via the Heads of Education and Student Experience, and with academic leads in HLS to ensure consistency with the Fitness to Practise Policy. Consultation has also taken place with the Guild Advice Service which resulted in a number of changes to the policy.		
Equality Impact Assessment (Evidence of due regard to Public Sector Duty and Equality Act)	This policy has no negative or positive impact on the equality of students.		
Regulatory/Compliance	This policy and the amendment to the Fitness to Practise Policy provide greater clarity about the mechanisms for addressing concerns about Fitness to Study/Fitness to Practise for students on clinical programmes.		
Data Protection	A Data Protection Impact Assessment is not required for this Policy. All staff employed to administer this Policy and accompanying procedures should comply fully with all GDPR and Data Protection Act 2018 requirements and obligations.		
Communication	Updated web pages which form part of the terms and conditions for students.		

Department

	<p>Update Schools and Departments via Heads of Education and Student Experience.</p> <p>Formal notification to Guild of Students so that Advice Centre can assist students appropriately.</p>
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Quick Guide for Students to the Fitness to Study and Engage in Student Experience Policy

If you are experiencing difficulties please contact support services as early as possible. We have a range of support services and we can work with you to get the right support in place at the right time. You can contact the Learning and Teaching Support Officer in your School or Faculty and/or our central Wellbeing Team on advice@liverpool.ac.uk.

If a member of staff is concerned about you they may approach you to ask how you are and offer support. The intention will be to help you so please either talk to them or contact the Learning and Teaching Support Officers or central Wellbeing Team.

If our general support mechanisms have not helped to address your needs, we will discuss your situation at a Student Services case management meeting or for clinical students this may be in your clinical school and we may ask you to engage with [structured support](#). This means that we will set out a formal support plan with which you are expected to comply with. This will include details of where and how you can access support and may include information about what we expect from you. You will have the opportunity to discuss your formal support plan with staff.

If this support does not address the concerns we have about you, you may be required to attend a [Fitness to Study Panel](#). If at any point we are concerned you are a significant risk to yourself or to others then we may conduct a [Risk Assessment](#). If you are on a clinical programme these concerns will be dealt with under the Fitness to Practise Policy.

We know that some students may experience a mental health crisis whilst at the University. The Mental Health Advisory Service and/or Wellbeing Advisers will work with colleagues across the University and within the NHS to provide a coordinated response. Students who experience a mental health crisis may recover quickly and choose to continue with their studies or they may decide to take some time out. We encourage you to talk to the Mental Health Advisory Service about your situation before you make a decision.

If you choose to suspend studies or are required to do so following a Fitness to Study Panel we will offer you [support if you return to your studies](#). You will be contacted by a named advisor two months prior to the date you are due to return to the University to discuss your intentions and support requirements.

Quick Guide for Staff to the Fitness to Study and Engage in Student Experience Policy

We want students who are experiencing difficulties to engage with support as early as possible. 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 with advice@liverpool.ac.uk service, These teams will direct students to the most appropriate support. Specific staff responsibilities are set out in [section 4](#). If a member of staff is concerned that the current level of support is not meeting a student's needs they should contact advice@liverpool.ac.uk outlining their concerns.

If concerns remain after students have used standard support mechanisms the student will then be discussed at the Student Services case management meeting to determine appropriate next steps. Students on clinical programmes may be discussed at a school level meeting equivalent to the case management meeting

The Mental Health Advisory Service and Wellbeing Advisers will work with colleagues across the University and within the NHS to provide a coordinated response to students experiencing a mental health crisis. In many cases this will be sufficient to contain and respond to the crisis.

Sections 10—14 of this Policy relating to Risk Assessment and Fitness to Study Panels do not apply to students on clinical programmes where the Fitness to Practise Policy applies. Students who are returning from a suspension of studies who were receiving structured support or who attended a Fitness to Study Panel will be contacted by a named advisor two months prior to the date they are due to return to the University to discuss their intentions and support requirements.

1. Introduction

- 1.1. 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 and allows students to fulfil their potential. The University sets out standards of conduct that we require of our students in the Student Conduct Policy.
- 1.2. The University recognises that students may experience a range of difficulties throughout their studies related to academic and personal factors and has a range of policies and support services for students designed to address these concerns.
- 1.3. Information about support services can be found on this link:

<https://www.liverpool.ac.uk/studentsupport/>

Relevant Policies include

- [Code of Practice on Assessment Appendix M – Extenuating Circumstances](#)
 - [Code of Practice on Assessment Appendix E – Guide on the Progress of Students on Taught Programmes of Study](#)
 - [PGR Code of Practice](#)
 - [Policy Regarding Reasonable Adjustments and Support for Disabled Students](#)
 - Student Conduct Policy
 - [Policy and Code of Practice on Fieldwork and Working away from the University](#)
 - Student Attendance Policy (from January 2023)
- 1.4. The University will seek to engage with students who are experiencing health concerns in a positive and constructive manner. This policy is designed to enable students to continue their studies and meet the University's conduct standards wherever possible.

However, there may be circumstances where a student is unable to effectively engage with their studies and/or they are causing disruption, concern and distress for themselves and to others. Students in such circumstances will be encouraged to engage with support or may be required to do so. Where students are unable to engage effectively with support they may be required to do so through this policy. This policy is intended to be supportive rather than disciplinary.

2. Scope

- 2.1. This Policy applies to all applicants, students (including degree apprentices). For ease of reading the term student includes applicants, students and degree apprentices throughout the rest of this policy. The Policy applies to all modes of study including on campus, online, to study/research which takes place off campus such as work placements, year abroad, field trips and off site research.
- 2.2. In some partnership agreements the partner institutions policies may be used. This will be made clear in the documentation provided to students when they commence their studies.
- 2.3. Where a student is also a member of staff, HR will be consulted to determine the most appropriate procedure for consideration of any concerns raised.
- 2.4. Sections 2 to 9 of this Policy apply to all students.
- 2.5. The Fitness to Practise Policy and Procedures takes precedence over parts 10 to 13 of this policy for
 - 2.5.1. students on programmes in the Faculty of Health and Life Sciences with professional/statutory body regulation that necessitates Fitness to Practise processes
 - 2.5.2. students on a Year 0 programme within the University with expectations of entry into a Year 1 programme as set out above.
- 2.6. Where concerns are raised about a student's conduct under the Student Conduct Policy and there are concerns about a student's fitness to study or engage, the University may consider a student's conduct or engagement on the basis of their fitness to study rather than through the Student Conduct Policy. However, there may be occasions when it is still appropriate to consider concerns about conduct via the Student Conduct Policy rather than the Fitness to Study and Engage in Student Experience Policy. Where it is unclear which Policy should be followed advice should be sought from the Head of Student Services or Student Conduct, Complaints and Compliance Manager.
- 2.7. Where concerns about a student's fitness to 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.
- 2.8. 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 there will be full

consideration of the student's individual circumstances and the implications for the student's health and academic studies of being required to leave University accommodation as part of the process.

3. Definitions

- 3.1. The University defines fitness to study as a student's ability to fully participate, engage and benefit from University life in academic, residential and community environments (with or without additional support). Students are considered fit to study where:
 - 3.1.1. They do not and are not likely to put their own, or others' health, safety and general well-being at risk.
 - 3.1.2. They are able to engage effectively with and benefit from the programme of study/research for the required duration of the programme, and with a reasonable chance of progression towards obtaining the qualification or academic outcome for which they are enrolled.
 - 3.1.3. Their behaviour (including their communications, engagements or interactions) or mental and physical needs do not disrupt members of the University community in carrying out University business to the extent that the disruption has an unreasonable impact upon members of the University or wider community. This includes the learning, research and work of other students, the experience of other students and the demands placed on staff.
- 3.2. Students may be deemed unfit to study under this policy where:
 - 3.2.1. For health reasons, it is not in their interest or that of the University or other students that the applicant should commence a programme of study, or the student should continue a programme of study.
 - 3.2.2. Reasonable adjustments and support for disabling conditions or long-term mental or physical health issues are not sufficient to enable the student to meet the definition of fit to study in 3.1 above.
 - 3.2.3. A student is unable to or chooses not to engage with reasonable adjustments and support offered which would assist them to meet the standards in 3.1 above.
 - 3.2.4. A student is unable to engage with classes due to a health condition.
 - 3.2.5. The University judges (based on appropriate evidence) that continuation is detrimental to the student's health.
 - 3.2.6. A student's presentation is disruptive in a way that significantly impacts on the study and well-being of others in the University.
 - 3.2.7. A student's conduct, behaviour or health and well-being presents a risk to themselves or others, or places unreasonable demands on staff, students and others.

4. Responsibilities

- 4.1. In all cases, responsibilities may be undertaken by a nominee if required. All references to a role holder throughout this Policy should also be taken to

include reference to their nominee.

- 4.2. **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. They are also responsible for convening Fitness to Study Panels and for ensuring that students returning from suspension of students on health grounds are provided with appropriate support by specialist central services.
- 4.3. **The Director of Student Administration and Support** is responsible for chairing Risk Assessment Panels and Fitness to Study Panels and for ensuring the effective implementation of the policy.
- 4.4. **The Executive Pro Vice Chancellors** are responsible for considering appeals about the decision of a Fitness to Study Panel.
- 4.5. **The Mental Health Advisory Service Manager** is responsible for ensuring that appropriate advice is provided to staff who are concerned about a student's mental health, for ensuring students are offered structured support in line with this policy and for providing advice to the Fitness to Study Panel in relation to a student's mental health.
- 4.6. **The Occupational Health Physician** is responsible for providing independent medical advice about the student's fitness to study if requested to do so.
- 4.7. **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 with advice@liverpool.ac.uk service.
- 4.8. **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.

5. Expectations of Students

- 5.1. The University of Liverpool expects students to be able to:
 - 5.1.1. Understand their own health and safety and that of others.
 - 5.1.2. Understand the risk of physical danger to themselves and others.
 - 5.1.3. Communicate effectively with fellow students, staff and other professionals [this would include alternative methods of communication such as BSL, computer-aided speech etc.].
 - 5.1.4. Undertake periods in private study without supervision [but using appropriate support mechanisms].
 - 5.1.5. Attend and engage effectively in lectures and other teaching activities including off campus activities, with physical and study support

adjustments as necessary. (See Code of Practice on Support and Safety of Students Off Campus for further information about requirements for off campus activities).

- 5.1.6. Submit coursework within required academic timescales.
- 5.1.7. Undertake assessment and engage effectively with the assessment process, with appropriate adjustments.
- 5.1.8. Engage with relevant support services.
- 5.1.9. Students living in University Accommodation are expected to be aware of and follow the terms as set out in the Student Accommodation Licence and paying particular attention to 2.2 Student Conduct, 2.3 Accommodation and 2.4 Safety and Security. They are expected to ensure that their living standards and standards of self-care do not have a disproportionate impact on other students, staff, visitors or contractors.

6. Accessing Support

- 6.1. The University provides a range of support within academic departments including Academic Advisers, Learning and Teaching Support Officers and PGR supervisors. Students in University accommodation have access to Residential Advisers and Wardens. The University also provides a range of specialist Student Services including Counselling, Advice and Guidance, Mental Health Advisory Service and Disability Advice and Guidance.
- 6.2. Students who are experiencing health difficulties which impact on their ability to study are encouraged to access support as soon as possible.
- 6.3. Students who have a long-term health condition (that is a health condition which has lasted for six months and is likely to last for at least another six months) may be able to access support through Disability Advice and Guidance.
- 6.4. Students who experience mental health difficulties should be encouraged to contact the Advice and Guidance Team in the first instance who will direct the student to the most appropriate source of support.
- 6.5. Staff may also refer students to the Advice and Guidance Team, with the student's knowledge. The Advice and Guidance Team will then contact the student.
- 6.6. If the student does not want contact with Advice and Guidance or any other team within Student Services and the staff member is concerned about them they should seek advice from the Head of Student Support.
- 6.7. Staff within Student Services will determine the most appropriate team to support a student. Students with more complex mental health difficulties may be supported by the Mental Health Advisory Service.

- 6.8. Any of the teams within Student Services may develop support plans with students if required ensuring that the plan identifies the support provided by all relevant services. For many students this level of support will be appropriate for their needs and enable them to continue to engage effectively with their studies.
- 6.9. Students may also wish to access the Counselling Service for therapeutic support.
- 6.10. If a member of staff is concerned that the current level of support is not meeting a student's needs they should contact advice@liverpool.ac.uk outlining their concerns.

7. Confidentiality and Data Protection

- 7.1. All information provided regarding fitness to study or engage in the student experience will remain confidential for use within the procedure and delivery of support and is subject to the requirements of the Data Protection Act. Only staff directly involved in the procedure or delivering support will be given access to confidential information, except in circumstances where subsequently a decision is taken to implement the Student Conduct Policy 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.

8. Students Requiring Structured Support

- 8.1. If concerns remain following the use of support as outlined above the student will then be discussed at the Student Services case management meeting to determine appropriate next steps.
- 8.2. Students on clinical programmes may be discussed at a school level meeting equivalent to the case management meeting. If a student is identified as potentially being in need of structured support the chair of the meeting should contact the Head of Student Services to discuss a potential referral to agree whether this is the appropriate route.
- 8.3. Progression Boards may identify students who may be in need of structured support. The Chair/Secretary to the Progression Board should contact the Head of Student Services to discuss potential referrals to structured support and agree whether this is an appropriate route.
- 8.4. If concerns relate to a student's mental health then the student should be assessed by the Mental Health Advisory Service and a structured support plan put in place (if this has not already been completed).

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- 8.5. Students will be advised that if they do not comply with this plan this may lead to an escalation to a Fitness to Study Panel. For students on Clinical Programmes the escalation would be through the Fitness to Practise Policy.
- 8.6. Structured support plans apply to all students including students on programmes covered by the Fitness to Practise Policy. Structured support plans are designed to enable clinical students to demonstrate that they meet the requirements of professional bodies to seek advice and act on that advice.
- 8.7. A student may decide to suspend studies on a voluntary basis whilst receiving structured support. The Mental Health Adviser will discuss mechanisms for continuing support whilst the student has suspended studies and will agree to contact the student at least two months prior to the date the student's suspension is due to end. A voluntary suspension should be within the normal remits of maximum periods of registration to a programme.
- 8.8. The Mental Health Adviser will encourage the student to obtain advice from the Money Advice and Guidance team and where appropriate the International Advice and Guidance team about any financial or visa implications of a suspension of studies.
- 8.9. A small number of students attend the University of Liverpool with long-term complex mental health issues resulting in them experiencing a long-term high level of risk in relation to their welfare or the welfare of others. These students can be effectively supported and remain fit to study through appropriate multidisciplinary working. A protocol to support this group of students can be found in Appendix 1. This protocol may be used as the structured support stage of this procedure for relevant students.
- 8.10. If concerns relate to the student's physical health then the student should be assessed by Disability Advice and Guidance who will identify reasonable adjustments. Disability Advice and Guidance may also refer the student to Occupational Health.

9. Students Experiencing a Mental Health Crisis

- 9.1. The University recognises that everyone's mental health fluctuates and that in some cases mental health crises may escalate and deescalate quite quickly.
- 9.2. The University's Mental Health Advisory Service (MHAS) and Wellbeing Advisers will work with colleagues across the University and within the NHS to provide a coordinated response to students experiencing a mental health crisis. In many cases this will be sufficient to contain and respond to the crisis.

- 9.3. If, as a result, of a mental health crisis a student is unable to function on their programme wherever possible the option of suspension will be discussed with them.
- 9.4. If a student is detained under a section of the Mental Health Act or otherwise lacks insight (based on the assessment of a mental health professional which could include members of the MHAS) the Director of SAS may put in place an administrative suspension to prevent the student from incurring fees. This can be reviewed on the student's request once it has been identified that they have insight. This decision does not require a Risk Assessment as the risks to the student or others will be managed by NHS mental health services. The purpose of the administrative suspension is to prevent the student accruing fees or being identified as not attending when they are unable to do so. If the student is living in University accommodation the Accommodation Manager will be informed that the student has been placed on an administrative suspension.
- 9.5. Students may request or be placed on multiple periods of suspension for health reasons but must normally complete their studies within the relevant maximum period of registration.

10. Risk Assessment and Temporary Conditions

Please note that sections 10-13 of this Policy do not apply to students on Clinical Programmes, the Fitness to Practise Policy should be used instead.

- 10.1. In exceptional circumstances, there may be urgent, serious concerns raised about a student's wellbeing, actions or behaviour which put the health, safety, wellbeing or academic progress of themselves or other members of the University at immediate risk.
- 10.2. In these circumstances a Risk Assessment Panel will be convened by the Head of Student Services. The Panel will be chaired by the Director of Student Administration and Support. The Panel will usually include the Head of Student Services, an academic representative from the student's School or Department and an accommodation representative where the student lives in University accommodation. The Head of Student Services may invite other members as appropriate. The Mental Health Advisory Service will provide advice to the Panel to determine the immediacy and seriousness of the perceived risk.
- 10.3. The risk assessment is based on the information available at that point in time and has three possible outcomes:
 - 10.3.1. The level of risk to the student and others is deemed to be within acceptable levels and can be managed through structured support and a Fitness to Study Panel is not required.

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- 10.3.2. The level of risk to the student and others is deemed to be within acceptable levels and the student can remain in accommodation (if relevant) and continue to attend their course of study until a Fitness to Study Panel can be arranged.
 - 10.3.3. The level of risk to the student and others is currently unacceptable and conditions need to be put in place until a Fitness to Study Panel can be arranged.
- 10.4. The temporary conditions that can be put in place under 10.3 above can include anything that is deemed reasonable and appropriate in an attempt to ensure the safety of the student or others. Temporary conditions may include but are not limited to any of the following:
- 10.4.1. A temporary requirement for the student not to attend classes on campus.
 - 10.4.2. A temporary requirement for the student not to attend placement or fieldwork.
 - 10.4.3. A temporary requirement for the student not to enter specific areas of the campus.
 - 10.4.4. A temporary requirement for the student to move rooms in their on-campus accommodation.
 - 10.4.5. A temporary requirement for the student to leave their on-campus accommodation.
 - 10.4.6. A temporary requirement for the student not to enter the campus at all.
 - 10.4.7. A temporary suspension from studies.
- 10.5. Depending on the level of risk, the temporary conditions may need to be implemented immediately but where possible, reasonable notice will be given to the student.
- 10.6. If the outcome of the risk assessment is that the level of risk is unacceptable and temporary conditions are put on the student, where possible this information will be delivered in person by a member of the Advice and Guidance Team, the MHAS or another nominated suitable person.
- 10.7. The student will be informed of the outcome of the risk assessment and any conditions put in place and the timescales for their implementation. The Risk Assessment Panel will agree when this information should be shared with the student taking into account the details of the situation. This should usually be within seven calendar days of the risk assessment taking place. Where there will be a delay in sharing this information the reason for this should be noted by the Panel.
- 10.8. If considered necessary to protect or support the student or others, individuals such as flat mates or services staff may be informed of the outcome of the risk assessment. Only the information needed to protect or support others will be provided.

- 10.9. The risk assessment can be reviewed by the Head of Student Services and/or Director of Student Administration and Support at any time. This may be necessary if the student's health deteriorates or improves or if behavioural issues escalate or improve. Proposed changes can be reviewed and where appropriate agreed by the Panel via circulation.
- 10.10. If the Fitness to Study Panel cannot take place within twenty eight calendar days of the date the outcome of the risk assessment is communicated to the student, a review of the risk assessment will be conducted to ensure all conditions imposed remain suitable and reasonable.
- 10.11. At the risk assessment review the Risk Assessment Panel may maintain the conditions, amend the conditions (the number of conditions may be increased or decreased), or remove the conditions. The review may take place by circulation if this is determined to be appropriate by the Chair and/or Advisor. The outcome of the Review Risk Assessment Panel will be communicated in writing to the student. This should usually be within seven calendar days of the risk assessment taking place. Where there will be a delay in sharing this information the reason for this should be noted by the Risk Assessment Panel.
- 10.12. When a student is referred to the Risk Assessment Panel the Head of Student Services will notify the Guild Advice Service once the Risk Assessment has taken place but will not share the details of the situation. The Guild will contact the student to offer independent and objective support including accompanying them to any subsequent Fitness to Study Panel.
- 10.13. If the student disagrees with the outcome of the risk assessment they may appeal by writing to the Executive Pro Vice Chancellor of their Faculty at any point before the Fitness to Study Panel takes place. The appeal should state why the student considers the outcome of the risk assessment Panel is unreasonable and the student may submit evidence to support their view.
- 10.14. The Executive Pro Vice Chancellor will review the conditions placed on the student and the information submitted in support of their appeal and will decide if the measures imposed are proportionate and will inform the student of their decision within fourteen calendar days of receipt of the appeal. The Risk Assessment Panel will also be informed of their decision. Details of how to appeal will be included in every Risk Assessment Outcome letter.
- 10.15. If the Risk Assessment results in a referral to a Fitness to Study Panel, the Mental Health Advisory Service will contact the student and where possible will try to engage the student in developing and implementing a structured support plan.

11. Fitness to Study Panel

- 11.1. If a student has been unable to comply with a structured support plan; or if a risk assessment has been completed in relation to the student's fitness to study and it has been agreed that the student should be referred to a Fitness to Study Panel; or if Occupational Health have determined that a student is unfit to study or to participate in certain activities such as off campus studies the Head of Student Services, acting as Advisor to the Panel, will convene a Fitness to Study Panel.
- 11.2. The Panel will usually be chaired by the Director of Student Administration and Support although an alternate chair may be identified as being appropriate in some circumstances.
- 11.3. The Head of Student Services will write to the student informing them of the date of the meeting and the Panel membership. The Panel should usually be held within 28 calendar days of the decision to hold a Fitness to Study Panel. The student should be provided with at least ten calendar days' notice of the Panel date. The student will be invited to attend the Panel and/or submit a written statement.
- 11.4. When the student is notified that a Fitness to Study Panel will take place, the Head of Student Services will also notify the Guild Advice Service that the student has been asked to attend a Fitness to Study Panel, no details of the grounds for the referral will be provided. The Guild will contact the student to offer independent and objective support including accompanying them to any subsequent Fitness to Study Panel.
- 11.5. The student is entitled to be accompanied to the Panel meeting by one other person acting as their friend. Whilst this can be a family member it is not always advisable as the most effective support for a student attending a University Fitness to Study hearing is provided by someone who understands the University's procedures. The Guild of Students Advice Centre has trained advisors who can act in this role.
- 11.6. A person accompanying a student to a hearing as their friend may act as the student's representative and speak on their behalf or may be present for moral support.
- 11.7. Students are not permitted to bring legal representation to the Fitness to Study Panel. Students are, however, entitled to seek legal advice at their own expense and their statements can be compiled on their behalf by persons legally qualified. The University Fitness to Study Panel would not normally accept a late decision by a student to seek legal advice to constitute grounds for postponement of the Panel.
- 11.8. If the student wishes to be accompanied by more than one person they should inform the Advisor to the Panel of this at least five calendar days

before the hearing. Arrangements for additional attendees will be at the Chair's discretion based on the needs of the student and ensuring the process is supportive.

- 11.9. 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 Chair of the Panel in addition to making a written submission to the Panel.
- 11.10. The Panel will usually include a member of the student's academic department and one other member of staff usually from Student Administration and Support. 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, in the final Panel decision. If the student is in University accommodation, the Head of Accommodation will usually be a member of the Panel. A member of the MHAS will be invited to attend to provide advice in relation to the student's mental health within the HE context but will not be part of the decision-making. A member of Student Administration and Support will act as notetaker.
- 11.11. Prior to the Panel taking place the Advisor will obtain advice from the Money Advice and Guidance team and where appropriate the International Advice and Guidance team about any financial or visa implications of a suspension of studies.

12. Fitness to Study Panel Procedures

- 12.1. The student and the Panel will be provided with information at least ten calendar days before the Panel meeting. This will include:
 - 12.1.1. A summary of the concerns which have led to the Fitness to Study Panel, for example information from the programme team, accommodation or Student Services.
 - 12.1.2. A report from MHAS summarising the student's engagement or lack of engagement with the service and the support which has been offered. This report may include a view about the student's current mental health.
 - 12.1.3. Any previous risk assessment which has taken place including notes from the Panel and the outcome letter.
- 12.2. The student may request an independent report from the University's Occupational Health Physician. If this results in a delay to the Fitness to Study Panel any conditions imposed by the Risk Assessment Panel will remain in place.
- 12.3. The student may provide information they wish the Panel to review up to three working days before the Panel meeting, this may include information from

their treating clinicians and a written statement.

- 12.4. The student and their friend will be invited to join the meeting and the Chair will introduce all those in attendance at the meeting and clarify their roles.
- 12.5. The Chair will summarise the reason for holding the Panel and will invite the student or their friend to provide their views about the concerns which have been raised and the current situation.
- 12.6. The Chair will invite Panel members to ask any questions to clarify their understanding of the situation.
- 12.7. 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.
- 12.8. The Panel may seek advice from Legal Services and/or Occupational Health as required. The Panel will be responsible for making the final decisions and indicating the information which has been taken into account and the reasons for their decisions
- 12.9. After the initial Panel meeting the Panel may make recommendations including but not limited to:
 - 12.9.1. Further information about the student's health is required in the form of an Occupational Health Assessment. In this case the student may either:
 - be required to suspend studies until such time as the Occupational Health Assessment is available; or
 - be allowed to continue their studies whilst the Occupational Health Assessment is ongoing (with or without a requirement to engage in structured support);
 - 12.9.2. The student should be permitted to continue their studies whilst engaging with structured support;
 - 12.9.3. The student should be permitted to continue their studies with no requirements to engage in structured support;
 - 12.9.4. The student should be required to suspend studies until such time as they are fit to return to studies;
 - 12.9.5. Limitations on the student's attendance at specific classes;
 - 12.9.6. Limitations on the student's attendance at off campus activities such as field work or placements;
 - 12.9.7. Limitations on the student's attendance on campus;
 - 12.9.8. A requirement for the student to move rooms in their on-campus accommodation;
 - 12.9.9. A requirement for the student to leave their on-campus accommodation;
 - 12.9.10. A temporary requirement for the student not to enter the campus at all;
 - 12.9.11. The student should be required to withdraw from their studies.

- 12.10. Where the outcome is that a student is permitted to continue in study, consideration will be given to the requirements of the academic programme and the student's academic position for example to determine the most appropriate mode of study, e.g. full time, part time.
- 12.11. The Panel will clarify what support will be provided to the student during any period of suspension and will identify a named adviser for the student who will contact the student at least two months before their period of suspension is due to end.
- 12.12. The initial period of suspension will be for a period of up to twelve 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 twelve month period of suspension may be allowed (a total maximum of twenty four months). If, at the end of the twenty four month period, the student is not well enough to resume studies, their studies will normally be terminated.
- 12.13. A suspension of studies will normally be until the start of an academic semester.
- 12.14. If the proposed period of suspension results in the student exceeding the normal maximum period of registration, their studies will be terminated. In exceptional circumstances, a notwithstanding case may be made to allow the student to continue with their studies.
- 12.15. If the student is required to leave University accommodation as a result of this process, the status of the student's accommodation licence will be agreed and the appropriate procedures followed to ensure alignment with accommodation contract.

13. Right of Appeal

- 13.1. Students can appeal against any decision of a Fitness to Study Panel by writing to Executive Pro Vice Chancellor for their Faculty.
- 13.2. The appeal should usually be received within twenty eight calendar days of the Panel's decision. The Executive Pro Vice Chancellor may accept appeals received after this date if the student provides good reason for the delay.
- 13.3. Students can appeal on the following grounds:
- 13.3.1. That there was a procedural irregularity when the Panel reached their original decision.
 - 13.3.2. 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.

- 13.3.3. That there is material evidence which could not be made available to the original Fitness to Study Panel for reasons beyond the control of the student.
- 13.3.4. That the outcome was unreasonable given all of the circumstances.
- 13.4. The Executive Pro Vice Chancellor or delegate will determine whether the grounds for appeal have been met.
- 13.5. If the grounds of appeal have not been met, the student will be issued with a Completion of Procedures letter explaining why the grounds have not been met so that they can refer their case to the Office of the Independent Adjudicator for Higher Education if they so wish.
- 13.6. If the grounds for appeal have been met, the appeal will be referred to the Fitness to Study Appeal Panel. The Panel will comprise the Executive Pro Vice Chancellor (Chair), Director of Student Experience and Enhancement, and one other senior member of the University. A member of Student Administration and Support will act as notetaker.
- 13.7. The Panel will consider the original decision and the information provided in the appeal.
- 13.8. The Chair of the Appeal Panel 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.
- 13.9. The Chair of the Appeal Panel may invite the student to meet with the Appeal Panel or they may choose to consider the written evidence only. If the student is invited to meet with the Appeal Panel they are entitled to be accompanied to the Panel meeting by one other person acting as their friend. Whilst this can be a family member it is not always advisable as the most effective support for a student attending a University Fitness to Study Appeal Panel is provided by someone who understands the University's procedures. The Guild of Students Advice Centre has trained advisors who can provide this support.
- 13.10. Students are not permitted to bring legal representation to the Fitness to Study Appeal Panel. Students are, however, entitled to seek legal advice at their own expense and their statements can be compiled on their behalf by persons legally qualified. The University Fitness to Study Appeal Panel would not normally accept a late decision by a student to seek legal advice to constitute grounds for postponement of the Panel.
- 13.11. The Chair of the Appeal Panel will normally write to the student with the outcome of the appeal within twenty eight calendar days of receipt of the appeal.

- 13.12. 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 Chair shall, accordingly, include a Completion of Procedures.

14. Return to Study

- 14.1. Students who have suspended studies whilst receiving structured support or who have been required to suspend their studies as a result of this procedure will be provided with a named advisor within Student Services who will liaise to ensure that external support is in place and provide periodic contact throughout the period of suspension.
- 14.2. Students who have suspended studies whether voluntarily or as a result of a Fitness to Study Panel will be contacted by their named adviser at least two months before they are due to resume studies.
- 14.3. The adviser will discuss the student's current health and their intentions in relation to returning to study with them. The adviser will provide the Head of Student Services with an assessment of the student's current health. Where the adviser is unclear whether or not the student is fit to study a Fitness to Study Panel may be held.
- 14.4. 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, the Head of Student Services will seek advice from the Director of Student Administration and Support and the academic department. The request must be academically viable and should enable the student to complete the programme within the normal maximum registration period. If this is not possible a further Fitness to Study Panel may be required.
- 14.5. Students who have chosen to suspend on health or personal grounds whether or not they were receiving structured support will be contacted by the Learning and Teaching Support Officers or equivalent within their Schools at least two months before they are due to return to studies. The LTSO will offer support and direct to appropriate services. The LTSO will remind the student that they are required to provide medical evidence that they are fit to return to their studies to their School Office four weeks prior to the date the student intends to return to studies. If as a result of the conversation or the medical evidence the LTSO or the School have any concerns about the student's fitness to return they should seek advice from the Head of Student Services.

Appendix 1

Protocol for the identification and support of students with complex mental health needs leading to concern for their wellbeing.

1.1 Aim

A small number of students attend the University of Liverpool with long-term complex mental health issues resulting in their experiencing a long-term high level of risk in relation to their welfare or the welfare of others.

1. This protocol provides a framework for the identification of students presenting with complex medium to long term risks and ensuring that all reasonable steps are taken to manage these risks. The protocol also enables the identification of residual risks, which may remain in spite of intervention.
2. The protocol provides a framework for planning and coordinating the support and risk management of students who have been identified through this process in conjunction with mainstream NHS services. This will take place through the convening of formally documented-“Support Review Meetings”.
3. The protocol will enable **the creation of a record of students who fit the criteria contained** in this document. This record will also contain details of any structured support plan and will be reviewed regularly. Its aim will be to ensure that students in this group are clearly flagged to the NHS and known to the University in order to ensure that they receive reasonable and appropriate offers of support in relation to their mental health.

All of the below should apply:

1. The student is known to University Mental Health Services.
2. The student should experience a diagnosed mental health difficulty.
3. The student’s mental health difficulties should be deemed to be long-term.
4. Concern should exist that the student’s difficulties, created by their mental health condition, pose a significant risk to their health or safety or present a risk to the wellbeing of others.
5. The risks associated with the student are not immediately responsive to treatment in the short to medium term or they are unable to utilise treatment.
6. Students for whom in spite of intervention or because they have declined intervention, a residual risk remains of the identified area of concern occurring.

1.2 Procedure.

1. If a member of Student Services identifies a student displaying mental health issues who is presenting with a high level of risk in relation to themselves or others, or of experiencing a significant worsening of their mental health, they should in the first place discuss this with their line manager. The aim of this meeting is to identify if the student potentially meets the criteria to activate this protocol.
2. If the identifying staff member and their line manager subsequently feel that the student potentially match the criteria, the student’s details will be taken

Appendix 1

forward to the fortnightly multidisciplinary Case Management Review (CMR) meetings for discussion with Primary Care, Secondary NHS Mental Health Care and other members of the University mental health and wellbeing services.

3. If after discussion at the CMR it is felt that the student meets the criteria a formal Support Review Meeting (SRM) will be convened within seven working days.
4. The student should be informed that their case is being reviewed and offered the chance to be involved. Level of involvement will depend on the individual student. This involvement may take the form of a discussion prior to the meeting to ascertain their views and a discussion following the meeting to inform them of relevant discussion points and any conclusions reached. In some cases, direct student involvement may be appropriate. Lack of student consent to the meeting should not prevent it being convened in the best interests of the student or others.

Note – This procedure should in no way delay the taking of immediate steps to protect a student or others if required. Moreover, as the current Case Management Review meetings, which form part of this process take place on a two-weekly basis, it may be that a decision to implement a “Support Review Meeting” (SRM) as described in this document is taken outside of the CMR meetings. However, feedback from support review meetings will be discussed at the CMR meetings.

The details of the SRM meeting will be confidential and only shared with agencies relevant to the student’s needs.

The SRM meeting will be composed of the following representatives.

- a) The worker who initially identified the student. Role – To describe the student and reasons for concern.
 - b) A representative from the University Counselling Service and/or the Mental Health Advisory Service (unless they are represented by the identifying worker) Role – To support the meeting through the provision of their respective knowledge bases and take away tasks for their teams if warranted.
 - c) A Senior Manager. Role - To chair the meeting, ensure accurate minutes are taken and follow up on any relevant issues if required.
 - d) A Mersey Care Representative. Role – Should the meeting identify a potential role for Secondary Care, to ensure that the case is appropriately referred and the relevant concerns clearly noted and considered by any agency within Mersey Care providing the student with an assessment
 - e) Relevant other staff members and third parties. This may be a GP, University Police Officer or Hall Warden. This will depend on the specifics of the situation. Role - To support the development of a support plan for the student.
4. The meeting will adopt the following agenda in order to ensure uniformity of practice.
 - 1 Confirmation of the student under discussion.
 - 2 Introductions.

Appendix 1

- 3 Apologies.
- 4 A statement of the meetings aims.
- 5 A description of the concern.
- 6 Identification of the student's needs arising out of the concern.
- 7 The development of a plan for meeting these needs with allocated roles if appropriate.
- 9 Agreement on a date when this will be reviewed by those present.

5. The details of the meeting will be formally recorded and stored within the student's notes on case management.

1.3 The role of the University

Whilst the University can facilitate this process, it recognises that there are natural limitations to the role as a learning institution and the central role played by statutory services in risk and clinical management. Student Services remain complementary to statutory services thus the assessment and potential clinical support including risk management of students who meet this criteria will remain the responsibility of mainstream NHS services. This process does not replace any other planning process or forum which is felt to be relevant, for example the "Care Programme Approach" used by the NHS to support people experiencing complex mental health problems

Equality Impact Assessment: Screening Form

The Equality Impact Assessment process is used to ensure that University Policies, Procedures, Codes and Manuals, Services, Criterion and Practices comply with the Equality Act 2010. Throughout this document the word 'Policy' will be used to refer to all policies, practices and provisions included within this process.

Policy	Fitness to Study and Engage in Student Experience	
	Name	Department
Policy Owner	Dr Paula Harrison	Student Administration and Support
EQIA Assessor(s)	Dr Paula Harrison	Student Administration and Support
	Julia Purvis	Student Administration and Support
EQIA Contact:	Julia Purvis	Student Administration and Support

Date of Assessment:	D	1	8	M	0	8	Y	2	0	2	2
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1. What is the aim, objective or purpose of the policy?

To provide a framework for supporting students where there is concern about their fitness to study or engage in the student experience.

2. Who implements the policy?

Director of Student Administration and Support and colleagues from within Student Administration and Support with input from academic department.

3. Is the policy applied uniformly throughout the university?

YES
Policy is implemented by SAS with input from departments. SAS are responsible for ensuring a consistent approach.

4. Which Equality Objectives and Areas of activity does this policy support or impact on? Explain how: (see [Equality Framework 2016-2026](#))

The Policy is designed to address the support needs of students with complex needs particularly in relation to their mental health. It aims to support students to continue in study (equality objective 2 to Improve student retention and progression rates for the most disadvantaged).

5. What *equality* data have you used to assess the impact of the policy? Outline your key findings:

This policy replaces the previous Policy and procedures to Determine a Student's Fitness to Continue in Study which has been in place for over 5 years. During this time the total number of students who have reached the final stage of the process has been in single figures therefore it is not possible to use equality data to undertake a meaningful data based assessment.

6. What *equality* groups and stakeholders have you involved / consulted with in the development of this policy? Outline your key findings:

We have engaged with the Guild as representatives of students and provider of support and advice to students engaged in this process. As a result of this a number of changes were made to the wording of the policy to emphasise the supportive intent whilst recognising action may be needed in a small number of cases with which students disagree.

7. Is there any unlawful discrimination? and if so, can it be justified?

Place a mark in the relevant boxe(s)	Direct	Indirect	Arising from a Disability	Failure to make a reasonable adjustment	Harassment	Victimisation	Instructing, inducing or causing dis'ation
Age							
Disability - Physical							
Disability - SpLD							
Disability - Mental Health							
Gender Reassignment/Identity							
Marriage & Civil Partnership							
Pregnancy & Maternity							
Race							
Religious Belief and Non Belief							
Sex (Gender)							
Sexual Orientation							
Can the discrimination be justified?							

8. Can we advance equality of opportunity / promote equality between different groups?

- a. Remove or minimise disadvantages between different equality groups
- b. Take steps to meet the needs of different equality groups
- c. Encourage different equality groups to participate in public life or in any other activity in which participation is disproportionately low.

9. Can we foster good relations between different groups?

- a. tackle prejudice, and
- b. promote understanding.

Place a mark in the relevant boxe(s)	8.A	8.B	8.C	9.A	9.B
Age					
Disability - Physical					
Disability - SpLD					
Disability - Mental Health					
Gender Reassignment/Identity					
Marriage & Civil Partnership					
Pregnancy & Maternity					
Race					
Religious Belief and Non Belief					
Sex (Gender)					
Sexual Orientation					
If Positive Action, Can it be justified?					

10. If the policy discriminates and it CAN be justified outline what this justification is (include each justification):

N/A

11. If the policy can promote equality / foster good relations outline what this is:

N/A

12. If the policy includes Positive Action outline what this is, why it is being used and justify its use:

N/A

13. If the policy includes an Occupational Requirement outline what this is, why it is being used and justify its use:

N/A

14. What data/information is required in the future to ensure effective monitoring?

Recording of students who are receiving structured support would enable monitoring of those students by equality characteristics. The systems work to consider this is being looked at as part of the Educational Process Improvement Project - suspensions, transfers and withdrawals workstream.

15. Any other comments on the policy

16. What actions are required to be taken for this policy to comply with the Equality Act 2010? (if any)

None

17. Potential for differential impact? (Tick)

Taking into consideration all of the above, rate the policy for its potential negative or positive impact on the equality of staff/students:

	Negative	Positive
None	x	x
Low		
Medium		
High		

NB. If negative Medium or High, a full impact assessment is probably required

18. Recommendation:

Full Impact Assessment Required	
Make amendments to policy	
Reject parts of policy	
Reject whole policy	
Approve parts of policy	
Approve whole policy	x

If only parts of the policy are rejected/approved, outline what these are:

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19. Are the policy and the impact assessment approved? YES NO

Below state who has approved the EQIA and when this was done:

Date EQIA Approved:	
Person/Group which approved it:	<i>e.g. Author</i>

Date EQIA Approved:	
Person/Group which approved it:	<i>e.g. Policy Working Group</i>

Date EQIA Approved:	
Person/Group which approved it:	<i>e.g. Department Management Committee</i>

Date EQIA Approved:	
Person/Group which approved it:	<i>e.g. SEG</i>

Add in as many boxes to indicate all levels of approval e.g. committee X, committee Y