

The Courtauld

The Courtauld Institute of Art

Fitness to Study Policy

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1.1 Introduction

The Courtauld Institute of Art is committed to supporting students and recognises the importance of a student's health and wellbeing in relation to their academic progression and wider university experience. The Courtauld has a responsibility to support students to feel and function well in order to maximise their potential while studying with us. There may be occasions where the health or wellbeing of a student deteriorates to the point where it raises questions about their suitability to continue their studies, their capacity to participate fully and interact with other members of The Courtauld; or their ability to use the premises appropriately. The purpose of this Policy is to outline the steps that The Courtauld will follow when concerns are raised about the fitness to study of one of its students. This policy also includes applicants who have been offered a place on a course at The Courtauld.

The policy aim is to ensure that:

- The best interests of the student are considered in relation to their personal situation, their health, wellbeing and/or any disability they may experience.
- Students are supported to study to the best of their ability, and wherever appropriate to meet the required learning outcomes and complete their course.
- Students who are experiencing difficulties are supported to address their difficulties at the earliest appropriate point.
- Students, where possible, take an active part in the process and are encouraged to make informed decisions regarding options available.
- Any reasonable adjustments that the student may be entitled to are considered and where appropriate put in place.
- Students receive a non-judgemental, consistent and sensitive approach to the management of situations. This may require different stages of response according to the perceived stage of concern.
- The Courtauld provides a suitable and co-ordinated response by academic and administrative staff working together so that students experience a consistent and fair process.

The Courtauld is committed to its duty of care and its obligations under government legislation:

- General Data Protection Regulation (GDPR) and the Data Protection Act 2018
- Equality Act 2010
- Mental Health Act 2007
- Safeguarding Vulnerable Groups Act 2007
- Mental Capacity Act 2005
- Human Rights Act 1998

1.2 Scope and Purpose

It is important that students take an active part in the process and take appropriate steps to manage their own health and wellbeing in order to fulfil their academic potential. However, the Fitness to Study Policy will be considered as an alternative to other means of managing concern about a student's wellbeing or academic conduct or progress where there is sufficient concern that a student's behaviour, attendance and academic progress could be the result of mental or physical ill health or disability or have an impact on the health and safety of other people.

The policy may be used for all stages and programmes of study: undergraduate, postgraduate taught and postgraduate research. The policy is appropriate for applicants as well as enrolled students.

Actions taken as a result of this Policy are not of a disciplinary nature. If action is taken about a student who is not fit to study, it will be limited to that which is necessary to protect as far as possible the interests of members of The Courtauld community and the student in question. Depending on the nature and seriousness of the issue, consideration may be given to behavioural concerns under The Courtauld's General Regulations at any time during the Fitness to Study process.

When invoking this policy, The Courtauld may offer support to the student through the process or as an outcome of the process. The stage and form of support will vary according to the circumstances of the student. This policy has been developed with regard to equal opportunities legislation, which ensures that the rights of students are protected, and judgements are free from prejudice on the basis of protected characteristics.

A student may be deemed unfit to study when:

1. The student is unable to actively engage in their programme of study, to attend classes or meetings with tutors or supervisors, or to spend sufficient regular time in private study in such a way as to enable them to succeed.
2. The student's health, wellbeing and behaviour is causing concern to others, although there may be no negative impact on their academic work and progression.
3. The student's continued study is likely to have a detrimental impact on fellow students, staff or The Courtauld's collaborative partners.

2.1 Stages of Action

The procedure has three stages. These stages represent the degree of concern and/or the perceived seriousness of the situation.

The procedure can be entered at any stage, however in most cases Stage 1 should be used before escalation to Stages 2 or 3. If the concerns are not remedied by the recommended and agreed actions at one stage, the next stage may be instigated. Some student cases may stay at the same stage and may never reach Stages 2 or 3.

Stages 1 or 2 of the procedure can be initiated by a member of staff with a direct link or primary responsibility for the student's needs. Stage 3 can only be instigated by the Academic Registrar or the Wellbeing Manager.

Where members of staff have concerns about a student's health, wellbeing and behaviour

they should contact the Academic Registrar to consider whether this procedure should be implemented.

2.2 Stage 1 – Informal Meeting

Initial concerns regarding a student's fitness to study will normally be dealt with by the student's Personal Tutor, who will arrange an informal but structured meeting with the student within 5 working days of the concern being raised. If the student declares a medical condition, the information may be shared with the Wellbeing Services to seek support and guidance.

The purpose of the meeting is to seek to explore the concern regarding the student's fitness to study and how best the student can be supported and whether it can be managed at Stage 1 or whether the matter should be dealt with at another Stage.

The Personal Tutor will take notes of the meeting and confirm an action plan, which will be shared with the student within 5 working days of the meeting with a copy sent to the Wellbeing Manager.

During the meeting the following points should be considered:

- Identification/explanation of the concern being raised.
- An opportunity for the student to respond to the concern and give their perspective.
- Information about the Policy and possible next steps.
- Clarification of whether this has happened before and if so, what was previously helpful.
- Clarification of relevant Courtauld policies that the student should be aware of.
- Clarification of the student's personal responsibility to study and to be respectful of others.
- Consideration of what would be helpful and make a difference to the student in order to support them and minimise concerns.
- Signposting the student to both internal and external support services that they may benefit from.
- Clarification of agreed actions and options to support the student and minimise the concern.
- Agreement by all present of a date to meet again to review the situation and who needs to attend.
- Explanation that a continuation of the same concern or any additional concerns could result in escalation to Stage 2 or 3 of this procedure.

Options which may be considered in any combination and as appropriate:

- Support from Student Support, including Academic Skills Tutors and Wellbeing services, such as counselling.
- A Learning Support Agreement to support assessments and provide additional academic support if required.
- Transfer of university.
- Voluntary interruption of study.

A case may be escalated to the next stage, 'held' for further review at this level or 'closed' depending upon the circumstances.

If the student refuses to attend the meeting or cannot (e.g. due to hospitalisation), the Personal

Tutor will have no other recourse than to refer the student to Stage 2 of the process.

2.3 Stage 2 –Concern Meeting

Stage 2 is applicable where there is continued and ongoing concern following Stage 1, or when there is significant concern about a student's health, wellbeing, behaviour, safety and/or ability to study, meriting direct referral to Stage 2. If action taken under Stage 1 has not been successful or if the concerns raised are too serious to be dealt with under Stage 1, Stage 2 should be invoked.

Such concerns may include significant deterioration in health, attitude, particularly where there is an impact on attendance, ability to meet deadlines, succeed academically, or the ability to interact with Courtauld staff and students or use Courtauld premises in an appropriate manner. Once concerns have been raised about the student, an appropriate member of staff (normally the member of staff who led or attempted to organise the Stage 1 meeting i.e. the Personal Tutor) will clarify the situation and liaise with the Academic Registrar, Wellbeing Manager and the Senior Tutor to discuss the basis of the concern and agree the next steps.

The Personal Tutor or appropriate member of staff should contact the student to request a meeting, as a result of concerns being raised about them in relation to their health, wellbeing and studying. The student must be made aware of the precise nature of the behaviour that has caused the concern and that the meeting is intended to support the student. The student should normally be provided with 5 working days' notice of the date of the meeting. The student should be advised that they may bring a friend, relative or member of the Student Union for support if they wish, however they may not be allowed to speak on their behalf. Disabled students may also be accompanied by a support worker e.g. sign language interpreter or mental health worker/disability adviser as appropriate to their needs. The student should also be informed who else will be present and the reason they will be there.

The Senior Tutor will chair the meeting with the student. The Personal Tutor should also attend. Other relevant members of staff may be invited to the meeting. The Wellbeing Officer will join the meeting and record notes, agreed actions and review date, which will be shared with the student within 5 working days of the meeting.

During the meeting the following points should be considered, as appropriate:

- Identification/explanation of the concern being raised and any past relevant information.
- An opportunity for the student to respond to the concern and give their perspective and if possible a history of events, past experience and helpful strategies or support for managing these.
- Information about the Policy and possible next steps.
- Clarification of relevant Courtauld policies that the student should be aware of.
- Clarification of the student's personal responsibility to study and to be respectful of others.
- Consideration of what would be helpful and make a difference to the student in order to support them and minimise concerns.
- Signposting the student to any relevant internal and external support services that they may benefit from.
- Clarification of agreed actions and options to support the student and minimise the concern.

- Explicit clarification of the consequences of failing to complete the agreed actions, and/or a continuation of the cause for concern.
- Agreement of any interim monitoring or measures.
- Agreement of a date to meet again to review the situation.

If, in the course of this meeting, the Senior Tutor and Personal Tutor determine that the student's fitness to study is impaired or may become impaired, or if the student is not making sufficient progress with the agreed actions, they may take such action as is appropriate in the circumstances.

Options which may be considered in any combination and as appropriate:

- Support from Student and Academic Services and the Library, which includes the Wellbeing services and Academic Skills Tutors.
- A Learning Support Agreement to support assessments and provide additional academic support if required.
- Transfer of university.
- Voluntary interruption of study.
- Mandatory interruption of study, including due to incapacity
- Withdrawal by the student
- Withdrawal by The Courtauld
- Recommend that the Academic Registrar refer the student (usually to Bart's Occupational Health) for a medical assessment of their fitness to study. If, in the opinion of The Courtauld's designated adviser the student is not fit to study then Stage 3 may be initiated.

A case may be escalated to the next stage, 'held' for further review at this level, de-escalated or closed, depending on the circumstances.

If at a review meeting the student is identified as not making enough progress with the agreed actions and their academic engagement continues to be a concern, then the possible Stage 2 review outcomes may include:

- A review of how the student has been since the meeting.
- Explanation and exploration of any further concerns arising.
- Exploration of further /ongoing support required.
- Agreement of whether further action is necessary. If the concern has been resolved no further action may be necessary.
- If the concerns have not been addressed, support has not been sought, and it is deemed that progress has not been made, the case can move to Stage 3.

If the student refuses to attend the meeting or fails to attend the scheduled meeting the Senior Tutor will discuss the matter with other members and may proceed to make a determination in the student's absence or will refer the student to Stage 3 of the process.

2.4 Stage 3 – Specialist Support Meeting

This is a specialist-led meeting in which further options for support are explored as well as possible courses of action available, including mandatory interruption or in very limited circumstances withdrawal of the student by The Courtauld.

Stage 3 of the procedure may be initiated if one or both of the following occur:

- Actions agreed at an earlier meeting have not been achieved, or only partially achieved, and the difficulties persist; and/or
- Following a Stage 2 the matter has been referred to Stage 3; and/or
- A case is referred directly to the Academic Registrar and/or Wellbeing Manager

Where there is a significant concern about a student's health and wellbeing and their ability to study and cope at The Courtauld, a Specialist Support Meeting may be convened and chaired by the Wellbeing Manager. Where there are serious concerns regarding risk to the health and safety of the student and/or where there is a perceived threat and risk to others, cases may be referred directly to Stage 3, without completing Stage 1 or 2.

The Academic Registrar or their nominee, in consultation with the Executive Dean and Deputy Director, may impose a temporary exclusion for a set period of time with immediate effect. A student who is temporarily excluded is prohibited from entering Courtauld premises without prior agreement in writing and from participating in Courtauld activities. The terms of exclusion will be individual to each case and will be notified to the student in writing. A temporary exclusion does not affect the student's status as a member of The Courtauld.

At Stage 3 the Specialist Support Meeting should include relevant people who have a direct link or support role with the student and also someone who holds an appropriate level of responsibility and decision-making authority for the relevant area within The Courtauld.

The Members of the Panel will usually be:

- The Wellbeing Manager (Chair)
- The Academic Registrar
- The Senior Tutor or the student's Personal Tutor
- A representative from the Students' Union
- Member of Wellbeing Services (Note Taker)

Prior to the meeting, the student may be asked to attend an assessment of their fitness to study with a medical practice recommended by the Academic Registrar in consultation with the Human Resources department who will advise on suitable Occupational Health assessments. If students refuse to attend the assessment, the meeting will be limited to reviewing the information available.

The meeting will be arranged by the Wellbeing Manager and the student will be informed of the meeting, its membership, required documents (e.g. medical certificates) and its purpose in a clear, written statement at least 5 working days before the meeting, but where possible a longer period of notice will be given. Due consideration will be given to delays in receipt of medical evidence from medical and professional bodies and the impact of costs. Evidence will be collated about previous support interventions and all relevant data collated so there is a clear understanding of the student's circumstances. 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 should be informed that they have the right to bring a family member or friend for

support or a Students' Union representative to the meeting. Disabled students may also be accompanied by a support worker e.g. sign language interpreter or mental health worker/disability adviser as appropriate to their needs. Where appropriate independent advocacy may be considered. Any reasonable adjustments will also be considered and notes will be taken by the nominated note taker.

During the meeting the following aspects should be considered, as appropriate:

- A summary of the presenting situation, concern(s) being raised and any past relevant information.
- An opportunity for the student to respond to the concern(s) and give their perspective and if possible a history of events, past experience and helpful strategies or support for managing these.
- Information about the Policy and possible next steps.
- Clarification of relevant Courtauld policies that the student should be aware of.
- Clarification of the student's personal responsibility to study at The Courtauld e.g. to be well enough to study and to be respectful of others and clarification that The Courtauld has a duty of care to the student and that the procedure has been enacted to support and protect the student.
- Clarification of the options available to the student at this stage, which could include options such as continuing at The Courtauld with clear deadlines/agreements in place, part-time study with support, a period of interruption, or a recommendation for withdrawal of the student.
- Consideration of what would be helpful and make a difference to the student in relation to the options available.
- Signposting the student to any relevant internal and external that they may benefit from. Clarification of agreed actions and options to support the student and minimise the concern.
- Explicit clarification of the consequences of failing to complete the agreed actions, and/or a continuation of the cause for concern.
- Agreement of any interim monitoring or measures.
- Agreement of a date to meet again to review the situation.

One or more of the options as listed will be considered:

- Options detailed in Stages 1 and 2.
- Mandatory interruption.
- Withdrawal of the student by The Courtauld.
- An agreed plan for internal and external referrals to support the student to remain, which will be reviewed at a Stage 3 review meeting, or to return to study.

A copy of the notes of the meeting and agreed actions should be sent to the student and to all other attendees of the meeting no more than 5 working days after the meeting has taken place.

The Wellbeing Manager will designate responsibility to monitor the process and ensure the review meeting takes place.

The Stage 3 review meeting should include:

- A review of how the student has been.

- A review of whether agreed actions have been undertaken.
- Explanation/exploration of any further concerns arising.
- Consideration of new or ongoing relevant mitigating evidence.
- Exploration of further /ongoing support/adjustments that may be necessary.
- Agreement of whether a further action plan is necessary. If the concern has been resolved no further action will be necessary. If concerns continue or have increased a further action plan may be put in place, or a further Stage 3 meeting may be suggested.

The outcomes available to the Panel are:

1. If it is determined that there is an opportunity to agree further actions and put additional support in place for the student to continue on their programme of study, then the case may be de-escalated to a previous level and a review date agreed.
2. A period of interruption is agreed between the student and The Courtauld as appropriate to the student's programme of study.
3. If there is no agreement and The Courtauld has serious concerns for the student's health, wellbeing and ability to thrive in an academic environment, The Courtauld may decide that it is in the student's best interest to interrupt or withdraw them.

In the instance of a mandatory period of interruption being imposed, the student will receive the relevant advice regarding their funding, housing, visa compliance, as appropriate. Responsibilities for arranging the review and obtaining evidence and documentation where required must be confirmed and included in the meeting notes. This would typically be a letter from a medical health professional, who must confirm that the student is fit enough to study, or what kind of adjustments they might need in order to study.

The decision to allow a student to return to study will be communicated in writing to the student prior to their return, and any requirements and special arrangements will be made clear. The Courtauld will determine the ongoing arrangements to support and review of the progress of the student to minimise risk of a recurrence of the original difficulties

If the student is withdrawn from The Courtauld, the student will be offered support during the transitory period, such as support with alternative accommodations or advice on immigration or finances.

If the seriousness of the case warrants, the panel can consider moving the case to be heard under the Code of Student Discipline

If the student does not attend any of the agreed meetings the Panel will make a determination in the student's absence.

2.5 Appeals

Students are permitted to appeal within 10 working days of the date of the written notification of the outcome of the Stage 3 Specialist Support Meeting. If a student wishes to appeal they can do so by making a written submission, with the details of the appeal, and sending this to academic.registry@courtauld.ac.uk . Students may appeal on the following grounds:

- The procedures were not followed correctly.
- The student has new material evidence that was not available for valid reasons earlier in the process.

- There was bias or a reasonable perception of bias during the procedure.
- The outcome imposed was disproportionate, or not permitted under the procedure.

Appeals made after 10 working days or without relevant supporting evidence will not normally be accepted.

The Academic Registrar (or nominee) will determine whether an appeal has been made on valid grounds and can be accepted for consideration. If the appeal is not accepted the student will be informed in writing within 10 working days of receipt of the appeal and a Completion of Procedure (COP) Letter will be issued. The student may then refer to the OIA (see section 3.1).

2.6 Appeal Panel

The Appeal Panel will meet to consider the outcomes of cases where an appeal has been accepted for further consideration. The Panel will consist of a 2 senior members of staff from The Courtauld and may either be a member of Faculty or Professional services (one of which will act as Chair) and a representative from the Students' Union. No member of the Panel will have any prior knowledge of the student or personal involvement in the case. The Secretary of the Panel will be a member of Wellbeing Services.

The student will be informed of the date of the meeting of the Appeal Panel not less than 10 working days in advance. The student may choose to appear before the Panel but the Panel may also hear a case, by mutual agreement, in the absence of the student. The student will be informed that they have the right to bring a family member or friend for support or a Students' Union representative to the meeting. Disabled students may also be accompanied by a support worker e.g. sign language interpreter or mental health worker/disability adviser as appropriate to their needs. Any reasonable adjustments will also be considered. Proxies for students will not normally be allowed.

The Panel will invite relevant members of The Courtauld to comment. The Panel may also consider written comment from the Chair of the Specialist Support Meeting. Documentation in support of the request for review shall be circulated to the Appeals Panel and to the student not less than five working days before the meeting. Such documentation will normally comprise the documentation and papers relevant to the earlier consideration during the Fitness to Study considerations and the reasons for referring the case to the Panel.

The meeting will commence with private discussions within the Appeals Panel to clarify matters of process. The student, and any accompanying person, will be able to provide the relevant information and details to the Panel.

The Appeal Panel will then meet privately to reach its decision. Having considered the evidence, the Appeal Panel may uphold or reject the request for review, such a decision being final and exhausting The Courtauld's Fitness to Study Policy. .

The Appeal Panel will minute its deliberations and decisions and may recommend the following actions:

1. To reject the request for review; or
2. To annul a decision of the Stage 3 panel and substitute it with an alternative decision (which may be recommended by the Appeals Panel), where circumstances make it

appropriate for it so to do.

The student will be informed of the outcome in writing by the Chair and the letter will provide clear reasoning for the outcome within 5 working days of the meeting of the Appeals Panel. The decision of the Appeals Panel is final and will conclude The Courtauld's consideration of the matter. The student will also receive a Completion of Procedures (COP) Letter.

3.1 The Office of the Independent Adjudicator for Higher Education (OIA)

If the student has exhausted all the internal process at The Courtauld regarding the appeal and is still dissatisfied with the outcome, the student can contact the Office for the Independent Adjudicator for Higher Education (OIA).

The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. The Courtauld Institute of Art is a member of this scheme. If the student is unhappy with the outcome the student may be able to ask the OIA to review the case. Further information can be found here: <https://www.oiahe.org.uk/students>. Normally the final stage of the procedure must be completed before a complaint can be made to the OIA. When there are no further steps that can be taken internally. More information about Completion of Procedures Letters and when a student should expect to receive one are here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.

4.1 Fitness to Study Timeline

Ref	Stage	Action	Working Days
2.2	Stage 1 Informal Meeting	Student invited to an informal but structured meeting with Personal Tutor to discuss concerns that have been raised.	Meeting held within 5 working days from date concerns raised.
2.2	Stage 1 Outcome of Informal Meeting	Student receives copy of notes from the informal meeting and agreed action plan.	5
2.3	Stage 2 Concern Meeting	Where there is ongoing concern, a student will be invited to a formal meeting chaired by the Senior Tutor to discuss concerns that have been raised.	Meeting held at least 5 working days from date concerns raised.
2.3	Stage 2 Outcome of Concern Meeting	Student receives copy of notes from the formal meeting, agreed action plan and outcomes.	5
2.4	Stage 3 Specialist Support Meeting	Where there is significant concern about a student's health and wellbeing and their ability to study and cope at The Courtauld a student will be invited to a specialist support meeting, chaired by the Wellbeing Manager.	Meeting held at least 5 working days from date concerns raised.
2.4	Stage 3 Outcome of Specialist Support Meeting	Student receives copy of notes from the specialist support meeting, agreed action plan and outcomes.	5

2.6	Student response to outcome	The student should respond to the outcome letter. If the outcome is not accepted the student may appeal against the decision.	10
2.6	Appeal not accepted	If the appeal is not accepted the student will be informed by the Academic Registrar. The student will also receive a Completion of Procedures letter.	10
2.7	Appeal Panel	Where an appeal has been accepted for further consideration an Appeal Panel will meet with the student to reconsider the case. The Panel will be chaired by a senior member of The Courtauld community.	Student given 10 working days' notice of meeting.
2.7	Outcome of Appeal Panel	Student receives a letter of decision from the Chair of the Appeal Panel. The student will also receive a Completion of Procedures letter.	5
3.1	Referral to Office for the Independent Adjudicator for Higher Education (OIA)	If the student does not accept the outcome of the Assessment Offences Panel, referral may be made to the OIA.	(12 months from receipt of Completion of Procedure Letter)