



Suffolk  
New  
College

# Fit to Study Policy

<b>Policy Title:</b>	Fit to Study Policy
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<b>Author(s):</b>	Director of Student Services, Safeguarding & Support
<b>Approved by:</b>	SMT
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<b>Related Policies &amp; Procedures:</b>	Admissions Policy & Guidance Student Behaviour & Admissions Panel Procedure Personal Risk Assessment Procedures

# Equality Impact Assessment Tool

## Fit to Study Policy

		Yes/No	Comments
1	<b>Does the policy/guidance affect one group less or more favourably than another on the basis of:</b>		
	Race or ethnicity	No	
	Disability	Yes	The College will take into consideration any disabilities and assess where possible what reasonable adjustments can be made.
	Gender	No	
	Religion or belief	No	
	Sexual orientation	No	
	Age	No	
	Marriage and Civil Partnership	No	
	Maternity and Pregnancy	No	
	Gender Reassignment	No	
2	<b>Is there any evidence that some groups are affected differently?</b>	Yes	Disabilities will be a factor.
3	<b>If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable?</b>	No	
4	<b>Is the impact of the policy/guidance likely to be negative?</b>	Yes	The College could determine that a learner is not fit to study and / or that reasonable adjustments cannot be made.
5	<b>If so, can the impact be avoided?</b>	No	The College will ensure, where possible, that reasonable adjustments are made, that support is offered and that learners understand the rationale for decisions made.
6	<b>What alternatives are there to achieving the policy/guidance without the impact?</b>	No	
7	<b>Can we reduce the impact by taking different action?</b>	No	



# Fit to Study Policy

## 1 Purpose

Suffolk New College is committed to supporting learners and recognises the importance of a learner's physical and mental health and wellbeing in relation to successful completion of their studies and their wider college experience.

To be 'fit to study':

- A learner is able to safely fulfil all aspects of their programme of study
- The College is able to:
  - safely maintain the health and wellbeing of others, and
  - with reasonable adjustments made where necessary, and
  - where such adjustments do not require a disproportionate level of support.

This policy is applicable to:

- Enrolled learners, all levels, all programme types, including apprentices;
- Potential learners who have made application;
- Previous learners wishing to re-apply, where due to prior experience / information held, an assessment of their fitness-to-study is required.

## 2 Applicants

Where a potential learner's application to the College has highlighted concern(s) over their ability to meet the requirements of their chosen study programme, their application will be paused and referred in the first instance to the Student Admissions and Behaviour Panel, who will determine whether their application can be progressed. The applicant will be contacted by Panel to explain the process that will be followed and the information required. The applicant will be kept up to date with progress made by Panel, as far as is reasonably practicable.

Where a previously enrolled learner wishes to re-apply to the College, where prior experience known or information held indicates first instance consideration must be given by the Student Admissions and Behaviour Panel, their application will be paused and their case referred to Panel for their review. The applicant will be contacted by Panel to explain the process that will be followed and the information required. The applicant will be kept up to date with progress made by Panel, as far as is reasonably practicable.

## 3 Enrolled learners

- 3.1 Where concerns are identified regarding a learner's potential fitness to study, but these are not felt to be significant (at this stage), it will be the responsibility of the Head of Curriculum to liaise with the Student Support and Learning Support team (where the learner has an EHCP) to consider and agree reasonable adjustments that can be put in place to support the learner. Where

it is identified appropriate, a personal risk assessment will be completed. It will be the responsibility of the Head of Curriculum to take a lead on completing this. Where concerns remain but are not felt to be significant, it will not be necessary for the learner to be declared absent under review. Their ongoing fitness to study can be monitored alongside their attendance on programme.

Should circumstances change, for example should concerns become significant, then the process as outlined below from point 3.2 will automatically apply.

- 3.2 Where significant concerns are identified relating to a learner's physical and / or mental health, immediate attention will need to be considered as to the level of potential or actual risk(s) posed.

The learner may be required to remain absent from college during this time. This is known as "absent under review". Learners who are absent under review are not required to attend college or work placement. Apprentices who are absent under review will be required to discuss directly with their employer (as their attendance as an employee at work is not a matter for the College to determine).

Arrangements will be made within 5 working days for an "Information Gathering Meeting". It is expected that attendance at this meeting will typically include:

- Learner
- Next of Kin (where the learner is under 19 and/or has an EHCP)
- Head of Curriculum (where the reasons for "absent under review" are felt by the College to be more complex in nature, it may be more appropriate for the Director of Curriculum to attend)
- Student Support / Safeguarding team representative
- Additional Learning Support / SEND team representative (only applicable in circumstances where the learner has an EHCP).

In preparation for their "Information Gathering Meeting", the learner will be required to complete Appendix B. Ideally the completed Appendix B should be returned prior to the meeting taking place, but in any event this is not possible, it must be shared at the meeting.

The "Information Gathering Meeting" will be organised to take place in person, alternatively this can be held remotely if doing so means that the meeting can take place in a timely way.

At the conclusion of the "Information Gathering Meeting", the Head of Curriculum / Director of Curriculum will advise the learner that all the information that has been gathered will be presented to a Case Review Panel, for their earliest opportunity review.

The Case Review Panel will be attended by:

- Director of Curriculum
- Director of Student Services, Safeguarding and Support.

The Case Review Panel is responsible for reviewing all the information provided to and shared with those present for the “Information Gathering Meeting”.

In reaching their decision, the Case Review Panel will consider:

- the learner’s ability to manage the demands of studying
- previous and current engagement with any support (internal and external)
- likelihood of further decline.

The Case Review Panel can reach one of the following outcomes:

1. That no further action is required;
2. The learner can return to their existing study programme with a comprehensive risk assessment in place, including reasonable adjustments as appropriate to the situation and programme of study;
3. The learner can return to the College but a return to their existing programme is not permitted for reasons of safety. Where this is identified as the outcome, an alternative programme will be recommended (this may also include an alternative campus, where for reasons of safety it is not possible to maintain enrolment at current campus location);
4. The learner is not considered fit to study at this time and their enrolment is to be withdrawn.

The outcome reached by the Case Review Panel will be communicated by letter within 5 working days. In exceptional circumstances, if communicating a decision within 5 working days is not possible, the reason for this will be explained as soon as possible.

Where outcomes 3 or 4 are reached, the learner will be given their right of appeal (a right of appeal does not apply to outcome 2).

#### **4 Fit to study return**

- 4.1 The Case Review Panel will only permit a return when they are satisfied that the learner is fit to study (outcomes 1, 2 or 3).
- 4.2 Where outcomes 2 or 3 are reached, the Case Review Panel might request that the learner complies with “conditions of return”. Following liaison with relevant college staff, including Head of Curriculum, Student Services teams and / or any external professionals, such “conditions of return” may include:
  - Attendance and punctuality;
  - Behaviour and conduct;
  - Engagement in learning and academic progress;
  - Engagement with internal support;
  - Seeking and / or engaging with external support / treatment
  - Regular review meetings
  - Re-visiting a learner’s fitness to study in any event that significant concerns remain / re-emerge.

- 4.3 Where conditions are identified, they will remain in place for a specified time period outlined within a “Return to College Action Plan” co-ordinated by the learner’s Head of Curriculum.

Failure to comply with any conditions may give rise to further concerns regarding a learner’s fitness to study and may lead to re-consideration under these procedures.

- 4.4 In exceptional circumstances, the Case Review Panel has the ability to assess new information outside of these formal procedures and may determine that a learner is not presently well enough to continue their programme of study. Where such circumstances apply, the Case Review Panel can decide to withdraw a learner’s enrolment without the completion of absence under review and information gathering steps. Such a decision would only ever be made with prior knowledge and approval from a member of the College’s Senior Management Team, following discussion with the Director of Student Services, Safeguarding and Support.

## **5 Appeals**

The learner must write to the Deputy Principal within 5 days of the date of receiving the Case Review Panel’s outcome letter. The learner’s letter must clearly state the grounds for appeal. Learners may ask the Student Support team for advice if they would like any help with this.

An appeal will only be considered when one or more of the following can be evidenced:

- Reasonable efforts have not been made to gather information
- New information has since become available that may have a bearing on the initial outcome reached
- There is evidence of prejudice or bias.

If any one of the above 3 grounds are satisfied, the Deputy Principal (or another member of Executive in the absence of the Deputy Principal or if they have been previously involved) will review the evidence provided within the learner’s appeal letter.

The Deputy Principal will write to the learner (and the next of kin where the learner is under 19 or is over 19 with an EHCP), within 5 working days of receiving the appeal letter, to outline their decision in regards the appeal.

The decision of the Deputy Principal or other members of the College’s Executive Team will be final. Any correspondence or contact that is received following an appeal outcome, will be referred back to the appeal outcome. In situations where the outcome continues to be challenged and the college’s policy has been followed, then the college reserves the right not to respond and following a review of the nature and level of contact to treat it as malicious or vexatious.

## Appendix B – Medical Self-Declaration Form

*Any information provided on this form will be treated confidentially and stored in accordance with the College's data protection responsibilities under GDPR.*

<b>Name:</b> <b>Student ID Number:</b>	<b>Next of kin if under 18:</b>
<b>Address:</b>	<b>Address:</b>
<b>Date of Birth:</b>	<b>Contact number:</b>
<b>Contact Number:</b>	<b>Alternative contact number:</b>

**Study Programme:**

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**Details of any medical conditions (include any mental / physical health needs) which are relevant to the completion of your studies at the College. You are encouraged to include details of any external services that are currently supporting or have previously supported you.**

**Details of any reasonable adjustments you would like the College to consider that are relevant to your fitness to study. You should include here any information that you feel may mitigate the concerns.**

*I certify that the information I have provided on this form is accurate and that I have not intentionally withheld any information.*

*I understand if further information later becomes known, which I have failed to declare, then the College will consider referring my case to the College's Student Admissions and Behaviour Panel for further evaluation and that this may have a bearing on any decision made in regards my application / enrolment.*

Signed: ..... Date: .....