



Fitness to Study

(Mental Health and Disability Support Policy and
Procedures)

Version 2, Spring 2025

Status: Approved

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Fitness to Study policy and procedure

1. Policy Statement

The College is committed to supporting student well-being and recognises that a positive approach, to the management of physical, mental health and behavioural issues, is critical to student learning and academic achievement. The College has a duty of care to all within its community and a responsibility to respond appropriately, to situations where there are concerns relating to a student's mental and/or physical functioning, causing significant concern or presenting as a risk to themselves and/or others in recognition of the Equality Act 2010 and Keeping Children Safe in Education 2024.

2. Scope

This policy and procedure can be used:

- To support students and staff when a student becomes mentally unwell or develops a new significant physical health concern and/or presents a risk to self-and/or others.
- In circumstances when a student is unable to recognise that they are placing unreasonable demands on staff, and/or disrupting the learning of other students
- To identify and implement reasonable adjustments where appropriate
- Where it is not the appropriate response to apply behaviour intervention procedures, particularly when the student's behaviour should be managed rather than punished. If behaviour is not directly attributed to a particular health related concern, poor behaviour will be dealt with through the standard behaviour intervention procedure
- If a student's needs have extended beyond the support that can be given in the college
- To allow staff to identify the appropriateness of a programme of study when taking into account a student's emotional, physiological or mental wellbeing. This is of a particular importance in relation to care related courses.
- Glossary in Appendix A

3. Objectives

This policy and supporting procedure ensure that the college takes a fair and consistent approach, when a students' health and well-being affects their ability to meet course requirements, in terms of attendance, participation in class or completion of work, or their resulting behaviour is impacting on the learning of others or poses a risk to their safety.

4. Responsibilities

- If a member of staff has concerns about a student's fitness to study, they should inform the Safeguarding and Wellbeing Team
- This referral should include the following details:
 - Any other process the student has been under e.g., behaviour intervention, attendance
 - Any engagement with the student to offer reasonable adjustments and the review of these
 - Any engagement with the external support of the student such as next of kin, social workers, mental health services
 - Any observable changes in behaviour from the team – timeline of deterioration

- Any other support that has been offered such as a break in learning the Safeguarding and Wellbeing Team will review the evidence of other methods of support and intervention to ensure this is an appropriate action. If deemed not appropriate curriculum teams will be advised to support with alternative strategies.
- The Safeguarding and Wellbeing Team will review the concerns/risks and if appropriate, support within the college will be put into place, documented in a plan, and facilitated by Safeguarding and Wellbeing Team and/or Learning Support
- The tutor will monitor the students' progress and inform the Safeguarding and Wellbeing Team if there are further concerns
- If the concern relates to more serious difficulties or if the arrangements above, breakdown then the Safeguarding and Wellbeing Team will meet with appropriate members of staff, to build up a picture of the behaviour causing concern. This includes non-compliance by the student.
- If the Safeguarding and Wellbeing Team in liaison with the appropriate staff feel that a support plan is not sufficient, or there is not enough information available, then a fitness to study review meeting will take place

5. Procedure

a. Fitness to study meeting

- The meeting will be convened as soon as possible, aiming to take place within 5 working days of the student being signed off to return to college. This should be done by Curriculum lead in conjunction with the wellbeing team and/or external services
- If it is felt that the student's behaviour, health or wellbeing cannot be accommodated in the interim, the Safeguarding and Wellbeing Team will recommend that the student be required to stay at home and not attend college. This step is not a disciplinary sanction and will not be recorded as such.
- If the student declines to do so, they will be suspended pending further investigation
- Parents or guardians would usually be informed if the student is under 18 years of age or up to 25 with an EHCP
- Any external agencies involved will be informed that the student cannot attend college, until an agreement has been made on the next steps
- Relevant staff, such as LSA, Curriculum teams or wellbeing teams, and if appropriate external professionals, carers/guardian and the student, will be invited to attend the meeting (recommended that curriculum and wellbeing are both represented in the meeting)
- In the event that the student is unable to attend the meeting, the case conference will go ahead in their absence and students will be notified
- The purpose of the meeting, is to establish if the student requires:
 - A safety plan/learning agreement put in place
 - Reasonable adjustments/Additional Learning Support put in place
 - A break in study
 - Part-time study and/or study from home
 - Withdrawal from the course, needing approval by an SMT member
- The following will be taken into consideration:
 - Evidence to support the case for return
 - Potential risks to the student on return
 - Potential risks to other students and staff on return
 - If there is not sufficient evidence to make a decision, further evidence may be

requested from a GP, health professional or an external agency

The actions and a review date will be agreed, documented and circulated to all in attendance.

b. Return to Study

If a student takes a period of absence away from college for recuperation and/or treatment, it may be appropriate for the student to attend a return to study meeting.

- In all cases return to study will require the student to produce appropriate confirmation of their health and ability to resume studying, such as GPs letter and/or appropriate support systems in place.
- Regular review meetings should be arranged with the Safeguarding and Wellbeing Team, so that a students' progress can be monitored, and support can be modified as necessary.
- If return to study is not deemed appropriate, the options will include postponing a decision pending the receipt of further information and extending the period of voluntary withdrawal from college.

c. Who to contact?

If staff are unsure about how to refer to this procedure, they should seek advice and discuss their concerns with the Safeguarding and Wellbeing Team:

- Email: safeguarding@nescot.ac.uk

d. Data Protection and Confidentiality

The College is committed to handling all personal data of a confidential and sensitive nature with the utmost care, ensuring it is processed and stored accordingly. Personal data and confidential information will generally only be disclosed to third parties with the informed consent of the learner for purposes of implementing this policy.

However, there may be occasions where the College is obliged to disclose personal data even when the student has refused consent. These occasions include situations:

- Where the student's behaviour threatens their own safety or the safety of others.
- When the student is at risk of harm, including abuse or exploitation.
- When the College would be liable to civil or criminal penalty for failing to disclose (e.g., if a crime had been committed)

By adhering to these guidelines, the College will ensure the privacy and security of student data while effectively implementing the Fitness to Study policy

e. Appeal

The appeals procedure will follow the same guidelines as the Complaints Procedure and should be logged with the Quality office in writing.

f. Equal Opportunities

The college will ensure that its policies operate within the spirit of the Equality and Diversity policy, actively promoting equality and aiming to minimise differences in success across groups.

6. Related legislation and documents

- Safeguarding policy and procedure
- Equality and Diversity Policy
- Health & Safety Policy
- Data protection policy
- Learning Support Policy
- Complaints Procedure
- Student Charter and Positive Behaviour Intervention procedure
- Working together to Safeguard Children
- Keeping Children Safe in Education 2024

7. Approval and Review

Policy Originator:	Assistant Principal, Learning Support & Student Experience
Approved by:	CLT
Date Approved:	Spring 2025
Review Interval:	2 Years
Last Review Date:	Autumn 2021
Next Review Date:	Spring 2027
Audience:	All staff and students
Entered on SP:	February 2025

8. Appendix A

a. Glossary

- **Fitness to Study:** This refers to a student's ability to meet course requirements, in terms of attendance, participation, completion of work, or their behaviour. It also considers a student's emotional, physiological, or mental wellbeing. The policy outlines a process for addressing concerns about a student's fitness to study.
- **Safeguarding and Wellbeing Team:** This is the team that staff members should inform if they have concerns about a student's fitness to study. The team reviews concerns, puts support in place, and facilitates support plans. They are also involved in fitness to study meetings.
- **Reasonable Adjustments:** These are modifications made to support a student's learning and participation. They are considered when a student's health or wellbeing affects their ability to meet course requirements.
- **EHCP:** This refers to an Education, Health and Care Plan.
- **LSA:** This refers to a Learning Support Assistant.
- **SLT:** This refers to a Senior Leadership Team member.
- **Data Protection:** This refers to the handling of personal data in a confidential and sensitive manner.
- **Behaviour Intervention Procedure:** This is the standard procedure for dealing with poor behaviour that is not directly attributed to a health-related concern. The policy aims to manage behaviours related to health concerns rather than punish them, unless the behaviour is not related to a health issue.