

POLICY AND PROCEDURES TO SUPPORT AND DETERMINE

A STUDENT'S FITNESS TO CONTINUE IN STUDY

UNIVERSITY COLLEGE CORK

V1.0 ACADEMIC COUNCIL 27 JUNE 2014

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REMEMBER: If there is an immediate concern for the safety of any person, this should be reported to the Emergency Services on 999. General Services should also be informed via an Emergency Tel. Contact Number (available on www.ucc.ie/en/occupationalhealthandsafety/emergencies/)

1. INTRODUCTION

University College Cork (“UCC”) recognises its responsibility to support students to complete their studies. For the vast majority of students, progression to completion of their studies is uneventful, with little or no need for added support. This is not always the case however. In certain circumstances there is a need for a formalised co-ordinated response to support a student in distress. Occasionally, even with added support, the behaviour, welfare or wellbeing of an individual student is so adversely affected as to make continuation in study difficult or impossible, and/or their continuation in studies is likely to interfere with the learning, working or living experiences of others to such an extent as to be deemed unreasonable and unsustainable.

This Policy and Procedure is expressly intended to be supportive of individual students who may be in distress or difficulty whilst also recognising the right of the wider university community to study, work and live free of undue duress/distress caused by others. In matters relating to a student’s fitness to continue in study, UCC is guided by relevant legislation as may be amended from time to time. In this regard, the University remains particularly mindful of its obligations under the Equal Status Act (2000) as amended.

There are long established policies and procedures in place in UCC to deal with students who are not achieving academically or whose behaviour breaches University Student Rules. This Policy and Procedure is intended for circumstances not covered by the University’s existing academic Marks and Standards or the Student Rules

2. PURPOSE

This Policy and Procedure to Support and Determine a Student’s Fitness to Continue in Study, (hereafter called Fitness to Continue in Study Policy) is in place

1. To identify and support students

a. whose behaviour, well-being or welfare are of concern to themselves or others,

OR

b. whose behaviour or actions, are impacting adversely on the learning, working or living experiences of others,

to such an extent as to give rise to concerns as to their fitness to continue in study

AND

2. To provide supportive formal procedures,

- a. To enable students to withdraw/take leave of absence voluntarily on grounds of fitness

OR

- b. To determine if and how a student is to be required to take leave of absence on grounds of fitness

3. OWNERSHIP AND RESPONSIBILITY

3.1 Ownership

The development, implementation and on-going review of this Policy is the responsibility of the Office the Student Experience, under delegated authority from the Registrar and Senior Vice President Academic.

3.2 Invoking this Policy

This Policy may be invoked at any one of three levels, according to the level of response needed, as judged by the person invoking it. Level 1 of this policy (see below section 13) may be invoked by either the Head of the Academic Unit with responsibility for the student's programme of study ("Head of AU") or the Head of Student Experience ("Head of SE"). Invoking Level 2 and Level 3 of this policy (see below sections 14-15) shall be the responsibility of the Head of SE.

4 STUDENTS SUBJECT TO THIS POLICY.

All registered students of UCC shall be subject to this Policy, excepting those students who are registered on programmes subject to Fitness to Practise requirements. Students subject to this policy shall include any student visiting UCC for a period of study or research under the Erasmus Programme, Junior Year Abroad Scheme or other similar programme involving placement in UCC of a student from another domestic or international university or institution. All students subject to this Policy are required to accept the Fitness to Continue in Study Policy requirements at registration and annually at re-registration. UCC students who are visiting another university or institution for a period of study or research shall be subject to the host institution's rules and policies and procedures for the period of their visit. UCC will endeavour to support its students whilst registered at another institution as part of their UCC programme, in association with the host institution, where possible and practicable.

5 RELATIONSHIP WITH OTHER UNIVERSITY POLICIES AND PROCEDURES

This Fitness to Continue in Study Policy generally shall not be invoked for circumstances already being considered under the following specific university policies or procedures;

The Student Rules, the academic Marks and Standards, or Fitness to Practise. However, in exceptional circumstances where the Disciplinary Committee are of the view that a serious fitness to continue in study issue arises, the outcome of the disciplinary procedure may be referred back to the Head of AU or the Head of SE for consideration, who in turn may decide to invoke the Fitness to Continue in Study Policy in relation to the matter.

Operation of this policy shall be consistent with the requirements of UCC Child Protection Policy. Please note that the UCC Child Protection Policy defines a child as someone under 18 years of age (excluding a person who is or has been married) and regard should be had to the provisions of that policy when dealing with persons under this Fitness to Continue in Study Policy. (See Appendix H)

The Student Mental Health Policy is intended to provide useful guidance and advice as to how to identify and support students in distress. Further advice is also available on the UCC Minds DVD (See Appendix D)

6 EXAMPLES OF CIRCUMSTANCES OF CONCERN AS TO A STUDENT'S FITNESS TO STUDY

There is a strong tradition of support for students in UCC. Many students facing difficult and distressing circumstances will overcome adversity and develop and grow from these experiences with the help of support provided by friends, family, academic staff, and the administrative and professional support services in the University. It is very much in the interests of students and the university that this tradition of support continues. This Fitness to Continue in Study Policy is intended to build on that tradition, and to enhance it, by identifying steps to be taken when it is considered that the circumstances are such as to be unlikely to be resolved through the use of existing supports. The following are examples of such circumstances where there may be concern as to a student's support needs and fitness to continue in study. This list is not exhaustive. Each circumstance should be considered on its own merits.

- The student recognises that there is an issue of concern and discloses this to a member of the university staff.
- 3rd party reports of concern are disclosed. For example these 3rd parties may be family members, classmates, flatmates, student support services staff, lecturers or other

university staff, work or research placement supervisors or even on occasions, members of the public. The concerns may be around a student's

- Wellbeing, appearance, social-withdrawal, mood, physical health or welfare
- Unexplained deterioration in academic performance
- Behaviour which is very unusual or bizarre*
- Behaviour putting themselves or anyone else clearly at risk*
- Behaviour which is significantly distressing to others*
- Behaviour which is impacting significantly on the learning, working or living experience of others*

Behaviour is intended to include behaviour which is face-to-face and in public as well as expressed written or on-line communications in print or via social media, text messaging or other electronic means.

*Note all behaviour which appears to be a breach of the Student Rules, may be considered under the Student Rules and as a disciplinary matter.

7 TOLERANCE OF DIFFERENCE. EMBRACING AND SUPPORTING DIVERSITY

The university recognises and celebrates the rights of individuals to be different and embraces and supports diversity. The lived-experiences of one person are often very different than those of another. The customs and practices of the many diverse ethnic groups in our increasingly international university community may vary and require a degree of mutual understanding and mutual respect. It is important that these differences be recognised and accepted, within the boundaries of the law of the land. Occasionally what may be at first sight interpreted as bizarre and unusual behaviour, subsequently can be better understood and accepted in the spirit of tolerating difference and accepting diversity.

8 ACTIONS TO BE CONSIDERED SUPPORTING STUDENTS IN DISTRESS

This policy and procedure is intended to help students who may be significantly distressed. In supporting a student who is causing real concern and who may be significantly distressed, staff should act in accordance with the advice contained within the Student Mental Health Policy.(See Appendix H). The appropriate course of action to be undertaken will often depend on the urgency of the situation. The course of action may also need to be reviewed if the situation alters. The situations are classified in the UCC Student Mental Health Policy as **non-urgent/non-emergency**, or **urgent/emergency** and the actions taken should depend on the urgency of the situation and on an assessment of the risk to the safety of individuals.

When a student is significantly distressed, it is always worthwhile considering activating the Policy and Procedures to Support and Determine a Student's Fitness to Continue in Study. Occasionally actions will need to be taken before there is time to formally invoke this Fitness to Continue in Study Policy. Situations classified as **non-urgent/non-emergency** should prompt consideration of invoking at least level 1, and possibly level 2 of the Fitness to Continue in Study Policy. **Urgent/Emergency** situations should prompt consideration of invoking at least level 2 and possibly level 3 of the Fitness to Continue in Study Policy.

9 TEMPORARY SUSPENSION ON GROUNDS OF CONCERN FOR FITNESS TO STUDY

The behaviour and actions of a student may be a cause of concern for the safety of the student and/or the safety of others, prompting consideration of the need to exclude the student from the University temporarily, pending further investigation and/or management of the situation. Where it appears in the opinion of the Registrar and Senior Vice President Academic that there are such grounds for concerns, then he/she, having sought such advice as he/she deems appropriate, shall be entitled to suspend a student on the basis that suspension is temporary and necessary to protect the University community. (See Appendix D)

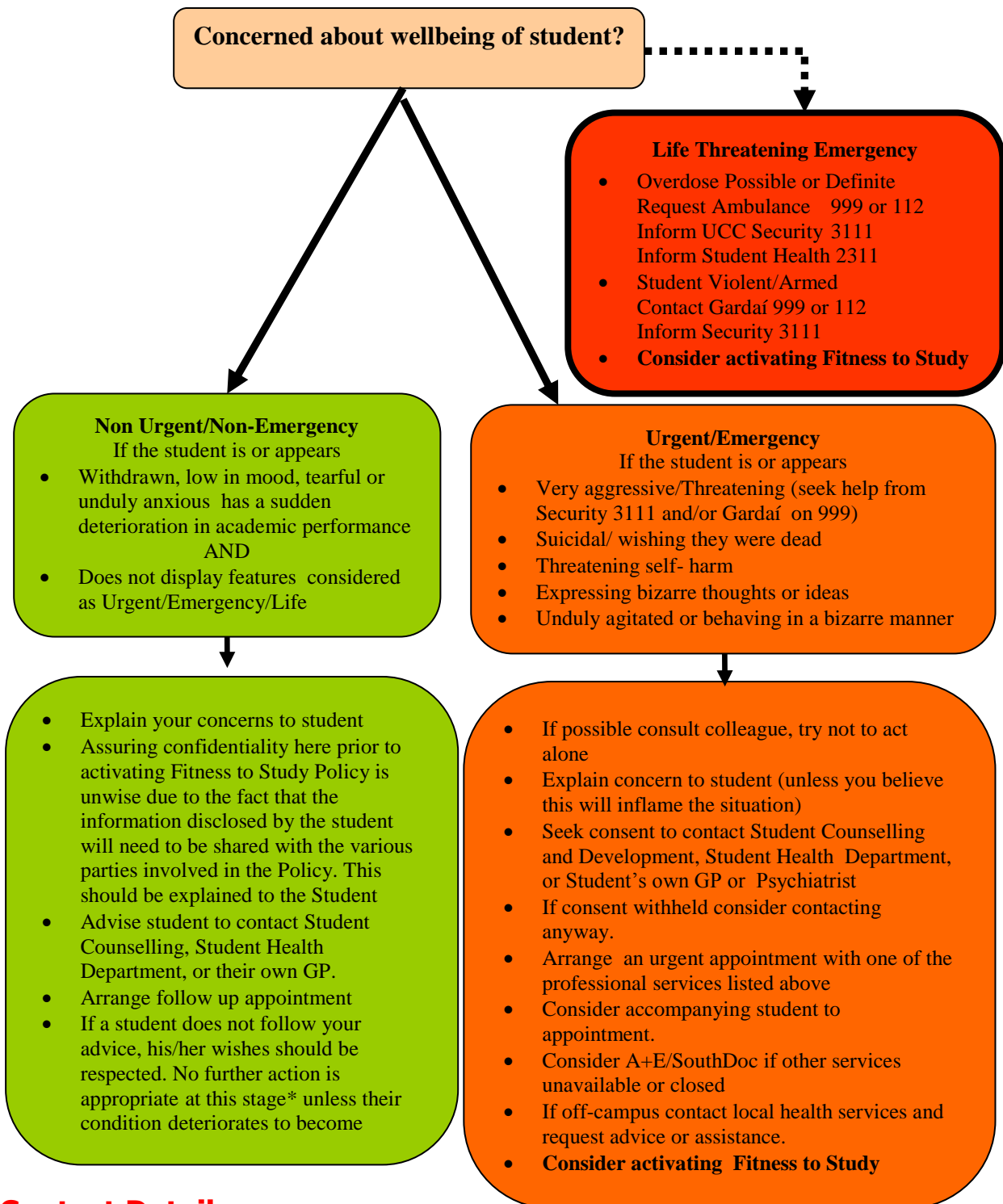
10 EMERGENCY SITUATIONS

The safety of individuals is paramount. Occasionally, the behaviour or actions of a student can put themselves or others in proximate danger. It is important that appropriate, timely actions are taken in response. The steps illustrated in the flow chart are those recommended and are taken directly from the Student Mental Health Policy. In **urgent/emergency** situations these actions may need to be taken before there is time to invoke the Fitness to Continue in Study Policy. The fact that the University may invoke other Policies shall not prejudice its right to invoke the Fitness to Continue in Study Policy.

REMEMBER: If there is an immediate concern for the safety of any person, this should be reported to the Emergency Services on 999. General Services should also be informed via an Emergency Tel. Contact Number (available on: www.ucc.ie/en/occupationalhealthandsafety/emergencies/)

ACTIONS ADVISED IN HELPING A STUDENT IN DISTRESS OR CRISIS

(Adapted from UCC Student Health Mental Health Policy)



Contact Details

Student Counselling and Development
 Student Health Department
 Head of Student Experience
 UCC General Services Security
 Anglesea Street Gardaí HQ
 A+E Cork University Hospital
 SouthDoc

Hours 9:15-1pm, 2:15-5pm	M-F	4903565
Hours 9:15-1pm, 2:15-5pm	M-F	4902311
Hours 9:15-1pm, 2:15-5pm	M-F	4902692
24 Hours		4903111
24 hours		4313031
24 hours		4920230
Evenings week ends		1850 335 999

11 LEVELS OF RESPONSE OF FITNESS TO STUDY PROCEDURES

As per section 6 above, in varying circumstances, concerns may be noted as to a student's support needs or their fitness to continue in study. These should then be reported to either the Head of AU* or the Head of SE* because they have failed to, (or are judged unlikely to), resolve with existing supports or actions. The seriousness of each circumstance and response required is a matter of judgement for the Head of AU or the Head of SE and will determine whether or not any of Level 1, 2 or 3 Response is to be invoked.

12 REFERRAL TO HEALTHCARE PROFESSIONAL

A student may be referred at any stage of the Fitness to Continue in Study Policy to a relevant healthcare professional to include but not limited to a Consultant Occupational Physician, Consultant Occupational Physician, Consultant Psychiatrist and a Consultant Psychologist. Any such referral will be made through the Head of SE. The Student shall be obliged under this Policy to attend at such medical consultation and examination as required and shall cooperate with the Medical Practitioner as concerned in the provision of a medical report to the University. Failure to attend or a failure, in the opinion of the Medical Practitioner, to cooperate with any such Practitioner shall be deemed to be a failure to cooperate with the University's procedures.

13 LEVEL 1 RESPONSE OF FITNESS TO CONTINUE IN STUDY PROCEDURES

Level 1 Response of Fitness to Study Procedures is intended for circumstances where there are **emerging concerns** about a student. The particular circumstances can vary, as described in Section 6 above. Level 1 response usually (though not necessarily always) will be preceded by low level support, informal signposting and/or advice given to the student by university academic or support staff. In the event that the concerns persist, the person concerned should ensure that either the Head of AU* **or** the Head of SE* has been alerted, who will (if he/she deems it necessary/appropriate) invoke Level 1 of these Procedures as follows:

1. Raise a Note of Concern (see Appendix A)
2. Notify the student in writing of the nature of the concerns expressed
3. Offer and arrange a face-to-face meeting to provide support or advice to the student from one or more of (a) Academic Mentors/Supports at AU (b) UCC Student Support services.
4. Close the Note of Concern if no further action is deemed necessary following 3. Or escalate these Fitness to Continue in Study procedures and request that Level 2 **or** Level 3 be invoked.

*Concerns expressed or noted as arising or presenting principally in the classroom/lecture-room/laboratory or on placement are usually considered by the Head of AU. Concerns expressed or noted as arising outside these settings, e.g. on student activities, on campus, or in student accommodation are usually considered by the Head of SE.

14 LEVEL 2 RESPONSE OF FITNESS TO CONTINUE IN STUDY PROCEDURES

Level 2 Response of Fitness to Study Procedures is intended for circumstances where there are either

- a) Continuing and on-going concerns persisting and unresolved from a Level 1 Note of Concern

OR

- b) Significant first concerns where it is deemed invoking a formal multi-disciplinary case review meeting is required

The Head of SE and the Head of AU will consult and invoke Level 2 of these Procedures as follows:

1. Raise a Note of Concern (see appendix A) or continue the Note of Concern from Level 1
2. Notify the student in writing of the nature of the concerns expressed
3. Arrange a multi-disciplinary case-review meeting (see Appendix B)
 - a) to consider the nature of the concerns
 - b) to develop an agreed plan of action to support the student
 - c) to arrange to monitor the effectiveness of the plan in resolving the issue of concern, and
 - d) to arrange formal follow-up
4. Proceed to
 - a. Close the Note of Concern if no further action is deemed necessary following 3. above

Or

- b. Support a student who wishes to voluntarily withdraw/take leave of absence from studies on grounds of fitness at this stage without the need to proceed to a Level 3 Response. It is intended that **all** students voluntarily withdrawing/taking leave of absence from UCC on grounds of fitness should have been considered under a level 2 response of this Policy and Procedure.

Or

- c. Escalate these Fitness to Continue in Study procedures and request that Level 3 Response be invoked because of concerns that the student's Fitness to Continue in Study needs to be formally considered and determined.

15 LEVEL 3 RESPONSE OF FITNESS TO CONTINUE IN STUDY PROCEDURES

A Level 3 Response of this Fitness to Continue in Study Procedures is intended for circumstances where there are concerns that immediate consideration and determination of a student's Fitness to Continue in Study is required. It may be invoked immediately following either a Level 1 or Level 2 Response, or it may be invoked directly with no preceding Level 1 or 2 response, due to the seriousness of the concern for the health, wellbeing or welfare of the individual concerned, or for the impact the student's distress or behaviour is having on others.

The Head of SE and the Head of AU will consult and invoke Level 3 of these Procedures as follows:

1. Raise a Note of Concern (see appendix A)
 2. Notify the student in writing of the nature of the concerns expressed
 3. Arrange a Fitness to Continue in Study Panel Review (see Appendix C) so the University Fitness to Continue in Study Panel considers the concerns expressed about the student. The outcomes possible from this review are
 - I. The Registrar and Senior Vice President Academic requires the student to take leave of absence from study for an agreed period
- OR**
- II. The Student is Fit to Continue in Study subject to an action plan (as per level 2 Response)
4. Close the Note of Concern if no further action is deemed necessary following 3.

16 RIGHT OF APPEAL

A student has the right to appeal the decision of the Registrar and Senior Vice President Academic to require the student to take leave of absence from study for an agreed period, as the outcome reached following a Fitness to Continue in Study Panel Review. (See Appendix E)

17 RETURN TO STUDY FOLLOWING A PERIOD OF WITHDRAWAL

A student who withdraws/takes leave of absence voluntarily or is required to take leave of absence, on grounds of fitness, shall be entitled to apply to re-register to re-commence their studies at the end of the agreed period of absence. In such circumstances, the conditions of return to study will be determined by the relevant Academic Unit, subject to the rules and regulations governing the relevant Programme. If the module or course is not running at the time the relevant Academic Unit will provide guidance about the recommencement of the module/course/programme, or alternative modules. Return to Study procedures shall apply. (See Appendix G).

18 RECORD KEEPING, DATA PROTECTION, CONFIDENTIALITY

It is good practice for staff to keep brief notes of any interactions with students where there has been guidance or decisions in relation to personal issues, and to inform the student that you are making a record of the encounter. This should apply in particular for students causing concern.

The record should be dated and written as soon as possible after the interaction with the student. It should state the nature of the interaction and any action taken or advice given. If appropriate, it should also state whether or not the student gave consent for further action.

Records should be kept safely in departments for a minimum period of five years and then destroyed. Confidentiality and security of notes should be maintained in accordance with the principles of the Data Protection Acts 1988 - 2003 as amended.

Once a Level 1, 2 or 3 Response of these procedures have been invoked a Note of Concern (Appendix A) must be raised and retained by the Head of AU, or the Head of SE as appropriate. In addition to the Note of Concern, for Levels 2 and 3 responses, a written record of all multi-disciplinary case review meetings and Fitness to Continue in Study Panel Review meetings shall be raised and retained by the Head of SE.

19 ELECTION OF PROXY

If an office holder post is vacant through ill health, retirement etc or leave of absence, then the Registrar and Senior Vice-President Academic or other appropriate office holder as set out shall appoint a person to carry out the designated functions under this Policy. Furthermore where power or authority or functions are to be performed by a particular office holder of a post referred to in this policy such power or authority may be exercised by a person acting or deputising in such a role from time to time. Where this policy contains reference to a particular office holder as described in this policy and where the name or title of such office or post is changed then for the purpose of exercising the powers or functions any reference to the old name shall be deemed reference to the new name.