FITNESS TO STUDY POLICY

Effective date	On approval
Date for review	November 2027
Policy owner	Chief Executive
Reference points	UK GDPR and Data Protection Act 2018 (processing of special category data) Equality Act 2010 and Public Sector Equality Duty (PSED) Office for Students guidance: Joined-up working to support student mental health QAA UK Quality Code for Higher Education – Advice and Guidance on *Enabling Student Achievement* and *Concerns, Complaints and Appeals* Universities UK Stepchange Framework on mental health and wellbeing BIMM University regulations and procedures on Fitness to Study (as validating partner)
Audience/handling notes	Academic, Students, External, Public
Dissemination and implementation plan	This Fitness to Study Policy is an external academic policy that will be published on the NHAM website and in the student handbook reference by students, staff, and all other relevant stakeholders. Academic and Student Services staff will receive training in how to apply this policy and its procedures. They will also be directed to where it is published. The Academy Manager will be responsible for the dissemination of the policy and procedures to academic and support staff. A register of student support offered and its impact will be reviewed by the Governance and Education committees as a standing agenda item.
Linked Policies, Procedures and Forms	Safeguarding Policy, Prevent Policy, Student Code of Conduct, Student Disciplinary Policy, Engagement & Attendance Policy, Equity Diversity and Inclusion Policy, Data Protection Policy.
Date approved	Pending approval

1 Introduction

Notting Hill Academy of Music (NHAM) is committed to fostering a safe, inclusive, and supportive learning environment. We recognise that physical or mental health difficulties, personal circumstances, or other significant challenges may affect a student's ability to fully engage with their studies.

This Fitness to Study Policy outlines a clear, fair, and supportive process for addressing concerns about a student's capacity to meet the reasonable requirements of their programme. It aims to balance the wellbeing of the student with the needs of the wider NHAM and BIMM University community.

Our approach prioritises:

- Early identification and intervention.
- Respect for dignity, autonomy, and privacy.
- Compliance with UK law and regulatory requirements.
- Collaborative problem-solving between staff, students, and relevant support services.

2 Purpose

This policy provides a framework to:

- Address concerns about a student's ability to study safely and effectively, where other procedures (e.g., Student Disciplinary Policy) are not appropriate.
- Ensure consistent, non-judgemental, and proportionate responses.
- Encourage active engagement between students and staff to identify solutions and reasonable adjustments.
- Protect the health, safety, and academic integrity of all members of our learning community.

3 Principles and legal compliance

NHAM will ensure that:

- All actions comply with the Equality Act 2010 and the Public Sector Equality Duty. Reasonable adjustments will be considered before any restrictive action is taken.

• Keep health information in restricted records. Share the minimum necessary through secure channels with those who need it. Record the lawful basis and special-category condition, seeking advice from the relevant data protection lead.

- Decisions are informed by relevant BIMM University regulations and, where appropriate, outcomes are communicated to BIMM to maintain accurate student records.
- The policy operates alongside NHAM's Safeguarding Policy and Prevent Policy to ensure joined-up care.

4 Scope

This policy applies when there are serious concerns that a student's health, wellbeing, or behaviour is affecting:

- Their ability to meet the academic, creative, or professional standards of their course.
- Their safety or the safety of others.
- The learning experience of other students.

It may be used where:

- A student has disclosed significant wellbeing concerns.
- Concerns are raised by staff, peers, or external partners (e.g., placement providers).
- There is a pattern of disengagement, significant non-attendance, or marked deterioration in performance.
- Behaviour presents a serious risk to self or others.

5 Stages of action

Stage 1 – Early Concern and Informal Support

• Use an official NHAM channel. Refer urgent safety concerns to the safeguarding lead or emergency services as appropriate. Serious or urgent cases can start at Stage 2 or 3.

- The conversation will focus on understanding the student's perspective, identifying support needs, and agreeing reasonable adjustments or action plans.
- A brief written summary of agreed actions will be shared with the student, and progress will be reviewed after an agreed period.

Stage 2 – Case Review Panel

If concerns persist or are more serious:

- A Case Review Panel will be convened, chaired by the Programme Leader and including the EDI Champion and a member of the Governance Committee.
- The student will be invited to attend, accompanied by a representative (friend, family member, or Students' Union/advocacy representative).
- Medical evidence or professional assessments may be requested, with explicit consent.
- Outcomes may include continued study with adjustments, temporary suspension, or referral to Stage 3.

Stage 3 – Fitness to Study Panel

For serious, urgent, or persistent concerns:

- A Fitness to Study Panel will be chaired by the Chief Executive and include senior staff.
- The student will be invited to attend and may be accompanied by a representative.
- Possible outcomes include:
    - Continued study with conditions and support plan.
    - Temporary suspension with conditions for return.
    - Permanent withdrawal (in only the most serious cases).
- Decisions will be communicated in writing within 5 working days, with reasons provided.

6 Precautionary measures

Where there is a significant and immediate risk, the Chief Executive may authorise a time-limited restriction. Consider reasonable adjustments and use the least restrictive measure that addresses the risk. Treat this as a precaution pending review.

Give written reasons, conditions, study and assessment access arrangements, the review date and appeal route. Agree any change to formal registration with BIMM before it is recorded.

Review within four weeks, or sooner if circumstances change. Lift or vary the measure where possible and refer the case to the appropriate panel if a substantive decision is needed.

7 Return to study

When a student has been suspended or temporarily excluded under this policy, the Case Review Panel or Fitness to Study Panel that made the original decision, wherever possible including the same members, will be reconvened to determine whether the student is fit to resume their studies.

Request relevant professional evidence where proportionate. Consider the student's views, the evidence already held, and what adjustments would support a safe return. Explain in writing any conditions and the reasons for them.

- If the suspension was agreed under Stage 2, the original Case Review Panel may decide on the student's return without referral to the Chief Executive.

- If the suspension or exclusion was imposed under Stage 3 following a Fitness to Study Panel recommendation, the Panel will reconvene and make a recommendation to the Chief Executive, who will make the final decision.

On approving a return, the Panel will also consider any reasonable adjustments, support measures, or conditions necessary to enable the student's successful reintegration. This may include a *Return to Study Action Plan* and regular review meetings.

The student is expected to take personal responsibility for engaging with the agreed support and complying with any conditions set as part of their return.

8 Appeals

Appeal in writing using the contact in the decision letter. For a precautionary measure, appeal within 14 calendar days. For a panel outcome involving suspension or withdrawal, appeal within 20 working days. State the grounds, which may include:

- A procedural error in the application of this policy.
- The emergence of new, relevant evidence that could not reasonably have been provided earlier.
- Evidence that the decision was unreasonable or disproportionate in all the circumstances.

An Appeal Panel will be convened in accordance with the membership and procedures set out in the Student Complaints Policy. The Panel will review the case, consider any written or oral representations, and decide whether to:

- Uphold the original decision.
- Amend the decision or conditions.
- Refer the case back for reconsideration.

The written outcome gives reasons and explains any BIMM review, who issues the Completion of Procedures letter and how to approach the OIA once the applicable procedures are complete.

9 Evaluation, Monitoring and Review

- All Fitness to Study cases will be logged and anonymised data reviewed annually by the Governance Committee and Education Committee.
- Trends and lessons learned will feed into NHAM's Mental Health and Wellbeing Action Plan.
- This policy will be reviewed annually to remain compliant with legislation, OfS expectations, and BIMM University regulations.

10 Case management and professional boundaries

A diagnosis, disability, arrest, treatment decision or missed support appointment does not by itself establish that a student cannot study. Identify the specific effect on safe participation, learning or others. Consider reasonable adjustments and less restrictive arrangements, including supported online study where suitable and approved.

Nominate one NHAM case lead and an official monitored contact. Staff record study-related support, signpost professional help and agree review dates. They must not provide an informal personal crisis service or clinical assessment. Give the student clear contact hours and urgent help routes. A serious or immediate danger requires emergency or safeguarding action without waiting for a panel.

NHAM manages its local case. Notify the relevant BIMM safeguarding, quality or partnership lead where a case affects safety, academic access, registration or the award, following the agreed responsibilities. Record who is responsible for each action. A referral does not transfer all NHAM responsibilities to BIMM.

11 Fair procedure and proportionate outcomes

Explain the concerns, evidence, proposed stage, possible outcomes and meeting arrangements in writing. Normally allow at least five working days to prepare for a formal panel. Offer written participation, an accessible meeting, extra time and a supporter as appropriate. If urgent action precedes notice, provide reasons and an early opportunity to respond.

The investigator or case lead should not decide an appeal. Declare and manage conflicts. The student can comment on relevant evidence and correct errors. Share necessary evidence securely, explaining any lawful redaction. If the student does not attend, first check receipt, access needs and any good reason. Explain whether and why the case can proceed on available evidence.

Record a functional assessment of the risks and the reasons for the chosen outcome. Consider continued study with adjustments, a time-limited supported pause, conditions for safe return or, in the most serious case, withdrawal. Confirm any formal status change with the authorised BIMM route. The decision letter states support, study access, review dates and the applicable appeal.

Review a precautionary restriction within four weeks and earlier when material evidence changes. For return, seek only evidence needed to assess functional requirements and adjustments. A medical opinion informs the decision alongside other evidence. Set a prompt return review, a reintegration plan and proportionate conditions.

Precautionary challenges may be submitted within 14 calendar days. A substantive NHAM outcome can be appealed within 20 working days under this policy unless a different partner route has already been approved and published for the cohort. This allocation must be settled with BIMM before publication and matched in the handbook. Academic Appeals is a separate process.

The final outcome must explain any BIMM review, Completion of Procedures and the eligible OIA route, including the normal 12-month time limit. Record disclosure, sharing, retention and review decisions. Governance reporting uses de-identified information.