

Policy Reference Number	<b>T17</b>
Version	5
Originator	Louise Dale-Barron
Approved	Senior Leadership Team: 9 March 2022
Issue Date	March 2022

## **1 Scope**

1.1 The College is committed to the equality of opportunity and to a proactive approach to equality which supports and encourages under-represented groups, promotes inclusivity and values diversity. This policy applies to all students enrolled at the College regardless of their background or protected characteristics.

1.2 The College is committed to supporting students and recognises the importance of a student's health and wellbeing in relation to their academic progression and attainment. This policy outlines the process to be followed when a student's health and wellbeing affects their ability to cope with or to attend College and impacts on their ability to study or to progress on their course. It also takes into consideration a student's health and wellbeing which may pose a risk to the health and safety of self and/or others.

1.3 This policy is not intended for use during a student's first interview or as part of the admissions process but serves to be implemented during the programme of academic study.

1.4 This policy is available to all students and parents/carers via the College website. All staff can access the policy from the Policy folder on the staff hub.

## **2 Introduction**

2.1 The College is committed to supporting a student's health and wellbeing and recognises that a positive holistic approach to the management of physical and mental health issues is critical to a student's learning and academic achievement. Additionally, the College has a duty of care to all within its community and a responsibility to take action in order to support those in distress, causing significant concern, or those presenting a risk to self or others. This will include, for instance, situations where students show visible signs of illness, mental health difficulties, or emotional or behavioural disorders that may have a negative impact on the health, safety, learning and wellbeing of themselves and/or others.

2.2 The guidelines clarify a suitable response by the College in circumstances where it is considered inappropriate to apply the behaviour policy. This may arise when a student requires considered and sensitive support rather than disciplinary sanction. Students who are being supported as a result of safeguarding issues will be managed outside of these procedures by the designated members of staff, in accordance with the Safeguarding policy.

2.3 The guidelines recommend a coordinated approach to the management of a situation where mental or physical factors may not permit a student to benefit from the educational opportunities afforded to them at a particular time. In addition, they take into account situations where the support required to avoid adversely affecting other students' experience requires a level of intervention that has extended beyond that which can reasonably be expected of the College.

2.4 Concerns about a student's health and wellbeing should be acted upon promptly. Early intervention and action can often prevent a situation from developing into a crisis.

2.5 All courses offered are full-time and delivery is carefully planned to ensure that students build on their prior learning in order for them to be able to successfully complete assessment of any form. Prolonged periods of absence cannot therefore be sustained. There is a point at which catching up is not viable due to the amount of work missed. In addition, trying to catch up work after a prolonged absence may have a more negative impact on health which, if it were to continue, would mean that the college is breaching its duty of care to students.

2.6 There may be occasions where the student's ill health requires support beyond the expertise or capacity that can be offered at college. Therefore, supporting a student to continue and complete their programme of study in such situations may not be possible.

2.7 The college is also responsible for ensuring that exam board deadlines for A Level coursework, BTEC/CACHE assignments and units or controlled assessments (for example) are met, as well as deadlines for making exam access arrangements. Prolonged absences may therefore mean that these deadlines cannot be met.

### **3 Procedure**

3.1 The procedure has three levels of concern. The cause or causes for concern can result in entering the procedure at any level although it is hoped that most situations can be remedied by action taken at stages one or two.

3.2 The procedure aims to ensure that:

3.2.1 the best interests of the student are considered in relation to their personal situation, health, wellbeing and/or any disability;

3.2.2 the student is supported to study to the best of their ability and, wherever possible, meet the required learning outcomes and complete the course;

3.2.3 a student who is experiencing difficulties in relation to health, wellbeing and/or disability is supported to address their difficulties at the earliest opportunity;

3.2.4 a student is able to make informed decisions regarding options available;

3.2.5 any reasonable adjustments that the student may be entitled to are considered and, where appropriate/possible, are put in place;

3.2.6 a student understands their responsibility to engage positively with services offered and to attend in order for these to be effective.

3.3 Members of staff should work together where appropriate to ensure that a student experiences a consistent and fair process. If any member of staff is unsure about whether to implement this procedure, they should seek advice and discuss their concerns with a member of the leadership team.

### **4 Stage One**

4.1 Stage one should be activated where concerns emerge about a student's health, safety and/or ability for study based on a deterioration of physical or mental health. A member of staff who knows the student, normally the Academic Coach, should approach the student in a supportive way and indicate that there is a recognised concern about their wellbeing. At this stage there are concerns that the student will underachieve because of these issues.

4.2 The nature of the concern should be clearly identified and information should be provided about support available both inside and outside of College e.g. doctor appointment, additional learning support, counselling, Mental Health Lead referral, more frequent one to ones, etc. Please note counselling cannot be made mandatory for a student: a self-referral and assessment process is required to determine appropriateness.

4.3 The student should meet with the Academic Coach and appropriate strategies discussed, agreed and put in place. The Academic Coach will explain to the student that the same or additional concerns for health, wellbeing or fitness to study may lead to an escalation to stage two or three of the process. The Academic Coach should ensure that the student clearly understands the College's expectations regarding fitness to study and any medical evidence required in order to put appropriate support in place for the student. Parents/guardians should be kept informed of the concerns and agreed actions either by invitation to the meeting or by phone.

4.4 The Academic Coach should add a pastoral note summarising the reason for the meeting, attendees and their role/relationship to the student. The written record of the meeting should include an agreed statement on disclosure to relevant teaching and coaching staff. Attendance and punctuality data should be included with any relevant reasons. Targets must be SMART with a clear responsibility for achieving identified.

4.5 A review meeting should be set up with the Academic Coach to re-assess the student's welfare within three weeks of this initial meeting.

## **5 Stage Two**

5.1 Stage two should be activated when, despite intervention, there is a growing concern about a student's health, safety and ability to study related to a significant deterioration in physical and mental health, or a significant initial concern about the student. At this stage the student is at high risk of underachieving or not achieving part of their programme of study.

5.2 The student will be invited, along with a parent, carer or responsible adult, to attend a meeting with the Academic Coach, Progress Manager and other relevant staff e.g. teachers, Additional Learning Support, Mental Health Lead. The student should be made aware of the purpose of the meeting and advised of any documents they may need to bring. The student should be informed of the meeting at least 48 hours before the date and time of the meeting though there may be occasions when this will need to be immediate.

5.3 The purpose of the meeting will be to discuss and outline concerns and ascertain the student's perception of the issues identified and also to ensure that the student clearly understands the College's expectations regarding fitness to study.

5.4 A short summary of the meeting, the agreed action plan and the consequences of non-compliance will be sent to the student and parent/carer within three working days of the meeting. This should be recorded in the student's pastoral notes. Where appropriate, a risk assessment, carried out by ALS, may be put into place in order to safeguard the student and ensure the health and wellbeing of others. Reasonable adjustments can be discussed at this stage where appropriate and feasible.

5.5 A review meeting date with the Academic Coach and Progress Manager will be set and written into the action plan in a maximum of three weeks. The Academic Coach will remain the central point of contact regarding the student.

5.6 It will be explained to the student that the same or additional concerns for health, wellbeing or fitness to study or non-engagement with the support on offer will lead to a stage three meeting.

## **6 Stage Three**

6.1 This is the most serious level of concern that can be reached either through progression from stages one and two, or directly if there are significant concerns about the

risk to the health, wellbeing or safety of the student, or the safety of other students and staff. At this stage the student is at high risk of not achieving their full programme of study.

6.2 A meeting will be convened by any member of the Senior Leadership Team. Those invited will include the student, parents/carers, Academic Coach and Progress Manager. The purpose of the meeting will be to ascertain the facts as known and to discuss an appropriate course of action. The Vice-Principal will chair the meeting and notes will be taken. If appropriate and with the student's permission, external agencies engaged with the student will be invited to attend. Others may be called to provide evidence or written statements, and notes from previous stages will be provided to the chair in advance of the meeting. In the event that the student is unable to attend the meeting for whatever reason, the meeting may go ahead in their absence. This meeting will refer to attendance data, key assessment outcomes, feedback from teachers and progress made at stages 1 and 2 of this procedure.

6.3 Relevant staff, professionals, parents/carers and external agencies will be invited to outline the key issues.

6.4 The meeting may consider various options including a break from study, reduced programme of study and, in exceptional circumstances, when a course is nearing its end, study from home. In addition, further consideration will be given to whether the support needed by the student can be met by the College. If the College is unable to provide this, a recommendation for withdrawal may be made.

6.5 The actions arising will be agreed, documented and circulated to all in attendance. Pastoral notes must be added summarising the meeting and actions. All actions will have specific timescales as appropriate and adherence to such timescales will be mandatory.

6.6 If the meeting considers that withdrawal or, as a last resort, exclusion is the best course of action this must be recommended by the chair to, and approved by, the Principal. Once withdrawal or, as a last resort, exclusion is approved, a letter will be sent to the student.

6.7 Where appropriate, a risk assessment may be put in place in order to safeguard the student and ensure the health and wellbeing of others. If an incident occurs where there is an immediate risk to self or others, safeguarding procedures will be followed.

## **7 Returning to Study**

7.1 The student will be informed of the procedure to be followed for returning to study as soon as possible. Each student's case will vary depending upon the context and specific circumstances out of which the original concern arose.

7.2 In all cases, return to study will be dependent upon evidence of fitness to study and of engagement with appropriate support systems being accessed by the student. Evidence submitted must be from a recognised health worker who has sufficient knowledge of the student and the demands of Level 3 education in order to make an informed decision regarding the suitability of return to study. In particular, specific reference should be made to the student's capacity to return to study and their resilience to cope with the demands of this.

7.3 The decision to allow return to study will be made by the Vice-Principal who may consult appropriate professional colleagues. The Vice-Principal must be assured of fitness to study, compliance with any conditions imposed, regulatory requirements and the availability of external support on return. This decision will be based on the student's ability to cope with the demands previously faced and to ensure a positive outcome for the student to ensure further harm is not caused. A return to study programme will be formally agreed with the Vice Principal prior to the return to study.

7.4 If it is agreed that a restart into Year 12 is appropriate, the student will need to formally withdraw from college and submit an application to study the following September. This does

not have to be on the same programme of study. If a student is offered a place it is on condition that sufficient evidence is provided at enrolment which confirms they are fit for full-time Level 3 study.

7.5 If it is agreed that a restart into Year 13 is appropriate, the student will need to formally withdraw from college but is not required to submit an application to study the following September. They will have to continue on the same programme of study. If a student is offered a place it is on condition that sufficient evidence is provided at enrolment which confirms they are fit to continue full-time Level 3 study.

7.6 A further period of study will not be offered if a student is unable to complete their programme of study after a restart.

7.7 On return to College, regular review meetings will be arranged with the student's Academic Coach in order for progress to be monitored and support modified if necessary.

## **8. Appeals**

8.1 If it is felt that a Fitness to Study Panel has acted unfairly or not followed College procedure properly, the student and/or their parent/carer are entitled to appeal to the Chair of the Local Governing Body. Details of how to do this will be sent out with the formal letter informing you of the outcome of the panel.

## **9 Confidentiality**

9.1 All staff are governed by the requirements of the Data Protection Acts 1984 and 1998. Under these acts, all data relating to a person's physical or mental health is regarded as sensitive, personal data. The College's policy on Data Protection contains guidance on the use of sensitive information and this policy should be referred to. Sensitive data for the purpose of this policy is deemed to be information given in confidence concerning, for example, a student's ill-health or disability including mental health issues.

9.2 In all cases where, in the member of staff's judgement, it would be in the student's best interests to disclose sensitive information (so that appropriate support may be provided), the student's informed consent should be obtained where possible. It will be necessary to inform the student why there might be a need to disclose sensitive information, who will have access to this information, and the likely consequences of giving or withholding consent, for example, additional support strategies such as reasonable adjustments including exam access arrangements. Once consent has been obtained, it is the responsibility of the person passing on the information to ensure it is done on the terms agreed with the student.

9.3 If the student chooses not to provide their consent, this decision should be respected. In this scenario, the implications of non-disclosure in terms of support requirements should be made clear. There are rare occasions when the student's consent is withheld or it is impracticable to try to obtain it, when confidentiality may be broken. These include:

9.3.1 when the student's mental health has deteriorated to the extent of threatening their personal safety;

9.3.2 when the student is at risk of serious abuse or exploitation;

9.3.3 when the student's behaviour is adversely affecting the rights and safety of others;

9.3.4 where the member of staff would be liable to criminal procedure if the information were not disclosed, e.g. if a crime had been committed.

9.4 Staff should consult with a senior member of staff if they are not sure about the boundaries of confidentiality or data protection.

## T17 Health, Wellbeing & Fitness to Study Policy: Flowchart

