



Fitness to Study & Fitness to Practise Policy

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1. Introduction

Trent Education Centre (TEC) prioritises the health and wellbeing of students and how this may impact on their ability to achieve academic success, progress in their studies and have a worthwhile learning experience. This Fitness to Study Policy is intended to ensure that TEC meets its duty of care to students when determining the ability of students to cope with academic studies and to maintain acceptable behaviour that does not place themselves and other students or staff at risk. This policy sets out the processes that we will follow and interventions that will be considered in order to make fair decisions about a student's fitness to study in relation to their overall wellbeing and that of others at TEC.

2. Purpose and Scope

The purpose of this policy is to take account of challenging medical, psychological and emotional conditions that some students make suffer from and how these may impact negatively upon their behaviour. When using the term 'fitness to study', TEC is referring to the ability of any student to successfully complete their current academic programme as well as their ability to interact safely and without undue disruption with other students and members College faculty and staff. This policy covers every student at the College and can be referred to in any type of activity involving students at the College including in-person and online learning modes or social activities. The policy covers all academic and pastoral activities at every Study Centre or anywhere else the student may be carrying out College activities or representing the College.

3. Aims and Objectives

The aim of this policy is to provide students and staff with a framework that enables them to cope with situations that be dangerous to individual staff and students but also to support students so they are able to stay and complete their studies if possible. It provides a consistent set of processes to follow in order to give students a break from their studies if they are not currently fit to continue. This may include interruption of studies until a student is able to return or withdrawing students completely if their condition is too severe. The objectives of this policy include:

- Making sure that students who pose a danger to themselves and others are quickly identified and managed to avoid harm. Staff should always contact emergency services 999 if in doubt.
- To provide faculty and staff with a set of guidelines to follow if student behaviour is disruptive and this may be due to lack of fitness to study rather than strictly a breach of student discipline.
- To protect other students and staff from students exhibiting episodes of poor behaviour including actions they may be deemed as physical, verbal or mental abuse as well as bullying and harassment
- To provide a three-stage process in handling students who may be unfit to study to varying levels

4. Equality, Diversity and Inclusion

The College remains committed to the principles of equality, diversity and inclusion and will reject all forms of discrimination when determining fitness to study, particularly for groups identified in the Equality Act with the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief (including none)
- Sex
- Sexual orientation

Special considerations including reasonable adjustments will be granted where possible to students with disabilities.

5. Identifying a Fitness to Study Concern

TEC may be informed about a student's wellbeing in relation to their fitness to study from multiple sources including the student themselves, their family and friends, faculty and staff, other students and medical practitioners.

Members of staff may identify a fitness to study concern in the following ways:

- A student or other person may report that another student is not fit to study.
- A member of staff is informed by a student that they are not sure about their own fitness to study.
- A member of staff may conclude from a student's behaviour that they have an undisclosed medical condition that has a detrimental effect on their health and ability to study.
- A student may be absent for extended periods due to an illness.

Once a student has been identified as potentially unfit to study, the College Safeguarding Officer or Designated Safeguarding Lead must be informed. The SO and DSL will assess students according to three levels of concerns:

- emerging concerns
- continuing concerns
- severe concerns

A student is assessed and categorised according to how challenging they are finding their studies and their interactions with others as well the level of disruption their behaviour may be causing. A student may not willingly participate in their own assessment, but the College will proceed with its assessment and interventions if there is a risk to the student and to others.

6. Level One

At Level One a student will be asked to meet with Support Staff including the Safeguarding Officer and this consultation will result in one of the following outcomes:

- No action required
- Referring the student specific support services
- Agreeing upon course of action that will help the student overcome the condition affecting their performance and behaviour
- Agreeing that the student may take a short period of time away from the studies to recover. This must not be more than three weeks
- A request that the student takes steps to improve their behaviour
- Referring the student to level two concern.

Following this consultation the students ongoing performance and behaviour will be carefully monitored by support staff and the Safeguarding Officer. If their challenging behaviour persists or deuterates they will be escalated to Level Two.

7. Level Two

At level two a student is displaying continuously challenging behaviour and this may require more interventions from the College's support services or the student may need some support from external services including medical practitioners. The student at level two concern will be required to meet with the College Fitness to Study Panel (FSP). This panel consists of the following members:

- Safeguarding Officer
- Head of Higher Education
- Head of Quality
- Head of Compliance
- Programme Leader

The student may bring a friend to the meeting with the FSP. They will be required to share their views about their behaviour and how it might improve. This meeting may lead to the following outcomes:

- No action required
- Referring the student specific support services
- Agreeing upon course of action that will help the student overcome the condition affecting their performance and behaviour
- Agreeing that the student may take a short period of time away from the studies to recover. This must not be more than three weeks]
- A request that the student takes steps to improve their behaviour
- Recommending that the student defers their studies or their assessments
- Recommending an interruption of studies
- Referring the student to the third level of concern

The student will be give a report in writing with the outcome of the meeting that incudes actions they need to take to improve. If the student fails to respond to this constructively, they will be referred to level three

8. Level 3

At Level three the student is regarded as being urgently in need of critical interventions. The student will be required to meet the FSP for a formal interview. The student may bring a friend to the interview with the FSP. They will be required to share their views about their behaviour and to hear multiple views from the panel and others that may be invited to the interview about the severity of their behaviour, the danger to the own health and wellbeing and of others and their fitness to study. This meeting will conclude with one of the following:

- The student may be granted extenuating circumstances
- That the student defers their studies and their assessments.
- The student may be required to take interruption of studies
- Temporary suspension
- That the student be required to withdraw from their studies

The decision taken by the FTS panel will be based upon a majority of 3 or more out of 5 members.

9. Appealing a decision

Students may appeal against the decision if they on one of the following grounds:

- A procedural error was made, and the process was therefore unfair.
- New information can be produced that may alter the decision taken
- The decision is deemed extreme under the circumstances

The appeal must be made in writing to the TEC Executive Principal, who will set up a Fitness to Study Appeal Panel (FSAP) consisting of the following members:

- Executive Principal
- Managing Director
- Independent Member of the Board of Governors

After considering the appeal, the Appeal Panel may:

- Confirm the initial decision of the FSP
- Refer the student back to Level 3
- Dismiss the appeal

The decision agreed by the Appeal Panel will be confirmed in writing to the student following the meeting normally within five working days and the decision of the Appeal Panel is final. The student will be provided with a completion of procedures letter.

10. Returning to Study

In some cases, a student will be permitted to return to study. They will be informed what date they can return when they leave. On their return a student must undergo an assessment to show that they are fit to study. They will also be carefully monitored to ensure that they are fit to study. If there are signs that they are still unfit to study, they will be taken again through the three-level process depending upon the severity of their behaviour and the risk they pose to their own safety and to others.