

FITNESS TO STUDY POLICY

Effective date	August 2025
Date for review	August 2026
Policy owner	Chief Executive
Reference points	<p>UK GDPR and Data Protection Act 2018 (processing of special category data)</p> <p>Equality Act 2010 and Public Sector Equality Duty (PSED)</p> <p>Office for Students guidance: Joined-up working to support student mental health</p> <p>QAA UK Quality Code for Higher Education – Advice and Guidance on <i>Enabling Student Achievement and Concerns, Complaints and Appeals</i></p> <p>Universities UK Stepchange Framework on mental health and wellbeing</p> <p>BIMM University regulations and procedures on Fitness to Study (as validating partner)</p>
Audience/handling notes	Academic, Students, External, Public
Dissemination and implementation plan	<p>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.</p> <p>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.</p> <p>A register of student support offered and its impact will be reviewed by the Governance and Education committees as a standing agenda item.</p>
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	August 2025

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.
- All processing of health-related information is compliant with UK GDPR and the Data Protection Act 2018 as *special category data*. Explicit, informed consent will be obtained for sharing medical or wellbeing information, unless there is a safeguarding or legal obligation to share without consent.
- 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

- Concerns raised will be discussed with the student in a supportive, private meeting, normally led by their Programme Leader or relevant academic staff member.
- 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.

7 Temporary Exclusion

Where the Governance Team considers that a student presents a significant and immediate risk to themselves, others, or the Academy, the matter may be referred directly to the Chief Executive. The Chief Executive may impose a temporary exclusion with immediate effect for a specified period.

During a temporary exclusion, the student is prohibited from entering Academy premises or participating in Academy activities, unless specific written exceptions are granted (for example, to sit an assessment or attend a meeting with staff).

The terms of the exclusion will be tailored to the circumstances of the case and confirmed in writing to the student. The student's enrolment status with BIMM University, as the validating partner, will not be affected unless and until a final decision is made under this policy.

All temporary exclusions will normally be reviewed within four weeks. This review may result in the exclusion being lifted, extended with conditions, or escalated to a Fitness to Study Panel for further consideration.

8 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.

The Panel will request up-to-date medical or other professional evidence addressing the student's ability to fully engage with their programme and meet its academic and professional requirements. It is the student's responsibility to provide this evidence. The Panel will only approve a return where it is satisfied, based on the evidence, that the student is fit to study.

- 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.

9 Appeals

A student may appeal against a suspension or requirement to withdraw under this policy. Appeals must be submitted in writing to the Chief Executive within 20 working days of the date of the written decision. The appeal must clearly 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 decision of the Appeal Panel will be final within the Academy's procedures and will be communicated to the student in writing, normally within 10 working days of the appeal hearing.

10 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.