

London School of Theology

Fitness to Study Policy

Process of ratification:	Academic Board, Exec
Executive Team Member Responsible:	Academic Dean
Individual Responsible:	David Hilborn
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To be Reviewed:	1 year
Review consultation:	Pastoral Team, Programme Leaders
Date of Next Review period:	Sept 2024

1. Preamble

This Policy has been developed by the Access and Participation Plan Steering Group and Pastoral Sub-Group. It has been informed by consultation with Programme Leaders (May-July 2023), and between Programme Leaders and their teams (July-September 2023). It was discussed further at a special 'Mini Academic Board' meeting on 6/9/23, which referred it for further finessing, and for presentation to the full Academic Board on 13/9/23.

Formulation of the Policy has taken account of the Middlesex University Fitness to Study Policy, and of existing Fitness to Study policies at other theological colleges and universities.¹ It is intended to complement existing and new college policies and procedures, including the Extenuating Circumstances Policy and the various other student support mechanisms defined in the Pastoral Team Handbook. Its primary purpose is advisory: a) with respect to the student in their own management of their learning when challenges arise, b) with respect to the internal and external help available to students as they seek to address such challenges, and c) with respect to Assessment Boards as they determine whether a student is able to progress from one year or phase of a programme to the next.

This Policy is not to be used as a proxy for the Student Disciplinary Procedure, the Non-Academic and Academic Complaints Procedures, or the Academic Misconduct Policy: those documents follow distinct processes and have distinct measures and penalties at their disposal. Nor is it to be confused with the application of the School's distinct Attendance Policy, although it is recognised that low or attendance or non-attendance might be symptomatic of fitness to study concerns. Indeed, both this Fitness to Study Policy and the separate Attendance Policy include the convening of a joint Attendance and Welfare Panel to consider more serious cases pertaining to a student's attendance or fitness to study—but that Panel's meetings are in two parts, each devoted distinctly to cases considered under this Fitness to Study Policy and the separate Attendance Policy. In keeping with this Fitness to Study Policy as a whole, the primary function of the Attendance and Welfare Panel

¹ https://unihub.mdx.ac.uk/_data/assets/pdf_file/0016/532501/Fitness-to-Study-Policy.pdf ; <https://www.moorlands.ac.uk/wp-content/uploads/2022/02/AF-09G-Fitness-to-Study-Procedures-2021-10-12.pdf> ; <https://www.wycliffe.ox.ac.uk/files/welfarefitnessstodyandtrainpolicyv3pdf> ; <https://www.cranfield.ac.uk/-/media/files/governance-and-policies/fitness-to-study-policy.ashx?la=en&hash=792622AD61CD7D1B06985DF7EA764512AF6F1B77#:~:text=Under%20the%20Fitness%20to%20Study,impact%20their%20ability%20to%20study> ; <https://www.bristol.ac.uk/students/support/wellbeing/policies/fitness-to-study/> ; <https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/fitStuPol.pdf> ; <https://help.open.ac.uk/documents/policies/fitness-to-study> ; <https://www.mmu.ac.uk/sites/default/files/2022-07/Fitness%20to%20Study%20Procedure.pdf>

where fitness to study cases are concerned is to work with the student consensually to chart the best route possible through their programme, and thus to optimize the student's potential to fulfil their study intentions. In certain cases, the Attendance and Welfare Panel may apply measures relating to fitness to study that result in the non-progression, interruption of studies or termination of studies of a student with which the student might disagree—but those measures are intended to be in best interests of the student's welfare, rather than as punishments for wrongdoing.

2. Principles

- 2.1 The School is committed to providing a positive and supportive learning environment for all students.
- 2.2 Students are adult learners, who are taken to be capable of making decisions for themselves about starting and continuing study. They may also demonstrate their ability to study through successful participation and/or assessment.
- 2.3 Sometimes, however, individuals may lack sufficient perspective or motivation to consider their intention to study alongside other competing factors, such as physical and mental health, and the wellbeing of others. They may need additional support to see what options are available to them and to follow a path to improved wellbeing and academic success. In some cases, students may be deemed by the School to be acting against their own best interests in starting or continuing study in their chosen mode.
- 2.4 The School has a duty of care towards students and must act, to the best of its knowledge, in the interests of a student, balanced against the interests of other students and the community as a whole.
- 2.5 In addition, the School is also an employer and a place of residence, and therefore must balance the needs of individual students with the obligations arising from the need to care for others, such as when safeguarding interventions need to be applied.
- 2.6 Students studying in different modes, such as on-campus/online and full-time/part-time may have different needs and may require support in line with this. In addition, students resident on campus are both more vulnerable to difficulties arising from their study environment, and more immediately able to access support on campus.
- 2.7 The School recognises the need to take a pro-active and preventative approach to identifying and addressing potential issues arising from the above scenarios. It is in this context that a Fitness to Study Policy is required.
- 2.8 At any stage of the various processes outlined in this Policy, it may be appropriate to encourage students to seek help and advice when they experience difficulties that may affect their studies. This may include external expertise and advice.
- 2.9 With these considerations in mind, for the purposes of this policy, a student's 'fitness to study' is defined as their ability to engage positively with their studies, and to manage those aspects of their individual and communal life that enable such positive engagement.

3. Welfare Panel

- 3.1 Formal assessment of Fitness to Study in any instance rests with an Attendance and Welfare Panel comprising:

- ASDAS (Chair)
 - Chaplain
 - Disabilities Officer
 - Relevant Programme Leader or nominated representative
 - PA to the ASDAS (Secretary)
- 3.2 The Attendance and Welfare Panel meets physically or through video conferencing at least twice a term and otherwise on an *ad hoc* basis. It can also consider cases and take action via email or other digital means as necessary.
- 3.3 The Attendance and Welfare Panel is a two-part meeting in which each part is formally distinct—one part dealing with cases brought under the separate Attendance Policy, and the other part dealing with cases brought under this Fitness to Study Policy. In certain instances, the same student might have prompted concerns about both attendance *and* fitness to study and, as above, it is recognised that the former might be a symptom of the latter. Still, however, those concerns will be addressed separately in the two distinct parts of the Panel meeting, even if they might then be linked in any referral made and/or in any formal Outcome communicated to the student.
- 3.4
- 3.5 With respect to Fitness to Study concerns, the Attendance and Welfare Panel considers cases where:
- a. A student has self-referred to the Panel out of concern for their own fitness to study – either directly in writing on their own account, or through an approach to a member of the Panel, or to another member of faculty or staff who then refers them, on their own prompting, to the Panel.
 - b. A student has been referred to it as part of initial assessments made during the Admissions process (Section 5 below)
 - c. A student has been referred to it at any subsequent stage of their educational journey with the School by a faculty member/s, Visiting Lecturer/s, Learning Support team, the Equality, Diversity and Disability Adviser, the Chaplain, Pastoral Team or any other staff with concerns for the student’s Fitness to Study.
 - d. A student requires, at any stage of their educational journey with the School, a Personal Development Plan (see Section 4 below). Note that some straightforward PDP cases may come to the Panel for information and/or review only.
- 3.6 The Attendance and Welfare Panel can itself apply measures up to and including Interruption of Studies, but it cannot of its own accord apply Withdrawal from Studies (aka Programme Termination) to a student. It may also make Fitness to Study-related recommendations about a student’s progression, interruption or withdrawal to Assessment Boards and/or the Executive. In the case of Withdrawal (aka Programme Termination), it can *only* make recommendations to one, other or both of these bodies, rather than applying Withdrawal itself.
- 3.7 The Attendance and Welfare Panel is distinct from a Disciplinary Panel, an Academic and/or Non-Academic Complaints Panel, and an Academic Misconduct Panel, for which distinct Policies and Procedures exist. Rather, with respect to Fitness to Study it is intended to address issues of pastoral and educational need that are not in and of themselves linked to breaches of the School’s codes and regulations regarding discipline, misconduct or complaints.

4. Personal Development Plan (PDP)

- 4.1 A PDP is a document which sets out a plan of action agreed between a student and the School to help address any challenges which affect their Fitness to Study.
- 4.2 A PDP is prepared by a member of the Attendance and Welfare Panel or a nominated representative, in conversation with the student.
- 4.3 A PDP normally lasts until the end of the academic year, when it may be reviewed and renewed for a further academic year.

5. Admissions and Enrolment

- 5.1 During the Admissions process, students may present with one or more conditions and/or characteristics that make them particularly vulnerable to challenges arising from study in their chosen mode, for example:
 - a. Physical and/or learning disabilities
 - b. Physical or mental health difficulties
 - c. Work and financial pressures
 - d. Caring responsibilities
 - e. Lack of prior study
 - f. Poor English
- 5.2 The School is committed to providing reasonable adjustments and support for students with disabilities or health conditions, and to broadening access to study for disadvantaged groups.
- 5.3 Applicants will be supported to choose suitable study options from our range of programmes and study modes.
- 5.4 Where applicants present any of the above challenges or vulnerabilities in admissions paperwork, interview or similar, these should be flagged and recorded to ensure these students are supported appropriately.
- 5.5 The Attendance and Welfare Panel will meet before Autumn Enrolment to consider all such cases and ensure that appropriate support is provided, for example:
 - a. Students with disabilities invited to meet with Disabilities Officer for assessment and support;
 - b. Meeting with member of the Pastoral Team;
 - c. Additional interview with member of the Welfare Panel or other nominated staff member;
 - d. Personal Development Plan created;
 - e. Student advised to consider a different study option.
- 5.6 A record is to be kept of decisions made and actions taken.

Once a student is enrolled, there are three stages available for engaging with issues relating to a student's Fitness to Study...

6. Level 1: Informal Meeting

6.1 This level applies when a student's behaviour or circumstances raise minor or initial concerns about their fitness to study, but do not pose a significant risk to themselves or others.

Examples include:

- a. Poor attendance or engagement with studies
- b. Poor / declining academic performance or quality of work; failure to submit (without application for Extenuating Circumstances)
- c. Minor breaches of academic regulations or codes of conduct that have raised connected concerns about Fitness to Study
- d. Isolation or withdrawal from community activities
- e. Significant changes in mood, appearance or behaviour
- f. Disclosure to faculty, staff and/or Visiting Lecturers of physical or mental health challenges

6.2 In such cases, the student may on their own account initiate a discussion or meeting with an appropriate faculty or staff member about such behaviour or circumstances. Alternatively, a student's personal tutor, module leader, programme leader, lecturer or other relevant staff member may initiate an informal conversation with the student to:

- a. Express their concern and offer support
- b. Explore the possible causes and impacts of the issue
- c. Encourage the student to seek help from appropriate sources, such as counselling, disability services, medical services, etc.
- d. Agree on an action plan and put this in writing, shared with the student
- e. Document the conversation via the Fitness to Study Form (shared with Programme Leader and other members of Welfare Panel as needed).
- f. Review the progress and outcomes of the action plan after an agreed period of time

6.3 The informal stage should be conducted in a sensitive, respectful and supportive manner, respecting the student's autonomy and confidentiality.

6.4 If the student does not engage with the informal stage, or if there is no improvement or a deterioration in their situation after the review period, the case may be escalated to Level 2.

7. Level 2: Formal Review Stage

7.1. This level applies when a student's behaviour or circumstances raise serious or persistent concerns about their fitness to study. Examples of such situations include:

- a. Failure to comply with or benefit from the Level 1 action plan
- b. Physical or mental illness relating to and/or affecting their study.

- 7.2. Concerns about a student should be reported to the Welfare Panel via the Fitness to Study Form.²
- 7.3. The student will be invited, in writing, to meet with their Programme Leader or another member of the Attendance and Welfare Panel, alongside their personal tutor, Pastoral Team member, or other nominated member of staff.
- 7.4. The student shall be given reasonable written notice of the meeting. The email shall inform the student:
 - a. of the meeting under the Fitness to Study Policy and the nature of the meeting as supportive;
 - b. of the specific purpose of the meeting, and request any necessary detailed information and documentation including, if appropriate, medical evidence;
 - c. that they can be accompanied by a family member, a fellow student or a member of staff who has not been involved.
- 7.5. The meeting may be conducted by video conferencing if it is not possible for all parties to attend in person.
- 7.6. The meeting may proceed if the student does not attend or engage in the process and those present may normally consider the case even if the student has not provided requested evidence.
- 7.7. The purpose of the meeting will be to ensure that: the student is made fully aware of the nature of the concerns which have been raised; the student's views are heard and taken account of; the best way to proceed is agreed upon and the student is fully aware of the possible outcomes if difficulties remain.
- 7.8. The meeting will normally follow this outline:
 - a. Explain the purpose and process of the meeting
 - b. Present the evidence and concerns about the student's fitness to study
 - c. Invite the student to respond and provide any relevant information or documentation
 - d. Assess the level of risk and impact of the issue on the student and others
 - e. Determine whether the student is fit to continue their studies with or without adjustments or support
 - f. Agree on an action plan with specific conditions and expectations for improvement
 - g. Agree with whom the action plan should be shared (e.g., other relevant parties, such as academic staff, support staff, parents or guardians, etc.)
 - h. Document the meeting and the action plan in writing (using designated Form) and share it with the student and other agreed parties.
- 7.9. The meeting should be conducted in a respectful and supportive manner, but also make clear the consequences of non-compliance or failure to meet the conditions of the action plan.

² If Stage 1 took place, please continue the case using the same form. The Programme Leader and person who met with student at stage 1 will have a copy and link to the form.

- a. If the student does not agree to the discussed supportive proposed outcome, the student should be advised that Level 3 action will normally be taken.
- 7.10. The student should also be advised of their right to appeal the decision within 10 working days.
- 7.11. If the student does not engage with the formal intervention, or if there is no improvement or a deterioration in their situation after the review period, or if there is an immediate and serious risk to themselves or others, the case may be escalated to Level 3.

8. Level 3: Attendance and Welfare Panel

- 8.1. This level applies when a student's behaviour or circumstances raise critical or urgent concerns about their fitness to study, or pose a high risk to themselves or others. As above, matters related to attendance are addressed in a distinct part of the Panel meeting, and are covered by the separate Attendance Policy, and by the discrete section of the Terms of Reference for the Panel devoted to attendance. With regard to Fitness to Study, however, the Panel will consider cases such as the following::
- a. Failure to comply with or benefit from the Level 2 action plan
 - b. Extreme disruption or distress to other students or staff
 - c. Serious harm or threat to themselves or others
 - d. Medical emergency or crisis
- 8.2. In such cases, the Attendance and Welfare Panel will meet to review the student's fitness to study.
- 8.3. The Panel will:
- a. Review the evidence and concerns about the student's fitness to study
 - b. Invite the student to attend and present their case
 - c. Consider any relevant information or documentation from the student or other parties
 - d. Decide whether the student is fit to continue their studies with or without adjustments or support
- 8.4. The Panel may apply one of the following outcomes:
- a. A further Level 2 meeting and action plan
 - b. Interruption of studies for a specified period of time, with conditions for return
 - c. Change in mode of study and delivery
 - d. Recommendation to the appropriate body that the student withdraw from their programme,³ with advice to the student on future options.

³ Where the issues under consideration are more related to academic capacity or the prospects for academic progression, the Attendance and Welfare Panel may make a recommendation to withdraw to the relevant Assessment/Reassessment Board. Where the issues are more pastoral, domestic or personal in nature and where academic progression is less primarily in doubt, the Welfare Panel may recommend withdrawal to the Executive Team.

- e. No further action, with recommendations for ongoing support
- 8.5. The Panel Secretary will document the meeting and the outcome in writing and share it with the student and any other relevant parties (via Fitness to Study Form).
 - 8.6. The student should be given at least 10 working days' notice of the meeting and be allowed to be accompanied by a family member, a friend, fellow student or a staff member who has not been involved. The student should also be advised of their right to appeal the decision of the panel within 10 working days.
 - 8.7. The panel should act fairly, impartially and sensitively, respecting the student's rights and wellbeing.

9. Appeals

- 9.1. A student who is dissatisfied with the outcome of a Level 2 or Level 3 intervention may appeal on one or more of the following grounds:
 - a. Procedural irregularity
 - b. Bias or unfairness
 - c. New evidence that was not available at the time of the decision
- 9.2. The appeal should be submitted in writing to the Academic Dean (or nominee) within 10 working days of receiving the outcome letter. The appeal should clearly state the grounds and reasons for appeal, and provide any supporting evidence.
- 9.3. The Academic Dean will acknowledge receipt of the appeal and will either act as appeal officer or may appoint another senior member of staff who has not been involved in the previous levels of intervention to be an appeal officer. The appeal officer will consider the appeal and any relevant information and make one of the following decisions:
 - a. Uphold the appeal and refer the case back to the Attendance and Welfare Panel for reconsideration, with recommendations as appropriate on an alternative outcome
 - b. Reject the appeal and confirm the original decision
- 9.4. The appeal officer will communicate their decision in writing to the student and any other relevant parties within 20 working days of receiving the appeal, in the form of a Completion of Procedures Letter. The decision of the appeal officer is final and there is no further internal right of appeal.
- 9.5. If dissatisfied with the outcome of their internal appeal, and having received a Completion of Procedures Letter, the student may lodge a complaint with the Office of the Independent Adjudicator (OIA) for Higher Education, having first informed the Academic Dean of their intention to do so. The OIA itself requires that any student complaint made to them must be lodged within 12 months of the date of the Completion of Procedures Letter—although they advise that it is usually better to complain as soon as possible after the conclusion of internal processes at the student's Higher Education provider. This is because the remedies the OIA might recommend could be limited if a student waits a year before complaining.

10. Confidentiality and record keeping

- 10.1. The School will treat all matters relating to fitness to study with confidentiality and respect for data protection legislation. Information will only be shared with those who need to know for the purposes of implementing this policy. The School may also disclose information to external agencies if there is a legal obligation or a legitimate interest to do so.
- 10.2. The School will keep records of all Fitness to Study cases on the Fitness to Study form, along with a record of Welfare Panel decisions, actions and correspondence with the student. Records will be stored securely and retained for as long as necessary for audit, quality assurance and legal purposes.

6/9/23. Revsd 12/9/23. Minor revisions 18/9/23. Final revisions from APP Pastoral Sub-Group 25/9/23, reviewed and finalised 29/9/23.