



Fitness to Study & Fitness to Practise Policy

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1. Background and Scope

LCK Academy (LCKA) places a strong emphasis on the health and wellbeing of students, recognising the significant impact these factors can have on their academic success, progress, and overall learning experience. This Fitness to Study Policy is designed to ensure that LCKA fulfills its duty of care by assessing students' ability to manage their studies and maintain appropriate behaviour that safeguards themselves, fellow students, and staff. The policy outlines the procedures and interventions that will be employed to make balanced and fair decisions regarding a student's fitness to study, with a focus on the wellbeing of both the individual and the wider LCKA community.

LCKA acknowledges the challenging medical, psychological, and emotional conditions that some students may experience and how these conditions might negatively affect their behaviour. When referring to 'fitness to study,' LCK Academy (LCKA) means a student's ability to successfully complete their academic programme and interact safely and responsibly with peers, faculty, and staff without undue disruption, long-term absence from class or long-term lack of engagement.

This policy applies to all students at LCKA and is relevant to any activity involving students, including both in-person and online learning, as well as social events. It applies to all students on every campus or any other location where LCKA students may engage in Academy-related activities or represent LCKA.

2. Aims and Objectives

The aim of this policy is to provide students and staff with a framework to manage challenging student behaviour and support students that are unable to complete their studies temporarily or permanently. This policy establishes a consistent set of procedures to follow in order to permit students to temporarily interrupt their studies by taking study break if they are not fit to continue, or, in severe cases, withdrawing them from their programme completely. This policy should be read in conjunction with the Interruption of Studies and Withdrawal Policy. The objectives of this Fitness to Study Policy consist of the following:

- Ensuring that students who pose a risk to themselves or others are identified and managed promptly to prevent harm. Staff should contact emergency services (999) if there is any doubt about immediate danger.
- Providing faculty and staff with clear guidelines to address disruptive student behaviour that may be related to an underlying issue affecting fitness to study, rather than solely viewing it as a breach of discipline.
- To provide a three-stage process in handling and potentially withdrawing students who may be unfit to study for many reasons, including ill health. This includes students who take large amounts of authorised as well as unauthorised absence. See the Interruption to Studies Policy and the Attendance and Engagement Policy for more information on authorised and unauthorised absence.

3. Application

LCKA may be informed about a student's fitness to study from multiple sources including the student themselves, their family and friends, faculty and other staff, other students and medical practitioners.

Members of staff may identify a fitness to study concern in the following ways:

- A student or other person may report that another student is not fit to study.
- A member of staff is informed by a student that they are not sure about their own fitness to study.
- A member of staff may conclude from a student's behaviour that they have an undisclosed medical condition or is prone to disruptive or inappropriate behaviour that has a detrimental effect on the wellbeing and ability to study or themselves and/or other students.
- A student may be absent for extended periods due to an illness or other reasons. This may include authorised as well as unauthorised absence.

Once a student has been identified as potentially unfit to study, the Academy Student Wellbeing Officer (SWO), and Safeguarding Officer (SO) or Designated Safeguarding Lead (DSL) must be informed. The SWO, SO and DSL will assess students according to three stages of concern as follows

Stage 1: Emerging concerns

Stage 2: Continuing concerns

Stage 3: Severe concerns

A student is assessed and categorised according to their attendance and engagement rate, how challenging they are finding their studies, their interactions with others and the level of disruption their behaviour may be causing. A student may not willingly participate in their own assessment, but the Academy will proceed with its assessment and interventions if there is a risk to the student and to others.

1.1. Stage One

At stage one, a student will be invited to meet with a Safeguarding Officer and/or the Student Wellbeing Officer. This consultation may result in one of the following outcomes:

- No action required
- Referral to specific support services
- A request for the student to take steps to improve their behaviour
- An agreed-upon plan to help the student address the condition affecting their performance and behaviour
- A recommendation that the student may need a break from their studies until they are fit to study. The Head of Student Services will escalate the case to stage two.

Following the consultation, if the case has not been escalated to stage two already, the student's ongoing performance and behaviour will be closely monitored by Student Support Staff. If the student's behaviour continues to be challenging or deteriorates, the case will be escalated to stage two.

1.2. Stage Two

At stage two, a student is exhibiting continuously challenging behaviour that may require further intervention from the Academy's support services or support from external services, including medical practitioners. A student at this level of concern will be referred to the Academy's Fitness to Study Panel (FSP). This panel comprises the following members:

- Safeguarding Officer
- Student Wellbeing Officer
- Head of Student Services
- Head of Quality
- Head of Programme

The FSP should not be confused with the Student Disciplinary Panel (SDP), which consists of some of the same members and performs a similar function. The FSP will hold a meeting to discuss the student's fitness to study. The FSP needs to have a minimum of three members attending including the chair, and all decisions must be voted for by a minimum of three members. The meeting may result in one of the following outcomes:

- No action required
- Referral to specific support services
- An agreed-upon plan to help the student address the condition affecting their performance and behavior
- A request for the student to take steps to improve their behaviour
- A recommendation that the student takes a break from their studies until they are fit to study. The Head of Student Services will escalate the case to stage three.

1.3. Stage Three

At stage three, the student is considered to be in urgent need of critical intervention. The student will be required to attend a formal interview with the Fitness to Study Panel (FSP). The student will be permitted to bring a friend, family member, colleague or other advocate to the meeting to support them, such as a class representative on the Student Council or any other LCKA student. During the interview, the student will be asked to share their perspective on their behaviour and listen to the views of the panel and any other invited individuals regarding any risks to their own health and wellbeing, the safety of others, and their fitness to continue studying. The meeting may result in one of the following outcomes:

- Recommending an interruption of studies
- Requiring the student to withdraw permanently from their studies

The FSP's decision will be determined by a majority vote, with at least 3 out of 5 members in agreement.

1.4. Appealing a decision

Students may appeal against the decision on any of the following grounds:

- A procedural error occurred, making the process unfair.
- New information has come to light that could alter the original decision.
- The decision is considered unfair or extreme under the circumstances.

The appeal must be submitted to the Appeal Panel in writing using the Appeal Form in the appendices. The Appeal Panel includes the following members:

- Executive Dean
- Director of Advancement and Operations

After reviewing the appeal, the Appeal Panel may:

- Confirm the initial decision of the FSP
- Overrule the decision and require no further action
- Overrule the decision but with certain conditions

The decision of the Appeal Panel will be communicated in writing to the student, typically within five working days of the meeting. The decision of the Appeal Panel is final, and the student will be provided with a completion of procedures letter. The student may appeal to the Office of the Independent Adjudicator for Higher Education if they wish.

1.5. Financial Implications

Students should understand that there may be financial implications if they are required to interrupt their studies or withdraw from their course before it ends, because they are not fit to study. Please refer to the Interruptions of Study and Withdrawals Policy for details of the possible financial implications.

1.6. Returning to Study

In some cases, a student may be permitted to return to study after a fixed time period. When leaving, they will be informed of the date when they can return. When the student returns, they must provide evidence of their fitness to study and undergo an assessment to demonstrate their fitness to study. The student will also be closely monitored. If there are signs they are still unfit to study, they will be referred back to the FSP for a decision on whether they should be withdrawn or have an additional interruption of studies, depending on the severity of their behaviour or the risk they pose to their own safety and to others. See the Interruption of Studies and Withdrawal Policy for more information.

4. Equality, Diversity and Inclusion

The Academy is committed to upholding the principles of equality, diversity, and inclusion, and will not tolerate any form of discrimination when assessing a student's fitness to study. This commitment extends to all groups identified under the Equality Act 2010, which includes the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief (including none)
- Sex
- Sexual orientation

Special equitable considerations including reasonable adjustments will be granted where possible to students with disabilities.

Appendix 1 – Appeal Form

Appeal Form		
Student's full name as per passport or formal ID		
Course title		
Date course started		
Date course is due to end		
Who are you appealing against?		
Appealing against a decision of the Academic Misconduct Board (AMB) to suspend or withdraw you.	Yes ☐	No ☐
Appealing against the decision of the Student Disciplinary Panel (SDP) to suspend or withdraw you.	Yes ☐	No ☐
Appealing against the decision of the Fitness to Study Panel (FSP) to suspend or withdraw you.	Yes ☐	No ☐
What is the reason for your appeal?		
Evidence to support your appeal		
For Office Use		
The student may continue attending with no further action.	Yes ☐	No ☐
The student may continue attending with some conditions.	Yes ☐	No ☐
Conditions the student needs to meet.		
The decision to suspend the student is upheld.	Yes ☐	No ☐
Date the student may return to study.		
Conditions the student needs to meet before returning including any evidence required.		
The decision to withdraw the student is upheld.	Yes ☐	No ☐
Any further comments supporting or explain the decision of the Appeals Panel		
Signed by		
Signature		
Date		