

Fitness to Study Policy

Relating to: Fitness to Study

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Introduction

- 1 The Fitness to Study Policy and Procedure is an intervention procedure that can be initiated if students or apprentices in full time or part time attendance are causing significant concern and/or presenting risk of harm to themselves or others, their actions are negatively impacting upon other students or staff, in turn leading to unsatisfactory academic progress. It applies to student activities on or off College premises, during study or research or other activities such as work placements. It applies to any situation where conduct is brought to the attention of the College, which indicates a potential risk to the health, safety or wellbeing of the student or others. The Fitness to Study Policy and Procedure shall also apply to students who have been made an offer of a course of study.
- 2 The purpose of this procedure is to provide a framework within which the College may provide an appropriate and co-ordinated response in circumstances where a student may benefit from extra support due to ill health, and where it is not considered appropriate to apply other internal procedures.
- 3 The procedure is intended to be supportive. The focus at all stages is to support the student to succeed on their course. This may include suspension of study until such time as the student is well enough to resume their studies effectively. There will be, however, a small number of cases where students do not engage with, or are unable to agree with, the support or adjustments that the College considers to be reasonable to enable the student to continue. In these rare circumstances, the College may consider withdrawing the student from their course.

In an emergency

Where a student's health or wellbeing presents an immediate risk to themselves or others, call the appropriate Emergency Services on 999.

You should also inform the Duty Manager outlining the details of the incident, the action taken and any follow-up action needed to support the student themselves, other students, or staff who have been impacted. This must also be logged on CPOMs.

If appropriate, the Fitness to Study Procedure can be used after the emergency situation has been dealt with.

The procedure has three levels:

- i. Emerging concerns/Cause for Concern,
- ii. Continuing/Significant concerns;
- iii. Serious/Persistent concerns, based on the perceived level of risk to the health, safety and mental wellbeing of the student and the impact of their behaviour on others in the College community.

A cause for concern conversation can occur at any level

The cause for concern conversation can result in:

- Invoking the procedure at any of the 3 levels;
- staying at a level; or
- Progressing through the levels, should the cause for concern not be remedied by recommended and agreed actions.

Anyone who has a sufficient level of concern about a student's health, safety and mental wellbeing should refer to this procedure for guidance.

Concerns should be acted upon promptly and should be illustrated with either evidence that there has been a decline in the student's health and wellbeing over a period of time, or a legitimate reason for believing that the student is at risk of harm to self or others. Evidence may include reports from staff members or other students about situations which have arisen.

When reviewing the perceived level of risk to a student's health and wellbeing, communication is paramount. Early intervention in issues and recommendations for support can avoid crisis situations from occurring.

4.1 Level 1 – Cause for Concern (a Support to Study meeting) - Emerging or initial concerns about an individual student's health, safety or welfare are raised and a cause for concern conversation is instigated.

4.1.1 If a student has concerns about a fellow student, they should discuss these with the member of the College staff they feel most comfortable with. This might be a Personal Tutor, Progress Coach, staff member, or student representative. The student will not be expected to deal with the situation themselves. If they have discussed the issue with a staff member, this person will make an appropriate referral, or resolve the issue.

4.1.2 If concerns have been identified by a member of staff or in the case of an apprentice an employer, then that member of staff, or another with primary responsibility and/or knowledge of the student (e.g. Personal Tutor or Progress Coach) should meet with the student and listen to what is going on for them in an understanding manner whilst acknowledging that there are concerns about the student's wellbeing.

4.1.3 The nature of the concerns should be clearly identified, and the student should be encouraged to discuss the issues, including the potential impact on themselves and others, including specific reference to the invocation of other student-facing procedures if appropriate. This is an informal conversation but key references and action points should be recorded on Promonitor/ teams site and communicated to the student.

4.1.4 It should be made clear to the student that the College has a duty of care to support students and to ensure that a student is well and fit to study. If appropriate, information should be provided about sources of support within the College that the student can access (such as . Safeguarding Mental Health & Wellbeing team or Student Support Services). Staff members should, if necessary, assist and support the student in making contact with support services.

4.1.5 The student and member of staff should agree a date to meet again to review the situation and to discuss the effectiveness of the support that the student has been accessing. Record of meeting stored on Teams Fitness to Study.

4.1.6 A copy of the Cause for Concern meeting, must be sent to the student within 5 working days and the student to be advised that a copy will also be kept on their file. The student should be reassured that the purpose of keeping it on file is to ensure that the College is providing all necessary support to ensure that the student continues to be fit to study. The Fitness to Study Policy should also be shared with the student for transparency.

4.1.7 Students should be informed that if the concerns continue, additional causes for concern arise, or they refuse to engage in the process, this could result in their fitness to study being further considered by moving into a Level 2 meeting.

4.1.8 Moving a case from Stage 1 to Stage 2 should be initiated within 2 weeks (10 working days) of the concerns worsening or continued unsatisfactory progress.

4.1.9 Staff members are encouraged to make three attempts to engage the student with this process as they are in the best position to have the initial meeting due to their direct observation of the fitness to study issues.

4.1.10 As highlighted above, should staff need advice and support or feel unsure about whether to invoke this procedure, they are encouraged to seek advice from Safeguarding Mental Health & WellBeing Team and/ or the Head of School.

4.2 Level 2 – Continuing and/or Significant Concerns a Support to study meeting

- Continuing or significant concerns about an individual student's health, safety or wellbeing are raised.

4.2.1 Level 2 will be led by Learning Support, who will work collaboratively with staff within the school. Staff from the school should contact Learning Support if they think there are grounds to move to Level 2. The final decision on whether Level 2 of the procedure is invoked will be taken by Learning Support and Deputy Head of School (after seeking guidance from Safeguarding Mental Health & Wellbeing team) after receiving information from other relevant staff.

4.2.2 Firstly, the student should be notified by their school that due to ongoing concerns about their wellbeing, they have been progressed to Level 2 of the Fitness to Study process known as Support to Study and to expect a meeting invite from Learning Support Services inviting them in for a meeting.

4.2.3 The student will be invited to a Fitness to Study, Level 2 meeting called a Support to Study meeting, by a member of the Learning Support Services and to include a member of the students' academic team, to discuss ongoing wellbeing concerns. Ideally this should be arranged within 5 working days of the decision to move to Level 2 of the procedure. The Fitness to Study Policy should be shared with the student.

4.2.4 The purpose of the meeting will be to ascertain the student's perception of the issues that have been identified and the impact that this is having on themselves and/or the College community. This meeting should be supportive and aimed at assisting the student to progress on their programme of study, refusal to engage may result in further escalation to Level 3.

4.2.5 The student should be informed of the purpose of the meeting, and be advised of documents they may be required to bring and that they are entitled to bring a person to support them at the meeting. The accompanying person could include, a member of College staff acting in a supportive capacity, or a close family member. Students with learning difficulties or disability may also be accompanied by a support worker (e.g. sign language interpreter or mental health worker).

4.2.6 During the meeting an action plan will be devised to put in place reasonable adjustments to enable them to re-engage with their studies.

4.2.7 Where appropriate, the agreed action will also take into account whether there are any reasonable adjustments that can be put in place, or whether the limits of reasonableness have been reached at that time (in accordance with the Equality Act 2010 and other relevant legislation). Please seek guidance from the Director for Student Services

4.2.8 The Level 2 meeting action plan will have a specific review date, and the importance of keeping to the agreed action plan must be clearly outlined to the student. The student should be informed that if the wellbeing concerns continue, or any additional cause for concern arises, this could result in their fitness to study being further considered by moving to Level 3.

4.2.9 If an action plan cannot be agreed at Level 2, then the case must move to Level 3. A report of the meeting and its outcomes will be recorded by Learning Support Services. A copy of the agreed Action Plan will be emailed to the student and shared with all attendees of the meeting. For apprentices, where appropriate, the Action Plan should be shared with the employer subject to the completion of student data sharing agreement form (Appendix 1).

4.3 Level 3 – Serious or Persistent Concerns (Consideration Panel) - Serious or persistent concerns are raised about an individual student's engagement, actions or behaviour that is putting the health, safety, wellbeing or academic progress of themselves or other members of the College community at significant risk.

4.3.1 A Curriculum Director, Safeguarding Mental Health Wellbeing officer, Learning Support Manager or a nominated representative will consider the previous meeting notes, action plans and any other relevant documentation and a timeline of events to determine whether a Level 3, Fitness to Study meeting should be convened.

4.3.2 Ideally this meeting will be arranged within 5 working days of the decision to move to Level 3 of the procedure but this will be led by student and staff availability.

4.3.3 Those present at the Level 3, Fitness to Study meeting may include (but are not limited to):

- The Student
- Student representative
- A Curriculum Director or a nominated representative (Chair)
- A nominee of the Head of School
- Academic/Department representative
- Learner Support Services representative
- Appropriate representatives from the Safeguarding, Mental Health Wellbeing team

Mental Health Support Worker or other relevant medical professional

4.3.4 The student will be invited to the Level 3, Fitness to Study meeting by the Curriculum Director or their nominee and advise that they can be accompanied by someone to support them through the meeting students with learning difficulties or disability may also be accompanied by a support worker (e.g. sign language interpreter or mental health worker). The Fitness to Study Policy will be shared with the student.

4.3.5 The Level 3 meeting will determine an agreed action:

- An enhanced Action Plan, or
- Interruption/Withdrawal (voluntary), or
- Interruption, suspension or withdrawal on health and wellbeing grounds to be decided by the Chair of the Stage 3 panel.

4.3.6 Where appropriate, the agreed action will take into account whether there are any reasonable adjustments that can be put in place, or whether the limits of reasonableness have been reached at that time (in accordance with the Equality Act 2010 and any other relevant legislation).

4.3.7 If the recommendation is that of an enhanced Action Plan, the plan will have a timely review date, and the consequences of not adhering to the Action Plan will be made clear. A copy of the agreed Action Plan will be emailed to the student and shared with all attendees of the meeting. For apprentices, where appropriate, the Action Plan should be shared with the employer subject to the completion of student data sharing agreement form (Appendix 1).

4.3.8 In cases deemed to be urgent, particularly if the safety of others is perceived to be at risk, a student may be suspended with immediate effect, and before being given the opportunity to make representations. In this instance the student or his/her representative will be permitted to put forward in writing, with supporting evidence, an appeal after the interruption/suspension.

4.3.9 The Chair of the Fitness to Study Panel will inform the student of the decision within 5 working days including details of the appeals process.

4.3.10 Interruption/suspension/withdrawal of studies through the Fitness to Study procedure will only be recommended in the most serious of cases, and when it is reasonable and feasible due to a student's lack of ability and/or unwillingness to engage with the process or continued unsatisfactory academic progress.

4.3.11 The interruption/suspension is intended to give the student time away from studies to address health and wellbeing issues, in order wherever possible to return to the College and resume study.

Student's right of appeal

For all cases where the Fitness to Study Level 3 Panel have taken the decision to Interrupt/Suspend/Withdraw a student may appeal to the Vice Principal or a nominated representative in writing to appeals@sthelens.ac.uk The appeal must be submitted within 10 working days of the notification of the stage 3 outcome.

There are three grounds for appeal:

- a) Any fresh evidence that could not reasonably have been made available to the Fitness to Study Panel at the time of the Stage 3 meeting;
- b) There were procedural irregularities in the conduct of the Fitness to Study Policy; or,
- c) That the outcome was not reasonable in the circumstances: that is, the decision made by the Fitness to Study Panel was not one a similar panel could have made acting on behalf of the College with the same information available.

If the student does wish to challenge the decision made by the Fitness to Study Panel. They must do so in writing, where the case will be reviewed independently to the Stage 3 Panel and an outcome issued to the student.

Once the review has been completed and the outcome communicated, the Fitness to Study procedure will be concluded.

Appendix 1

Information Sharing Consent Form

I _____ of _____

hereby give my permission for the college to share personal information with other service providers in connection with my education, including accessing and sharing my medical, and if applicable, mental health records. I agree to a referral being made to (add local supportive services), in order to support my needs. I understand that the college may hold information gathered about me from the various agencies and as such my rights under the Data Protection Act will not be affected.

Statement of Consent:

- I understand that personal information is held about me.
- I have had the opportunity to discuss the implications of sharing or not sharing information about me.
- I agree that personal information about me may be shared and gathered from the following agencies:
 - o NHS and other Health Services, including my GP practice
 - o Early Intervention Services
 - o Adult Services
 - o Mental Health Services
 - o Education Support Services
 - o Social Care
 - o Voluntary Sector Organisations
 - o Housing Providers
 - o Employer for Apprentice

Are there any agencies you do not want us to share or gather additional information with? Please list them here:

I agree to my information being shared and gathered between services

Your consent to share personal information is entirely voluntary and you may withdraw your consent at any time. Should you have any questions about this process, or wish to withdraw your consent please contact:

Name

Address

Post code Date of Birth

Signature

Date