

**Operating Procedure for Health (HE and FE)**  
**(Incorporating Fitness to Study Procedure)**

**1. Purpose**

- 1.1. To ensure that all staff are aware of and recognise the College's legal responsibilities towards students whose condition falls within the definition of disability under the law, as outlined in the Equality Act 2010.
- 1.2. This procedure is informed by the College's Mental Health Policy.

**2. Scope**

- 2.1. This procedure applies to all students, including young people and vulnerable adults, as identified in the Policy, who participate in any College activities.

**3. Responsibilities**

3.1. The Principal

The Principal as the designated officer under the Protection of Children Act, 1999 or, if not available, their nominee, has sole responsibility for deciding what action, if any, should be taken in relation to a student who may be considered a risk to self, others or the College.

3.2. Learning Support Co-ordinator

The Learning Support Co-ordinator is responsible for ensuring that the incidents of mental health or other health concerns are reported to the relevant Curriculum Area Manager (CAM) / HE Academic Lead (HEAL).

The Learning Support Service offers advice, screening and assessment for students who may have specific disabilities and learning difficulties. The service will ensure that reasonable adjustment is made to support the student on programme. Where funding is in place, a student may be offered individual learning support. HE students may be signposted to apply for Disabled Students' Allowance (DSA).

3.3. Health and Welfare Officer

The Health & Welfare Officer is advised of all students who declare a mental health condition on their application. The Health & Welfare Officer will arrange appropriate support and/or counselling.

### 3.4. All Staff

- All College staff should notify the Health and Welfare Officer and/or the Learning Support Coordinator should a student declare on application or verbally that they have a health problem.
- All College staff should respond to students with mental health difficulties or other disabilities in a non-discriminatory, non-stigmatising and positive manner. All staff involved in teaching must access and act upon the information provided in respect of individual students through the Learning Support Coordinator. If they are in any doubt about the implications of this information for their own practice, they must seek advice.
- All risks that are declared at the point of admissions or enrolment must be documented through the Risk Assessment process which must be signed by course manager and student/appropriate adult.
- All staff should be aware of their own personal and professional limitations. If they are concerned that a student has mental health problems and requires additional support they must refer the student to the Course Manager.
- Under no circumstances should a member of staff accompany a student manifesting symptoms of serious disturbance off-campus, e.g. to the A & E department of the local hospital. If someone appears to be in immediate danger of seriously harming themselves or other people, staff should call the emergency services and inform the Duty Manager.

### 3.5. Students

- Students need to take responsibility for communicating their needs and seeking support within the College as without this information there can be no offer of support. Students are encouraged to take care of their own mental health.
- Students should be aware that any behaviour which impacts negatively on fellow students or staff, or is in any way disruptive or offensive, is not acceptable within the College community and will be managed appropriately and in line with the College Charter.
- Students concerned about a fellow student's mental or health well-being should be aware of their personal limitations; they should encourage their fellow student to seek specialist support at the earliest opportunity and, if this is difficult they themselves should seek advice.
- If someone appears to be in immediate danger of seriously harming themselves or other people, students should call Reception on "0" if on campus to contact the Duty

Manager or designated Safeguarding Lead or Deputy. If the situation arises off-campus, the police should be contacted directly.

## 4. Method

### 4.1. Prior to Enrolment

All students are required to disclose medical issues or learning difficulties at the point of application. When a student discloses a mental health issue he or she will be invited to a meeting to look at options for offering the most appropriate support. This meeting will be arranged prior to the offer of a place at the College. The meeting will be arranged by the Course Manager, who has overall responsibility for the students, and will include relevant staff from the College, and other individuals who have an interest in the wellbeing of the student. Records of the outcomes will be signed by the course manager and student or appropriate adult if applicable.

### 4.2. On Programme

- If a student presents with a mental health issue, or staff are concerned about their mental or physical health, once he or she has started the course the student should be included as a Vulnerable Learner on the curriculum area risk register held by the relevant CAM or HEAL.
- The nature of the concerns should be clearly identified and information should be provided about the sources of support and advice available within the College. It should be made clear to the student that the college requires the student to be in a position to fulfil the requirements of the FE/HE College Charter.
- The student and the tutor involved should agree on an action plan to address their support needs and will meet to review the situation at an agreed date. This discussion should be recorded on Pro-Monitor. This record should be made visible to the student in Pro-Portal.
- The student should be informed that if this level of support does not improve the issues being addressed in the action plan, this may result in the fitness to study procedure being invoked.
- The course manager should inform any member of staff relevant to supporting the plan, (Assistant Principal Campus and Residential Services if a residential student) of the action plan in place.
- Promises of confidentiality should not be given to any person disclosing information as the matter may develop in such a way that these cannot be honoured.

### 4.3. Fitness to study

#### 4.3.1. Level 1

In those cases where the health of the student causes concern that he or she may be unfit to continue with their studies, or is exhibiting behaviour that is disruptive to the academic, social or business life of the College community, the student may be required to temporarily withdraw from the College until such a time that he or she is fit and well enough to resume his or her studies, or be residential.

Continuing or significant concerns about an individual student's health, safety, mental well-being, and/or ability to study as evidenced by a significant deterioration in health, appearance, attitude and/or behaviour might require a further/initial response from the College and will be noted as a Level 1 case under this policy. The concerns should be noted on Pro-Monitor by the course manager.

The course manager should inform the Assistant Principal Campus and Residential Services and the Health and Welfare Officer of the invocation of Level 1.

The student will be invited to attend a meeting with the CAM or HEAL, Health and Welfare Officer and the member of staff expressing concern. If under 18 the student's Next of Kin will be asked to attend. If over 18 a student can attend with a representative of their choice.

The purpose of the meeting will be to discuss concerns and ascertain the student's perception of the issues identified and to ensure the student understands the college Mental Health and Fitness to Study Procedure.

The purpose of the meeting will be to ensure that:

- a) The student is made fully aware of the nature of the concerns which have been raised;
- b) The student's views are heard and taken account of;
- c) The best way to proceed is agreed upon;
- d) The student is fully aware of the possible outcomes if difficulties remain.

An Action Plan should be negotiated and agreed, to include:

- a) Support for the student, where appropriate;
- b) Agreed academic/conduct related expectations for the student to observe;
- c) Agreed actions with review dates;
- d) Consequences of not adhering to the agreed actions;
- e) Consequences of continuation of the causes for concern.

A record of the meeting and its outcomes, recording actions agreed including the action plan, must be made and distributed to all present at the meeting with a copy kept on the student's central file.

It may be agreed that the student should leave residential accommodation and study from home for a period of time in order to aid recovery, allow time for a review of risk assessments or access additional support. In this case they will maintain contact with academic staff at least on a weekly basis.

A letter confirming this arrangement will be sent to the student confirming the content of the meeting and outlining the academic support available during this period.

A review date will be set to discuss return to accommodation when appropriate. This process is not in any way related to the suspension of a student for disciplinary purposes.

Lack of engagement with any part of this procedure may lead to immediate escalation to Level 2 of this policy, or to formal disciplinary measures being invoked.

#### 4.3.2. Level 2

Level 2 may be initiated due to:

- a) Serious or unresolved concerns about a student's actions, behaviour, health, safety, mental well-being and/or ability to study that have not been resolved via Level 1;
- b) Persistent and/or seriously significant concerns raised about a student's actions, behaviour, health, safety, or mental well-being that are putting the health, safety, well-being and/or academic progress of his/her self or other members of the College community at significant risk will, exceptionally, cause Level 2 to be initiated without reference to Level 1
- c) An urgent call relating to significant concerns about a student's actions, behaviour, health, safety or mental well-being must be made to the Deputy Principal, Duty Manager, Assistant Principal Campus and Residential Services and CAM or HEAL.

A case conference will be convened by the senior lead in consultation with the wider team to include Multi-Agencies as appropriate, inviting to attend those who can best provide expert and specialist advice on the case being considered and those who

need to be there because of their relationship with the student, including their course manager.

The case conference will make recommendations on the most appropriate course of action.

Where it is felt that a student's behaviour or health is deteriorating rapidly, an immediate suspension from study and campus can be made by a member of the Senior Leadership Group.

The case conference will consider holistically and as immediately as possible the concerns raised, including the student's perception of these concerns, and will seek to ensure that immediate support, as appropriate, is put in place for the student. It may consider various options:

- Alternative learning programme
- Behavioural monitoring system
- Suspension from studies
- Suspension from accommodation
- Campus ban

If, despite the College's best endeavours, the student is unable to attend the case conference, the meeting may take place in their absence with the outcome communicated to the student.

In cases where it is apparent that an individual student's present support needs are beyond the containment of the College for the time being and the limits of reasonableness have been reached (in accordance with the Disability Discrimination Act 1995, SEND 2015 and SENDA 2000), a decision will be made that the student should be required to intermit temporarily from their studies at the College for a specific period, subject to review on a specified date.

The CAM or HEAL will notify the Deputy Principal of the decision reached by the members of the case conference.

The agreed course of action will be communicated to the student by letter. 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 why the College is requiring this course of action.

All actions should have specific timeframes where appropriate and adherence to such time frames will be a condition of any re-entry to programmes of study.

Any suspension of study will be subject to review. Any written appeal will be made by the student or someone acting on his/her behalf via the college appeals process. A written appeal to the Principal must be submitted within 7 working days of receipt of the letter confirming the outcomes of this process.

The College recognises that in a small number of cases this policy may result in a student's eventual withdrawal.

#### 4.3.3. Returning to Study

Each student's case will depend upon the specific circumstances and context out of which concern arose but in all cases return to study will be dependent upon satisfactory evidence of fitness to study. Evidence submitted should be from a medical professional who has sufficient knowledge of the nature and extent of the student's previous problems and the College's concerns about them to be able to make an informed statement of the student's renewed ability to manage the demands of studying and if appropriate living independently on campus.

In cases where the College has any continuing concerns about the individual's fitness to study, it may require further evidence. Students will only be permitted to return if, after receiving advice, the College is satisfied that the student is fit to study and able to comply with any conditions imposed on their return.

The decision to permit return to study will be made by the senior lead in compliance with any conditions imposed, compliance with academic regulations and availability of support upon return.

In any case where a student returns to study following the implementation of the fitness to study policy, the College may decide that there should be regular review meetings with the student that can be used to support and monitor their return to study plan and provide staff with an agreed context in which to provide on-going Health and Welfare involvement. If so, the student must provide their continued co-operation in this respect and such review meetings may continue for part or all of their remaining time at the College.

## 5. Right of Appeal

5.1. Students have the right of appeal within 7 working days.

5.2. If a student wishes to appeal about the outcomes of the Fitness to Study Procedure or their Temporary withdrawal from the College, they should address their appeal, in writing, to the Principal where the decision will be final.

## 6. Counselling Support

6.1. The Counselling Service, which is available Monday to Friday, offers free, confidential, support to all students at the College. The service is provided by independent, qualified counsellors who are available to meet with students in an appropriate, safe environment. The comfortable setting allows for total confidentiality.

6.2. Counselling sessions are arranged in student's free time. Referrals to the counselling service can be made through the Health & Welfare Officer.

## 7. Related Documents

N/A

**Updated:** February 2020

**By:** Assistant Principal Campus and Residential Services  
Student Services Manager.

### Procedure Approval

Job Title of Approver <b>Director of Campus Operations &amp; Student Services</b>	Name of Approver <b>A Paling</b>
Date: 12 <sup>th</sup> February 2020	Signature: 