



# **Bolton College**

## **Fitness to Study Policy 2022-23**



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# BOLTON COLLEGE FITNESS TO STUDY POLICY

## 1. Introduction

As a Trauma Informed (TI) College, Bolton College is wholeheartedly committed to supporting students and recognises the importance of their health and wellbeing in relation to their academic progress and College experience. There are a variety of support opportunities within College and outside of College which students can use to help improve their wellbeing and health. Students (and their parents/carers for those under 18 and /or who may have additional needs) are expected to take a proactive part in the process, by managing their own health and wellbeing and engaging with any support offered, in order to fulfil their academic potential.

## 2. Scope and Purpose

This Policy applies to any student admitted or enrolled by Bolton College.

There may be instances where the health and/or wellbeing of a student deteriorate to a point where it raises questions about their fitness and suitability to continue with their studies.

This Policy will be used to support staff in all areas of the College to deal with instances where concerns have been expressed over a student's health, wellbeing or behaviour, which have led to:

- concerns from staff about a student's fitness to study at the College and/or ability to meet the learning outcomes of the course, notwithstanding reasonable adjustments which have been made.
- a negative impact on the health, safety, wellbeing and/or learning of the student and/or others with whom s/he has contact.

Problems may manifest themselves in a variety of different forms including e.g. deterioration in the student's appearance, health, attendance, behaviour or ability to meet deadlines; disruption of other students' studies; unsustainable demands being made of staff; detention under the Mental Health Act.

This policy will normally be applied in relation to concerns which arise on College premises or whilst the student is engaged in a course activity whether at the College or placement/enrichment provider. However, incidents which occur outside the College which raise concerns about a student's fitness to study and where it is considered necessary to protect the safety, interests and reputation of the College, its staff or students, may also be considered under this policy.

This policy will apply where students present with difficulties due to their physical or mental health or wellbeing. However, the College reserves the right at any stage to invoke either: Discussions on whether a student is fit to practice where there are concerns about a student's suitability to progress with a professional qualification e.g. to work with children; or the Positive Behaviour Policy where a student's behaviour poses a risk of harm to either themselves or others, or where the student does not engage positively with supportive interventions.

Bolton College also considers cases of extenuating circumstances, where a student suffers some unforeseen illness or misfortune that adversely affects their ability to complete an

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assessment/ assignment. A student may not submit a claim covering a period beyond one half term period. If extenuating circumstances are on-going and result in further claims, the College will consider whether other action is appropriate including agreeing a voluntary break in learning or invoking this policy (where the student does not recognise that they are not making satisfactory progress).

This policy has three stages, based on the level of support needed by the student and/or the seriousness of risk posed by the health and/or behaviour of a student. Depending on the concern raised, it may be appropriate to move straight to a higher level. Students are encouraged to engage with the College and access all support available to them. If they choose not to do so, then this policy may continue without their involvement.

### **3. General principles**

All reference in this Policy to the Head of Area or other College post holders includes their appointed nominee.

At all stages of this Process the student is entitled to be accompanied and/or represented by a person of their choosing e.g. parent/carer, friend,

Bolton College will make reasonable adjustments to this policy if required by a student's disability or for other good reason.

### **4. Stage 1 – Emerging Concerns**

When a concern about a student's health, safety or wellbeing is raised, a member of staff from the College with primary responsibility and/or knowledge of the student (Head of Area, Curriculum Leader, Vocational Tutor, LDM) should approach the student in a supportive manner to request a meeting. This member of staff should also seek advice and guidance from the Head of Learner Support and /or Student Experience Manager. Even at this early stage it may be useful to invite in parents/carers of students aged under 18 or those under 25 who have an EHCP and for any adult over the age of 25 who falls under the Safeguarding Adults at Risk Policy.

Where the concern has arisen externally e.g. on work placement or enrichment event the member of staff may involve other relevant College staff e.g. workplace assessor, career coach, staff involved in enrichment event.

The meeting should be conducted in an informal way with an emphasis on supporting the student. The nature of the concern should be explained to the student, and they should be encouraged to discuss the issues (it is possible that they may not have realised the impact of their actions). If appropriate, this is an opportunity to provide information to the student about relevant College regulations and procedures, and support that is available within and external to the College, e.g. Student Experience Team. It should also be explained that a continuation of the same or any additional concerns could result in an escalation to stage 2 of the policy.

It is anticipated that the student will respond positively, co-operate and access the available

support or, where appropriate, modify their behaviour.

Within three working days of the meeting, contact by letter or email should be made with the student, setting out any agreed actions and, if appropriate, arrangements for a follow-up meeting with the student at a later date. Parents/ Carers of under 18s, under 25s who have an EHCP and any adult over the age of 25 who falls under the Safeguarding Adults at Risk Policy should also be notified of actions and arrangements for follow up.

If the student is unwilling or unable to respond positively, the member of staff from the College should discuss the situation with the Head of Learner Support and the Student Experience Manager. The College may then decide to invoke Stage 2 of the policy.

### **5. Stage 2 Continuing Concerns**

Where continuing or serious concerns about an individual student's health, safety or wellbeing are raised, the Curriculum Leader should contact the Head of Learner Support and Student Experience Manager to arrange a joint meeting with the student. The student will be notified in advance of the purpose of the meeting. For students aged under 18 and those students under 25 with an EHCP and students aged 25+ who fall under the Safeguarding Adults Policy, parents/ carers should be notified of the meeting and invited to attend. College staff who have been supporting the student under this policy may also be invited to attend the meeting to support the student and discuss progress with strategies implemented to date.

Together they can assess the student's perception of the impact that their health and/or behaviour is having upon them and/or the wider College community, and ensure the student understands the College's expectations regarding fitness to study.

If the student is on a professionally regulated course e.g. childcare, counselling, there will be consideration of any implications for professional practice.

An Action Plan will be drawn up, setting out any reasonable support measures and any conditions that the student is required to adhere to, which may relate to their health and wellbeing, academic studies and/or behaviour.

The Action Plan will include a review date, and it will be made clear that failure to adhere to the Action Plan may result in Stage 3 being invoked. The Action Plan will be sent to the student (and their parent /carer, if student is aged under 18, under 25 if the student has an EHCP and 25+ if the student falls under the Safeguarding Adults Policy) within 5 working days of the meeting, and the student will be required to confirm acceptance of the terms in writing. A copy of the agreed Action Plan will be held by the student's academic department, those staff supporting the student, the Student Experience Manager and the Head of Learner Support.

The Action Plan will be reviewed by the Curriculum Leader, with assistance from the Head of Learner Support or Student Experience Manager and /or staff supporting the student where required. It is expected that the student will respond positively to the Action Plan

and co- operate fully, access the outlined support and/or modify his/her behaviour accordingly.

If the student does not engage positively or fails to adhere to the Action Plan, or if the meeting gives rise to more serious concerns about the student's fitness to study, the matter should be referred to the Head of Learner Support and Student Experience Manager. It is then likely that Stage 3 will be invoked.

### **6. Stage 3 – Significant or Persistent Concerns**

Stage 3 will be invoked when significant or persistent concerns are raised about an individual student's actions or behaviour that are putting the health, safety, wellbeing or academic progress of him/herself or other members of the College community at significant risk.

The Head of Area of the academic department where the student is studying should contact the Head of Learner Support and the Student Experience Manager and they will convene a Case Conference to establish the facts and discuss an appropriate course of action. The Case Conference should consider all reasonable options to enable the student to continue with their studies.

The Case Conference will comprise:

- Assistant Principal (Chair) of the academic department where the student is studying
- Head of Area in the academic department where the student is studying
- Head of Learner Support
- Student Experience Manager
- Assistant Principal (HR) (Chair) (if the concern is about an HE student)
- HE Co-ordinator (if the concern is about an HE student)
- Other College staff may be called to the Case Conference if they have relevant information for the case

The student will usually be invited to attend the Case Conference and will be given at least 5 working days' notice of the date and time of the meeting. The student will be provided with copies of any documents to be considered at the Case Conference and may submit any documents they wish the Case Conference to consider. (Parents/ carers of students aged under 18, under 25 if they have an EHCP, 25+ if they fall under the Safeguarding Adults Policy, will also be invited to attend)

It is standard practice for the student to attend the Case Conference but adjustments will be made where reasonably necessary where the student is too unwell to attend, such as submission of written representations or a representative to attend the Case Conference on behalf of the student. The representative can be a person of the student's choosing, including a friend or family member and may be a member of staff who has supported the student.

The HE Co-ordinator will act as secretary to the Case Conference in cases of HE students. The Head of Learner Support or the Student Experience Manager will act as secretary to

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the Case Conference for all other cases. S/he will brief the members about the policy and take a record of the proceedings.

The outcome of the Case Conference may be one of the following:

- that no further action is required;
- or to agree an enhanced Action Plan;
- or to agree to a voluntary break in learning of the student's studies;
- or to recommend an interim suspension of the student's studies, in line with the College's

Positive Behaviour Policy to enable a full assessment of the circumstances with regard to the student and his/her course of study to be carried out; or any other action considered to be appropriate and proportionate.

If the student is on a professionally regulated course, the Case Conference will also consider whether there are implications for professional practice and, if so whether the student can continue on the course.

### **7. Enhanced Action Plan**

The Enhanced Action Plan will have a review date. It will be made clear that if the student does not adhere to the Enhanced Action Plan, this could result in further action under this policy, including an interim suspension from study. The Enhanced Action Plan will be drawn up by all those involved in the Case Conference and implemented by academic and support staff. It will be reviewed by the Case Conference team on the agreed review date.

### **Voluntary Break in Learning of the Student's Studies**

It may only be possible for a student to return to study at certain points in the academic calendar, depending on the particular circumstances of the student and the course of study. If a voluntary break in learning is agreed at any stage of this policy, the College will be entitled to request satisfactory evidence that the original concerns have been overcome or are under control, before the student can be re-admitted at a suitable point in the academic year.

### **Interim Suspension**

The terms of an interim suspension will be specified, including any arrangements relating to access to College support services or College premises, or whether the student can continue with their studies and/or assessments, and if so in what form. Any conditions which must be satisfied in order for the student to return will be clearly set out together with any applicable timeframe i.e. it may only be possible for a student to return to study at certain points in the academic calendar, depending on the particular circumstances of the student and the course of study.

It is important to note that an interim suspension of studies is not a disciplinary sanction, but is intended to allow a period of time for a full assessment of the circumstances with regard to the student and his/her course of study.

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In the case of an interim suspension the following must be informed: the College Principal; Head of the student's academic department who will inform relevant teaching staff; Site Facilities Officer; LRC Manager; Head of Learner Support and Student Experience Manager who will inform relevant staff in support services.

The Assistant Principal (Chair) of the Case Conference will confirm the outcome of the Case Conference in writing to the student within 5 working days.

The student may appeal against the outcome from the Case Conference by writing within 10 working days to the Deputy Principal who will review the matter and respond to the student within 10 working days of receiving the appeal.

### **Actions following an Interim Suspension**

An interim suspension of studies will be reviewed every four weeks in the light of any developments or upon receipt of any other relevant evidence. Such a review will not normally involve a hearing or submissions made in person.

The student will be required to provide or co-operate with the College in obtaining satisfactory evidence that the original concerns are overcome or under control before being permitted to return to study. Any failure to co-operate with the College may result in further action under the policy.

The required evidence will be specified in the outcome letter, and will include a report from an appropriately qualified professional expert approved by the College, with sufficient knowledge about the health and wellbeing of the student during the relevant period and its potential impact, confirming that the student is fit to study on a particular course and as a member of the College community, and recommending any reasonable support measures for the College to consider.

The Assistant Principal (Chair) of the original Case Conference will consider the report received under section 7.3 and any other evidence, and will consult with staff from the Case Conference. S/he may decide:

- the student is fit to study and should be permitted to resume the course. This will be subject to an Action Plan identifying relevant support measures and any conditions. Regular review meetings will be arranged with the Head of Area and/or Head of Learner Support or Student Experience Manager so that the student's progress can be monitored and support modified if necessary;
- to recommend to the Deputy Principal that the student remains unfit to return and should be suspended for a further specified period. His/her return to study will be subject to confirmation after a further review by the Case Conference and Action Plan;
- to recommend to the Deputy Principal that the student is not fit to study and should be withdrawn from the course.

A copy of the decision and associated reasons will be provided to the student in writing within 10 working days.

## **8. Appeal**

In the case of a decision by the Assistant Principal (Chair) that the student should be suspended from the College for a further specified period or that the student should be withdrawn, the student may appeal against the decision to the Deputy Principal within 10 working days of receiving the decision.

## **9. Confidentiality and Disclosure**

There may be occasions when the College judges that it would be in the best interests of the student to disclose sensitive information – to safeguarding services, to the student's designated emergency contact or to an external agency such as the Community Mental Health Team and where the student is still considered to be a child under the law (under 18 years of age) or where there may be capacity issues for students. In these circumstances, the College will always endeavour to obtain the student's informed consent wherever possible.

If the student chooses not to provide consent, the implications of non-disclosure should be made clear. However, there may be rare occasions where the student's consent is withheld or it is impracticable to obtain it, when confidentiality may be broken e.g.

- If the student is putting their life at risk.
- If the student is putting the life of someone else at risk.
- If the student's mental health has deteriorated to a serious level such that they are unable to maintain daily living routines and relationships.
- If the student is at risk of serious exploitation or abuse.
- If the student's behaviour is adversely affecting the rights of others.
- If staff are being placed in a position in which their professional integrity is compromised.

Staff should consult with the Student Experience Manager, Head of Learner Support and the Assistant Principal where there is a need to disclose information without consent.

## **10. Emergency Situations**

In cases of emergency, staff or students should contact a member of the College Safeguarding Team, College Security Team and out of hours the Duty Principal who will co-ordinate a response to the situation. Useful numbers are: Ext: 2009; Ext: 2180; Ext 2100; Ext: 2758; Ext 2013 or Duty Principal (after 5pm) - 07970 846757

In cases of urgency, a Curriculum Leader or Head of Area shall be empowered to suspend a student with immediate effect, pending the invocation of this policy.

## **11. Monitoring of the Policy**

The College will collect aggregated data about Fitness to Study cases and the policy will be revised annually.