

# **FITNESS TO STUDY PROCEDURE**

# Fitness to Study Procedure

**Policy/Procedure Owner:** Safeguarding Committee/Executive Leadership Team  
**Date Approved:** 20 February 2024  
**Next Review:** March 2026  
**Responsibility for Review:** Head of Learner Support  
**Policy Review Frequency:** two years

Applicable to staff: No  
 Applicable to students: Yes  
 Publish on College website: Yes

**Consultation:**

Undertaken with:	Yes/No:	Date:
Board/Committee	No	
ELT	Yes	20 February 2024
CMT	No	
Unions	No	
Students	No	
Employees	No	
Employers/Stakeholders	Yes	

**Any Associated Documentation, for Reference:**

SEN Policy, Equality and Diversity Policy, Equality Statement  
 Health and Safety Policy, Safeguarding Policy and Procedures  
 College Behaviour Charter, Positive Behaviour Framework  
 Admissions Policy

**ELT SIGN-OFF:** Marie Haworth, Vice Principal Quality, Teaching, Learning & Learner Support



## **Preston College Fitness to Study Procedure**

### **Scope and Purpose**

1. Preston College recognises the importance of our learners' health and wellbeing in relation to their academic performance, progression and wider learner experience. The phrase 'fitness to study' refers to a learner's capacity to fully engage with College life, both academically and otherwise, without unreasonable detriment to their wellbeing and whilst maintaining appropriate standards of behaviour. With this in mind, this procedure sets out a framework of support to study that is necessary to ensure fairness in terms of fitness to study for all learners. The aim of the procedure is to retain learners on their course of study and to help them achieve and thrive. This is not a disciplinary process and should be seen fundamentally as a way of staff supporting learners to ensure that they can wherever possible continue to study with appropriate levels of support in place to ensure their continued wellbeing.
2. The procedure, which applies to all students (including FE, HE, 14-16, 16-18, work-based apprentices studying either full time or part time whilst attending a college centre or work placement setting), enables the college to take a positive and supportive approach to the management of wellbeing, safety, physical and mental health issues and to consider any reasonable adjustments that may be necessary. It aims to ensure that decisions about a student's ability to study are made in a supportive way with appropriate consultation and in the best interests of the student.
3. The College's aim, where possible, is to support our students to remain on their programme of study. However, it must be recognised that in some cases this might not be possible. Some students may need to take a break from their studies (interrupt), may need to delay taking their assessments (defer), or in more serious cases, may need to leave the College completely (withdraw).
4. Where there is concern about a student's behaviour that may be as a result of their wellbeing/ safety, physical or mental health and that requires considered and sensitive management, then this procedure may be instigated as an alternative to the college's disciplinary procedure. The college reserves the right to refer to other procedures where appropriate. The college may refer individuals to external professional services and they may be asked to provide written confirmation of an individual's fitness to study.

### **Indicators of Concern regarding Fitness to Study**

5. A wide range of circumstances may lead to a student's Fitness to Study to be questioned. These include:
  - If a disclosure is made at the application, interview or enrolment stage and the way in which the potential student presents (or the information disclosed) gives cause for concern
  - When a learner is at risk to themselves or others due to their health issues including poor mental health,
  - External factors and pressures that are having a negative impact of a learner's wellbeing.

- Information provided from within the college setting which indicates there is a need to address Fitness to Study
  - Behaviour or academic performance (which would normally be dealt with as a disciplinary matter) that is considered to be as a result of an underlying wellbeing/safety, physical or mental health issue
  - A student's disposition causes significant concern and indicates that there may be a need to address an underlying mental health condition: demonstration of mood swings, unusual behaviours, signs of depression, becoming withdrawn, aggressive, stressed, irritable or intimidating towards others
  - Disengagement from study for a period of time (without any reason being given) that may be due to an underlying wellbeing/safety, physical or mental health issue
  - Serious concerns raised by a third party such as work placement provider, fellow student, external support organisation, parent
6. There are **four formal stages** (plus the Pre-Entry Stage) to the Fitness to Study Procedure and dependent on the perceived level of risk and the severity of the problem, the procedure can be invoked at any of the four stages. At each stage, confidentiality and data protection protocols will be observed.

### **Pre-entry stage**

7. Prospective students are encouraged to disclose any wellbeing, physical or mental health issues at the application, interview and enrolment stage. A disclosure of this nature would not usually adversely affect the offer of a place but would trigger a referral to the Learner Support team. Information gathered will be used to guide and advise prospective students in relation to suitable programmes of study and to inform any reasonable adjustments and support requirements.
8. The pre-entry stage of the procedure may also be applied if a disclosure is not made but there are concerns prior to enrolment about a student's fitness to study due to behaviours displayed at the enquiry, application, interview or enrolment stage. This stage may also apply to documentation received by the college which gives rise to serious concerns in relation to a prospective learner's behaviour, vulnerability or fitness to study.
9. The safeguarding team will be involved at this stage if appropriate.
10. The college will take into account its duty of care towards all students and staff.
11. Wherever possible, health professionals and other appropriate experts will be included in discussions and, in most cases, medical evidence will be required to help determine a prospective student's Fitness to Study and to inform any support package. Where appropriate, a risk assessment will be drawn up and consent to share the information with relevant staff will be sought.

### **Stage 1 – Emerging Concerns - Initial Support and Guidance to Students**

12. It is recognised that early intervention can help to avoid more serious issues developing. Where there are initial emerging concerns about a student's behaviour and it is thought that this is due to their wellbeing / safety, physical or mental health issues, then the student should be referred to the assessment team

within Learner Support in the first instance. The referral can be made by the student or the member of staff who has concerns.

13. At this stage the student should be given the opportunity to informally discuss their understanding of the concerns. The student should be signposted to the relevant support service for further support and guidance. Consideration should also be given to any reasonable adjustments which might support the student through their difficulties. Reasonable adjustments can include the adaptation of curriculum timetables and deadlines, the offer of additional support, adjustment of study programme, and break in study or withdrawal.
14. The aim is for concerns to be resolved at this informal stage wherever possible and it is hoped that students will respond positively and take up support offered.
15. This informal stage and any action taken needs to be recorded on ProMonitor (within the meetings section). The student should be informed that continuation of the same concerns would mean progressing to Stage 2 of the Fitness to Study Procedure.
16. At this stage Student Managers or tutors will set targets, monitor progress and liaise with parents or guardians where appropriate to support the learner's wellbeing and participation within college.

## **Stage 2 – Continuing or Significant Concerns**

17. This stage will be applied where there are ongoing or significant concerns about a student's wellbeing/safety, physical or mental health. These concerns may include a significant deterioration in health, appearance, attitude, attendance, the ability to meet deadlines or participate in normal college life.
18. This stage will normally follow a referral from a Student Manager, Curriculum Leader or Head of School to a member from the Learner Support team. The person making the referral should meet with a manager from the Learner Support team and Student Manager or Tutor where appropriate, within 2 working days of the referral to collate information and/or evidence about the case.
19. The assessment team, within Learner Support, will review the information and establish whether the individual should be supported at Stage 2 or whether they should be monitored by a student manager at Stage 1.
20. On making the referral, the referring person should contact the student concerned in a sensitive and supportive manner to inform them of the nature of the concerns about Fitness to Study and to inform them that the concern has been registered by the use of this procedure. The student should be informed that they will be invited to attend a meeting to discuss these concerns within the next 7 working days. They should be advised to submit any medical evidence which may be applicable to the concerns to the Learner Support manager prior to the meeting.
21. The Learner Support manager should ensure that all relevant people attend the meeting (this may include parent/guardian, representatives from external agencies, Student Manager, support worker if the student has a learning difficulty and / or disability).

22. The Learner Support manager should chair the meeting and consideration should be given to inclusion of the following points:
- A review of the actions taken to date and an identification and explanation of the on-going concerns being raised
  - A review of a support strategies used, ie learning support coach sessions, College counselling, tutor adjustments, welfare, engagement with external support.
  - An opportunity for the student to explain their perspective of the concerns being raised
  - Clarification of the College's Behaviour Charter and the learner's responsibility in respect of this
  - Consideration of any support that could be put in place to address the concerns raised including referral to any relevant external agencies
  - Clarification of agreed actions to support the student and reduce the current concerns
  - An agreement on a review date
  - An explanation that if the continuation of the same concerns are still prevalent at the review date, the Learner Support manager would recommend progressing the case to Stage 3 of the Fitness to Study Procedure. The learner should be informed that one of the possible outcomes of a Stage 3 meeting could be permanent withdrawal from the course or exclusion from college.
  - A short summary of the meeting, the agreed action plan and the consequences of non-compliance should be sent to the student within 3 working days of the meeting. The meeting should be recorded on ProMonitor

**Stage 3 – Unresolved Serious Concerns, Significant Immediate Concerns**

23. This stage will be applied when:
- a) There are significant and immediate concerns about a student's wellbeing, safety, physical or mental health
  - b) The concerns at Stages 1 and 2 have not been resolved.
24. In either case the referral should be made to the Designated Safeguarding Lead or the Head of Learner Support.
25. Where there is concern that the student's actions are putting the safety of themselves or others at risk then a referral to the Safeguarding Duty Officer should be made. Immediate and appropriate action should be taken to prevent unnecessary danger to the individual and others eg contact first aider, counsellor, Campus Cohesion Officer. The student may need to be suspended pending a review meeting.
26. The Designated Safeguarding Lead or the Head of Learner Support should call a case conference with relevant college staff to ascertain the facts regarding the concerns within 2 working days. Others may be called to provide written statements.
27. Following the case conference, the Designated Safeguarding Lead or Head of Learner Support should inform the student that they will be invited to attend a

meeting to discuss the concerns within the next 7 working days. Confirmation of the date / time of the review meeting should be sent to them in writing. They should be advised to submit any medical evidence which may be applicable to the concerns to the Designated Safeguarding Lead or Head of Learner Support prior to the meeting and also advised that they may be accompanied but not by a legal representative. In the case of students under 18, a parent, guardian, carer should be invited to attend.

28. The Designated Safeguarding Lead or Head of Learner Support should chair the review meeting and relevant staff, external professionals and the student, if appropriate, should all be invited to outline their concerns and to consider previous actions. The review meeting may result in a break from study, a change in study mode, further support or a recommendation for withdrawal or exclusion of the student.
29. If the recommendation is for withdrawal or exclusion then this must be communicated to a member of ELT. If approved by ELT, a letter should be sent via registered mail to all the student addresses known to the college. The same letter should be sent to the student's registered email account.
30. A summary of the meeting and an agreed action plan should be documented and circulated to all in attendance including the student. All actions should have specific timeframes and adherence to these will be a condition of any re-entry to a programme of study. A meeting summary must also be recorded on Promonitor meeting records.
31. In the event that a student is unable to attend the review meeting for whatever reason, or in exceptional circumstances, and with the agreement of the ELT representative, the review meeting may go ahead without the student if, by being on campus, they would present a potential risk to themselves or others. In these circumstances, every effort should be made to represent their opinion fairly.

### **Returning to Study**

32. If a return to study is recommended or the individual is applying for a new course of study then the student should be informed of Fitness to Study Procedure and Admission Policy as soon as possible.
33. Each student's case will vary according to the context and specific circumstances out of which the original case arose. In all cases, return to study will be dependent upon satisfactory evidence of fitness to study. This evidence may be submitted from a GP, mental health professional, psychiatrist or other relevant medical professional with sufficient knowledge of the student and the demands of the programme of study to enable them to make an informed decision. A risk assessment / inclusion contract may be drawn up to help facilitate safe return to study. The Designated Safeguarding Lead and Head of Learner Support must be assured of fitness to study, compliance with risk assessment / inclusion contract and willingness to accept support offered. Regular review meetings should be set up with the Student Manager / Learning Support Coach or other appropriate member of staff so that progress can be monitored and support adapted if required.

## **Appeals**

34. The student has a right of appeal where the decision has been made to exclude. All appeals should be made in writing to the Principal within 5 working days of the decision. The Principal's decision will be final.
35. Exclusion will preclude a learner from enrolling to another course at the college within the same academic year or for a minimum period of 6 months whichever is greatest. Any future applications for study will need to be supported from an external professional evidencing that the student is fit to return to study with reasonable adjustments if required. The student and external agency will be required to attend an Initial Assessment with the Transition Team prior to enrolment.

## **Legislation**

- Equality Act 2010
  - Children and Families Act 2014
  - Data Protection Act 1998
36. In implementing this procedure, the College will ensure that any personal data relating to the application of this procedure will be obtained, processed and destroyed in line with the principles outlined in the General Data Protection Regulations and supplementary enacting Data Protection Legislation. The College is committed to being transparent about how it collects and processes the personal data of its learners, employees, visitors and other stakeholders to meet its data protection obligations. The College will ensure all processing is lawful, fair and transparent and individuals are informed of the legal basis for processing their data. Further information relating to the College's compliance of the General Data Protection Regulations can be found in the College's Data Protection Policy.