

## Fitness to Study Policy

### 1. Purpose

- 1.1 The purpose of the Fitness to Study policy is to ensure an appropriate response by the University in exceptional cases where:
- a) There are concerns about a student's current capacity to engage in academic engagements, maintain their own safety or to reside in the College communities of Durham University without adversely impacting their peers or College staff. The Policy reiterates the University's commitment to supporting students in their academic progression and lays out the framework for how concerns will be addressed in those cases where the range of supportive measures that the University may be reasonably expected to provide have been employed but have not satisfactorily resolved concerns.
  - b) A student intends to participate in University-related activities in the near future and where there are outstanding concerns about a student's capacity to engage in the activity without adverse impact upon themselves or others once the process of risk assessment and health screening have been completed.
- 1.2 Durham University is committed to supporting students in their academic progression through to successful completion of their studies and in their participation in the widest range of University activities. The University recognises the significant investment made by students in their pursuit of Higher Education goals and in its responsibility to provide appropriate support as students seek to fulfil their academic potential. A positive approach from students and University staff towards the management of physical and mental health is critical to student engagement in the academic, collegiate and wider student experience.
- ~~1.3~~ The University encourages all parties to engage in early intervention and support-planning and to take an active, collaborative and supportive stance where possible. Students should be involved in the active management of their own wellbeing, drawing appropriately upon the support services offered by the University.
- **Student Support Offices in Colleges** are the centre of University pastoral support. The College Student Support Office will make reasonable efforts to work collaboratively with the student to engage with the appropriate University or external service to support their ongoing academic engagement.
  - **Academic Departments** provide subject-specific academic support and welcome any necessary information they need in order to meet a student's academic support needs.
  - **Disability Support** co-ordinates the support needed to engage effectively with academic studies and University life when the condition has been declared as a disability, defined as any health condition that has a substantial and long term adverse effect on the ability to carry out normal day to day activities.
  - **The Counselling Service** offers support and signposting to specialist external services for issues around mental health and wellbeing; Mental Health Advisors offer support-planning sessions for students as part of their preparation to participate in off-site activities.

- ***The Durham Students' Union*** is an external body, offering advice and advocacy services

## 1. Policy Scope

2.1 This Fitness to Study Policy is intended to apply:

- In exceptional cases where there are serious concerns about a student's wellbeing and where the range of supportive measures that the University may be reasonably expected to provide have been employed but have not satisfactorily resolved concerns: or
- In exceptional cases where a student intends to participate in University-related activities in the near future and where there are outstanding concerns about a student's capacity to engage in the activity without adverse impact upon themselves or others once the processes of risk assessment and health screening have been completed.

2.2 Fitness to Study is defined by reference to two criteria, namely that the student shall normally and consistently:

- i) Be effectively engaged in their academic studies, assessment or placement without compromising the academic progress or ordinary activities of themselves, those of their peers or their employer (or equivalent), where work placement forms a part of their studies.
- ii) Maintain an appropriate level of conduct, health and wellbeing, such that they are not a risk to themselves, their peers, University staff or others.

Where a student is actively engaged, as a resident or non-resident, in College communities, as non-familial independent living environments, it is also expected the student shall normally and consistently meet the following criteria:

- i) Be actively engaged, as a resident or non-resident, without adversely impacting their College peers or staff.

2.3 A single event does not constitute an indication of a lack of fitness to study unless that event is itself symptomatic of an underlying inability to meet the criteria normally and consistently.

2.4 The procedure below sets out how the University will assess fitness to study and the actions it will take to support all staff and students. The determination of a student's fitness to continue with their studies or to engage in a University activity will be based on the collation of the perspectives of all parties. In rare cases where a student is, in the reasonable opinion of the University, unable to engage in their studies and/or take care of themselves as advised and supported or where students do not recognise their impact upon the University community, the University may decide to suspend or to withdraw the student from their studies, or the student may not be authorised to participate in the planned University activity. Where there are consequences for the student's programme of study, for example if unable to engage in teaching practice for Education courses, or to engage in the year abroad element of a four-year language course, there may be concessions available which will be discussed in full at the point of assessment.

2.5 The University recognises that engaging in the process of determining fitness to study may be difficult. The student may seek support from their College Student Support Office and/or the Durham Students' Union. If concerns about a student are being raised by their College Student Support Office the student may request access to alternative College support.

2.6 Decisions may be informed by contemporaneous medical evidence prepared by an appropriately qualified medical practitioner.

Guidance on the preparation of medical evidence for medical practitioners is available in [Appendix 4](#). The responsibility for gathering medical evidence will rest with the student and any personal data that they share with the University will be held securely and confidently in line with data protection legislation.

- 2.7 It will ultimately be the University's responsibility to interpret and assess the evidence, taking into consideration the context of University life and the impact on academic progress, or the context of the activity. There may be occasions where medical evidence is not available or applicable, or the student may not provide it. A lack of medical evidence would not in itself prevent the University from making a decision about a student's fitness to study. The University will consider evidence in line with local and national guidelines and protocols from the National Health Service, the National Institute for Clinical Evidence or Higher Education Occupational Physicians/Practitioners guidance, for example 'Fitness to study for Students with Severe Eating Disorders'.
- 2.8 The University recognises that securing medical evidence may involve financial costs to a student. Although the University Hardship Fund would be unable to support a direct payment for medical evidence, if the requirement for such evidence meant that the student was placed in financial hardship, that expenditure would be taken into consideration when assessing eligibility for hardship support. Advice on *Hardship Funding* is available online and via the College Student Support Office. Medical evidence may have already been provided to the College or Disability Support. Further requests for information on a student's medical condition will ask for evidence that is additional to that already provided and/or provide an update on the current impact of the condition.
- 2.9 The principles of this Policy and procedure apply to all University registered students.
- 2.10 The Policy will apply when the University considers that for current activities:
- i) There are urgent concerns requiring a rapid response to ensure the wellbeing of students and staff.
  - ii) Disciplinary and Academic Progression procedures are not appropriate: or
  - iii) Reasonable supportive measures within Colleges, Academic Departments or Specialist Student Support Services have not allayed concerns, or the student has refused to engage satisfactorily or appropriately with support.

Or, for future planned University activities:

- i) Either the student has disclosed a condition that may impact on their fitness to engage in the activity and the University approver does not consider the student fit to engage in the activity given the evidence presented in the risk assessment and health declaration process.
  - ii) The University holds data that suggests the student's fitness to engage in the activity requires consideration, for the student's safety and wellbeing or that of others. This may include considerations of issues that were not disclosed by the student during the risk assessment and health declaration process.
  - iii) A prior offsite activity has resulted in health deterioration and further assessment is needed before approval can be given for the prospective activity.
- 2.11 The University's preference is not to take disciplinary action in the first instance where a student's misconduct is known or suspected to be the result of an underlying physical or mental health issue. Disciplinary action may be put on hold where students are undergoing assessment or treatment for mental and physical health conditions.

- 2.12 This Policy refers to the fitness to be a member of the Durham University community and applies to all students regardless of their course of study. Students on courses that involve elements of professional training or accreditation are subject to Fitness to Practice policies of their respective department or relevant professional bodies where appropriate. For those students the department/professional bodies' Fitness to Practice procedure may take precedence over this Policy or other University policies and are in addition to this Policy as they contain profession-specific requirements for fitness and profession-specific Codes of Conduct. These procedures operate outside the scope of this Policy.
- 2.13 For students who are not resident in Durham, there are practical and reasonable limitations to the support that the University might be expected to provide. It may remain the case that 'fitness' issues need to be addressed, in the interests of the student's wellbeing and in the interests of our partner institutions.
- 2.14 This Policy also outlines the procedure for assessing fitness to return to study, after either a concession has been granted on health grounds, or after any incidents or episodes during offsite activities that raise concerns about a student's safety and wellbeing.

### **3. Responsibilities**

- 3.1 The Policy defines the Fitness to Study Standing Group as the group to review the operation of this Policy and to provide oversight and guidance on the interpretation of medical evidence in the context of higher education and Durham University.
- 3.2 The Fitness to Study Standing Group comprises of staff from Specialist Student Support Services, the Colleges and Academic Departments, and representatives from the Students' Union. The Standing Group will meet in mid-September and at the end of Michaelmas and Epiphany terms and on an exceptional basis if required to review an individual student case. It will review the operation of the Fitness to Study Policy and will review any medical evidence relevant to the case involving a student who wishes to return to study following a Fitness to Study meeting. It will also serve as a specialist panel to review the evidence for any student returning to study after a concession, if:
- Specified as part of the concession; or
  - At the request of a College or Academic Department, in the event of their receipt of partial or ambiguous evidence of fitness to return.
- 3.3 The Fitness to Study Standing Group will include members of staff from the Counselling Service, Disability Support and Occupational Health Service. In the event that those members do not have sufficient knowledge and experience to understand the evidence presented, external expertise may be sought at the discretion of the University. In such cases:
- Consent will be sought from the student to share the evidence presented with an external expert.
  - Where prior consent is not obtained, the evidence will be anonymised to remove any personal identifying data before it is shared.
- 3.4 The Fitness to Study Standing Group will report to the Student Support and Wellbeing Sub-Committee through to the Education Committee. The Terms of Reference for the Fitness to Study Standing group are presented in [Appendix 6](#).
- 3.5 The Policy is owned by the Director of Student Support and Wellbeing who is supported in administration of it by the Student Conduct Office.

### **4. Procedure**

4.1 It is expected that Colleges and Academic Departments will engage with students and with each other in informal discussions where concerns regarding fitness to study have been raised. The student should be encouraged to use one or more of the support services offered by the University and to engage with healthcare professionals. It is the University's opinion that the majority of cases will be resolved where students engage with the internal and external support available to them.

4.2 The Policy contains three procedures for assessing fitness to study:

4.2.1. To address concerns about fitness to engage in current University activity.

4.2.2. To consider the fitness to engage in a prospective University activity.

4.2.3. To assess fitness to return to study, following a concession or offsite incidents or episodes of concern.

#### **4.2.1 Fitness to engage in a current University activity**

a) Concerns about a student's current fitness may be raised by the student, their peers, their College or Academic Department. If a student is engaged in offsite activity, concerns may be raised by a partner institution, an employer or their peers.

b) A Fitness to Study meeting will be convened to provide clarity and transparency where there are ongoing concerns about a student's fitness to study and when:

- Informal support measures have not allayed concerns, or require formal review.
- The student is not engaging with the University around the fitness to study concerns.

c) The purpose of the meeting is for those concerns to be considered by a relevant group of University staff and to provide the opportunity for the student to respond to those concerns. The intersection of the Fitness to Study Policy with the support mechanisms of the Mental Health Policy are presented in [Appendix 1](#).

d) The Fitness to Study meeting will be convened by a College Principal, an Academic Head of Department or their delegated representatives. The decision to convene a Fitness to Study meeting must be made by the Head of the Counselling Service/Head of Disability Support in consultation with the relevant Deputy Executive Dean and another senior representative from the Counselling Service or Disability Support. The procedure for convening a Fitness to Study meeting is set out in [Appendix 2](#).

e) The student will be invited to attend the meeting and may be accompanied by a member of the University community. Students will normally be given seven days' notice of the date of a meeting but in view of the severity of an individual case, shorter notice may be appropriate in the circumstances.

f) Appropriate effort will be made to allow the student to attend but the meeting can proceed if the student is unable and/or unwilling to attend where in the reasonable opinion of the University it is in the best interests of the student or other students and staff members that the meeting convened without the student. The student will be invited to submit any relevant evidence to the meeting.

g) Membership of the meeting will depend on the nature of the case under consideration.

It will include ALL of the following:

- A senior representative of the students' College.
- A representative of the students' Academic Department(s).

- The Director of Wellbeing and Support or a nominated representative.

At least ONE of the following:

- A senior representative from the Counselling Service.
- A senior representative from Disability Support.

And may include:

- A representative from the Curriculum, Learning and Assessment Service, if specialist input on University Regulations is required.
  - An external Health Practitioner who is involved in supporting the student. If the Health Practitioner is willing and the student agrees to them being present. The presence of an external Health Practitioner is not a formal requirement for the meeting.
  - External stakeholders, who may be invited on case-by-case basis to attend the meeting or part of the meeting or to submit evidence with consideration to medical privacy. Any external stakeholder attending the meeting will be subject to the provisions of data protection legislation.
- h) It is expected that professional advice should be available at the Fitness to Study Meeting from a representative of at least, the Counselling Service and/or Disability Support and a mental health professional. If the student has been supported by a University Counsellor or Mental Health Advisor, and if they have contributed to the evidence, the Fitness to Study Meeting should also include a representative of the Counselling Service who has not previously been involved in the student's support. The meeting can proceed without medical evidence, and any outcome of the meeting should formally note and reflect the absence of medical evidence. It may, but not necessarily, include a strong recommendation that the student seek appropriate evidence as an outcome of the meeting (see [Appendix 4](#) for Guidance on medical evidence).
- i) The outcomes of a Fitness to Study Meeting may be:
- No further action.
  - A recommendation of further specific support arrangements, formal monitoring of the student's condition, the specification of evidence required and a date set to reconsider the situation.
  - An assessment of Fitness to Study that leads to the student's collaborative agreement to a Grace Period of up to five weeks, a concession to suspend studies or a withdrawal from studies.
- j) If the assessment reached in the meeting is that the student is not fit to continue their studies at this time and the student is not in agreement with this assessment, the meeting may recommend a suspension from the University under General Regulations.
- k) The student, their college and their Academic Department will be informed of the outcome of the Fitness to Study meeting. Student Registry will be informed to ensure that the student's record is appropriately updated. A record of the Panel meeting will be taken and shared with the student in writing, after the meeting. The record will include the rationale for determining the outcome of the case and the reasons for rejecting the other possible outcomes.
- l) Following the meeting, the student will be offered the chance to meet with their College Student Support Office to ensure that the impact of the outcome on the student in terms of their accommodation, financial position and other related wellbeing issues are discussed and considered.



- m) Where they are dissatisfied, the student may appeal any decision made by the Fitness to study meeting. The purpose of the appeal is to ascertain whether the decision was reached:
- In accordance with the University's procedures; and
  - In the light of all relevant information.
- n) Any appeal must be made in writing to [student.cases@durham.ac.uk](mailto:student.cases@durham.ac.uk) within fourteen days of the date of the student being advised in writing of the outcome of the Fitness to Study meeting.
- o) The decision will be reviewed by a Deputy Executive Dean from a Faculty different to the student and who was not involved in the assessment.
- p) Students may seek support in using the Appeals Procedure from their College Student Support Office or the Students' Union.

#### **4.2.2 Fitness to engage in a prospective University activity**

- a) The University seeks to support students to engage in the widest range of activities. The process of assessing fitness to engage in prospective activity is designed to encourage students to participate in the planning and preparation for their activity to support their safety, wellbeing and successful engagement. This procedure only applies to University activities, those organised by the University, or in their name, or if the opportunity to engage in this activity is only open to registered students. Assessment of fitness to engage in a prospective activity is ordinarily conducted through the processes of:
- Preparation of a risk assessment for the specific activity.
  - A Health Declaration form, completed with reference to the risk assessment.
- b) Assessment for a prospective activity may be necessary even if there are no current concerns about a student's fitness to engage in their current University activity, for example studying on their current course whilst resident in Durham. There may be distinct features of the activity that require consideration which should be addressed within the risk assessment and health declaration processes, for example:
- A period of residence abroad, and hence away from current or potentially needed medical healthcare interventions.
  - A period of residence away from existing interpersonal support structures, or extended periods of lone working.
  - A period of residence in a high-risk environment, as defined by the Health and Safety Offsite Framework.
  - A context in which the reasonable adjustments in place at the University are not replicable.
  - Responsibility for others.
- c) This procedure will apply if, after the risk assessment and health declaration processes have been completed, there are outstanding concerns about a student's capacity to engage in the activity without adverse impact upon themselves or others. In the majority of cases, the evidence for consideration will be:
- The evidence supplied by the student as part of the risk assessment and health declaration processes, and any associated medical evidence;
  - A summary of the concerns raised by University staff, along with any



supporting evidence.

- d) All evidence will be shared with the student in the interests of transparency and the student will have the opportunity to respond to those concerns. Medical evidence will be interpreted for the context of the prospective activity.
- e) If this procedure identifies serious concerns about a student's fitness to engage with a prospective University activity, then the case will be considered via a Fitness to Study meeting as set out above. The assessment of fitness for a prospective activity will be with reference to a specific start date. If the student is assessed as not fit to engage on the proposed date, the assessment will specify the earliest date at which the student may request to be re-assessed.
- f) The full procedure for convening a Fitness to Study meeting is presented in the assessment of fitness to engage in prospective activities is presented in [Appendix 2](#).

### Right of Appeal

- g) Where they are dissatisfied, the student may appeal the decision that they are not fit to engage in the prospective activity. The purpose of the appeal is to ascertain whether the decision was reached in accordance with the University procedures; and in the light of all relevant information.
- h) Any appeal must be made in writing to [student.cases@durham.ac.uk](mailto:student.cases@durham.ac.uk) within fourteen days of the date of the student being advised in writing of the outcome of the Fitness to Study meeting.
- i) The decision will be reviewed by a Deputy Executive Dean from a Faculty different to the student and who was not involved in the assessment.
- j) If the student wishes to submit further medical evidence to an appeal procedure, a specific set of questions will be prepared for the medical practitioner, against which the new evidence will be assessed.
- k) Students may seek support in using the Appeals procedure from their College Student Support Office or the Students' Union.

### 4.2.3. Return to Study

- a) Students who receive a concession for their studies or are suspended on the grounds of ill-health will only be allowed to resume their studies once the University is satisfied that they are fit to do so. The student will be informed of the evidence required to return to study at the start of the concession or suspension. It will be made clear to the student whether or not evidence of their engagement with any medical treatment is a requirement to return but this may not be a condition in all cases. The student will be required to:
  - Complete a personal statement, detailing their understanding of the difficulties they faced that led to the Residence concession and detailing how they feel their condition has improved such that they are confident of a successful re-engagement with their studies ([Appendix 5](#)).
  - Support elements of the personal statement with medical evidence, where relevant, for example, a student may have engaged with medication or psychological therapy.
  - Engage in an assessment and support-planning session with a University Mental Health Advisor, either in person in Durham or over Skype, to:
    - o Assess the quality of the personal statement and medical evidence, drawing upon

the Mental Health Advisor's knowledge and experience of mental health and the particular context of Durham University; and

- o Draw up an appropriate support plan with the student to facilitate the most effective return to study and ensure appropriate pastoral, academic and medical support provisions are in place prior to return, including support for disabilities where applicable.
- b) The Mental Health Advisor will then produce a summary report and recommendation for the Fitness to Study Standing Group of the student's fitness to return to study. The Mental Health Advisor may request the student to provide further information or evidence if required, and will ensure the student is ready to engage with local practitioners if necessary.
- c) The Fitness to Study Standing Group will meet in mid-September and at least once per term, to review the recommendations and make a decision on fitness to study.
- d) The student may appeal to the Academic Registrar who will review the decision to ensure that a reasonable assessment was reached:
  - o In accordance with the University Policy; and
  - o In the light of all relevant information.
- e) Consideration will be given to the need for the student to maintain a connection to their existing external care-providers. Full guidance on medical evidence for a return to study is presented in [Appendix 4](#).
- f) University Core Regulation 23 states that students are limited to a maximum of two consecutive concessions to withdraw from the academic year and return to University to begin the year again at the start of the next academic year. At this point a student would be eligible to re-apply to the University and apply for Accreditation of Prior Learning if they wish to re-enter their studies.  
(<https://www.dur.ac.uk/university.calendar/volumeii/>).
- g) A key period of assessing the evidence for return to study is August and September, before the beginning of the academic year. The Fitness to Study Standing Group (see below) will meet by mid-September to review evidence. All relevant dates will be communicated to students at the time of their concession or suspension.

## 5. Equality and Diversity

5.1 The FTS Policy will inevitably involve cases where the health and wellbeing of students has brought their capacity to engage fully with their academic programmes and/or community life within the University into doubt. Some students engaging with the Policy will, therefore, have a mental health or physical disability and the application of the Policy needs to be kept under regular review to ensure that it does not disproportionately impact or discriminate against students who fall within those categories.

5.2 The University does this through the FTS Standing Group which looks, in detail, at the cases being handled, the outcomes and the broader policy framework. To ensure that equality issues remain at the forefront of the Group's considerations, membership includes the Head of the Equality, Diversity and Inclusion Unit who advises and guides the work of the Group and the broader application of the Policy.

## 6. Related Information and Appendices

6.1 The *Mental Health Policy* sets out the University's commitment to support for students with ongoing mental health conditions.

6.2 The *Academic Progress Notice (APN)* procedures are intended to identify students who in the reasonable opinion of the University are not fulfilling their academic commitments, to ascertain why this might be the case and to make appropriate support available where available and practicable.

6.3 [Appendix 1](#) presents a flowchart outlining the intersection of the Academic Progress Notice procedures, the Mental Health Policy and the Fitness to Study Policy for cases involving mental health. The full procedure for convening a Fitness to Study meeting is presented in [Appendix 2](#) with a sample invitation letter in [Appendix 3](#).

Guidance on medical evidence with a sample Wellbeing Questionnaire is presented in [Appendix 4](#). [Appendix 5](#) sets out what is required for a personal statement for Return to Study.

The Terms of Reference for the Fitness to Study Standing Group is presented in [Appendix 6](#).

## Appendix 1: The Intersection of the Mental Health and Fitness to Study Policies

### Following a Fitness to Study meeting:

1. A post-FtS meeting is to be convened by the appropriate College Officer to ensure that the impact on the student in terms of accommodation / financial position / wellbeing issues are explored. The aim is to ensure that the student receives appropriate advice and support;
2. When there is a change in status of a student as a result of a FtS meeting and the student can no longer make academic progress, the change is to be disseminated within the University.

| Nature of Concerns  | Mental Health Policy  | Fitness to Study Policy   |
|---|---|---|
| Low to moderate concern for wellbeing, or<br><br>Non-engagement with studies identified by Department, triggering APN   | Informal approaches by College and/or Department<br><br>If unresolved   |   |
| Moderate to serious concerns , where mental health is clearly implicated or suspected, and student is open to a meeting under the Mental Health Policy<br><br>Serious concerns may need to be raised through a formal meeting in the first instance | <p><b>Student Support Meeting</b></p> <ul style="list-style-type: none"> <li>- <b>Informal</b> meeting with outcomes for engagement with support or behavioural agreements</li> <li>- Mental Health Advisor involved</li> <li>- If unresolved</li> </ul> <p>and it is believed that with formally agreed outcomes a student has the capacity to remain</p> <p><b>Student Support Meeting</b></p> <ul style="list-style-type: none"> <li>- <b>Formal</b>, documented outcomes for support or concessions</li> <li>- If unresolved following Support Meeting measures, further referral to</li> </ul> | <p>OR it is believed that there is sufficient risk to the student or others, and that even with further support they would be unable to effectively and safely remain in the University</p> <p><b>Fitness to Study Meeting</b><br/>– for formal consideration of fitness once support measures have not resolved concerns</p> |
| Emergency situation – urgent and clear risk   | Emergency suspension under the Mental Health Policy<br>- Should be accompanied by request to produce evidence of fitness to return to study   |   |
| Where health issues are suspected to be contributory factor but the student does not want the issues to be considered under the Mental Health Policy  |   | <b>Fitness to Study Meeting</b> – for formal consideration of fitness   |

## Appendix 2: Procedure for a Fitness to Study Meeting

(1) A University staff member with concerns about a student must consult with relevant colleagues to establish whether a Meeting is necessary or if an alternative option is available. These colleagues may include, but are not limited to:

- A senior representative from the Counselling Service;
- A senior representative from Disability Support;
- A senior representative of the student's College;
- A representative of the student's Academic Department/s;
- The Director of Student Support and Wellbeing and/or the Assistant Registrar.

The Fitness to Study Meeting will be convened in accordance with 4.2.1 d) – h) of the Policy.

(2) The student's invitation to the Meeting will normally be by letter (see [Appendix 3](#) for a sample letter) and should:

- Reiterate that the University still has concerns about the student's well-being and outline those concerns;
- Include a copy of the Fitness to Study Policy;
- Explain the nature, purpose and potential outcomes of the meeting as outlined in the Fitness Study Policy;
- Be accompanied by any documentary evidence that is to be considered at the Meeting;
- Invite the student to submit any relevant evidence;
- Allow the student under review the opportunity to be appropriately supported at the meeting by a member of the University community or by a medical practitioner, if appropriate (see below).

(3) If the student is willing but unable to attend the meeting for verifiable reasons, the convener of the meeting has the discretion to delay the meeting or (especially if the issue is one of urgency) to proceed. In the latter case, the student will be invited to submit their evidence in response to the evidence contained in the letter of invitation. At the discretion of the convener of the Meeting, the student and/or other members of the Meeting may attend via video or either electronic link.

(4) Professional advice and medical evidence:

It will ultimately be the University's responsibility to interpret and assess the evidence, taking into consideration the context of University life and the impact on academic progress.

(5) The range of outcomes of a Fitness to Study Meeting are set out in 4.2.1 i) – l) of the Policy.

(6) Note-taking: The Fitness to Study Meeting will be minuted and circulated to all attendees. The convener of the meeting is responsible for ensuring that any follow-up actions are undertaken.

Note: Members of the University Community who accompany students to Meetings (see 4.2.1 e): these may be one of a student currently registered at the University, a current, substantive or honorary member of staff of the University, or a Support/ Sabbatical Officer of the University Students' Union. The student may also invite a medical practitioner who is engaged in the current support of the student to fulfil this role.

The role of the accompanying person is to provide support to the student through their presence. They will not be expected to contribute to the meeting, nor to speak on behalf of the

student unless the need for such a role arises from the condition of the student, at the discretion of the convener of the meeting.

### Appendix 3: Sample Invitation Letter

Dear Xxx

**Re: Fitness to Study Meeting, Date, Time, Location**

As you are aware from our recent meetings, the University has reasonable concerns about your well-being and is particularly concerned that these have had an adverse impact on your studies/behaviour/safety/other students/ placement employer(*delete as appropriate*).

EITHER: A number of supportive measures have been in place:

- List, if appropriate

These measures have not in our reasonable opinion resolved our concerns.

OR

We have in our opinion serious and urgent concerns for your safety and wellbeing/ the safety and wellbeing of others.

Consequently I am writing to invite you to attend a meeting in accordance with the University's Fitness to Study Policy, a copy of which is enclosed for your information. This meeting will:

- Consider the background to our concerns;
- Determine what action is necessary to try to ensure your health and wellbeing;
- Determine what action is necessary to reduce/mitigate the impact of your behaviour on any other students/staff who may be affected.

The outcome of this Meeting may be:

- No further action;
- A recommendation of a further specific support arrangement, formal monitoring of your condition, the specification of evidence required and a date set to reconsider the situation;
- An assessment of your Fitness to Study that leads to your agreement to a Grace Period of up to five (5) weeks or a suspension of studies concession or withdrawal.

If the assessment reached in the meeting is that you are not fit to continue your studies at this time, and if you are not in agreement with this assessment, the meeting may recommend a suspension from the University under General Regulations.

The following people have also been invited to the meeting (*insert as appropriate*) and we will be considering the enclosed documentation as well as our discussion with you (*list documentation to be considered here*) OR insert request for evidence if required.

We recognise that this may be a difficult process for you and you are, therefore, entitled to bring along someone from the Durham University community to support you in a personal capacity. This support might be another student, member of the University or a medical practitioner. In addition, you may wish to receive independent advice and guidance in relation to your current position and this can be provided through the Advice Centre located within Durham Students' Union. The Advice Centre can be contacted on 0191 334 1781 and they are located in Dunelm House.



Please let us know by *(insert as appropriate)* if the proposed date and time for this meeting is suitable for you and if you will be able to attend. *[State if the meeting needs to proceed on this date or by a certain date, whether or not the student is able to attend]*  
If you have any questions about this process please do not hesitate to contact me.

Yours sincerely

## Appendix 4: Guidance on Medical Evidence

Medical evidence for some conditions is straightforward. Chronic medical conditions characterised by a pattern of relapsing-remitting have a more subjective and fluctuating impact upon students' capacity to engage with their academic studies. It is important that medical evidence meets the need of the University, as reasonably determined by the University and in its sole discretion, to make appropriate decisions with regards to student support.

### When is evidence needed?

Medical evidence will be required to declare any condition as a **disability** with the Disability Support Service. Once registered with the Disability Support Service a student will not be required to provide further evidence of the underlying condition, but the University reserves the right to make a request for additional evidence of the current impact of that condition upon their capacity to engage with their studies and University life, if concerns are raised.

Medical evidence may be requested, but is not a formal requirement, for **formal Support Meetings** under the Mental Health Policy and for formal proceedings under the Fitness to Study Policy. It may be requested if there are concerns that a student is **unwell** and has not yet engaged with health services. The role of evidence is explained in each of these policy frameworks.

Medical evidence may be requested as a follow-up to **Occupational Health** forms completed in advance of participation in year-abroad or off-site activities, such as field trips or work placements. It will also be routinely required as part of professional Fitness to Practice frameworks before registration on courses in Education and Social Work that include professional placements.

Medical evidence may be required at the point of a **return to study** from a concession on mental health grounds to evidence a fitness to return, possibly to demonstrate engagement with medical treatment during the out of residence period and to outline any need for ongoing engagement with medical treatment if necessary. It will also be necessary if a student has previously withdrawn on mental health grounds but has re-applied through UCAS to register for a new course.

### Who can provide medical evidence?

Medical evidence can be provided by the student's General Practitioner or other Registered Medical Practitioner, a Clinical Psychologist, Nurse Consultant/Advanced Practitioner, or the NHS mental health Care Coordinator involved in the student's recent care. Evidence solely from qualified counsellors and psychotherapists or other allied health professionals may not be sufficient but will be taken into account. This position will be kept under review, as there may be changes in the status of professions and their responsibility/ authority to produce medical evidence.

There are likely to be particular international differences in services. It remains the responsibility of the student / their supporters to identify the appropriate equivalent service to provide evidence of wellbeing. Students are responsible for the provision of a verified translation into English of any medical evidence. The University Mental Health Advisors can help students to identify and access a UK-based provision for mental health conditions.

### What evidence is needed?

Given the individual nature of health conditions and the particular circumstances of a request for evidence, the University cannot produce standardized guidance on what constitutes medical evidence. Students will be informed at the point of request of the particular evidence required.

#### 1. Evidence for Mental Health Conditions

Guidance is needed particularly in the area of mental health evidence, as these conditions are often chronic, with a relapsing-remitting pattern and diagnosis and evidence of wellbeing often relies on self-report rather than objective measures.

Higher education study and independent living may present additional challenges for students with these conditions, and medical evidence will form the basis for both assessment of capacity to engage in study and for ongoing support within the University context.

The University's Mental Health Advisors are available throughout the year to provide assistance and advice on individual requirements.

## *2. Return to Study*

**Please read your concession letter carefully.**

There are particular requirements for the evidence to return to study after a concession on mental health grounds. This will be made clear within the concession.

The following list illustrates potential examples of evidence required:

- Evidence of a period of sustained mental health stability, often stated as three (3) or six (6) months in duration;
- Evidence of engagement with treatment (duration, frequency, attendance and nature of treatment);
- Evidence of improved mental health symptoms;
- Evidence of an ongoing treatment and support plan on return to study;
- Evidence of relapse and crisis-planning for return to study (along with information on how this was drawn up and details on who it is appropriate/ consented to be shared with).

As part of the Return to Study process, you must make an appointment to meet with a University Mental Health Advisor, or make an appointment for a consultation over Skype (or equivalent). In advance of that appointment you are required to complete a Personal Statement detailing your understanding of the difficulties you have faced that led to the concession and detailing how you feel your condition has improved such that you are confident to reengage with your studies at that time. [Appendix 5](#) on the Appendices: Fitness to Study page sets out what the personal statement should contain.

The Mental Health Advisor will

1. Assess the quality of the personal statement and medical evidence, drawing upon the Mental Health Advisor's knowledge and experience of mental health and the particular context of Durham University, and
2. Agree an appropriate support plan with you to facilitate the most effective return to study. This will include details of the support provision (educational, pastoral or medical) that you will access upon return either as a preventative measure, if appropriate, or at the earliest signs of relapse.

The Mental Health Advisor will then produce a summary report and recommendation for ratification by the Deputy Executive Dean of the student's Faculty. Where you are found "Not Fit" to return to study, or where the decision is "Uncertain" about making a recommendation to return to study, the report and recommendation will be considered by the Fitness to Study Standing Group which produces a final ratification.

The Mental Health Advisor may request you to provide further information or evidence if required, and will ensure you are ready to engage with local practitioners if necessary.

The Fitness to Study Standing Group will meet in mid-September and at least once per term, to review the Not Fit and Uncertain recommendations and make a decision on fitness to study.

A decision that a student is not fit to return to study will be reviewed and ratified by the Academic Registrar.

### **How will the evidence be considered?**

Medical evidence will be submitted to and assessed by one or more of the following;

- Occupational Health, for fitness assessments for years abroad or off-site activities;
- Disability Support, for assessment for disability support and the design/implementation of any additional support required;
- College Support Offices, for applicable concessions;
- Academic Departments/ Faculty Offices;
- The Fitness to Study Standing Group, for return to study requests following Fitness to Study proceedings or for complex evidence assessment in other cases.

Specialist advice on the interpretation of medical evidence for the context of the University and for the case in question may be sought from Occupational Health practitioners, the University Mental Health Advisors and the Counselling Service.

The University will consider evidence in line with local and national guidelines and protocols from the National Health Service, the National Institute for Clinical Evidence or Higher Education Occupational Physicians/Practitioners guidance, for example 'Fitness to Study for Students with Severe Eating Disorders.'

### **Guidance for Medical Practitioners for Fitness to Study**

If you have been invited to submit medical evidence as part of a student's application to return to study, we are looking for a clear opinion on whether the student is fit to live independently and engage in higher education study. To assist with preparing your report, we have prepared the following guidance to help you understand the context of the University. You may wish to complete a [Medical Questionnaire](#) under Resources on the Appendices: Fitness to Study page.

With the exception of a minority of students aged under 18, students at Durham University are autonomous adults living either in College communities or living externally in private accommodation.

Colleges provide a stimulating academic community with an element of pastoral support, but this living situation is not comparable to living in the care of appropriate adults. A student will need the capacity to manage communal living, possibly with shared kitchens or bathrooms, but it is not necessarily the case that other adults will be available to support the student. College staff are available only within working hours as listed on each College's website. The College may or may not offer catered accommodation. Your patient may be living independently or in a shared house with other students. You may need to check your patient's particular situation.

Undergraduate and postgraduate study is by its nature demanding. The University provides academic support through departments and through the provision of specialist support services, but these services cannot replicate the provisions more appropriately offered by health services. Students are often keen to resume their studies as soon as possible, but we encourage medical practitioners to consider the scale of the investment that students are making in their higher education when assessing their fitness to return at this time.

'Fitness' in the context of the University's Fitness to Study Policy refers to:

- Fitness to engage in academic studies or a work placement without compromising the academic potential or ordinary activities of themselves, their peers or their employer;
- Fitness to maintain an appropriate level of health and wellbeing, such that they are not a risk to themselves, their peers and University staff;
- Fitness to be resident in a College community, noting the impact of their residence upon both students and staff.

If your recommendation that a student is fit to return to study is based upon the assumption of support, it is important that you specify the form of educational support you consider necessary. The University will then assess the support request.

It would be helpful if you could detail:

- A diagnosis;
- Whether the condition is long-term; a prognosis would be helpful if the condition is only recently acquired or identified;
- When was the last episode of ill-health and did the condition improve with treatment;
- If there is a pattern of relapse-remittance to their illness – and if so, what are the triggers and how well-informed is your patient about them;
- How well your patient participates in the understanding and management of their condition, seeking help from appropriate sources and engaging in self-care;
- The effect the condition will have upon learning/ attendance at University;
- The impact upon day-to-day activities and relationships.

If your patient has received treatment for the condition, and is seeking to demonstrate a fitness to return to their studies we also require information on:







- The form and length of treatment;
- Evidence of the patient's engagement with the treatment;
- An assessment of the outcomes of the treatment.

If the patient will require ongoing care during their studies at Durham University please also indicate:

- if you have made a referral to the relevant local service; or
- if the patient has been informed of the service/care to secure in Durham via their Durham-based GP; and
- if the patient has a relapse plan or a crisis plan in place.

When completing your evidence, please provide details of your professional qualifications and accrediting body.

## Resources

- [statue.faculties.pdf](#) (last modified: 10 July 2008) 
- [Guidance For Doctors](#) (last modified: 14 May 2019) 
- [Guidance on Translated Documents for Students](#) (last modified: 14 May 2019) 
- [Mental Health Assessment Agreement](#) (last modified: 14 May 2019) 
- [Return to Study Questionnaire](#) (last modified: 14 May 2019) 
- [Student Guidance Return to Study](#) (last modified: 14 May 2019) 

## Appendix 5: Personal Statement for Return to Study

This Appendix is for use in cases where a student is intending to return to study

- after a period out of residence following Fitness to Study procedures, or
- If a Return to Study assessment was specified as part of the concession

You are invited to submit a Personal Statement as part of the evidence for your fitness to Return to Study following an academic concession.

You are submitting this personal data to the University Mental Health Advisor, based in the Counselling Service of Durham University. This data will be used as part of the assessment process of your fitness to return and will also be used as part of the support planning to ensure that appropriate medical, pastoral and academic support provisions are in place to give you the greatest chance of a successful re-engagement with your studies. The contents of what you submit will be held securely and protected under data protection laws and regulations. As with other personal data in the University, it will be held for a period of six (6) years beyond the end of your years of study at the University at which point it will be securely destroyed. It may be shared with other staff members of the University involved in the decision of your fitness to study. Any support plan that results from this Personal Statement and the appointment with the Mental Health Advisor will only be shared with appropriate parties with your prior consent. In returning this Personal Statement you are consenting to the University holding and processing your personal data in this way.

Your Personal Statement needs to address the following:

- Your understanding of the mental health (and any other) difficulties you faced during your most recent period of study at Durham University.
- If relevant, your understanding of the impact of these difficulties upon your peers or members of University staff.
- Your understanding of your current mental health. Please detail any symptoms you experience at the present time and how you manage these symptoms.
- How you have spent the intervening time between leaving University and writing this Personal Statement, and how this has contributed to your mental health.
- Your engagement in any mental health treatment (medication or psychological therapy). Please specify and provide medical evidence to support this where possible/ available.
- The basis upon which you believe that you will be able to successfully engage with your studies in the coming academic year, outlining what has changed.
- Your anticipated support needs to most successfully re-engage with your studies (medical, pastoral, academic); and
- Your insight into how you might know if your mental health is relapsing and your plan for managing any relapse. (The Mental Health Advisor will be able to assist you in the preparation of your plan but will be interested in your own early thoughts in this regard.)

## **Appendix 6: Fitness to Study Standing Group Standing Orders (Membership and Terms of Reference)**

These Standing Orders should be read in conjunction with the [General Committee](#) section of Standing Orders available on the University's website.

### **Membership**

- The Director of Student Support and Wellbeing, or delegated nominee (Chair)
- The Head of the Counselling Service
- The Head of the Disability Support
- The Head of Occupational Health
- The Senior Mental Health Advisor
- A representative from each faculty to be nominated by the Faculty PVC (or nominated alternatives if those members of staff are unable to attend)
- The Assistant Head of Colleges (Student Experience)
- A representative from the International Office, for issues relating to fitness to engage in years abroad and the Erasmus/ Overseas Exchange schemes
- Up to three (3) co-opted members, at least two (2) of whom will be from College Student Support Offices. Co-opted members will serve for a period of up to three (3) years.
- A representative from Equality, Diversity and Inclusion, in a non-decision-making, advisory capacity on developments in policy and procedure.
- Students' Union Welfare and Liberation Officer and a representative of postgraduate students nominated by Durham Students' Union. Student representatives will be present only for policy discussion agenda items and not for individual case reviews.

### **Invitation to attend meetings**

Other members of the University may be invited to attend the Standing Group for relevant agenda items, for example, the Head of Student Immigration & Financial Support Office or representatives from Health & Safety. Local medical practitioners may also be invited to attend meetings for policy planning or review discussions.

### **Secretariat**

The Secretary of the Fitness to Study Standing will normally be a member of the Colleges and Wider Student Experience Division.

### **Meetings**

The Group shall normally meet in mid-September, at least once each term, and on an exceptional basis if required to review an individual student case.

### **Terms of reference**

The Standing Group shall:

- (a) develop, monitor and assess the implementation of the Fitness to Study Policy;
- (b) develop and monitor the training and guidance given to Colleges and Faculty offices regarding statement of concession and the assessment of medical evidence;
- (c) consider and develop the frameworks necessary to assess students' capacity to engage in off-site activity;
- (d) review the evidence for students returning to study after a concession if;



- Specified as part of the Concession; or
  - At the request of a College or Faculty Office, in the event of receipt of partial or ambiguous evidence of fitness to return.
- (e) act as a channel of communication and consultation between Education Committee, the Wider Student Experience Committee, Colleges Board and specialist services on issues of Fitness to Study.
- [University Calendar](#)