



Fitness to Study

(Mental Health and Disability
Support Policy and Procedures)

Fitness to Study Policy and Procedure

Introduction

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.

Purpose

The purpose of this policy and procedure, is to ensure that the college takes a fair and consistent approach, when a students' health, well-being or behaviour affects their ability to meet course requirements, in terms of attendance, participation in class or completion of work, or the expectations of the student's responsibilities.

This policy and procedure can be used:

- To support students and staff when a student becomes unwell 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 disciplinary 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 disciplinary procedure*
- If a student's behaviour has 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, psychological or mental wellbeing. This is of a particular importance in relation to care related courses.
- To consider the lawful application of temporary suspension or withdrawal and the justification for such action

Procedure

- If a member of staff has concerns about a student's fitness to study, they should inform the Safeguarding and Wellbeing Team
- A fitness to study meeting must be conducted prior to a student's return if they were hospitalised due to self-harm/ suicidal intent.
- The Safeguarding and Wellbeing Team will review the concerns.

- If appropriate, support within the college will be put into place by Safeguarding and Wellbeing Team and/or Learning Support
- The Progress Coach/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.
- 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 meeting will take place

Fitness to study meeting

- The meeting will be convened as soon as possible, aiming to take place within 5 working days
- 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 has learning difficulties
- 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 and if appropriate external professionals, carers and the student, will be invited to attend the meeting
- In the event that the student is unable to attend the meeting, the case conference will go ahead in their absence

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
- Potential risks to the student
- Potential risks to other students and staff
- 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.

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.

If the student is dissatisfied, then the colleges complaints processes should be followed.

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

Data Protection and Confidentiality

All personal data of a confidential and sensitive nature is handled, processed and stored accordingly.

Personal data and confidential information will only be disclosed to third parties with the informed consent of the learner for purposes of implementing this policy. However, there may be occasion's where the College is obliged to disclose when the student has refused consent. These include:

- Where the student's behaviour threatens her/his safety or the safety of others
- When the student is at risk of serious abuse or exploitation
- Where the member of staff or the College would be liable to civil or criminal penalty for failing to disclose (e.g. if a crime had been committed)

Appeal

The appeals procedure will follow the same guidelines as the Student Disciplinary Procedure and should be logged with the Deputy Principal within 10 days on the date of the letter confirming the decision.

Equal Opportunities

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

Safeguarding

The College will ensure that its Fitness to Study Policy and Procedures promote Safeguarding.

Associated Policies and Procedures

- Safeguarding policy and procedure
- Equality and Diversity Policy
- Health & Safety Policy
- Data Protection Policy
- Learning Support Policy
- Complaints Procedure
- Disciplinary Policy
- Self-harm Procedure Policy

Fitness to Study

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