

**THE WHITE BOOK  
REGULATIONS (PROCEDURES)**

REGULATION P7<sup>1</sup>

*Fitness to Study*

*Inquiries into fitness to study*

1. Further to Ordinance C, XIII, 8, an inquiry into a student's fitness to study shall take place where there is objective evidence of unfitness, such as:
  - (a) evidence arising during the conduct of harassment, disciplinary or academic proceedings; or
  - (b) where the Senior Tutor has reasonable grounds for believing that a student's health or behaviour is, or may be:
    - (i) seriously disrupting or threatening his or her own welfare or academic progress, or that of other students of the College; or
    - (ii) seriously disrupting or threatening the welfare of other members of the College or its staff; or
    - (iii) having an unacceptable impact on the day-to-day life or work of members of the College or its staff; or
    - (iv) so affecting another member of, or member of staff of, the collegiate University.

*General matters*

2. Further to Ordinance C, XIII, 9, the procedure under this Regulation shall be implemented by way of continuous risk assessment led by the Senior Tutor, and shall at all stages involve appropriate collaboration and consultation with relevant persons both inside and outside the College. Only such steps shall be taken as are necessary to protect the best interests of the student concerned and any other members of the College and University communities who are affected. Relevant steps may include consideration of matters which would also fall under other provisions, such as change of Tripos (Ordinance C, XII, 4), reasonable adjustments for a student with a disability (Ordinance C, XIII, 1), harassment and sexual misconduct (Ordinance C, XIII, 5), leave to disregard terms (Ordinance C, XIII, 10) or discipline (Ordinance C, XIV).
3. The procedure shall have three Stages, and may be invoked initially at any Stage, and proceed to any subsequent Stage, according to:
  - (a) the perceived likelihood of risk to the student concerned and to any other person affected by his or her health or behaviour; and
  - (b) the severity of impact if such risk materialises; and
  - (c) the effort which the student makes to respond to the expressed concerns; and
  - (d) the outcomes of that effort.

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<sup>1</sup> Paras 54-55 amended by Council on 4 December 2019; para 58-60 amended by Council on 1 December 2021

### *Confidentiality*

4. During Stage One (paragraphs 7-14) a confidential note of any informal discussions, advice and agreements reached or undertakings made, whether by the student or the College, shall be made by an appropriate member of the Pastoral Team. This note and any related correspondence or other documents shall be accessible only to the student and the members of the Pastoral Team advising the student.
5. During Stages Two and Three all communication to or from the student, other than at meetings of a Case Conference or Case Review Panel, shall be made confidentially via the student's Tutor or, at the student's request, some other member of the College Pastoral Team. The Tutor or other person shall keep the Senior Tutor, or where necessary his or her Deputy, informed at all times.
6. The Senior Tutor shall be responsible for all communications with external persons or agencies and shall keep a confidential record of all such communications. In particular, information shall not normally be disclosed to a student's parents or family without the student's consent, provided always that the Senior Tutor or the Chair of a Case Review Panel shall, in consultation with the student, determine whether it is reasonable or necessary in the circumstances to inform the student's emergency contact and/or whether any statutory services should be contacted.

### *Stage One – informal action*

7. Where an inquiry is initiated under paragraph [1], and the Senior Tutor considers that the ordinary welfare support measures in the College are insufficient to allay the concern, Stage One of these procedures shall be initiated under paragraphs 8-14.
8. The Tutor or Senior Tutor shall arrange a meeting with the student and members of the Pastoral Team at which the student shall be informed that his or her fitness to study is under consideration. The meeting shall ensure that the student is given:
  - (a) appropriate support throughout;
  - (b) an account of the evidence giving rise to the inquiry;
  - (c) a fair opportunity to explain his or her view of this evidence;
  - (d) a fair opportunity to review, and where appropriate agree changes to, current arrangements for his or her academic studies, or accommodation, or social or domestic lifestyle, with a view to sustaining his or her fitness to study;
  - (e) advice and guidance regarding the support services available in the College and the University, and how he or she could or should engage with them to sustain his or her fitness to study.
9. At the meeting under paragraph [8], the members of the Pastoral Team shall seek to reach an agreement with the student on:
  - (a) changes in his or her behaviour, to redress the concerns over fitness to study;
  - (b) action to be taken, either by the student or by the College, such as reasonable adjustments under Regulation P5, to enable him or her to make such changes and to study effectively in the community;

- (c) a reasonable period for the student to address the concern raised and seek relevant support to do so;
  - (d) a further meeting at the end of this period, to review progress and to consider and agree future action, if any.
10. Where a student undertakes to engage with available support services, he or she shall be responsible for demonstrating at the review meeting that he or she has done so and shall provide independent corroboration if the College requests.
11. Meetings under paragraphs 8-10 may be repeated and shall be repeated until either paragraph [12] or paragraph [13] applies.
12. When and if the members of the Pastoral Team advising the student are satisfied that the concern has been addressed successfully, and allayed, the student shall be informed in writing by the Senior Tutor that he or she is fit to continue studies, and that the procedures under this Regulation are terminated.
13. Where, after a reasonable time and at least one review meeting, the members of the Pastoral Team advising the student consider that a concern has not been, and is not reasonably likely to be, addressed successfully, and that a student remains unfit for study, the Senior Tutor shall normally initiate Stage Two, under paragraphs 15-29.
14. Where a student is advised that an inquiry into his or her fitness to study has been initiated, and the student is unable or unwilling to participate effectively in a meeting under paragraph [8], or to reach any agreement under paragraph [9], the Senior Tutor shall normally initiate Stage Two, under paragraphs 15-29.

#### *Stage Two – Case Conference*

15. A Case Conference shall be convened by the Senior Tutor where he or she either:
- (a) considers in accordance with paragraphs 2-3 that a concern is too serious to be dealt with initially under Stage One; or
  - (b) initiates Stage Two under paragraphs [13] or [14].
16. The student shall be:
- (a) Informed as soon as practicable by the Senior Tutor of the nature and purpose of the Case Conference, as it applies in their case;
  - (b) given at least five calendar days' notice of the date of the Case Conference, other than in an emergency;
  - (c) provided by their Tutor with any documents to be considered (redacted as necessary);
  - (d) invited to present any documents of their own a reasonable time in advance of the Conference.
17. The Case Conference shall involve the student's Tutor and the Senior Tutor, and any of the following persons, as the Senior Tutor considers appropriate:
- (a) the student's Director of Studies;

- (b) the student's University Supervisor or Course Director, in the case of a graduate student;
  - (c) the College Nurse;
  - (d) any other member of the Pastoral Team.
18. The student may be accompanied at the Case Conference by another student or some other member of the University. The University Mental Health Advisor or a member of the Disability Resource Centre may be invited to attend, to provide information or advice, at the request of the student or the Senior Tutor. A support worker may accompany any disabled student. The student shall notify the Senior Tutor at least 24 hours in advance if they are to be accompanied, and if so by whom.
19. Prior to the Case Conference, the student may be required by the College to undergo a medical assessment by a qualified practitioner who is familiar with the Cambridge collegiate University teaching and learning systems and has experience of the range of problems with which University students present.
20. The medical practitioner shall be requested to provide their professional opinion on the following matters:
- (a) the nature and extent of any medical, including psychological, condition(s) which the student is experiencing;
  - (b) the extent to which any such condition affects the student's fitness to study, within the scope of Ordinance C, XIII, 8 and paragraph [1];
  - (c) the risk, if any, which any such condition poses of harm to the student themselves, or to other persons, and the degree of impact of any risk;
  - (d) what, if any, steps the College could take to support the student's fitness to study, given the existence of any such condition;
  - (e) the prognosis for successfully treating any such condition;
  - (f) any treatment or other support which the student is receiving or will in future receive.
21. Any student who is required to undergo a medical assessment shall be responsible for authorising full disclosure of the results to the Case Conference. Where a student refuses to comply with the request to undergo a medical assessment, or refuses to authorise disclosure of any results, the Case Conference may proceed on the basis of such relevant information as it has in its possession.
22. The Case Conference may order its proceedings, including calling relevant witnesses or instituting appropriate enquiries, at its discretion. In particular, it may call University staff working in Student Services, such as the University Mental Health Advisor, or a member of the Disability Resource Centre, or other such persons, to attend any hearing.
23. The Case Conference shall ensure that the student is given:
- (a) a detailed account of:
    - (i) the evidence giving rise to the initial inquiry;
    - (ii) any further circumstances of concern arising during these proceedings; and
    - (iii) the medical circumstances, as reported in any medical assessment;

- (b) a fair opportunity to explain their view of the evidence, medical assessment and any other circumstances or concerns;
  - (c) advice and guidance regarding the support services available in the College and the University, and how they could or should engage with them;
  - (d) a full account of the possible outcomes, as they affect the student, should the concern raised not be addressed successfully, and they remain unfit for study.
24. Members of the Case Conference shall seek to reach an agreement with the student on the best way to proceed to sustain their fitness to study, including agreement on:
- (a) medical, including psychological, treatment for any condition(s) that the student is experiencing;
  - (b) changes in their behaviour, to redress the concerns over fitness to study;
  - (c) changes to current arrangements for their academic studies, or accommodation, or social or domestic lifestyle;
  - (d) other action to be taken, either by the student or by the College, such as reasonable adjustments under Ordinance C, XIII, 1 and Regulation P5, to enable them to make such changes and to study effectively in the community.
25. The Case Conference may make any one or more of the following decisions:
- (a) no further action is required;
  - (b) the College shall support an application to the University under Ordinance C, XIII, 11-12 and Regulation P8 for leave for the student to disregard terms (intermit);
  - (c) the student's progress shall be kept under a period of formal review by the Case Conference, following an action plan agreed with the student;
  - (d) the student's Department or Faculty, or other relevant University authority, shall be requested to put in place specified academic or support arrangements, normally in conjunction with a period of formal review and an action plan, under sub-paragraph (c);
  - (e) the case shall be referred directly to Stage Three, under paragraphs 28 and 30.
26. An action plan agreed under paragraph 25(c), including any specified arrangements put in place under paragraph 25(d), shall follow the provisions of paragraphs 10-13, adjusted as necessary; in particular:
- (a) references to the Pastoral Team or to the Senior Tutor shall be read as references to the Case Conference; and
  - (b) in paragraph [13], the reference to Stage Two shall be read as a reference to Stage Three.
27. Where the Case Conference wishes to set an action plan in place under paragraph 25(c) or 25(d) and the student is unwilling or unable to reach an agreement on it, they shall be referred directly to Stage Three.
28. The student may be referred directly to Stage Three under paragraph 25(e) only where the Case Conference considers that the precautionary principle stated in paragraph [30] applies.

29. The student shall be provided with a concise record of the proceedings and decisions of the Case Conference within seven calendar days from the date of the meeting. A copy of the record shall be placed on his or her personal file, which shall be available only to members of the Pastoral Team and appropriate members of the staff of the Tutorial Office. Where appropriate, a copy of the record shall be provided to the relevant Department or Faculty of a graduate student.

*Stage Three – Case Review Panel*

30. Any concern about a student's fitness to study shall normally be addressed under Stage One or Two of these procedures, unless:
- (a) the Senior Tutor, having consulted as fully and widely as is necessary; or
  - (b) a Case Conference under paragraph 25(e);
- considers that the case is so serious or so urgent that a Case Review Panel should be appointed immediately, with powers to rusticate the student, either temporarily or permanently (see Ordinance B, XXI, 5-6), should that be found necessary. Evidence of a serious risk to the health or safety of the student or other persons, or substantial disruption to the day-to-day life and work of the College and its members, shall warrant referral to a Case Review Panel.

*Precautionary measures*

31. Where Stage Three is initiated, the Senior Tutor shall have power at any time thereafter, in consultation with the student's Tutor and at least one other member of the Pastoral Team, to exclude the student for the duration of Stage Three from:
- (a) any part or parts of the College buildings or grounds, including specified residential accommodation, other than the main College site;
  - (b) the use or enjoyment of specified College facilities, including where necessary teaching or learning facilities;
  - (c) any part or part of the University Precincts or the use or enjoyment of specified University facilities, including where necessary teaching or learning facilities.
32. Any restrictions imposed under paragraph [31] shall be subject to regular review, at intervals of not more than one month. Any affected student may appeal to the Master, who shall determine the matter as expeditiously as possible. Restrictions shall remain in place pending the outcome of any appeal.

*Panel and meetings*

33. Where Stage Three is initiated, the Council shall appoint a Case Review Panel comprising:
- (a) two Fellows who are members of the Governing Body, who have no previous involvement with the case or with the student, one of whom shall be appointed Chair;
  - (b) the Senior Tutor.

No Fellow may be appointed to the Case Review Panel if he or she is currently one of the three Fellows appointed annually by the Council, under Regulation P10,2, from whom the Chair of any Student Disciplinary Committee which may be appointed.

34. Paragraphs 18-23 shall apply to any meeting of a Case Review Panel, with the following adjustments:
  - (a) the Chair shall fix a date for a formal meeting of the Panel and invite the student to attend;
  - (b) the Chair shall appoint a member of staff to act as Secretary and make a record of the proceedings;
  - (c) no student shall be required to undergo a second medical assessment;
  - (d) the Panel shall consider all previous documents or records created for or in the case at any stage, in particular all previous risk assessments, and shall ensure that such documents or records are available to all parties to the review, redacted as necessary to comply with data protection principles.
  
35. If the student has been or is liable to be prosecuted for an offence under the criminal law, or is subject to the authority or jurisdiction of some other external agency, in respect of any conduct which is the subject of these proceedings, the Chair of the Case Review Panel may at their discretion suspend all or part of the proceedings under Stage Three.
  
36. The Case Review Panel shall make its decisions by a majority vote, including, where necessary, a casting vote by the Chair. The Panel shall make one or more of the following decisions:
  - (a) to require the student to follow an action plan determined by the Case Review Panel adopting as appropriate the provisions of paragraphs 9-11; the plan may include specified academic or support arrangements which the student's Department or Faculty, or other relevant University authority shall be requested to put in place;
  - (b) that the College shall support an application to the University by the student, under Ordinance C, XIII, 11, for leave to disregard terms (intermission);
  - (c) any other action which the Review Panel considers appropriate and proportionate.
  
37. Within 14 calendar days of the meeting, the student shall be notified in writing of:
  - (a) the decisions of the Case Review Panel;
  - (b) the reasons for the decisions;
  - (c) the consequences and implications of the actions that have been decided;
  - (d) the consequences for the student, including the sanctions that may or will be imposed, if the student fails to comply or co-operate with the terms of the decisions, in particular the power of the Panel under paragraphs [41] and 43-44 to rusticate the student.
  
38. The Senior Tutor shall seek to ensure that the student has appropriate pastoral support at the time he or she receives the notification. A copy of the notification shall be placed on the student's personal file and, where appropriate, another copy shall be provided to the relevant Department or Faculty of a graduate student.

### *Action plans*

39. When and if the members of the Pastoral Team monitoring the student consider that the action plan determined under paragraph 36(a) has proved successful the student shall be informed in writing by the Senior Tutor that he or she is fit to continue studies, and that the procedures under this Regulation are terminated. A copy shall be provided to the relevant Department or Faculty of a graduate student.
40. Where, after a reasonable time and at least one review meeting, the members of the Pastoral Team monitoring the student consider that the action plan determined under paragraph 36(a) has not proved successful, that there is no reasonable prospect of its proving successful, and that the student therefore remains unfit for study, the Senior Tutor shall re-convene the Case Review Panel.
41. Where the Panel considers that paragraph [44] applies, it shall normally rusticate the student permanently; exceptionally, it may make an alternative decision under paragraph [36].

### *Intermission*

42. Where, following a decision under paragraph 36(b)]:
  - (a) the student fails to make an application to the University as soon as practicable, to intermit; or
  - (b) the application to intermit is rejected by the University;the Senior Tutor shall re-convene the Case Review Panel.
43. The Case Review Panel shall normally rusticate the student permanently; exceptionally, it may rusticate the student temporarily, and specify any academic or non-academic conditions for their return into residence that the Panel thinks fit.

### *Rustication*

44. A Case Review Panel may recommend that a student be rusticated, either temporarily or permanently, only where the Panel reasonably believes both:
  - (a) that the student's health or behaviour is:
    - (i) seriously disrupting or threatening their own welfare or academic progress, or that of other students of the College; or
    - (ii) seriously disrupting or threatening the welfare of other members of the College or its staff; or
    - (iii) having an unacceptable impact on the day-to-day life or work of members of the College or its staff; or
    - (iv) so affecting another member of, or member of staff of, the collegiate University;and



(b) that no action other than rustication will enable the College to comply with its duty of care under Ordinance C, XIII, 8.

45. A student who is rusticated temporarily shall be informed that this may adversely affect their standing under University Regulations to complete his or her course of study, or be admitted to any degree.
46. A student who is rusticated temporarily shall be offered the same College support, during the period of rustication, as is offered under Regulation P8,16 to a student with leave to disregard terms (intermission). No application to the University shall be made, for an appropriate allowance under University Regulations, until and unless the College approves his or her return to studies under paragraphs 49-52.

### *Appeals*

47. A student may appeal against any decision of the Case Review Panel to an Academic Review Committee under Ordinance C, XIII, 10(f) and Regulation P3,21(c) by giving notice in writing to the Senior Tutor within 14 calendar days of being notified of the Panel's decision.
48. Where a student is rusticated under paragraph [41] or 43-44, and the student appeals under paragraph [47], he or she may apply within 48 hours to the Chair of the Academic Review Committee for rustication to be suspended pending the outcome of the appeal.

### *Return to study*

49. The College shall not approve any application to return to studies, by a student who has intermitted or been temporarily rusticated under this Regulation, unless the College is satisfied that the reasons for the intermission or rustication no longer obtain, and that the student is in all the circumstances now fit to study. In particular, the student shall demonstrate that they are willing and able to comply with any conditions on their return into residence as the College reasonably requires, such as accepting the provision of advice and support, and complying with monitoring and review, during their studies.
50. A student who is granted leave to disregard terms (intermits) may apply to return to studies by complying with Regulation P8,17-25. The 'return to studies' procedures cover both the application to the College and the application to the University. An application may not be successful.
51. A student who has been rusticated temporarily may at any time apply in writing to the Senior Tutor to return to studies in the College, on the grounds that they are fit to do so, provided that they have satisfied any condition(s) set by the Case Review Panel or an Academic Review Committee. The application shall be made in accordance with those provisions of Regulation P8,17-25 which concern College (and not University) approval, adjusted as necessary. An application may not be successful.

52. Where the College approves the application of a student who has been temporarily rusticated to return to studies in the College, it will support an application by the student to the University, for an appropriate allowance under University Regulations. Such application shall be, as appropriate, either:
- (a) for an allowance of one or two terms, under University Ordinances, Chapter II, Residence and Precincts of the University, Regulation 10(a) or (b), where the student was rusticated for no more than two terms and without the allowance would not be in standing for admission to their degree in prospect; or
  - (b) for leave to disregard terms, under University Ordinance, Chapter III, Allowances to Candidates for Examinations, Regulations 1(b) and 3(a), where the student was rusticated for a period including the whole of his or her examinations in at least one year, and without the allowance would not be in standing to sit the examinations so missed.
- An application to the University may not be successful.

#### *Study away from Cambridge*

53. Where concerns are raised by another University or institution, which a student is attending while on authorised study away from Cambridge, the Senior Tutor shall co-operate with such other University or institution, and with the relevant Cambridge University Department or Faculty, to make such suitable arrangements as may address the concern, and any such arrangements shall be binding on the student concerned.

#### *Relationship with other College procedures*

54. Procedures for fitness to study under Ordinance C, XIII, 8-10 and this Regulation may also be initiated by:
- (a) the Senior Tutor, under Ordinance C, XII, 8(f) and Regulation P2, 15(c) (unsatisfactory academic progress);
  - (b) an Academic Review Committee or Academic Appeal Panel, under Ordinance C, XII, 8(f) and Regulation P3, 17(b)(iii) (unsatisfactory academic progress);
  - (c) an Independent Adjudicator or the Senior Tutor, under Ordinance C, XIII, 7(f);
  - (d) the Senior Tutor, in consultation with the Dean, under Ordinance C, XIV, 4(c) and Regulation P9, 12(f);
  - (e) the Chair of a Student Disciplinary Committee or Appeal Panel, under Ordinance C, XIV, 4(f) and Regulation P10, 21(a);
  - (f) a College Complaints Officer or the Chair of a Student Complaints Committee, under Ordinance C, XV, 4(f) and Regulation P12, 31.
55. Where the procedures for fitness to study are initiated under paragraph [54]:
- ~~(a)~~ procedures for unsatisfactory academic progress shall normally be discontinued;
  - (b) procedures for breach of discipline shall normally be suspended pending the outcome of these proceedings, and may be discontinued; provided that the Chair of a Student Disciplinary Committee shall have discretion to continue proceedings in appropriate circumstances, such as the seriousness of the breach of discipline alleged, and may lift any suspension of disciplinary proceedings at any time;
  - (c) fresh procedures for breach of discipline shall not normally be initiated;

(d) complaints procedures shall normally be discontinued.

56. At any time before a Case Review Panel makes any decision under paragraphs [41] or [43] to rusticate a student, the student may initiate College processes for an application for leave to disregard terms (intermission), under Ordinance C, XIII, 11-12 and Regulation P8. Where such application is made with College support, the concurrent procedures for fitness to study shall normally be discontinued. Where such application is made without College support, the concurrent procedures for fitness to study shall normally be continued.
57. Where a student lays a related complaint against the College under Ordinance C, XV and Regulation P12 that is material to the circumstances of his or her fitness to study, the Senior Tutor or the Chair of any Case Review Panel which has been convened may, if he or she considers it appropriate to do so, adjourn the fitness to study procedures pending the outcome of that complaint.

*Relationship with University procedures*

58. Where the student's Head of Department, Senior Tutor, University Advocate or Student Discipline Officer, or the University's General Board (or bodies acting under powers delegated by the General Board) initiates the University's 'Supporting and Assessing Capability to Study' procedure, any proceedings under this Regulation shall normally be suspended pending the outcome of the University proceedings. The University procedure is suitable for all registered students (currently pursuing a course of study leading to the award of a degree, certificate or diploma of the University). However, the Senior Tutor shall normally only initiate the University's procedure where the College Procedure is deemed not appropriate. S/he will initiate the University procedure by making a written referral to the Head of OSCCA setting out the grounds for concern and all relevant evidence about the student's capability to study.
59. Where the University procedure is initiated, the College shall:
- (a) ensure that the student is given appropriate pastoral support while subject to the University procedures;
  - (b) participate fully in the University proceedings, according to its role under the University procedures;
  - (c) seek to ensure that the interests both of the student, and of any members of the College community who are affected by the concerns raised in the proceedings, are appropriately protected; for which purposes, the College reserves the right to support any decision of the University that is conducive to those interests.
60. Further to paragraph 59(c), the College reserves the right, notwithstanding the commencement or determination of University proceedings, to:
- (a) apply paragraph [31] in an appropriate case;
  - (b) commence or re-commence proceedings under this Regulation where the University determines that there is no prima facie case to answer and declines to consider a case further under its procedures;

- (c) impose conditions specific to the College where a student is given permission by the University to return into residence in order to resume studies after a period of suspension from the University.