



FITNESS TO RESIDE PROCEDURE

Date	Purpose of Issue/Description of Change	Equality Impact Assessment Completed
March 2019	Initial issue	March 2019

Policy Officer	Senior Responsible Officer	Approved By	Date
Head of Governance and Compliance	Director of Commercial Services	Accommodation, Sport, Conference and Catering (ASCC) Task Group	May 2019

FITNESS TO RESIDE PROCEDURE

Policy Details	Information Provided by Policy Writer	
Policy Title:	Fitness to Reside Procedure	
Brief Description:	This Procedure applies to students who are causing significant concern and/or presenting a risk of harm to themselves or others within University managed accommodation	
Policy status:	Active	
Approved by:	Accommodation, Sport, Conference and Catering (ASCC) Task Group.	
Policy Officer:	Head of Governance and Compliance	
Senior Responsible Officer:	Director of Commercial Services	
Effective from:	September 2019	
Review frequency:	TBC	
Supersedes:	N/A	
Last reviewed:	March 2019	N/A
Equality Impact Assessment:	March 2019	
Sustainability: (Please see Bangor University's Sustainability Policy for more information).	How does this policy demonstrate commitment to the University's sustainability principles, including actions, timescales, student and staff training, and resource implications where applicable? Who have you worked with to develop this policy (both within the University and externally)?	This policies simplifies and clarifies the processes and steps related to student related issues with residential accommodation.

	<p>How is the policy's sustainability monitored?</p>	<p>Student Services, Student Union, Governance and Compliance Office</p> <p>Governance and Compliance, Student Services, Disability Services, Students' Union</p>
<p>Welsh Language Version:</p>	<p>TO FOLLOW – Provide a link to the Welsh language version (and vice versa for the policy in Cymraeg to the English version)</p>	
<p>Keywords:</p>	<p>Halls, residences, accommodation, students.</p>	

Fitness to Reside Procedure

Procedure 09: 2019 Version 01

Effective: September 2019



This Procedure outlines the steps that will be taken should concerns be raised regarding the health, welfare or behaviour of a student residing in Bangor University managed residential accommodation.

To report a concern, please contact one of the following in the first instance:

- wardens@bangor.ac.uk
- complaints@bangor.ac.uk
- undeb@undebbangor.com

Introduction

1. This Procedure applies to students who are causing significant concern and/or presenting a risk of harm to themselves or others within University managed accommodation.
2. Students who present with difficulties should, wherever possible, be considered from a supportive perspective. The University is committed to promoting positive attitudes towards all students, including those with physical or mental ill health.
3. The Procedure must not be used to terminate or suspend the provision of University accommodation for students in the following situations:
 - Approved short absences (e.g. short-term illness).
 - Situations that can be addressed through Schools' procedures for dealing with extenuating circumstances.
 - Unacceptable behaviour towards other people, towards property and towards the University that amounts to a breach of the General Regulations and will be dealt with under the Code of Student Conduct.
 - Disciplinary cases related to non-accommodation related matters. Such cases should be considered under the Ordinance for Student Discipline (available from the Governance and Compliance Office).

- Voluntary interruption of study on health and other grounds. Such cases should be considered under the Procedure for Approving Interruption of Studies (Procedure 07).
 - Students who are in debt. Such cases should be considered under the relevant procedures for dealing with debtors.
 - Matters that would otherwise be considered under the University 'Fitness to Study' Procedure.
4. The University has a duty of care to respond appropriately where there are substantial concerns relating to a student's health, wellbeing or behaviour, and the impact that may have upon the individual and/or other members of the University community.
 5. This procedure describes the support available where a student's behaviours, actions or wellbeing deteriorates to the point where they may not be fit to reside within University managed accommodation, including where they might be at risk of harm to themselves and/or others. It is designed to ensure a consistent and sensitive approach to managing situations.
 6. Concerns about the behaviours and wellbeing of a resident can be raised by both staff and students, and this document is to be used by staff in any situation where a student's behaviour, actions or welfare is questionable. Students will not be expected to manage such situations and should always approach a member of staff, or a representative of the Students' Union.
 7. Staff are expected to manage situations wherever they feel confident to do so within the parameters of their professional role and should consult with Student Services if they feel unable to deal with a situation, or need advice or guidance on how best to proceed with a student (www.bangor.ac.uk/studentservices).
 8. This policy should not be used in crisis or emergency situations, for example where a student is threatening to harm themselves, or has been injured. Most often in this case, the emergency services should be called.
 9. The policy does not cover incidents that require immediate police or security intervention.

Guidelines

10. The purpose of this Procedure is to support students and staff in managing situations and incidents that cause significant concern. The Procedure has three levels, based on the perceived level of risk to the health, safety and mental wellbeing of the student or others and on the response of a student to any intervention. The cause for concern can result in:

- invoking the Procedure at any of the three levels
 - staying at a level, or
 - progressing through the levels, should the cause for concern not be remedied by recommended and agreed actions.
11. Concerns about a student's health, wellbeing, behaviour or actions may be prompted by one or more of the following behaviours (please note, this list is not exhaustive and other behaviours or actions may raise concerns):
- repeated reports of antisocial behaviour – from other residents, Mentors, Wardens, Staff
 - Security reports submitted to the Halls Office
 - inappropriate behaviour (e.g. inappropriate touching, invading personal space, uncharacteristically bad language such as swearing)
 - refusal to comply with statutory inspections, fire drills and similar within the Residential environment
 - mood swings or unusual behaviour (e.g. aggressive, withdrawn, obsessive, overly effusive or elated, distressed, irritable, or excessive, unexpected and prolonged laughter or chattering)
 - withdrawal from social, cultural or sporting activities once considered important
 - lethargy or signs of lack of sleep, or unusual disorientation
 - obvious signs of substance/alcohol misuse
 - information about specific episodes (e.g. self-harm/suicidal thoughts or attempts)
 - changes in behaviour that make the students' use of facilities a danger to themselves and/or to others.
12. When assessing the perceived level of risk to the resident or others, communication is paramount. Early intervention in issues, and recommendations for support, can avoid crisis situations from occurring. Should staff feel that they are not confident about dealing with a situation or feel unsure about whether to invoke this procedure, they are encouraged to seek advice from a senior Halls staff member, the Head of Student Support or the University's Mental Health Advisors.
13. To ensure appropriate levels of confidentiality, this advice should initially be sought without disclosing details of the student concerned, e.g. on an anonymous basis.

14. Students should be involved in the management of their own living arrangements wherever possible. However, there may be times where a student is unwilling or unable to work within these procedures. In these cases, the process should continue, with concerns being raised, advice being sought, and action being taken, as appropriate.

Process Stage 1 – Emerging or Initial Concerns

15. Stage 1 is used if emerging or initial concerns about an individual student's behaviour or wellbeing are raised, or if the behaviour of the student is impacting the wellbeing of other residents in University managed accommodation.
16. If a student has concerns about a fellow student, they should raise these concerns with a member of University staff. **Details of who to contact in order to raise a concern can be found under paragraph 48, or at the start of this Procedure.** The students will not be expected to deal with the situation themselves, and having discussed the issue with a staff member, this person will make an appropriate referral, or deal with the issue.
17. If concerns have been identified by a member of staff, then that member of staff, or another with primary responsibility and/or knowledge of the student (which could be a Senior Warden, Student Services or Academic staff member) should talk to the student in a sympathetic and understanding manner, and indicate that there are concerns about the student's behaviours or actions. Staff may contact a senior Halls member of staff to discuss whether the use of this Procedure is appropriate.
18. In initiating Stage 1, the nature of the concerns should be clearly identified, and the student should be encouraged to discuss the issues, including the potential impact on themselves and others. It should be made clear to the student that, whilst the University has a duty of care to support all students, it is the student's responsibility to reside peacefully in a communal environment. Information should be provided about sources of professional support within the University that the student can access (e.g. Student Support, Counselling Service, Mental Health Advisors or other staff in Disability Service, the student's GP).
19. The student and member of staff should agree a date to meet within 1 month to review the situation (known as the Stage 1 review meeting), and to discuss the effectiveness of the support that the student has been accessing. The key points and agreements, including action points arising from this discussion should be recorded and communicated to the student. A copy of the form must be sent to the student within 5 working days. A copy of this information should be kept on the student's file for an agreed time period. The student should be reassured that the purpose of keeping it on file is to ensure that the University is providing all necessary support, to ensure that the

student continues to be fit to reside. A copy of the form should also be sent to the Head of Residential Life for reporting and monitoring purposes.

20. Students should be informed that if the concerns continue, any additional cause for concern arise, or they refuse or are unable to engage in the process, this could result in their fitness to reside being further considered by moving to Stage 2.
21. It is important to make more than one contact with the student at Stage 1. Where there is no response to contact or the level of concern is increased, the member of staff should seek advice from the Head Warden or Head of Residential Life. This may also include a decision to escalate to Stage 2.

Process Stage 2 – Continuing and/or Significant Concerns

22. Stage 2 is used if continuing or significant concerns about an individual student's behaviour or actions are being raised.
23. Stage 2 will be carried out by the Head Warden or nominee, who will work collaboratively with other relevant staff (including Security, Asst. Head Wardens, Student Services). The final decision on whether Stage 2 of the Procedure is invoked will be taken by the Head of Residential Life after receiving information from other relevant staff.
24. The student will be invited to meet with the Head Warden or nominee to discuss the issues, with the member of staff who has raised the issue present, if appropriate. The student will be informed that engaging with Stage 2 of the Procedure is mandatory and refusal to engage may result in further escalation to Stage 3.
25. The purpose of the meeting will be to ascertain the student's perception of the issues that have been identified, including the impact which their behaviours, actions or similar are having on the student and/or the University community.
26. The student should be informed of the purpose of the meeting, and be advised of any documents that may be required at the meeting. The student may be accompanied by someone to this meeting – for example, this could be a member of the Students' Union, a member of University staff acting in a supportive capacity, or a close family member. During the meeting, a mutually agreed action plan will be devised to put in place support for the student and formally agree expectations for the student to observe. This Action Plan will have a specific review date, and the consequences of not keeping to the agreed action plan must be made clear to the student. This may involve moving to Stage 3 of the Procedure, where a temporary move of accommodation may be considered necessary. Alternative accommodation will be provided within the Bangor University accommodation portfolio at no additional cost to the student.

27. If an action plan cannot be agreed at Stage 2, then the case must move to Stage 3.
28. A report of the meeting and its outcomes will be recorded by the Head Warden or Head of Residential Life. A copy of the agreed Action Plan will be submitted to the Head of Residential Life and the Director of Commercial Services.
29. The student should be informed that if the Action Plan is not adhered to, or any additional cause for concern arise, this could result in their fitness to reside being further considered by moving to Stage 3.

Process Stage 3 – Serious or Persistent Concerns

30. Stage 3 is used if serious or persistent concerns are raised about an individual student's actions or behaviour that are putting the health, safety, wellbeing of the student or other members of the University community at significant risk.
31. The Head of Residential Life, Director of Commercial Services or their nominee will call a 'Case Conference' to discuss the situation.
32. Those present at the Case Conference will normally include:
 - The Director of Commercial Services
 - The Head of Residential Life or a nominated representative
 - The Head of Student Support or a nominated representative
 - The Head of Governance and Compliance or a nominated representative
 - Appropriate representatives from the Student Services team
 - Members of Halls Mentor team when appropriate
 - Members of Security when appropriate
33. The Case Conference will determine an agreed action, which will normally be one of the following:
 - an enhanced Action Plan, or
 - a recommendation for a possible change (move) of accommodation to another block or site, or termination on health, wellbeing or behaviour grounds
34. If the Case Conference recommends an enhanced Action Plan, the student will be invited to meet with the Head of Residential Life or nominee to receive and discuss the recommended actions. The student will be invited to bring along a person to support them at the meeting. The plan will have a specified review date, and the consequences of not adhering to the Action Plan will be made clear. A copy of the agreed Action Plan

will be submitted to the Director of Commercial Services and the Head of Residential Life.

35. If the agreed recommended action is either a change of accommodation provision or issuing a 'Notice to Determine' (Notice to Quit Halls), the Head of Residential Life will seek approval from the Director of Commercial Services, and the student will be notified in writing. In certain cases, it may be necessary to inform the student verbally, indicating that action is immediate and that a formal letter will follow. Students will be directed to the Student Housing Office for further support.
36. 'Notice to Determine' (Notice to Quit Halls) will only be recommended in the most serious of cases, and when all avenues of support have been exhausted, or when the student has not engaged with agreed support.

Return to Residence

37. Any imposed alternative accommodation will not be lifted until the student has provided appropriate and/or other relevant evidence they are considered fit to reside in the University communal environment. The University may ask for answers to specific questions or consider specific issues, and will not make a decision to lift the provision of alternative accommodation until satisfied that the student is fit to return to the University environment. If considered relevant, the University may also require the student to attend an interview with relevant staff to determine the students' Fitness to Study.
38. The University will make every effort to allow the student to continue living in University managed accommodation, within the limits set by these and related University regulations. The ability to remain in residence will depend on the impact both upon the student and due consideration for others in the communal living environment, and will be decided on a case-by-case basis.

Appeal Procedure

39. Appeals against the decision of the Director of Commercial Services to 'quit' accommodation (as specified in paragraph 35) may be submitted to the Pro Vice-Chancellor (Students). Appeals should be submitted in writing within 14 days of the date on which the student received notification of the Chair's decision.
40. Appeals will only be considered on the following grounds:
 - Defects or irregularities in the conduct of the Fitness to Reside policy and related panels, and where such defects, irregularities or advice could have affected the Panel's decision.

- Exceptional personal circumstances that relate to the Panel's decision. The appellant must explain why such personal circumstances were not made known to the Panel before its meeting. Where a student could have reported exceptional circumstances to the Panel prior to its meeting, but did not do so, those circumstances cannot subsequently be cited as grounds for appeal.
41. The Pro Vice-Chancellor (Students) will investigate the concerns in any manner that is deemed appropriate in order to gather full and relevant information before making a judgement on the appeal. The Pro Vice-Chancellor's (Students) judgement will normally be issued within 10 working days of the date when an appeal is received, and will be communicated to the student in writing.
 42. The Pro Vice-Chancellor (Students) may reach one of the following conclusions:
 - That the appeal is not upheld. The Pro Vice-Chancellor (Students) will write to the appellant to inform them that the appeal was not upheld and that the University's procedures have been concluded.
 - That the appeal is upheld. The Pro Vice-Chancellor (Students) will arrange for a Fitness to Reside Panel, with different members to the original Panel, to consider the case. The Pro Vice-Chancellor (Students) will identify the grounds upon which the appeal was upheld.
 43. Appeals against the decision of a reconvened Fitness to Reside Panel will not normally be permitted.
 44. In accordance with the Higher Education Act 2004, the Office of the Independent Adjudicator for Higher Education (the OIA) has been designated by the National Assembly for Wales from 1 January 2005 as the operator of an independent scheme in Wales for the review of student complaints. When the Fitness to Reside Procedure has been completed, a student may submit a complaint to the OIA. Any such complaint must be submitted by sending a completed Scheme Application Form together with all relevant information to the OIA within three months of the date on the 'Completion of Procedures Letter' from the University upon completion of its internal procedures. A Scheme Application Form can be downloaded from the OIA website www.oiahe.org.uk.

Monitoring

45. Data will be collected on the use of this Procedure as follows:
 - number of cases at each stage of the Procedure
 - the number of students moved to alternative accommodation
 - final outcomes e.g. return to accommodation

46. All of the above will be monitored by College and School, and by gender, ethnicity, disability, age, religion/belief and sexual orientation where possible, to ensure fair and consistent application of the Procedure.
47. The Halls Team will collect this data and will raise any issues that arise directly with Colleges and Schools, or with the Governance and Compliance Office, as appropriate.

Reporting a Concern

48. **To report a concern, please contact one of the following in the first instance:**
 - wardens@bangor.ac.uk
 - complaints@bangor.ac.uk
 - undeb@undebbangor.com