

## Fitness to Study Policy

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***Please note that as a student of the University of Plymouth and studying with the BCNO Group, your studies are subject to the policies and regulations of the University. In some cases the policies have been amended to make them specifically relevant to the BCNO Group and the requirements of the General Osteopathic Council. If you require further guidance please contact the Quality Manager. ([quality@bcnogroup.ac.uk](mailto:quality@bcnogroup.ac.uk))***

### 1.0 Introduction

All students who study with us at BCNO, should be able to work and study in an environment that is supportive and safe. Notwithstanding this, it must be remembered that students studying osteopathy will be working on and close to each other in a variety of contexts and will also be working in our public outpatient clinics. Similarly, students will often share accommodation with each other and network amongst themselves when off campus. It is within this context that some students may find particular challenges that arise from their being in this multidimensional environment.

Consistent with the General Osteopathic Council's standards document, Osteopathic Practice Standards, <https://standards.osteopathy.org.uk/>, student osteopaths must conform to certain standards and ethical behaviour both within the clinical context but also within the wider BCNO and public communities. BCNO has its own Student Disciplinary Policy and Procedures in place to deal with cases where students' behaviour falls short of these standards. Notwithstanding this, some causes of students' misconduct or where they place excessive and/or unreasonable demands on BCNO staff or on their student colleagues are due to problems with their mental or physical health or wellbeing. In these cases, activation of the Student Disciplinary Policy and Procedures is not indicated.

When considering a student's fitness to study, this is a wide-ranging term that applies to their academic practice and also to the way they conduct their lives outside of BCNO campuses. As part of their course, students will spend a significant amount of time in a clinic setting or undertaking clinical elements within taught provision. Behaviours which fall below the required standards and are exhibited in the clinical elements of the course will normally be considered under the BCNO Student Fitness to Practise Policy and Procedures.

The Student Fitness to Study Policy is informed by the General Osteopathic Council's standards document as well as by the parallel policies of the BCNO's validating partner universities.

### 1.1 What is Fitness to Study?

- a. A student is fit to study when they have the capacity to engage satisfactorily in relation to their

academic commitments and in life generally at BCNO.

- b. Circumstances or difficulties relating to a student's wellbeing may have an impact on their fitness to study either on a temporary or permanent basis.
- c. Where a student's fitness to study is identified as an undeclared disability then the student will be referred to the Student Welfare Team to determine if reasonable adjustments might address immediate concerns.
- d. BCNO may determine, in accordance with this procedure, that a student is unfit to study and this may result in suspension or termination of their registration with the University.

## **1.2 When will this process be used?**

There may be instances where a student's health or wellbeing causes BCNO concern regarding the student's fitness to study on a course. In these instances BCNO has a duty of care to respond appropriately.

Concern may relate to one or more the following aspects of a student's engagement:

- academic studies
- within a clinical setting (normally referred under the Student Fitness to Practise Policy and Procedures)
- more widely as a member of the University community.

This process is likely to be used when one of the following occurs:

- A student poses a risk to their own health, safety or wellbeing or that of others.
- A student's behaviour is, or is at risk of, negatively affecting the experience of other students and/or the day-to-day activities of the BCNO.

This process is not disciplinary in nature and is concerned with the wellbeing of the student and the BCNO community. Disruptive behaviour which does not relate to an underlying physical or mental health problem should be dealt with under the BCNO's student disciplinary process.

## **1.3 Relationship with other BCNO processes**

Students at BCNO are normally registered on courses which come under the regulation of the General Osteopathic Council and may therefore be subject to Student Fitness to Practise procedures. Concerns regarding student's fitness to study on these courses may therefore, on some occasions, be dealt with under the Student Fitness to Practise procedures. It may also be appropriate to seek advice and guidance from Occupational Health.

Where a student is subject to a disciplinary investigation, but that investigation reveals that the misconduct is likely to relate to an underlying physical or mental health problem, the matter could be dealt with under this process. However, the fact that a student has mental or physical health problem in no way lessens the duty of care that BCNO owes to other students. This should therefore be weighed against the duty of care owed to the student in question and a decision made as to whether the disciplinary process or this process should be followed.

A student may also be referred to this process after the conclusion of the disciplinary process.

## **2.0 Confidentiality**

Personal information about students must not be disclosed to anyone outside BCNO, including parents (unless the student is under 18 years old), without the student's explicit consent. The

students should be informed that information they supply may need to be shared internally and no promise of absolute confidentiality should be made.

A student's permission will often need to be sought for the release of information from a general practitioner or other medical adviser and from the counselling service or other referral agencies. The student is expected not to withhold such information without good reason as the actions BCNO seeks to take are in the student's future interests and in pursuit of their well-being.

### **3.0 Emergency suspension**

In the rare event that there is a risk of immediate or continuing danger to others or disruption of BCNO's normal operations because of the nature of the student's behaviour, a member of the Executive Team or Academic Registrar may, exceptionally, suspend the student from all or part of the BCNO's premises, for one day (24 hours) or for a weekend (6.00pm Friday to 8.00am Monday), in the first instance and then notify the Principal and Registry. In this event, the student will be delivered into safe hands to ensure that they are getting the specialist support they require.

The member of the Executive Team or Registry should take into account any examination attendance or assignment deadline that may apply to the student before taking the decision to suspend.

The Principal may extend this suspension to the conclusion of a fitness to study assessment meeting and any appeal hearing (see section 4.4 Right of appeal – review of process below).

The student may appeal in writing to the Principal against the extension of their suspension. The Principal will review the grounds for the suspension and the statement made by the student. Their decision is final and is conveyed in writing to the student.

## **4.0 Student Fitness to Study Procedure**

Most day-to-day concerns relating to student wellbeing can comfortably be dealt with informally between staff and students. This process only needs to be initiated when cause for serious concern is evident.

The Student Fitness to Study Procedure can be stopped at any stage if concerns are not felt to warrant further action.

The procedure should be operated in its entirety recognising the need for confidentiality but also the potential for causing distress to what may be an already vulnerable student. The process should be managed with sensitivity and compassion throughout.

If at any stage the student agrees to a voluntary suspension of studies, a 'return to study' plan (see section 6.0 Return to study) should be put in place before study recommences.

Even though initially quite an informal process, it is important that confidential notes are kept of all the steps taken to ensure that BCNO has a record of the actions it took to fulfil its duty of care to the student

### **4.1 Stage 1 – Initial concerns**

All employees should be attentive to the various ways in which a serious concern about a student's fitness to study might come to light. They may directly observe patterns of behaviour or

symptoms which cause concern to themselves or others. Third parties - whether they be other students, accommodation providers or even members of the public, may report concerns to staff. Information may come to light as part of an academic appeal or claim for mitigating circumstances. In many cases a student may raise an issue directly with a member of staff.

Concerns should in the first instance be referred to the Student Welfare Officer. They or their nominee will undertake initial conversations with the student's Personal Tutor and/or Academic Staff Member and seek advice from any appropriate internal professional staff as they see fit.

A meeting should then be arranged with the student, giving at least 48 hours' notice and including information as to why the meeting has been called and who will be there – at a minimum the Student Welfare Officer and the Personal Tutor and/or Tutor. The student should be encouraged to bring a friend or other supporter to the meeting.

At the meeting the behaviour or symptoms which have caused concern should be discussed and the student's perceptions of the situation ascertained. Possible steps to address the situation should be discussed and agreed with the student and an action plan agreed.

An action plan may include one or more of the following, that the:

- situation is monitored and managed within the BCNO, perhaps through regular meetings with their personal tutor
- student agrees to access, or be referred to, support services offered by BCNO or outside support services
- student voluntarily suspends from their studies for an agreed period of time

If, following an initial meeting, serious concerns remain, a case conference may be called at any point.

## **4.2 Stage 2 – Case conference**

When local management of a situation has proved insufficient, or in some cases where serious and immediate concerns are raised precluding the operation of Stage 1, a case conference should be arranged by the Student Welfare Officer.

A case conference is an opportunity for everyone involved in supporting a student to meet in private, without the student present, to share concerns and decide on an appropriate course of action.

This is likely to include some or all of the following: a member of the Executive Team or their nominee, Student Welfare Officer, Personal Tutor, Academic Staff Member, staff from student support team who have been involved with the student, and staff from external support services if contact has been established.

Discussions are to be conducted on a confidential basis to ensure open and frank discussion and brief notes should be kept recording who was present, an outline of points discussed, and recommended next steps.

The case conference may recommend one or more of the following, that:

- the student be referred to other support services
- further medical information is sought
- further pastoral support is offered
- the student be encouraged voluntarily to suspend from their studies for an agreed period of time.

The case conference may recommend any other reasonable steps to be taken by BCNO or the student that are intended to address the current issues faced by the student.

The recommended course of action will be detailed in an action plan to be agreed with the student.

Where the concern is serious and immediate the case conference may also recommend that:

- a student be subject to an emergency suspension (to be enacted by a member of the Executive Team or the Academic Registry )
- a student's emergency contact be notified of the situation (where consent for that action has been obtained)
- a student's medical contact or support worker be notified of the situation (where consent for that action has been obtained)

The case conference may recommend that a formal fitness to study assessment is undertaken. This may or may not be dependent on a student's willingness to undertake the recommended actions.

The Student Welfare Officer should meet with the student to discuss the recommendations and the proposed action plan. The student should be encouraged to bring a friend or other supporter to this meeting. The Student Welfare Officer should explain the concerns and the proposed action plan, including whether referral for a fitness to study assessment is dependent on their agreement with the proposed action plan.

If the student agrees to the action plan, and a fitness to study assessment is not recommended in any case, then a timeline for action and follow up meeting should be scheduled. Should further concerns arise at a later date, including failure of the student to action recommendations, then a second case conference should be arranged.

If the student does not agree to follow the recommendations, or if a fitness to study assessment was recommended in any case, then the fitness to study assessment process should be started.

#### **4.0 Fitness to Study Assessment**

The fitness to study assessment process is intended to allow a neutral panel to assess the student's situation in relation to their academic studies and to come to a judgment about what is in the best interests of the student and the wider BCNO community.

##### **Fitness to study assessment report**

On the conclusion of stage 2, the Student Welfare Officer will ask the Academic Registrar to appoint a member of staff, not previously involved in the case, to take responsibility for gathering evidence from the student concerned, witness statements from staff and students, and evidence from any external support agencies. The member of staff will write an overview report to accompany the evidence, outlining key facts and dates and summarising the steps taken to date. The report and evidence gathering should take no longer than 10 working days.

At the same time the Academic Registrar will arrange a fitness to study panel meeting which should be arranged to take place within 5-10 working days of the conclusion of the maximum reporting period.

### **Fitness to study assessment meeting**

The Student Welfare Officer will be invited to the meeting at least five working days in advance, and will be supplied with the overview report, evidence gathered and information on the makeup of the panel and any witnesses requested. The student will be encouraged to bring a supporter or friend to the meeting.

The panel for the meeting will comprise:

- a member of the Executive Team or their senior nominee as Chair
- a member of academic staff
- a member of the Clinic staff
- a secretary

The Chair may invite witnesses to attend the meeting. These may include other staff or students involved in the case to date, or staff from internal and external support services.

The panel will be supplied in advance with the overview report and evidence gathered.

The Chair will determine the conduct of the meeting, including any necessary adjournments.

The student and their supporter may be asked to withdraw so that part of the meeting can be held in private, but they will be invited to return to discuss the recommended outcome.

### **Outcome of the fitness to study assessment meeting**

The panel may conclude that:

- the student is fit to study and may continue their course
- the student is fit to study but further academic or other support is recommended and should be captured in an action plan
- the student is fit to study but an allegation of misconduct is therefore outstanding and should be dealt with through the Student Disciplinary Policy and Procedures
- the student is unfit to study and involuntary suspension is recommended, with or without conditions on return to study
- the student is unfit to study and termination of enrolment is recommended (this is expected to be an exceptional outcome).

The panel will communicate the outcome to the student in person at the meeting and a decision letter, along with the notes of the meeting, will be sent to the student within five working days.

At this point, if the student has been considered unfit to study, the fitness to study assessment report and notes of the meeting will be forwarded to the Principal to consider the recommendation for suspension or termination and to implement it if they see fit.

Any financial consequences to the action taken by BCNO in suspending or terminating a student's enrolment will be discussed with the student by the Academic Registrar or their nominee, and, wherever possible, the financial consequences for the student will be minimized.

## **4.1 Right to Appeal**

A student who has been subject to an involuntary suspension or termination of enrolment may make a request for a review of process to the Executive Team. The review will be conducted by

a member of the team not involved in the earlier stages of the investigation and will examine how the process has been followed.

If the review of process finds no procedural irregularity, the appeal will be rejected and the student will be provided with a Completion of Procedures letter and advised of their right to further action through the validating partner university.

If the review of process finds that there has been a procedural irregularity the case will be referred to a new fitness to study assessment panel for consideration afresh.

## **5.0 Support during suspension**

Whilst a student is in a voluntary or enforced suspension from BCNO, the Student Welfare Officer will provide or guide the student to support available.

## **6.0 Return to Study**

Return to study following a voluntary or involuntary suspension is not automatic and will depend upon the student providing evidence that they are fit to study and that any conditions set have been met.

Prior to the end of the agreed period of suspension the Student Welfare Officer will arrange a meeting with the student to discuss their return to study. What, if any, evidence is required to demonstrate their readiness to return to study will be discussed and a 'return to study plan' will be agreed.

In some cases medical evidence of a student's readiness to return to study will be required. Evidence submitted must be from a recognised health worker such as a mental health professional, doctor or psychiatrist who has sufficient knowledge of the student and the demands of higher education in order to make an informed decision regarding return to study. In particular, specific reference should be made to the student's capacity to return to study.

Following the meeting or receipt of medical evidence, should the Student Welfare Officer still have concerns regarding the student's fitness to study they will refer the student back to a Fitness to Study assessment meeting.

## **7.0 Monitoring**

In order to maintain a rigorous and equitable procedure, the student fitness to study process will be subject to regular monitoring carried out by the Registry.

Students will be able to access information regarding the process through the BCNO Group website

# Appendix 1 – Student Fitness to Study Processes Flowchart

