

Fitness to Study Policy

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Date last reviewed	September 2021
Approval route	College Leadership Team
Date Approved	February 2022
Review cycle	Every 3 years
Date Review Due	September 2024
Contractual or Non-Contractual	Non-Contractual
Location of copies	Website and on Microsoft Teams
Policy version	Version 1

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1. Purpose

Franklin Sixth Form College is fully committed to supporting students and recognises the importance of a student's health and wellbeing in relation to their achievement and progression. All students should be able to study and perform to the best of their ability in a safe environment which is conducive to effective study.

This policy outlines the process and procedures to be followed when a student's physical and/or mental health, wellbeing and/or behaviour affects their ability to study or progress on their course or when their health, wellbeing or behaviour poses a risk to the health and safety of self / or others.

The College will endeavour to support students and make reasonable adjustments but Franklin Sixth Form College is not a distance learning college and prolonged periods of absence cannot be sustained. There may be occasions when the nature of a student's medical, psychological, behavioural or emotional concerns, or other adverse circumstances, may affect a student's fitness to study. However, it must be recognised that in some cases support may be beyond the expertise or capacity of what the College can offer.

The College is committed to equality and strives to make reasonable adjustments for any student in compliance with the Equality Act 2010.

2. Scope

Clear learning behaviour expectations are set and effective and consistent challenge are aimed at supporting students to reach their full potential. Students may be placed on the student intervention model as a result of not meeting the Franklin ABC Expectations provided upon enrolment. It is not expected that a student will be placed on the student intervention model for all cases of minor misconduct or classroom management concerns, but if they are persistent and no improvements are made to their learning behaviour. However, it is recognised that the cause of misconduct may include issues relating to a student's health or wellbeing, where disciplinary action may not always be appropriate.

There are occasions where a student may suffer from a condition which could endanger either their own health and safety, the safety of other members of the College community or where their health or behaviour falls outside the professional conduct required within their chosen studies profession. In this case, it would be deemed unmanageable in a mainstream educational setting.

There are therefore occasions where, for one or more reasons above, it will be our judgement that, in the best interests of a student, commencing or continuing at Franklin Sixth Form College is no longer an option or deemed appropriate.

The Fitness to Study Policy is to be used to ensure best interest decision-making for the student, with the student at the centre of the process, supported by the College and relevant professionals and/or external agencies. The procedure should be supportive, used to guide decision-making in complex student physical health and wellbeing cases.

Any actions taken under this procedure are not of a disciplinary nature. If action is to be taken about a student who is considered not fit to study then it shall be limited to such action as is necessary to safeguard the best interests of themselves, students and staff.

When invoking this Policy Franklin will offer support to the student in question. The level and form of support will vary according to the unique circumstances of the student.

The Fitness to Study Policy is in place to support alternative arrangements and reasonable adjustments for students to complete their study programme when medical or behavioural conditions arise or worsen. The College has a fair and consistent approach and sets out parameters for a minimum acceptable level of academic progress. It provides a series of stages for reviewing a student's place at College.

3. Policy Statement

3.1 The Fitness to Study Procedure

3.1.1 Prospective students at admissions stage

A student's fitness to study may be brought into question for many reasons and in a wide range of circumstances and should only be used in exceptional circumstances. Prospective students are encouraged to disclose any additional learning needs or medical issues relating to their physical or mental health at the point of application. Any declaration will not negatively impact on their application. This information will be disseminated as seen appropriate to relevant staff members.

It is vital that the College is made aware of any issues relating to study so we can ensure that we offer the support that meets the needs of the student. Non-disclosure of any issues may prohibit the relevant support being offered and actioned. The College will ask for specific information, rather than generalised information being accepted, in order that the right level of support is offered and considered.

Our duty of care is paramount towards all students and staff, and this will be taken into account, as well as health and safety considerations and what are reasonable expectations of relevant staff. Where appropriate, a risk assessment will be undertaken before any offer of place is considered. We are mindful of any disclosure and responsiveness to individual needs. Any student with a disclosed SEND must still be able to demonstrate that they can engage in a full time educational programme in a mainstream educational setting. Please note that our entry criteria still apply for all prospective students with a disclosed SEND.

3.1.2 Current students on roll

If a student did not disclose a pre-existing physical or mental health condition on application or during interview, then it is unlikely they will receive support or any reasonable adjustment until the condition is declared to the College.

3.1.3 Fitness to Study concerns

A student's Fitness to Study may be brought into question as a result of a wide range of extenuating circumstances. These include (but are not restricted to) the following:

- Serious concerns about the student emerge from a third party (peer, parent, multi-agency professional) which indicate there is a need to question their fitness to study
- The student has told a member of College that they have a problem and /or provides information which indicates there is a need to question their fitness to study
- The student's disposition is such that it indicates that there may be a condition which is having a significant adverse impact on their physical or mental health, or which causes them difficulty making adjustments of a reasonable nature that may indicate a need to address an underlying mental health problem; for example, if they have demonstrated considerable mood swings, shown signs of depression, become withdrawn, aggressive, or is becoming intimidating to others
- The student is communicating suicidal thoughts, ideation or is self-harming to such a degree that the College considers the support required is beyond the expertise or capacity that the College can reasonable offer
- The student exhibits behaviour which would otherwise be dealt with as a disciplinary matter by the Student Intervention Model but which is considered may be the result of an underlying physical or mental health problem
- The student's academic performance, physical behaviour or demeanour is not acceptable and this is thought to be the result of an underlying physical or mental health problem.

3.1.4 Early disclosure

Early disclosure of any issues is essential to allow staff to assess how best to accommodate students and to provide the appropriate level of support and intervention.

Supportive measures and interventions may involve referrals to external agencies such as Young Minds Matters, Compass GO, Navigo, Cudox or the student's GP. This is paramount where the health condition is a significant concern and is out of the expertise or expectation of the College.

3.1.5 Crisis situation

In a crisis situation, where there is an immediate, high level concern for a student's physical or mental health, first aid or emergency services should be called and the College will endeavour to call parents or carers as soon as possible and ensure the right interventions / medical treatment is put into place.

3.1.6 Reasonable adjustments

A minimum level of attendance must be maintained in order to allow a student to make academic progress. If a student falls below this, deadlines for vocational qualifications are missed or independent study submission is behind expectations, then the College will assess whether catch up is viable.

The expectations of attendance and assessment will be judged on an individual student basis depending on circumstances and the judgement of relevant staff.

Reasonable adjustments in a mainstream educational setting and its limitations need to be communicated to both students and parents/carers where applicable. These will include the flexibility and support on offer and that may be required to ensure the student can remain in the College.

3.1.7 Assessment of Fitness to Study

Whilst the College is committed to enabling all students complete their study programme successfully and achieve their full potential, there are occasions when physical and mental health complexities mean this is not possible. Each student will be considered on a case by case basis.

The responsibility to obtain and supply evidence for fitness to study, and any costs involved, lies with the student or parent/carer. This evidence may only be for a finite period and can be re-assessed and required again should the College deem this to be appropriate.

There may be occasions where the College believes that it has exhausted all available support, it has made reasonable adjustments, but the student is still unable to maintain their fitness to study.

If appropriate and the College reaches a decision, after consultation with the student, parents and carers, and any external agencies deemed necessary, the student will be withdrawn.

If it is agreed that a restart is an option, then this will only become a viable option if and when a student is able to provide sufficient evidence that their physical or mental health has improved to enable them to resume study without further prolonged absence or additional interventions or support.

3.1.8 Fitness to Study assessment process

Stage 1 – Initial or Emerging Concerns

The student's Progress Coach or Student Services Manager for Wellbeing or Safeguarding or Learning Support Manager should approach the student and explain to them, in a supportive and understanding manner, that concerns about their fitness to study have been raised.

The nature of the concerns should be clearly identified to the student and the Progress Coach should talk to the student and encourage them to discuss the issues. The Progress Coach will attempt to resolve the issue through discussions with the student. The student should be given the opportunity to explain their views and be encouraged to think about using one or more of the support services offered by the College or by signposted external agencies. It may be appropriate to look at making reasonable and appropriate special arrangements to enable the student to study effectively.

It is hoped that in most cases issues can be resolved at this level and that the student will respond positively, co-operating fully with the process and taking advantage of the support available.

A review period of 10 working days should be determined to allow the student to consider their behaviour and seek advice from the support services available.

At the end of this review period a meeting should take place to discuss any steps taken by the student to address the concerns. If the concerns have been addressed satisfactorily this will be noted. If the concerns have not been addressed, a further review period may take place or the case will move to the next stage of the procedure.

The informal discussions, advice and any undertakings made by the Progress Coach / student should be documented either on FIS or in the Safeguarding area (as appropriate). A stage 1 letter will be sent home outlining concerns and any relevant targets.

Stage 2 – Persistent Concerns

If the actions taken under Stage 1 have not been successful, or it is felt that the case is too serious to be dealt with informally, Stage 2 of the Policy can be invoked.

If at review, targets have not been met, a Stage 2 letter is sent home outlining concerns and a request for a parental/ carer meeting will be made.

Stage 3 – Serious Concerns

A Wellbeing Review Group

The Student Services Manager for Wellbeing and or Safeguarding or Learning Support Manager will initiate a review. The group can comprise of the Safeguarding and Wellbeing Team, Progress Coach; student; student's representative; teaching staff; learning assistant (as required) and anyone else deemed appropriate.

The Assistant Principal for Pastoral should chair the meeting and determine whether the student is fit to study and continue to secure a place at the College. The student may be accompanied at the meeting by a representative such as a family member / parent.

Prior to the meeting, and in order to assist the Wellbeing Review Group, the Assistant Principal for Pastoral will ask for any medical / psychological information to be made available by the student in order to address the concerns, and support the student in the most effective manner possible. The College recognises that any such information disclosed will constitute "sensitive data" for the purposes of the Data Protection Act 1988 and will be handled, processed and stored appropriately.

The Wellbeing Review Group must ensure;

- The student is fully aware of the nature of concerns that have been raised.
- The student's views are heard and considered and the best way to proceed is agreed upon.
- The student is fully aware of the possible outcome(s) if difficulties remain.

If a student fails, persistently, without good reason to attend the Case Review Group which the College has asked them to attend, then the meeting will take place and a decision will be made in their absence.

Outcome

The Wellbeing Review Group may decide:

- That no further action is required.
- To monitor the student's progress for a period of time. In this case an action plan will be agreed with the student outlining steps which the student will need to take and / or any support to be provided to the student to address the concerns identified. Regular review meetings with the student will need to be arranged to monitor the action plan. The student would need to be informed of the consequences if the action plan is not met, which will normally involve their fitness to study being considered at Stage 3.
- To recommend special academic arrangements / support / reasonable adjustment is put in place (the recommendation must be agreed by the College and the student).
- With the consent of the student, to agree that their studies be suspended/ deferred for a period of time.
- Where the student is on placement, to propose to the student suspending the placement.
- To recommend part time study (where appropriate / available). The student will be informed that unless these arrangements remedy the concerns to the College's satisfaction, their fitness to study may be considered at Stage 3.
- The College will always provide advice and guidance on alternative progression routes at this stage.
- Consideration for a restart in the next academic year.

There may be occasions when the College will be advised by medical professionals or external parties such as Young Minds Matters that it is unsafe for a student to attend College. This advice and guidance will always supersede College policy.

Right to Appeal

Any student wishing to appeal against a Fitness to Study decision should adhere to the College appeals process. All appeals must be in writing to the Principal within 5 working days of notification of the decision, unless there are individual circumstances preventing this timescale being met such as College holidays or religious festival.

The Principal's decision cannot be challenged once made final. Any appeal against this decision must be made directly in writing to the Chair of the Corporation via the Clerk: Sharon Stenton who can be contacted via email at Sharon.stenton@franklin.ac.uk

3.1.9 Restarting at College

In certain situations, it may be appropriate to offer a conditional restart at College. Students can only ever restart once. They must restart their studies in the following academic year and before they turn 19 years of age. In cases where the student withdraws from the College of their own accord, has put in place robust medical support outside of College and has time before the restart to respond to this support (typically 6 months), then the restart has a good chance of success. In cases where there is no clear commitment to following prescribed medical or wellbeing support and there is less time to respond to this support, then the restart is quite likely not to work.

Where the College offers the opportunity of a restart, the onus is on the student and their parents/carers to ensure that they are recovered enough for the restart of their studies. Further relapses would not be in the interest of the students. When the student withdraws from studies, guidance will be given both on what support might be appropriate to ensure fitness to study on return, but also importantly on what evidence will be expected at enrolment.

3.1.10 General Matters

The College will take account of relevant legislation such as the Data Protection Act 1998, the Mental Health Act 2007, the Mental Capacity Act 2005, the Human Rights Act 1998 and the Equality Act 2010 together with the general duty of confidentiality. In cases where Stages 2 or 3 of the Fitness to Study procedure has been invoked, the Chair will inform the student's parent / guardian (unless deemed inappropriate to do so), and discuss with the student and the College's Safeguarding Officer, whether any statutory services should be contacted.

The College acknowledges that as a result of implementing this policy it will receive personal sensitive data and data of a confidential nature pertaining to the student and other third parties, and shall ensure that all such data is handled, processed and stored accordingly.

3.1.11 Roles in the process

Staff involved in the process of determining a student's fitness to study include:

- Assistant Principal of Pastoral
- Student Services Manager for Wellbeing
- Student Services Manager for Safeguarding
- Student Services Manager for Progression
- Learning Support Manager
- Subject Tutors
- Progress Coaches

4.0 Policy References

4.1 Access to the policy

The policy will be available via Franklin website and, internally, via Microsoft Teams.

4.2 Quality and Assurance Monitoring

The College Leadership Team will review the policy every three years.