

Section 21: BIMM Institute Fitness to Study Policy & Procedure

What is fitness to study?

Fitness to study relates to an individual's capacity to participate fully and satisfactorily as a student, in relation to academic studies and life generally at BIMM.

BIMM 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.

The purpose and scope of this policy

- 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 Procedures.
- 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.

When to use this Policy

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:

- Concerns about the student's fitness to study are raised from a third party i.e. a friend, relative, housemate, colleague, employer, BIMM staff or medical professional either whilst the student is at BIMM or whilst engaged in BIMM outside activities such as placements, gigs, work-based learning or field trips.
- The student has told a member of staff that they have concerns about their fitness to study.
- The student's disposition is such that it indicates that there may be need to address an underlying health issue.
- 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.
- A student's health difficulties are adversely affecting the health, safety or wellbeing of others.
- The student's academic performance or personal conduct is not acceptable and is thought to be the result of an underlying physical or mental health problem.

Stages of action

The procedures can be entered at any stage depending on the level of concern and urgency although it is hoped that most situations can be remedied by action taken at stages 1 or 2.

Stage 1 – Informal Stage

Once concerns have been raised about the student, a member of staff from the student's course or the Student Support team should approach the student and explain to them, in a supportive and understanding way, which concerns about their fitness to study have emerged. This would ordinarily be a member of staff with knowledge of the student, such as their course leader or

Student Support Officer. The member of staff should contact the head of Student Services and if they require advice or guidance on how to approach the student and discuss difficult issues.

The student will be made aware of the precise nature of the behaviour that has caused the concern. The member of staff will attempt to resolve the matter by informal discussions with the student. The student should be encouraged to explain their views on the matter and should be encouraged to use one or more of the support services offered by BIMM. 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 to study more effectively.

It is anticipated that in most cases the concerns can be resolved informally at this stage and that the student will engage with this process and access the Student Support services that are available to them at BIMM. Any plans agreed between the member of staff and the student should be set out in a letter to the student so it is clear what has been agreed.

A review period should be established, by agreement between the student and member of staff if possible. Sufficient time should be given 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.

Further meetings may be scheduled to monitor the situation and progress made by the student. The member of staff should help the student access the support available to them to enable them to continue with their studies and engage in their studies. The general expectation is that the student will take personal responsibility and fully engage with the support recommended by staff.

If the concerns have not been addressed, support has not been sought, and the member of staff feels that the progress has not been made, the case can move on to the next stage of the process.

Stage 2 – Case Review

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.

A meeting of a Case Review Panel can be convened by the Head of Student Services who will chair Panel, usually made up of the following:

- The students' course leader
- The students' Student Support Officer
- Other support staff involved in the case

Before the Case Review Panel meeting medical assessment may be sought, usually from the student's GP or medical practitioner. 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 student may request to attend all or part of the Case Review Panel meeting. The Panel will make a reasoned decision regarding whether the student should attend. If the student does attend, they will have the right to bring a friend or representative to the meeting.

A letter will be sent to the student after the meeting setting out any decision made and the reasons for the decision.

The Panel will order its proceedings as it sees fit and may call witnesses if necessary. The outcomes available to the Panel are:

- No further action required
- 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.
- To recommend a specific academic arrangement be put in place which may include a suspension of studies. Such recommendations should be agreed by the student's school and faculty where appropriate and the student. If the student does not agree, the case will move on to stage 3.
- 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 university community. This course of action would be used when it is considered that suspension, temporary exclusion, permanent exclusion or withdrawal may be the appropriate course of action or if the student has not agreed to a recommendation or action plan made under stage 2.

Stage 3 – Fitness to Study Panel

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 College Principal decide that the case is sufficiently serious and urgent to warrant an immediate referral without consideration of stage 1 and 2. The College Principal (or nominee) can convene a Fitness to Study Panel to consider the case and will act as chair of the Panel.

The Members of the Panel will usually be:

- The students' course leader
- The students' Student Support Officer
- The Head of Student Services
- The College Principal

As with the Case Review Panel the student will have the opportunity to submit documents for the Panel to consider and will be sent a copy of any documents seen by the Panel.

The Panel may order the proceedings at its discretion and may call witnesses if required. The Panel may request further medical evidence.

The student will not be invited to attend but may send a representative to observe the process.

The Panel will make a recommendation to the College Principal. Possible recommendations may include:

- A short term exclusion to allow the student to be assessed by a medical professional, access support services both within and outside of BIMM or for BIMM to obtain further information. The exclusion will be reviewed within four weeks as set out below in relation to emergency temporary exclusion.
- Suspension with conditions for a period up to twelve months. A student who is suspended from BIMM may be prohibited from participating in BIMM activities and may either be prohibited from entering BIMM premises or have restricted rights to enter the premises. The terms of the suspension will be notified to the student in writing, depending on the circumstances of the case. The decision to suspend a student shall be reviewed as necessary

by the Panel.

- Exclusion or requirement to withdraw - if the Panel concludes, taking into account the individual circumstances of the case and any supporting medical evidence, that there is no reasonable prospect of the student re-engaging with their course in the short to medium term a recommendation will be made to the College Principal that the student is permanently excluded or required to withdraw. This recommendation should only be made in the most serious cases.
- Any other action considered to be appropriate and proportionate.

Temporary Exclusion

The Head of Student Services may refer the case straight to the College Principal if it is considered that the risk to the student or BIMM is very high and an immediate temporary exclusion is the most appropriate course of action.

The College Principal may impose a temporary exclusion for a set period of time with immediate effect. A student who is subject to a temporary exclusion order is prohibited from entering BIMM premises and from participating in BIMM activities. The exclusion may, exceptionally, be subject to qualification, such as the permission to take an examination or to enter BIMM premises to attend a meeting with a support service. The terms of exclusion will be individual to each case and will be notified to the student in writing. An exclusion order does not affect the student's status as a member of the student body at BIMM.

The decision to exclude will normally be reviewed within four weeks. The review may include a recommendation that a Fitness to Study Panel be convened to consider the case.

Return to study

The Case Review Panel or Fitness to Study Panel that made the recommendation regarding a suspension or 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.

Further medical evidence will be requested from the student which considers their ability to fully engage with their studies and meet the requirements of the programme. A student will only be permitted to return if, after receiving the medical evidence, the Panel is satisfied that the individual is fit to study.

If a student agreed to suspend studies under stage 2, the Case Review Panel that originally considered the matter can make the decision regarding a return to studies without referral to the College Principal if it is satisfied that the student is fit to return.

If the College Principal made the decision to suspend or temporarily exclude under stage 3 on the recommendation of the Fitness to Study Panel, the Panel should reconvene to consider whether the student is fit to return to study and make a recommendation to the College Principal. The College Principal will make the final decision based on the Panel's recommendation.

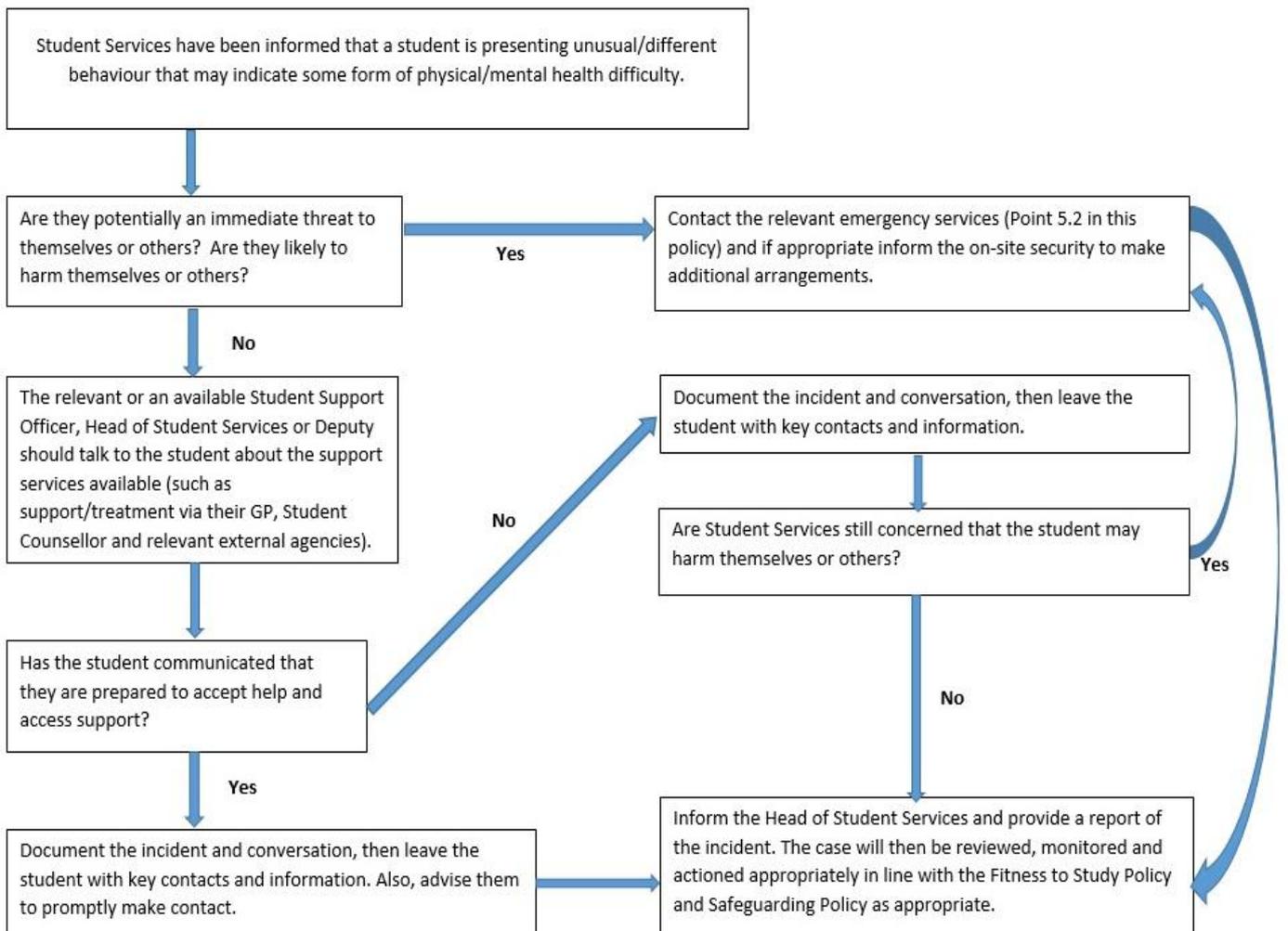
Where a student returns to study after a temporary exclusion/suspension under this policy the relevant panel will consider any support that the student may require to support a return to studies, such as regular review meetings or a return to study action plan. The general expectation is that the student will take personal responsibility for fully engaging with this support.

Crisis Situations

It is possible that if a situation requires stage 3 of the “stages of action” outlined in this policy (Point 4.3), that a student may pose an extreme risk to themselves and/or others that will require emergency measures to be taken by members of Student Services and assistance from outside agencies.

In a situation where it is believed that a student's behaviour presents an immediate risk to themselves or others the Emergency Services should be contacted by dialling 999 or if appropriate the local Mental Health Crisis Team or equivalent 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 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.

Pathway for action in crisis situations:



Exam Board Decisions

If a period of suspension results in a student being unable to complete exams or course work the relevant exam board will be informed that the student has been suspended or withdrawn under the Fitness to Study Procedure. The report from Stage 2 or Stage 3 will make a recommendation to the exam board on when and how the student will be able to re-engage with their studies and complete the required assessments. The chair of the exam board will have access to the report.

Right of appeal

The student may appeal to BIMM against a suspension or requirement to withdraw.

An appeals form should be submitted to cap@bimm.co.uk within **21 days** of the date on which the order for suspension or the requirement to withdraw was made.

If you are considering making an appeal, you are strongly advised to talk to one of the following. They can advise you on how to deal with your appeal, help to resolve it informally and, if necessary, support you in the process of making a formal appeal.

- Student Support Officer at BIMM
- Your Course Leader
- The Head of Student Services
- The College Principal
- One of your Student Representatives

Appeals forms can be found at <http://www.bimm.co.uk/academic-complaints-appeals/>

Nominees

References in these Regulations to the holders of any office shall be construed to refer either to the office holder or to their respective nominee.

Guidelines for Staff: Students & Mental Health

BIMM aims to create 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, tutors 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 student's behaviour, which may indicate a need for support.

These guidelines are to give practical and general guidance for staff, where there is concern that a student may be experiencing mental health related difficulties which are 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 the situation worse, or result in it 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). Complete and return a referral form with as much detail as possible if you really do not have time to ask the student personally.
- 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, or complete and return a referral form.
- 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 well-being of the student and those around them.
- Student referral forms are available for you to complete with further information about any concerns you may have noticed. These are available from reception and there will be copies in the back of registers. Once you have returned them, they are looked at by Student Services. The referral system is there to support you and the student where a longer conversation is needed or where there are concerns that you feel need investigating. These should be filled in with as much detail as possible and returned promptly.

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 Support/Student Services, Security and/or First Aider.
- If there is serious concern about the individual do not hesitate to call the emergency services – paramedics or police.