



Fitness & Safety to Study Policy (FSTS) 25-26

1. Introduction

HLNSC is committed to supporting student wellbeing and recognises that a positive approach to the management of physical health, mental health and behavioural issues is essential to learning and academic achievement. The College has a duty of care to all within its community.

We have a responsibility to act supporting those in distress or causing significant concern, who may present a risk to themselves or others. This will include situations where students show visible signs of illness, mental ill health, emotional or behavioural concerns that may have a negative impact on the safety, learning and wellbeing of the student and/or others.

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

The FSTS process will be used when the Behaviour Policy is not entirely suitable, and a pastoral approach would be beneficial. This may include situations where attendance is poor, or when behaviour concerns are **directly linked** to mental ill health, a disability, a learning difficulty, or experiences of trauma.

If the behaviour displayed has caused harm to another person, the students place is at risk and the Behaviour Policy will take precedence.

2. Principles and Aims

The process aims to ensure that:

- The student's best interests are prioritised, considering their individual circumstances, wellbeing, and any disabilities.
- Students receive appropriate support to achieve their potential, meet required learning outcomes, and complete their course wherever possible.
- Support is provided at the earliest opportunity, in alignment with the College's Ready, Respect, Safe approach.
- Prompt action is taken in response to unsafe behaviours to protect the safety and wellbeing of the entire College community.
- Students are guided to make informed choices about the options available to them.

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

FSTS needs a co-ordinated approach to the manage situations where mental or physical functioning:

- Prevents the student from fully engaging with or benefiting from the educational opportunities available at that time.
- Negatively impacts the student's own experience or poses a risk to their safety or that of others.
- Demands a level of support that goes significantly beyond what the College can reasonably provide.

This procedure has three levels of concern. The cause for the concern can result in entering the procedure at any level although it is hoped that most situations can be remedied by being



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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.

1 Stage one - Personal Teacher/ Assessor

Concerns emerge about a student's health, and ability to study based on deterioration in health, attendance, appearance or behaviour.

- 1.1 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 clear 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).

- 1.2 The student and member of staff should agree on actions need to improve, and the actions recorded on a College Pastoral Support Assessment (CPSA see appendix 1).

The CPSA must be uploaded with a concern log on My Concern. A review date should be agreed and included in the CPSA.

- 1.3 The staff member should explain to the student that if their behaviour escalates or additional concerns are seen in relation to their wellbeing then their fitness to study support will be escalated to stage two or three.

2 Stage two – Curriculum Manager/ Head of Campus

Escalation of concern from stage 1 or concern about a student's own safety, related to a deterioration in appearance, health or behaviours.

Behaviours of the student has a potential to impact on the health, 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.

- 2.1 The student will be invited to attend a meeting with the manager for the curriculum area and the member of staff expressing concern. The Safeguarding Manager will offer advice and support as requested by the Curriculum Manager/Head. The student should be made aware of the purpose of the meeting and advised of any information they may need to bring. The student should be informed of the meeting in writing at least 24 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/virtual school as appropriate to their needs.

- 2.2 The purpose of the meeting will be to outline concerns and confirm 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 FSTS. It will be important to identify and agree the CPSA at the meeting. The consequences of not adhering to the CPSA should be clearly explained to the student.



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- 2.3 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 – Vice Principal

The most serious level of concern is reached > stages 1, 2, or directly if there are **significant** concerns about the risk to the student, safety of self, **potential** risk of harm to students, staff or others.

Students may be asked to work from home whilst the FSTS stage 3 meeting is being arranged, this must be approved by the Vice Principal.

If harm has occurred to others, then the behaviour policy for disciplinary must be followed.

At stage 3, for 16–18-year-olds the parents, guardians or the identified contact must be informed, unless this increases the potential risk for the young person if so, this should be discussed immediately with the DSL.

5.1 FSTS meeting will be chaired by 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, notes from previous stages will be provided in advance of the meeting. The Safeguarding Manager or a Senior Wellbeing and Pastoral Mentor will support in the meeting if requested by the Vice Principal. The student should be given in writing at least 24 hrs notice of the meeting.

5.2 During the meeting relevant staff including external agencies 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 explain their perspective of the concerns raised and explain any mitigating circumstances. 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 and the virtual school attend.

5.4 The chair will consider all information available to them in the meeting to make a reasonable decision. The focus will be on the safety of the student, the college community and the students' academic success.

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 potential risk of harm to the student, peers, staff or others cannot be mitigated.

5.5 Actions will be agreed and documented, if continuing to study a CPSA produced/updated. This will be circulated to the curriculum team and the student, recorded on EBS and logged as a concern on My Concern. All actions will be conditional for the 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 them to reapply for further study at a later date.



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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 – all levels

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

6.2 Each student's case will vary depending upon their specific circumstances. In all cases return to study will be dependent upon an agreed CPSA with a clear pathway for escalation and review.

6.3 Evidence can be submitted from various professionals, (this is not a requirement) such as mental health workers, specialist nurses, youth offending team, provided they have sufficient knowledge of the student. However, the conditions of returning to study at all levels remain with the chair of the FSTS meeting as they have the full understating of the course demands.

6.4 The decision to allow return to study at stage 3 will be made by the Vice Principal in consultation with the Curriculum Manager, 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.

6.5 Regular review meetings should be arranged with the student's personal teacher 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 wishes to contest the CPSA conditions from the FSTS process, including when safeguarding procedures have been made a condition of study, they may appeal to the curriculum Vice Principal, if at stage 3 FSTS the Deputy Principal in writing within 10 working days of the FSTS meeting.

If the student wishes to appeal exclusion following FSTS they may appeal in writing via the college complaints process within 10 days of receiving the exclusion information, [email: quality@hlnc.ac.uk](mailto:quality@hlnc.ac.uk). The letter must state the reason for the appeal and provide any supporting evidence they wish to be considered.

**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

Where a member of staff considers it to be in the student's best interests to disclose sensitive information (for example, to enable appropriate support), the student's informed consent should be sought wherever possible. The student should be made aware of the reasons for disclosure, who will have access to the information, and the potential implications of giving or withholding consent. Once consent is granted, the staff member sharing the information is responsible for ensuring it is passed on in line with 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. Support from the college Data Controller will be sought when needed.

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

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)

Students physical and/or mental health is affecting, or likely to affect, their behaviour.

Consider:

- Attendance
- Achievement
- Progression

Students behaviour due to their physical or mental health issues is a safety concern:

Consider:

- Safety to self
- Safety of peers
- Safety of staff or visitors
- Safety of animals

FSTS - Stage 1

Early Intervention:

- Personal Tutor to lead a support meeting
- Support meeting to be logged on EBS form
- CPSA created
- Review agreed actions from support meeting
- Request HUB support if required
- Log on MyConcern for HUB intervention

Review monthly and maintain support. Deterioration or non compliance escalate to stage 2 FSTS

FSTS - Stage 2

Escalation from stage 1:

- Curriculum Lead to lead escalation meeting
- Support meeting to be logged on ebs
- Parents/Guardian to be in attendance if <18
- CPSA & HUB support in place
- Log on MyConcern
- Advice sought from Safeguarding Manager

Review monthly and maintain support. Deterioration or non compliance escalate to stage 3 FSTS

FSTS - Stage 3

Escalation from stage 2:

- Vice Principal to lead escalation meeting
- Panel meeting to be held between college and relevant professionals
- Log on ebs and MyConcern
- CPSA or recommend exclusion or withdrawal to Deputy Principal
- Advice sought from HSS & DSL or Safeguarding Manager

Depending on the perceived or actual level of risk, move directly to stage 3.