



Version Control Statement

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Fitness to Study Procedure

Futureworks recognises the importance of the health and wellbeing of all of our students in relation to their academic progress and student experience. Students are expected to take a proactive part in the process, by managing their own health and wellbeing, and engaging with the support and advice offered to them. However, it is also recognised that students may encounter difficulties within their personal lives whilst they are studying, and that some difficulties may affect their ability to continue their studies.

Introduction

The Fitness to Study Procedure should be applied where a member of staff has severe or persistent concerns about the health or wellbeing of a student. Concerns should be acted upon promptly, as early intervention and support can result in a more positive outcome for the student, and may help to prevent a situation from escalating. It also enables the student to be supported at the earliest opportunity.

Futureworks will always consider the best interests of the student and, as such, the Fitness to Study Procedure will help staff to support a student who may be experiencing difficulties as a result of their health and wellbeing. The Procedure should be considered as an alternative to other means of managing concern about academic conduct or progress (for example, disciplinary procedures), where there is sufficient concern that a student’s behaviour, attendance or academic progress could be the result of mental or physical ill health, or disability, or have an impact on the health and safety of other people.

The student’s wellbeing is at the forefront of the Procedure, which aims to be fair and open, with the intention of supporting and encouraging the student to achieve their full potential, thus limiting any negative impact the experience may have on their health and wellbeing.

Therefore, it is essential that the student is kept fully informed about any concerns which have been noted by staff, so the student is able to make informed decisions regarding the options available to them. The student should be made aware of when the Fitness to Study Procedure is being invoked along with the outcomes of any meetings.

The Fitness to Study Procedure is set out in this document to provide clear guidance which can be used by staff who may have concerns about the health and wellbeing of a student in relation to their academic progress and student experience.

When the fitness to study procedure should be invoked

The fitness to study procedure may be applied to any student enrolled at Futureworks and should be used to support staff where severe or persistent concerns have been noted. Examples of possible concerns are listed further below. The Procedure will usually be applied in relation to concerns which



arise on Futureworks' premises, or whilst the student is engaged in a Futureworks activity off premises. Incidents which occur outside Futureworks, which raise concern about fitness to study, where it is considered necessary to protect the safety, interests and reputation of Futureworks, may also be considered. The Procedure will be applied when there are concerns about a student's health or wellbeing. However, Futureworks may also invoke the disciplinary procedure where a student's behaviour poses a risk of harm to themselves, or others, or where a student does not engage positively with supportive interventions. Where academic extenuation circumstances are on-going and have resulted in further applications, Futureworks may invoke the Fitness to Study Procedure. Where academic extenuating circumstances are on-going and have resulted in further applications, Futureworks may invoke the Fitness to Study Procedure. Concerns may manifest themselves in a variety of different forms including, inter alia,:

- Deterioration in the student's long-term health, appearance, attendance, engagement with the programme or support services;
- Inability to meet deadlines or the learning outcomes of the programme, where reasonable adjustments have already been put in place;
- Ability for a student to continue their studies;
- Noticeable change in the student's behaviour;
- Disruption of the studies of other students;
- Unsustainable demands being made of staff;
- Inability to work with agreed reasonable adjustments;
- Detention under the Mental Health Act.

The above is not an exhaustive list and staff are encouraged to note any problems about which they are concerned. If staff are unsure whether a concern should be noted, they should first ask for advice from Student Services or the student's Personal Tutor. Initial concerns should be raised by either informing the student's Personal Tutor or completing a staff referral form. Concerns should then be discussed during a Personal Tutor meeting with the student. (See Personal Tutor guidelines for further information).

Who is able to initiate the Fitness to Study Procedure

It is only the Head of Student Affairs who is able to initiate the Fitness to Study Procedure. If any staff member has a severe or persistent concern about a student, they should contact the Head of Student Affairs to discuss their concerns. It will then be decided whether the concern is serious enough to invoke the Procedure or can be dealt with by the Personal Tutor or a Student Services support meeting. It is hoped and expected that students will be receptive to the support offered to them and that issues can be resolved without the Fitness to Study Procedure needing to be invoked.

The structure of the Fitness to Study Procedure

The Fitness to Study Procedure will be invoked when severe or persistent concerns have been raised about a student's actions or behaviour which are putting the health, safety, wellbeing or academic progress of themselves or other members of the Futureworks community at significant risk. If necessary, reasonable adjustments may be made to the Procedure, due to a student's health condition or disability or for another appropriate reason. If a student is too unwell to attend the meeting, reasonable adjustments may be made, e.g. a submission of written representation or a representative to attend on behalf of the student. The student must be made fully aware of how the procedure works and the possible outcomes of each stage. The Head of Student Affairs will arrange a Case Conference to establish the facts and to discuss an appropriate course of action. The Case Conference should consider all reasonable options to enable the student to continue with their studies. The Case Conference panel should be comprised of:

- Head of School,
- Head of Student Affairs,



- Programme Leader,
- Note-taker to record the proceedings, and
- Other staff or external bodies, such as medical professionals, as invited where appropriate.

The student will be invited, in writing, to the Case Conference and must be given notice of at least five working days of the date and time of the meeting. The student may be accompanied by someone of their choice and may bring with them any documents they would like to be considered.

The meeting

The meeting should be chaired by the Head of School and conducted in a formal way, but still with an emphasis on supporting the student, and should follow the structure below:

- Explanation that the student has now entered the Fitness to Study Procedure;
- Confirmation of the concerns which have led to the Procedure being invoked;
- Explanation of what outcomes are possible (listed below);
- Discussion about how the student perceives the problem and impact on their studies;
- Decision as to which outcome is most appropriate; and
- Explanation of the appeals procedure (listed below).

At the conclusion of the meeting

The content of the meeting should be recorded, saved on the student record system and followed up with a letter to the student enclosing any relevant documents. Relevant documents should also be recorded on the student record system and kept in the student's record. The outcome of the Case Conference will be provided to the student in writing within five working days, along with: a list and explanation of the evidence required in order for the student to be permitted to return to study (listed below) and any stipulated conditions. Possible outcomes include:

- Agreement to an enhanced action plan.
- Agreement to a voluntary interruption of studies.
- Interim suspension at the request of Futureworks.
- Any other action considered to be appropriate and proportionate.
- No further action required.
- Withdrawal of student from Futureworks.

Agreement to an enhanced action plan

The action plan will be drawn up within the meeting and must be agreed to and signed by the student and a copy given to the student. The enhanced action plan must have a review date. It must be made clear that if the student does not adhere to the action plan within the review date, this may result in further action.

Following the meeting, a signed copy will be e-mailed to the student.

Agreement to a voluntary interruption of the student's studies

If a student decides to voluntarily interrupt their studies, Futureworks will be entitled to request satisfactory evidence that the original concerns have been overcome or are under control before the student will be re-admitted. Students may only be re-admitted at a suitable point in the academic year. The Programme Leader will be consulted about what the suitable point may be and the student will be informed.

Interim suspension at the request of Futureworks

The terms of an interim suspension will be specified during the meeting and a copy of the terms will be e-mailed to the student after the meeting. A student may still be entitled to access Student Services or use facilities, depending on the terms agreed. Any conditions which must be satisfied in order for the student to return must be clearly set out alongside a suitable timeframe. It must be noted that interim



suspension is not a disciplinary action. It is intended to allow a period for full assessment of the circumstances. In the case of an interim suspension the following staff must be informed (if not part of the Case Conference panel):

- Head of School,
- Head of Student Affairs,
- Data & Compliance Manager
- Programme Leader, and
- Facilities Manager.

What will happen after the Case Conference

The way in which the Procedure will progress is dependent on what outcome has been agreed during the meeting. Any conditions which must be satisfied in order for the student to return must be clearly set out alongside a suitable timeframe. The subsequent procedure for each outcome is listed below:

Agreement to an enhanced action plan

The enhanced action plan will be reviewed by the Case Conference panel on the agreed review date. The student will be invited, in writing, to the review and must be given notice of at least five working days of the date and time. The student may be accompanied by someone of their choice. Previous reasonable adjustments will be put into place.

The follow up meeting

The meeting should be conducted in an informal way, with an emphasis on supporting the student, and should follow the structure below:

- Review of the action plan.
- Discussion of the progression which has been made by the student.
- Whether or not the Personal Tutor is happy with the student's progress.
- Whether or not the Procedure will be escalated or completed at this stage.

After the meeting

The content of the meeting should be recorded, saved on the student record system and followed up with an e-mail to the student setting out any agreed actions. It is hoped that the action plan will have been completed. If the Case Conference panel are satisfied with the outcome of this meeting, the Procedure should be completed at this point. However, if the student is unwilling or unable to respond positively, or fails to adhere to the action plan, or if the meeting gives rise to further concerns about the student's fitness to study, the Case Conference panel should decide on an alternative outcome and follow the relevant procedure. The student will be informed of the outcome in writing.

Agreement to a voluntary interruption of the student's studies

It is the responsibility of the student to provide satisfactory evidence to confirm that the original concerns have been overcome or are under control and the student is required to co-operate fully with Futureworks before being permitted to return to study. The required evidence will be specified during the Case Conference and must include a report from an appropriately qualified professional. This professional must have sufficient knowledge about the health and wellbeing of the student during the relevant period and its potential impact. The report must confirm that the student is fit to study and to be a member of the Futureworks community. It should also recommend any reasonable support measures to be considered. Once this report has been received, it will be considered by the Case Conference panel. They must decide whether a student is fit to study and should be permitted to resume the programme. If the report is not considered to be sufficient evidence, the student will continue to be voluntarily suspended and asked to provide further evidence. If the report is considered to be sufficient, the student will be re-admitted to Futureworks. Students may only be re-admitted at a suitable point in the academic year. The Programme Leader will be consulted about what the suitable



point may be. A copy of the decision and associated reasons will be given to the student in writing within ten working days of the decision being made.

Interim suspension at the request of Futureworks

An interim suspension will be reviewed by the Head of Student Affairs every four weeks. The review should include any developments or submission of relevant evidence. The review will not usually involve a hearing, unless deemed necessary. The review will be recorded on the student record system and saved to the student's record. It is the responsibility of the student to provide satisfactory evidence to confirm that the original concerns have been overcome or are under control and the student is required to co-operate fully with Futureworks before being permitted to return to study. Failure to co-operate may result in further action under the Procedure. The required evidence will be specified during the Case Conference and must include a report from an appropriately qualified professional. This professional must have sufficient knowledge about the health and wellbeing of the student during the relevant period and its potential impact. The report must confirm that the student is fit to study and to be a member of the Futureworks community. It should also recommend any reasonable support measures to be considered. Once this report has been received, it will be considered by the Case Conference panel. They must decide whether the student is fit to study and should be permitted to resume the programme. This would be subject to identifying relevant support measures and any conditions. Regular review meetings will be arranged with the student's Personal Tutor and/or Student Services to monitor their progress. If it is considered that the student is not fit to return, the student will continue to be suspended for a further specified period. The suspension will continue to be reviewed by the Head of Student Affairs until further evidence is received and the student is considered to be fit to study. A final review will occur at the end of the academic year and, if the student is still not considered to be fit to study, there will be a recommendation that the student should be withdrawn from Futureworks. A copy of the decision and associated reasons will be given to the student in writing within ten working days of the decision being made.

Any other action considered to be appropriate and proportionate

Any other actions considered by the Case Conference panel to be appropriate and proportionate, should be made clear to the student. A review date should be decided upon and followed up in accordance to the decision. A copy of the decision will be given to the student in writing within ten working days of the decision being made.

No further action required

Should no further action be required, the student will be informed in writing within ten working days of the decision being made. The Procedure will be completed at this stage.

Withdrawal of student from Futureworks

The decision to withdraw a student should only be made after consideration has been given to all other possible outcomes and it is deemed to be in the student's best interests, or in the best interests of the Futureworks community. Where possible, the student will be informed of this in person and the reasons given. Written confirmation of the withdrawal will also be given to the student. It should be noted that withdrawal of a student in this case is not a disciplinary action. Should the student wish to apply or re-join a programme at Futureworks in the future, the student must provide satisfactory evidence to confirm that the original concerns have been overcome or are under control. On acceptance of this evidence, an application will be considered without prejudice.

Appeals

The student may appeal against the outcome of the Case Conference by writing, within ten working days of receiving notification of any decision made, to the Vice-Principal. The appeal will be reviewed and a response will be given to the student within ten working days of receiving the appeal.



Repetition of the procedure

Should a student re-enter the Fitness to Study Procedure, having already completed a Case Conference, the panel should consider an alternative outcome, whilst taking into consideration the previous decision.

Confidentiality and disclosure

Futureworks may disclose sensitive information to external bodies where it's in the best interests to do so, for example, the student's designated emergency contact or a community mental health team. The student's informed consent should be obtained where possible. If consent is not given, the implications of non-disclosure should be made clear. There may be occasions where confidentiality may be broken without the student's consent for example, if:

- Their life is at risk;
- They are putting someone else's life at risk;
- Their mental health has deteriorated to a serious level e.g. they are unable to maintain daily living routines and relationships;
- They are at a risk of exploitation or abuse;
- Their behaviour is adversely affecting the rights of others; and/or
- Staff are being placed in a position in which their professional integrity is compromised.

Any disclosure without consent should be discussed with Head of Student Affairs prior to the disclosure of information.

Emergency situations

In the case of emergency, staff or students should call the relevant emergency services and inform either Facilities, Student Services or reception, who will in turn inform the relevant staff at Futureworks. In the case of urgency, the Vice-Principal shall be empowered to suspend a student with immediate effect. Emergency situations include, but are not limited to where:

- The student's life is at risk;
- The student is putting someone else's life at risk;
- The student's mental health has deteriorated to a serious level e.g. they are unable to maintain daily living routines and relationships;
- The student is at a risk of exploitation or abuse;
- The student's behaviour is adversely affecting the rights of others; and/or
- Staff are being placed in a position in which their professional integrity is compromised.

Monitoring of the procedure

All instances of Fitness to Study will be recorded and collated. The data will be submitted to the Audit & Risk Assurance Committee for the review purposes. The effectiveness of the Fitness to Study Procedure will also be reviewed at this point and any necessary changes will be made.