

# **FITNESS TO STUDY POLICY AND PROCEDURES**

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# **FITNESS TO STUDY POLICY**

## **1.0 INTRODUCTION**

- 1.1 Waltham Forest College is committed to fostering a supportive and inclusive environment that promotes the mental health and well-being of all students.
- 1.2 Waltham Forest College recognises that it has a duty of care for its students and takes a positive approach to supporting students' health and wellbeing in relation to their learning, academic achievement and wider student experience. The overarching approach of this policy and procedure is to promote a safe and supportive environment in which to learn and study. This procedure links with other policies and procedures of the college and in particular our Behaviour Policy, Attendance Policy and Safeguarding Policy.
- 1.3 Fitness to study relates to a student's capacity to participate fully and satisfactorily as a student in relation to all aspects of their academic studies and student life in the context of their health or wellbeing.
- 1.4 The purpose of this procedure is to help the College to take a fair and consistent approach in circumstances where students are unable to meet course requirements, including in terms of attendance, participation in class or completion of work, or the expectations of the College's code of conduct due to their health and wellbeing. This process is intended to allow the College to manage concerns fairly and transparently, in cooperation with students where possible, under a published process and as an alternative to other College processes.
- 1.5 The procedures will apply in situations where a student's health or wellbeing will have or is having a detrimental impact on their ability to progress academically and function effectively at college. It is intended to ensure an appropriate and co-ordinated response in situations where:
  - Concerns arise over a student's perceived fitness to study
  - Prompt action/intervention is deemed necessary
  - Other internal procedures (e.g. those relating to students' academic performance, fitness to practise or the Student Code of Conduct) are considered to be less appropriate or have already been exhausted

## **2.0 SCOPE**

- 2.1 In the context of this Policy the term Fitness to Practise encompasses both student conduct and good health in determining a student's professional suitability for the particular programme or professional qualification.
- 2.2 This Policy applies to relevant students at all times throughout their period of registration with Waltham Forest College. The application of the policy covers study on campus while at Waltham Forest College but also applies to students while on placement or in a practice-based setting and includes the conduct of students in their personal and social life in determining fitness to practise their chosen profession.
- 2.3 These programmes require students to demonstrate not only academic ability but also, personal suitability, professional competences, fitness to practise and an

appropriate commitment to their chosen profession at the point of admission and throughout their academic programme and practice-based training.

2.4 Students studying these programmes must be aware that their actions and behaviour whilst at Waltham Forest College, on placement/setting, and in their personal and social lives may have an impact on their fitness to practise their chosen profession.

2.5 Fitness to practice refers to a student's suitability to engage in professional practice, considering their conduct, health, and ability to meet the professional standards expected by relevant regulatory bodies.

Students' fitness to practice will be assessed continuously throughout their course, including during placements and practical training.

Concerns about a student's fitness to practice may arise from academic performance, conduct, health issues, or feedback from placement providers. Fitness to Study procedures are used under such circumstances.

### **3.0 INVOKING FITNESS TO STUDY PROCEDURES**

3.1 This Policy should be used in circumstances where a student's fitness to study gives cause for concern and other procedures are not considered appropriate at that time or have already been exhausted. Withdrawing the student from their course or suspension under the auspices of this fitness to study procedure will be a last resort and will only be considered after all mechanisms for support have been exhausted.

Examples of such situations include (but are not limited to) those in which:

- When a student's support needs exceed the type or level that the College can reasonably provide.
- When a student's behaviour adversely affects College activities or a placement provider, suggesting potential underlying mental health concerns
- When medical or health conditions prevent a learner from participating in essential active learning
- When a student poses a risk to their own or others' health, safety, or well-being.
- When there are indications that a learner may be intoxicated or under the influence of drugs or alcohol
- When a student's behaviour negatively impacts their own academic progression, that of their peers, or the overall teaching and learning environment.
- When serious concerns regarding a student arise from a third party, indicating a need to assess their fitness to study
- When a student communicates concerns to a member of college staff, signalling a need to address their fitness to study
- When there is evidence of significant non-engagement with studies that has not been resolved through other interventions.
- When prior applications of the Fitness to Study Policy have resulted in a recurrence or escalation of behavioural concerns
- When offers of welfare and well-being support have not been accepted, and concerning behaviours persist or escalate
- When a learner's engagement with the College counselling service reveals a serious risk of harm to themselves or others, which cannot be adequately managed through internal support frameworks, and the student does not pursue external assistance

- When disciplinary procedures have previously been enacted for related concerns.

3.2 In taking action under this Procedure, the College will be mindful of the sensitive and confidential nature of fitness to study matters and its obligations under the Data Protection Act 2018 and Equality Act 2010.

#### **4.0 GENERAL PRINCIPALS**

4.1 Students are encouraged to seek appropriate practical and specialist support to manage and where possible, mitigate the matters which give rise to concerns actioned under this procedure.

4.2 All matters considered under this procedure will be dealt with according to the individual circumstances. Whilst seeking to ensure consistency of approach and application, the College reserves the right in exceptional cases to vary from the prescribed Procedure where it deems it necessary to do so in the interests of fairness and/or health and safety.

4.3 When a student is asked to attend a meeting which has been called to discuss or consider their fitness to study, they are entitled to be accompanied or represented by another person, supporting specialist support. The College does not generally permit students to be legally represented at such meetings.

4.4 In the event that a student is unwilling or unable to attend a meeting or participate in any other aspect of the procedure, the College may still follow the procedure and/or reach decisions in connection with the student's fitness to study where it is reasonable to do so and having taken account of the student's reason for non-engagement. The College may also deal with concerns based on written reports and/or statements in the absence of the student and/or their representative.

#### **5.0 INITIAL ACTIONS**

5.1 This policy sets out three distinct stages and at any point in the fitness to study procedure, the College may need to consider suspending a learner where there are serious concerns about the health, safety and wellbeing of the learner or those around them, or serious harm to the College's reputation. This decision will be made by someone in the Senior Leadership Team.

5.2 At all stages, a member of college safeguarding team will act as the Case Officer.

5.4 The timeframes outlined in the Behaviour and Conduct Procedure for Students will be used to invoke this policy.

#### **6.0 EMERGENCY SITUATIONS**

6.1 In situations where a student is displaying extreme distress, immediate action should be taken to contact the college's counselling team on 020 8501 8113 during office hours.

6.2 If emergency assistance is required due to a student posing an extreme risk of harming themselves or others, the Emergency Services should be contacted by dialling 999 and also informing the college's counselling team to ensure that follow-up contact is made with the student/hospital/Police as appropriate.

## **7.0 PROCEDURES**

### **7.1 STAGE 1: INFORMAL**

- Upon the identification of concerns regarding a learner's fitness to study, the Curriculum Head or Deputy shall convene a meeting with the learner to discuss the nature of these concerns, supported by the BeSafe Team.
- The learner will be informed of the specific concerns raised and will be encouraged to articulate their perspective on the matter.
- The Curriculum Head or Deputy, in collaboration with the BeSafe Team, will pursue informal discussions aimed at resolving the identified issues. Support services offered by the College may be suggested, including but not limited to:
  - Referral to external organisations or healthcare professionals, if deemed appropriate.
  - Discussion of potential academic arrangements or additional support mechanisms to facilitate effective study
- For learners aged 16-18, the Curriculum Head or Deputy will notify the learner's parents/carers to inform them of the concerns and any subsequent actions agreed upon during the meeting, only if consent is given by the learner.
- A review period shall be established, with a duration not exceeding two college weeks from the date of the meeting, to assess progress.
- Depending on the severity of the concerns, the Curriculum Head or Deputy may either continue with the informal resolution process or escalate the matter to Stage 2.

### **7.2 STAGE 2: FORMAL**

- If the issues raised are of sufficient concern, and/or if informal actions have not resulted in the improvement needed, the Curriculum Head or Deputy, will raise a Learning Contract as outlined in the Behaviour and Disciplinary Procedure for Students Procedures. This contract will be recorded formally on the learner's ILP and will contain:
  - Details of the concerns around the learner's fitness to study
  - Current actions by the college, learner, parents/carers, healthcare professionals or other relevant bodies in relation to the current fitness to study concerns
  - A timescale for review and resolution. This should be no more than 4 College weeks from the date of the meeting.
- Additional interim meetings may also be scheduled to monitor the situation and progress made by the learner. The Curriculum Head or Deputy, and other relevant College staff should help the learner access the support available to them to enable them to continue with their studies as agreed. The expectation is, however, that the learner will take personal responsibility and fully engage with the support plan put in place by all parties.
- If the concerns have not been addressed and support has not been sought, or sufficient progress has not been made the case will move to the next stage of the process.

### **7.3 STAGE 3: FITNESS TO STUDY REVIEW**

Whilst every effort will be made to follow the three distinct stages, the College will use its own discretion, depending on risks, to move to stage 3 straightaway. This decision will be reached by a member of the Senior Leadership Team.

If concerns remain despite previous stages of intervention, a review panel meeting will be held to determine the next course of action. Attendees at this meeting may include:

- Assistant Principal
- Head of Department / Deputy Head of Department
- Welfare and Wellbeing Advisor (Safeguarding Practitioner)
- Any external organisations where support is provided to the learner (Only if agreed by the chair)

The purpose of the review panel is to assess the learner's fitness to study in the context of their current study programme and decide on the next course of action in the best interest of all parties. The College may seek additional information in the form of assessments from medical professionals or other relevant bodies. If appropriate the learner and learner's parents/carers may be invited to attend the meeting.

The outcomes of the meeting will be communicated to the student and/or parents/carers or to professionals supporting the students. On occasions the College may apply discretion to only inform parents/professionals.

Outcomes, but not limited to:

- No further action required
- To recommend specific further academic or pastoral support arrangements are put in place to assist with on-going support at College
- To implement a revised study programme for the learner
- To recommend a specific academic arrangement be put in place which may include an agreed break in learning with a resumption or restart of their programme at an appropriate point in the future or a view that the student should be required to withdraw

The review panel will endeavour in the first instance to reach agreement with the student on such arrangements.

### **8.0 RIGHT OF APPEAL**

If a student wishes to appeal the outcome of a Stage 3 Fitness to Study outcome, they need to write to the Deputy Principal of Curriculum and Quality addressed to the Executive Coordinator within 10 days of the date of their outcome letter. The letter needs to outline the reasons why they are appealing and supply new additional evidence to support their appeal against the decision made. Any appeal that does not clearly state the grounds or has additional evidence to take into account, may be denied and concluded without a meeting being held.

If a parent or student feels that the College has not implemented the Fitness to Study Policy correctly then they have a right of appeal to:

The Education and Skills Funding Agency or any other relevant organisation in order to make a complaint about the college. A copy of the Department for Education policy is available at: <https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>

Adult learners should appeal to the GLA via their website: [Guidance for learner complaints | London City Hall](#)

Students on Higher Education courses can refer their complaint to the Office of the Independent Adjudicator at: <http://www.oiahe.org.uk/>