



# New City College

## New City College – Fitness to Study Policy

<b>Title:</b>	NCC Fitness to Study Policy 2024-25	
<b>Reviewed / updated by:</b>	Deputy Principals	
<b>Document Owner:</b>	Principals and DSL	
<b>Date approved:</b>	May 2024	
<b>To Be reviewed:</b>	June 2025	
<b>Approval Committee:</b>	SMT	
<b>Publication:</b>	<b>Intranet</b>	✓
	<b>VLE</b>	✓
	<b>Website</b>	✓



## **Fitness to Study Policy**

### **1.0 Aim**

New City College aims to support all of its students to achieve their full potential, through a combination of academic and pastoral support. The College aims to provide a proactive, supportive and holistic framework to wellbeing, physical and mental health whilst remaining responsive to individual needs.

We aim to deliver a consistent and transparent methodology to supporting students at New City College. This is planned as a graduated approach to intervention and is balanced with specialist support to ensure individual needs are met and that students can progress and achieve.

### **2.0 Purpose**

The college expects all students to maintain the core expectations outlined within the [Study Programme Contract](#); this enables us to create safe learning environments.

Where behaviour or conduct falls below the core expectations set out within the [Student Contract](#), such as attendance, work completion or behaviour, the College's [Student Disciplinary Policy](#) would be invoked.

However, the College acknowledges that there may be some circumstances where wider context, specialist intervention (internal or external) and impact on self and/or others may mean that a student is unable to recognise or determine that their circumstances or behaviours are having an adverse effect on the success and wellbeing of themselves and/or others.

This policy may be invoked following the identification that it would be inappropriate to use the College's disciplinary process to address concerns relating to attendance, behaviour, engagement, completion of work or other expectations set out within the [Student Contract](#).

This is an alternative to the Student Disciplinary Policy and process.

This is not a legal document.

### **3.0 Handling Concerns and Disclosures**

Personal data is handled, processed and stored in accordance with the General Data Protection Regulation (GDPR) and the [New City College Privacy Notice for Students](#).

Sensitive, personal data and confidential information will only be disclosed to a third parties with the express, informed consent of the student to implement this policy.

However, there may be occasions where the College is obliged to disclose, notwithstanding that the student has refused consent. These include:

- a. Where the student's behaviour threatens their safety or the safety of others
- b. Where the member of staff or the College would be liable to civil or criminal penalty for failing to disclose.

Consent will be sought to share information we hold with all relevant staff members where it is deemed appropriate to ensure the support and safety of students and staff.

#### **4.0 Initial Support and Guidance**

Before this process is invoked, staff should be clear on the criteria for Fitness to Study (see the definition in section 7.1)

There must be evidence which supports an ongoing supportive dialogue between the student, curriculum and support staff, and where appropriate, a parent or carer.

Evidence of meetings, action plans and reviews should be present and available on [ProMonitor/MyConcern](#).

The College's starting point is that high-quality teaching with a collaborative and holistic support offer should enable most students to successfully transition through periods of personal change and challenge.

Wider College support may include:

- Skills Coaches
- Pastoral Tutors
- Mental Health and Wellbeing Service
- Welfare Advisors
- Supported Learning Team
- College Counsellors
- Specialist Mental Health Advisors
- External Support Agencies

#### **5.0 Procedures**

##### **5.1 Admissions**

In accordance with the Admissions Policy, the College reserves the right to refuse admission, at the college's discretion and after full consideration by a senior manager, to an applicant who is unable to demonstrate fitness to study.

Admissions and applications, including criteria, responsibilities of students and the College can be found in the, this includes Safeguarding Risk Assessments and the Appeals Process. [Admissions Policy](#), this includes Safeguarding Risk Assessments and the Appeals Process.

##### **5.2 Fitness to Study**

There are three stages in the Fitness to Study process. It is not necessary to progress through each stage of the process in every case.

Identification of the appropriate stage of the procedure to use will be determined following an action plan by the curriculum management team or Senior Safeguarding Manager. Where a serious risk is identified, the procedure may be entered at Stage 2 or 3 depending on the level of risk.

Should a student be unwilling to participate in the stages / procedures, the process will continue in their absence with all options remaining available.

### **Stage 1 - Emerging or Initial Concerns**

Applies where emerging concerns about a student's progress, attendance or completion of their studies have emerged and the key cause is related to mental or physical health.

A supportive curriculum-led exploratory meeting will be arranged involving relevant staff. This will be at the direction of the curriculum and arranged by the CA team. The staff invited may include the Senior Curriculum Manager, Pastoral Tutor, Safeguarding Senior Manager, Wellbeing/Mental Health or Supported Learning staff. Where applicable, external agency personnel may also be invited to attend.

In all cases involving students aged under 18 years old (or up to 25 years old if they have an Education, Health and Care Plan), a parent or carer should be contacted and present wherever possible.

As a result of the meeting, the following action will be taken:

- An action plan with SMART monitoring targets to address the issues discussed.
- This may involve referral to external agencies. A timeframe for review should be no longer than 4 college weeks from the date of the meeting.
- Permission will be sought to disclose to the relevant staff as appropriate.
- All outcomes must be recorded on [ProMonitor/MyConcern](#) as appropriate.

### **Stage 2 - Continuing or Strong Initial Concerns**

This applies when continuing or serious concerns about a student's health, or mental well-being are raised.

A supportive meeting will be arranged involving relevant staff (as outlined in stage 1).

In all cases involving students aged under 18 years old (or up to 25 years old if they have an Education, Health and Care Plan), a parent or carer should be contacted and present wherever possible. If the student is over 18 years of age, they are entitled to support but not from any legal representative. If this is the follow-up meeting to Stage

1 then the same personnel should be invited as far as practicably possible, for consistency.

Discussions will involve establishing whether further reasonable adjustments or support can be put in place to enable the student to successfully continue their studies.

The outcome may be:

- An enhanced Action Plan, which may include a suggested change in the mode of study (e.g. location, times).
- Suspension of studies on health and wellbeing grounds to allow for remedial actions to take place (e.g. stabilisation of medication).
- Transfer to an alternative course if the time period could accommodate this.
- Withdrawal from the course with a view to re-enrolling at a future date (this may or may not be the same course dependent on the nature of the concerns).

If a student is asked to withdraw from a course of study, they will be asked to do this voluntarily.

### **Stage 3 - Immediate and Serious Concerns (or No Progress from Stage 2)**

Applies when there are immediate and serious issues or where no / limited progress from previous concerns has been made and where a student's actions or behaviours are putting the health, safety, well-being or academic progress of themselves or other individuals at significant risk and/or are likely to adversely affect the reputation of the College.

The campus Senior Safeguarding Manager and Deputy Principal (or Director Rainham Campus for relevant cases) should be informed immediately and where appropriate external agencies (police and/or medics as appropriate) should be contacted.

The student should be placed on a Managed Absence (authorised by the relevant Deputy Principal, or Director Rainham Campus for relevant cases) until a case conference can be convened. This should be within 5 working days of the incident.

A case conference will be held, chaired by the relevant Deputy Principal (or Director Rainham Campus for relevant cases). The additional staff invited to the case conference should be the relevant Group (or Deputy Group) Curriculum Director, and the Senior Curriculum Manager (others can be invited where it is appropriate to do so). Where possible relevant medical personnel should be invited.

In all cases involving students aged below 18, a parent or carer should be invited. If the student is over 18 years of age they are entitled to support, but not from any legal representative.

Any medical reports relating to the student should be presented to the case conference to facilitate the construction of an action plan.

If the case conference has convened because of an immediate and serious incident the action plan will inform whether support can be put in place for the student to remain at college. If this is the case, the action plan should be revisited after 4 weeks to ensure

progress is being made, this should be reviewed by the Deputy Principal (or Director Rainham Campus for relevant cases).

Upon review, if no progress has been made or the risks from an immediate and serious incident cannot be mitigated, the following outcomes of the case conference are

- In exceptional circumstances an agreement to study away from the campus may be agreed for a specific time limited period.
- Withdrawal from College.

Where withdrawal is believed to be the best outcome based on the information and support available, the relevant Deputy Principal (or Director Rainham Campus for relevant cases) will have 5 working days to make a final decision. Any decision will be communicated in writing.

## **6.0 The Right of Appeal**

The student has a right of appeal when the decision has been made to withdraw. An appeal must be sent, in writing, to the Principal, no later than ten college working days from the date of the written confirmation of the decision.

The Principal's decision will be final.

Withdrawal under the Fitness to Student Policy will preclude a student from applying for another course at the College until the following academic year, this should be on a case-by-case basis and reviewed by the relevant Principal.

Should the student wish to apply for further study at a future date, the College will require evidence from an external professional that they are fit to return to study with reasonable adjustments if required and will convene a meeting with the student and any relevant external agencies before attending enrolment. This meeting will include representation from staff previously involved with the case where possible.

## **7.0 Definitions**

### **7.1 Fitness to Study**

Fitness to study means the student is fit to continue with their current course or return/change to their current or another course.

Students must be able to benefit from the Programme of study or the required period with a reasonable chance of achievement and progression.

Students' mental or physical health needs should not unduly disrupt the learning, research, and work of others in the College community.

### **7.2 Reasonable Adjustments**

Taking steps to ensure that there are reasonable measures in place to ensure that students are not placed at a substantial disadvantage due to their disability, difficulty or additional need. The criteria for judging '*reasonable*' include consideration that they do not compromise academic standards, health and safety or the relevant interests of other people including other students. New City College has a '*duty of care*' to the College community and considers the health and safety of everyone to be paramount. All reasonable adjustments should be financially reasonable and practical.

## **8.0 Legislation**

- 8.1 Students with mental and physical health conditions are entitled to reasonable adjustments and appropriate support in relation to relevant legislation e.g., the Health and Safety at Work Act 1974, the Equality Act, 2010, Keeping Children Safe in Education 2022 and the SEN Code of Practice.
- 8.2 All personal and sensitive information will be managed in accordance with the General Data Protection Regulation (GDPR).
- 8.3 The funding of support for qualifying (funded) students is enabled through Additional Learning Support (ALS), High Needs Funding, or the Disabled Student Allowance (DSA) and aims to remove barriers to success and achievement by funding reasonable adjustments.

## **9.0 Related Policies**

[Student Contract](#)

[Student Disciplinary Policy](#)

[Safeguarding Prevent Policy](#)

[New City College Privacy Notice for Students](#)

[Admissions Policy](#)

## **10.0 Appendices**

- 10.1 Appendix A – Fitness to Study Flow Diagram



