



# **Fitness to Practice Policy**

Next review date: June 2025

## **Statement of Intent**

These regulations are designed for the proper management of IRIE! dance theatre's operations and affairs. The implementation of these policies serves to protect the interests of IRIE! dance theatre's beneficiaries, employees and members of the Board.

### **THESE REGULATIONS MUST BE OBSERVED AT ALL TIMES.**

Having sufficiently rigorous controls in place provides protection for IRIE! dance theatre's property, its Staff, Trustees and Users and so these regulations must be observed at all times.

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## 1. Purpose and Scope

1.1 Whilst at IRIE! all students should be able to study and perform to the best of their ability, in a safe and comfortable environment. The reality of life at IRIE! means that students will be required to work closely and collaboratively with each other and will often live in close proximity. While many students find studying and living in such an environment manageable and enjoyable, others can find it more challenging. This policy and procedure aim to support students to achieve their potential when there are concerns about their fitness to study. The policy may be applied after the point that the contractual relationship with the student is formed or in preparation for a student's arrival.

1.2 The term 'fitness to study' as used in this policy and related procedure relates to the entire student experience, and not just a student's ability to engage with their studies. For example, IRIE! expects its students to be able to live independently and in harmony with others and not conduct themselves in a way which has an adverse impact on those around them. This procedure is not designed to address academic performance or issues relating to attendance or individual mitigating circumstances.

1.3 Similarly, a student's fitness to study may be questioned if health problems are disrupting their own studies or the studies of others or result in unreasonable demands/adjustments being placed on staff or other students. In addition, IRIE! is bound by health and safety legislation and has a duty of care to its community. It is obliged to take action if a student presents a risk to themselves or to others.

1.4 The level of risk posed by a student will be measured through the use of a risk assessment process, utilised throughout the procedure, to provide a consistent means of assessing the risk to the student, other individuals and IRIE!. This process will be led by the Student Welfare officer working in close collaboration with the Counsellor and the Director of Accredited Training.

1.5 As a general rule this procedure is only intended for use in cases where the behaviour, disruption or risk presented by the student is perceived to be of a serious or potentially serious nature, particularly if the student seems unaware that their behaviour is inappropriate or is unprepared to engage in a discussion on the issue.

1.6 In order to maintain and enhance the IRIE! community, students need to conform to certain standards of behaviour and observe the Student Code of Conduct and Disciplinary Regulations in place to manage situations that involve students whose behaviour falls outside these standards. However, it is recognised that the cause of misconduct may include issues relating to a student's health and general wellbeing, where disciplinary action may not always be appropriate and this policy and procedure

may be applied. The decision is made by the Student Welfare Officer in consultation with the student Counsellor and Director of Accredited Training.

1.7 IRIE! reserves the right to take measures pursuant to its Disciplinary Regulations to deal with behaviour which is the result of physical or mental health issues, depending on the individual circumstances of the case, and in particular where a student's health or behaviour poses a risk to themselves or others or where the student fails to positively respond to more supportive interventions.

1.8 In order to address adverse circumstances that arise out of mental health conditions, IRIE! will be clear about any limits of support provision, particularly where little to no progress is made in the overall stability of the individual student concerned.

1.9 If concerns are raised while a student is on placement or representing IRIE! at public events, all efforts will be made to contact the provider or discuss the issues with appropriate staff to decide upon the correct course of action which may involve removing the student from the placement or event.

## **2. Definitions and Triggers for use of Fitness to Study Procedure**

2.1 A student may be invited to engage with the Fitness to Study process for many reasons and circumstances. These include (but are not restricted to) the following:

A period of hospitalisation or sectioning.

Serious concerns about the student emerge from a third party.

The student's disposition is such that it indicates that there may be a condition which is having a significant adverse impact on their health, or which causes them to have difficulty making adjustments of a reasonable nature.

The student exhibits behaviour, which would otherwise be dealt with as a disciplinary matter, but which it is considered may be the result of an underlying physical or mental health problem.

2.2 In all cases, the student, Student Welfare Officer, tutor and Programme Convenor should be notified so that the teaching team is aware of the situation and can provide

any necessary support. If the issues relate to living in halls of residences, the student Welfare Officer will contact the appropriate personnel at the Halls of Residence.

## **3. Procedure**

3.1 There are three stages of the process that are designed to support the student and provide every appropriate opportunity for engagement with IRIE! to address concerns in order to progress. These stages range from initial informal contact with a student presenting behaviour of concern, to a formal panel that makes a decision on whether or not a student may continue to study at IRIE!. At each stage the student is encouraged to participate fully, and all interactions will be taken seriously and recorded.

3.2 Relevant staff will be involved in each stage of the process. Support will be tailored to the unique needs of each individual student and IRIE! may take action to ensure student safety in line with any of the three stages of the policy and procedure.

3.3 IRIE! acknowledges that as a result of implementing this policy it will receive Special Category Data pertaining to the student and other third parties, and shall ensure that all such data is handled, processed and stored according to IRIE!'s Data Protection Policy. There are a number of lawful reasons for disclosing data in order to protect harm to self or others.

## **4. Preliminary Suspension and temporary removal from accommodation**

4.1 When there is potential or actual risk to self or others, IRIE! with Goldsmiths has the power to take immediate precautionary action pending careful consideration under this policy and procedure. The decision to enforce temporary suspension or removal from accommodation is made by IRIE and the senior Management Team at Goldsmiths.

4.2 The student has a right to request a review of this decision by an impartial member of staff.

4.3 The suspension or removal from accommodation will be time-limited and reviewed on an ongoing basis.

4.4 The student will be given reasons for the suspension in writing by the decision-making officer, unless in the interests of their safety it would be more appropriate to discuss this with them in person. The relevant decision-maker will consider utilising the emergency contact procedure.

4.5 It will be made clear that interim suspension or removal from accommodation is a neutral act and that the minimum steps necessary to manage the risk will be taken.

## **5. Right to Appeal**

A student wishing to appeal against a Stage 3 decision must write to the Director of Accredited Training and CEO of IRIE! within one month, who will pass to Goldsmiths for review.

## **6. The Office of the Independent Adjudicator**

Decisions taken under these regulations may be eligible for review by the Office of the Independent Adjudicator for Higher Education (OIA), which is an independent body set up to review student complaints and appeals.

More information about the OIA can be accessed at <http://www.oiahe.org.uk>. The OIA can be contacted on 0118 959 9813 or [enquires@oiahe.org.uk](mailto:enquires@oiahe.org.uk). Where applicable, students will be provided with a Completion of Procedures Letter and information about how to apply to the OIA for a review of a decision taken under these regulations.

