



## UCL Academic Manual 2018-19

### Chapter 6: Student Casework Framework

## Section 3: Fitness to Study Procedure

This Procedure should be read in conjunction with [Section 2: Support to Study Policy](#).

### 3.1 Context

1. The UCL Fitness to Study Procedure is intended to be used where students are not able to continue or able to return to continue the level and intensity of study required in spite of reasonable adjustments having been put in place and cannot study, work and live co-operatively and in close proximity with others as well as conduct themselves in a manner which does not impact negatively on those around them. It also applies where UCL has been unable to balance the needs and rights of an individual student against the need to protect the wellbeing of fellow students and staff.
2. The Procedure aims to ensure that decisions about a student's ability to study are made through a supportive process, after appropriate consultation and in the best interests of the student.
3. The Procedure is to be used in the following circumstances:
  - Where a student exhibits behaviour that would usually be dealt with as a disciplinary matter but is considered to be the result of an underlying physical and/or mental health difficulty
  - The student's attendance record, academic sufficiency and/or behaviour are not satisfactory/acceptable and this is believed to be the result of a physical and/or mental health difficulty
  - The student's behaviour is at risk of affecting negatively the teaching and learning activities of fellow students and staff and/or the spirit of studying, working and living co-operatively and in close proximity with others as well as of conducting himself or herself in a manner which does impact negatively on others
  - The student's behaviour presents a serious and immediate risk to self or others and/or the University's reputation.
4. The Procedure is not intended to deal with (i) routine cases of non-attendance and/or academic insufficiency, which are covered elsewhere in the UCL Academic Manual or (ii) straightforward cases of misconduct handled under [Section 8: Student Disciplinary Code and Procedures](#) or (iii) cases considered under the UCL Mental Health Policy, or (iv) cases of MBBS students and other students from the School of Life and Medical Sciences where the [SLMS Fitness to Practise Policies](#) apply.

## 3.2 Initial Stages

1. The Director of Student Support and Wellbeing (or nominee)<sup>1</sup> will review the medical information provided by the student's qualified medical /clinical practitioners, and any other information provided, which could include reports from a student's academic advisers and other members of the UCL community, student Cause for Concern referrals, a student's relatives or other external people. They will also draw on advice from medical advisers appointed by UCL and/or other healthcare specialists.
2. The student will usually be required to meet with the Director of Student Support and Wellbeing or another designated role holder, with UCL's appointed medical advisers, to ensure that the student's health is not detrimental to the academic studies or the academic studies detrimental to the student's health, and to determine what adjustments, or further adjustments, if some have already been put in place, can be sought.
3. In reviewing the student, and having consulted healthcare specialists and all available information, the Director of Student Support and Wellbeing will discuss the student's situation with his/her academic advisers and other UCL officeholders, such as the Vice-Provost (Education & Student Affairs) and the Registrar, to determine whether any adjustments can be put in place to assist the student, or whether further information is required.
4. Possible outcomes might include:
  - The use of a student learning agreement
  - The seeking of other adjustments, such as a suspension of regulations, through the relevant UCL authority
  - Referral to a medical practitioner, either within UCL or externally, or referral back to the student's own medical advisers or specialists
  - A further meeting with the Director of Student Support and Wellbeing or another designated role holder, with UCL's appointed medical advisers
  - Referral of the case to another UCL procedure such as [Section 4: Learning Agreements, Barring, Suspensions and Terminations of Study](#), or [Section 8: Student Disciplinary Code and Procedure](#), or the [UCL Student Mental Health Policy](#)
  - Referral to the [UCL Student Mediator](#)
  - A recommendation to interrupt studies or delay the start of studies or withdraw from UCL or seek a change of degree programme
  - A recommendation to consider the student's case under the Further Stages of this procedure.
5. Students will be informed in writing of the outcome within 10 working days.
6. A review period will be set in discussion with the student, which will include the process for monitoring the student's situation and to ensure that the student is benefiting from the arrangements made.
7. Where the student fails to engage with this procedure, by not providing satisfactory documentation or non-attendance at meetings or refusal to engage with any referral, UCL reserves the right to revert to the appropriate set of regulations.

## 3.3 Further Stages

1. A student will be considered under a further stage of this procedure in the following circumstances:
  - If it has not been possible to put in place further adjustments
  - If the student did not take advantage of the adjustments put in place

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<sup>1</sup>Where the Procedure refers to a role holder, it should be understood that the action may be undertaken by a nominee

- If the student's health, wellbeing or behaviour worsens or has an adverse effect on the health or wellbeing of the UCL community.
2. The Director of Student Support and Wellbeing will prepare a report giving the reasons why the student should be considered under the Further Stages of the procedure. This report should include a summary of the medical information as well as information on the efforts made to facilitate a student's studies. This report will be sent to the Registrar, who will confirm that the case should be considered by the Fitness to Study Panel.
  3. The student will be informed whether or not the case is to be considered by the Fitness to Study Panel.
  4. If it is determined that the case will proceed, the student will be required to attend a Fitness to Study Panel and will be given at least 10 working days' notice of the meeting. The student must be provided with any documents to be considered by the Panel. The student can submit additional documentation but this must be received 3 working days before the Panel hearing.
  5. Students should seek advice from [Students' Union Rights and Advice Centre](#) on attending a Panel hearing and seek support for preparation of this.
  6. The Panel will be chaired by a Faculty Tutor or a Faculty Graduate Tutor from a Faculty other than that of the student and will also comprise a medical adviser appointed by UCL, a Students' Union UCL Sabbatical Officer, and a fourth member who will either be a Faculty Tutor or a Faculty Graduate Tutor from a Faculty other than that of the student, or the Director of Student Administration or the Registrar.
  7. The Director of Student Support and Wellbeing will present the case to the Panel. The Faculty Tutor from the student's Faculty will also be present to provide information to the Panel as required.
  8. The student may be accompanied by a 'friend' who must be a member of staff at UCL or a student currently registered at UCL, provided that the person chosen is not legally representing the student nor a member of the Panel. If the student wishes to be accompanied by someone who does not meet this requirement, permission should be sought from the Chair of the Panel. The Chair of the Panel has the right to accept or refuse the request.
  9. The Panel can invite others to attend the Panel in order to provide information or to witness the proceedings.
  10. The purpose of the Panel is to:
    - Review the documentation and any oral statements made at the Panel hearing
    - Consider the views of the student
    - Agree the most appropriate way to proceed
    - Ensure that the student is aware of UCL's concerns and the impact of the student's situation either on their own health, wellbeing and behaviours or those of other members of the UCL community
    - Recommend a decision.
  11. The student, the student's friend, the Director of Student Support and Wellbeing, and the student's Faculty Tutor can be present while the Panel receives the evidence and hears the case, but they must all withdraw when the Panel deliberates and considers its decision.
  12. Where the student fails to engage with this procedure, by not providing satisfactory documentation or not attending the Panel hearing, the Panel can continue in the student's absence. Any lack of engagement of the student should not be construed against them.
  13. The decisions open to the Panel are as follows:
    - a) That no decision can be made pending further information within a specified period of time, at which point the Panel would have to reconsider its recommended outcome. The Panel can recommend whether the student can remain in registration or not during this time period;
    - b) That the student can continue in registration but additional measures need to be taken or further adjustments sought;

- c) That the student can continue in registration but the academic requirements can be adjusted;
  - d) That the student must interrupt their studies, or remain on interruption, for a specified period of time, with requirements for the student's return being specified, if required;
  - e) That a recommendation is made that the student must withdraw from UCL, indicating whether reapplication at a future date is allowable or not.
14. In the case of 13c), d) and e), this should be a recommendation to the Provost.
15. The student should be informed of the decision in writing within 10 working days of the Panel.

## 3.4 Appeal

1. The student has the right to appeal through the procedures set out in Section 10: Student Complaints Procedure.