

HE12

Fitness to Study (HE) Policy

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Revision History

Version Number	Date	Type of Amendment	Amendment Details
1.3	Sep 2019	Major Review	Addition of OIA to the policy.
1.4	Sep 2021	Major Review	Addition of ERC; Amending roles to fit across TEC Partnership; Update institutional name to TEC Partnership
1.5	May 2023	Major Review	Update Senior Management Team to Senior Leadership Team; Update Higher Education Quality Improvement Committee (HEQIC) to Higher Education Curriculum, Quality and Standards (HECQS); Update Mitigating Circumstances to Additional Consideration; Update gender pronouns to gender neutral they/them/their; Correct grammatical errors
1.6	May 2026	Major Review	Grammatical and stylistic amendments to improve clarity Updates to roles in line with TEC Partnership organisational changes

An Equality Impact Assessment is considered as part of the approval and review process for this policy.

Queries about this document, or alternative formats, should be made to: heqa@tecpartnership.ac.uk

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1.0 Introduction

1.1 TEC Partnership aims to provide a supportive environment that allows all students to realise their full potential and successfully graduate from a programme of study in Higher Education.

1.2 This policy should be read in conjunction with the TEC Partnership's Academic Regulations, Fitness to Practise Policy, Additional Consideration Policy and Short Extensions and Retention and Engagement of Students in Study Policy.

2.0 Purpose and Scope

2.1 TEC Partnership is committed to supporting the wellbeing of all students. Wherever possible, students experiencing difficulties with their physical or mental health should be approached from a supportive rather than a disciplinary perspective. Decisions regarding a student's fitness to study should be made collectively and should take a holistic view of the student experience, including their ability to study, learn and progress toward graduation.

2.2 To maintain and enhance the TEC Partnership community, students are expected to adhere to certain standards of behaviour. TEC Partnership has disciplinary mechanisms to address behaviour that falls outside these standards (details available on request from the Learner Services Department). However, it is recognised that misconduct may sometimes be linked to issues affecting a student's health or general wellbeing, in which case disciplinary action may not be the most appropriate response.

2.3 A student's fitness to study may be questioned when health-related difficulties disrupt their own studies or the studies of others, or when they place unreasonable demands on staff or fellow students. TEC Partnership has a duty of care to its community and is bound by health and safety legislation, which requires action where a student presents a risk to themselves or to others.

2.4 If a concern arises, this Policy ensures that any actions taken are limited to those necessary to protect the student's best interests, providing a consistent and sensitive approach to managing the situation.

2.5 The level of risk posed by a student will be assessed through a structured risk assessment process, which will be applied throughout the procedure to ensure a consistent evaluation of any risk to the student, to others, and to the institution. This process will be led by the Group Leadership Team member responsible for Learner Services at TEC Partnership, working closely with curriculum and support staff, who play a key role in identifying and evidencing any concerns.

2.6 As a general principle, this policy is intended for use only in cases where a student's behaviour, disruption or associated risk is considered serious or potentially serious. Wherever possible, students should first be supported through the available support services before any formal action is taken.

2.7 Wherever possible, students should be actively involved in managing their own wellbeing.

2.8 TEC Partnership reserves the right to use the disciplinary procedure to address behaviour arising from physical or mental health issues, depending on the specific circumstances of the case. However, once this policy has been invoked at any of its three stages, the behaviour in question will normally continue to be considered under this policy rather than through the disciplinary procedure.

2.9 The Fitness to Study policy detailed below has three levels. Actions may be initiated at any of the three levels, based on the perceived severity of the situation and the seriousness of any associated risks.

3.0 Crisis Situations

3.1 If a student poses an extreme risk to themselves or others and requires emergency assistance beyond this Policy, the appropriate emergency service should be contacted by dialling 999. The relevant TEC Partnership policies should also be followed, including notifying the Duty Manager and ensuring that the Intensive Support team in Learner Services is informed.

4.0 Possible indicators for concerns regarding Fitness to Study

4.1 A student's fitness to study may be questioned in a wide range of circumstances, including but not limited to the following:

- Serious concerns are raised by a third party (e.g., housemate, friend, colleague, placement provider, member of the public, medical professional, etc.), indicating that the student's fitness to study may need to be addressed.
- The student informs a TEC Partnership staff member of a problem and/or provides information suggesting that their fitness to study should be considered.
- The student's academic performance or behaviour becomes unacceptable and is believed to result from an underlying physical or mental health issue.

4.2 In all cases, the student's tutor or Manager should be notified so that TEC Partnership is aware of the situation and can provide any necessary support. It is the Manager's responsibility to ensure all actions taken to support the student are completed and properly documented on Pro-monitor.

5.0 Initial Support and Guidance to Students

5.1 Students with a mental or physical health difficulty are first:

- Expected to speak to their Success Coach, Programme Leader, Manager or another relevant staff member from their area about any difficulties and related problems that they may be experiencing.
- Encouraged to consult all relevant support services available at TEC Partnership, and in particular the Disability Advisory Service when appropriate. Further information about these services is available on the Learner Services page.

6.0 Stage 1 – Informal Action by the Area

6.1 If preliminary action is unsuccessful, a member of academic staff should approach the student and explain, in a supportive and understanding manner, that concerns have emerged regarding their fitness to study. A member of staff should ordinarily carry this out within the academic department that has primary responsibility for, or knowledge of, the student, such as their Tutor or Head of Area/Faculty. All actions must be recorded on Pro-Monitor. However, if concerns arise within student residences, the Campus Principal should take the lead, in consultation with the curriculum area. Staff requiring advice or guidance should contact the Group Leadership Team member responsible for Learner Services.

6.2 The student should be clearly informed about the specific behaviour that has raised concerns, including, if relevant, the level of perceived risk indicated by the risk assessment process. The member

of staff will attempt to resolve the matter through informal discussions with the student. The student should be given the opportunity to explain their own views on the matter and be encouraged to consider using one or more of the support services offered by TEC Partnership. It may also be appropriate to discuss the possibility of applying special academic arrangements to enable the student to study effectively.

6.3 It is hoped that, in most cases, issues can be resolved at this stage and that students will respond positively, co-operating fully with the process and making use of the support available.

6.4 A review period should be agreed upon wherever possible between the member of staff and the student, allowing the student time to reflect on their behaviour and seek support from the services available. This review period should be clearly recorded on Pro-Monitor. At the end of the review period, a meeting should be held to discuss any steps the student has taken to address the concerns. If the concerns have been satisfactorily resolved, this should be noted, and further meetings may be arranged to monitor progress and ensure ongoing support. If, however, the concerns have not been addressed, a further review period may be agreed upon, or the case will progress to the next stage of the policy.

6.5 The informal discussions, advice and any undertakings made by the Area and/or the student should be documented for the benefit of both parties.

6.6 If a student is unable to co-operate with the above process or to modify their behaviour, they should be informed that more formal action under Stage 2 of this policy may be considered appropriate.

7.0 Stage 2 – Case Review Panel

7.1 If the action taken under Stage 1 has not been successful, or it is felt that the case is too serious to be dealt with informally, Stage 2 of the policy can be initiated. A Case Review Panel meeting will be organised by the Campus Principal. The panel will include appropriate representatives from the student's academic department and the Group Leadership Team member responsible for Learner Services at TEC Partnership.

7.2 To ensure the student's needs are fully understood and appropriately supported, a medical assessment may be sought prior to the meeting. The student will be encouraged to consent to this, as it will enable TEC Partnership to address their difficulties as effectively as possible and to make an accurate assessment of any associated risk. The medical assessment will be used to determine:

- the nature and extent of any medical condition the student may be experiencing;
- the likely prognosis;
- the extent to which the condition affects their fitness to study and manage the demands of student life;
- how the condition may influence behaviour;
- any impact or risk it may pose to others;
- whether TEC Partnership should take additional steps to support the student in studying effectively; and
- whether the student will be receiving ongoing medical treatment or support.

7.3 The student will be asked to authorise the full disclosure to TEC Partnership of the results of any examination undertaken. TEC Partnership acknowledges that any information disclosed will constitute "special category data" for the purposes of the Data Protection Act 2018 and will be processed, stored

and handled strictly in accordance with applicable data protection. Where a student declines to undergo a medical examination, TEC Partnership reserves the right either to continue managing this matter based on the information already available or to adopt alternative appropriate measures to address the issue.

7.4 The student will be given a minimum of seven days' notice of the Case Review Panel and will be informed of the purpose of the meeting. They will also be provided with copies of any documents to be considered by the Panel and invited to submit any documentation they wish the Panel to take into account, in sufficient time prior to the meeting.

7.5 The student may be accompanied at the meeting by a fellow student or another advisor. Where applicable, students with disabilities may also be accompanied by a support worker. Please note that legal representation will not be permitted at the meeting.

7.6 The purpose of the meeting will be to ensure that:

- the student is fully informed of the nature of the concerns that have been raised;
- the student is given the opportunity to express their views, which will be considered by the Panel;
- an appropriate course of action is agreed upon; and
- the student is made fully aware of the potential outcomes should the identified difficulties persist.

7.7 The Case Review Panel will determine the conduct of its proceedings at its discretion and may, where appropriate, call witnesses to assist its deliberations. This may include Student Services staff involved in supporting the student, as well as making any necessary enquiries on behalf of TEC Partnership. The Panel may also consider an updated risk assessment where relevant.

7.8 The Case Review Panel may decide to:

- take no further action;
- formally monitor the student's progress for a specified period. This will involve regular review meetings with the student to assess compliance with an agreed action plan. Failure to comply may result in the case being considered under Stage 3 of the policy;
- recommend part-time study (where appropriate and available) or the implementation of special academic arrangements. Any such recommendations must be approved by the student's department and agreed to by the student through the 'change of circumstance' process. The student should be advised to seek guidance from Learner Services) before agreeing to a change in circumstances. The student will be informed that, should these arrangements fail to address the concerns to TEC Partnership's satisfaction, their fitness to study may be considered under Stage 3 of the policy;
- where the student is undertaking a placement, propose suspending the placement or, where available, transferring to an equivalent programme without a placement;
- with the student's consent, agree to suspend their studies for a mutually agreed period; or
- refer the case to the Senior Leadership Review Panel for consideration under Stage 3 of this policy. This option will normally be reserved for the most serious cases, for example, where there is evidence of a serious risk to the health or safety of the student or others, where suspension or exclusion (temporary or permanent) may be appropriate, or where the student has not agreed to a recommended course of action (such as part-time study or suspending a placement).

7.9 The decision of the Case Review Panel, together with a concise record of the meeting, will be issued to the student within seven working days of the meeting date. A copy of this documentation will also be retained on the student's Pro-Monitor record.

8.0 Stage 3 – Review Panel

8.1 This stage of the procedure will only be initiated following a referral from a Stage 2 Case Review Panel, or when the Group Leadership Team member with responsibility for Learner Services at TEC Partnership determines that the initial concerns are sufficiently serious to warrant consideration of the student's suspension or exclusion (temporary or permanent). This may include situations where the student poses a potential risk to their own health and safety, the safety of others, or causes significant disruption to the functioning of the Institution.

8.2 As an initial step, the Stage 3 Review Panel will consider whether an interim suspension of the student is appropriate, pending further action. This consideration may include suspension from TEC Partnership accommodation.

8.3 The Group Leadership Team member with responsibility for Learner Services at TEC Partnership will convene a Review Panel, which will be chaired by a Senior member of staff who did not take part in the Stage 2 Case Review. The Review Panel will normally consist of two Group Leadership Team members, one of whom has responsibility for Learner Services, along with the Head of Area/Faculty and the Programme Leader.

8.4 A member of HEQA will arrange a date for a formal meeting of the Stage 3 Review Panel to consider the case and will invite the student to attend to discuss the concerns and all relevant matters. HEQA will also undertake responsibility for minuting the meeting.

8.5 Wherever possible, the student will be given at least seven days' notice of the Stage 3 Review Panel meeting. The student will be informed of the purpose of the hearing and will be provided with any documentation to be considered by the Panel. The student will also be asked to submit any documentation they wish the Panel to review in sufficient time before the meeting.

8.6 The student may be accompanied at the meeting by a fellow student or another adviser. Students with disabilities may also be accompanied by a support worker where required.

8.7 The purpose of the meeting is to consider all available evidence, including the student's perspective on the concerns raised, and to determine an appropriate decision, action plan or other outcome.

8.8 The Stage 3 Review Panel will determine the conduct of its proceedings at its discretion. It may call witnesses and seek information from TEC Partnership services to support its deliberations, including evidence from Learner Services staff working with the student. The Panel may also request further medical assessments to evaluate the student's fitness to study and will consider an updated risk assessment where appropriate.

8.9 The final decision shall be made by the Chair of the Stage 3 Case Review Panel, following receipt and consideration of the recommendations of the other members of the Review Panel.

8.10 The student shall be notified of the decision within seven working days of the meeting of the Stage 3 Review Panel. The decision may include one or more of the following:

- Formal monitoring of the student's progress for a specified period, and/or regular review meetings to assess compliance with an agreed action plan. Failure to comply with the action plan may result in the matter being reconsidered under Stage 3 of the policy.
- Following consultation with the relevant academic department, a requirement for the student to convert from full-time to part-time study with appropriate support, the implementation of special academic arrangements, or a suspension of studies. The student will be advised to seek guidance from Student Finance England regarding the implications of such measures. The student will also be informed of the potential consequences should these arrangements fail to resolve the concerns to TEC Partnership's satisfaction.
- A recommendation that the designated officer exercise their statutory power to suspend or exclude the student.
- Referral of the case to the Corporation with a recommendation that it exercises its statutory power to expel the student from TEC Partnership.
- Any other action deemed appropriate, proportionate and necessary in the circumstances.

9.0 Return to Study

9.1 Following a period of suspension on health grounds agreed by mutual consent, the decision on whether the student may return to study will be made by the relevant Manager, taking advice from Learner Services. The Deputy Principal (or equivalent) and Group Leadership Team member with responsibility for Learner Services should not be involved at this stage.

9.2 To this end, Learner Services, in consultation with the relevant Manager, will identify and document the specific areas of concern regarding the student's fitness to study. Learner Services will then liaise with the appropriate medical professional to obtain an assessment of the student's capacity to meet the demands of study at TEC Partnership, clearly outlining the nature and extent of the student's previous difficulties and the concerns identified by TEC Partnership.

9.3 Students may return to studies only when, following medical advice, TEC Partnership is satisfied that they are fit to study and able to meet any conditions attached to their return. If it is not immediately clear that a return to study is appropriate, the case should be referred to Stage 2 of the policy.

9.4 For suspensions imposed by the Deputy Principal (or equivalent), the same medical evidence will normally be required to inform their decision on whether the suspension can be lifted. Where it is not immediately clear that lifting the suspension is appropriate, a Stage 2 meeting may be convened to provide further advice to the Deputy Principal (or equivalent).

9.5 In any case where a student returns to study following the implementation of the fitness to study procedure, TEC Partnership may require regular review meetings to monitor progress and support the agreed return-to-study plan. Where such meetings are required, the student is expected to fully cooperate, and the reviews may continue for part or all of the student's remaining time at TEC Partnership.

10.0 Monitoring and Review

10.1 Fitness to Study cases will be reported to the Higher Education Curriculum, Quality and Standards Committee (HECQS). These reports will include analysis of data relating to different student groups, including those with protected characteristics.

10.2 Reports will be made by the Group Leadership Team member with responsibility for Learner Services at each college within TEC Partnership.

11.0 Right of Appeal to Independent external review (OIA)

11.1 For students enrolled on TEC Partnership Foundation Degrees, once the Senior Leadership Review Panel has concluded, the student may request a Completion of Procedures letter and submit a complaint to the Office of the Independent Adjudicator (OIA) regarding the outcome of the provider's Fitness to Study Process. Any appeal to the OIA must be submitted within 12 months of the date on the Completion of Procedures letter.

11.2 For students on partner university validated courses, once the Stage 3 Review Panel has made its final determination, the student may request a Final Determination of TEC Partnership letter. They then have the right to submit an appeal through the relevant university. For University of Hull students, any appeal must be submitted within 15 working days of receiving the Final Determination of TEC Partnership letter. Following its review, the University of Hull will issue a completion of procedures letter, enabling the student to request an external review by the OIA.

12.0 Interface with HE13 Fitness to Practise

12.1 Students enrolled on programmes that lead directly to a professional qualification, statutory registration and/or eligibility to practise who are referred under the Fitness to Study Policy must also be referred for consideration under the Fitness to Practise procedure.

12.2 Fitness to Practise procedures will normally take precedence over Fitness to Study procedures.

12.3 A discussion between the Manager responsible for Fitness to Study and the Manager responsible for Fitness to Practise should occur to determine which Policy should be applied.

13.0 General Matters

13.1 TEC Partnership will take account of relevant legislation, including the General Data Protection Regulations, the Mental Health Act, the Human Rights Act, the Equality Act 2010 and the general rights and expectations of students regarding confidentiality. In cases where Stages 2 or 3 of the Fitness to Study Procedure are invoked, the Chair will determine whether the student's emergency contact should be informed and will discuss with the student whether any statutory services should be contacted.

13.2 TEC Partnership acknowledges that implementing this policy involves the handling of sensitive personal data and other confidential information relating to students and third parties. All such data will be managed, processed, stored and disposed of in accordance with TEC Partnership's data handling policies.

13.3 TEC Partnership reserves the right, at any reasonable stage, to require a medical assessment - or further medical assessment - by a medical practitioner of its choosing, normally at TEC Partnership's expense.

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