



FITNESS TO STUDY POLICY 2025 - 2026

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VERSION 2

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1. Purpose

The purpose of this policy is to outline the college's approach to managing situations where a student's health, wellbeing, or behaviour raises concerns about their ability to engage safely and effectively with their studies. It provides a clear, supportive framework for identifying and addressing such concerns, ensuring that the college can balance the needs of the individual with those of the wider college community.

This policy aims to:

- Promote the health, safety, and academic success of all students.
- Encourage early intervention and the provision of appropriate support.
- Ensure that decisions are made in a fair, consistent, and transparent manner.
- Clarify the process by which concerns about a student's fitness to study will be considered, assessed, and responded to.

2. Scope

The policy applies to all enrolled students and may be used in conjunction with other relevant college policies, such as those relating to safeguarding, mental health, disciplinary procedures, or academic progress.

3. Details of Policy

3.1 Policy Statement

There may be times when a learner experiences difficulties that affect their ability to study effectively. These challenges may arise from a range of factors, including health issues, personal circumstances, or domestic issues. In some cases, these difficulties can result in behaviours that impact not only the learner themselves but also those around them.

The College has a duty of care to support individual learners while also considering the wellbeing, rights, and learning experience of the wider college community. Maintaining a positive and safe learning environment for all is a key priority.

Early identification of concerns related to a learner's health or behaviour, along with timely support, can help prevent a situation from escalating into a crisis or safeguarding issue. In the first instance, concerns will be addressed through the College's Positive Behaviour Policy and wider learner support services.

However, if these initial interventions including the use of Partnership Cautions do not lead to an improvement, or if the learner's behaviour presents a significant or potentially serious disruption or risk, the Fitness to Study Policy will be activated.

This Policy outlines a clear, structured process, including case conferences, to ensure that learners are appropriately supported to address the issues affecting their studies. The aim is to help the learner re-engage with their education while maintaining a safe and respectful environment for all.

3.2 Potential Impact on Equality and Diversity

The College must ensure that all possible barriers are removed and all reasonable adjustments have been made to address the learner's issues during each stage of this process to ensure equal opportunity has been given according to the Single Equality Policy.

3.3 Background

Fitness to study is a term which relates to the entire learner experience and not just the ability to engage with studies. It encompasses, for example, behaviour, attitude, interaction with other learners. This policy is not designed to address academic performance issues unless these result from a fitness to study difficulty.

Where a Higher Education (HE) student on a University validated award, or Pearson BTEC Higher National award is experiencing adverse circumstances which are affecting their ability to successfully complete or submit assessed work, it may be appropriate to apply the Extenuating Circumstances Policy and Procedure alongside this policy.

- 3.4 The college expects learners to maintain certain standards of conduct and behaviour to ensure that no individual adversely affects themselves or others. While there are established disciplinary procedures for addressing behaviour or academic conduct that falls below acceptable standards, these may not be suitable when concerns relate to a learner's health, safety, or overall wellbeing.

Generally, if the behaviour is considered deliberate, it is more appropriate to apply the Positive Behaviour Policy. However, if a learner demonstrates an inability or incapacity to modify their behaviour or conduct, the Fitness to Study Policy is likely to be the most suitable approach.

- 3.5 A learner's fitness to study may be called into question if health issues are interfering with their own studies or those of others, or if they are placing unreasonable demands on staff or fellow learners. The college has a responsibility to take appropriate action if a learner poses a risk to themselves or others.

In certain cases, the Safeguarding Procedure may be initiated when a learner discloses information indicating that they are vulnerable or at serious risk of harm.

There are many situations that might raise concerns about a learner's fitness to study, including (but not limited to):

- Concerns raised by third parties such as friends, other learners, or tutors;
- The learner themselves discloses a problem or provides information suggesting their fitness to study needs to be addressed;
- The learner begins to show signs of withdrawal or unusual behaviour that they seem unable to manage;
- Behaviour that might normally be handled as a disciplinary issue but could be linked to an underlying physical or mental health condition;
- Academic performance that is below expectations and believed to be connected to an underlying health issue;
- Attendance where initial interventions have failed and it is suspected that a health issue is adversely affecting a student's ability to attend.

If any staff have any concerns about a learner's fitness to study, they should promptly discuss these with the Tutor and Curriculum area lead for the area the student is studying in (advice may also be sought from The Student Services Team).

3.6 Procedure

If the issue has been addressed through the College's Positive Behaviour Policy, including the use of Partnership Cautions, but there is no improvement and the underlying cause is believed to be related to a health or wellbeing need, the Fitness to Study Policy should then be implemented.

The procedure includes three additional stages, which are determined by the level of risk posed to the health, safety, and wellbeing of the learner or others.

4. **Stages**

4.1 Stage 1 – Informal Action

The learner's tutor (or another member of staff who has a good relationship with the learner) should arrange a confidential meeting and explain to the learner that concerns about their fitness to study have emerged. This meeting will be held with at least one other member of staff, who will make a record of the meeting. The learner can be supported by Student Services during the meeting if the request this. The student should be advised of the precise nature of the behaviour that is causing concern. At this stage the learner should be encouraged to confidentially disclose any health condition that may be relevant to the situation. A brief action plan should be drawn up, with actions to support remediation of the poor conduct, such as that:

- The learner makes contact with Student Services to arrange support.
- The learner is supported to make contact with a relevant external support service to arrange support;
- The learner makes contact with their GP.
- A plan is drawn up by the College to support the prompt identification of the symptoms or signs associated with the health condition, and what subsequent steps should be taken.
- A reasonable adjustment is implemented by the College to support the learner to successfully manage their health condition.

It is hoped that in most cases the issue will be resolved at this level with the learner engaging positively with the action plan, co-operating fully with the procedure and taking advantage of the support available.

A review period should be agreed to determine if the actions taken have addressed all concerns fully or if further support is required. If the learner has positively engaged with the concerns and taken steps to remediate their underlying disability or ill-health then no further escalation is required. However, if Stage 1 has been completed and learner's conduct subsequently shows signs of deterioration, or if further concerns have been raised during the Stage 1 review period, the case should proceed to the next stage of the procedure.

All discussions including advice and any undertakings made by the College should be documented, retained in a secure location and a copy issued to the learner within 5 working days of the meeting. The learner should also be informed that continuation of the same behaviour or any additional cause for concern could result in their fitness to study being more seriously considered by moving to Stage 2 of this procedure.

The Student Advisers are available to offer support at this stage of the procedure.

4.2 Stage 2 – Case Conference

Stage 2 should be instigated when review period 1 has ended and there is no improvement in conduct, or the learner has refused to engage with the Stage 1 action plan, or it is felt that the situation is too serious to be dealt with at Stage 1. For example, where there has been deterioration in the learner's ability to engage with learning.

A short written statement detailing the precise nature of the behaviour that is causing or continues to cause concern, along with a copy of the action plan from Stage 1, will be completed by the Curriculum Area Lead (CAL) (or equivalent) and submitted confidentially to Student Adviser attached to the area. The Adviser will invite the learner to a confidential meeting, along with the staff member who raised the initial concern, and the CAL of the relevant curriculum area.

The learner should be provided with at least 48 hours' advance notice of the meeting and given a copy of the written statement. For convenience to the learner, and where practically possible, the meeting should be arranged for when they would normally be scheduled to attend College.

The learner may be accompanied at this meeting by a friend, family member or other representative acting in a supportive capacity. Disabled learners can also be accompanied by a support worker as appropriate to their needs. **Where a learner is under the age of 18 then a parents/career should be invited, if they cannot attend then the outcomes must be shared with them.**

If the learner fails to attend the meeting without good cause, it may be decided to reschedule or continue with the meeting in their absence.

The purpose of the meeting is to ensure that:

- The learner is made fully aware of the nature of the concerns that have been raised
- The learner's response can be heard and taken into account, including any new evidence to show positive engagement with the Stage 1 action plan, or that their circumstances have changed
- The available evidence is considered fully – including any medical evidence presented by the learner in Stage 1
- The learner is made fully aware of the possible outcomes if the issues remain.

The member the Student Adviser team and the CAL or equivalent will consider the evidence. If a decision on an outcome cannot be reached at the meeting, they may take more time to consider the evidence or to seek further advice.

After consideration of the evidence, the decision may be reached that the learner is:

- Fit to study, providing that certain conditions are met, or
- Fit to study (without conditions)

Decision	Outcome/s
Fit to study, providing that certain conditions are met	• A Stage 2 action plan which will be jointly monitored by the two members of staff involved in the meeting • Referral to a pastoral, academic or therapeutic support supplied by the College • Referral to a support service provided by an external organisation
Fit to study (without conditions)	• No further action is required

A record of the meeting including, where applicable, the Stage 2 action plan will be retained in a secure location. A copy must be sent to the learner within 5 days of the meeting. If a recording is to be used, all attendees need to be advised at the start of the meeting that the discussion will be recorded.

4.3 Stage 3 Case Conference

Stage 3 Case Conference will only be appropriate in the most serious of cases. This can be instigated when review period 2 has ended and there is no improvement in conduct, or the learner has refused to engage with the Stage 2 action plan, or if there are sufficiently serious or persistent concerns about the health, safety and wellbeing of the learner or others and suspension of studies or permanent exclusion may be the most appropriate course of action.

At the Stage 3 Case Conference will be convened by the Student Adviser involved at Stage 2, by contacting the Head of Student Experience & Wellbeing. They should provide full details of the circumstances together with the rationale for requesting a Stage 3 case conference. Consideration should also be given to suspending the learner pending the outcome of the Stage 3 Case Conference. The decision to suspend, must be made by the Deputy Principal – Quality, Curriculum Development & Student Experience (Chair), or the Head of Student Experience & Wellbeing.

The learner will be invited to attend a case conference. The Panel will consist of the Head of Student Experience & Wellbeing (Chair) and The CAL from the curriculum area the student studies in, the Student Adviser who has been working with the student. An independent Note Taker will also be present to take detailed notes of the discussion but will not take part in the case conference discussion. If the Note Taker intends to record to meeting, the attendees of the case conference need to be advised at the start of the meeting that the discussion will be recorded.

The learner should be given at least 48 hours' notice of the Case Conference and, for their convenience, and where practically possible, should be arranged for when they would normally be scheduled to attend College. They should be asked to confirm their attendance. The learner may be accompanied by a friend, family member or other representative acting in a supportive capacity. Disabled learners can also be accompanied by a support worker as appropriate to their needs. Any learner under 18 years of age parents/careers must be invited to the meeting.

If the learner fails to attend the Case Conference it will be rescheduled. A second invite will be issued with explicit instructions that further failure to attend without good reason will result in the case conference taking place in their absence.

The purpose of the Case Conference is to ensure that:

- The learner is made fully aware of the nature of the concerns that have been raised
- The available evidence is considered fully – including any medical evidence presented by the learner in Stage 1 or Stage 2
- The learner's response can be heard and taken into account, including any new evidence to show positive engagement with the Stage 2 action plan, or that their circumstances have changed.
- The learner is made fully aware of the possible outcomes if the Panel find that they are unfit to study.

The Panel will consider the evidence. If a decision on an outcome cannot be reached at the meeting, they may take more time to consider the evidence or to seek further advice. The Panel may decide that the learner is:

- Unfit to study,
- Fit to study, providing that certain conditions are met, or
- Fit to study (without conditions)

Decision	Outcome/s
Unfit to study	• Withdrawal for the rest of the academic year • Permanent withdrawal • Suspension of studies – minimum period decided by panel
Fit to study, providing certain conditions are met	• Stage 3 Action Plan, monitored by the CAL for the area • Alternative mode of attendance • Further support from internal or external agency or organisation
Fit to study (without conditions)	• No further action is required

A record of the meeting including agreed actions must be made, retained in a secure location and copies issued to all present at the Case Conference. A copy of the record of the meeting will be made available to the learner along with the decision of the Panel.

The decision should be communicated to the learner, in writing, by the Head of Student Experience and wellbeing within 5 days of the meeting. Where a student is under 18 a copy should also be sent to the parent/carer. If appropriate, the letter should also clearly state the consequences of non-compliance with the decision or breaches to the agreed actions.

5. Medical Information

Learners should be encouraged to provide medical information where possible, as this can enable appropriate action plans to be created to remediate an underlying health condition and support future positive conduct. At each stage a learner may wish to use medical information in support of the identified issue. Medical information is confidential and should be protected, however it should be made clear to the learner that, in order to resolve their situation, the information required to provide reasonable adjustments will need to be shared with certain members of staff. The learner may also refuse access to medical records.

This could include:

- the nature and extent of any medical condition, which the learner may have;
- the learner's prognosis;
- the extent to which it may affect fitness to study and manage the demands of student life;
- any impact it may have or risk it may pose to others;
- whether any additional steps should be taken by the College, in light of the medical condition to enable the learner to study more effectively;
- whether the learner will be receiving any ongoing medical treatment or support

(This information should be used in line with all other information available to the College throughout this process).

6. Return to Study

Where a suspension of studies has been decided on by the Stage 3 panel and the minimum period of suspension has elapsed, the learner may request permission to return to the course. This should be considered by the Head of Student Experience & Wellbeing, a representative from the curriculum area and the learner's tutor but will always be dependent on externally-verified evidence confirming the learner's fitness to study. The College must satisfy itself that the evidence is sufficient, that the learner is fit to study and able to comply with any conditions imposed and that the College is able to provide any required support for the learner's return.

A return to study plan should be agreed and documented following discussion with the learner. Regular review meetings should be held to support the learner and monitor adherence to the plan.

Fitness to study is an on-going responsibility of the College and the learner throughout the remaining period of study. The review meetings may continue for part or all of the learner's remaining time at the College.

7. Right of Appeal

Any learner who is not satisfied with a decision made in accordance with the Fitness to Study Policy should address their appeal, in writing to the Principal & Chief Executive. The decision of the Principal & Chief Executive (or their designate) will be final.

On considering the appeal, the Principal (or their designate) may decide to:

- Reject the Appeal,
- Approve the Appeal
- Request additional information

Decision	Outcome/s
Reject the Appeal	• The original decision is upheld
Approve the Appeal	• The case is referred back to an earlier stage of the process for reconsideration – to be used where the process has not been followed correctly, or new evidence is available that materially affects the decision at an earlier stage • The case is referred to a relevant or suitably qualified person for further advice or consideration • Apply an alternative outcome

8. General Matters

The College will take account of relevant legislation such as the Data Protection Act, the Mental Health Act, the Single Equality Scheme and the general rights and expectations of a learner to confidentiality. In cases where Stages 2 or 3 of the Fitness to Study Policy has been invoked, the Head of Student Experience & Wellbeing will make a decision about whether the learner's emergency contact should be informed.

Any personal sensitive data or data of a confidential nature received by the College as a result of these procedures will be handled, processed and stored according to the Data Protection Act.

9. Monitoring

The Policy will undergo an annual Review.

10. Related policies/procedures/documents

- Safeguarding, Child Protection and Prevent Policy
- Positive Behaviour Policy
- Admissions Policy
- General Data Protection Regulations Policy
- Single Equality Scheme

11. Policy review

Change(s) Made			Reason for Change		
Review Date	Reviewed by:	Initial Approval by:	Final Approval by:	Next Review Date:	Review Period
Sep 2020	Manager of Student Services and Admissions and Admissions	Curriculum and Quality Standards Committee	Curriculum, Quality Standards Committee	Sep 2021	1 year
July 2025	Head of Student Experience & Wellbeing	Senior Leadership Team	Corporation Board	July 2026	1 year

12. Equality Impact Assessment

First Assessment Conducted by:	Date:	Final/Approved Assessment Conducted by:	Date:
Quality Administrator	Sept 2020	EDI Co-Ordinator	July 2025

13. Publication

Audience:	Published:
Staff	Staff Intranet
Learners	Website Student App