

Fitness to Study Policy

Introduction

- 1.1. The College of Legal Practice (“the College”) seeks to enhance the careers of legal professionals through the delivery of innovative, practice-focused legal education and training. In meeting this objective, the College actively partners with students, individually and collectively, to ensure and maintain the quality of their education experience and to enable them to achieve academic, professional and personal objectives.
 - 1.2. The Student Charter and Code of Conduct, along with the Student Contract, sets out the expectations placed on students by the College. It is important that students familiarise themselves with these documents.
 - 1.3. However, the College recognises that the cause of misconduct may include matters relating to a student’s health and wellbeing. In these circumstances, the Student Disciplinary Process may not be appropriate and instead this policy can be applied so as to support the student.
 - 1.4. Furthermore, it may be that a student’s fitness to study may be questioned if they have health problems affecting their own studies or the studies of others, or result in unreasonable demands being placed upon staff or other students. In these circumstances, this policy may also be applied.
 - 1.5. The decision to commence fitness to study proceedings should be taken by the Registrar in consultation with the Student Services Manager.
 - 1.6. The use of this policy may also be triggered where:
 - 1.6.1. the College receives serious concerns about a student from a third party; or
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1.6.2. where the general health of a student affects that student's attendance/engagement to the extent that it falls below what the College may reasonably expect and is placing the student in a place of significant risk of not completing the Programme of Study; or

1.6.3. where health problems are affecting the behaviour of a student, which may or may not be affecting other students on the Programme of Study.

1.7. It is recognised however, that there are many grounds for wanting to commence a fitness to study process and the above grounds are by no means exhaustive.

1.8. When commencing this process, the College will be clear with the student about the limits of support it can provide. The College also reserves the right to take measures under the Student Disciplinary Process. This may particularly be the case where the student fails to respond positively to support provided under this policy.

1.9. Where this process is triggered, the Student Services Manager will notify the relevant Programme Leader to ensure that any necessary support at programme level is provided.

1.10. In exceptional cases the College may, at any stage, vary the procedures set out in this process in the interests of fairness and/or health and safety.

Informal Support Stage

2.1. Where the College wishes to commence the Fitness to Study Policy, the Student Services Manager along with a member of the teaching team from the student's Programme of Study (normally the Programme Leader) should meet with the student concerned at the earliest opportunity.

2.2. During this conversation, the student should:

2.2.1. be made aware of the behaviour which is causing concern;

2.2.2. where appropriate, be informed of the level of risk of their behaviour (this could relate to concluding of their studies or to other students or staff);

2.2.3. be able to express freely their own views on the matter;

2.2.4. where appropriate, be signposted to support services / agencies that the student could engage with;

2.2.5. explore adjustments that could be made to achieve a successful conclusion of studies.

2.3. It is stressed that this conversation is intended to be supportive for the student. It is expected that with an effective support package this informal stage should support students to the successful conclusion of their studies.

2.4. A review meeting will be held four, eight and twelve weeks after the original meeting to ensure that satisfactory process is being made.

2.5. Where satisfactory process is not being made, or a student fails to engage appropriately with this process, the Formal Support Stage of this process may be commenced.

Formal Support Stage

3.1. Where the matter is deemed too serious, or where the Informal Support Stage has not been successful, the Formal Support Stage may be commenced.

3.2. The student will be invited to a meeting with the Student Services Manager and the Programme Leader. As part of this meeting, and to ensure that the College can provide the optimum level of support for the student, the College may request that the student obtains a medical assessment to consider whether the student is fit to continue with their studies. Where this is obtained, the student will be asked to provide explicit consent to the College so that the College may use the medical assessment as part of its discussions.

3.3. A student may refuse to undertake a medical assessment. In these circumstances, the College will proceed based on the information

already available. Equally, if a student chooses not to engage in this process, the meeting can continue in the student's absence.

3.4. The student may bring a supporter of their choice to the meeting. The role of the supporter is to provide emotional support and not to act in an advocacy role.

3.5. During this conversation, the student should:

3.5.1. be made aware of the behaviour which is causing concern;

3.5.2. where appropriate, be informed of the level of risk of their behaviour (this could relate to concluding of studies or to other students or staff);

3.5.3. be able to express freely their own views on the matter;

3.5.4. where appropriate, be signposted to support services / agencies that the student could engage with;

3.5.5. explore adjustments that could be made to achieve a successful conclusion of studies;

3.5.6. be informed of the potential outcomes if the risk remains.

3.6. Following this meeting, one or more of the following outcomes may be reached:

3.6.1. Agreement of an action plan between the student and the College formally to monitor the student's progress. This action plan will include regular review points.

3.6.2. To recommend any particular adjustments in the student's programme of study to support them in concluding their studies.

3.6.3. To recommend that the student's conduct be considered under the Student Disciplinary Process;

3.6.4. To agree to a suspension of registration for a fixed period of time;

3.6.5. In exceptional circumstances, to recommend to the Progression and Awards Assessment Panel that the student's registration be terminated.

3.7. A recommendation to the Progression and Awards Assessment Panel should only be made where the action plan put in place (under 3.6.1) is not being adhered to by the student and that significant risks still remain or where the wellbeing of the student is at such a poor level that the reasonable decision is for the College to terminate registration.

3.8. Where a recommendation to the Progression and Awards Panel to terminate registration is made, and where the Progression and Awards Panel do terminate the student's registration, the student has the right to appeal this decision through the Academic Appeals Procedure.
