

FITNESS TO STUDY POLICY AND PROCEDURES

September 2024

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Summary

What is this document about?

This document provides guidance to understand an individual's capacity to engage fully with their studies to meet the learning outcomes of their programme, with reasonable adjustments where necessary and/or appropriate, within the limitations that they are able to do so in safety and without endangering the safety or wellbeing of themselves or others

Who is this for?

This document will be of most interest to the entire student body and staff alike. It will also be of interest to Professional, Statutory and Regulatory Bodies (PSRBs), the [Office for Students](#) and the [Quality Assurance Agency for Higher Education \(QAA\)](#). It may also be of interest to the wider public.

How does the University check this is followed?

Academic staff should normally discuss any cases with the Faculty's Fitness to Study Adviser (FSA), which is usually the Associate Dean (Students), but may be another member of Faculty staff as determined by the Faculty. Administration staff should raise their concern with the Course Leader or Personal Tutor of the student who in turn will discuss with the FSA. Other students should raise the concern with their Tutor or Course Leader who in turn will discuss with the FSA. The FSA will at all times seek advice from specialist staff in the (specialist student services). The Academic Registrar acts as the gatekeeper for Fitness to Study cases.

Who can you contact if you have any queries about this document?

If you are external to the University and you have any questions about this document please contact Academic Registry at academicregistry@port.ac.uk. If you are internal to the University please contact your Faculty Associate Dean (Students).

1. What is Fitness to Study?

- 1.1 The University is committed to supporting student wellbeing and recognises that a positive approach to the management of physical and mental health is crucial to student learning and academic achievement.
- 1.2 Fitness to study relates to an individual's capacity to engage fully with their studies to meet the learning outcomes of their programme, with reasonable adjustments where necessary/appropriate, within the limitations that they are able to do so in safety, and without endangering the safety or wellbeing of themselves or others.
- 1.3 There may be circumstances where a student's personal situation makes them fit to study but unfit to live in University accommodation; this is dealt with by the Fitness to Reside Policy.

2. The Purpose and Scope of this Policy

- 2.1 The scope of this Policy covers students studying full-time, part-time and distance-learning at the University of Portsmouth for all levels of study.
- 2.2 All professional programmes have fitness to practise procedures that operate within the scope of this Policy and the consideration of student's fitness to sit, or submit assessments, is covered by existing internal procedures.
- 2.3 The purpose of this Policy is:
 - a. to provide a suitable, coordinated and proportionate response by academic and professional services staff in circumstances where a student may require help/intervention and it is not considered appropriate to apply other internal procedures (see Annex C for related/complementary procedures/policies);
 - b. to encourage early intervention and active collaboration between relevant staff and the student in question in managing situations where there are concerns regarding fitness to study;
 - c. to provide a consistent and sensitive approach to the management of situations as this may require different levels of response according to the perceived level of concern or potential risk;

- d. to encourage and support continued participation by the student in their studies whenever possible, even after a period of suspension.

3. Applicants to the University and Fitness to Study

- 3.1 Applicants to a programme of study at the University, who declare a health condition or disability, will be subject to Fitness to Study consideration.
- 3.2 For further information individuals should consult the [University's Admissions Policy](#) which provides guidance on such matters.

4. Grounds for Concern about a Student's Fitness to Study

- 4.1 Grounds for concern about a student's fitness to study may include, but not be restricted to, the following:
 - a. the student poses a risk to his/her own health, safety and/or wellbeing and/or that of other persons;
 - b. the student's behaviour is, or is at risk of, negatively affecting the teaching, learning and/or experience of others in the University community;
 - c. the student's behaviour is, or is at risk of, negatively affecting the day-to-day activities of the University or placement provider.
- 4.2 In responding to a ground for concern, where the student's behaviour is such that it would usually be dealt with as a disciplinary matter, but it is known that there is a relevant, pre-existing physical or mental health difficulty (or one subsequently disclosed by the student), the application of the usual disciplinary procedures is inappropriate in the initial handling of the concerns.

5. Raising a Fitness to Study Concern

- 5.1 Concerns about a student's fitness to study may be raised by the student or by a third party i.e. other students, Academic staff, Administration staff, specialist student services staff, or by the Chair of a University Panel, either whilst the student is at University or whilst engaged in University-led outside activities such as work placements or field trips.
- 5.2 Academic staff should normally discuss any cases with the Faculty's Fitness to Study Adviser (FSA), which is usually the Associate Dean (Students), but may be another member of Faculty staff as determined by the Faculty. Administration staff should raise their concern with the Course Leader or Personal Tutor of the student who in turn will discuss with the FSA. Other students should raise the concern with their Tutor or Course Leader who in turn will discuss with the FSA. The FSA will at all times seek advice from specialist staff specialist student services. The Academic Registrar acts as the gatekeeper for Fitness to Study cases.

6. Confidentiality and the Sharing of Information

- 6.1 The University will follow all its relevant policies in relation to confidentiality of data. For fitness to study matters the University seeks to limit access to sensitive personal information to those who require it to enable the student's fitness to study to be established and/or who need it to support the student.
- 6.2 Staff should discuss with the student the need/desirability to be able to share personal data with other members of staff on a need-to-know basis. Where possible, an agreement should be reached with the student on whom their sensitive personal data (health data) can be disclosed to and their written consent to this obtained. The student should be made aware that they may change/remove their consent at any time but conversely, that if their situation deteriorates, it might be necessary to share their data with health professionals without their prior consent.

7. Actions Upon Initial Concerns

7.1 Concerns Raised by Academic Staff

- 7.1.1 Where a member of Academic staff becomes concerned that a student may be unfit for study, or such concern has been brought to their attention by a student or member of staff,

then they should raise the issue with the FSA. The FSA will check that appropriate advice is sought from specialist student services and then will arrange for themselves and the relevant academic (or the student's Personal/Senior/Academic Tutor) to meet with the student (the meeting should be in person wherever possible, however in exceptional circumstances, or for particular student groups where this might not be possible, such as distance learning students, then other means may be used e.g. Zoom/MS Teams).

- 7.1.2 It is permissible for the student to be accompanied by a friend to the meeting, who may be another University of Portsmouth student or an officer from the University of Portsmouth Students' Union, and the student should be informed of this when they are invited to the meeting.
- 7.1.3 At the meeting it should be explained to the student, in a supportive and understanding way, that concerns about their fitness to study have emerged. The student will be made aware of the precise nature of the behaviour that has caused the concern. The staff will attempt to resolve the matter by informal discussions with the student. The student should be encouraged to explain their views on the matter and should be encouraged to use the support services offered by the University. The staff should consider with the student whether any specific academic arrangements or other types of support could be applied to help the student to study more effectively, such as a managed study plan.
- 7.1.4 It is anticipated that in most cases the concerns can be resolved at this stage and that the student will engage with this process and access the student support services that are available to them at the University or with external organisations. Any plans agreed between the staff and the student should be set out in a letter to the student so it is clear what has been agreed.
- 7.1.5 A review period should be established, by agreement between the student and the staff. Sufficient time should be given to allow the student to consider their behaviour and seek support. At the review meeting the steps taken to address the concerns should be discussed.
- 7.1.6 Further meetings may be scheduled to monitor the situation and progress made by the student. The FSA, or appropriate member of staff, should, if required, help the student access the support available to them to enable them to continue with their studies and engage in university life. The general expectation is that the student will take personal responsibility and fully engage with the support recommended by staff.

7.1.7 The FSA will ensure that advice is sought from specialist students' services at all times as necessary.

7.1.8 If the student has not engaged with the initial attempt to resolve the concerns, e.g. the concerns have not been addressed, support has not been sought, and the FSA feels that progress has not been made, then the case can be referred to the Academic Registrar.

7.2 Concerns Raised by Specialist Student Services Staff

7.2.1 Where a concern is raised by a member of specialist student services regarding a student's fitness to study, then the service will follow their own appropriate procedures in their work with students.

7.2.2 If it is deemed necessary by the member of staff that a Fitness to Study Panel should be convened, the matter is referred to the relevant specialist student services Head (e.g. Wellbeing, ASDAC, UoP Global). The Head will liaise with the relevant FSA and, if upon consideration it is agreed that a Fitness to Study Panel should be sought, the matter is referred to the Academic Registrar.

7.3 Concerns raised by Chairs of University Panels

7.3.1 During the course of a University Panel, e.g. disciplinary, complaint, appeal, fitness to practise etc, the Chair of the Panel believes that a Fitness to Study Panel is necessary, the matter should be referred to the Academic Registrar.

7.4 Consideration of Precautionary (emergency) measures

7.4.1. In situations where a student's health, safety or wellbeing poses a significant concern and/or material risk to themselves or others, it may be appropriate for the University to impose immediate precautionary measures to safeguard the student or others pending a Fitness to Study Panel. Such measures may include:

- A temporary requirement for the student not to attend university premises and/or learning and teaching activities.
- A temporary requirement for the student not to enter specific areas of university premises.

- A temporary requirement for the student to move rooms in university owned/managed accommodation.
- A temporary requirement for the student to leave their university owned/managed accommodation
- A temporary requirement for the student not to engage in any university related activity at all.

7.4.2 Precautionary measures can only be considered where cases are supported by the Faculty FSA and a relevant Head of professional services (i.e. ASDAC, Student Wellbeing, Student Life); or (exclusively) by the Director of Student Support Services or nominee. Any decision to implement precautionary measures will be subject to a robust risk assessment process.

7.4.3 To initiate the consideration of immediate precautionary measures the Faculty FSA and relevant Head of professional services should complete a risk assessment (Annex B), and forward to SSSDirectors@port.ac.uk, which will be reviewed and where appropriate precautionary measures approved by the Director of Student Support Services or nominee.

7.4.4 Any student who has been detained under the Mental Health Act (other than Section.136) will be referred for consideration as to whether an emergency suspension is appropriate.

7.4.5 An approved precautionary suspension will apply for and be reviewed after a period of 4 weeks, or until a Fitness to Study Panel, whichever is earliest.

7.4.6 The Director of Student Support Services or nominee will notify students via email of any precautionary measures to be implemented and subsequently refer the matter to Academic Registry to convene a Fitness to Study Panel at the earliest opportunity.

8. Consideration of a Fitness to Study Panel

8.1 Where Academic Registry receives a referral for a Fitness to Study Panel from an FSA, t Academic Registry will confer with the relevant specialist student services Head. If satisfied

that a Fitness to Study Panel would be appropriate in the circumstances, Academic Registry shall convene a Fitness to Study Panel.

8.2 Where Academic Registry receives a referral for a Fitness to Study Panel from a specialist student services Head, Academic Registry will satisfy themselves that the FSA has been consulted and that a Fitness to Study Panel would be appropriate in the circumstances. If this is so, Academic Registry shall convene a Fitness to Study Panel.

8.3 Where Academic Registry receive a referral for a Fitness to Study Panel from a Chair of a University Panel, Academic Registry will confer with the relevant specialist student services Head and the relevant FSA. If satisfied that a Fitness to Study Panel would be appropriate in the circumstances, Academic Registry shall convene a Fitness to Study Panel.

9. Arrangements for a Fitness to Study Panel

9.1 After the decision that a Fitness to Study Panel should be convened, Academic Registry will appoint a Panel and Secretary, who have no previous involvement with the matter, to consider the case.

9.2 The Panel shall consist of:

- a. a member of Academic Council or an Authorised Person as Chair;
- b. a member of Academic Council or an Authorised Person;
- c. a student nominated by the Students' Union Council.

9.3 The Secretary shall give formal notice to the student of the Panel. The formal notice shall consist of:

- a. the date, time and venue of the Panel;
- b. details of where help and advice may be sought;
- c. a copy of any documentary evidence that may be considered;
- d. details of their right to representation or support at the Panel.

- 9.4 The formal notice shall be deemed to have been received by the student if a copy of the document is sent by recorded delivery to both the student's local address and home address, or via email to the student's UoP email address.
- 9.5 The Secretary shall supply all members of the Panel with copies of the formal notice issued to the student.
- 9.5 An Inquiry shall be held to allow the presentation and consideration of evidence. The Inquiry shall be governed by the Inquiry Procedure Rules of the University.
- 9.7 If the student is unable to attend they can submit a written statement of case to the Secretary which will be considered at the Inquiry. Should a student be unable to attend, and does not submit a written statement, the Inquiry may proceed regardless.
- 9.8 Having considered the evidence presented at the Inquiry, the Panel shall determine whether the student is fit to study. The Panel shall determine one of the following outcomes:
- a. The student is fit to study and the case should be dismissed: in this case the student should be advised what behaviour caused the concern and how it should be avoided in the future. It may be that disciplinary action is instead necessary, in these cases the appropriate regulations will be followed
 - b. The student is fit to study if a managed study plan is followed: The Panel should liaise with the relevant FSA and specialist student services to ensure that the requirements of the managed study plan can be adhered to
 - c. The student is unfit to study and will not be fit to study in the foreseeable future: having taken advice from the FSA and specialist student services, the student should be excluded
 - d. The student is unfit to study but may be fit to study after a determined period of time: having taken advice from the FSA and specialist student services, the student should be temporarily suspended
- 9.9 Suspension – if the Panel concludes that a student must take some time out from study then they are suspended. A student who is suspended from the University may be prohibited from participating in University activities and may either be prohibited from entering the University premises or have restricted rights to enter the premises. The terms of the

suspension will, where possible, be communicated to the student directly, as well as being notified to the student in writing. The period of suspension may vary depending on the individual circumstances of the case and the time of year at which the case is raised. Students returning from suspension must satisfy the Return to Study criteria (see section 10. Returning to study).

- 9.10 Exclusion – if the Panel concludes, considering the individual circumstances of the case and any supporting medical evidence, that there is no reasonable prospect of the student re-engaging with their programme in the short to medium term, a recommendation will be made that the student is excluded. This recommendation should only be made in the most serious cases.
- 9.11 As soon as possible after the Panel has made its decision, the Secretary shall issue the Decision Notice. The Decision Notice shall consist of the following:
- a. a summary of the major points made during the Inquiry;
 - b. a concise rationale of its findings;
 - c. a concise statement of the Panel’s findings;
 - d. an explanation of the student’s right of appeal.
- 9.12 The Decision Notice shall be copied to the student’s Head of Department, the FSA, and Specialist Student Services.

10. Returning to Study

- 10.1 Where a student was temporarily suspended and is at the point of returning to study, it must be determined that they are fit to return. The relevant FSA, relevant Course Leader, and relevant specialist Student Services Head will meet to consider whether the student is fit to return to study.
- 10.2 Further evidence will be requested from the student that considers their ability to fully engage with their studies and meet the requirements of the programme. A student will only be permitted to return if, after receiving the appropriate evidence, the FSA, Course Leader and relevant specialist Student Services Head are satisfied that the individual is fit to study.

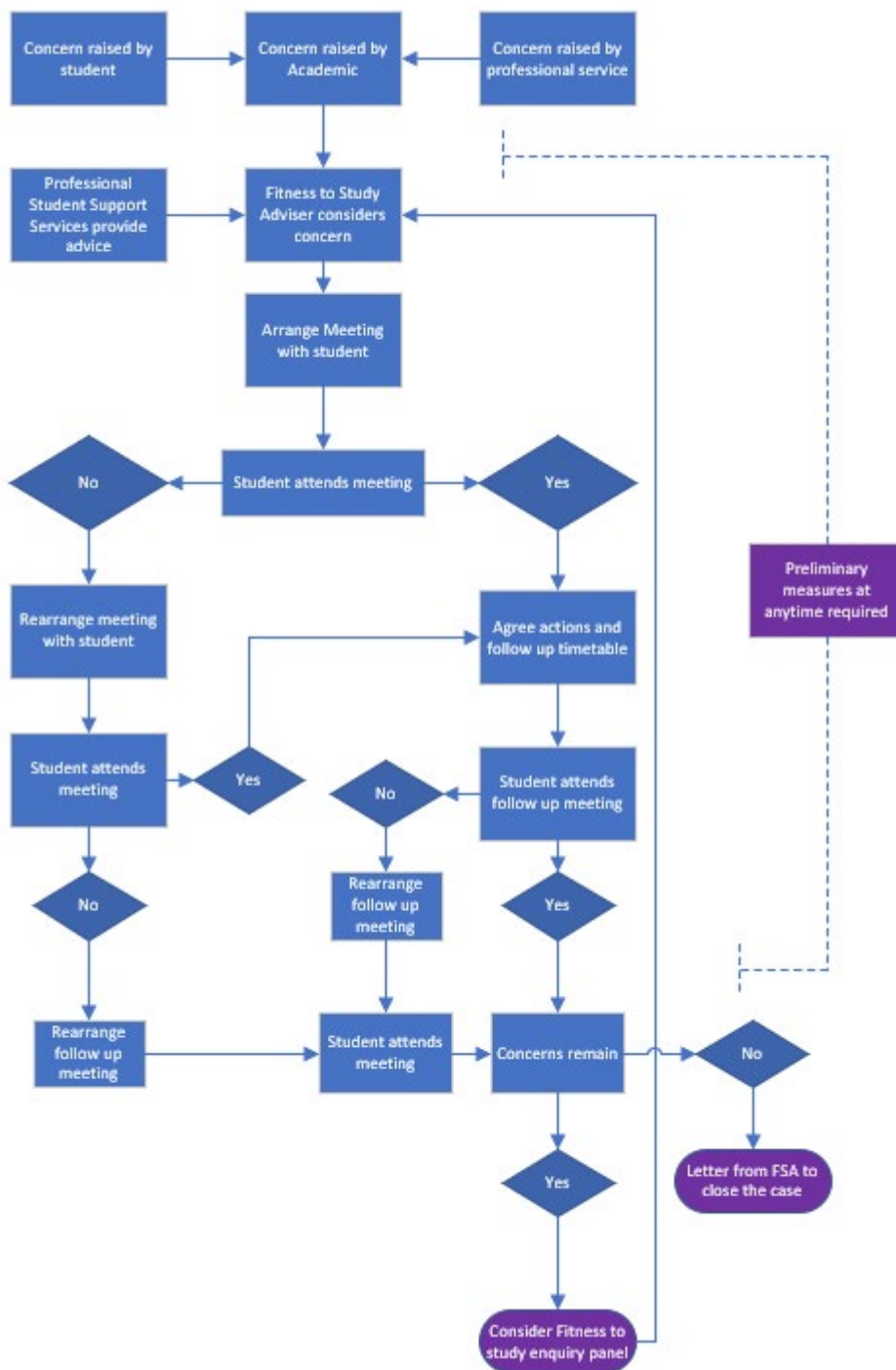
- 10.3 Where an overseas student has returned home, and appropriate evidence cannot be provided, it may be necessary for the student to return to the UK to be assessed by an appropriate professional; University of Portsmouth specialist Student Services staff will advise on this matter.
- 10.4 Where a student returns to study after a temporary suspension under this Policy the FSA, Course Leader and relevant specialist Student Services Head will consider any support that the student may require to facilitate a return to studies, such as regular review meetings or a return to study action plan. The general expectation is that the student will take personal responsibility for fully engaging with this support.
- 10.5 Where the FSA, Course Leader and relevant specialist Student Services Head are not satisfied that the individual is fit to study, they shall not be permitted to return to the course and will be excluded.

11. Nominees

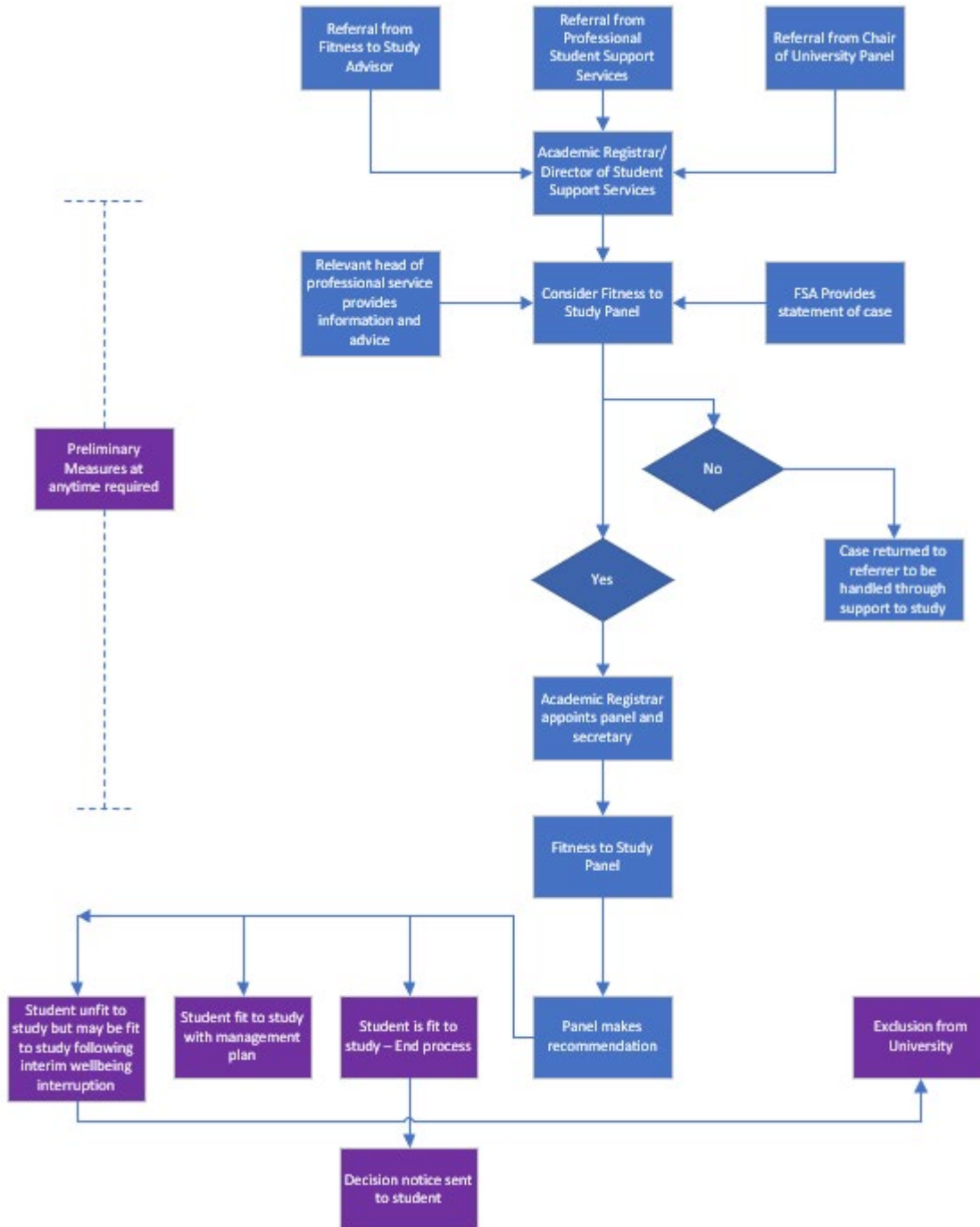
- 11.1 References in these Regulations to the holders of any office shall be construed to refer either to the office holder or to their respective nominee.

Annex A Process Maps

Flow diagram for section 7 – actions upon initial concerns



Flow diagram for sections 8–10 – Fitness to Study Panel



Annex B - University of Portsmouth Fitness to Study Risk Assessment

Introduction:

In exceptional circumstances a student's ability to effectively manage their health, safety or wellbeing may have reached a critical stage; where the health, safety, wellbeing or academic progress of themselves or other members of the University is at immediate risk.

In these circumstances an immediate risk assessment will be conducted by either the Faculty Fitness to Study Adviser or a relevant Head of professional support services, to determine the immediacy and seriousness posed by the perceived risk. Where possible, appropriate staff will be consulted and all information available will be considered to reach an informed decision.

The risk assessment is based on the information available at that point in time - there are three possible top-level outcomes:

- **NO PRECAUTIONARY MEASURES IMPOSED - DO NOT PROCEED TO PANEL** - The level of risk to the student and others is currently acceptable and the student can continue to engage with university activities. Further supportive measures could be reasonably implemented before considering escalation to the Fitness to Study panel - monitor at Level 1.
- **NO PRECAUTIONARY MEASURES IMPOSED - PROCEED TO PANEL** - The level of risk to the student and others is deemed to be within acceptable levels and the student can continue to engage with university activities whilst a Fitness to Study Panel meeting is arranged.
- **TEMPORARY PRECAUTIONARY MEASURES IMPOSED - PROCEED TO PANEL** - The level of risk to the student and others is currently unacceptable and precautionary measures need to be implemented until a Fitness to Study Panel meeting can be arranged. These conditions will be reviewed after 4 weeks, or during the Panel meeting, whichever is earlier.

How to Use the Form:

1. **Table 1 - Student Details Summary:** Provide personal and course information for the student and summarise top-level concerns and any available evidence.
2. **Table 2 - Risk Matrix:** use this to provide indicative scoring for both the probability and impact of the described risk materialising
3. **Table 3 - Fitness to Study Risk Assessment:** Detail any applicable risks identified and score as per the Risk Matrix
4. **Table 4 - Risk Status and suggest actions:** this table provides indicative actions dependent on the risk status
5. **Table 5 - Outcome of Fitness to Study Risk Assessment:** Consider the overall risk profile, status and suggested actions - it may be that only one risk domain is necessary for precautionary or further supportive measures to be considered i.e. where there is a high or extreme risk to self.
6. **Table 6 - Approval of Fitness to Study Risk Assessment Outcomes:** approval of risk assessment outcome, including agreed precautionary measures.

Table 1 - Student Details/Summary

| Student details | |
|--|------------------------------------|
| First name, SURNAME: | Current status: |
| Student ID: | Date of Birth: |
| Programme of study: | |
| Year of study: | PSRB/DBS programme? Y / N |
| University email: | Personal email: |
| University address: | Permanent address (if applicable): |
| Known disability: | |
| Considered under Fitness to Study previously? Y / N If yes please give details: | |
| Summary of concerns | |
| | |
| Evidence available | |
| | |

Table 2 - Risk Matrix

| Risk Matrix | | | | | | |
|-------------|-------------------|-------------------|--------------|--------------|--------|----------------|
| IMPACT | 5 - Significant | 5 | 10 | 15 | 20 | 25 |
| | 4 - Major | 4 | 8 | 12 | 16 | 20 |
| | 3 - Moderate | 3 | 6 | 9 | 12 | 15 |
| | 2 - Minor | 2 | 4 | 6 | 8 | 10 |
| | 1 - Insignificant | 1 | 2 | 3 | 4 | 5 |
| | | 1 - Very unlikely | 2 - Unlikely | 3 - Possible | Likely | Almost certain |
| | | PROBABILITY | | | | |

Table 3 - Fitness to Study Risk Assessment

| RISK DOMAIN | (P) (1 - 5) | (I) (1 - 5) | (GR) (P x I) | SUPPORTIVE MEASURES & THEIR IMPACT | (RP) (1 - 5) | (RI) (1 - 5) | (RR) (RPxRI) | Overall risk level |
|--|---|----------------|-----------------|---|--|-----------------|-----------------|--|
| <i>Describe risk for each RISK DOMAIN</i> | <i>Use risk matrix to score probability, impact and gross risk without mitigations.</i> | | | <i>Describe measures in place to support the student and reduce/mitigate risk - impact and probability i.e. engagement with support services, external support etc.</i> | <i>Use matrix to score probability & impact, including mitigations - residual risk</i> | | | <i>Confirm risk level using Matrix</i> |
| <p>1.Risk to own health, safety or wellbeing</p> <p><i>Describe risk to the individual i.e. deliberate self-harm, suicidal ideation/behaviour, impact of disability or health condition</i></p> | | | | | | | | |
| <p>2.Risk to health, safety or wellbeing of others</p> <p><i>Describe risk to the others as a result of the individual i.e. other students, staff, members of the public, placement staff, clinical patients etc.</i></p> | | | | | | | | |

| | | | | | | | | |
|---|--|--|--|--|--|--|--|--|
| <p>3.Risk to academic progress</p> <p><i>Describe the risks to academic progress as a result of students health, safety or wellbeing i.e. limited engagement and attendance, non-submission of assessments, unable to complete placement hours, previous study history i.e. study break etc.</i></p> | | | | | | | | |
| <p>4.Risk relating to accommodation/living environment</p> <p><i>Describe risks related to accommodation/living environment e.g. unable to manage personal needs, egress in the event of an emergency (this section may require a</i></p> | | | | | | | | |
| <p>5.General/other</p> <p><i>Describe any risks not highlighted by the above domains</i></p> | | | | | | | | |

Table 4 - Risk status' and suggested actions

| Residual Risk Score | Risk Status | Suggested action |
|---------------------|-------------|---|
| 1-2 | Negligible | Precautionary measures likely not appropriate - continue with supportive measures |
| 3-7 | Low | Precautionary measures likely not appropriate - continue with supportive measures |
| 8-13 | Medium | Continue with supportive measures and regularly review if risk status changes - precautionary measureS may be appropriate in particular circumstances |
| 14-19 | High | Consider immediate precautionary measures |
| 20-25 | Extreme | Consider immediate precautionary measures |

Table 5 - Outcome of Fitness to Study Risk Assessment

| Outcome of risk assessment | |
|---|---|
| Risks acceptable - no precautionary measures - further supportive measures to be implemented before considering panel | Y/N - if yes, confirm supportive measures, action owners, and review date |
| Risks acceptable - no precautionary measures - proceed to panel | Y/N |
| Risks unacceptable - implement precautionary measures - proceed to panel | <p>Y/N - if yes, clarify from options below which measures have been agreed:</p> <ul style="list-style-type: none"> ● temporary requirement for the student not to attend university premises and/or learning and teaching activities. ● A temporary requirement for the student not to enter specific areas of university premises. ● A temporary requirement for the student to move rooms in university owned/managed accommodation. ● A temporary requirement for the student to leave their university owned/managed accommodation ● A temporary requirement for the student not to engage in any university related activity at all. |
| Other actions arising | |

Table 6 - Approval of Fitness to Study Risk Assessment Outcomes

| Risk assessment completed by - Faculty FtS Adviser / Head of Service (or nominee) | |
|---|--|
| Full name | |
| Job title | |
| Date | |
| Comments | |
| Any precautionary measures authorised by - Director of Student Support Services (or nominee) | |
| Full name | |
| Job title | |
| Date | |
| Comments | |

Annex C – Related policies/procedures

Student Mental Health Wellbeing Policy:

<http://policies.docstore.port.ac.uk/policy-079.pdf>

Guidelines for Staff: Student Mental Health:

www.port.ac.uk/media/contacts-and-departments/student-support-services/asdac/download/FSA/Guidelines-for-Staff---Student-Mental-Health.pdf

Data Protection Policy:

<http://policies.docstore.port.ac.uk/policy-022.pdf>

Fitness to Reside Policy:

<https://policies.docstore.port.ac.uk/policy-188.pdf>

Appeals Procedure:

<https://policies.docstore.port.ac.uk/policy-260.pdf>