

Policy Identifier: Fitness to Study

Policy Title:	Fitness to Study
Description:	This policy identifies concerns and puts in place actions and supports, where possible, to help the student continue in the Institute.
Author (Position):	Vice President (Academic Affairs) and Registrar
Version:	3.1
Approved By:	MIE Governing Body
Policy Approval Date:	June 2023
Date of Next Policy Review:	June 2027 (or as necessary)

Fitness to Study Policy

1 Context

Marino Institute of Education (MIE) endeavours to support students in successfully completing their studies. In particular circumstances situations may arise where a student's participation in the course is not viable as a result of their behaviour or physical or mental health¹ or where their behaviour or health interferes with the health, safety or wellbeing of their peers to an extent that is deemed unreasonable or where participation in the required school or work placement or internship is unsustainable.

2 Purpose

The primary purpose of this policy is to support students by identifying concerns and putting in place actions and supports, where possible, to help the student continue in the Institute. MIE is committed to ensuring the safety, well-being and equality of its students throughout the duration of their study. This is enshrined in the [MIE's Mission](#) and reflected in the [MIE's Strategic Plan](#). This commitment is further evidenced in the number of high-quality supports available to MIE students, who may at times encounter difficulties.

This Fitness to Study Policy is thus designed to offer support to both students experiencing difficulties with their medical, psychological or emotional state, and the wider MIE community, by clearly outlining both the procedures that are in place to aid the student, and the steps that members of the community should take if they are concerned about a student's well-being and ability to continue through their degree programme.

All policies, guidelines and protocols of MIE, will reflect the Institute's commitment to the promotion of equality and will be fully compliant with the provisions of prevailing equality legislation.

¹ See MIE's [Mental Health Policy](#)

3 Benefits

This policy provides a structured and transparent procedure for the institute to respond to cases where there are concerns about a student’s fitness to engage with college life.

It identifies:

- 3.1 Levels of engagement with the policy;
- 3.2 Roles and responsibilities;
- 3.3 Timeframes; and
- 3.4 Student representation.

4 Scope

- 4.1 This Fitness to Study Policy provides a framework for responding to and managing concerns that may arise about a student’s fitness to attend the Institute and participate in activities associated with attending. It defines the levels, roles, responsibilities, procedures and timeframes associated with its operation.
- 4.2 The term “Fitness to Study” includes but is not restricted to students’ academic activity; rather it applies to students’ fitness to perform activities associated with attending and participating in the institute. The full definition is set out in section 6.1 of this policy.

5 Principles

MIE is committed to supporting and responding to student needs, seeking to ensure a positive student experience, and promoting opportunities for students to develop to their full potential. This Fitness to Study Policy is to be used to respond to and manage concerns falling within section 4 of this Policy. Where concerns relate to a student’s discipline, disability or health (including mental health), this policy refers to matters relating to fitness to study and other policies may be in place in relation to other aspects². It is important that all students are treated fairly and they are directed to the appropriate supports³. In the first instance, attempts will be made to address the

² See [Disciplinary Procedures in Respect of Students](#), [Code of Practice for Students with Disabilities](#) and [Mental Health Policy](#)

³ See [MIE Equality Policy](#)

concerns through supports such as the tutor system⁴, the [Counselling Service](#), the [Disability Service](#) and the School Placement Mentoring programme⁵. Should concerns about a student's fitness to study continue following engagement with such services, or should a single event occur which in the opinion of the Relevant Person⁶ cannot be best met by such services, then, in so far as it is possible to do so, this policy should be used to respond to and manage the concerns relating to the student's fitness to study. In implementing this policy, the goal is to act in the best interests both of any and every student concerned and of every other member of the Institute and its stakeholders. The decisions made at each stage of the policy will be influenced by the belief that that they are in the best interest of the student in distress/difficulty and/or the MIE community as a whole and students can appeal the decision made by the Fitness to Study panel. The student can also appeal a Level 1 and Level 2 decision. Any decision made as part of the implementation of this policy, will ultimately be dependent upon the risk that the student poses to themselves and others as the Institute is intrinsically committed to supporting and safeguarding its students, staff and all third parties present on campus.

A decision-maker⁷ should:

- 5.1 Consider first whether concern and support are more in the best interests of a student concerned rather than applying this policy;
- 5.2 Act with sensitivity and understanding in cases of student mental ill-health⁷;
- 5.3 Take into account the level and types of support already in place, if any, in cases relating to students with disabilities.

6 Definitions

- 6.1 **Counselling Service:** This refers to [Counselling Service](#) , for students registered in the Institute
- 6.2 **Disability Service:** This refers to the [Disability Service](#) with whom MIE has a service level agreement for the purpose of providing disability supports for students

⁴ See [Tutor System Policy](#) and [Tutor System Procedure](#)

⁵ See [Mentoring Policy for Students on School Placement](#)

⁶ See Section 6 for definition

⁷ See MIE's [Mental Health Policy](#)

registered in the Institute. At present this agreement is with the [Trinity Disability Service](#).

- 6.3 Fitness to Study: the concept of fitness to study can be defined as a student's ability to meet the emotional, academic, behavioural, social and welfare standards required to successfully undertake a period of study in a higher education institution (HEI). This includes but is not restricted to a student's academic activity, and applies to a student's fitness to perform activities associated with attending and participating in the Institute, to proceed with a student's course of study (including placements), and to participate in their courses (including placements) to the standards required by the Institute.
- 6.4 Relevant Person: The Relevant Person is the person who first receives written notification of a concern about a student. The Relevant Person will be one of the following, as appropriate: a Course Leader, a Course Coordinator of Placement/Internship, Head of Department or other Institute personnel, where appropriate. The Registrar and Vice President of Academic Affairs, the Vice President of Education and Strategic Development and the Deans, are not eligible to be the Relevant Person in the context of this policy. The Relevant Person resolves matters at Level 1 and can refer cases to Level 2.
- 6.5 Decision Maker: The Decision Makers refers to the Decision Makers for the purposes of this policy. A Decision Maker resolves matters at Level 2 and can refer cases to Level 3. A student may appeal the decision of a Decision Maker to Level 3. Typically, the Decision Maker is a Dean.
- 6.6 Fitness to Study Panel: The Fitness to Study Panel is appointed by the Academic Council⁸ and comprises the Registrar and Vice President for Academic Affairs (Chair), representatives of academic staff, the Governing Body⁹, students, and administrative staff with a minimum of 8 members and no more than 12 members. A Fitness to Study Panel will be established for the purposes of this policy and will serve a 3-year term. This is not a panel of enquiry.

⁸ See [Academic Council Terms of Reference](#)

⁹ See [Code of Governance](#) and [Matters Reserved for the Governing Body of MIE](#)

- 6.7 Fitness to Study Advisory Group: The Advisory Group to the Registrar will be described as the Fitness to Study Advisory Group for the purposes of this policy; it will provide professional advice to the Relevant Person, Decision Maker and Fitness to Study Panel. Its Terms of Reference are set out in Appendix 2.
- 6.8 Letter of Certification (Appendix 4): This is a letter from an external independent medical practitioner addressing a student's fitness to study as defined in this section. It addresses any specific competencies required by the student's course of study and/or other activities. A template for this letter is provided in Appendix 4.
- 6.9 Medical Service: This refers to the [Student Health Service](#) with which MIE has a service level agreement for the purposes of providing medical services for registered students. At present this service is provided by Fairview Medical Centre, Fairview Strand, Dublin 3.

7 Policy

- 7.1 This policy sets out:
- 7.1.1 How the Institute may respond to instances where a concern is raised regarding a student's fitness to study, including potential fitness to study; and
 - 7.1.2 The type of action that may be taken to manage the matter and support the student, including students on placement/internship.
- 7.2 While the Institute endeavours to treat concerns regarding a student's fitness to study with sensitivity and understanding, in exceptional cases a student (i) may be suspended and (ii) may be expelled from the Institute.
- 7.3 Where a student withdraws temporarily from a course of study and/or goes off-books and/or is suspended, the Institute may, as appropriate endeavour to assist the student in a return to study, subject to satisfying the Registrar, through the Fitness to Study Letter of Certification (Appendix 4), that they are fit to do so.
- 7.4 This policy has three levels of action:
- 7.4.1 Level 1, where there is a **Developing or Deepening Concern** (where informal action is considered no longer appropriate) and where decisions are made by a Relevant Person pursuant to section 8.2 of this policy;

- 7.4.2 Level 2, where there is an **Ongoing Concern** where decisions are made by a Decision Maker pursuant to section 8.3 of this policy; and
- 7.4.3 Level 3, where there is a **Persistent and Significant Concern**. This stage is designed to deal with situations that are deemed/classified as of immediate concern whereby the Institute needs to determine if the student meets the criteria for those who are deemed Fit to Study. Decisions at this level are made by the Fitness to Study Panel pursuant to section 8.4 of this policy.
- 7.5 At Level 1, students may be represented and supported by their tutor¹⁰; at Levels 2 and 3, students may be represented and supported by their tutor or other person of their choice.
- 7.6 For all Levels, a Relevant Person, a Decision Maker, and the Fitness to Study Panel, may seek the advice of the Fitness to Study Advisory Group. These requests should be made to the Registrar.
- 7.7 Matters dealt with under this policy will be dealt with according to the individual circumstances that apply. Although the Institute anticipates that such cases will be exceptional, it reserves the right at Levels 1 and 2 of this policy to vary the process it follows in dealing with a matter in the interests of fairness and/or health and safety¹¹.
- 7.8 Where a Relevant Person, a Decision Maker, or the Fitness to Study Panel, considers that concern and support are more in the student's best interests than continuing a matter pursuant to this policy, then that Relevant Person, Decision Maker, or Panel (as the case may be) may adjourn the matter.
- 7.9 If appropriate, where a matter has been brought to the attention of the Registrar, where the matter raises issues relevant to more than one Institute policy, the Registrar may refer a case under this policy directly to Level 2 or Level 3 without any requirement for an earlier level to have been commenced or exhausted. The level to which the Registrar decides to refer a case under this policy will depend on factors such as the nature of the concern, the seriousness of any risk posed, the student's perception of his/her behaviour and its implications and the

¹⁰ See [Tutor System Policy](#) and [Tutor System Procedure](#)

¹¹ See [Equality Policy](#) and [Safety Statement Policy](#)

response of the student to any steps taken by Institute to manage the situation. A reference of a case under this policy directly to Level 2 or Level 3 shall be without prejudice to the appropriate level at which the case may be dealt with under another policy.

- 7.9.1 Reference in this policy to any named Institute role is to be read as including reference to nominees.
- 7.9.2 Unless the Fitness to Study Panel decides otherwise, any decision being appealed to it will retain full force and effect while that appeal is ongoing.
- 7.10 At all Levels of the procedures under this policy, the student shall have the right of access to all evidence or information being considered by a Relevant Person, a Decision Maker, or the Fitness to Study Panel, as the case may be. However, at Level 1 and Level 2, a Relevant Person or a Decision Maker, as the case may be, may decide not to provide such access to the student where a medical professional advises that the release of information would adversely affect the student or increase risk to others. In such cases, the information could be released to a named clinician such as a GP, psychiatrist or psychologist. This section is without prejudice to the student's right to access information pursuant to [Freedom of Information](#) legislation or the student's right to make a subject access request pursuant to [Data Protection](#) legislation, including the [General Data Protection Regulation, 2018](#).
- 7.11 If the student fails or refuses to engage with the procedure provided for herein, the Institute will continue with the procedure.
- 7.12 If appropriate, efforts should be made to deal with fitness to study concerns locally and in an informal manner prior to invoking the Fitness to Study Policy.

8 Procedures

- 8.1 General
- 8.1.1 Concerns about a student's fitness to study will be dealt with under this policy.
- 8.1.2 The policy is invoked when the Relevant Person receives a Note of Concern.
- 8.1.3 High Risk cases will be dealt with pursuant to section 8.5 of this policy.

8.2 Level 1

- 8.2.1 The student and their tutor¹² will be notified by the Relevant Person of the nature of the concerns expressed.
- 8.2.2 The Relevant Person will attempt to resolve the matter by informal discussions with the student, at which the student's tutor may also be present, as the student wishes. The Relevant Person may seek input from the Fitness to Study Advisory Group by making a request to the Registrar. The informal discussions with the student will include encouragement of the use of either the institute's and/or other support services/interventions. Any suitable reasonable accommodations will also be considered during these discussions.
- 8.2.3 The purpose of these discussions will be to resolve any issues by reaching agreement with the student on agreed actions which will normally include an agreed timeframe and a review period. The Relevant Person may take such action as is appropriate in all the circumstances, including, but not limited to, one or more of the following:
- a. Put in place support arrangements; and/or
 - b. Make reasonable accommodations for the student in line with the [Code of Practice for Students with Disabilities](#); and/or
 - c. Require the student to provide a letter of certification ([Appendix 4](#)); and/or
 - d. Draw up an action plan with the agreement of the student on agreed actions which will normally include an agreed timeframe and a review period; and/or
 - e. Allow the student to continue with their studies.
- 8.2.4 The student and their tutor¹² will be notified in writing of the outcomes by the Relevant Person within ten days of the decision being made.

¹² See [Tutor System Policy](#) and [Tutor System Procedure](#)

8.3 Level 2

8.3.1 Level 2 of the procedure will be invoked in circumstances where:

- a. Agreement/resolution cannot be achieved at Level 1; and/or
- b. The student refuses and/or fails to engage with the Level 1 procedure;
and/or
- c. The student refuses and/or fails to engage with the agreed actions under
the Level 1 procedure; and/or
- d. The Relevant Person continues to have concerns; and/or
- e. It is more appropriate in the circumstances; and/or
- f. The student wishes to appeal the outcome of the Level 1 procedure.

8.3.2 In any of the circumstances outlined in section 8.3.1, the issue will be formally referred by the Relevant Person to the Decision Maker, and the Relevant Person will inform the student and their tutor¹⁴ in writing that the matter is being referred to Level 2.

8.3.3 The Decision Maker will consider all the relevant information and documentation, which will include input from the student (if any) and can include input from the Fitness to Study Advisory Group. Should the student wish to make an oral submission, they may do so but must be accompanied by their tutor¹³ or by a member of the student services being accessed by the student. Administrative support will also be in attendance. The student must be available to attend this meeting which will occur within a reasonable time frame. If the student does not attend, the process will proceed in their absence.

8.3.4 Subject to all relevant information being available, the Decision Maker will make a decision within a reasonable period from when they received the referral from the Relevant Person.

8.3.5 The student and their tutor¹³ will be notified in writing of the agreed actions by the Decision Maker within ten days of the decision being made.

8.3.6 The Decision Maker may take such action as is appropriate in all the circumstances, including, but not limited to, one or more of the following:

¹³ See [Tutor System Policy](#) and [Tutor System Procedure](#)

- a. Put in place support arrangements; and/or
 - b. Make reasonable accommodations for the student in line with the [Code of Practice for Students with Disabilities](#); and/or
 - c. Require the student to provide a letter of certification ([Appendix 4](#)); and/or
 - d. Draw up an action plan with the agreement of the student on agreed actions which will normally include an agreed timeframe and a review period; and /or
 - e. Allow the student to continue with their studies.
- 8.3.7 Where the student has complied with the requirement to submit a letter of certification ([Appendix 4](#)) but the Decision Maker has or continues to have serious concerns which are not allayed by the letter of certification ([Appendix 4](#)), the Decision Maker shall consult with the Director of the Medical Service and/or of the Student [Counselling Service](#) for their professional advice and may:
- a. Allow the student to continue with their studies; and/or
 - b. Seek a further assessment; and/or
 - c. Impose such conditions on admission, readmission or accommodation, as the case may be, as are appropriate in the circumstances; and/or
 - d. Decide to suspend the student or to continue a suspension, as the case may be; and/or
 - e. Refer the matter to Level 3 of the Formal Procedure.
- 8.3.8 If the student's status in MIE is changed during the Level 2 procedures or as an outcome of the Level 2 procedure, the [Registrar's Office](#) will be notified.
- 8.4 Level 3
- 8.4.1 Level 3 of the procedure will be invoked in circumstances where
- a. Agreement/resolution cannot be achieved at Level 2; and/or
 - b. The student refuses and/or fails to engage with Level 2; and/or
 - c. The student refuses and/or fails to engage with the agreed Level 2 actions; and/or
 - d. The Decision Maker continues to have concerns; and/or
 - e. It is more appropriate in the circumstances; and/or

f. The student wishes to make representations in relation to the decision of the Decision Maker.

8.4.2 In any of the circumstances outlined in section 8.4.1 the issue will be formally referred by the Decision Maker to the Fitness to Study Panel, and the Decision Maker will inform the student in writing that the matter is being referred to Level 3.

8.4.3 Level 3 comprises referral to the Fitness to Study Panel. A referral may be made by the following personnel based on the circumstances of the specific case as follows;

Reason for Referral	Case referred to Level 3 by
1. Agreement/resolution cannot be achieved at Level 1	The Relevant Person
2. The student refuses and/or fails to engage with Level 2	The Decision Maker
3. The student refuses and/or fails to engage with the agreed actions at Level 2	The Decision Maker
4. The Decision Maker continues to have concerns	The Decision Maker
5. It is more appropriate in the circumstances	The Registrar and Vice President for Academic Affairs
6. The student wishes to make representations in relation to the decision of the Decision Maker	The Student

8.4.4 The Fitness to Study Panel will make a determination within a reasonable time of the case being referred to it.

8.4.5 The Fitness to Study Panel will consider all the relevant information and documentation and can include, inter alia, input from the Fitness to Study Advisory Group and will include input from the student (if any). Students must make themselves available for hearings concerning them; such hearings will occur within the prescribed time frame. If students do not attend, the hearing will proceed in their absence. The Fitness to Study Panel may request the input of such persons as it deems necessary to establish and consider the facts of each case.

8.4.6 The Fitness to Study Panel may take such action as is appropriate in all the circumstances, including, but not limited to one or more of the following:

- a. Allow the student to continue with their studies; and/or
 - b. Put in place support arrangements; and/or
 - c. Make reasonable accommodations for the student in line with the [Code of Practice for Students with Disabilities](#); and/or
 - d. Require the student to provide a letter of certification (Appendix 4); and/or
 - e. Draw up an action plan which will normally include a timeframe and review period; and/or
 - f. Impose a penalty upon the student. This penalty may include expulsion from the institute.
- 8.4.7 The student and his/her tutor will be notified in writing of the decision of the Fitness to Study Panel within ten days of the decision being made.
- 8.4.8 The Decision of the Fitness to Study Panel will be advised to the Academic Council¹⁴ on an anonymised basis for noting and approval.
- 8.4.9 The decision of the Academic Council¹⁴ can be appealed to the Governing Body¹⁵.
- 8.4.10 Where the student has complied with the requirement to submit a letter of certification ([Appendix 4](#)), but the Fitness to Study Panel has or continues to have serious concerns which are not allayed by the letter of certification ([Appendix 4](#)), the Fitness to Study Panel shall consult with the Director of the [Health Service](#) and/or of the Student [Counselling Service](#) and may then:
- a. Allow the student to continue with their studies; and/or
 - b. Seek a further assessment; and/or
 - c. Impose such conditions on admission, readmission or accommodation, as the case may be, as are appropriate in the circumstances; and/or
 - d. Decide to suspend the student or to continue a suspension, as the case may be; and/or hold another hearing to impose a penalty upon the student. This penalty may include expulsion from the Institute.

¹⁴ See [Academic Council Terms of Reference](#)

¹⁵ See [Code of Governance](#) and [Matters Reserved for the Governing Body of MIE](#)

8.4.11 Where the student refuses and/or fails to engage with the agreed actions under the Level 3 procedures, and/or the Fitness to Study Panel continues to have concerns, then the Fitness to Study Panel may either

- a. Hold another hearing to impose a penalty upon the student and this penalty may include expulsion from the institute.
- b. Refer the matter to the President.

8.4.12 If the student's status in the Institute is changed during the Level 3 procedures or as an outcome of the Level 3 procedure, the Registrar's Office will be notified.

8.5 High Risk Cases

8.5.1 This section applies where a Relevant Person or Decision Maker is concerned as to the state of the student's mental health¹⁶, and in particular is concerned that the student poses a significant risk to their own health, safety and/or wellbeing and/or that of others.

8.5.2 Where subsection 8.5.1 applies, the Relevant Person or Decision Maker (as the case may be) may refer the matter directly to the President.

8.5.3 Where subsection 8.5.1 applies, and the Relevant Person or Decision Maker considers that the matter should be dealt with pursuant to this policy, then the Relevant Person or Decision Maker (as the case may be) shall refer the matter to the Registrar.

8.6 Fitness to Return to Study

Any student who takes Leave of Absence or withdraws can apply for re-admission through the normal channels, i.e. through the [Registrar's Office](#). MIE may require any returning students to attend for medical examination at a medical practitioner of the Institute's choosing and they will only be allowed to return on the production of a report from such designated medical practitioner that the student is fully fit to return. A student seeking re-admission may be referred to a relevant healthcare professional to include but not limited to a Consultant Occupational Physician, Consultant Psychiatrist and/or a Consultant Psychologist. This is to ensure the student is now capable of meeting the emotional, social, welfare and academic requirements (including school

¹⁶ See [Mental Health Policy](#)

placement, placement in an early childhood setting, or an internship) that are necessary to successfully undertake academic study at MIE. Please note that a student seeking to return to study under this policy is expected to attend such medical consultation and examinations as required and shall cooperate with the Medical Practitioner in the provision of a medical report to the Institute, which confirms that the student is medically fit to resume studies.

8.7 Additional Considerations

If a student's symptoms appear more serious and in need of more immediate action at that initial meeting or in any following meeting between the parties, for example, if the student is threatening to commit suicide, is agitated and/or very aggressive and the staff member is particularly concerned about the student's safety or the safety of other parties then the case can be immediately progressed to stage two or three of this procedure or directly to the procedures in the [Mental Health Policy](#) or [Disciplinary Procedures in Respect of Students](#).

9 Responsibility

Responsibility for the operation and review of this policy lies with the Registrar & Vice President for Academic Affairs.

10 Related Documents

- 10.1 [Code of Practice for Students with Disabilities](#)
- 10.2 [Allocation of Students for the Purposes of School Placement](#)
- 10.3 [Mentoring Policy for Students on School Placement](#)
- 10.4 [Staff-Student Liaison Council Policy](#)
- 10.5 [Tutor System Policy](#)
- 10.6 [Tutor System Procedure](#)
- 10.7 [Disciplinary Procedures in Respect of Students](#)
- 10.8 [Mental Health Policy](#)
- 10.9 [MIE Equality Policy](#)
- 10.10 [Academic Council Terms of Reference](#)
- 10.11 [Code of Governance](#)
- 10.12 [Matters Reserved for the Governing Body of MIE](#)

Appendix 1

The following points should be noted in relation to this policy.

- i. The Governing Body, on the advice of the Leadership Team, shall make regulations concerning student conduct and capacity, and related matters; and
- ii. Cases of student mental ill-health may raise sensitive personal issues and advice will be sought from the [Trinity Disability Service](#) and/or [MIE Student Counselling Service](#) in such cases.
- iii. Cases of students' fitness to study in the Institute may raise delicate medical issues and advice will be sought from the [MIE Student Health Service](#) in such cases.

Appendix 2

Terms of Reference for the Fitness to Study Advisory Group

- i. The Fitness to Study Advisory Group advises the Registrar, a Relevant Person, a Decision Maker, and the Fitness to Study Committee, in respect of a student's fitness to perform activities associated with attending the institute, and/or concerns regarding a student's capacity, and/or concerns regarding a student's physical and/or mental health¹⁷. The recommendations of the Group are made with due consideration of the requirements of the student's course of study.
- ii. Membership of the Fitness to Study Advisory Group will comprise between 3-5 members, all of whom will be members of the Academic Council¹⁸ but who do not sit on the Fitness to Study Panel. Typically its membership will include the Head of Department within which the student is studying and the Coordinator of Placement. The Group may seek outside medical, counselling, disability, legal, security etc. expertise, as necessary, in order to provide suitable advice.
- iii. The Group will be convened as required by the Registrar in response to requests from a Relevant Person, Decision Maker, and/or the Fitness to Study Panel. These requests should be made to the Registrar.
- iv. A record of each recommendation shall be kept comprising:
 - a. Date of the meeting
 - b. Attendees
 - c. Subject of the meeting
 - d. Recommendations and reasons behind the recommendations
- v. The recommendations of the Group will only be communicated to the Relevant Person, Decision Maker or Fitness to Study Panel that requested the Group's advice.
- vi. The communication of the deliberations and decisions of the Group is governed by [Data Protection](#) legislation. The confidentiality of those students attending the Student Services will be upheld.
- vii. The Relevant Person, Decision Maker and Fitness to Study Panel will advise the student if the advice of the Fitness to Study Advisory Group is being sought. The Fitness to Study Advisory Group will normally solicit the input of a student and/or

¹⁷ See [Mental Health Policy](#)

their representative, except if it is considered that there may be a risk to the student or others.

Appendix 3

Guidelines for Using the Fitness to Study Policy

Background

These guidelines are to be used, together with the Fitness to Study Policy itself, to help staff and students understand the policy and how it is used.

The Fitness to Study Policy provides a framework for responding to and managing concerns that may arise about a student’s fitness to attend the institute and participate in activities associated with attending. As such the term “Fitness to Study” is not restricted to a student’s academic activity but rather a student’s ability to function within the college environment.

Its primary purpose is to support students by identifying concerns and putting in place actions and supports, where possible, to help the student continue in the Institute.

At all Levels, the student will be consulted and can be supported by their tutor¹⁹, the [MIE Student Counselling Service](#) or the [MIE Student Health Service](#).

The policy is intended to make it clear to students the various levels of action, who makes decisions at each level, what information is considered, what the possible outcomes are, and the timeframe in which decisions are reached. It is important to note that this policy works in conjunction with other sets of Institute rules, policies and supports such as those applying to [disability](#), mental health and [counselling](#)²⁰.

Who do you Contact?

In most cases, concern about a student’s fitness to attend the Institute will be first spotted by a staff member, by other students or a member of the [Students' Union](#). The most likely person to contact the Relevant Person is the student’s tutor¹⁹, but staff associated with the course may also contact the Relevant Person. This term is used because there are various people who could be appropriate and the policy needs to allow

¹⁹ See [Tutor System Policy](#) and [Tutor System Procedure](#)

²⁰ See [Disciplinary Procedures in Respect of Students](#), [Code of Practice for Students with Disabilities](#) and [Mental Health Policy](#)

for that. The Relevant Person may be the Course Leader, the Placement/Internship Coordinator, the Head of the [Health Service](#), the Head of the [Counselling Service](#), or the Head of the [Disability Service](#) or other Institute officers.

Who Decides What Level will Apply?

Normally cases are first dealt with by Level 1 Procedure. If that doesn't work out, the Relevant Person refers the case to one of the Deans (Level 2). If this doesn't work out, the relevant Dean refers to the case to the Fitness to Study Panel (Level 3), or the student may appeal a Level 2 decision to Level 3.

In some cases, the Registrar may refer a case directly to Levels 2 or 3 without using the proceeding Levels. For High Risk cases where the student poses a risk to their health or that of others, the procedures can be expedited.

Who Makes the Decisions?

- Level 1: the decision is made by the Relevant Person and the action plan is agreed with the student.
- Level 2: the decision is made by the "Decision Maker" (Dean). In making their decision, they will consider all relevant information from the previous level, input from the student and, if appropriate, recommendations from the Fitness to Study Advisory Group.
- Level 3: the decision is made by the Fitness to Study Panel. In making its decision, the Fitness to Study Panel will consider all relevant information from the previous level, input from the student and, if appropriate, recommendations from the Fitness to Study Advisory Group.

Who can you Have with you for Support?

- Level 1: Undergraduate students can be supported by their tutor. Postgraduate students can be supported by a friend or by a member of the [Students' Union](#).
- Levels 2 & 3: Students can be supported by their tutor or another representative of their choosing.
- If you want to have a face to face meeting at Levels 2 or a hearing at Level 3, you should have your tutor²¹/postgraduate advisor or student support person with you.

²¹ See [Tutor System Policy](#) and [Tutor System Procedure](#)

When will you know the Outcome?

For all Levels, the decisions will be sent to the student and tutor²¹/representative in writing within ten working days of the decision being made.

What if you Disagree with the Outcome?

If you disagree with the outcome, you can appeal the decision to the next Level. If you disagree with the outcome of Level 3, you may appeal to the Governing Body²².

²² See [Code of Governance](#) and [Matters Reserved for the Governing Body of MIE](#)

Appendix 4 Letter of Certification



*An Associated College of
Trinity College Dublin, the University of Dublin*

Fitness to Study – Letter of Certification

This form should be completed by a medical General Practitioner, a Consultant or Specialist.

Please complete all sections below as completely and accurately as possible in BLOCK capitals. The guidance at the end of the document explains the numbered sections.

Name, Title of

GP/Consultant/Specialist:

Contact Telephone Number:

Name of Student:

Student's Date of Birth:

Medical condition/Disability
diagnosis:

Original date of diagnosis¹:

Prognosis²:

Policy Identifier: Fitness to Study

When did you first see this student in relation to this current difficulty?

Please state how often you have seen this student in the last 12 months³:

Please list any medication and/or treatments this student is presently undertaking and who is responsible for monitoring of same?

In your opinion will this student require ongoing supervision/monitoring of their condition over the next 12 months?

Who will provide this supervision?⁴

Is the student availing of any additional supports? (Please tick those that apply)

	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, state how often, e.g. <input type="checkbox"/> weekly <input type="checkbox"/> fortnightly <input type="checkbox"/> monthly <input type="checkbox"/> every 3 months <input type="checkbox"/> every 6 months
	<input type="checkbox"/> Psychotherapy <input type="checkbox"/> Occupational therapy <input type="checkbox"/> Physiotherapy <input type="checkbox"/> Other _____

Policy Identifier: Fitness to Study

Having Discussed the demands of college life with the student, please complete the following questions:

	Yes	No	Other (Clarify below)
Is the student able to maintain a routine and manage self-care?			
Is the student able to manage the academic aspects of college life?			
Is the student able to manage the social aspects of college life?			
Is the student fit to live independently in on-campus accommodation? ⁶			
Is the student fit for placement/internship or foreign exchange placement?			
In your opinion, is this person fit to return to study?			

If not fit to study, why not?

Outline the effect the medical condition/disability may have on learning/attendance at college. State the impact, if any, on day-to-day activities etc. Include any additional comments here.⁷

Policy Identifier: Fitness to Study

Signed:

Date:

Official Stamp

Fitness to Study – Letter of Certification Guidance Document

This document is a guide for those completing the MIE Fitness to Study Letter of Certification. Please complete all sections in BLOCK CAPITALS.

Students who for reasons of ill health (including ongoing and recognised disability) have allowed their names to go off books can only be re-admitted, even in the current year, at the discretion of the Registrar and Vice President for Academic Affairs. Such students will be required to submit a letter of certification to the [Registrar's Office](#) from a medical referee as evidence that they can continue their studies. The Registrar may seek the advice of the Institute's [Student Health Service](#) or [Counselling Service](#).

1. The original date of diagnosis may be important in terms of registration for exam accommodations as well as the Institute understanding if this is a long-standing issue or a new diagnosis for the student.
2. The prognosis may be an important factor when considering if the student should be encouraged to register for supports from the [Disability Service](#) so reasonable accommodations can be put in place following an assessment of need and a Learning Educational Needs Assessment (LENS) report.
3. It is important to be aware that MIE cannot provide medium to long-term psychiatric or counselling services for students. If, in your opinion, the student will need ongoing supervision/monitoring or psychological/medical support, please specify who will be responsible for this. The student must be referred to these supports prior to reengaging with the Institute. The frequency of these appointments needs to be stated and who is responsible for monitoring these.
4. Having a named external person who is responsible for the student's care would be useful for the student and the Institute so that we can liaise with the person if concerns arise regarding the student.
5. The Institute is aware that academic pressures are just one of the difficulties for all students. In some cases, students may be deemed fit to study but may not be able to participate in social activities. If the Institute is aware of this, a relevant care plan may be put in place for a student to ensure they have the best chance of completing the academic term.
6. The Institute has a duty of care for all students and staff. Please bear this in mind when making your recommendations with regard to returning to campus or to campus accommodation.
7. It is important to note any impact the disability/condition may have on academic performance or attendance. If the Institute is aware of these, they can be factored into a student's LENS report.