

FITNESS TO STUDY/RESIDE PROCEDURES

Contents

1. Fitness to study/reside	3
2. Scope	3
3. Applicants	3
4. Purpose.....	4
5. When to use the Policy.....	4
6. Responsibilities	5
7. Record Keeping.....	5
8. Student Support.....	5
9. Minor Concerns.....	5
10. Continuing or Serious Concerns	6
11. Cooling Off	6
12. Crisis Intervention.....	6
13. Suspension	7
14. Formal Procedure	7
15. Equality Impact Assessment.....	8
16. Data Retention Statement	8
17. Policy Review and Ownership	8
18. Amendments Log.....	8

1. Fitness to study/reside

Wiltshire College takes the health, safety and wellbeing of all students seriously and recognises that this is fundamental to their academic progress. The College is committed to supporting students so that they may both feel and function well, and thus seek to provide a teaching and learning environment that is safe and conducive to study. Furthermore, it is recognised that occasionally a student's circumstances, conduct or health may impact on their own or others' ability to fulfil that potential and/or present a risk of harm to themselves or others with the College managed accommodation, which may result in implementation of the Fitness to Study/Reside Policy.

Any information that is obtained or provided from external medical professionals and agencies will be used for the sole purpose of creating a risk assessment and support plan to enable the College to better understand how to best provide support and manage potential risk.

2. Scope

This policy applies to all students at the College and covers:-

Fitness to Study relates to an individual's capacity to engage satisfactorily as a student, including in relation to academic matters and college life. This covers issues relating to student wellbeing, physical, emotional and mental health, health and safety and the wellbeing and health and safety of other individuals. Concerns may range from minor to serious.

Fitness to Reside relates to an individual's behaviour, actions or their wellbeing deteriorates to the point where they may not be fit to reside within the college managed accommodation, including where they might be at risk of harm to themselves and/or others.

Prior to this process being involved, there must be evidence which supports an on-going supportive dialogue between the student, curriculum staff, tutor and support staff and where appropriate, a parent/guardian. Evidence of this support should be available on Pro-Monitor.

Students should be involved in the management of their own living arrangements wherever possible. However, there may be times where a student is unwilling or unable to work with these procedures. In these cases, the process should continue, with concerns being raised, advice being sought, and action being taken, as appropriate.

3. Applicants

The admissions process takes every reasonable step to ensure that applicants are supported and given appropriate information relating to the demands of a course and where applicable accommodation and the support available to students. The College must have regard to its duty of care in relation to safety, health and wellbeing and the safeguarding of its students and staff. Where a member of staff has concerns, that by making a course offer or an offer of accommodation, the demands are likely to have a detrimental effect on the applicant and/or others, a referral to the relevant Head of Department and Residential Accommodation Services Manager where applicable, should be made clearly outlining any cause(s) for concern.

Where the College believes that there is insufficient information available to make an informed decision around management risk based on disclosure, we will request written permission from the applicant to obtain further information and evidence from relevant professionals (GP, healthcare professionals and other external support agencies). If the applicant declines the College's request for permission to seek further information and/or fails to provide details of professionals or support services, the College reserves the right to not progress with their application.

This procedure may also be applied if there are concerns about a student's preadmission to the College, which may result in refusal of a place, and during any induction period if it is identified that the College cannot meet the needs of the student concerned.

Where concerns are highlighted these will be considered under a formal meeting or a panel hearing as detailed in this policy.

4. Purpose

- To provide a suitable and co-ordinated response by academic, residential and support staff in circumstances where it is not considered appropriate to apply other internal procedures such as the behaviour management policy.
- To encourage early intervention and active collaboration between all relevant parties in managing situations where there are concerns regarding an individual's fitness to study/reside.
- To provide a non-judgemental, consistent, and sensitive approach to the management of situations which may require different levels of response according to the perceived levels of concern.

5. When to use the Policy

This policy may be implemented by the individual, a member of staff or a third party when:

- There is concern raised that the student's health or wellbeing are affecting their attendance, capacity to study or where concerns have been raised about the behaviours or wellbeing of a resident in College accommodation, to the extent that they are not able to participate in their study programme to a level which will enable them to complete successfully.
- Concerns about the student's fitness to study are raised by a third party i.e.: an employer, member of College staff, a medical professional or a relative.
- The student has told a member of staff that they have concerns about their own fitness to study.
- Behaviour that would usually be dealt with as a disciplinary matter, may be known, or suspected to be the result of an underlying physical or mental health difficulty.
- A student's health difficulties are adversely affecting the health, safety or wellbeing of others.
- A student's health difficulties are adversely affecting the learning, progress or likelihood or success of other students.
- Concerns have been raised about a student's health, wellbeing, behaviour or actions of a residential student may be promoted by one or more of the following (this list is not exhaustive and other behaviours may raise concerns):-
 - Repeated reports of anti-social behaviour
 - Refusal to comply with statutory inspections, fire drills and other health and safety processes.
 - Lethargy or signs of lack of sleep, or unusual disorientation
 - Obvious signs of substance/alcohol misuse

- Changes in behaviour that make the students use of facilities a danger to themselves and/or to others.
- Information about specific episodes (e.g., self-harm, suicidal thoughts or attempts).
- Mood swings or unusual behaviour (e.g., aggressive, withdrawn, obsessive, overly effusive or elated, distressed, irritable, or excessive).
- Inappropriate behaviour (e.g., inappropriate touching, invading personal space, use of uncharacteristically bad language).
- There is a concern that the expectations of their study programme further impacts on their physical and/or mental health and wellbeing thus putting them at risk.

6. Responsibilities

Staff are responsible for

- Being aware of this policy and referring to it when concerns about a student's fitness to study/reside arise.
- Bringing this policy to a placement providers attention (where relevant).
- Where the student is under 18 or is a vulnerable adult liaise with their parent/carer about emerging concerns and invite them to any panel hearings, sending correspondence as relevant.
- Should being subject to these procedures delay the student's completion of their studies, the College will support them to catch up where necessary.

Placement providers are expected to

- Bring to the attention of any discuss any fitness to study concerns with the relevant member of staff, curriculum or the apprenticeship team.

7. Record Keeping

- Robust notes must be kept on Pro-Monitor relating to any level of concern. If the information is of a confidential nature the information should be sent to the relevant Campus Senior Tutor to store on the secure safeguarding database.

8. Student Support

- Where the student is under 18 or deemed to be a vulnerable adult they should be accompanied to any meetings/hearings by their parent or carer. For students who are over 18 and who are not considered to be a vulnerable adult they can request to be accompanied by a friend or a relative and are required to give notice prior to any meeting/hearing.

9. Minor Concerns

A member of staff with primary responsibility for the student e.g.: Tutor, Lecturer, Assessor, Residential Accommodation Services Manager should address minor concerns through an informal meeting without having to resort to formal action in the first instance. Appropriate support arrangements for the student should be considered. The cause for concern and the agreed actions should be recorded and kept on the safeguarding database with a note on Pro-Monitor to say that the student has been subject to a fitness to study/reside but without any sensitive details. A risk assessment may need to be completed – see **Appendix A**.

The student and member of staff should agree to meet within one month to review the situation and to discuss the effectiveness of the support the student may have been accessing. The key points of this discussion and any agreements should be recorded on Pro-Monitor.

Students should be informed that if the concerns continue, any additional causes for concern arise, or they refuse or are unable to engage in the process, this could result in their fitness to study/reside being further considered under the continuing or serious concerns section in this procedure.

10. Continuing or Serious Concerns

Should be notified to the relevant Head of Department/Accommodation and/or Designated Safeguarding Lead immediately. They will notify the appropriate Senior Management Team member who will decide what immediate action needs to be taken (for example suspension) and which procedures should be followed to address this issue. This may include a combination of: -

- A referral to fitness to study/reside formal meeting or panel hearing.
- Signposting to support services
- Safeguarding referral
- Suspension
- Notification to third parties
- Any other action deemed appropriate in the circumstances.

The Senior Team member will chair the meeting to discuss the issue. The meeting may be attended by other relevant staff.

The student should be informed of the purpose of the meeting/panel hearing and advised of any documentation they need to bring and given at least 48 hours' notice before the meeting.

11. Cooling Off

Where an incident requires immediate 'cooling off' the student may be asked to leave the premises or to move to a specific area in the college. Cooling off on premises should be used where practical and if the student has support needs, they should be referred to the LSDS team. Discretion should be used before sending a student home and normal protocols for contacting parent/carers for those under 18 or vulnerable adults should be followed.

A cooling off period can last up to 5 consecutive days. Return to College should be supported by appropriate confirmation of fitness to return, e.g., a fit to return to study note from a recognised professional ie: GP, CAMHS support worker, social services.

12. Crisis Intervention

It is possible that a student may pose such an extreme risk that emergency assistance is needed outside of these procedures. In a situation where it is believed that a student's behaviour presents an immediate risk to themselves or others the Emergency Services should be called by dialling 999 and Reception should be notified if an ambulance will be attending site.

13. Suspension

Where there is a serious concern over the student fitness to study/reside and it is believed that their continued presence on site/at placement would compromise the investigation into the matter, the safety or welfare of them or others, or the reputation of the College, the placement or the profession, the student may be suspended by an Assistant Principal or member of the Senior Team.

Suspension should only be used as a last resort. It is considered as a neutral and precautionary act to follow to allow time for an investigation to take place and/or preparation for a hearing. Suspension is not designed to be used as a form of sanction and a proper hearing must follow the suspension period as soon as possible.

During the period of suspension, work must be provided by the curriculum team.

14. Formal Procedure

The following stages are available within the fitness to study/reside procedures: -

Concern	Addressed At	Highest Possible Outcomes
Minor concern	Informal meeting with Tutor	<ul style="list-style-type: none"> • ABC Contract with action plan
Serious concern	Formal Meeting	<ul style="list-style-type: none"> • Formal monitoring or adjustments • Formal warning
	OR	
	Panel Hearing	

Informal Meeting

The meeting will be held by the Tutor and other relevant staff may also attend. The Tutor will present the issues that have given concern and the student will have an opportunity to respond. An ABC contract will be issued as a supportive measure and contain an action plan with SMART targets. Where the student is under 18 a copy of the ABC Contract will be issued to their parent/carer within 48 hours of the meeting taking place. The ABC Contract will be monitored and reviewed fortnightly with the student with updates being made available to their parent/carer. If further issues arise the Tutor will consult with the Senior Tutor to consider escalation to a Serious Concern.

Serious Concern

Formal Meeting

The meeting will be held by the Head of Department and other relevant staff may also attend. For students under 18 their parent/carer will also be required to attend the meeting. Meeting notes should be taken and kept. The HoD will present the issues that have given concern and the student will have an opportunity to respond. The student may be accompanied in line with section 8.

Following the meeting the HoD will communicate the outcome within five working days. If necessary, they should consult the Head of Foundation (including LSDS) and/or externally practising professional for expert advice and invite them to attend.

15. Equality Impact Assessment

Wiltshire College & University Centre strives to ensure equality of opportunity for all students, local people and the workforce. As an employer and a provider of education, the College aims to ensure that none are placed at a disadvantage as a result of its policies and procedures. It is intended that this policy and procedure is fair to all. Where any part could potentially lead to unequal outcomes, the policy then justifies why this is a proportionate means of achieving a legitimate aim.

16. Data Retention Statement

Wiltshire College & University Centre is committed to ensure the data it collects, and holds is in line with the ICO's guidance and meets data protection law. Where appropriate a Data Protection Impact Assessment will be undertaken as and when policies are updated to ensure risks to the individual and college are considered and managed.

For further information please refer to Wiltshire College & University Centre's Data Protection Policy.

17. Policy Review and Ownership

This policy and procedure is owned by the Safeguarding and Tutorial Manager. It will be reviewed periodically in light of developments in employment legislation, good employment practice or audit; and to ensure it continues to be relevant and supports operational effectiveness. The document is managed by the Curriculum and Customer Support Team Leader.

18. Amendments Log

Version	Date of Issue	Amendment summary	Author(s)
V1.0	29/04/2019	Approved by SMT	Sharon Whitehouse
V2.0	04/10/2021	Approved by SLT following a re-writing of the policy.	Jo Kelly

Appendix A

Student Fitness to Study Risk Assessment

Student Name:		Student ID:	
Course Title:		Tutor:	
Date completed:		Staff completing:	

Potential Hazard and identification of risk	Risk rating (RAG)	Control measures to minimise risk	Reduced risk rating (RAG)	Risk rating Acceptable/ Unacceptable	Outcome

Appendix B

FITNESS TO STUDY/RESIDE: PROCEDURES AND GUIDANCE FOR FORMAL MEETINGS, PANEL HEARINGS AND APPEAL:

Formal Meetings: -

1. Curriculum Admin will arrange a notification to be sent to the student, giving reasonable notice of the meeting, stating the nature of the concern and the student's entitlement to be accompanied and enclosing copies of any evidence and documentation that is to be referred to at the meeting.
2. At the meeting the HoD will explain the process and the potential outcomes to the student and will inform them of their right to appeal.
3. The HoD will present the case and the student is then entitled to respond.
4. A period of questioning and discussion may follow, with the aim of finding an amicable solution where possible.
5. Once the meeting has come to a close the findings will be reviewed by the staff members conducting the formal meeting and an outcome decided. In regard to fitness to reside this will include the suitability to remain in accommodation.
6. The HoD will ensure that the student is notified of the decision in writing within five working days.

Panel Hearings: -

1. A notification will be sent to the student, giving reasonable notice of the meeting, stating the nature of the concern, the student's entitlement to be accompanied and enclosing copies of any evidence that has been collated and any documentation to be referred to at the hearing.
2. At the hearing, the Panel Chair will explain the process and the potential outcomes to the student and will inform them of their right to appeal.
3. The Panel Chair will present the case and the student is then entitled to respond.
4. A period of questioning and discussion may follow, with the aim of finding an amicable solution where possible.
5. Once the hearing has ended and the student has left the hearing the Panel will review the findings and decide on the outcome
6. In regard to fitness to reside the Panel must act in a proportionate way.
7. The Panel Chair will write to the student within five working days informing them of the Panel's decision

APPENDIX C

FITNESS TO STUDY PROCEDURES - OVERVIEW

