



**AREA:** | Student Services

---

**TOPIC:** | Fitness & Safety to Study Policy – Ready, Respectful, Safe.

---

## 1 Introduction

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

The college operates under the principles of being Ready, Respectful, Safe.

## 2 Principles and Aims

The procedure aims to ensure that:

1. The best interests of the student are considered in relation to their personal situation, their health, wellbeing and/or any disability they may experience.
2. Students are supported to study to the best of their ability, and wherever possible to meet the required learning outcomes and complete their course.
3. Students who are experiencing difficulties in relation to their health, wellbeing and/or disability are supported to address their difficulties at the earliest appropriate point.
4. Students are supported in line with the Colleges Ready, Respect, Safe approach and timely action is taken when unsafe behaviours are evident to ensure the safety of all of the college community.
5. Students are able to make informed decisions regarding options available.

Any reasonable adjustments that the student may be entitled to are considered and where appropriate put in place.

These procedures clarify a suitable response by teaching 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.

These procedures also recommend a co-ordinated approach to the management of a situation where mental or physical functioning:

- a) may not permit a student to benefit from the educational opportunities afforded to him or her at a particular time.

or

- b) is adversely affecting the student experience or safety of themselves and others.

or

- c) requires support at a level that has extended well beyond that which can reasonably be expected of the College.

This procedure has three levels of concern. The cause or causes for the concern can result in entering the procedure at any level although it is hoped that most situations can be remedied by being proactive and identifying early supportive interventions at stages 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.

### **3 Stage one**

Concerns emerge about a student's health, safety and ability to study based on deterioration in health, appearance or behaviour. This may potentially have a negative impact on the health, safety, learning and wellbeing of others member of the college community.

- 3.1 A member of staff who knows the student, usually the personal tutor should approach the student in a supportive way and indicate that there is a recognised concern about the student's wellbeing. The wellbeing and pastoral team should be informed and can offer advice and support at this stage. The staff member should ensure the nature of the concern is clearly identified and, if appropriate, information should be provided about support available through the College (e.g. HUB services, Health Assured) and the student reminded about external support such as the student's GP, Kooth, BEEU, NSPCC, Samaritans etc (please note, counselling or support cannot be made mandatory for a student).
- 3.2 The student and member of staff should agree on actions to be taken and the actions recorded on a College Pastoral Support Assessment (CPSA see appendix 1) and uploaded to the concern log on My Concern. A review date should be agreed and included in the CPSA.
- 3.3 The staff member should explain to the student that if the same or additional concerns arise in relation to their safety, wellbeing or fitness/safety to study this may lead to their fitness to study being escalated to stage two or three.

### **4 Stage two**

Continued concern about a student's safety, wellbeing and ability to study, related to a deterioration in appearance, health or behaviours, or a significant initial concern about a student will trigger stage 2 support. This may have a negative impact on the health, safety, learning and wellbeing of others member of the college community.

For students under the age of 18 years of age, a parent, guardian or identified contact will be informed unless this increases the potential risk for the young person. If this is the case, this should be discussed immediately with a DSL/DDSL.

- 4.1 The student will be invited to attend a meeting with the manager for the curriculum area and the member of staff expressing concern. The Head of Student Services or Safeguarding Manager will offer advice and support as requested by the Curriculum Team Leader/Head. 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 in writing at least 48 hours before the date of the meeting. The student may be accompanied by a friend or family member or by

Student Services. Students with disabilities, who are looked after or have a social worker may also be accompanied by a support worker as appropriate to their needs.

- 4.2 The purpose of the meeting will be to outline concerns and ascertain the student's perception of the issues identified. The staff will also ensure that the student clearly understands College expectations in line with Ready, Respect, Safe and what support is available regarding fitness to study. It will be important to identify and agree a CPSA at the meeting. The consequences of not adhering to the CPSA should be clearly explained to the student.
- 4.3 A short summary of the meeting, the agreed CPSA and the consequences of non-compliance should be sent to the student within 5 working days of the meeting. The meeting must be documented by the manager for the curriculum area and logged as a concern on My Concern. Regular review meetings usually monthly should be set up with the student and the agreed named staff member who will also be the central point of contact regarding the student.

## 5 Stage three

The most serious level of concern can be reached either through progression from stages 1 and 2 or directly if there are significant concerns about the risk to the wellbeing of the student, safety of self, potential risk of harm to students, staff or others. At this stage, parents, guardians or identified contact would be informed if the student is less than 18 years of age, unless this increases the potential risk for the young person if so, this should be discussed immediately with the DSL.

5.1 A stage 3 meeting will be called by the Vice Principal for the curriculum area, to ascertain the facts as known and to discuss an appropriate course of action. The Chair will be the Vice Principal, the Curriculum Team Leader/Head and a note taker will also attend. The personal tutor may attend if required. Other staff may be called to provide information, written statements or notes from previous stages in advance of the meeting. The Safeguarding Manager or a Senior Wellbeing and Pastoral Mentor will support as requested by the Vice Principal.

5.2 During the meeting relevant staff and external professionals will be invited to outline their concerns, perceptions and explain any mitigating points. Previous support actions will be reviewed.

5.3 The student will be invited to attend at some point during the meeting. They are entitled to have a friend or family member to accompany them for support. Students with disabilities, who are looked after or have a social worker may also have their support worker attend.

5.4 The stage 3 panel will consider all information available to them at the time to make a reasonable decision. Various options including a break from study, part-time study, studying from home as blended learning if practicable, or a recommendation for withdrawal or exclusion of the student. **Withdrawal or exclusion are a last resort and only applied if the risk of harm to the student, peers, staff or others cannot be fully mitigated.**

5.5 Actions will be agreed, documented and if continuing to study a CPSA produced/updated, these will be circulated to all in attendance including the student, recorded on EBS and logged as a concern on My Concern. All actions should have specific time frames and adherence to actions will be conditional re: continuation of study.

5.6 If the Vice Principal considers that withdrawal or exclusion is the best course of action this must be recommended to the Deputy Principal for their approval. The student will be informed in writing of the outcome and if possible, actions required will be explained that would enable consideration for further study at a later date.

5.7 In the event that the student is unable to attend the stage 3 meeting for whatever reason, the meeting may go ahead in their absence. If appropriate the student can be involved by phone or TEAMS.

In exceptional circumstances and with the agreement of the Vice Principal, a stage 3 meeting may go ahead without the student being on campus, if they present a significant risk to themselves or others. In these circumstances all reasonable efforts must be made to ensure their opinion is fairly represented.

## **6 Returning to study**

6.1 Students should be informed of the procedures to be followed for returning to study as soon as possible following the fitness to study meetings.

6.2 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 an agreed CPSA with a clear pathway for escalation and review.

Evidence can be submitted from various professionals, such as mental health workers, doctors, youth offending team members, or psychiatrists, provided they have sufficient knowledge of both the student and the educational program's demands to offer informed advice regarding the student's return to study. This is not mandatory and the fitness to study meeting panel will make a reasoned judgment based on the information they have available at the time.

6.3 The decision to allow return to study at stage 3 will be made by the Vice Principal in consultation with the Curriculum Manager and Head of Student Services & DSL or Safeguarding Manager. The Vice Principal must be reasonably assured of fitness and safety to study as well as the student's intent to be compliant with all conditions imposed, and the availability of support upon their return.

6.4 Regular review meetings should be arranged with the student's personal tutor so that student progress can be monitored, and student support modified if necessary. The Head of Student Services & DSL or Safeguarding Manager should be kept informed of progress via updates on My Concern.

## **7 Appeals**

If the student is not satisfied with the outcome of the fitness to study process, including when safeguarding procedures have been made a condition of study, they may appeal to the Principal in writing within 10 working days.

## **8 Confidentiality and consent**

### **8.1 Data protection**

All College staff are governed by the requirements of the Data Protection Act. All data relating to a person's physical or mental health is regarded as sensitive, personal data. All personal data of a

sensitive nature given to a member of staff by a student should be treated as confidential and should only be disclosed with the student's consent on a need-to-know basis, unless there is a risk of significant harm. Sensitive data, for the purpose of this policy, is deemed to be information given in confidence concerning, a student's ill-health, risk behaviours or disability, including mental health issues.

## 8.2 Confidentiality

In all cases where, in the member of staff's judgement, it would be in the student's best interests to disclose sensitive information (e.g. 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. 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.

If the student chooses not to provide their consent this decision should be respected. However, there exist 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:

- When the student's mental health has deteriorated to the extent of threatening his/her/their personal safety
- When the student is at risk of serious abuse or exploitation
- When the student's behaviour is adversely affecting the rights and safety of others
- Where the member of staff would be liable to civil or criminal procedure if the information were not disclosed (e.g. if a crime had been committed).

Staff should consult with the Vice Principal and Head of Student Services & DSL if they believe there is a need to break the commitment to confidentiality. Initial discussion should not identify the student until the grounds for breaking confidentiality have been established and agreed upon.

The policy and procedures will be subject to review. The review will be undertaken by the Head of Student Services.

## 9. Supporting Policies

Safeguarding and Child Protection Policy

Criminal Convictions Policy

Mental Health Strategy

Admissions Policy

Online Safety Policy

SEND and Learning Support Policy

# FITNESS & SAFETY TO STUDY (FSTS)

