

ST JOHN'S COLLEGE DRAFT FITNESS TO STUDY POLICY – CURRENT UNDERGRADUATES

1. Introduction

1.1 The purpose of this document is to set out the procedures which the College follows when there are concerns about the fitness to study of one of its matriculated current undergraduate junior members. This policy is separate and distinct from the College Disciplinary Policy.

1.2 The definition of Fitness to Study for the purposes of this policy, adopted from the University's policy, is as follows: 'Fitness to Study refers to a student's capacity to fully engage with University life, both academically and otherwise, without unreasonable detriment to their wellbeing and whilst maintaining appropriate standards of behaviour'. The notion of Fitness to Study thus encompasses, but is not limited to, issues of safety and of health (both mental and physical). The notion of 'fully engaging with University life academically' should be understood to include, but not to be limited to, making satisfactory progress in studying and learning.

1.3 When concerns arise about a student's fitness to study, the procedures set out in this document will be followed unless those responsible for decisions under this procedure consider that the matter could be managed more appropriately alongside, or under, alternative procedures of the College and/or University, including the Disciplinary Procedure, academic assessment and/or monitoring procedures. See the [University's Fitness to Study procedure](#) for further information on how students' Fitness to Study may be considered by the University.

1.4 The procedures outlined in the present document have up to three main Stages, depending on the perceived level of risk, the severity of the problem and the student's engagement with efforts to respond to it.

1.5 Decisions are, as far as possible, made through a collective process, where we consider (1) the student's ability to fully engage with University life academically (see above); and (2) the best interests of the student and other members of the College.

2. The emergence of concerns

2.1 A student's fitness to study may be brought into question as a result of a range of circumstances. These include (but are not restricted to) the following:

2.1.1 Concerns which call into question a student's fitness to study are voiced to a College officer by a third party (e.g. friend, other student, department, faculty, placement provider, member of the public, medical professional etc.). These concerns may or may not derive from information which the student has provided to the third party.

2.1.2 The student behaves in a way that would normally be dealt with under disciplinary procedures, but is not for medical mitigating circumstances.

2.1.3 The student's academic performance falls short of the student's academic obligations as defined in the College/Student contract, owing to reasons different from those which fall under the remit of disciplinary procedures.

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2.2 Any person who has concerns about a student's Fitness to Study should raise them with the College Lead Clinical Nurse or the student's Tutor (or, if the person with concerns is a current St John's Undergraduate, with their own Tutor).

2.3 The College Lead Clinical Nurse and the student's Tutor will consult, if necessary also consulting the Director of Education & Senior Tutor, or the Tutors' Committee as a whole.

3. Stage 1 – The tutorial system

3.1 Where substantive concerns arise about a student's fitness to study, the initial response will normally be within the tutorial system. (Cases of particular severity may be handled directly at Stages 2 or 3).

3.2 The Tutor will seek to meet with the student, explain to the student that it is a requirement that they remain fit to study, explain the concerns about this in a clear and supportive way, and refer the student to the present policy. The concerns in question, the student's response, and other salient points from all future discussions with the student, will be recorded in the student's file by the student's Tutor (or nominee).

3.3 If appropriate, information will be provided about sources of support within the College and University, including the [self-help resources](#) from the [University Counselling Service](#), and the following:

- [College Health Centre](#)
- [Cambridge University Students Union](#)
- [Disability Resource Centre](#)

3.4 During the meeting, the student and Tutor shall agree on a date when they will meet to review the situation and discuss what is being done to address the concern.

3.5 Within three working days of the meeting, the Tutor shall confirm in writing to the student what has been agreed.

3.6 The Tutor may ask the Director of Education & Senior Tutor to upgrade the matter to Stage 2. If this is done, the student should be informed that the step has been taken.

4. Stage 2 - Formal Case Review Group

4.1 In the event that the situation is not resolved within the tutorial system, or that the case was deemed serious enough to require a more formal procedure, Stage 2 may be invoked by the Director of Education & Senior Tutor.

4.2 The student is invited to attend a meeting with a Group comprising at least three of the following:

- their Tutor
- their Director of Studies
- Director of Education & Senior Tutor (or nominee)
- the College's Lead Clinical Nurse

4.3 The above list is not exclusive. Other College Officers may be in attendance.

Before the meeting

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4.4 At least five working days in advance of the meeting, the student is informed that a meeting is being called under the current policy.

4.5 The communication to the student shall specify the time, date, location, attendees and purpose of the meeting, and give a summary of the issues to be discussed. The same communication will provide the student with a copy of any documents to be considered at the meeting, and invite the student to provide any documentation they may wish the Group to consider. It will also refer the student to the present policy, and invite the student to choose a supporter (see below).

4.6 The communication to the student shall be recorded in the student's file by the Director of Education & Senior Tutor (or nominee).

4.7 The student shall have at least three working days to provide any documentation they wish the Group to consider. In order for it to be considered, the student must supply the documentation at least two working days ahead of the meeting.

4.8 The student may be asked to obtain an appropriate medical assessment from a qualified General Medical Practitioner who is not a relative or personal friend of the student. The College reserves the right to request further clarification from a second health professional specified by the College. If these requests are made, reasonable time will be allowed for them. If the student declines to meet either request, the College will proceed on the basis of the information available.

The meeting

4.9 The student shall be entitled to bring a supporter to the meeting. That supporter shall be a Fellow or current student of the College or a member of the College staff, and shall be chosen by the student, subject to the chosen supporter's availability and willingness to attend.

4.10 The purpose of the meeting will be to ensure that the student is fully aware of the nature of the concerns that have been raised; the student's views are heard and the student is aware of the possible outcomes if difficulties remain.

4.11 If the student does not attend the meeting, the Group may escalate the matter to 'crisis' level (see 5).

After the meeting

4.12 The Group shall order its proceedings at its own discretion, which may include it instituting enquiries and calling appropriate witnesses to assist its deliberations. It will make decisions as are necessary and proportionate on a majority basis. In the event of an even split, the Director of Education & Senior Tutor will have the casting vote.

4.13 After due deliberation and consultation, and taking into account the views of the student as voiced at the meeting, the group will either escalate the situation to 'crisis' level (see 5) or, if the situation is not judged to constitute a crisis, draw up an action plan. This will be formally written by the student's Tutor, and will include:

support for the student, where appropriate
agreed academic or conduct-related expectations for the student to observe

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agreed actions with review dates (including any further meetings with the Group necessary)
consequences of not keeping to the agreed actions
consequences of continuation of the causes for concern

4.14 The action plan and review dates shall be recorded in the student's file by the Director of Education & Senior Tutor (or nominee).

4.15 Assuming the situation has not escalated to 'crisis' level, within five working days of the meeting the student will either be sent the action plan and review dates, or (if for example further investigations are pending) be advised of when they are expected to be sent.

4.16 If, in the judgment of the Director of Education & Senior Tutor, by the final review date the student has not complied with the action plan, the Director of Education & Senior Tutor will convene a further meeting of the Group in order that the Group may make such further decisions as it considers necessary and proportionate. The schedule shall be as for the initial meeting, above. The Group's decisions may include, but are not limited to, one or more of the following:

To decide that no further action is necessary.

To formally monitor the student's progress for a specified period of time.

Application to intermit - referred back to the Tutor to initiate.

Referral to the University under procedures (including its Fitness to Study Policy).

Referral to the College Council for consideration of appropriate action (including, but not limited to, the expulsion of the student from the College).

To take or recommend any other action considered necessary and proportionate in the circumstances.

5. Stage 3 - crisis situation

5.1 A crisis situation may arise because the Group (4.2) has considered that a student's situation has reached crisis level, or simply because circumstances arise which constitute a *de facto* crisis.

Handling the crisis

5.2 In a situation where it is believed that a student's behaviour presents an immediate risk to themselves or others, the Emergency Services should be contacted by dialing 999. Insofar as compatible with their own safety, the person(s) witnessing the crisis should not leave the scene until they have briefed the Emergency Services.

5.3 The student's Tutor or the Duty Tutor should be informed as soon as possible.

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Exclusion and similar measures

5.4 In response to a crisis, a decision may be taken that it is necessary to exclude the student from the College's facilities or premises (including accommodation), or to make their access to facilities or premises subject to specified conditions.

5.5 Where 'crisis' level was determined by the Group, the decision to exclude a student (or similar procedure) shall be taken by the Group. Where the crisis is a *de facto* emergency, the decision can be taken by the Director of Education & Senior Tutor, or deputy, in consultation with the student's Tutor.

Reporting the crisis

5.6 The Porters on duty will, so far as they are informed or aware of the matter, keep a record of the action taken by the Emergency Services and pass this on, at the earliest opportunity, to the student's Tutor and the Director of Education & Senior Tutor.

5.7 The College's Lead Clinical Nurse should be informed as soon as is practicable.

5.8 The Director of Education & Senior Tutor may decide whether the student's emergency contact needs to be informed.

5.9 In the case of medical and veterinary students, incidents will normally be reported by the student's Tutor to the Medical and Veterinary Progress Panel for advice as to whether there might be Fitness to Practice issues to consider.

5.10 The Tutor (or nominee) will ensure that contact is made at the level of detail appropriate in their judgment with the student and other relevant persons such as the student's Director of Studies, or Supervisor (in the case of graduates).

Appealing against crisis-induced exclusion

5.11 A student who has been excluded (or similar measure) as per 4.16 or 5.4 may apply to the Master for a review, who will issue a decision within five working days.

6. Return to Study

6.1 The decision to permit return to study for a student who has intermitted is made by the University's Examination Access and Mitigation Committee, which must be satisfied of the student's fitness to return to study and of the availability or feasibility of support upon return.

6.2 The decision to permit return to College to a student to whom exclusion (or a similar measure) has been applied will be taken by Director of Education & Senior Tutor in consultation with the student's Tutor, who must judge whether continued exclusion (or a similar measure) is necessary and proportionate.

6.3 Insofar as the decision lies with the College rather than the University, the following considerations apply:

6.3.1 Each student's case depends upon the specific circumstances and context out of which the concern initially arose, but in all cases return to study will be dependent upon satisfactory

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medical evidence of fitness to study and the provision of information about appropriate support services.

6.3.2 Medical evidence submitted should be from a recognised health professional who is not a relative or personal friend of the student. Specific reference should be made to the student's renewed ability to manage the demands of studying at the University of Cambridge. The College reserves the right to request further clarification from a second health professional. If the student declines to engage in that clarification process, the College will proceed on the basis of the information available.

6.3.3 It may also be decided by the College that a condition of return should be an intellectual test or exam to ensure that the student has the appropriate knowledge to rejoin their studies at the proposed point of re-entry.

6.3.4 Monitoring Fitness to Study of students in residence is an ongoing responsibility of the College and the student, and will be done throughout the remaining period of study. Regular review meetings with the student should be arranged to ensure that support for study is effective and to enable Tutors to have an agreed context in which to provide ongoing pastoral care.

7. Right of Appeal

7.1 If a student is dissatisfied with the final outcome of the Fitness to Study Process, they may apply for the matter to be considered by the College Council.

7.2 Such application must be made in writing through the student's Tutor not later than seven working days after the communication of the outcome of the Fitness to Study Process, or within such longer period as may be permitted by the Chair of Council.

7.3 Appeals can only be made on the grounds of procedural irregularity or the availability of fresh evidence.

7.4 The Council will appoint an *ad hoc* committee to consider the appeal.

7.5 Having taken such steps as the *ad hoc* committee considers is appropriate (which may include, at its discretion, hearing from the student or the Group orally and/or in writing), the *ad hoc* committee will communicate the outcome to the student within seven working days of meeting to consider the appeal.

7.6 The *ad hoc* committee may confirm, quash or amend the decision of the Group or refer it back to the same Group or a differently constituted Group.

Office of the Independent Adjudicator for Higher Education

7.7 If, following receipt of the final decision of the *ad hoc* committee appointed by Council, the student remains dissatisfied, they may refer the matter to the Office of the Independent Adjudicator for Higher Education ("OIA").

7.8 Completion of Procedures letter will be issued by the College to the student at least seven days after the final opportunity for appeal has passed. This will confirm how to make a complaint, and further details are available on the OIA's website.

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8. Further information

8.1 Information about how the College collects, shares and processes students' personal information in accordance with the Data Protection Act 2018 and General Data Protection Regulation is specified here <https://www.joh.cam.ac.uk/data-protection>. Students may ask the College for further information on these matters at any time if they have specific concerns.

8.2 The College shall take account of all relevant legislation such as the Equality Act 2010, including the duty to make reasonable adjustments to assist students with a disability, in implementing this procedure.

8.3 If a student's fitness to study is called into question in relation to actions by the student which constitute offences under the criminal law, or which warrant referral to an external agency, the Fitness to Study procedure may be suspended for such period or periods as the College may think fit, taking account of all relevant circumstances.

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