

HEALTH, WELLBEING & FITNESS FOR STUDY POLICY & PROCEDURE

Urgent Help

In case of an urgent concern about student wellbeing, contact the designated safeguarding lead Hannah Talbot (Liverpool) or Emma Shepherd (London).

If you are concerned someone is in immediate danger you should call 999 and report what they know to the emergency services. Staff should also inform the designated safeguarding lead at the earliest opportunity after contacting the emergency services.

Key facts

You should familiarise yourself with the entirety of the Health, Wellbeing and Fitness for Study Policy, and we would particularly draw your attention to the following eleven elements:

Clause(s)	Description
3	The Health, Wellbeing and Fitness for Study Policy may be considered as an alternative or supplement to other means of managing concerns over a student’s behaviour, attendance or academic progress, where mental or physical ill health or disability could be a contributing factor or where the behaviour could affect the health, safety or wellbeing of other people.
4.2	Students have a responsibility to manage their own wellbeing and engage with support provided. Lack of such engagement may lead to us finding that a student is not fit to study or invoking other policies covering student behaviour and attendance
5.2.5	If at step two it is recommended that a student intermits and they do not agree the recommendation will be ‘suspended’ and an action plan be put in place. If the student is then unwilling or unable to meet the requirements of the action plan, they may be required to intermit without reference to Level 3 of the process.

5.3.1	Persistent and/or serious concerns raised about a student's actions, behaviour, health, safety, or mental well-being that are putting the health, safety, well-being and/or academic progress of their self or other members of our community at significant risk will, exceptionally, cause Level 3 to be initiated without reference to Levels 1 and 2.
5.3.4	Exceptionally, where it is felt that a student's behaviour is deteriorating quickly an immediate emergency Level 3 meeting may be called without the usual five (5) days' notice.
5.3.9	We may hold a Level 3 meeting without the student present if arranging their attendance would cause an unacceptable delay
5.3.6 & 6.3	We may require students to undergo a medical assessment at our expense and disclose medical information as necessary.
5.3.12	The outcome of a Level 3 meeting may include requirements for you to intermit or withdraw from your studies, depending on the findings
6.	Students may return to study only if they demonstrate the ability to participate safely and effectively in both academic and community life.

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1. Definitions

“We”/“Our”/“Us”/“LMA” means the Liverpool Media Academy Ltd

Student(s) means a registered student of LMA that may be subject to the provisions of this policy as they are studying on a degree validated by Regent’s University London.

Fitness to study means a student is able to participate in their studies and broader student life in an appropriate manner, without putting their own wellbeing and/or safety at risk and without putting the wellbeing and/or safety of others at risk.

2. What is health, wellbeing and fitness for study?

- 2.1. The term ‘health, wellbeing and Fitness for study’ as used in this policy relates to the entire student experience, and not just a student’s ability to engage with their academic studies.

- 2.2. We require students to participate in their studies and broader student life in an appropriate manner, without putting their own, or others’, wellbeing or safety, or both at risk. Being able to meet these requirements, with reasonable adjustments where necessary, demonstrates a student's continuing fitness to study.

- 2.3. Where a student has disclosed that they have a physical or mental impairment that has a substantial and long-term impact on their ability to undertake normal daily activities as a student, we will make reasonable adjustments to enable them to continue their studies and meet the learning outcomes for their course.
- 2.4. We recognise that on occasion a student's physical health or mental wellbeing may deteriorate to a point where it becomes impossible for them to be able to continue with their studies. LMA is an academic community and the support and care facilities we are able to provide for students are those that are appropriate to an academic community. We cannot replicate or replace the services provided by statutory agencies such as the NHS, Police or Local Authority.

3. The purpose and scope of this policy

- 3.1. This is a supportive policy which can be used when a student's health, wellbeing and/or behaviour is having a detrimental impact on their ability to progress academically and/or to function.
- 3.2. It should be used for any student whose ability to study or progress on their course in a self-sustaining way is compromised as the result of their health, wellbeing or a disability. It may be an alternative to disciplinary procedures where there is concern that a student's behaviour may include issues relating to ill-health, mental health, personal stress or disability.
- 3.3. Should a concern regarding a student's fitness to study or wellbeing arise, this policy ensures that any steps taken will consider the best interests of the student and their right to make informed choices about the options available to them and ensure the provision of appropriate reasonable support and adjustments, ensuring a consistent and sensitive approach to managing situations.
- 3.4. Concerns should be acted on promptly as early intervention and support can result in better outcomes for the student and may avoid the situation becoming more complex.

4. When to use this policy

- 4.1. The Health, Wellbeing and Fitness for Study Policy should be considered as an alternative or supplement to other means of managing concerns over a student's behaviour, attendance or academic progress, where mental or physical ill health or disability could be a contributing factor or where the behaviour could affect the health, safety or wellbeing of other people. Cause for concern may arise from a wide range of circumstances, including and not limited to, the following:
- i. A student is unable to maintain the required level of physical fitness in order to participate fully in their course without risk of harm to themselves.
 - ii. Concerns about the student's wellbeing are raised from a third party, for example academic staff, a friend, placement provider, housemate, medical professional, or Student Services professional.
 - iii. A student has told a member of staff that they have concerns about their health, wellbeing and fitness to study.
 - iv. If a student shows sudden changes in mood or behaviour, seems depressed, or becomes isolated, aggressive, or visibly upset, it could suggest a concern that might need attention.
 - v. Behaviour, which would otherwise be dealt with as a disciplinary matter, which it is considered may be the result of an underlying physical or mental health difficulty.
 - vi. A student's health difficulties are adversely affecting the health, safety or wellbeing of others.
 - vii. A student's behaviour is not acceptable and this is thought to be the result of an underlying physical or mental health difficulty.
- 4.2. Students should be involved in the management of their own wellbeing wherever possible. However, there may be times where a student is unwilling or unable to work within these procedures. Lack of engagement with the responsibility to manage their own wellbeing and to engage with the support and adjustments offered may lead to us finding that a student is not fit to study or invoking other policies covering student behaviour and attendance.
- 4.3. Where it is deemed appropriate, we may implement alternative/supplementary procedures (e.g. the Student Conduct Policy; the Attendance Monitoring Policy).

5. Health Wellbeing and Fitness for Study Procedure

5.1. Level 1 – Informal support and guidance to Students

5.1.1. The key aim of this stage is to ensure early positive, informal action is taken with the student's co-operation and involvement.

5.1.2. Level 1 will usually involve informal discussion(s) between the student and their tutor, a Student Services professional or both. It may be initiated by either the student or the member of staff. The informal discussion(s) should give the student the opportunity to explain their perception of the matter.

5.1.3. Should staff feel that they are not confident about dealing with a situation they are encouraged to seek advice from Student Services student.services@lma.ac.uk. To ensure appropriate levels of confidentiality, this initial advice may be sought without disclosing details of the student concerned.

5.1.4. Students should be encouraged to access the available Student Services and support. It may also be appropriate to specifically explore creating an Individual Learning Plan (ILP) with reasonable adjustments to enable the student to study effectively.

5.1.5. The member of staff discussing the issue with the student must document the main points discussed and any plans agreed in writing (e.g. in an email to the student), so it is clear what has been discussed and agreed. This email should be openly copied to student services.

5.1.6. In most cases, issues should be resolved at this informal stage. Further meetings may be scheduled to monitor the situation and progress made by the student. If the concerns have not been addressed, support has not been sought, and/or progress has not been made, the case should move on to the next stage of the policy through referral to Student Services.

5.2. Level 2 meeting

5.2.1. Should informal advice and guidance to a student (section 5.1) be unsuccessful, and there are continuing and/or further concerns about their fitness to study, Level 2 should be invoked. Exceptionally, where the case is sufficiently serious and urgent, Level 2 may be initiated without reference to Level 1.

5.2.2. To initiate Level 2, any member of staff with responsibility for the student (for example, tutor) can contact Student Services (by emailing student.services@lma.ac.uk) to request a meeting is convened (at which the student may or may not be present). Student Services will make arrangements for this meeting which will usually include those who can best provide expert and specialist advice on the case being considered and those who need to be there because of their relationship with the student. The meeting may take place in person or virtually and will usually include, but is not limited to:

- i. A suitably qualified Student Services Practitioner who will Chair the meeting.
- ii. A member of academic staff from the student's course team as appropriate, who is able to comment on the course requirements and the student's academic progress.
- iii. A further member of Student Services.

5.2.3. The student will normally be invited to attend the Level 2 meeting. If they are invited to attend students will usually be given at least five working days' written notice of the meeting and will be informed of its purpose. The invitation email will include a summary of the reason for calling the meeting and, if available, notes regarding the Level 1 meeting.

5.2.4. If the student does attend, they may be accompanied (e.g. by another student, family member) and may be additionally accompanied by a support worker (for example sign language interpreter or mental health worker/disability adviser) as appropriate to their needs. The person accompanying the student under consideration will not normally be allowed to make representations on the student's behalf other than in exceptional circumstances (for example, where the student has a disability which affects their ability to communicate). This must be agreed in advance of the meeting.

5.2.5. The outcomes available to the Level 2 meeting are:

- i. No further action required
- ii. 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 Level 3.
- iii. To recommend a specific academic arrangement be put in place. This may include a recommendation for the student to intermit from their studies. Such a recommendation should be agreed by the Principal of the Campus and Student. Where the recommendation of the meeting is that a student should intermit from their studies but the student does not agree, the recommendation will be 'suspended' and an action plan be put in place. If the student is then unwilling or unable to meet the requirements of the action plan, they may be required to intermit without reference to Level 3 of the process. In these cases the circumstances will be communicated by those nominated to monitor the student's progress against the agreed plan to the chair of the meeting. The chair will then determine whether it is appropriate to reconvene the discussion to consider requiring the student to intermit without reference to Level 3 of the process. This discussion may be held without the student being present and may be held virtually as necessary. Any subsequent meeting will usually include those who attended the previous meeting or their designate to expedite the process where they are not available. If appropriate, the meeting will confirm any specific arrangements for the student's return to study (see section 7).
- iv. To refer the case to a meeting convened under Level 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 LMA community.

5.2.6. A record of the meeting and its outcomes, recording agreed actions, will be made and distributed to all attendees and the student (if they were not present) within five working days. The student will also be informed about sources of advice and support for understanding the outcome.

5.3. Level 3 meeting

5.3.1. Level 3 may be initiated due to:

- i. a referral to Student Services following a Level 2 meeting;
- ii. persistent and/or serious concerns raised about a student's actions, behaviour, health, safety, or mental well-being that are putting the health, safety, well-being and/or academic progress of their self or other members of the LMA community at significant risk will, exceptionally, cause Level 3 to be initiated without reference to Levels 1 and 2;
- iii. an urgent notification relating to significant concerns about a student's actions, behaviour, health, safety or mental well-being to the Designated Safeguarding Lead, Principal, Director of Registry or Head of Subject.

5.3.2. Student Services will convene a Level 3 Health Wellbeing and Fitness for Study meeting by inviting to attend those who can best provide expert and specialist advice on the case being considered, and those who need to be there because of their relationship with the student including their Head of Subject or designate. Level 3 meetings may be held virtually or in person. The meeting will usually include:

- i. A senior member of staff (typically a member of SLT), who will Chair the meeting.
- ii. An academic representative from the student's course team, typically the same member of staff who attended the Level 2 meeting;
- iii. A representative from Student Services, typically the same member of staff who attended the Level 2 meeting;

5.3.3. Wherever possible, the student will be given at least five working days' notice of the meeting in writing, and informed of its purpose. They will also be provided with any documents which will be considered by the meeting, and asked to provide any documentation they may wish it to consider.

- 5.3.4. Exceptionally, where we believe a student's behaviour is deteriorating quickly an immediate emergency Level 3 meeting may be called without the usual five (5) days' notice.
- 5.3.5. Students may be accompanied (e.g. by another student, family member) and may be additionally accompanied by a support worker (for example sign language interpreter or mental health worker/disability adviser) as appropriate to their needs. The person accompanying the student under consideration will not normally be allowed to make representations on the student's behalf other than in exceptional circumstances (for example, where the student has a disability which affects their ability to communicate). This must be agreed in advance of the meeting.
- 5.3.6. The meeting may require the student to disclose their medical records or undergo a medical assessment be provided regarding the student's situation, from an appropriately qualified medical practitioner and at LMAs cost. The student will be asked to authorise full disclosure of their relevant medical records/the outcome of the medical assessment to LMA.
- 5.3.7. Should the student refuse to undertake a medical examination, or not provide consent for the outcome or to disclose their medical records the panel may consider this as part of their deliberation as to whether the student can engage in their studies and broader student life in an appropriate manner.
- 5.3.8. LMA recognises that the information disclosed will constitute "sensitive data" for the purposes of the Data Protection Act 2018 and it will be handled, processed and stored accordingly.
- 5.3.9. In the event that student is unable to attend the meeting we will make reasonable efforts to enable them to do so, for example by moving the meeting to a time or location with which the student feels comfortable. However, we will not allow the meeting to be unduly delayed and the meeting may proceed without the student.

5.3.10. Alternatively, the student may ask us to consider the case in their absence on the basis of written reports which may include a written statement from the student or their representative.

5.3.11. The meeting may order proceedings at its discretion and may call external professional(s) where required.

5.3.12. The meeting may consider various options including:

- i. A short-term suspension to allow the student to be assessed by a medical professional, access support services both within and outside the LMA or for us to obtain further information. A short-term suspension will be reviewed within four weeks.
- ii. Intermittence with conditions for a period of up to two academic years.
- iii. A requirement to withdraw – if the meeting 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 within their period of registration, a recommendation will be made to the Director of Registry that the student be required to withdraw. This recommendation should only be made in the most serious cases. Should this occur, it must be reported by the Board of Directors.
- iv. Any other action considered to be appropriate and proportionate.

5.3.13. A record of the meeting and its outcomes, recording agreed actions, will be made and distributed to all attendees and the student (if they were not present) within five working days. The student will also be informed about sources of advice and support for understanding the outcome.

6. Return to study

- 6.1. Where a student is withdrawn or intermits under the provisions of this policy, whether voluntary or imposed, we will consider whether it is appropriate for them to resume their studies or re-join the LMA community prior to their return.
- 6.2. We may require the student to provide appropriate supporting evidence of their ability to participate in their studies and broader student life in an appropriate manner, without putting their own wellbeing and/or safety at risk and without putting the wellbeing and/or safety of others at risk.
- 6.3. In cases where we have continuing concerns about the individual's health, wellbeing and fitness to study, we may require a second medical opinion. In this case a student may be asked to submit themselves for medical examinations by doctors/specialists nominated by LMA, at our cost, to allow the situation to be evaluated. Students will only be permitted to return if, after receiving medical advice, we are satisfied that the individual is fit to study and able to comply with any conditions imposed on their return.
- 6.4. The decision to permit a return to study will be made by the Principal in conjunction with another member of the senior leadership team and the Designated Safeguarding Lead who will be satisfied of the student's fitness to study, compliance with any conditions imposed, compliance with academic regulations and availability of support upon return. We may require a meeting to be held with the student prior to their return to inform the decision-making process of both parties.
- 6.5. In any case where a student returns to study following the implementation of this policy, we may decide that there should be regular review meetings with the student that can be used to support and monitor any return to study plan and provide staff with an agreed context in which to provide ongoing pastoral care. If so, the student must provide their continued co-operation in this respect and such review meetings may continue for part or all of their remaining time at LMA.

7. Appeal

- 7.1. You have the right to appeal our decision using the process outlined in the Complaints and Appeals Policy (see <https://lma.ac.uk/policiesandregulations>).
- 7.2. Appeals against outcomes of the Health Wellbeing and Fitness for Study Policy must be made within 10 working days of the decision and are always first considered at step 2: formal appeal.
- 7.3. Your appeal will be considered by someone independent of the original decision and the original outcome shall remain in force pending the outcome of the appeal.