



Fitness to Study Policy

1. Context

This Fitness to Study Policy is subject to the Chapter on Student Conduct and Capacity [the Chapter] in the Consolidated Statutes of Trinity College Dublin 2010 [the Statutes], and to that Chapter's attendant Schedules, especially the Schedule on the Committee on Student Conduct and Capacity [Schedule 1] and the Schedule on Fitness to Study [Schedule 4]. In particular, this Policy is provided for in section 2(1)-(2) of Schedule 4. These Chapters and Schedules are described in Appendix 1. This Policy replaces the existing procedure whereby the Dean of Student's Consultative Group provides recommendations to various College Officers on fitness to study cases.

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 College.

3. Benefits

This Policy implements Schedule 4, and provides a structured and transparent procedure for College to deal with cases where there are concerns about a student's fitness to engage with College life. It identifies:

- (i) levels of engagement with the Policy,
- (ii) roles and responsibilities,
- (iii) timeframes, and
- (iv) 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 College 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 College. The full definition is set out in section 6.1 of this Policy.
- 4.3. This Policy does not replace or negate the requirements of some courses to also have a Fitness to Practice Policy pursuant to Schedule 5 to the Chapter. In those courses, both policies will apply, and section 7(1) of the Chapter, section 2 of Schedule 1, section 2(4)(d) of Schedule 2, and sections 7.10, 7.11 and 8.1.3 of this Policy, provide guidance on how concerns relating both to fitness to study and fitness to practice, may be dealt with.

5. Principles

- 5.1 College 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 4.2 of this Policy. Hence, where concerns relating to a student's discipline, health, mental health, and/or fitness to practice also raise concerns relating to fitness to study as it is defined in this Policy, or *vice versa*, then, in so far 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. Section 7(1) of the Chapter, section 2 of Schedule 1, section 2(4)(d) of Schedule 4, and sections 7.10, 7.11 and 8.1.3 of this Policy, provide guidance on how concerns relating to more than one of a student's discipline, health, mental health, fitness to study and/or fitness to practice, may be dealt with.



5.2 Section 8 of the Chapter states

- (1) *“Any person or body taking decisions pursuant to this Chapter and attendant Schedules¹ shall seek to act in the best interests both of any and every student concerned and of every other member of the College Community.*
- (2) *In particular, such a decision-maker should*
 - (b) *consider first whether concern and support are more in the best interests of a student concerned than proceeding pursuant to one of the Schedules,*
 - (c) *act with sensitivity and understanding in cases of student mental ill-health, and*
 - (d) *take into account the level and types of support already in place, if any, in cases relating to students with disabilities”.*

5.3 That section is given further effect by sections 3 and 4 of Schedule 1.

5.4 This document should be read in conjunction with the Guidelines for the Fitness to Study Policy set out in Appendix 3.

6. Definitions

6.1. The following terms are used in this policy:

Fitness to Study: pursuant to section 1(b) of Schedule 4, the concept of students’ fitness to study includes but is not restricted to students’ academic activity; rather this Policy applies to students’ fitness to perform activities associated with attending and participating in College; this includes students’ ability to function in College, to perform activities associated with attending College, to proceed with their courses of study (including placements), and to participate in their courses (including placements) to the standards required by the College.

¹ Schedules 1-5 of the Chapter on Student Conduct and Capacity cover the Committee on Student Conduct and Capacity, Discipline, Mental Health, Fitness to Study, and Fitness to Practice.



Relevant Person: The Relevant Person is the person who first receives a Notice of Concern relating to a student. The Relevant Person will be one of the following, as appropriate: the Course Director, the Head of School, the Director of Undergraduate Teaching & Learning, Director of Post Graduate Teaching & Learning, the persons mentioned in section 3 to Schedule 2 to the Chapter,² or other College Officers where appropriate. The Relevant Person will not be the Dean of Students, the Senior Lecturer/Dean of Undergraduate Studies, or the Dean of Graduate Studies. The Relevant Person resolves matters at Level 1 and can refer cases to Level 2.

Decision Maker: The Decision Makers defined in section 1(2) of Schedule 4 are the Decision Makers for the purposes of this Policy.³ A Decision Maker resolves matters at Level 2 and can refer cases to Level 3. A student may appeal a decision of a Decision Maker to Level 3 pursuant to section 7(2)(a) of Schedule 1.

Fitness to Study Panel: The Committee on Student Conduct and Capacity, established in section 1(2) of the Chapter and given further effect by Schedule 1, shall be described as the Fitness to Study Panel (or the FTS Panel) for the purposes this Policy.⁴

Fitness to Study Advisory Group: The Advisory Group to the Dean of Students, established in section 2(8) of Schedule 1, shall be described as the Fitness to Study Advisory Group (or the FTS 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.

² Schedule 1 to the Chapter relates to Student Discipline; section 3 of that Schedule refers to the Junior Dean, the Warden of Trinity Hall, the Librarian and College Archivist, and the Director of IT Services.

³ Schedule 4 relates to Fitness to Study; section 1(2) of that Schedule provides that "... the 'Decision Makers' shall be "

(a) in relation to undergraduate students, the Senior Lecturer, and
(b) in relation to postgraduate students, the Dean of Graduate Studies."

⁴ For the avoidance of doubt, note that the Fitness to Study Panel is not a Panel of Enquiry established pursuant to Schedule 2 to the Chapter.



Letter of Certification: 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 by College.

7. Policy

- 7.1. This Policy sets out (i) how College may respond to instances where a concern is raised regarding a student's fitness to study, including potential fitness to study, and (ii) the type of action that may be taken to manage the matter and support the student, including students on placement etc.
- 7.2. While College endeavours to treat concerns regarding a student's fitness to study with sensitivity and understanding, in exceptional cases a student (i) may be suspended pursuant to section 9 of Schedule 1, and (ii) pursuant to section 2(4)(b) may be expelled from the University and College.
- 7.3. Where a student withdraws temporarily from a course of study and/or goes off-books and/or is suspended, College may, as appropriate endeavour to assist the student in a return to study subject to any certification requirements and the Certification Section shall apply.
- 7.4. Where a student has a disability, the provisions of section 4 of Schedule 1 shall apply.
- 7.5. This policy has three levels of action:
- Level 1, where decisions are made by a Relevant Person pursuant to section 8.2 of this Policy;
- Level 2, where decisions are made by a Decision Maker pursuant to section 8.3 of this Policy; and
- Level 3, where decisions are made by the Fitness to Study Panel pursuant to section 8.4 of this Policy.



- 7.6. At Level 1, students may be represented and supported by their tutor; at Levels 2 and 3, students may be represented and supported by their tutor or other person of their choice.
- 7.7. For all Levels, a Relevant Person, a Decision Maker, and the Fitness to Study Panel, may seek the advice of the FTS Advisory Group. These requests should be made to the Dean of Students.
- 7.8. Matters dealt with under this Policy will be dealt with according to the individual circumstances. Whilst College 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 safety.
- 7.9. 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 pursuant to section 3 of Schedule 1.
- 7.10. Where, in the opinion of a Relevant Person or a Decision Maker, a matter which commenced under this Policy raises issues relevant to more than one Schedule to the Chapter, then that Relevant Person or Decision Maker (as the case may be) shall inform the Dean of Students; and, pursuant to section 7(1) of the Chapter, section 2 of Schedule 1, and section 2(4)(d) of Schedule 4, the Dean of Students shall co-ordinate the distribution of those issues among the Schedules.
- 7.11. If appropriate, where a matter has been brought to the attention of the Dean of Students under section 7.10, the Dean of Students 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 Dean of Students 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 response of the student to any steps taken by College to manage

⁵ Pursuant to section 1(1)(d) of Schedule 1, references to a student's tutor shall, in the case of a postgraduate student, include the Postgraduate Student Support Officer or a postgraduate advisor.



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 Schedule.

- 7.12. Reference in this Policy to any named College role is to be read as including reference to nominees.
- 7.13. Pursuant to section 6(1) of Schedule 1, unless the Fitness to Study Panel decides otherwise, any decision being appealed to it will retain full force and effect during the currency of any appeal.
- 7.14. 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.
- 7.15. If the student fails or refuses to engage with the procedure provided for herein, College will continue with the procedure.
- 7.16. 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.

⁶ For this right at Level 3, see section 6(4) of Schedule 1.



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 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 FTS Advisory Group by making a request to the Dean of Students. The informal discussions with the student will include encouragement of the use of either the College'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:

- (i) put in place support arrangements; and/or
- (ii) make reasonable accommodations for the student in line with the Reasonable Accommodation Policy; and/or
- (iii) require the student to provide a letter of certification and if the student fails and/or refuses to comply, the Certification Section⁷ will apply; and/or

⁷ This is section 10 of Schedule 1.



- (iv) 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
- (v) allow the student to continue with his/her studies.

8.2.4 The student and his/her tutor will be notified in writing of the outcomes by the Relevant Person within ten days⁸ of the decision being made.

8.3. Level 2

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

- (i) agreement/resolution cannot be achieved at Level 1; and/or
- (ii) the student refuses and/or fails to engage with the Level 1 procedure; and/or
- (iii) the student refuses and/or fails to engage with the agreed actions under the Level 1 procedure; and/or
- (iv) the Relevant Person continues to have concerns; and/or
- (v) it is more appropriate in the circumstances; and/or
- (vi) 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 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 inter alia input from the FTS Advisory Group. Should the student wish to make an oral submission, they may do so but must be accompanied by their tutor or any member of student services they are accessing. The Decision Maker will have administrative support present. The student must make themselves available for this meeting which will occur within a reasonable time frame. If they do not attend, the process will proceed in their absence.

⁸ "Day" is defined in section 1(1)(b) of Schedule 1.



- 8.3.4 The Decision Maker will make a decision within a reasonable time of referral from the Relevant Person, subject to all relevant information being available.
- 8.3.5 The student and his/her tutor 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:
- (i) put in place support arrangements; and/or
 - (ii) make reasonable accommodations for the student in line with the Reasonable Accommodation Policy; and/or
 - (iii) require the student to provide a letter of certification and if the student fails and/or refuses to comply, the Certification Section⁹ will apply; and/or
 - (iv) 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
 - (v) allow the student to continue with his/her studies.
- 8.3.7 Where the student has complied with the requirement to submit a letter of certification but the Decision Maker has or continues to have serious concerns which are not allayed by the letter of certification, the Decision Maker shall consult with the Director of the Health Service and/or of the Student Counselling service for their professional advice and may:
- (i) allow the student to continue with his/her studies; and/or
 - (ii) seek a further assessment, and the Assessment Section¹⁰ shall apply; and/or
 - (iii) impose such conditions on admission, readmission or accommodation, as the case may be, as are appropriate in the circumstances; and/or

⁹ This is section 10 of Schedule 1.

¹⁰ This is section 11 of Schedule 1.



(iv) decide to suspend the student or to continue a suspension, as the case may be and the Suspension Section¹¹ shall apply; and/or

(v) refer the matter to Level 3 of the Formal Procedure.

8.3.8 Where a student wishes to return to study, s/he must submit a letter of certification to the Decision Maker, and the Certification Section¹² shall apply.

8.3.9 The student and his/her tutor will be notified in writing of the agreed actions by the Decision Maker within ten days of the decision being made.

8.3.10 If the student's status in College is changed during the Level 2 procedures or as an outcome of the Level 2 procedure, the Academic Registry will be notified.

8.4. Level 3

8.4.1 Level 3 of the procedure will be invoked in circumstances where;

(i) agreement/resolution cannot be achieved at Level 2; and/or

(ii) the student refuses and/or fails to engage with Level 2; and/or

(iii) the student refuses and/or fails to engage with the agreed Level 2 actions; and/or

(iv) the Decision Maker continues to have concerns; and/or

(v) it is more appropriate in the circumstances; and/or

(vi) student wishes to make representations in relation to the decision of the Decision Maker.¹³

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.

¹¹ This is section 9 of Schedule 1.

¹² This is section 10 of Schedule 1.

¹³ A student may appeal a decision of a Decision Maker to Level 3 pursuant to section 7(2)(b) of Schedule 1.



8.4.3 Level 3 comprises referral to the Fitness to Study Panel (the “FTS 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 2	The Relevant Person
2. The student refuses and/or fails to engage with Level 2	The Relevant Person and/or The Decision Maker
3. The student refuses and/or fails to engage with the agreed actions at Level 2	The Relevant Person and/or The Decision Maker
4. The Decision Maker continues to have concerns	The Decision Maker
5. It is more appropriate in the circumstances	The Dean of Students
6. The student wishes to make representations in relation to the decision of the Decision Maker	The Student

8.4.4 The procedures of the FTS Panel are set out in section 6 of Schedule 1.

8.4.5 The FTS Panel will make a determination within a reasonable time of the case being referred to it.

8.4.6 The FTS Panel will consider all the relevant information and documentation and can include, inter alia, input from the FTS 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 FTS Panel may request the input of such persons as it deems necessary to establish and consider the facts of each case.

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

- (i) allow the student to continue with his/her studies; and/or



- (ii) put in place support arrangements; and/or
- (iii) make reasonable accommodations for the student in line with the Reasonable Accommodation Policy; and/or
- (iv) require the student to provide a letter of certification and if the student fails or refuses to comply, the Certification Section¹⁴ will apply; and/or
- (v) draw up an action plan which will normally include a timeframe and review period; and/or
- (vi) impose a penalty upon the student, pursuant to section 7(7) of Schedule 1 and section 8 of Schedule 2 (for the purposes of section 2(4)(b) of Schedule 4, note that this penalty may include “expulsion from the University and College”).

The student and his/her tutor will be notified in writing of the decision of the FTS Panel by the secretariat within 10 days of the decision being made.

8.4.8 The Decisions of the FTS Panel will be advised to Board of the College on an anonymised basis for noting and approval.

8.4.9 An appeal from this decision of Board lies to the Visitors pursuant to the Chapter of the Statutes relating to the Visitors.

8.4.10 Where the student has complied with the requirement to submit a letter of certification, but the FTS Panel has or continues to have serious concerns which are not allayed by the letter of certification, the FTS Panel shall consult with the Director of the Health Service and/or of the Student Counselling service and may then:

- (i) allow the student to continue with his/her studies; and/or
- (ii) seek a further assessment, and the Assessment Section¹⁵ shall apply; and/or
- (iii) impose such conditions on admission, readmission or accommodation, as the case may be, as are appropriate in the circumstances; and/or

¹⁴ This is section 10 of Schedule 1.

¹⁵ This is section 11 of Schedule 1.



(iv) decide to suspend the student or to continue a suspension, as the case may be, and the Suspension Section¹⁶ shall apply; and/or

hold another hearing to impose a penalty upon the student, pursuant to section 7(7) of Schedule 1 and section 8 of Schedule 2 (for the purposes of section 2(4)(b) of Schedule 4, note that this penalty may include “expulsion from the University and College”).

8.4.11 Where a student wishes to return to study, s/he must submit a letter of certification to the FTS Panel who will consult with the Director of the Health Service and/or the Director of the Counselling Service, and the Certification Section¹⁷ shall apply.

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

- (i) hold another hearing to impose a penalty upon the student, pursuant to section 7(7) of Schedule 1 and section 8 of Schedule 2 (for the purposes of section 2(4)(b) of Schedule 4, note that this penalty may include “expulsion from the University and College”), or
- (ii) refer the matter to the Junior Dean pursuant to section 2 of Schedule 2, and that Schedule (on Discipline) shall apply.

8.4.13 If the student’s status in College is changed during the Level 3 procedures or as an outcome of the Level 3 procedure, the Academic Registry 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 health, and in particular is concerned that the student poses a significant risk to his/her own health, safety and/or wellbeing and/or that of others.

¹⁶ This is section 9 of Schedule 1.

¹⁷ This is section 10 of Schedule 1.



8.5.2 Where subsection 8.5.1 applies, and the Relevant Person or Decision Maker considers that the matter should be dealt with pursuant to Schedule 3, then the Relevant Person or Decision Maker (as the case may be) may refer the matter directly to the Junior Dean under Section 2 of Schedule 3.

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 both to this Policy and to Schedule 3, then the Relevant Person or Decision Maker (as the case may be) shall refer the matter to the Dean of Students pursuant to section 7.10 of this Policy.

9. Responsibility

9.1 Responsibility for the operation and review of this Policy lies with the Dean of Students.

10. Related Documents

10.1 This Policy is adopted and is being implemented pursuant to the provisions of the 2010 Consolidated Statutes of the College (“the 2010 Statutes”). These are described in Appendix 1 of this policy.

11. Document Control

11.1. This Policy will be reviewed and updated on a regular basis pursuant to section 2(1) of Schedule 4.

11.2. Dates approved: College Board 3 October 2018

11.3. Date of next review: Academic Year 2021/2022



Appendix 1

This Policy is adopted and is being implemented pursuant to the Chapter on Student Conduct and Capacity in the Consolidated Statutes of Trinity College Dublin 2010 [the Statutes], and to that Chapter's attendant Schedules, which relate to the Committee on Student Conduct and Capacity [Schedule 1]; student conduct and discipline [Schedule 2]; student mental health [Schedule 3]; fitness to study [Schedule 4]; and fitness to practice [Schedule 5].

1. Section 1 of the Chapter on Student Conduct and Capacity provides that
 - (i) Board, on the advice of Council shall make regulations concerning student conduct and capacity, and related matters; and
 - (ii) A Committee on Student Conduct and Capacity, to hear, determine and resolve certain cases relating to student conduct and capacity, shall be provided for in Schedule 1.
2. Section 3 of the Chapter provides that
 - (i) Cases of student mental ill-health raise sensitive personal issues; and
 - (ii) Policy and procedures to deal with such cases shall be set out in, or pursuant to, Schedule 3.
3. Section 4 of the Chapter provides that
 - (i) Cases of students' fitness to study in College raise delicate medical issues; and
 - (ii) Policy and procedures to deal with such cases shall be set out in, or pursuant to, Schedule 4.
4. Section 7 of the Chapter provides that, although matters appropriate to a Schedule (other than Schedule 1 on the Committee) should not normally be dealt with pursuant to another Schedule, nevertheless separate aspects of a case may be dealt with pursuant to separate Schedules.
5. The full text of the Chapter and the Schedules thereto are available on the following link www.tcd.ie/registrar/assets/documents/statutes/statutes/2010-statutes-032016-updates-1.62MB.pdf and all references in this Policy to the Chapter and the Schedules



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are to that Chapter and Schedules. This Policy and that Chapter and Schedules are, so far as possible to be read together as one document. As a consequence, words in this Policy have the same meaning as the same words in the Statutes, Chapter and Schedules. However, because this Policy is made pursuant to the powers provided in the Statutes, Chapter and Schedules, in cases of conflict or inconsistency between this Policy on the one hand, and the Statutes, Chapter and Schedules on the other, the latter shall prevail.



Appendix 2

Terms of Reference for the Fitness to Study Advisory Group

1. The FTS Advisory Group advises the Dean of Students, a Relevant Person, a Decision Maker (Senior Lecturer/Dean of Undergraduate Studies, or Dean of Graduate Studies), and the FTS Committee, in respect of a student's fitness to perform activities associated with attending College, and/or concerns regarding a student's capacity, and/or concerns regarding a student's physical and/or mental health. The recommendations of the Group are made with due consideration of the requirements of the student's course of study.
2. Membership of the FTS Advisory Group is set out in section 2(8) of Schedule 1. The Group may also seek outside expert input.
3. The Group will be convened as required by the Dean of Students in response to requests from a Relevant Person, Decision Maker, and/or the FTS Panel. These requests should be made to the Dean of Students.
4. A record of each recommendation shall be kept comprising:
 - a. Date of the meeting
 - b. Attendees
 - c. Subject of the meeting
 - d. Recommendations
 - e. Reasons behind the recommendations
5. The recommendations of the Group will only be communicated to the Relevant Person, Decision Maker or FTS Panel that requested the Group's advice.
6. 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.



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7. The Relevant Person, Decision Maker and FTS Panel will advise the student if the advice of the FTS Advisory Group is being sought. The FTS Advisory Group will normally solicit the input of a student and/or 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 College 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 College.

At all Levels, the student will be consulted and can be supported by his/her tutor or the Postgraduate Advisory Service in the case of postgraduate students.

The Policy is intended to make it clear to students what the Levels are, who makes the decisions, what information is considered, what the possible outcomes are, and what the timeframe of the decision is.

It is important to note that this policy works in conjunction with other sets of College rules. These sets of rules are called Schedules and relate to things like Mental Health, Disability, Certification and Discipline. If your case involves more than one Schedule, the Dean of Students will coordinate how each Schedule is used.

Who do you contact?

In most cases, concern about a student's fitness to be in College will be first spotted by a staff member or the Students' Union. In some cases, it may be other students. The most likely person to contact the Relevant Person is the student's tutor, but staff associated with the course can also contact the Relevant Person. This term is used because there are



different people who could be appropriate and the policy needs to allow for that. The Relevant Person can be the Course Director, the Head of School, the School's Director of Undergraduate Teaching & Learning, Director of Postgraduate Teaching and Learning, Heads of the Health Service, Counselling Service or Disability Service or other College 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 the Senior Lecturer/Dean of Undergraduate Studies or Dean of Graduate Studies (Level 2). If this doesn't work out, the Senior Lecturer/Dean of Undergraduate Studies or Dean of Graduate Studies 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 Dean of Students 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 his/her 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 Senior Lecturer/Dean of Undergraduate Studies or the Dean of Graduate Studies. They are referred to as the "Decision Maker". 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 FTS 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 the Postgraduate Advisory Service.



Levels 2 & 3: Undergraduate students can be supported by their tutor or another representative of their choosing. Postgraduate students can be supported by the Postgraduate Advisory Service 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 tutor/postgraduate advisor or student support person with you.

When will you know the outcome?

For all Levels, the decisions will be sent to the student and tutor/Postgraduate Advisory Service in writing within 10 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 Visitors, as provided for in the Statutes.