

Policy Owner: College Director and Principal / Associate Principal

Keywords: Fitness to Study

Policy Code: QHRPO017

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1. INTENT

- 1.1 Australian College of Business and Technology ('ACBT' or the 'College') and Partner Provider is committed to the safety and wellbeing of its Students and the wider college community. It recognizes that an inclusive and proactive approach to Fitness to Study-related matters, as outlined in this Policy and its related Procedures, can assist Student success. Where practicable, the College will make reasonable adjustments to studies and College activities to accommodate Fitness to Study concerns, while maintaining the College's academic and conduct standards.

2. ORGANISATIONAL SCOPE

- 2.1 This Policy applies to all Students, irrespective of mode or location of study at ACBT and its Partner Providers.

3. DEFINITIONS:

- 3.1 The *Glossary of Policy Terms* applies to this Policy.

4. POLICY CONTENT:

Principles

- 4.1 All Fitness to Study matters will be managed in a coordinated and respectful manner, consistent with this Policy and the *Fitness to Study Procedures*.
- 4.2 The College recognizes that there may be instances where a Student's health condition, behaviour or wellbeing may give rise to concerns about their Fitness to Study. The College may consider that a Student is Unfit to Study when their conduct, which is directly related to a Fitness to Study concern:
- a) poses, or is likely to pose, a risk to the Health, Safety or Wellbeing of themselves or others, or to College property or facilities;

- b) interferes, or is likely to interfere, with the ability for Students, Staff or visitors to pursue their studies, teaching or other College activities;
- c) prevents, or is likely to prevent, the Student from successfully meeting the legal, ethical and behavioural requirements of their Course.

In such circumstances, the College may rely upon this Policy and its related Procedures to manage and respond to the concern.

- 4.3 The College recognises that support and consultation with Students is central to Student success and wellbeing. The College will:
- a) continually develop and foster a supportive framework for Students experiencing difficulties with their studies;
 - b) where practicable, inform and consult with Students about decisions that may affect them;
 - c) allow Students to be supported by a Student, friend or family member, at meetings arranged under the *Fitness to Study Procedures*, however the Student may not be legally represented; and
 - d) adhere to the requirements of any relevant state and national legislation, including the *Disability Discrimination Act 1992*, *Disability Standards for Education 2005*, *Disability Services Act 1986*, *Equal Opportunity Act 1984 (WA)*, *Education Services for Overseas Students Act 2000*, and other legislation as the context requires.
- 4.4 A senior Staff member, who on reasonable grounds believes that a Student may be Unfit to Study, and that there is an immediate or continuing risk of injury or serious detriment to any person, serious detriment to the College's interests or reputation, substantial damage to College property, or significant disruption to any College-related activity, may summarily and with immediate effect prevent a Student from accessing College facilities or premises for any period that may be reasonable in the circumstances. The matter will then be referred to the College Director and Principal to be dealt with as a Critical Concern (Level 3) in accordance with the *Fitness to Study Procedures*.
- 4.5 The College, when responding to a Fitness to Study concern, may in appropriate circumstances:
- a) restrict or cancel a Student's Enrolment in one or more Units or Courses, without Academic Penalty and with a relevant tuition fee refund;
 - b) require a Student to direct all communications to one or more nominated Staff members;
 - c) prohibit a Student from accessing College facilities or premises;
 - d) require a Student to provide Fitness to Study Reports, or other suitable medical or professional evidence of their Fitness to Study, and evidence that the Student will have ongoing support to manage their Studies;
 - e) require a Student to engage in specific activities to resolve any Fitness to Study concerns before and during a Student's return to Study; and
 - f) impose any other lawful condition or determination.

Where practicable, a decision made under this clause will be imposed with a view to facilitating the Student's return to study in an appropriate timeframe.

- 4.6 Where a Student's Enrolment is Cancelled or refused in accordance with this Policy, the Student cannot provisionally Enrol pending the determination of their Student Appeal.
- 4.7 Any Cancellation of an overseas Student's Enrolment will be subject to Standard 9 of the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#), however can take immediate effect if the overseas Student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

5. ACCOUNTABILITIES AND RESPONSIBILITIES

- 5.1 The **College Director and Principal / Associate Principal** , has overall responsibility for the content of this Policy and its operation in ACBT.
- 5.2 **Staff and Students** are required to comply with the content of this Policy and to seek guidance in the event of uncertainty as to its application.

6. RELATED DOCUMENTS:

- 6.1. This Policy is supported by the *Fitness to Study Procedures*.
- 6.2. Other documents relevant to this Policy include:

- Enrolment Policy*
- Student Conduct Policy*
- Student Wellbeing, Counselling and Support Policy*
- Wellness, Health and Safety Policy*

- 6.3. This Policy has been written to align with:

- [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)
- Disability Discrimination Act 1992*
- Disability Standards for Education 2005*
- Disability Services Act 198*
- Equal Opportunity Act 1984 (WA)*
- Education Services for Overseas Students Act 2000*

7. CONTACT INFORMATION:

For queries relating to this document please contact:

POLICY OWNER	College Director and Principal
ALL ENQUIRIES CONTACT:	Quality and Compliance Manager
TELEPHONE:	011 2565595
EMAIL ADDRESS:	

8. APPROVAL HISTORY:

POLICY APPROVED BY:	Associate Principal
DATE POLICY FIRST APPROVED:	June 2022
DATE LAST MODIFIED:	
REVISION HISTORY:	
NEXT REVISION DUE:	July 2024