

ORDINANCE 16

FITNESS TO STUDY

mental health difficulties or a contagious disease.

2. Where a student's condition has the potential to endanger him or herself or other members of the University, that student may be deemed not to be fit to study. The University of London wishes to ensure as safe an environment as possible for all its students and so it may be necessary to take action to prevent harm caused by a student who is not fit to study.

PURPOSE OF THIS ORDINANCE

3. The purpose of this Ordinance is to set out the procedure which the University will follow when concerns are raised about the fitness to study of one of its students.
4. Actions taken under this Ordinance are not of a disciplinary nature. If action is taken about a student who is not fit to study, it will be limited to that which is necessary to protect as far as possible the interests of members of the University and the student in question.
5. This Ordinance applies to students registered with the University.

SUPPORT FOR STUDENTS

6. When invoking this Ordinance, the University will offer support to the student in question. The level and form of support will vary according to the circumstances of the student.

DELEGATION

7. The Board of Trustees, in making this Ordinance:
 - 7.1 authorises the Vice-Chancellor to delegate his or her powers and duties under this Ordinance to the Deputy Vice-Chancellor either generally or in respect of a particular case; and
 - 7.2 authorises the University Secretary to delegate his or her powers and duties under this Ordinance to the Chief Executive of the appropriate Faculty or the Academic Body either generally or in respect of a particular case.

REPORTING

8. If any member of the University has concerns about the fitness to study of a student of the University, this should be reported as soon as possible. This report should be made to the University Secretary. If this is not possible, a report should be made to a member of the academic staff of the University, who will in turn inform the University Secretary.

ACTION BY THE UNIVERSITY SECRETARY

9. The University Secretary shall investigate the matter and, subject to paragraph 21, take such action as is necessary to protect as far as possible the interests of the members of the University and the student in question.

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10. The University Secretary may ask the student for further information, for an interview or to submit a medical report. If the student in question refuses to co-operate with the University Secretary then

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18.3 the University Secretary may call as witnesses persons who can give relevant evidence. The student or the student's representative may question the witnesses and, if so, the University Secretary may ask further questions;

18.4 the student or the student's representative may call as witnesses persons who can give relevant evidence. The University Secretary may question the witnesses, and if so, the student or the student's representative may ask further questions;

18.5 if a witness is likely to be in distress, the Fitness to Study Committee may permit the witness to be accompanied by any person, but that person shall not participate in the proceedings in any way;

18.6 the University Secretary may question the student, the student and the student's representative may question the University Secretary;

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evidence presented to the University Secretary or the Fitness to Study Committee and the Vice-Chancellor may call witnesses in relation to that new evidence. The Vice-Chancellor may also call the University Secretary or the Chair of the Fitness to Study Committee as a witness. The University representative and the student's representative presenting the case to the Vice-Chancellor shall be notified in advance of the hearing of any new evidence and witnesses to be called;

- 23.4 where additional evidence is allowed, and there are circumstances in which a witness is likely to be in distress, the Vice-Chancellor may permit the witness to be accompanied by any person, who shall not participate in the proceedings in any way;
 - 23.5 the student or the student's representative may address the Vice-Chancellor; and
 - 23.6 the Secretary to the hearing shall record the decision of the Vice-Chancellor.
- 24. If the Vice-Chancellor allows the appeal, the matter shall be referred to the University Secretary for consideration of another remedy.
 - 25. If the Vice-Chancellor finds that termination of registration is the only appropriate remedy, the student's registration shall be terminated and any fees paid for that academic year shall be returned.

THE OFFICE OF THE INDEPENDENT ADJUDICATOR FOR HIGHER EDUCATION

- 26. The Procedure detailed above completes the University's consideration of the matter. Attention is, however, drawn to the Office of the Independent Adjudicator for Higher Education (OIAHE). The OIAHE provides an independent scheme for the review of student complaints about a final decision of a University's disciplinary or appeal body. Full details of the OIAHE and how to make a complaint are available from the University Secretary, or on the website of the OIAHE <http://oiahe.org.uk>. The postal address is: Office of the Independent Adjudicator for Higher Education, Second Floor, Abbey Gate, 57-