

**ISTITUTO MARANGONI LONDON
FITNESS TO STUDY POLICY**

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1. INTRODUCTION

- 1.1 Istituto Marangoni is committed to developing a positive and safe environment that is supportive of students and enables them to engage with their studies and achieve to the best of their ability. The Fitness to Study Policy is intended to inform and guide the School's response to situations where there are concerns that a student is not well enough to study, including situations where a student is unaware that they are not well enough to study.
- 1.2 Fitness to Study is concerned with an individual's capacity to participate fully and satisfactorily as a student in relation to their academic studies, and in relation to the School community in general. In addition to academic study, it applies to student activities on School premises, as well as study/research activities offsite for example during, field work or work-based placements. It applies to situations where student health, wellbeing or behaviour is brought to the attention of the School, that may impact the students ability and suitability to engage or impact the wider community.
- 1.3 The policy is intended to be supportive. The focus at all stages is to provide the infrastructure to support the student to succeed on their course. This may include suspension of study until such time as the student is well enough to complete successfully. There will be however, a small number of cases where students do not engage with, or are unable to agree with, the support or adjustments that the School considers to be reasonable to enable the student to satisfactorily continue. In these rare circumstances, the School may no longer consider it feasible for the student to continue their studies.

2. PURPOSE AND SCOPE OF THIS POLICY

- 2.1 The purpose of this policy is to provide a framework to support an appropriate and coordinated response by Student Services staff in circumstances where it is deemed a student may benefit from extra support due to ill health, and where it is not considered appropriate to apply other policies such as the, the IML Student Code of Conduct or/and the IML Suspension of Studies, Programme Change and Withdrawal Policy.
- 2.2 The policy is designed to encourage early intervention and active collaboration between staff and students in managing situations where there are concerns regarding fitness to study.

3. WHEN TO USE THIS POLICY

- 3.1 Advice can be sought from Student Services at any point there is a concern about a student, including the potential for them to be considered under 'Fitness to Study'.

Generally, a student's fitness to study may be a cause for concern as a result of a wide range of circumstances, including (but not restricted to) the following:

- a student's academic performance or personal conduct is causing concern, and is thought to be the result of underlying physical or mental health problems;

- a student is routinely making applications for extensions or reassessments, stating health issues (mental or physical);
- a student exhibits behaviour which although usually dealt with as a disciplinary matter may be known to be, or suspected to be, the result of an underlying physical or mental health difficulty;
- a student's health issues are adversely affecting the health, safety or wellbeing of others (see 4 below) or the ability of others to engage successfully in learning, or assessment, or School life in general;
- concerns about a student's fitness to study are raised by the student directly, or by a third party, for example a friend, housemate, parent or other family member, placement provider or medical professional, either whilst the student is at School or engaged in School organised activities, such as placement or field trips.

3.2 The policy has three stages, based on the degree of concern and/or the perceived seriousness of the situation. These are the 'Cause for Concern' meeting and the Fitness to Study Panel (FSP). The policy can be entered at either stage, however in most cases students will be supported within the 'Cause for Concern' stage

4. INFORMAL STAGE: THE CAUSE FOR CONCERN MEETING

4.1 The majority of emerging concerns can be dealt at the Cause of Concern meeting. At the Cause for Concern Meeting, the focus should be on ensuring that the student is aware of the support available to them, and how to access this support.

4.2 Concerns that develop within an academic environment should be reported to the relevant Programme Leader and Student and Academic Services Team.

4.3 The Student Services will contact the student with the intention of raising and discussing specific issues and concerns and offer appropriate support.

4.4 The Student Services Team may check any relevant information pertaining to the student such as the engagement monitoring data and the developed and implemented Personal Learning Plan, and consult with relevant colleagues to determine the full scope and nature of concerns about the student's fitness to study.

4.5 The student will be invited in for a discussion with the Programme Leader and the representative from the Student Services Team, the purpose of which is to understand the student's circumstances. The student should be made aware that the meeting is being held in accordance with the Fitness to Study policy and that the discussion will be held as a Cause for Concern meeting. A record of any concerns raised by the Programme Leader or the Student Services team, the actions agreed, and a review period should be determined as part of this meeting. A member of the Student and Academic Services Team will attend the meeting to take notes and record any actions.

4.6 It may be necessary to hold an urgent meeting with the student, but where possible a minimum of 24 hours' notice will be given. Students are entitled to be accompanied with a friend or student representative; however, legal representation is not permitted at any meetings.

4.7 The outcomes available at the Cause of Concern meeting are:

- to agree that no further action is required; or
- to monitor the student formally for a specific period of time (normally between 2-6 weeks, as agreed by the Programme Leader, Student Services Team and student concerned). In this case, 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, and further meeting
- (s) that will be arranged to review progress, as agreed by the Programme Leader and Student Services Team; or
- to progress to the formal stage of the process.

To agree to go on a Break in Study (your visa sponsorship will be withdrawn in this outcome)

4.8 The student will be invited to a follow-up meeting at the end of the review period if applicable. It is expected that in most cases, students will have responded positively and taken advantage of the support available, and no further action will be required. If, however, concerns remain, the student can remain in the Informal Stage and be invited to another review meeting at a mutually agreed time.

4.9 The student can remain in the informal stage, with regular review meetings planned in, as long as the Programme Leader or Student Services Team considers this approach is beneficial. If, however, the Programme Leader or Student Services Team is of the view that further action is required, the formal stage of the process can be initiated. Programme Leaders should consult with the Director of Education when considering progressing to the formal stage.

5. FORMAL STAGE: FITNESS TO STUDY PANEL

5.1 If, in the view of the Programme Leader or the Student and Academic Services Team, there is enough concern to warrant more formal consideration of the student's case, the Programme Leader or a member of the Student Services Team will consult with the Director of Education to discuss whether the cause for concern meets the threshold for a Fitness to Study Panel meeting.

5.2 A student whose case is to be considered by the Fitness to Study Panel will be notified in writing, a minimum of 5 working days prior to the date of the Panel, of the following:

- i. the ground(s) for calling the meeting;
- ii. the membership of the Panel;
- iii. the right to be accompanied at the hearing by a friend
- iv. to submit documentary evidence prior to the meeting;
- v. the content of any documentation intended to be used or referred to in the meeting or as part of the meeting.

5.3 The meeting will be organised and serviced by the Student Services Team and chaired by the Director of Education.

5.4 The Fitness to Study Panel (FSP) will comprise:

- Director of Education, Chair
- Programme Leader or Programme Leader from a different Programme
- At least one other academic member of staff not involved with the student

A member of staff from Student and Academic Services Team will be in attendance to take notes of the meeting and to provide procedural advice to the Panel members and the student if required.

The SEN Tutor and Support Coach may be consulted prior to or after this meeting and they (or a nominee) may attend the meeting to provide expert advice to the Panel if required.

5.5 It should be made clear at the start of the FSP that the intention is to provide support to the student.

5.6 The purpose of the FSP will be to ensure that:

- the student is made fully aware of the nature of the concerns that have been raised;
- the student's views are heard and taken account of;
- an action plan is drawn up with a suitable review period. This may include the student being advised to seek a medical assessment, either through their GP (or consultant in the NHS) or through the School's Wellbeing Service.
- the action plan and notes of the meeting are sent to the student within 5 days of the FSP meeting and a record is kept on the student's file;
- the student is informed of the possible outcomes if serious concerns remain.

5.7 The outcomes available to the FSP are:

- to agree that no further action is required; or
- to monitor the student formally for a specific period of time (normally between 2-6 weeks). In this case, 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. A further FSP meeting will be arranged to review progress, as agreed by the Chair of the Panel. (All FSP meetings will be supported by a member of Student Services Team to take notes and ensure that due process is followed); or
- to recommend a specific academic arrangement be put in place which may include a break in study and/or suspension of studies or a view that the student should be required to withdraw and Regent's University London will be informed. The Panel will endeavour in the first instance to reach agreement with the student on such arrangements.

- 5.8 Where possible, the student will be advised in person at the earliest opportunity after the FSP has made a decision, ideally on the day of the meeting.
- 5.9 The formal recommendation of the FSP will be sent to the student normally within 5 working days of the panel meeting to set out its decisions and the reasons for the decisions taken. The report from the Panel will set out the following:
 - i. the recommendations made by the panel;
 - ii. the reasons for reaching the Panel's decision;
 - iii. why the decision was considered proportionate, indicating why alternative outcomes were considered and discounted.

6. REVIEW STAGE

- 6.1 The student has a right to request a review of the FSP's recommendation of suspension or withdrawal.
- 6.2 Students can request a review on one or more of the following grounds:
 - i. that the policies were not followed properly;
 - ii. that the Panel reached an unreasonable decision;
 - iii. that the student has new material evidence that they were unable, for valid reasons, to provide earlier in the process;
 - iv. that there was bias or reasonable perception of bias during the policy.
- 6.3 Request for a review must be submitted to Student Services Team within 10 working days of the written FSP decision being issued. If after 10 working days no review request has been received the suspension or withdrawal will be actioned. Only in exceptional circumstances, and with supporting evidence, will a late review request be accepted.
- 6.4 Reviews are carried out by the Registrar or nominated independent member of the Senior Management Team.
- 6.5 The Reviews stage is not a rehearing of the original case. The reviewer will consider the documents considered by the FSP, the panel outcome and any additional evidence or written representations supplied by the student(s) requesting review. The Reviewer will not meet with the student.
- 6.6 The reviewer can make one of the following decisions:
 - i. to confirm the decision of the FSP;
 - ii. to change the decision of the FSP;
 - iii. to refer the case back for further consideration at FSP stage.
- 6.7 The review decision will be sent to the student in writing within 15 working days of the review request being submitted. Unless the case is referred back to FSP stage the decision will include a Completion of Procedures (COP) notification. This allows a student to apply to the Office of the Independent Adjudicator (OIA) for Higher

Education to review their case. An application to the OIA must be made within 12 months of the issue of a Completion of Procedures letter. Full details regarding the OIA's rules and guidelines are available on the [OIA website](#).