Fitness to Study Procedure

**Adopted by Council:** April 2014  
**Review Date:** Easter Term 2019  
**Committee Ownership:** Academic Policy

**Background**
Since the start of the academic year 2013/2014, the majority of the Colleges have put in place a Fitness to Study procedure. This is intended to be used in cases where there are serious concerns about a student’s fitness to continue their studies that are not largely disciplinary or academic, but where a student represents a substantial risk to herself or to others yet resists any suggestion that she should intermit her studies. Murray Edwards College is in the minority in having, so far, not adopted this procedure.

Early discussion with the tutors in Michaelmas term 2013 focused on two specific concerns:

i) That the College does not have the statutory power to exclude students either temporarily or permanently on grounds that are not disciplinary or academic, and thus any procedure was largely worthless if sanctions could not be imposed.

ii) That the procedure, as set out by the Senior Tutors’ Committee and used by other Colleges, was problematic in that its tone might dissuade students from seeking help from the College if they felt that this procedure might be the outcome of revealing any problems.

**Current position**
A review of other Colleges by the Welfare and Finance sub-committee of the Senior Tutors’ Committee revealed that very few Colleges have initiated formal stages of the procedure since its initiation; some, however, have, and have reported that it has been effective and useful.

It is certainly the case that situations in which a student refuses to consider intermitting her studies despite serious concerns about her welfare are uncommon, but they do occur. The College has a duty of care to its students and staff, and as a community needs to ensure that College members are able to live and work together in close proximity.

Other Senior Tutors have expressed the view that a Fitness to Study procedure is necessary not only to ensure that a College is able to deal with situations involving a student who is a risk to him/herself, but also to enable a College to act in cases where other students might ultimately argue that their own studies were adversely affected by the behaviour of another student. I am also conscious of the potentially negative professional consequences for the College Nurse, tutors and other staff of allowing individuals who are very unwell to continue to live within the College.

My own sense thus far in my short time at this College is that we are more likely to be faced with cases in which a student presents a substantial risk to herself than to others. However, it is also clear that in serious cases, other students’ well-being is affected by their concern for a particular student’s welfare.

**Concern One: Statutory Powers**
After a close reading of the Statutes and Ordinances, I do think that we as a College have the power to exclude students temporarily or permanently even in cases that are neither disciplinary nor academic. The Disciplinary Procedure for the College is clearly set out in Statute 29 and Ordinance 35. The process for removing a student whose academic progress is not satisfactory is set out in Statute 26.
Any Fitness to Study procedure is not intended to be used in disciplinary cases or cases of academic progress. It may well be that there are aspects of both of these within any fitness to study case, but they will not be the main motivating factors. As such, I do not think that we are constrained by Statute 29.

The Statute I believe is most relevant to any Fitness to Study procedure is Statute 26 (Membership of the College), point 2, which reads "The Council may by Ordinances or otherwise determine the conditions under which persons may be admitted to the College and may remain members of the College". The Ordinance associated with this Statute is Ordinance 28: this makes no reference to students at all.

I would propose that altering Ordinance 28 to include reference to and details of the Fitness to Study procedure would allow Council to empower any Review Panel to temporarily or permanently exclude a student if appropriate.

Concern Two: The procedure itself
While using the Fitness to Study procedure which has been adopted by most Colleges as a template, I have adapted the proposed version in an attempt to address concerns regarding the perceptions of the procedure by students, and the effects of these.

In particular, I have altered the procedure so that it only has two stages (Case Review panel and then College Review panel). What is considered Stage 1 of the procedure in many Colleges (the informal stage) has been removed from the procedure entirely, and is instead discussed as part of the usual support that we provide within the College. There is therefore no suggestion that we have embarked on the Fitness to Study procedure with any student who is having regular meetings with her Tutor (and/or the Senior Tutor and/or the College Nurse). I have underlined that it is only in exceptional cases when a student will not engage, or will not consider intermitting despite being a substantial risk to herself or others that the procedure will be initiated. I have emphasised that our goal within the College as a whole is always to support students to continue their studies.

Approval of the procedure
The undergraduate tutors have now approved the procedure as it stands, as has the College Nurse. The Executive Graduate Tutor and graduate tutors were also sent the procedure on 24th April and asked for any comments or concerns; so far none have been raised. I am now seeking APC’s approval of the procedure before it can be taken to Council.

Dr Juliet Foster
Senior Tutor

Student Support at Murray Edwards College

General Support
In all cases in which a student is experiencing difficulties of any kind, the College will work with that student to ensure that she receives the support that she needs. This will usually involve a combination of the student's Tutor, the Senior Tutor, the Executive Graduate Tutor, the College Nurse, the College Counsellor, the University Counselling Service and the Disability Resource Centre. The College will always encourage students to engage fully with their own GP, and with other external agencies which can provide additional specialist support. The student herself carries the main responsibility for engaging with services and support which are offered.
In the majority of cases, even when a student is experiencing difficulties, the College will support the student if she is keen to continue with her studies. In such cases, the co-operation of the student in formulating a support plan is crucial. This plan will be drawn up with the student, the student’s Tutor and the Senior Tutor (or Executive Graduate Tutor in some graduate cases), and the student will be asked to agree to it. If appropriate, the College Nurse may also be involved, and the student can also ask for other relevant parties to be involved if she wishes. If the student does not engage with this plan, then further review will be necessary.

If a student wishes to suspend her studies and intermit, then the College will normally be fully supportive of this. The student should speak in the first instance to her Tutor, and then to the Senior Tutor. When a student returns to College and to the University after a period of intermission, in addition to meeting with her Tutor, she will also meet with the Senior Tutor (or Executive Graduate Tutor in the case of a graduate student) as a matter of course. The purpose of these meetings will be to ensure that a plan is put in place to ensure that the student has all the support she needs to resume living and working in the College and University.

In a minority of cases, a student may not wish to intermit, but the College may have such substantial concerns about a student’s own well-being, or the well-being of those around her, that it might be necessary to consider suspending the student’s studies. These cases will involve the student posing a risk to herself or to others. While the College has a disciplinary procedure, it is not suitable for such cases to be dealt with in this way, hence the importance of the Fitness to Study procedure detailed below.

**Fitness to Study Procedure**

The procedures described in this document must be read in conjunction with the relevant provisions of the College's Statutes and Ordinances (in particular Statute 26 and Ordinance 35) and, where applicable, the University's Statutes and Ordinances. Similarly, the provisions and decisions of the Faculty or Department in which a graduate student is studying must also be taken into account. If a decision by the College would require alteration to a student's standing for an examination, the College will consult the Student Registry - Lyn Whitock ([Lyn.Davis@admin.cam.ac.uk](mailto:Lyn.Davis@admin.cam.ac.uk)) for qualifications under the remit of the Applications Committee or Sarah Pickard ([Sarah.Pickard@admin.cam.ac.uk](mailto:Sarah.Pickard@admin.cam.ac.uk)) for qualifications which are the responsibility of the Board of Graduate Studies.

**Purpose and Scope of the procedure**

Whilst at University, all students should be able to study and perform to the best of their ability in a safe and comfortable environment. The reality of College and University life means that students not only work but also live in close proximity to each other.

The term ‘fitness to study’ as used in this document relates to the entire student experience, and not just a student’s ability to engage with their studies. For example the College expects its students to be able to live in harmony with others, and not conduct themselves in a way which has an adverse impact on those around them. This procedure is not designed to address academic performance issues (which should be dealt with under the normal academic assessment and monitoring procedures) except where poor academic performance is resulting from a fitness to study issue.

**Stage 1- Case Review Group**

If the usual discussion with relevant parties within the college, as detailed above, has not been successful, Stage 1 of the Fitness to Study procedure can be invoked. In the case of graduate students, the principal Research Supervisor and/or the Course Director will be informed about the College's concerns and the nature of the case review, and, where appropriate, they will be asked to
provide a written report on the student's progress and performance and any concerns that might relate to the case review.

A meeting of a Case Review Group shall be convened by the Senior Tutor, made up of the student's Tutor and the Senior Tutor and to include if appropriate: the Director of Studies; Supervisor in the case of Graduates or Course Director if there is no Supervisor; College nurse or another member of the College support services. The Executive Graduate Tutor will also be included in the review group in the case of graduate students. The student may be accompanied to this meeting by a student or other friend or representative if they so wish. Representatives such as the University Mental Health Advisor or a member of the Disability Resource Centre may also attend for information and advice if felt appropriate by the Senior Tutor or by the student herself.

In both Stage 1 and Stage 2 the student's Tutor should be the point of contact with the student and should ensure that the Senior Tutor is kept informed of all communications. The Senior Tutor should be the main point of contact with all other agencies and individuals and should keep records of the whole process. The Senior Tutor will appoint a deputy if unavailable to act at any stage.

Before the meeting, a medical assessment may be sought from a qualified practitioner familiar with the Cambridge University system and the spectrum of student difficulties, or from the University Occupational Health Service. The student will be encouraged to consent to this, as it will ultimately enable the College to address the student's difficulties in the most effective manner possible and make an accurate assessment of risk, and how best to support the student.

The medical assessment will be used to determine the following matters:

- the nature and extent of any medical condition from which the student may be suffering;
- the student's prognosis;
- the extent to which it may affect her fitness to study and manage the demands of student life;
- any impact it may have or risk it may pose to others;
- whether any additional steps should be taken by the College, in light of the medical condition, to enable the student to study effectively;
- whether the student will be receiving any ongoing medical treatment or support.

The student will be asked to authorise full disclosure to the College of the results of any medical examination. The College recognises that any such information disclosed will constitute "sensitive data" for the purposes of the Data Protection Act 1998 and will be handled, processed and stored accordingly.

Should the student refuse to undertake a medical examination, or disclose results, the College may continue this procedure based on the information already in its possession. The student will be given at least 7 working days' notice of the convening of a Case Review Group and informed of the purpose of the meeting. This period may be shortened in emergency on the advice of the Senior Tutor. The student will also be provided with any documents that will be considered by the Group, and asked to provide any documentation she may wish the Group to consider, in good time for the meeting.

As detailed above, the student may be accompanied at the meeting by a Students' Union representative, a fellow student, or other advisor. The student may choose to be accompanied by a parent or carer if she wishes, but this decision should be taken by the student. A support worker, if required may also accompany disabled students. The student should notify the Senior Tutor at least 24 hours in advance of the meeting if they are to be accompanied and by whom.
Should the student choose not to attend, she is welcome to send the individual who would have accompanied her to observe on her behalf. The meeting will proceed even in the student's absence.

The purpose of the meeting will be to ensure that:

- the student is made fully aware of the nature of the concerns that have been raised;
- the student's views are heard and taken account of and the best way to proceed is agreed upon;
- the student is fully aware of the possible outcomes if difficulties remain.

The Case Review Group will order its proceedings at its own discretion depending on what is most appropriate for the particular student.

The Case Review Group may decide

(a) that no further action is required beyond support detailed above; or (b) to formally monitor the student’s progress for a specified period of time. In this case an action plan will be agreed with the student, outlining any steps, which the student will need to take, and/or any support to be provided to the student, to address the concerns identified.

Regular review meetings with the student will be arranged with a nominated member of College staff (usually either the Tutor or Senior Tutor, or possibly the Executive Graduate Tutor or College Nurse), to ensure that the action plan is being appropriately followed and that reasonable support to enable the student to study effectively is being provided.

It will be made clear to the student that her engagement with the action plan is essential, and her own responsibility, and that failure to engage with the plan will lead to initiation of the second stage of the procedure.

or (c) to recommend that special academic arrangements or support are put in place. Such recommendations should be agreed with the student’s department (and in the case of a graduate student with her Research Supervisor and/or Course Director) and by the student and approved by the relevant University authority.

The student will be informed that unless these arrangements remedy the concerns to the College's satisfaction, their fitness to study may be considered at Stage 3 of these procedures.

or (d) with the consent of the student, to agree that their studies be suspended for a period of time with appropriate application to the relevant University authority.

or (e) to refer the case to the appropriate Senior member of the College, to be considered under Stage 2 of this procedure.

This will only be appropriate in the most serious of cases, where for example evidence of a serious risk to either the health and safety of the student or others has been identified, and it is thought that suspension or exclusion of the student may be the appropriate course of action, or where a particular course of action has been recommended but the student does not agree.

The decision of the Case Review Group, together with a concise record of the meeting, should be sent to the student within 7 working days from the date of the meeting, and a copy kept on the student’s personal file. The decision will be communicated in such a way that support is available to the student at the time either from the student’s Tutor or Senior Tutor. A copy of this
documentation should be sent to the student’s Department where relevant and, in the case of a graduate student to her Research Supervisor.

Stage 2 - College Review Panel
This stage of the procedure will only be implemented following a referral from a Stage 1 Case Review Group, or if in the opinion of the Senior Tutor (having consulted as appropriate) initial concerns are raised, which are sufficiently serious as to warrant the consideration of the student’s suspension, or exclusion (e.g. if they pose a potentially threat to the health and safety of themselves or others, or disruption to the working of the College and/or University).

As a first step in this stage the Senior Tutor shall consider whether interim suspension of the student pending further action is appropriate, including from College accommodation. In such cases, the visa status of an international student is then compromised and the University's International Student Team will be informed immediately.

The Senior Tutor shall then convene a Review Panel, which shall be chaired by a senior member of the College Governing Body (appointed by the President) with no previous involvement in the case. The Review Panel will normally comprise the Chair, the student's Tutor, the Senior Tutor, and another independent member of the College Governing Body. The Executive Graduate Tutor will also sit on the panel in the case of graduate students.

The Chair will fix a date for a formal meeting of the College Review Panel to discuss the case and invite the student to attend to discuss the concerns and all relevant issues. A member of the College Tutorial Office staff will act as Secretary to the Panel.

Wherever possible the student will be given at least 7 working days' notice of the meeting of the College Review Panel. The student will be informed of the purpose of the hearing. The student will also be provided with any documents to be considered at the meeting, and asked to provide any documentation she may wish the Panel to consider in good time for the meeting.

The student may be accompanied at the meeting by a Students' Union representative, a fellow student or other adviser. The student may choose to be accompanied by a parent or carer if she wishes. Disabled students may also be accompanied by a support worker where required. The student should notify the Senior Tutor at least 24 hours in advance of the meeting if they are to be accompanied and by whom.

Should the student choose not to attend, she is welcome to send the individual who would have accompanied her to observe on her behalf. The meeting will proceed even in the student's absence. The purpose of the meeting will be to consider the evidence available, including the student's perception of these concerns and to reach an appropriate decision, action plan or other outcome.

The Review Panel will order its proceedings at its discretion and may call witnesses and institute enquiries to assist its deliberations. The panel may request further medical assessments of the student's fitness to study.

It will also consider any previous risk assessments.

The Chair of the Review Panel will ensure that all parties have access to all documents.

The decision it arrives at shall be confirmed by the Chair of the Review Panel having obtained a collective decision from members of the Panel.
The student shall be notified in writing of the decision, with reasons, within 7 working days of the meeting of the College Review Panel. The decision will be communicated in such a way that support is available to the student at the time either from the student’s Tutor or Senior Tutor. A graduate student’s Research Supervisor or Course Director (as appropriate) and Department, and the Board of Graduate Studies will be informed of the decision.

The decision may include one or more of the following:

a) To formally monitor the student’s progress for a specified period of time. In this case the Panel will provide the student with an agreed action plan, outlining any steps which the student will need to take and/or any support to be provided to the student to address the concerns identified. Regular review meetings with the student will need to be arranged with a nominated member of staff (to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the student to study effectively is being provided). The student will also need to be informed of the consequences of any breaches of the action plan.

b) That, following consultation with the academic Department, and subject to the approval of the relevant University authority, special academic arrangements are put in place - or an interruption of studies is agreed. The student will be informed of the consequences should these arrangements fail to remedy the concerns identified to the College’s satisfaction.

c) To recommend that the College exercises its statutory power to suspend or exclude the student.

d) Any other action considered to be appropriate and proportionate.

e) Any decision regarding suspension or exclusion should be communicated by the Senior Tutor to the relevant University authorities and to any support services who have been involved with the student.

Return to Study

In some cases where a student has temporarily left the College under the provisions above, a proposed return date may be agreed in advance, assuming that the student is able to provide satisfactory evidence that she has recovered sufficiently to return to College. The procedure that will be followed here will be that usually followed when students who intermit return to Cambridge, and will require the approval of the Applications Committee. In the rare cases in which a proposed return date has not been specified, after a break from study the student may make a request to the College for permission to return to the course. The decision as to whether to ask the University permission for the student to be put in standing to return to study will then be made by the Senior Tutor who will request authorisation for the student to return from the relevant University authority.

To this end, the Senior Tutor, in consultation with relevant organisations such as the University Counselling Service, the University Mental Health Advisor, and Disability Resource Centre, etc., will identify the issues of concern that the College may have in respect of the student’s fitness to study. The Senior Tutor will also contact the relevant medical professional for an assessment of the student’s ability to manage the demands of returning to studying at Cambridge University, drawing attention to the nature and extent of the student’s previous problems and the College’s concerns about them.

The student will only be permitted to return if, after receiving medical advice, the College and relevant University authority are satisfied that the individual is fit to study and able to comply with any conditions imposed on their return.

In cases where the College has any continuing concerns about the individual’s fitness to study, it may require a second medical opinion. In this case a student may be asked to submit themselves for medical examinations by doctors/specialists, including the University Mental Health Advisor, nominated by the College, at the College’s expense to allow the situation to be properly evaluated.
In any case where a student returns to study following the implementation of the fitness to study procedure, the College should hold an initial meeting with the student to discuss what support measures need to be put into place for the student’s return and establish a return to study plan. This initial meeting should include the student’s Tutor, the Senior Tutor and the Director of Studies. At this meeting regular review meetings will be planned with the student to monitor and support a return to study plan.

The student will be expected to provide their continued co-operation in this respect and such review meetings may continue for part or all of their remaining time at College. There should be a written record of what is agreed for the return to study plan and a copy given to the student.

The Senior Tutor should ensure that, where appropriate, a copy of the plan is sent to the relevant support agencies, who have agreed to help implement the plan and that any necessary support from agencies external to the College is put in place.

The Senior Tutor should make arrangements for monitoring that the support plan is being delivered and accepted.

**Right of Appeal**
If the student is not satisfied with any decision made in accordance with the Fitness to Study Procedure, they should follow the College complaints procedure within 14 days of the receipt of a letter outlining that decision, at any stage in the proceedings.

**General Matters**
The College will take account of relevant legislation such as the Data Protection Act, the Mental Health Act, the Human Rights Act, the Equality Act 2010 and the general rights and expectations of a student of confidentiality. In cases where Stages 1 or 2 of the Fitness to Study Procedure have been invoked, the Chair will make a decision about whether the student's emergency contact should be informed, and discuss with the student whether any statutory services should be contacted.

The College acknowledges that as a result of implementing this procedure it will receive personal sensitive data and data of a confidential nature pertaining to the student and other third parties, and shall ensure that all such data is handled, processed and stored accordingly.