

# Fitness to Study Policy

A guide to the process and procedure for undergraduate, postgraduate and research students

## 1. Introduction

- 1.1 London School of Economics and Political Science recognises the importance of our students' health and wellbeing in relation to their academic performance, progression and wider student experience. The phrase 'fitness to study' refers to a student's capacity to fully engage with University life, both academically and otherwise, without unreasonable detriment to their wellbeing and whilst maintaining appropriate standards of behaviour. With this in mind, this policy sets out a framework of support to study that is necessary to ensure fairness in terms of fitness to study for all students, and to ensure the School applies due process when considering and determining students' fitness to study. This is not a disciplinary process and should be seen fundamentally as a way of staff supporting students to ensure that they can wherever possible continue to study with appropriate levels of support in place to ensure their continued wellbeing
- 1.2 The School understands that on occasion medical, psychological, behavioural or emotional problems, or other adverse circumstances, may affect students' fitness to study. This policy aims to ensure a consistent approach is taken by the School in supporting students whose mental and/or physical wellbeing is of a concern to staff and/or students, such that interventions need to be put in place to support them.
- 1.3 In this context, "Fitness to Study" relates to a student's fitness to continue with their current programme of study or return to their current programme (or another programme) and a student's ability to meet the reasonable academic requirements of their programme and the reasonable social and behavioural requirements of the School without having an unacceptably detrimental impact on the health, safety, welfare and/or educational experience of the student, other students, members of staff or members of the wider community.
- 1.4 The School's aim, where possible, is to support our students to remain on their programme of study. However, it must be recognised that in some cases this might not be possible. Some students may need to take a break from their studies ([interrupt](#)), may need to delay taking their assessments ([defer](#)), or in more serious cases, may need to leave the School completely ([withdraw](#)).
- 1.5 All students registered at the School are covered by this policy. It is applicable in the main to any activity the student engages in as any part of their studies, including lectures, classes, seminars, workshops and exams. However, it also includes any activity in LSE Halls of Residence, on field trips or any other activities that may take place off campus that are related to the programme of study; or indeed may include any activity that gives justifiable cause for concern with regard to a student's fitness to study. The policy also encapsulates the School's "fit to sit" statement with regard to assessment; that is, that students are deemed to be fit to either take their exams (by stepping into the exam room) or attempt other assessments (by

submitting the work) and not seeking a deferral

1.6 This policy has links to other School policies. Depending on the situation this may include:

- [Alternative Assessment Policy](#)
- [Cause for Concern](#)
- [Conditions of Registration](#)
- [Ethics Code](#)
- [Examination Procedures for Candidates](#)
- [Disciplinary Procedure for Students](#)
- [Health and Safety Policy](#)
- [LSE Residences Regulations&Student Halls Handbook](#)
- [Safeguarding Policy](#)
- [Student Drugs and Alcohol Policy](#)

1.7 Nothing in this procedure should distract from any dangerous or acute situations where a member of staff believes that a student's behaviour presents an immediate risk to themselves or others. In such circumstances the emergency services should be contacted by telephoning 999 and security staff should also be informed to aid directing the emergency services to the correct location.

## 2. Equity, Diversity and Inclusion

2.1 The School will take into account relevant legislation; for example, the Equality Act 2010, the Mental Health Act 2007, the Mental Capacity Act 2005, the Human Rights Act 1998 and General Data Protection Regulation (GDPR) and the Data Protection Act 2018 when making decisions under this procedure.

2.2 The Equality Act 2010 covers the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race religion or belief (including lack thereof), sex and sexual orientation. Within the Act it remains permissible to treat a disabled person more favourably than a non-disabled person and it remains lawful to make reasonable adjustments in relation to employment, education and services to ensure that there is equality of opportunity for disabled people.

2.3 In extreme cases, where the School believes that the student is danger of coming to harm, it may consider notifying a student's next of kin and/or statutory services regarding concerns raised under these procedures; but will consider the general rights and expectations of confidentiality, along with the Acts listed in 2.1, before doing so.

2.4 The School acknowledges that as a result of implementing this policy it will receive personal sensitive data and data of a confidential nature in respect of the student and other third parties. The School will ensure that all such data is handled, processed and stored in accordance with the requirements set out in the Data Protection Act 2018 and the General Data Protection Regulations (GDPR).

## 3. Procedure for Considering Fitness to Study

3.1 The School recognises that concerns about a student's wellbeing may be raised by a variety of individuals, including, but not limited to, staff, other students, health professionals or family members, as well as the particular student concerned at any point during a student's studies.

3.2 This procedure seeks to promote early intervention and active collaboration between students, staff and third parties, where applicable, to ensure a consistency of approach. Matters will be dealt with sensitively and in a coordinated manner across the School.

3.3 Examples of circumstances that may trigger this procedure are:

- The student has told a member of staff that they have a problem and/or provided information, either directly or as part of another School procedure, which raise concern with regard to their fitness to study;
- The student's manner indicates that they may have a medical condition which is having an adverse impact on their health;
- Elongated periods of absence from a student's programme of study because of illness;
- The student's academic performance or their behaviour gives cause for concern and this is thought by the person raising the concern to be because of an underlying medical condition;
- A member staff, a student or a third party (e.g. relative, guardian, medical professional, friend, fellow student or member of the public) reports concerns about the student that raise questions about their fitness to study.

3.4 This Policy has three stages: initial or emerging concerns, continuing or moderate concerns, and severe and/or enduring concerns. The stages identify the level of difficulty the student may face, as well as the risk or disruption, the responsibilities of the student and the type of intervention required by the School. In an event where a student is unable or unwilling to participate in these associated processes, the School will continue with the process where it is deemed necessary to do so, particularly if there is risk involved to the student, other students or staff. If the situation merits it, the School may start with Stage 3 without the need to undertake Stages 1 and 2 and likewise Stage 2, without need to undertake Stage 1.

3.5 To initiate consideration under this procedure, a written report should be made by the person raising the concern(s) to the Departmental Tutor<sup>1</sup>, or their nominee, who will decide if the concern(s) should be considered under this procedure and if they are, at what stage the consideration should commence. The Departmental Tutor, having taken advice from the Student Wellbeing Service, will also consider the student's immediate support needs and any action that needs to take place as a matter of urgency.

## 4. Stage 1: Initial or Emerging Concerns

4.1 These are usually low-level risks that do not require immediate or specialist support. A concern of this nature would normally require the student to meet with their Academic Mentor<sup>2</sup> and the Advice Manager in Student Services for an informal review. The student will be notified that the meeting is being called under Stage 1 of this Policy. Possible outcomes from this may include one or more of the following:

- No further action;
- Ensuring the student is aware of the support services available within the School;
- Ensuring the student is aware of relevant School processes, including deferral and exceptional circumstances;
- Agreeing an Inclusion Plan or similar support;
- Agreeing a short period of time off, in liaison with the student's department, of usually no more than three weeks. In the case of students holding a Tier 4 visa, the Visa Compliance Manager should be consulted regarding the length of any agreed absence

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<sup>1</sup> For research students this will be the Doctoral Programme Director and for General Course, Sciences Po/Erasmus and Berkeley Exchange students, this will be the Dean of the General Course

<sup>2</sup> For research students this will be the PhD Supervisor. For General Course, Sciences Po/Erasmus and Berkeley exchange students, the Dean of the General Course may replace or the Academic Mentor or attend the meeting as well.

and the student should be urged to consult with staff in ISVAT for further advice on the consequences for their visa and their right to remain in the UK;

- Asking the student to moderate their behaviour and/or address any concerns that have been raised, which may include seeking further internal or external support.

- 4.2 If the student responds in a constructive way, no further action would be required at that time. If the student is unable to engage with the process due to extenuating circumstances, fails to respond constructively or refuses to engage with the process, escalation to Stage Two may be required.
- 4.3 Any actions agreed by the Academic Mentor and the Advice Manager will be confirmed in writing to the student following the meeting, normally within five working days, but sooner if possible.

## 5. Stage 2: Continuing and/or Moderate Concerns

- 5.1 These are concerns that require appropriate and timely intervention from one or more internal support services within the School, or external support services such as a medical practitioner. A concern of this nature would require the student to meet with a Panel for a formal review. The Panel will comprise of:
- Departmental Tutor (UG)/Programme Director (PGT)<sup>3</sup>, or nominee, who will Chair the meeting
  - Academic Mentor (PhD Supervisor for research students)
  - Advice Manager
  - Student Wellbeing Service representative
  - Warden/School Representative (where the student lives in an LSE Hall of Residence)
- 5.2 The student should be made aware of the circumstances/behaviour that has led to their fitness to study being raised as an issue and, if appropriate, the risks perceived by the School. The student's views should be heard and considered and there should be the opportunity to explore with the student any explanations for the behaviour that has caused concern about their fitness to study. The student may if they wish bring a friend or family member to the meeting for support and also a member of the Students' Union Advice Team
- 5.3 Possible outcomes from the meeting may include:
- No further action;
  - A review of the initial meeting that took place, as well as the agreed actions following it, to determine what happened or needs to happen;
  - Putting in place reasonable adjustments, by way of an Inclusion Plan or [Individual Exam Adjustments](#), to support the student's academic progress;
  - Putting in place support mechanisms to aid the student's wellbeing. This may include regular appointments with the Student Wellbeing Service, LSE LIFE student advisors, external agencies or some combination of these;
  - Recommendation that the student defers their assessment;
  - Recommendation that the student takes an interruption of studies. Any such recommendation will take due regard of the potential impact on Tier 4 visa holders and the Panel will, if necessary, take further advice on this prior to confirming the recommendation;

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<sup>3</sup>For research students this would be the Doctoral Programme Director and for General Course, Sciences Po/Erasmus and Berkeley Exchange students, this will be the Dean of the General Course

- Recommendation that the case is referred to the next level of the procedure.
- 5.4 A review period will be set in the discussion, and follow-up email, to monitor the situation.
- 5.5 Actions agreed by the panel will be confirmed in writing to the student following the meeting, normally within five working days, but sooner if possible.
- 5.6 If the student does not accept the recommendations, they should put their reason(s) in writing to their Departmental Tutor, or nominee, within five working days. The Departmental Tutor will then decide if the recommendations should be amended or if the matter should be referred to Stage 3 of the process.

## 6. Stage 3: Severe and/or Enduring Concerns

- 6.1 These are concerns that may need an immediate or emergency intervention. A concern of this nature would require the student to meet with the Fitness to Study Panel for a formal review.
- 6.2 The Fitness to Study Panel will comprise:
- School Senior Advocate for Students, who will act as Chair
  - Representative from the student's Academic Department who has had no previous involvement in the case<sup>4</sup>
  - Head of Student Wellbeing Service
  - An LSE Students' Union sabbatical officer
  - Head of Residential Life (where the student lives in an LSE Hall of Residence)
- 6.3 The student will normally be given at least five working days' notice of the meeting. The student will be provided with any documents that may be considered by the Panel. The student may submit additional documentation to the Panel, no later than two working days before the meeting. The Panel can invite others to attend in order to provide information or witness proceedings. The student may if they wish bring a friend or family member to the meeting for support and also a member of the Students' Union Advice Team. A third party, chosen by the student, will be permitted to submit a supporting statement or evidence on their behalf.
- 6.4 The student should be made aware or reminded of the circumstances/behaviour that has led to fitness to study being raised and, if appropriate, the risks perceived by the School. The student's views should be heard and considered and there should be the opportunity to explore with the student any explanations for the behaviour that has caused concern about their fitness to study.
- 6.5 The Panel, without the student being present, will endeavour to reach a unanimous decision regarding the appropriate action to take; however, if this proves not to be possible it will reach a majority decision with the Chair having a casting vote if required. Any decision will take due regard of the potential impact on Tier 4 visa holders and the Panel will, if necessary, take further advice on this prior to confirming the recommendation
- 6.6 The student should have the appropriate options discussed with them if and when they are fit to make informed decisions. Where the Panel is convinced that the health, safety or wellbeing of the student, or others, is at significant risk, the School may enforce an outcome. Possible outcomes may include:
- Recommendation that exceptional circumstances are submitted, directly by the student or, exceptionally on occasion, on their behalf;
  - Recommendation that the student defers their assessments;

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<sup>4</sup> For General Course, Sciences Po/Erasmus and Berkeley exchange students, this may be the Dean of the General Course; however, if they have been involved in earlier decisions as part of this process they will only act in an advisory capacity and will recuse themselves from any decision at this stage.

- Recommendation of an interruption of studies, agreed by the student or exceptionally enforced by the School;
- Recommendation that the student withdraws from their studies, agreed by the student or enforced by the School.

- 6.7 Actions agreed by the Panel will be confirmed in writing to the student following the meeting normally within five working days.
- 6.8 If needed, a review period will be set in the discussion, and follow-up email, to monitor the situation.

## 7. Temporary Precautionary Suspension

- 7.1 Where serious and/or urgent concerns about a student's fitness to study have been raised in accordance with this procedure, a Pro Director (or their nominee) may temporarily suspend a student if they consider:
- The student poses a serious risk to their own health, safety or wellbeing or to that of other students or staff, and/or;
  - There is a risk to School property.
- 7.2 The student will be notified within two working days of any decision to suspend by email and by letter to the address registered with the School. In such cases, Key School staff will be notified of the suspension, including Security and, where a student holds a Tier 4 visa, the Visa Compliance team. . If the student lives in an LSE affiliated Hall of Residence, the Residential Life team will also be informed and they, in conjunction with other staff as appropriate, will make a decision as to whether the temporary suspension should also apply to the Hall of Residence.
- 7.3 Any suspension under these procedures is precautionary and does not mean that any final conclusions have been drawn, or that a decision has been reached, regarding the student's fitness to study. Any decision to suspend will take due regard of the potential impact on Tier 4 visa holders and the decision maker will, if necessary, take further advice on this prior to confirming the suspension.
- 7.4 The suspension will be reviewed on a regular basis, usually every two weeks during term-time, by the Head of Student Services, in conjunction with the student's Department<sup>5</sup>, to determine whether it is reasonable in all the circumstances for it to continue, be revoked or be amended in some way; for example, the imposition of conditions, in order to minimise its impact upon the student and their studies.
- 7.5 A student who is suspended may ask the Head of Student Services for temporary permission to attend the School; for example, to attend a counselling session or an exam. Such permission must be made in advance and in writing.
- 7.6 A student who is suspended may ask the Head of Student Services to review the suspension; for example, on the basis of new medical evidence. Any such request must be made in writing and normally not made more frequently than once a month unless there is a sudden evidenced improvement in the student's circumstances.

## 8. Case Conference

- 8.1 At any stage of the process, a case conference can be called by the Head of the Student Wellbeing Service after consulting with relevant staff. However, this will normally only be in

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<sup>5</sup> For General Course, Sciences Po/Erasmus and Berkeley exchange students, this would be the Dean of the General Course



exceptional cases; for instance, where the student's health is such that they cannot engage with the process and will not be able to do so for the foreseeable future. The case conference may comprise of any individuals who have been involved in the case thus far, or who may need to be involved by the Head of the Student Wellbeing Service to ensure as complete a picture of the situation. Depending upon the nature of the student's circumstances, they may be invited to make a written submission, which may include independent evidence, for consideration. Minutes of these meetings will be taken.

- 8.2 Although a student may be invited to the case conference, it is not expected that this would usually be the case – see 8.1 above. A case conference may be held prior to and/or following any meeting with the student.
- 8.3 The case conference will determine whether the student's fitness to study is impaired and any actions to be taken. Such actions may include, but are not limited to, the following:
- Reasonable adjustments being put in place for the student to engage with teaching and undertake assessments;
  - Recommendation of an action plan, setting out how the matter will be managed and any requirements to be placed on the student, along with details of relevant support services. A copy of this plan will be provided to the student;
  - Referral to any stage of the Fitness to Study procedure;
  - Recommendation that exceptional circumstances are submitted, directly by the student or, exceptionally on occasion, on their behalf;
  - Recommendation that the student defers their assessments;
  - Recommendation of an interruption of studies, agreed by the student or enforced by the School;
- 8.4 The proceedings and determinations of the case conference will be recorded and circulated to all in attendance, made available to the student and kept on record by the Student Wellbeing Service.

## 9. Appealing a decision

- 9.1 Students reserve the right to appeal any decision made. This will be conducted via the Fitness to Study Appeal Panel. The grounds on which an appeal can be made are:
- 9.11 A significant procedural flaw or irregularity that compromised the fairness of the process, and/or:
- 9.12 New material evidence, which must be supported by an explanation of why it is being submitted at this late stage, and/or:
- 9.13 An outcome being unreasonable or disproportionate.
- 9.2 A student who wishes to appeal against the final decision must put this in writing to the Fitness to Study Appeal Panel, stating their ground(s) of appeal, within ten working days of the decision being communicated to them. They must detail the nature of their appeal, and submit any applicable corroborating evidence. The Appeal Panel will acknowledge the appeal within seven working days. The Appeal will be considered on the basis of the written papers unless it would assist the Panel's consideration or otherwise be in the interest of fairness to invite the student to attend an appeal meeting. A third party, chosen by the student, will be permitted to submit a supporting statement or evidence on their behalf.
- 9.3 The Appeal Panel will comprise of:
- Head of Department
  - Head of Student Services
  - Director of Residential Services (where the student lives in an LSE Hall of Residence)

- 9.4 After considering the appeal, the Appeal Panel may:
- Affirm, set aside or vary any decision reached;
  - Refer the matter, or any part of it, back to the Stage 3 Panel for further consideration;
  - Dismiss the appeal for any of the following reasons:
    - It is received after the deadline without a reasonable explanation why it could not be submitted on time;
    - It does not clearly state the grounds on which the appeal is being made;
    - It does not disclose any reasonable grounds for appealing the decision;
    - It is entirely without merit;
    - It is vexatious or repetitious.
- 9.5 The decision agreed by the Appeal Panel will be confirmed in writing to the student following the meeting normally within five working days.
- 9.6 The decision of the Appeal Panel is final and a Completion of Procedures letter will be issued

## 10. Returning to Study

- 10.1 The School will only permit a student to return to study if it is satisfied that the student is fit to study. For example, if, after receiving medical advice, the School is satisfied that the student is fit to study and able to comply with any conditions imposed on their return.
- 10.2 The Head of Student Services will determine whether to permit the student to return to study. In reaching their decision, they may consult with relevant School staff, including staff previously involved in the process, the student's Department<sup>6</sup>, and/or external professionals.
- 10.3 The student should provide, or the Head of Student Services may request, independent confirmation of the student's ability to resume their studies. The Head of Student Services, in consultation with staff from the Student Wellbeing Service, may set questions/requirements which form the basis of the evidence required; for example; the student's ability to manage the demands of studying, their engagement with any treatment, previous and potential future, triggers for relapse or causes for concern etc.
- 10.4 Conditions may be imposed on the return to study (for example, the student's conduct, any support they must seek, ongoing engagement with treatment, or academic progress). The Head of the Student Wellbeing Service, together with the Head of Student Services, will consider any support or reasonable adjustments that should be put in place for the student.
- 10.5 The decision of the Head of Student Services will be communicated to the student in writing, with reasons. This will normally be within five working days of a request to return. The student will be notified as to what would be required for their return to study to be reconsidered and the date of the next point at which they could, potentially, return to their studies.
- 10.6 When a student does return, there must be regular review meetings organised for the student to attend upon their return. These will be managed and conducted by the Student Wellbeing Service. The School recommends no less than two meetings per term and these should continue until the School is satisfied of the student's long-term fitness to study. The School will work with the student to ensure that, if appropriate, a suitable inclusion plan is agreed and implemented. Failure to comply with any conditions may give rise to further concerns regarding a student's fitness to study and may lead to further consideration/action under these procedures.
- 10.7 If a student is unable to return or prevented from doing so by the School, a further interruption may be agreed. No more than two interruptions will be permitted per programme of study for

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<sup>6</sup> For General Course, Sciences Po/Erasmus and Berkeley exchange students, this would be the Dean of the General Course



taught graduate students and research students, and no more than three interruptions will be permitted per programme of study for undergraduate students.

## Review schedule

Review interval	Next review due by	Next review start
1 year	Aug 2020	May 2020

## Version history

Version	Date	Approved by	Notes
1.0	Dec 2018	ASC	

## Contacts

Position	Name	Email	Notes
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## Communications and Training

Will this document be publicised through Internal Communications?	<b>Yes</b>
Will training needs arise from this policy	<b>No</b>
If Yes, please give details	