

## **Fitness to Study and Respect for All Policy**

The National Film and Television School (the School) is committed to supporting all students to fulfil their potential. Occasionally, a student's ability to fulfil their potential may be adversely affected by difficult personal circumstances or on account of their or others' behaviour. The following procedures are designed to outline the action that the School will take in such instances to ensure that issues can be dealt with in a clear and transparent fashion.

### **1. Duty of Care**

At all times the School aims to support individual students and allow them to make their own decisions as to when to engage with their studies. However, the School owes a Duty of Care to all members of the School community to ensure the health, safety and well-being of all of its students, staff and visitors. The School is also required to have recourse to the statutory 'Prevent' duty to have 'due regard to the need to prevent people from being drawn into terrorism.'

In exceptional cases, the School's duty of care may require the School to remove a student from the School if that student presents a risk to themselves or to other members of the community.

### **2. Stage 1 – Concern**

Where a student's behaviour, attitude, or expressed views first raises concern, details of this will be recorded for the student's file by the member of staff identifying the concern. The concern may relate to the impact of the student's physical or mental health upon their own, or others', ability to complete their studies; or fears that the student is being drawn into violent extremism; or any other serious concern affecting them or other stakeholders at the School. Where possible, the record will include specific incidents and dates and may relate to individual or isolated incidents or a series of issues.

In instances where a student has concerns about another student, a written representation should be made to a member of staff, together with any evidence of the allegation, if available. The member of staff will then decide whether there are prima facie grounds for further investigation. If an affirmative decision is made, the next step of the process specified below shall be followed.

The student will then be invited to meet with an appropriate member of staff within that student's department (e.g. HoD or Senior Tutor) and/or the Student Support and Wellbeing Office to discuss the concerns. At that meeting it should be made clear to the student that it is their responsibility to comply with the relevant School regulations regarding fitness to study and/or respect for others at the School.

The explicit causes/instances for concern should be explained, with clear examples provided.

The student should be offered the opportunity to disclose any contextual information, which may include an underlying physical or mental health condition, or other personal circumstances. If appropriate, the student should be provided with information about sources of professional support and advice available.

The student will be asked to agree an action plan to bring about changes in the behaviour causing concern. This may include:

1. requiring the student to attend weekly appointments with a nominated member of staff for regular monitoring; or
2. in the context of 'Prevent'-related matters, an agreement to cease from future behaviour reasonably regarded as extremist; or
3. requiring the student to seek help from support services within the School or from external professionals, such as the student's GP.

In instances of behaviour or words reasonably regarded as extremist, the Registrar shall, in addition to any institutional action, make a decision of referral of the student to the regional Prevent Co-Ordinator, in line with the School's statutory 'Prevent' duty under Section 26 of the Counter-Terrorism and Security Act 2015. The School will work with external 'Prevent' bodies to share relevant information about the student, as required.

Any decision to share information about School students to an external body shall be conducted in accordance with the School's responsibilities under the Data Protection Act 2018 and Counter-Terrorism and Security Act 2015, and will only include information that is sufficient and relevant.

The Registrar will set a date for review of the student's progress against the action plan and will inform the student that failure to carry out the action plan may lead to action being taken under Stage 2 – Acute Concern.

### **3. Stage 2 – Acute Concern**

If concerns about a student have not been resolved by the actions in Stage 1 of these procedures, or a student's behaviour raises serious and immediate concern, the member of staff who has identified or recorded the concerns should inform the Registrar as soon as possible.

The Registrar, in conjunction with other relevant staff, will carry out a risk assessment to identify formally the level of risk to the student and/or others and to consider whether continued study may put the student and/or others at unacceptable risk or exacerbate the student's difficulties. In addition to the student's course-related activities, their level of engagement with their studies and the quality of social interactions, consideration should also be given to the student's domestic situation. All available evidence should be included in the risk assessment.

The risk assessment will result in one of two possible outcomes:

1. The level of risk to the student and/or others currently posed by the student is within acceptable levels. In this case, Stage 1 of these procedures should (continue to) be followed.
2. If the risk assessment highlights an unacceptable level of risk, the Registrar will call an urgent case conference. Attendees at the conference will include the Registrar and other staff as are necessary and appropriate to consider the case (e.g. the student's Head of Department, appropriate welfare staff). The student will normally be invited to attend the case conference and may be accompanied by a friend or representative (not acting in a legal capacity).

The case conference may consider various options in relation to the student, including additional support strategies, suspension from study, or a recommendation to the Director of the School that the student be withdrawn from the School. In instances of behaviour reasonably regarded as extremist, a decision of referral to the regional Prevent Co-Ordinator will be made, if such a referral has not been made at Stage 1.

Where the concern relates to 'Prevent' matters and a decision of referral has been made, the Case Conference will have regard to any reports or information provided by 'Prevent' bodies in respect of the student, if available.

Where the Registrar is satisfied that there exists a serious and immediate threat to the safety of others or any criminal activity has occurred or, in the view of the Registrar, criminal activity may occur, he or she shall consult with the Director and, after approval from the Director, a referral shall be made to the Police.

#### **4. Appeal**

Students have the right to appeal against any decision taken under Stage 2 of these procedures (save in instances where suspected criminal activity leads to a police referral). Appeals will only be accepted if there is evidence of procedural irregularity, bias or failure to reach a reasonable decision, or if the student submits further material circumstances which could not reasonably have been expected to be submitted for consideration at the Stage 2 case conference. Appeal information should be submitted to the Director of the School, and submitted no later than 10 working days of the notification of decision.

#### **5. The Office of the Independent Adjudicator for Higher Education**

Decisions taken under this procedure 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. More information about the OIA can be accessed at <http://www.oiahe.org.uk/>. The OIA can be contacted at 0118 959 9813 or [enquiries@oiahe.org.uk](mailto:enquiries@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 this procedure.