

HEALTH, WELLBEING AND FITNESS TO STUDY POLICY



PURPOSE OF THE POLICY

To ensure Yeovil College adheres to its legal obligation and social responsibilities in relation to the health and wellbeing of its learners and staff.

Yeovil College is committed to supporting the health and wellbeing of all learners and staff. The importance of providing a learning environment which promotes health, safety and wellbeing is enshrined in the College's values and strategic plan. We will promote opportunities for learners and staff to thrive and benefit from their learning or employment experience.

Students and staff are encouraged to disclose any health conditions/difficulties or issues to the College, either pre or post admission, in order to enable the College to make reasonable adjustments to meet their needs and enhance their learning or employment experience. The Fitness to Study appendix will enable Tutors/Study Programme Managers and Curriculum Area Managers to support students with their learning and their wellbeing as far as is reasonable. The framework also provides support for learners to meet Awarding Body requirements and current Education and Skills Funding Agency rules. Maternity is supported under a separate policy however post-natal may be considered as part of fitness to study. The information will be treated in such a way to ensure that the College's guidelines on confidentiality are maintained.

SCOPE

The College is a diverse community, and includes full and part time learners, on a single site, as well as apprentices and work-based learners. Learners of all types may be expected to engage in learning tasks remotely, including taught sessions or self-directed study outside of their timetabled hours. Yeovil College is committed to improving best practice, throughout the organisation, and ensuring that the health and wellbeing of learners is embedded into the delivery of programmes, enrichment activities and general services. This means that learners are encouraged to be physically, mentally, emotionally and sexually healthy, lead healthy lifestyles and choose not to misuse substances.

The College has a diverse workforce and is committed to ensuring that we maintain a healthy and safe environment and support the physical and mental health and wellbeing of staff during their employment, as well as the wider community who support the pastoral and learning experiences of our students.

RESPONSIBILITY AND AUTHORITY

Safeguarding Group
Equality, Diversity and Impact Group
Health and Safety Committee
Head of Student Experience
VP Quality of Education
Quality Manager
Ultimate responsibility rests with the Principal and Governing Body

RELATED POLICIES, PROCEDURES, DOCUMENTS, DEFINITIONS

This policy is supported by:

Safeguarding Policy and Safeguarding Procedure
 Drug, Alcohol & Substance Misuse Policy
 Equality, Diversity and Inclusion Policy
 Complaints Procedure (Handling Complaints)
 Recruit Policy and Recruitment Procedure
 Respect at College Policy
 Disciplinary Policy – Learner Conduct
 Student Maternity Policy

Policy Review				
Author/Owner	Position	Approved by SMT	Approval date	Review date
Michelle Joy	Head of Student Experience	Signed: 	08.03.22	01.03.23

Document Control – Revision History

Author/Owner	Summary of Changes	Date	Date last reviewed by SED	Recommend to SED Y/N
Michelle Dennett		23.05.17	-	Yes
Michelle Dennett	Changed Work Experience Manager to Director of Employee Engagement. Add SMT Signature	23.02.21		
Michelle Joy	Adapted and update with minor changes due to role changes and increased use of ILP	10.1.22		

Initial Equality Impact Screening	
Who has been consulted on this policy & procedure? Student Experience Team, Safeguarding and Equality Groups, Human Resources, Health and Safety Committee (for initial screening) Student Experience Team and HE Manager (Jan 2022)	
What evidence has been used for this impact screening (e.g. related policies, publications)? Health and Well being strategy, Office of the Independent Adjudicator – good practice framework	
Declaration (please tick one statement and indicate any negative impacts)	
<input checked="" type="checkbox"/>	We are satisfied that an initial screening has been carried out on this policy/procedure and a full Equality Impact Assessment is not required. There are no specific negative impacts on any of the Protected Characteristics groups.
<input type="checkbox"/>	We recommend that an Equality Impact Assessment is required by the Equality and Diversity group, as possible negative impacts have been identified for one or more of the Protected Characteristics groups as follows:
	<input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender Reassignment <input type="checkbox"/> Race <input type="checkbox"/> Religion or belief <input type="checkbox"/> Sex

- Sexual orientation
- Marriage & civil partnership
- Pregnancy & maternity

Completed by Author: Michelle Joy **Position:** Head of SE **Date:** 25/09/20

Reviewed by Equality & Diversity Group Date:

We confirm that any recommended amendments have been made

Amended by Author: Position: Date:

Summary of Comments/Recommendations from Equality & Diversity Group Review:

FITNESS TO STUDY PROCEDURE

The College has a duty of care to ensure that students are fit to study their chosen programme. This procedure can be followed when there are concerns that a student's mental or physical health is affecting their ability to participate fully and effectively in relation to their studies, and life generally with the College. This procedure may also be followed as an alternative to disciplinary action if there is a concern about the impact of a student's behaviour on their own safety or the safety of others, or their behaviour is diminishing the learning experience for other students.

Instances in which the Fitness to Study Procedure might also be implemented include:

- where there are a number of concerning reports regarding a student, from a third party e.g. another student, friends, Curriculum staff or external agencies
- a student has not engaged in studies for a significant period, or their pattern of engagement is irregular or erratic
- where a learner is receiving a level of pastoral/wellbeing support beyond that which could be reasonably provided
- there is concern about how a student might manage or engage whilst on placement or a field trip

This procedure promotes good working practices with students in difficulty or with impairment. It also provides guidance to ensure that problematic situations are managed sensitively and consistently. The guidance outlines the procedures necessary to respond swiftly to those occurrences when a student presents as unwell and their ability to study may be compromised.

Guidelines

These guidelines:

- i. Clarify a suitable response by curriculum and support staff in circumstances where it is not considered appropriate to apply disciplinary procedures. This may arise when a student's behaviour requires considered and sensitive management rather than disciplinary sanction. It may also be appropriate to refer a student through to this process if concerns have been raised through a disciplinary process, but it is felt that a fitness to study process is the more appropriate way to proceed.
- ii. Recommend a co-ordinated approach to the management of a situation where mental or physical health:
 - may not permit a student to benefit from the educational opportunities afforded to them at a particular time or
 - may not permit a student to engage with their learning in the format that it is currently being offered or
 - is adversely affecting the experience of others, including other learners, staff, tutors, placement supervisors, or other people the student is working alongside as part of their learning experience or
 - requires support at a level that has extended beyond that which can reasonably be expected of the College or
 - impacts on their working environment as part of their apprenticeship or work based learning programme.
- iii. Consider the appropriateness of referring a student onto other agencies.

Levels of Concern

- This procedure has three levels of concern.
- The cause 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 levels 1 or 2.
- Concerns about a student's health or behaviour should be acted upon promptly. Early action/intervention can often prevent a situation from developing into a crisis. Referral to the Student Support Team and access to emotional support, counselling or external agencies is part of early intervention.

Level 1

Concerns emerge about a student's health and safety and ability to engage fully with their programme of study and the learning opportunities on offer, including apprenticeship/work-based learning programmes based upon deterioration in health, appearance, attitude or behaviour.

1. Prior to approaching a student, staff should be confident that the issue arising under this procedure is not one for which there is already an agreed reasonable adjustment in place. For learners with an identified disability, learning need or EHCP, the information outlined below must be given in an accessible format. If unsure, tutors should consult with the SENCo before proceeding for an adapted format to meet the individual need.
2. A member of staff who knows and works with the student, should approach the student in a supportive way and indicate that there is a concern about the student's fitness to study. The nature of the concern should be clearly identified. The tutor should also make perfectly clear that this is a supportive, not a disciplinary, process with the intention of allowing the learner to engage fully with their studies. **The tutor should ensure that the student is given a copy of this policy so that they are aware of potential future steps.**
3. Tutors should direct learners to the appropriate resources to support them with any concerns that may arise (including the Wellbeing section on Moodle). With the student's consent, their concerns can be referred through to the Student Support Team who will make contact with relevant external agencies working with the learner or complete external referrals. For YCUC students, the learner should be signposted to contact the HE Manager if they have any concerns.
4. The student and member of staff should agree on actions to be taken, and the student should be sent an email or letter within 5 working days summarising the meeting and the actions that have been agreed. **This should also be recorded on the learner's ILP.** If a student is under 18, the appropriate parent / guardian should also be informed. (For Care Leavers, up to 21, and for learners with an EHCP up to 25). The student and staff member should also set a time for a further meeting to review the situation. The email or letter to the student should clearly indicate the time and place of this review meeting. The student should also be informed that the same or additional causes of concern could result in their fitness to study being more widely considered by moving to Level 2.

Level 2

Continued concern, despite agreed reasonable adjustments being in place and the creation of an Action Plan at Level 1, about a student's health and safety and ability to study including apprenticeship/work-based learning programmes related to a significant deterioration in appearance, attitude, health and/or behaviour or significant initial concern about a student. You can also refer a student in at Level 2 directly as appropriate.

1. The student will be invited to attend a meeting with two appropriate members of staff, including the member of staff expressing concern. The student should be informed of the purpose of the meeting in writing at least 5 working days before the meeting date. The student may be accompanied by a friend or family member or another appropriate mentor. Students with additional need may also be accompanied by a support worker as appropriate to their needs.

2. The purpose of the meeting will be to 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.
3. During the meeting, appropriate and proportionate evidence will be considered. This may include accounts from staff, students and other members of the College community. Where appropriate, evidence from external agencies or professionals with sufficient knowledge and understanding of the funding and rigour of study required of further / higher education students will be considered, including GPs, CAMHS / AMHS, Social Workers and SEND teams. It may be necessary for some evidence to remain anonymous in the interests of protecting staff and students, however, evidence will only be anonymised if there is a clear justification for this. Any evidence will be managed confidentially.
4. It will be important to identify and agree an action plan following the meeting. The consequences of not adhering to the action plan should be clearly outlined to the student. A short summary of the meeting, the agreed action plan and the consequences of non-compliance should be sent to the student within 3 working days of the meeting. **This should also be recorded on the learner's ILP.** Regular review meetings should be set up with the student with Lead Tutor.

Level 3

The most serious level of concern can be reached either through progression from Levels 1 and 2 or directly if there are significant concerns about the health and safety of the student or to others for all learners including apprenticeship/work-based learning programmes

1. A case conference will be called by the Curriculum Area Manager to discuss an appropriate course of action. Members from the appropriate college teams who will contribute to the support, will be invited to attend. Notes should be taken at the meeting and the outcome recorded on the learner ILP. Assistant Principal to be informed of the meeting outcome.
2. The student will also be invited to attend, during the proceedings, and may have a friend or family member or mentor to accompany them for support. Students with additional need may also choose their support worker.
3. During the meeting, appropriate and proportionate evidence will be considered. This may include accounts from staff, students and other members of the College community. Where appropriate, evidence from external agencies or professionals with sufficient knowledge and understanding of the funding and rigour of study required of further / higher education students will be considered, including GPs, CAMHS / AMHS, Social Workers and SEND teams. It may be necessary for some evidence to remain anonymous in the interests of protecting staff and students, however, evidence will only be anonymised if there is a clear justification for this. Any evidence will be managed confidentially.
4. The case conference may consider various options including part time study, distance learning, moving to a different study programme, additional support, a period of interruption or a recommendation for withdrawal of the student. All options will be considered in terms of what is permitted by awarding organisations and accountable bodies, and what is reasonable and feasible in terms of factors such as timetabling and the availability of support. A reduced timetable would only be offered where feasible and permitted by accountable bodies and awarding organisations. It is important to be clear for how long a reduced timetable would be offered, and if there is an expectation that a student will return to a full timetable, and if so, by when. It is important to be clear that it is not always possible to alter the mode of delivery for a programme (i.e. on-site / theory / practical / remote / self-directed study etc.).
5. The actions arising out of the case conference will be agreed, documented and circulated to all in attendance and to the student, including any supporting external agencies. The actions, and the reasons why they have been agreed, should be written in straightforward language so the student is clear as to the outcome reached. All actions should have specific time frames where appropriate and adherence to such timeframes will be a condition of any re-entry to programmes of study. **This should also be recorded on the learner's ILP.**

6. If the case conference considers that withdrawal or exclusion is the best course of action this must be approved by the Assistant Principal. A letter should be sent to the student informing them of the decision.
7. If a student is not satisfied with the response and wishes to appeal the outcome, then they should do so within 10 working days of receiving the outcome. A student should appeal by making a formal written complaint in line with the College's Complaints Procedure and should be clear in their correspondence that they are making this complaint to appeal the outcome of a Fitness to Study process. If a University Centre student reaches the end of the Complaints Procedure, they should be issued with a Completion of Procedures letter in line with Office for the Independent Adjudicator guidance.

Returning to Study

Students should be informed of the procedures 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. In all cases return to study will be dependent upon evidence of fitness to study and of appropriate support systems. In some cases, medical evidence of the benefits of returning to study will be required. Evidence submitted must be from a recognised health worker such as a mental health professional, doctor or psychiatrist who has sufficient knowledge of the student and the demands of further or higher education in order to make an informed decision regarding return to study. In particular, specific reference should be made to the student's capacity to return to study.

The decision to allow return to study will be made by the Curriculum Area Manager, in consultation with appropriate departmental Heads. The Curriculum Area Manager must be assured of fitness to study, compliance with any conditions imposed, regulatory requirements, and the availability of support upon return. Where appropriate it may be necessary to undertake a risk assessment.

A student may be offered an alternative course option more suited to their current needs as part of this process.

A student's continued fitness to study should be monitored throughout the continuation of their studies. **This should also be recorded on the learner's ILP.** Regular review meetings should be arranged with the student's Curriculum Area so that student progress can be monitored, and student support modified if necessary.

When return to study is not deemed to be an option and the student wishes to challenge this, the existing complaints and appeals policies and processes should be followed.

Student Engagement with the Process

It is the expectation of the College that students will engage fully with Fitness to Study processes and support made available both by the College and external partners. A student's failure to engage with the Fitness to Study process, once reasonable adjustments have been made, may result in the College having to take disciplinary action against the student.

A student who discloses a health and wellbeing concern, but does not want support, must be made aware of the consequences of this which could include implications for reasonable adjustments including additional exam arrangements, reduced programme of study, continued ill-health, and wellbeing. If the offer of support is declined, this should be recorded on the student's ILP. The member of staff should not make a referral for support without the student consent. However, there is an expectation that they will work together as a team in the Curriculum Area and information the tutor/ lecturer/lead tutor and CAM as appropriate to ensure the health and wellbeing of the student and their fitness to study.

COVID-19

We recognise that this may be a time of increased worry or apprehension for some students. However, it is essential that learners still engage fully in their programme of study in the mode that is offered. Students are expected to engage fully in adapted delivery models due to self-isolation on the part of learner, staff, or any changes in government guidance.

*Yeovil College would like to thank the University of the West of England for providing their University Fitness to Study Policy Version 1.2
24/03/10”