

<b>College Manual/Share Point Section:</b>	e.g. Student Services , Human Resources, Quality, Health & Safety etc.			
<b>Responsibility:</b>	Sarah Howes	<b>Date doc. created:</b>	August 2013	
<b>E&amp;D Impact Assessment date:</b>	August 2013	<b>Review date of doc</b>	November 2017	

## FITNESS TO STUDY PROCEDURES

### 1. Context

- 1.1 This procedure is intended to be used as an alternative to any disciplinary procedure where there is sufficient concern that a student's behaviour resulting in a possible disciplinary response could be as a result of disability, ill health or have an impact on the health & safety of the student or other people. Any decisions made on a student's fitness to study will be made through a collective process of consideration of the ability to study, learn and achieve. Lecturing and support staff may initiate use of the procedure if concern for the student is sufficient. It is important that all those concerned with the student are kept fully informed of the outcome of these processes, whilst keeping in mind the legitimate concerns around confidentiality, data protection and professional guidelines<sup>1</sup>.
- 1.2 The College recognises that there may be circumstances when a student is unable to recognise that he or she is placing unreasonable demands on staff, the learning of other students or endangering him or herself or others.

Consultation with the Curriculum Manager is required.

- 1.3 Concerns with regards to a prospective student's fitness to study will be decided by the Admissions Panel.
- 1.4 Staff should be aware of other support services in the College to which students may be signposted if it is felt this may be of benefit in advance of any procedure being initiated:

- The Student Counselling Service; [counselling@newcollege.ac.uk](mailto:counselling@newcollege.ac.uk)
- Skills Development Centre; [additionalssupport@newcollege.ac.uk](mailto:additionalssupport@newcollege.ac.uk)
- The Independent Psychological Service; [additionalssupport@newcollege.ac.uk](mailto:additionalssupport@newcollege.ac.uk)
- College Nurse; [wellbeing@newcollege.ac.uk](mailto:wellbeing@newcollege.ac.uk)
- Chaplaincy; [chaplaincy@newcollege.ac.uk](mailto:chaplaincy@newcollege.ac.uk)
- Financial Support: [studentservicesenquiries@newcollege.ac.uk](mailto:studentservicesenquiries@newcollege.ac.uk)

<sup>1</sup> For further information refer to Student Disclosure – Passing on Information and Confidentiality Policy

- 1.5** The procedure has three levels, based on the perceived level of risk to the Health and Safety of the student or others posed by the behaviour or health of a student caused by ill-health or disability. The cause for concern can result in entering the procedure at any of the 3 levels.
- 1.6** Staff who have any level of concern about a student's health or behaviour should consider use of this procedure. If there is a concern of this nature, it is appropriate to explore the student's behaviour / health and agree supportive action rather than enter into a disciplinary procedure. If staff are unsure about whether to implement this procedure, they can seek advice and discuss their concerns, anonymously and in general terms with the Curriculum Manager, Student Services Manager or the Additional Support Manager.
- 1.7** Concerns about a student's health/behaviour should be acted on promptly. If there is any level of concern, staff should discuss this with the Curriculum Manager or the Additional Support Manager and consider implementing Level 1 of the procedure. Early intervention in student health/behaviour and recommendations for support can avoid a crisis situation.
- 1.8** Instances where it may be appropriate to use Fitness to Study include, but are not limited to the following:
- a) There may be a number of adverse third party reports about a student, from departments in the College or from friends of a particular student.
  - b) A student has not engaged with study for a period of time without reason given. Absence may be a cause for concern, and staff should be aware of the wellbeing of students who are on programmes of study at the College as absence is often an indication that there is a possible need to address.
  - c) There is concern about how well a student may manage their learning experience on a placement or field trip. Students may have been receiving support and staff may be concerned as to how well a student may cope in an unusual environment even when support issues have been addressed.

## **2. Level 1 – Tutor/Management**

- 2.1** Emerging concerns about a student's health and safety and ability to study e.g. significant deterioration in health, appearance, attitude and/or behaviour might require a response from the College.
- 2.2** A member of staff with primary responsibility e.g. Personal Tutor, should in the first instance approach the student in a sympathetic and understanding way and indicate that there are concerns about fitness to study and that a concern has been registered by use of this procedure.
- 2.3** The nature of the concerns should be clearly identified and, if appropriate, information should be provided about sources of professional support and advice available within the College. It should be made clear to the student that it is his/her responsibility to be fit to study and that there is a recognised concern about this within the College.

- 2.4 The student and the member of staff involved should agree on a date when they will meet to review the situation and discuss what is being done to address the concern about fitness to study. This discussion should be recorded on ProMonitor and be visible to the student.
- 2.5 The student should be informed that continuation of the same or any additional cause for concern could result in their fitness to study being more widely considered by moving to the next level, Level 2

### **3. Level 2 – Meeting with a Curriculum Manager**

- 3.1 Continued/Initial concern about an individual's health and safety and ability to study that is a significant deterioration in health, appearance, attitude and/or behaviour might require a further/initial response from the College and should be seen as a Level 2 case under the procedure.
- 3.2 The student will need to be invited to attend a meeting with the Curriculum Manager and the Additional Support Manager. The student should be informed of the purpose of the meeting and advised of any documents they may need to bring. The student may be accompanied at the meeting by a member of the NCExec representative or a member of College staff acting in a supportive capacity. Disabled students may also be accompanied by a member of the additional support team (e.g. sign language interpreter or mental health worker) as appropriate to their needs.
- 3.3 The purpose of the meeting will be to ascertain the student's perception of the issue/s identified. A clear, written statement from the member of staff calling the meeting should be sent to the student, at least 48 hours before the meeting.
- 3.4 During the meeting, it is important to identify and agree with the student an action plan to observe following the meeting. The consequences, if any, (a) of not keeping to the agreed actions, or (b) continuation of the causes for concern, must be clearly outlined to the student. A record of the meeting, recording actions agreed, must be made on ProMonitor and visible to the student no more than 5 days after the meeting. Regular review meetings with student should be arranged with a Personal Tutor to ensure that support for study is effective.

### **4. Level 3 – Cross College Case Conference**

- 4.1 Serious or persistent concerns about an individual's health and safety and ability to study, personal circumstances or behaviour that have not been resolved via level 2 will cause level 3 to be initiated.
- 4.2 Initial concerns that a student's behaviour, caused by ill-health or disability, may pose a significant threat to the health and safety of the student or others can lead to Level 3 being initiated without reference to levels 1 & 2.
- 4.3 An urgent call to the Faculty Manager, Student Services Manager or Additional Support Manager as appropriate will probably result in a Level 3 consideration of the circumstances.

- 4.4** A case conference will be called by the Faculty Manager to discuss the most appropriate course of action.
- 4.5** The case conference, chaired by the Faculty Manager, will include the student, a note taker, the Personal Tutor or course tutor, the Student Services & Safeguarding Manager, a NCExec representative and if appropriate the Counselling Service or the College Nurse. The Director of Curriculum may also attend to advise the meeting of academic regulations.
- 4.6** Invitations to the case conference should be delivered at least 48 hours in advance of the meeting and include a notification to the parents/carers if the student is aged 16 – 18 (or up to age 25 if the student has a Learning Difference or Disability).
- 4.7** The contribution of representatives will be subject to Data Protection legislation and/or professional codes of confidentiality (e.g. for medical/counselling staff).
- 4.8** The case conference may consider various options, including part-time study with support, a period of rest from the College or a recommendation for withdrawal of the student.
- 4.9** The actions arising out of the conference will be agreed, documented and circulated to all in attendance and to the student, if not in attendance. All actions should have specific timeframes where appropriate and adherence to such timeframes will be a condition of any re-entry to programmes of study. These will be reviewed by the Faculty Manager
- 4.10** A letter will be written to the student by a Team Assistant within 48 hours of the meeting to confirm agreed outcomes/actions. The letter should be sent by registered mail to all addresses held by the College for the student.
- 4.11** If withdrawal is the outcome, it must be reported by the Faculty Manager to CIS.
- 4.12** Any interruption of study will be subject to review by the Faculty Manager in the light of developments with reports as appropriate to the Director of Curriculum. Any written representations made by the student or someone acting on his/her behalf will be made to the Student Services & Safeguarding Manager.
- 4.13** Such a review may include consideration of medical evidence from the individual's medical practitioner, and/or assessment from a psychological service.
- 4.14** A letter outlining the decisions of the review should be written by the Faculty Manager and sent to the student by recorded delivery mail. A copy will be kept by the College.

## 5. Return to Study

- 5.1 Students should be informed of the purpose of the procedure and the responsibilities on the part of the College and themselves on facilitating effective return to study.
- 5.2 Each student's case will depend upon the specific circumstances and context out of which the concern initially arose. In all cases return to study will be dependent upon satisfactory evidence of fitness to study and the provision of information about appropriate support services, with a recommendation of the benefit of continuing to study with support. Evidence submitted should be from a recognised professional who has sufficient knowledge of the student to be able to make an informed statement of wellbeing. Specific reference should be made to the student's renewed ability to manage the demands of studying at College.
- 5.3 The decision to permit return to study will be made by the Director of Curriculum who will be satisfied of fitness to study, compliance with any conditions imposed, compliance with College regulations and availability of support upon return.
- 5.4 Fitness to Study is an ongoing responsibility of the College and the student and will be considered throughout the remaining period of study to ensure that students study with support to enable them to succeed and for staff to have an agreed context in which to work with the student. Regular review meetings with students should be arranged with a Personal Tutor to ensure that support for study is effective.

## 6. Appeals

- 6.1 A student may appeal for a review of a level 3 decision. There are no other College review procedures beyond those stages detailed above. If in the opinion of a student an appeal remains unresolved after the exhaustion of the appropriate processes, appeal may be made to the Principal within one week.

## 7. Crisis Intervention

- 7.1 The Swindon Intensive Services can only take a referral from a GP or A & E unless the person who is presenting as suicidal already has a mental health statement. If they can respond their response time could be up to 4 hours.
- 7.2 If a student informs you of their intent to commit suicide your first call should be to their GP, if their GP is unable to see them encourage the student to attend A & E.
- 7.3 A & E are required to see anyone who presents with a mental health emergency (threat of suicide is a mental health emergency).
- 7.4 If a person presents themselves to A & E between the hours of 08:00 and 16:30 they will be referred to Mental Health Liaison. If a person presents themselves outside of these times A & E will inform Swindon Intensive Services out of hour's team.
- 7.5 New College staff can contact Swindon Emergency Duty Team direct on (01793) 436699. This team is made up of mostly social workers who deal with safeguarding issues.
- 7.6 If a student who is within 6 months of their 18<sup>th</sup> birthday presents as suicidal a direct referral to Marlborough House can be made; (01793) 294646

7.7 If you are presented with a person who discloses suicide intent but refuses any help from their GP or A & E and you believe them to be a danger to themselves you can call the Police. It is not a crime to commit suicide, however the Police will do everything in their power to assist and preserve life under Section 136 Mental Health Act. The Police have powers for personal safety and can, under Section 136 Mental Health Act arrest the person and transport them to a hospital with a 135 assessment suite.

## 8. MONITORING AND EVALUATION

8.1 It is the responsibility of the staff involved in the fitness to study process to make recommendations to improve the procedures on the basis of their experience in using it as well as any feedback they receive from students. The Additional Support Manager will be responsible for making adjustments to the Procedure in accordance with any recommendations received.

Any changes to the policy will be:

- Publicised via all staff email
- Placed on the Staff Portal under Policies as well as on the Student Virtual Learning Environment (VLE)

The review of the Fitness to Study Procedure, as with other College policies and procedures, is in line with the College's adherence to the principles of continuous improvement.

<b>Linked Policies:</b>	<ul style="list-style-type: none"> <li>• Student Disclosure – Passing on Information and Confidentiality Policy</li> <li>• Additional Support Policy</li> </ul>
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NEW COLLEGE EQUALITY IMPACT ANALYSIS	DATE:
<b>Function: Enter the topic of the policy, procedure or plan</b>	
This policy, plan, procedure, process has been examined for equality impact, i.e., the impact that this function will have on different groups of actual and potential learners, service users and staff taking account of the protected characteristics of the Equality Act 2010 ( <b>age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation</b> ).	
1. <b>If Equality Impact Analysis is not relevant to this function, give reasons and proceed to section 5 below.</b>	
2. <b>In what ways could this function have a negative impact on any of the groups above? What actions have been taken to eliminate these?</b> None	
3. <b>In what ways could this function have a positive impact on any of the groups above? How will this function be used to eliminate discrimination, advance equality of opportunity and foster good relations between different groups? Are there plans for the future which will further advance equality?</b> The guidance to staff in this policy is intended to ensure that staff are aware of their roles and responsibilities in ensuring equality of opportunity and to help support students with mental ill health.	
4. <b>What evidence supports your judgment e.g. consultations, observations, expert opinions, quantitative or qualitative surveys? If the evidence is in the form of an additional document, where is it stored?</b> This document has been shared with other agencies, CAMHS, TAMHS, Adult Mental Health, Swindon Borough Council; Social Care and Swindon College	
5. <b>Name and job title of manager responsible:</b> Sarah Howes: Additional Support Manager	