

BIMM
UNIVERSITY

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Fitness to Study Procedure



Last approved: September 2022

Approved by: Academic Board

Next review due: September 2026

1. Introduction and Scope

- 1.1. This Fitness to Study Procedure applies to all students registered on a course at BIMM University and references to the holders of any post shall be construed to refer either to the post holder or to their respective nominee.
- 1.2. The purpose of this Procedure is:
 - a) To provide a suitable and co-ordinated response by academic and support staff in circumstances where it is not considered appropriate to apply other internal procedures, such as the Student Disciplinary Procedure.
 - b) To encourage early intervention and active collaboration between all staff in managing situations where there are concerns regarding fitness to study.
 - c) To provide a non-judgemental, consistent and sensitive approach to the management of situations which may require different levels of response according to the perceived level of concern.
- 1.3. Fitness to Study relates to an individual's capacity to participate fully and satisfactorily as a student, in relation to academic studies and student life in general at BIMM University,
- 1.4. BIMM University is committed to supporting student wellbeing and recognises that a positive approach to the management of physical and mental health is crucial to student learning and academic achievement.
- 1.5. This Procedure may be invoked by any member of BIMM University community where a student's fitness to study may be a cause for concern, including (but not limited to):
 - a) Concerns about the student's fitness to study are raised by a third party, such as a friend, relative, housemate, colleague, employer, member of BIMM University staff or medical professional, either while the student is at BIMM University or whilst engaged in external activities such as placements, gigs, work-based learning or field trips.
 - b) The student's disposition is such that it indicates that there may be need to address an underlying health issue.
 - c) Behaviour which would usually be dealt with as a disciplinary matter, which may be known to be or suspected to be the result of an underlying physical or mental health difficulty.
 - d) A student's health difficulties are adversely affecting the health, safety or wellbeing of others.
 - e) The student's academic performance is being hindered to the point where it is impacting adversely on their ability to progress and/or achieve and is thought to be the result of an underlying physical or mental health problem.
 - f) The student's personal conduct is not acceptable and is thought to be the result of an underlying physical or mental health problem.

2. Precautionary Measures

- 2.1. Where a student is perceived to be suffering from health difficulties and causing serious disruption to others or severely damaging their own academic prospects, appropriate precautionary measures may be taken by the Student Wellbeing Manager to protect the student's safety and wellbeing and that of the wider University community while this Procedure is followed.
- 2.2. Precautionary Measures may include, but are not limited to, one or more of the following:
 - a) Referral to an appropriate support service, such as the Student Wellbeing team, or an external organisation.
 - b) Exclusion from certain parts or activities of BIMM University.
 - c) Suspension from BIMM University.

- d) Any other precautionary measures as deemed appropriate by the Student Wellbeing Manager.
- 2.3. Where it is decided to put any Precautionary Measures in place, the Student Wellbeing Manager must give the student written notification of the decision, including the reasons which led to it being made, and of their right to appeal the decision, as set out below.
- 2.4. Precautionary Measures are not sanctions and are not punitive; they are temporary measures that aims to protect all members of the University's community whilst this Procedure is followed. Suspension is not judgmental; by comparison, exclusion is a sanction that may be imposed as part of the outcome of either Stage 2 or 3 of this Procedure.
- 2.5. In all cases where Precautionary Measures taken might prevent a student from sufficiently engaging with their academic studies, the relevant Course Leader should be informed of the measures, though not of any sensitive details of the case. That Course Leader should provide an academic judgement on how and to what extent, if any, a student's academic commitments can be fulfilled for the duration of those measures or through support provided following immediately thereafter. The academic judgement will take into account the nature of the student's course and associated academic commitments and progress.
- 2.6. A student suspended as a precautionary measure under this Procedure may appeal in writing to the Head of School within 14 days of the suspension on either or both of the following grounds, and should provide supporting evidence where appropriate:
- a) That the suspension process was not followed appropriately and why this had a material effect on the decision to suspend, making it unsound.
 - b) Substantial and relevant new information which the student was unable to provide previously with good reason and why this had a material effect on the decision to suspend, making it unsound.
- 2.7. Within 15 working days of the appeal being received, it shall be considered by an Appeals Officer appointed by the Head of School together with all the information considered as part of the suspension process. If the Appeals Officer considers the student has demonstrated their grounds and, therefore, the decision to suspend was unsound, the appeal will be upheld and referred back for reconsideration of the suspension in accordance with correct procedure or in light of the new information. If the Appeals Officer considers the student has not demonstrated their grounds, the appeal will be dismissed. In all cases, the student will be informed of the decision and provided with a brief written summary of the reasons for the decision. The student will be informed of the option to request a review by the Office of the Independent Adjudicator and the timeline for doing so.

3. Stages of Action

- 3.1. This Procedure includes three separate stages:
- a) Stage 1 – Informal Stage
 - b) Stage 2 – Case Review Panel
 - c) Stage 3 – Fitness to Study Panel
- 3.2. This Procedure may be entered at any of these stages depending on the level of concern and urgency, though the objective is for most situations to be remedied by action taken at stages 1 or 2.
- 3.3. In situations where BIMM University considers the level of concern or urgency to be more significant, it reserves the right to commence this Procedure at stage 2 or 3.

- 3.4. Subject to meeting BIMM University's qualifying criteria for Intermission, as set out in the [Academic Regulations](#), a student about whom concerns have been raised may opt to intermit at any stage during this Procedure.

4. Stage 1: Informal Stage

- 4.1. Once concerns have been raised about the student, a member of staff from the student's course or the Student Wellbeing team should approach the student and explain to them, in a supportive and understanding way, the concerns about their fitness to study. This would ordinarily be a member of staff with knowledge of the student, such as their Course Leader or Student Support Officer. That member of staff should contact the Head/Deputy Head of Student Services if they require advice or guidance on how to approach the student and discuss difficult issues.
- 4.2. The student will be made aware of the precise nature of the circumstances causing concern, and the member of staff will attempt to resolve the matter in informal discussions with the student. The student should be encouraged to explain their views and should be encouraged to avail fully of the support services offered by BIMM University. The member of staff should consider with the student whether any specific academic arrangements or other types of support could be applied to help the student study more effectively.
- 4.3. In most cases, it is anticipated that the concerns can be addressed informally at this stage, that the student will engage with this process and will access the support services available to them at BIMM University. Any plans agreed between the member of staff and the student should be set out formally via email to the student, so it is clear what has been agreed.
- 4.4. If possible, a review period should be agreed between the student and member of staff, for which sufficient time should be granted to allow the student to consider their behaviour and seek support. At the review meeting, the steps taken to address the concerns should be discussed in detail.
- 4.5. Further meetings may be scheduled to monitor progress made by the student, and the member of staff should help the student access the support available to enable them to continue and engage with their studies. The general expectation is that the student will take personal responsibility and fully engage with the support recommended by staff.
- 4.6. If the concerns have not been addressed by the end of the review period, support has not been sought, and the member of staff feels that the progress has not been made in the agreed time frame, the case can move on to Stage 2.

5. Stage 2: Case Review Panel

- 5.1. If action taken under Stage 1 has not been successful, or if the concerns raised are too serious to be dealt with informally, Stage 2 should be invoked.
- 5.2. A meeting of a Case Review Panel can be convened by the Head of Student Services, who will chair the Panel, which will normally be made up of the following members of staff:
- The relevant Course Leader
 - Relevant Student Wellbeing Team members
 - Any other staff involved in the case

- 5.3. Before the Case Review Panel meeting, assessment may be sought, usually from the student's GP, medical practitioner or appropriate professional, and the student will be encouraged to consent to the assessment. The student will be able to submit documents for the Panel to consider and will be given a copy of any documents seen by the Panel. The sharing of documents for consideration should normally be completed no later than one working day before the Case Review Panel meeting. The student may request to attend the Case Review Panel meeting and, if this is granted, they will have the right to bring a friend or representative to the meeting for support.
- 5.4. Where a student wishes to bring a friend or representative to the meeting, they must make this request in writing to the Student Wellbeing Manager at least one working day in advance. If a student and/or their friend/representative's request to attend is not granted, the Panel will provide a written explanation for this decision.
- 5.5. The Panel will order its proceedings as it sees fit and may call witnesses if necessary. Where a student and/or their representative is allowed to attend, they may be invited to make representation on their behalf but will be asked to leave the meeting whilst the Panel considers its decision.
- 5.6. Within two working days of the Case Review Panel meeting, the Student Wellbeing Manager will inform the student in writing of any decision made and the rationale for that decision. The outcomes available to the Case Review Panel are:
 - a) No further action required.
 - b) To monitor the student formally for a specific period of time. An action plan will be agreed with the student detailing any steps the student will need to take and the support to be provided to the student. Regular review meetings will be arranged with the student and a nominated member of staff. The student should be made aware of what will happen if the action plan is breached, which will normally involve their case moving to Stage 3.
 - c) Short-Term Suspension: this may be put in place to allow a student to be assessed by a medical or other appropriate professional, access internal and external support services or for further information to be obtained. Such Short-Term Suspensions will be reviewed by the Head of Student Services within four weeks.
 - d) To recommend specific arrangements be put in place, which may include a Temporary Exclusion (see Section 7 for further details). Such arrangements should be agreed between the Head of Student Services, the Course Leader and the student. If the student does not agree, the case will move on to Stage 3.
 - e) To refer the case to a Fitness to Study Panel under Stage 3 of this procedure. This will be appropriate in serious cases, for example where there is evidence of a serious risk to the health and safety of the student or others in the BIMM University community. This course of action may be used when it is considered that an exclusion, either temporary or permanent, may be the appropriate course of action, or if the student has not agreed to a recommendation or action plan made under Stage 2.

6. Stage 3: Fitness to Study Panel

- 6.1. This stage will only be invoked following a referral from a Case Review Panel or if, in the opinion of the Head of Student Services in consultation with the Head of School, it is decided that the case is sufficiently serious to warrant an immediate referral without consideration at Stage 1 or 2. The Head of School can convene a Fitness to Study Panel to consider the case which will normally be comprised of:
 - Head of School (Chair)

- Student Wellbeing Manager or senior member of the Student Wellbeing team
- The relevant Course Leader
- The relevant Student Wellbeing Advisor
- Any other staff involved in the case

- 6.2. As with the Case Review Panel, the student will have the opportunity to submit documents for consideration and will be sent a copy of any documents seen by the Panel. The sharing of documents for consideration should normally be completed no later than one working day before the Case Review Fitness to Study Panel meeting.
- 6.3. The student may request to attend the Fitness to Study Panel meeting and, if this is granted, they will have the right to bring a friend or representative to the meeting for support. Where a student wishes to bring a friend or representative to the meeting, they must make this request in writing to the Student Wellbeing Manager at least one working day in advance. If a student and/or their friend/representative's request to attend is not granted, the Panel will provide a written explanation for this decision.
- 6.4. The Panel may order the proceedings at its discretion, may call witnesses if required and may request further medical or professional evidence. Where a student and/or their representative is allowed to attend, they may be invited to make representation on their behalf but will be asked to leave the meeting whilst the Panel considers its decision.
- 6.5. Within two working days of the Fitness to Study Panel meeting, the Chair will inform the student in writing of any decision made and the rationale for that decision. The outcomes available to the Panel include:
- a) Short-Term Suspension: this may be put in place to allow a student to be assessed by a medical or other appropriate professional, access internal and external support services or for further information to be obtained. Such Short-Term Suspensions will be reviewed by the Student Wellbeing Manager within four weeks.
 - b) Temporary Exclusion with immediate effect for a set period of up to twelve months (see Section 7 for further details).
 - c) Permanent Exclusion: if the Panel concludes, taking into account the individual circumstances of the case and any supporting medical or professional evidence, that there is no reasonable prospect of the student re-engaging with their course in the short to medium term, the student will be Permanently Excluded. This option should be reserved for the most serious cases.
 - d) Any other action considered to be appropriate and proportionate by the Panel.

7. Temporary Exclusion

- 7.1. The Panel may impose a Temporary Exclusion with immediate effect for a set period of up to twelve months. A student who is subject to a Temporary Exclusion may be prohibited from entering University premises and from participating in BIMM University activities. The Temporary Exclusion may, exceptionally, be subject to qualification, such as the permission to complete an assessment or to enter BIMM University premises to attend a meeting with a support service. The terms of a Temporary Exclusion will be unique to each case, will be notified to the student in writing as set out at 6.5 above.
- 7.2. A decision to Temporarily Exclude will normally be reviewed by the Student Wellbeing Manager within the final month of the period of exclusion, though this may be brought forward should there be significant and relevant developments in the excluded student's circumstances. The review may include a recommendation that a Fitness to Study Panel be convened to reconsider the case.

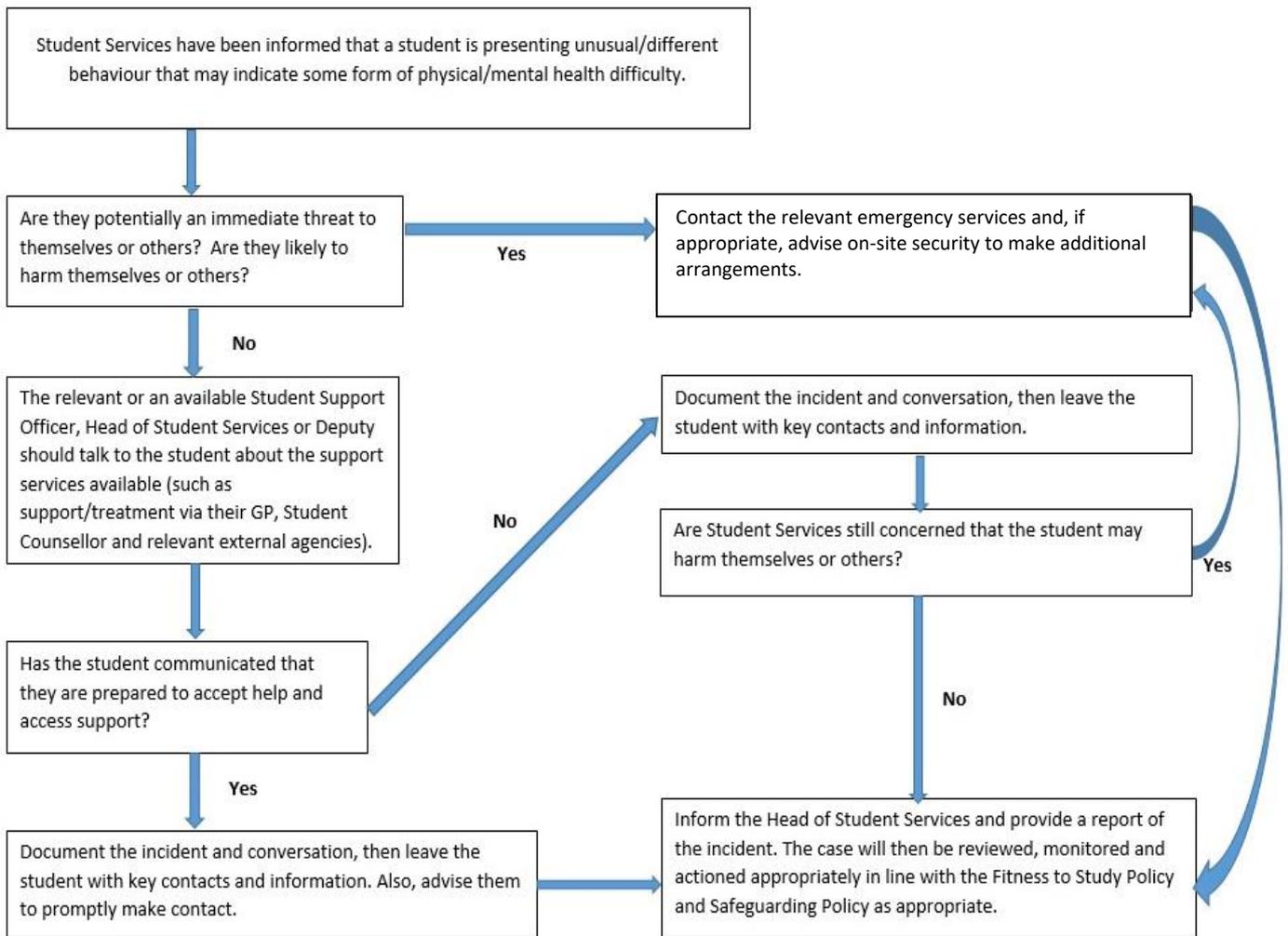
8. Return to Study

- 8.1. The Case Review Panel or Fitness to Study Panel that made the decision regarding a Temporary Exclusion, or as many members of the original Panel as possible, will be reconvened to consider whether the student is fit to return to study.
- 8.2. Further medical or professional evidence will be requested from the student which considers their ability to fully engage with their studies and meet the requirements of the course. A student will only be permitted to return if, after receiving the medical or professional evidence, the Panel is satisfied that the individual is fit to study.
- 8.3. If a student agreed to a Temporary Exclusion under Stage 2, the Case Review Panel that originally considered the matter can make the decision regarding a return to studies without referral to a Fitness to Study Panel if it is satisfied that the student is fit to return.
- 8.4. If the Fitness to Study Panel made the decision to suspend or temporarily exclude under Stage 3, the Panel should reconvene to consider whether the student is fit to return to study and make a decision.
- 8.5. Where a student returns to study after a Temporary Exclusion under this Procedure, the relevant Panel will consider any support that the student may require to support a return to studies, such as regular review meetings or a Learning Agreement. The general expectation is that the student will agree to this support plan and take personal responsibility for fully engaging with this support, and that failure to do so may result in Permanent Exclusion.
- 8.6. The University can provide access to short-term counselling and longer-term mental health advice, but cannot provide specialist or intensive therapy, and there is limited availability for these through funded health services. University staff are not able to manage medication, so a returning student should be able to manage their own safety.

9. Crisis Situations

- 9.1. It is possible that, if a situation requires Stage 3 outlined in this Procedure, the student may pose an extreme risk to themselves and/or others that will require emergency measures to be taken by members of Student Wellbeing and assistance from outside agencies.
- 9.2. In such a situation, the Emergency Services or the local Mental Health Crisis Team should be contacted by a member of Student Services (as for cases of psychosis or suicidal ideation, for example). This should be followed up later by notifying the Head/Deputy Head of Student Services of the details of the incident and action taken. Immediate attendance by a member of Student Services as also outlined in the Safeguarding Policy would also be required in the majority of these situations.
- 9.3. Actions should be recorded using CPOMS (Child Protection Online Management System) which is used by all Institute staff to record and manage safeguarding concerns for both under 18s and over 18s where they are considered to be 'adults at risk'.

9.4. Pathway for action in crisis situations:



10. Assessment Board Decisions

10.1. If a period of Suspension or Temporary Exclusion results in a student being unable to complete assessments, the relevant Assessment Board will be informed that the student has been Suspended or Temporarily Excluded under Fitness to Study. The report from Stage 2 or Stage 3 will make a recommendation to the Assessment Board on when and how the student is expected to re-engage with their studies and complete the required assessments.

11. Right of Appeal

11.1. A student may appeal to the BIMM University against a Temporary or Permanent Exclusion by following the process set out [here](#). All appeals should be submitted within **21 days** of the date on which the notification of Temporary or Permanent Exclusion was given – this will be on the letter.

11.2. Any student considering making an appeal is advised to talk to one of the individuals listed below. They can advise on how to deal with an appeal, help to resolve it informally and, if necessary, support the student in the process of making a formal appeal.

- Student Wellbeing staff
- Course Leader
- Head of School
- Campus Dean
- Student Representatives

Appendix: Guidelines for Staff on Students & Mental Health

BIMM University aims to promote a culture of diversity within our community, providing a dynamic working and learning environment where all members are valued for their contribution and individuality. Applicants are encouraged to declare any existing mental health difficulties during the application process and Student Support may contact them and offer them the opportunity to discuss their personal support requirements further confidentially.

However, lecturers and reception staff are often the first point of contact for a student experiencing mental distress for the first time and are often more aware of changes in a student's behaviour, which may indicate a need for support.

These guidelines aim to give practical and general guidance for staff where there is concern that a student may be experiencing mental health related difficulties which are either reoccurring or initial.

Introduction

If you're worried about a student's mental health, ask yourself the following questions:

- Has the student told you they have a problem?
- Has someone else expressed concern, such as another student or colleague?
- Have there been any significant changes in the student's appearance, such as sudden weight loss/gain or decline in personal hygiene?
- Do they smell or sound different, e.g., can you smell alcohol, or is their speech very loud/quiet?
- Have you noticed a difference in the mood of the student compared with how they are usually? (We can all experience a 'bad' day, but we need to be mindful of the potential there may be a problem when the day turns into a week, or month.)
- Have you noticed a change in their behaviour, such as being uncharacteristically withdrawn in class or absent, being inappropriate relative to the situation or not completing work?
- We may all experience one or more of these factors at some point in our lives and they do not always signal any cause for concern. The fact that some of the above factors may be present might suggest a need for greater concern, investigation or to seek advice from Student Support.

What you can do if you are concerned

- Try not to avoid the situation or pretend nothing is wrong, as this could make matters worse, or result in them lasting for longer. Approach the student in an empathetic and understanding way. Remember to be sensitive to issues relating to sexuality, race, religion, culture and gender.
- Just by asking the student how they are may give them the opportunity to discuss their concerns with you – they might only want a listening ear.
- Be prepared to listen and give some time if you are able. If there are constraints on your time, tell the student this at the start and consider arranging a different time (e.g., after a class).
- Being open and honest with the student in your initial contact will help to develop a level of trust between you. A student might often avoid seeking help because of concerns about the consequences of telling someone.
- Whilst you should usually try to get the student's consent before sharing confidential information with someone else, if you are unsure on how to help the student you can contact Student Support, in confidence.
- Try not to offer help that is beyond your role. We all have something to offer, but it is critical we are aware of what is realistic, and what we are qualified to do. It is not your responsibility to solve the student's problem, but it is hugely helpful for you to flag up any possible issues.
- The student may not always identify they have a problem or may not want to acknowledge it. Try not to humour them by pretending there isn't a problem if it is clear to you there is.

- How you respond to your concerns will largely depend on your assessment of their situation. The key consideration is the safety and wellbeing of the student and those around them.

When a student does not want to talk

- If the student is not ready to accept help or talk about their problem, do not ask insensitive or intrusive questions. Respect the right of the student if they do not wish to discuss things. Offer them an open invitation to come back and talk to you, or Student Support in the future.
- However, if you are still concerned about a student who has refused help, speak to the Head of Student Services.

When a student does want to talk

- If the student does discuss their problem with you, be wary of giving advice that is beyond the boundaries of your role.
- Do express your concern, but remember you are not a therapist or a counsellor. Listen and encourage the student to speak to a Student Support Officer.

Dealing with crisis situations

Whilst very rare, there may be instances where a student's behaviour gives serious cause for concern. Such situations will vary, from indications they are experiencing suicidal thoughts, to exhibitions of bizarre or violent behaviour, which raises concern that the student or others may be at risk.

Assuring your safety and that of others, including the individual, is paramount. The following notes may help:

- Try to remain and appear calm and adopt a non-threatening approach.
- If there are other students nearby, calmly ask them to leave the area.
- Some situations can be distressing – if you do not feel confident to approach the student, then go and get help.
- Ensure appropriate people are contacted such as Student Wellbeing, Security and/or First Aider.
- If there is serious concern about the individual do not hesitate to call the emergency services – paramedics or police.