



Fitness to Study Procedure

This procedure applies to:

- All students on the University of the Built Environment taught programmes
- London School of Architecture students
- Postgraduate research students

Reference:

Version: 6.00

Status: Final

Date: 13/08/2025

File: Document4

Fitness to Study Procedure

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Fitness to Study Procedure

1. Introduction

The University of the Built Environment is committed to supporting student wellbeing. It recognises that we have a duty of care to provide a positive approach to managing physical and mental health. This is crucial to students' learning and overall academic achievement.

This procedure is in place to ensure any concerns regarding a student's fitness to study are managed and addressed in a supportive, fair, and timely manner.

The Fitness to Study Procedure applies to University of the Built Environment students registered on programmes or modules, including undergraduate taught students, postgraduate taught students, apprentices, Postgraduate Research (PGR) students, and students registered on programmes delivered by the London School of Architecture (LSA). The term student is used throughout this procedure to refer to all the above learners.

If a staff member, student, or apprentice employer is concerned that the physical or mental health of a student is affecting the student's learning, then a concern should be raised according to the procedure set out below.

The University is committed to supporting students at every stage of the procedure and taking any steps practicable to ensure that a student's concerns are minimised. All students will be informed of and encouraged to engage with the support available throughout the Fitness to Study Procedure. Students can contact the University to request support for their wellbeing throughout the process by emailing safeguarding@ube.ac.uk.

2. Criteria

This procedure applies to all registered students in the University of the Built Environment and LSA programmes. It may be used if a student's circumstances compromise their fitness to study, regardless of whether they are currently studying a module.

This procedure also applies to applicants to programmes, where they were required to participate in a Fitness to Study Panel meeting when they last studied with the University of the Built Environment, if this was within the last 6 years.

This procedure will be used where there are concerns regarding a student's Fitness to Study. It may be used alongside other relevant procedures where appropriate (for example, the University's Safeguarding Procedure, Prevent Procedure or Disciplinary Procedure).

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Where a student has been referred through one or more of the University's procedures alongside Fitness to Study, it will be decided on a case-by-case basis which procedure is most appropriate (or whether multiple procedures are appropriate).

3. Key Principles

The Fitness to Study Procedure aims to follow these key principles:

- The health and wellbeing of the student and the safety of other students and staff are paramount;
- Students should be supported to remain on and succeed on their course wherever possible, with the best interests of the student in mind;
- Reasonable adjustments to the procedure must be permitted to accommodate the needs of students with disabilities and/or support needs;
- All students should receive a fair meeting, where a trained Panel makes decisions;
- Students should be offered support as they go through Fitness to Study proceedings;
- This procedure is not a disciplinary procedure, and it aims to identify and put in place relevant support for students to engage with their studies when possible;

4. Definitions

Fitness to study: a student's ability to engage safely and effectively with their studies and to meet the academic requirements of their course, without unreasonably affecting their physical or mental wellbeing, or that of other members of the University community.

Circumstances or behaviours that may indicate a student is not fit to study include (but are not limited to) an inability to participate effectively with the requirements of their programme due to physical or mental health issues, aggressive, violent, or otherwise inappropriate behaviour. Consideration will also include whether the student is at risk of harm to themselves or other students.

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Safeguarding: the University adopts the National Institute for Health and Care Excellence's (NICE) definition of safeguarding: "the protection of a person's health, wellbeing and right to live in safety, free from harm, abuse and neglect." The University has a Safeguarding and Welfare team which offers support to students in matters relating to safeguarding and/or their welfare.

5. Fitness to Study Panel

The role of the Fitness to Study Panel is to review students' fitness to study cases, to assess whether students are fit to study, and to decide suitable outcomes in the best interest of the student where it is found that they are not fit to study.

The Fitness to Study Panel may be chaired by one of the following members of staff:

- Director of Student Services
- Head of Disability and Welfare
- Safeguarding and Welfare Manager

This person may be known throughout this document as "The Chair."

In addition, any combination of three of the following staff will be selected to sit as members of the Panel:

- A member of the University's Academic Delivery team;
- A manager of the University's Academic Support and Enhancement Team (ASET);
- Another possible Fitness to Study Panel Chair (to sit as a panellist, rather than a Chair);
- A manager from the University's Apprenticeship team;
- A member of the University's Senior Leadership team;
- A manager from the University's Academic Registry team.
- A member of the London School of Architecture's Academic Delivery Team

It is possible to select more than one panellist from any group if required.

For apprentice students, at least one panellist will always be a manager from the University's Apprenticeship team. For LSA Students, at least one panellist will always be a LSA Academic Delivery Team member.

75% attendance is required from the Panel (including the Chair) in order for it to be quorate.

A secretary will also be present at the meeting to record minutes.

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The University will make every effort to inform a student who will sit on the panel of their meeting.

However, there may be circumstances where the University may be required to change panellists; where this occurs, the student will be notified as soon as possible.

All Chairs and panellists will receive training on their role in advance of attending a meeting, including information on how to communicate with students in a compassionate and empathetic manner.

5.1 Conflicts of Interest

Upon receipt of an invitation to sit as a Chair or a Panel member in a Fitness to Study meeting, staff must declare if they have any conflicts of interest, which means that they would be unable to participate in a fair hearing for a student. This may include (but is not limited to) where a staff member has been involved in a complaint or disciplinary meeting involving the student. If a staff member is unsure whether they have a conflict of interest, they should discuss this with the Chair.

6. Guide to the Procedure

6.1 Pre-Referral to the Procedure

The University recognises that some students will experience complications that may make it difficult for them to successfully complete their studies. The University has a number of support services that may be referred to prior to a student being put forward for fitness to study.

Support is delivered collaboratively by teams at the university. This can include, but is not limited to, Disability and Welfare, Academic Support and Enhancement, Apprenticeship Outcomes, and the Academic Team. Students will usually be offered enhanced support prior to being referred to the Fitness to Study Procedure. If enhanced support is not effective or the student cannot engage with the support offered, they will be referred for consideration under fitness to study.

On occasion, a Fitness to Study Panel Chair may decide that it is not appropriate for other support processes to be used, and instead immediately refer a student through the Fitness to Study Procedure.

6.2 Referral to the procedure

Any member of staff, student or the student's employer (if an apprentice) may raise a concern that a student may not be fit to study by emailing the safeguarding@ube.ac.uk email address.

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Referrals to this Fitness to Study Procedure can also be made as an outcome of, and/or run alongside, [the University's Safeguarding Procedure, Disciplinary Procedure, Mitigating Circumstances Procedure \(opens new window\)](#) (taught programmes) and/or extenuating circumstances (postgraduate research programmes) (opens new window). Referrals to the Fitness to Study Procedure may also be made due to a student's request for an interruption of study.

A Chair may begin this procedure without a referral if they have direct contact with a student who raises concerns, whether raised by the student themselves or raised by another student. In this instance, a different Chair will lead the Panel meeting.

A Chair will initially decide upon receipt of concerns if the concerns raised are justifiable. Where concerns are deemed to be justified, a Fitness to Study Panel will be organised. Where there are significant concerns around the safety of other students or university staff, a student may be temporarily excluded with immediate effect before the opportunity to attend the meeting. This decision may be made by the Deputy Vice Chancellor or on the authority delegated by the Deputy Vice Chancellor. Exclusion is when a student's access to the VLE is temporarily removed, and their right to access the University's services is temporarily limited or stopped completely.

6.3 Notifying the student

A Chair or nominated deputy will formally notify the student (and apprentice employer if relevant) that there is and/or remains a serious concern regarding their fitness to study and that they are requested to attend an online Panel meeting. If the student is unable to attend or feels able to attend but is unable to present information, the student will be provided with information on alternative ways they can participate in the meeting. The student will usually be given **12 working days'** notice of the meeting. The notification to the student will contain:

- The nature of the concerns about the student;
- Any information that will be presented at the meeting*;
- The date, time, and location of the meeting;
- The names and job titles of the Chair and Panel members;
- Details of any staff members invited to present information at the meeting;
- Deadlines for the student to confirm their attendance at the meeting;
- Information on how the student can present their response, either in writing and/or through attendance at the meeting;

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- Information on the student's right to reschedule the meeting on one occasion, including the deadlines to do so, and that if they attempt to reschedule more than once or do not attend the meeting, then the meeting will proceed in their absence;
- Notification that a student has the right to be accompanied to the meeting;
- Information on how a student can request reasonable adjustments or special requirements for the meeting, and the deadlines for doing so;
- Notification that if they fail to provide a response in writing by the required deadline and/or fail to attend the meeting, the meeting will proceed in their absence;
- A copy of the Fitness to Study Procedure, and other procedures (if appropriate);
- Details of how the student can access advice and support.

**On occasion, the University may discover additional information that it wishes to present at the meeting. When this occurs, it will be provided to the student as soon as reasonably possible.*

A member of the University's Safeguarding and Welfare team will offer to support the student between the notification and the Panel meeting. For students studying at LSA, this support may be provided through the Student Administration and Support Coordinator. This support may include helping to prepare information for supporting statements for the meeting if required.

The Chair may also decide that it is not appropriate for the student to attend the meeting, in which case they will be allowed to submit a written statement instead. This will be made clear within the notification where appropriate.

6.3.1 Confirming Attendance at the Meeting

Students must confirm that they will attend the meeting within 10 working days from the date the meeting notification is sent (2 working days prior to the scheduled meeting). If a student does not confirm attendance within this timescale, the student will be notified that the meeting will run in their absence. Students will not be allowed to join the meeting if they have not provided appropriate notice of their intention to do so.

If students wish to provide a written statement to be read at the meeting or want to bring any information to present at the meeting for discussion, they must provide this to the University within **10 working days** of the date the meeting notification is sent (2 working days prior to the scheduled meeting). The University can support students to prepare a written statement at the request of the student.

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The University acknowledges that a student may be unable to attend the selected meeting date. Students may request to reschedule their panel meeting for one occasion. The request to reschedule the meeting must be received within **10 working days** from the date that the original meeting notification was sent (2 working days prior to the scheduled meeting). Any requests sent later than this deadline will not usually be considered, and the meeting will run in the student's absence.

On occasion, a student may experience emergency circumstances that mean they are not able to provide 10 working days' notice that they need to reschedule the meeting (for example, due to illness). The University will consider requests after this deadline on a case-by-case basis. It will require evidence (such as a doctor's note) to confirm why a student was not able to notify the Panel within the original deadline.

For a complete list of timescales involved in this procedure, please see [section 6.8](#).

6.3.2 Accompaniment to the meeting

The student is entitled to bring one additional person for support, which could be a parent/guardian, colleague, friend, or Student Representative. This person cannot act as a legal representative. They should play no active part in the meeting except to support the student.

Students studying on an apprenticeship programme may also be accompanied by their employer. Employers will be invited to attend panel meetings, as the outcome is relevant to a student's progress in their apprenticeship.

Where the student is 18-24 years old and also care experienced, the student's parent/guardian may be informed, and the student's parent/guardian may also attend the meeting. Again, the parent/guardian shall act as support only and will have no active part in the meeting.

6.4 The Panel Meeting

The purpose of the panel meeting is for the Chair and the Panel to listen to concerns about a student's fitness to study and to decide on an appropriate outcome in the student's best interest.

Relevant staff involved with a student (e.g. academics, members of the Disability and Welfare team, LSA mentors) may be invited to the meeting to present information. The Chair may also invite experts (e.g. doctors or other qualified professionals) to present information if necessary.

At the start of the meeting, the Chair will introduce themselves, the panellists, and any other attendees.

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The Chair will then explain how the meeting will be conducted and provide attendees with a final opportunity to disclose any conflicts of interest. The Chair will advise that the meeting will be recorded and that a secretary will be present to take minutes. The Chair will confirm that everyone has the relevant documentation for the meeting.

The Chair will then take the Panel through the information pack for the meeting, referring to any relevant supporting documentation. The Chair will invite people to speak in the following order, and the Chair and Panel will ask questions as required:

- Relevant staff members
- Additional witnesses/experts (if applicable)
- Student

If the student is in attendance, the Chair will ask whether the student wishes to present their case, referring to any relevant information. If preferred, the Chair may read a student's information or supporting statement aloud for the Panel. If the student is absent, the Chair will read the student's written statement and/or information aloud for the Panel if this has been provided.

When the Panel and the Chair are satisfied that there are no further questions, the student and other invitees will leave the meeting. The Chair and the Panel, along with the secretary, will remain for minute-taking purposes to deliberate on the outcome of the case.

The Chair of the meeting has the power to adjourn or reconvene the meeting for any reason, so long as the meeting is reconvened within a reasonable period.

6.5 Possible outcomes of the Fitness to Study Panel Meeting

Outcomes of the Panel meeting may include, but are not limited to:

- The student's fitness to study is not impaired, and they may continue with their studies; no further action or support is required
- The student's fitness to study is impaired, and the following actions may be taken:
 - Close supervision, including a mandatory action plan to be drawn up and implemented.
 - Identification and implementation of specific support which may enable a student to continue their studies effectively.

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- Compulsory interruption of studies (students on non-apprenticeship programmes) or break in learning (students on apprenticeship programmes) or study break (students on postgraduate research programmes) for a specific period of time up to a maximum of two semesters. Students to whom this outcome is applied will be exempt from retake fees for the module(s) they have taken a compulsory break from.
- The student may be permitted to continue studying on a reduced number of modules per semester.
- Removal from studies by the University (end of contract, in line with the University regulations).

The student (and employer for apprenticeship students) will be notified of the outcome of the meeting within **5 working days** wherever possible. This notification will include a summary of the discussion and outline the student's right to appeal. The outcome of this meeting will be recorded on the student's record.

6.6 Returning to study/ Re-application to the University of the Built Environment or LSA

Following a period of enforced interruption of studies or study break, the Fitness to Study Panel should meet again to discuss whether the student is fit to return, and if so, any Action Plan that will need to be in place. If a student feels that they are now fit to study and wishes to return to study before the period of enforced interruption of study is finished, they must make a request to the University by emailing safeguarding@ube.ac.uk, which the Panel will review. If the Panel decides that a student is fit to study, they will be allowed to rejoin their studies at the start of the following semester.

When a student has been removed from their studies as an outcome of the Fitness to Study procedure, if a student later believes that they are fit to study, they may wish to apply for the same or another University of the Built Environment or LSA programme. In these instances, the University reserves the right to review the student's fitness to study in case this event occurs within 6 years of the original withdrawal or commencement of studies.

In such a case, a fitness to study assessment will be undertaken by a Chair who will provide a recommendation to the Fitness to Study Panel and a proposed support plan (if required) should the student be deemed fit to study.

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To allow sufficient time for a Panel meeting to assess a student's Fitness to Study, students must notify the University no later than 6 weeks before the application deadline for the semester in which the student wishes to study. Application deadlines can be found on the University website.

If the student reapplies after 6 years of withdrawal or commencement of studies, the previous history of the student's fitness to study will not be considered.

6.7 Confirmation of Fitness to Study

In some instances, a student may complete the actions required of them by the Fitness to Study Panel. In these instances, the Panel may review a case and decide that a student is now fit to study and no longer requires monitoring under this process. In these cases, the student will be notified in writing, and any support offered to the student may be accepted on a voluntary basis.

Confirmation of fitness to study does not prohibit a student from being re-referred to the procedure at a later date if there are further concerns about a student's fitness to study.

6.8 Timescales for Panel Meeting

Action	Timescale	Person Responsible
Student receives notice of Panel meeting, including reasons for attendance and information to be presented.	12 working days before meeting.	Chair or nominated deputy
Student to notify Chair or nominated deputy whether they are able to attend the meeting.	10 working days after notification of Panel meeting is sent (2 working days before the meeting).	Student
The student has the opportunity to reschedule a meeting on one occasion if applicable.	10 working days after notification of Panel meeting is sent (2 working days before the meeting).	Student

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Action	Timescale	Person Responsible
Student to provide Chair or nominated deputy with any supporting statements or information they wish to present at the meeting.	10 working days after notification of Panel meeting is sent (2 working days before the meeting).	Student
The student is notified in writing of the outcome of the meeting.	5 working days following the date of the meeting.	Chair or nominated deputy

7. Right of Appeal

Any decision of the Fitness to Study Panel is subject to the student's right of appeal under the following procedures:

- For undergraduate and postgraduate taught students, apprentices, and LSA students via the [Student Appeals Procedure \(opens new window\)](#).
- For PGR students via the Postgraduate Taught Appeals Procedure (opens new window).

8. Confidentiality

The confidential nature of sensitive personal matters that may be discussed under this procedure will be respected by all involved.

At any point in this procedure, it may be deemed necessary for the safety of the student to inform the student's employer, if they are an apprentice, or parents/guardians, if the student is aged under 18 or where the student is an 18-24 year old and also care experienced, of the student's circumstances. If this is the case, the University will always inform the student of anyone being contacted.

In certain circumstances, the University may need to share certain information to safeguard a student or child. More details can be found in the University's Code of Practice: Safeguarding and Prevent.

For students on postgraduate research programmes, the Graduate Research School will be informed of any enforced study breaks, and they may need to inform external funders as appropriate.

The University may be required to inform relevant Professional Statutory and Accrediting Bodies about fitness to study cases.