



FITNESS TO STUDY **POLICY AND PROCEDURE**

CONTENTS:

Fitness to Study Policy:

- Introduction
- The purpose of this policy
- When to use this policy
- The scope of the policy
- Related policies and legislation

Fitness to Study Procedure:

- Summary
- Structure of procedure
- Who can instigate the procedure

Stage 1: Initial or Emerging Concerns

- Stage 1: Possible Outcomes

Stage 2: Continuing and/or Moderate Concerns

- Stage 2: Possible Outcomes

Stage 3: Severe and/or Enduring Concerns

- Stage 3: Possible Outcomes

Temporary Precautionary Suspension

Case Conference

Returning to Study

Fitness to Study Guidelines

Meeting Report and Action Plan

Introduction

MEPA college (“MEPA College”, “we”, “us” or “our”) recognises the importance of our student’s health and wellbeing in relation to their academic performance, progression, and wider student experience. The phrase ‘fitness to study’ refers to a student’s capacity to fully engage with college life, both vocationally or otherwise, without unreasonable detriment to their wellbeing and whilst maintaining appropriate standards of behaviour. The Fitness to study relates to an individual’s capacity to participate fully and successfully as a student, in both their studies, and life generally at MEPA College. The College recognises that there are times when a student’s behaviour, wellbeing, and/or physical/mental health may disrupt their studies or pose risk to themselves or others.

The purpose of this policy is to:

a) Provide a clear procedure which can be used when a student’s behaviour, wellbeing, and /or physical/mental health are affecting their ability to progress in their course and function at college, and/or having a significant effect on the wider college environment which is difficult or possible for the college to manage.

b) Be supportive to students and ensure they are safe and able to proceed in their course.

c) Provide a consistent, co-ordinated, and sensitive approach to managing situations or behaviours which have become problematic and where it is not considered appropriate to apply other internal procedures such as the ‘Student Disciplinary Procedure’ or ‘Attendance Policy’.

d) Encourage early intervention and active collaboration of all staff in managing situations where there are concerns regarding a student’s ability to progress.

e) Clarify procedures expectations for both staff and students in managing such situations. Ensure that the college has provided the student with appropriate, proportionate, and reasonable support to enable them to complete their programme of studies. This will include input from relevant specialists (Counsellor, Physiotherapist, Learning Support, Vocal care, Nutrition Specialist, Student Wellbeing, Mental Health First Aiders), ensuring that reasonable adjustments are in place, funding available is accessed, whilst also clarifying the expectations of the Student Wellbeing services.

Our expectations of students at MEPA College are:

- That students can demonstrate they are able to attend and engage effectively in a range of classes, workshops, rehearsals, and tutorials including with staff, students, and professionals, with adjustments if required.

- That students can demonstrate they can undertake private study or activity without supervision.
- That students can participate in assessments throughout the academic year, with adjustments if required.
- That students arrive consistently and punctually to MEPA College as per our Attendance and Punctuality Policy.
- That students are aware of their own health and safety and that of others, including changing behaviour if it is pointed out that they are potentially breaching health and safety requirements.
- That students are abiding by the provisions of the **Student Code of Conduct**

When to use this policy

This policy can be initiated in instances where a student's health, wellbeing or behaviour cause the College concern regarding their fitness to study, for example when it is considered that:

- A student poses a risk to their own health, safety and/or well-being and/or that of others.
- A student's behaviours are, or are at risk of disrupting or negatively affecting the teaching, learning and/or experience of other students.
- A student's behaviour is significantly detrimental to the day-to-day activities of the College.
- A student's behaviour results in unmanageable demands being placed on staff, other students, and/or the Student Wellbeing services.

The scope of the policy

This applies to all programmes of study delivered at MEPA College. The policy applies to students throughout the period of their registration with the college.

This policy is not intended to replace disciplinary procedures or to address general academic underperformance. The College has an Extenuating Circumstances procedure, which may need to be considered in any decision relating to a student's fitness to study.

Relevant Legislation and Related Policies

- Equality Act 2010
- Data Protection Act 2018
- Equality and Diversity Policy
- Attendance policy
- Extenuating Circumstances
- Disciplinary Policy and Procedure
- Student Charter
- Safeguarding Policy
- Low BMI and Disordered eating Guidelines

POLICY WRITTEN APRIL 2023

- Students Giving Cause for Concern
- Alcohol and Drugs Policy
- Race Equality Policy
- Preventing Extremism and Radicalisation Policy
- Health and Safety Policy
- Gender Identity and Sexuality Policy
- Disordered Eating Policy
- Anti-Bullying and Harassment Policy

Fitness to Study Procedure

The college recognises that concerns can be raised by a variety of individuals including staff, other students, health professionals or family members, as well as the student themselves.

The procedure seeks to promote early intervention and active collaboration between students, staff, and other third parties when applicable, to ensure a consistent approach to the support provided to the student.

The procedure is intended to be supportive and:

- Ensure the best interests of the student are being considered in relation to their personal situation, behaviour, health or physical/mental wellbeing
- Ensure that the student is receiving adequate support
- Ensure that disability related reasonable adjustments have been considered and where appropriate put in place
- Enable the student to progress, meet the required learning outcomes and complete their programme of study
- Agree an action plan to support student progression with clear responsibilities and expectations

Examples of circumstances that may trigger this procedure are:

- Elongated periods of absence from a student's programme of study because of a physical /mental illness, or ongoing injury
- The student has told a member of staff that they have a problem and/or provided information which raises concern regarding their fitness to study
- The student's behaviour indicates that they may have a medical condition which is having an adverse impact on their health and their ability to engage with their studies
- The student's academic performance or their behaviour gives cause for concern, and this is thought by the person raising the concern to be because of an underlying medical condition

Structure of the procedure

The procedure has 3 Stages. The stages represent the degree of concern and/or the perceived seriousness of the situation.

1. Initial or Emerging Concerns
2. Continuing and/or Moderate Concerns
3. Severe and/or Enduring Concerns

The procedure can be used, and issues resolved at any stage. In most cases, Stages 1 or 2 should be used before escalation to Stage 3. If the concerns at one stage are not remedied by the recommended and agreed actions the next stage may be instigated. If the situation merits it, the college may start at Stage 3 without the need to undertake stages 1 and 2, and likewise stage 2 without need to undertake stage 1.

All meetings should be recorded, copies of agreed action plans should be kept in a suitable, confidential place for the duration of the student's programme of study.

Who can instigate the procedure?

Stages 1 and 2 of the procedure can be instigated by a relevant member of staff who has contact with the student. For example:

- Principal, Deputy Principal
- Student Wellbeing / Mental First Aiders, Resident Physiotherapist,
- Teaching Staff

Stage 3 can only be instigated by the Principal or Deputy Principal. This decision will be made following consultation with the member(s) of staff raising the concern, and the relevant support staff.

Stage 1: Initial or Emerging Concerns

Stage 1 should be used when there are emerging concerns about a student's health, wellbeing and/or behaviour and the impact this has on their ability to progress on the programme.

Concerns may include but are not restricted to:

- Health: a deterioration in mental or physical health, such as long-term injury, chronic illness, or long term mental health conditions.
- Personal conduct: how the student conducts themselves in response to the requirements of the college environment.
- Attitude: How the student conducts themselves in relation to others, attendance, ability to meet deadlines, sit assessments, progress, or ability to participate in college life.

At Stage 1 either the Principal or Deputy Principal will arrange a meeting with the student.

- The student will be notified that the meeting is being called under Stage 1 of this policy, provided with clear information in writing as to why there is cause for concern, as well as information about the Fitness to Study procedure, with particular emphasis on the fact that it is designed to be a supportive process.
- As Stage 1 is intended to be relatively informal, the student can be accompanied by a friend/adult/parent. This meeting will be recorded confidentially by a nominated secretary.
- Where it is suspected that the concerns are due to a mental or physical health difficulty, the relevant Student Wellbeing Services staff will be contacted and included in this meeting. If this is the case, the student will be informed.
- An action plan, with timeframe should be agreed.
- This action plan should set out any action that the student will need to take and the level of support which will be offered to the student.
- A date will be set for a final meeting to review the agreed action plan and assess whether progress has been made. Again you have the choice to be accompanied by a friend/adult/parent and the meeting will be recorded confidentially by a nominated secretary.
- If the student responds in a constructive way, no further action will be required at this time.
- If the student fails to adhere to the action plan or refuses to engage with the process, escalation to Stage 2 may be required.

Stage 1: Possible Outcomes

1. If the concern has been resolved, no further action is required. The general expectation is that the student will take personal responsibility and fully engage with the process and with the support recommended.
2. Ensuring the student is aware of the student wellbeing services available within the college.
3. Ensuring the student is aware of the relevant college processes/procedures, including interrupting the year, and extenuating circumstances procedure
4. If appropriate, agreeing a short period of leave of absence (pausing studies)
5. Asking the student to moderate their behaviour and/or address any concerns that have been raised, which may include seeking internal or external support of which we will help and guide you towards.
6. Set regular meetings with a member of the Student Wellbeing Services staff

Stage 2: Continuing and/or Moderate Concerns

Stage 2 of the procedure should be used where there is continued and ongoing concerns following Stage 1, where the student refuses to access support, or when there are

moderate concerns about a student's health, wellbeing, behaviour, safety, and or/ability to study, and where a more formal response from the college is needed. A Stage 2 review should be within fifteen working days of the final meeting of Stage 1, or if entering at Stage 2, five working days after the concern is raised.

- The meeting will be convened by the Principal and Deputy Principal. The student should be provided with at least five working days' notice of the date of the meeting.
- The Panel may include Principal, Deputy Principal, Student Welfare, Mental First Aiders, Physiotherapist, and a nominated secretary.
- The student's point of view should be heard and considered and there should be an opportunity for the student to provide explanations for the behaviour that caused concern about their fitness to study.
- The student may wish to bring a friend or family member to the meeting for support.
- If the student is out of contact or if there is reason to believe a student may be currently unable to make informed decisions (for example, due to a mental health crisis) or is perceived to be at risk of harm, the meeting will still take place in the student's absence.
- The Management Team, where appropriate, will take care to protect the confidentiality of personal information, subject to necessary action to safeguard the student's welfare. Relevant personal history should also be made available.

In all cases it is in the student's best interests to disclose sensitive information so appropriate support can be provided in advance and/or during the process.

Stage 2: Possible Outcomes

1. If the process starts at Stage 2, an action plan will always be agreed at the meeting with the student, detailing any steps the student will need to take and the support to be provided. Regular monitoring meetings will be arranged with the student and a nominated member of staff. The staff member will depend on the specific needs of the student and may be the Student Welfare, Physiotherapist, Mental First Aider, or relevant member of the teaching staff.
2. If a student has been referred from Stage 1, a further action plan should be agreed detailing any steps the student will need to take and the support to be provided. Regular monitoring meetings should be arranged with the student and a nominated member of staff (as above). In either case the student should be made aware of what will happen if the action plan is not followed. This will normally involve the case progressing to Stage 3.
3. Recommendation that the student defers assessments and follows the Extenuating Circumstances procedure.
4. The interruption of the programme of study may be recommended at this stage. Where interruption of studies is recommended, the Management Team should make sure that both they and the student are fully aware of the implications, including the financial implications (when known). The panel and the student will agree a proposed return date and a Return to Study meeting will be arranged. In cases where interruption is agreed it must be made clear

what needs to happen for a Return to Study to take place. It will be confirmed in the meeting notes who will be responsible for arranging meetings, obtaining evidence /documentation. If the student does not agree, the case will move on to Stage 3. In the case of mental health issues an external referral may be necessary at this stage. The student will be encouraged to pursue this independently, either via the NHS or privately.

Stage 3: Severe and/or Enduring Concerns

Stage 3 of the procedure will be used when there are severe and/or enduring concerns. In most cases escalation to this stage will follow attempts to address concerns through Stages 1 and 2. However, in some cases it may be appropriate to proceed directly to Stage 3. For example, the concerns may need an immediate or emergency intervention. Concerns of this nature would require the student to meet with the Senior Management Team for a formal review. This stage would be used when it is considered that interruption, temporary exclusion, suspension, or withdrawal may be the appropriate course of action, or if the student has not agreed to a recommendation or failed to engage with the action plan made under Stage 2.

- Having consulted the member(s) of staff who have raised the concern, a Stage 3 Fitness to Study meeting should be arranged within fifteen working days from the decision to take this course of action.
- The student will be provided with at least ten working days' notice of the date of the Fitness to Study meeting. Evidence which will be presented at the meeting should also be sent to the student in advance.
- The student will also be requested to submit any evidence, at least five working days, in advance of the meeting. This process could be accelerated with the agreement of both parties.
- The panel will include: the Principal, Deputy Principal, Student Welfare, Mental First Aiders, Physiotherapist, and a nominated secretary.
- The panel will seek to involve the student concerned and may consult with others when appropriate. The student should be made aware and or reminded of the circumstances/behaviour that led to the fitness to study concerns being raised and, if appropriate, the risks perceived by the college.
- The student's views will be heard and considered and there should be the opportunity to explore with the student any explanations for the behaviour, which has caused concern about their fitness to study. The student will have the opportunity to discuss the various options available to them if and when they are fit to make informed decisions.
- Where the Panel is convinced that the health, safety, or wellbeing of the student, or others, is at significant risk, the college may enforce an outcome. In cases where suspension or temporary exclusion is the outcome, the meeting will consider and make explicit what evidence is required before the student is able to return to study. This will usually include medical evidence, such as a Physical Fitness Assessment Report

conducted by either the College's physiotherapist or an externally sourced therapist, or a psychiatric report.

Stage 3: Possible Outcomes

1. Recommendation that the student defers assessments and extenuating circumstances are submitted
2. Recommendation that the student is required to take a leave of absence from their studies at the college whilst appropriate means of addressing the cause for concern is being considered. This will be reviewed in 4 weeks.
3. Recommendation of an interruption of studies, agreed by the student or exceptionally enforced by the college. For example, the student may be required to take a leave of absence from their studies whilst recovering from illness or injury.
4. Recommendation that the student withdraws from their studies, agreed by the student, or enforced by the college for example, due to inability to fulfil the requirements of the programme such as chronic injury, long term illness, or long-term mental illness. This recommendation should only be made in the most serious cases.
5. Recommendation of a permanent exclusion. For example, due to behaviour that impacts the student's learning and their environment, for example persistent absenteeism, failure to meet the agreed actions as outlined in the action plan at stages 1 and 2. This recommendation should only be made in the most serious cases.

In reaching these decisions, due care and consideration will be exercised to avoid as far as possible the student being placed in a more vulnerable situation, or a situation that increases the vulnerability, or affects the wellbeing of other students. The agreed course of action will be communicated in writing to the student by the Deputy Principal within five working days of the agreement. If relevant, the student will be informed of the 'Return to Study' procedure and process, as set out below. It will be made clear to the student that this procedure is quite separate from the College's Disciplinary Procedures. It will also be made clear in writing, why the College is recommending this course of action.

Temporary Precautionary Suspension

Where serious and/or urgent concerns about a student's fitness to study have been raised in accordance with this procedure, the Principal and Deputy Principal may temporarily suspend a student if they consider the student poses a significant risk to their own health, safety, or wellbeing or to that of other students or staff. The student will be notified within two working days of any decision to suspend via email and by letter to the address registered with the college. In such cases, key staff will be notified of the suspension. Any suspension under this procedure is precautionary and does not mean that any final conclusions have been drawn, or that a decision has been reached, regarding the student's fitness to study. The suspension will be reviewed on a regular basis, usually every two weeks during term-time, by the

Principal and Deputy Principal to determine whether it is reasonable in all circumstances for it to continue, to be revoked, or be amended in some way. A student who is suspended may ask the Principal and Deputy Principal for temporary permission to attend college, for example, to attend a counselling session or an assessment. Such request must be made in advance and in writing. A student who is suspended may also ask the Principal and Deputy Principal to review the suspension, for example, based on new medical evidence. Any such request must be made in writing.

Case Conference

A case conference can be called by the Principal or Deputy Principal after consulting with relevant staff at any stage of the procedure. However, this will normally only be in exceptional cases; for example, where a student's health is such that they cannot engage with the process and will not be able to do so for the foreseeable future. The case conference may compromise of any individuals who have been involved in the case thus far, or who may need to be involved to ensure a complete picture of the situation is available. Depending upon the student's circumstances, they may be invited to make a written submission, which may include independent evidence, for consideration. All meetings will be minuted. Although a student may be invited to the case conference, it is not expected that this would usually happen. A case conference may be held prior to and/or following any meeting with the student. The case conference will determine whether the student's fitness to study is impaired and any actions to be taken. Such actions may include:

- Reasonable adjustments being put in place for the student to engage with learning and undertake assessments
- Recommendation for an action plan, setting out how the matter will be managed and any requirements to be placed on the student, along with details of relevant support services. A copy of this plan will be provided to the student.
- Referral to any stage of the Fitness to Study procedure
- Recommendation of an interruption of studies, agreed with the student or enforced by the college.

The proceedings and determinations of the case conference will be recorded and circulated to all in attendance, made available to the student and kept on record.

Returning to Study

The procedure for considering a return to study should be made clear to the student at the time of their suspension/interruption. The student should provide, or the Principal / Deputy Principal may request, independent confirmation of the student's ability to resume their studies. The precise nature of the evidence required will be dependent on the individual circumstances in each case, but it is expected that this will involve medical documentation. The college may set questions/requirements which form the basis of the evidence required; for example, the student's ability to manage the demands of the course, their engagement with any treatment, previous and potential future triggers for relapse, or causes for concern.

The Principal together with the Deputy Principal can make the decision to allow the student to return to study. The decision will be based on the evidence provided and the student's own views of their wellbeing and fitness to study. Where a student returns to study after interruption under this procedure, the Deputy Principal will consult with members of support staff regarding arrangements and reasonable adjustments that might be needed to support the student upon return. Students who interrupted their studies must meet with the relevant support services in the College to re-evaluate student's fitness to study. The College will determine the on-going arrangements to support and review the progress of the student to minimise risk of a recurrence decline in health, including regular review meetings to ensure that the student is able to continue with their studies.

Fitness to Study Guidelines

Stage 1 Guidelines

Stage 1 Initial meeting

The lead person should contact and/or approach the student, in a sensitive and understanding way, to request a meeting. They should explain that this is as a result of concerns that have been raised about their fitness to study. This will be done in person and by email. The student should be informed that they can be accompanied at the initial meeting. This can be, for example, a friend or a relative.

At the meeting:

- The student should be made aware of the precise nature of the concern(s) being raised. (Clear examples will be helpful).
- The student should be given the opportunity to give their views on what is happening.
- The member of staff should consider with the student what would be helpful and make a difference to the student in order to best support them.
- The student should be made aware of the relevant Student Wellbeing Services available to them, and be given all the relevant information about finance, wellbeing, disability and dyslexia support, interruption and withdrawal of studies procedures, extenuating circumstances.
- An action plan should be agreed. It would be useful to discuss with the student whether it would be appropriate to share the action plan with other members of staff and obtain the student's consent to do so.
- It should be made clear to the student at this stage that a continuation of the same or additional concerns could result in escalation to Stage 2 of this procedure.

Stage 1 Review meetings should include:

- Review of the student's progress against the action plan
- Explanation/exploration of any further concerns arising

- Explanation/exploration of further/ongoing support needed
- Agreement of whether further action is required

Stage 2 Case Review Guidelines

The student should be invited to attend the Stage 2 Case Review panel by the Principal or Deputy Principal in writing. They should be given at least 5 working days' notice. The invitation to the meeting should include:

- Date, time, and venue of the meeting
- The purpose of the meeting
- Where appropriate, documents which will be presented at the meeting
- Whether the student needs to provide any specific documents (e.g. medical evidence).
- A suggestion that the student may be accompanied by someone in a supportive capacity (for example, a parent, a friend), but not by someone acting as a legal advocate.
- Disabled students may also be accompanied by a Support Worker as appropriate for their needs.
- A list of people who will attend the meeting and the reason for their attendance.
- A copy of the Fitness to Study Policy and Procedure

Stage 2 Case Review Panel should include:

- Identification and explanation of the concern, and any past relevant information.
- An opportunity for the student to give their perspective of the issues and if appropriate a history of events, past experiences and helpful strategies or support for managing these issues.
- Consideration of what would be helpful or make a difference to the student in relation to their support in order to minimise concerns.
- The student should be made aware of the Student Wellbeing Services from which they may benefit.
- The stage 2 Case Review Panel will designate responsibility to monitor the process and ensure the agreed review meeting takes place. This will usually be the Lead Person. The Lead Person will take the decision as to whether the concern is resolved by the end of the agreed monitoring period and no further action is required.
- If appropriate, agreement of a date to meet again to review the situation.

Stage 3 Fitness to Study Panel Guidelines

The student should be invited to attend the stage 3 Panel meeting by the Principal and / or Deputy Principal in writing. The invitation to the meeting should include all the information outlined above in stage 2 guidelines. They should be given no less than 5 working days' notice. The invitation should include any supporting evidence to be relied on at the Panel meeting, to enable the student to respond. In preparation for the meeting the Deputy Principal will write a summary report of the present and past relevant/key issues. This information will be circulated with the people attending the meeting. The student should be encouraged to prepare in advance of the meeting. They should obtain any necessary documentation and

reports and given consent to the Deputy Principal for disclosure of medical records. The student may wish to write a short summary report for the meeting. It may be helpful to convene the meeting for an initial 30 minutes, before the student arrives. This will allow those who had had no prior involvement with the student/issues to familiarise themselves with the information, the process, and allow them time to understand the issues and possible options.

The Panel will consider the following:

- A summary of presenting situation, concern(s) being raised, and past relevant information.
- An opportunity for the student to give their perspective of current issues and if appropriate history of events, past experiences and helpful strategies or support for managing the issues.
- Clarification of relevant expectations and regulations.
- Clarification of the student's personal responsibility at college (for example, to be 'well enough' to study).
- Identification of any further information which may be required such as medical evidence.
- Clarification of the options available to the student at this stage.
- Consideration of what would be helpful to make a difference to the student in relation to the options available.
- Clarification of agreed options/actions and support options that the student is encouraged to access.
- Explicit clarification of the consequences of failing to complete the agreed actions, and/or a continuation of the causes for concern.
- Agreement of any temporary monitoring measures.
- Agreement of a date to meet again to review the situation.

Documentation

A copy of notes from reviews/Panel meetings and agreed action plans should be sent to the student and all other attendees no more than 5 working days after the meeting has taken place. Action plans can be shared with other appropriate staff as deemed necessary. All documentation should be kept securely, in accordance with the Data protection Act.

Non-Engagement

At any stage, if a student is invited but fails to attend a scheduled meeting at any level, contact should be made with the student to ascertain the reason for their absence. Another meeting should normally be arranged. If contact is unsuccessful and the student does not attend the re-arranged meeting or engage with the process, the following actions should be taken:

- At stage 1, the Principal and Deputy Principal should discuss the situation in the student's absence with all the other staff members arranged to attend the meeting or staff members who have submitted evidence
- At stage 2, the situation should be discussed by the Panel in the student's absence. If there are straightforward options about how to proceed, agreed expectations, support options and plans should be communicated to the student with a timescale for completion and date of review. If the situation is more complex or unclear, steps should be taken to escalate to the

next stage.

- At stage 3, the panel will consider and agree the best course of action.

Meeting Report and Action Plan

Name of Student:	Programme / Year of Study:
Date:	Staff Present:

Fitness to Study Procedure Level:
Concern Raised:
Raised By:

Action Plan

Objective	Tasks	By Who	Completion / Review Date

--	--	--	--

Students Name:	Students Signature:	Date:
-----------------------	----------------------------	--------------