



HIGHER EDUCATION FITNESS TO STUDY POLICY & PROCEDURE 2025-26



SIGNIFICANT CHANGES FOLLOWING REVIEW

PAGE NUMBER OR HEADING NAME	DETAILS OF SIGNIFICANT CHANGE	CHANGES MADE BY
NO CHANGES	Policy has been rewritten in 2024-25 to be more student focussed and give a clearer procedure to follow	Head of Safeguarding

POLICY AVAILABILITY NOTICE

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HIGHER EDUCATION FITNESS TO STUDY POLICY & PROCEDURE 2024-25

1. INTRODUCTION

1.1 South Essex Colleges Group is committed to providing an inclusive and supportive environment for its students. It understands the importance of their health and wellbeing in relation to their learning, academic achievement and wider student experience and seeks to develop a positive and safe environment that enables them to engage with their studies and achieve to the best of their ability.

1.2 This document describes the procedures to be followed when there is likely to be benefit in assessing a student's fitness to study in order to find a way to resolve difficulties. Particular circumstances may require adjustments to the procedures outlined below in order to act in the best interest of the student and, when relevant, any other individuals or bodies concerned.

2. PURPOSE

2.1 The College recognises that there may be times during their programme of study when a student may not be able to participate fully and satisfactorily in relation to their academic studies and student life generally. This may be as a result of a new or recurring disability, illness or mental health condition. In such instances, students must be reassured that the College will provide an appropriate level of support, within its available resources, for them to continue with their studies.

2.2 The purpose of this policy and associated procedure is to support the student to achieve a positive outcome from their programme of study and to ensure that concerns are identified and discussed in a timely manner and relevant support implemented as necessary.

2.3 The College therefore expects that its students are in a fit state, subject to equality and diversity law, to:

- I. benefit from their programme and pursue it for the required period, with reasonable prospects of successfully obtaining the award for which they registered
- II. not prevent, hinder or disrupt the study or assessment of other students at the College, staff in the discharge of their duties or visitors to the College from carrying out their lawful business
- III. not to constitute an unacceptable risk to the health or safety of themselves or others

- IV. be in a position to engage satisfactorily in any elements of study or assessment which take the form of placements in a professional and/or work-based setting.
- V. be able to engage with the requirements of a programme related trip linked to unit/module outcomes (where this is not possible, but 1.1(a) to (d) are not in issue, an alternative form of assessment can be utilised, where the programme specification permits).

2.4 In most cases when concerns are raised by attendance, engagement or conduct, these are likely to be addressed in line with relevant College policies and procedures, such as the Higher Education Student Attendance and Engagement Policy and Procedure or the Higher Education Student Disciplinary Policy and Procedure.

2.5 Where a student's conduct gives rise for concern, a member of staff should consider what might be causing the poor behaviour, for example;

- safeguarding or welfare concerns
- new or recurring disability, illness, or mental condition
- lack of understanding or disregard of the College's Code of Conduct

2.6 Any member of staff who has a concern about a student's health and wellbeing which may be affecting their studies, or has had a concern reported to them, should in the first instance, discuss those concerns with the student's Programme Leader or their line manager, and the Safeguarding or Additional Learning Support if appropriate, remaining mindful of the confidential and sensitive nature of the matter being discussed. A lead member of staff should be appointed and then decide whether it is appropriate to use this policy or use the above Higher Education Policies. A Lead Member of Staff can be the Programme Leader, Programme Partnership Manager, Safeguarding or Additional Learning Support.

2.7 Although the College will endeavour to meet the specific needs of all students, it is also committed to providing a safe and healthy environment for the whole College community and as such, the College will consider whether such support and adjustments are in line with this principle and if they are, reasonable within the College's resources. Where it is not possible to provide the level of support or adjustments required, the College has the right to withdraw the student from their programme of study.

3. SCOPE

3.1 This policy and associated procedure apply to all full-time and part-time students enrolled on a Higher Education programme of Level 4 and above at South Essex Colleges Group where there is concern for their health and wellbeing which may be impacting on the health and safety of themselves and others around them.

4. RELATED COLLEGE POLICIES AND PROCEDURES

- Higher Education Student Attendance and Engagement Policy and Procedure

- Higher Education Student Disciplinary Policy and Procedure
- Higher Education Fitness to Practice Policy & Procedure
- Safeguarding Policy & Procedure
- Student Anti-Bullying & Harassment Policy
- Freedom of Expression Policy
- Health & Safety Policy
- Equality, Diversity & Inclusion Policy

5. DEFINITIONS

5.1 Disability – The Equality Act 2010 considers a person to have a disability if they have a physical or mental impairment that has a substantial and long-term negative effect on their ability to do normal daily activities. Substantial is more than minor or trivial and long-term means 12 months or more.

5.2 Reasonable Adjustment - The reasonable adjustments duty under the Equality Act 2010 is to take such steps as is reasonable, in all the circumstances of the case, to avoid a disadvantage which a disabled student experiences because of their disability. This can include adapting a student's timetable or learning environment or adapting teaching methods. Criteria for judging what is 'reasonable' include, whether the adjustments compromise academic standards, health and safety, or the relevant interests of other students. Specifically, the College is also not required to make a reasonable adjustment to the application of a competence standard. The College is only obliged to make reasonable adjustments within its available resources and is also entitled to assess their practicality and likely effectiveness in deciding whether to implement them.

5.3 Supporting Professionals – the College understands that students may be supported by many different professionals, for example, GPs, counsellors, therapists, and as such will take into account the professional recommendations made by such professionals provided, they are qualified to make them and fully briefed on the concerns.

5.4 Lead Staff Member – this is the member of staff who will lead on each stage of the procedure. The member of staff may be from the Teaching Team, Safeguarding or Additional Learning Support. They will assume responsibility for liaising with the student and external professionals as well as recording the meetings and making sure that any agreed actions are followed up.

5.5 Administrative Support – this will be provided by the Student Services Officer (Behaviour Improvement & Customer Service) who will be responsible for organising meetings, recording the meetings and sending out confirmation/outcome letters. The Central Administration Team will support as required.

6. GENERAL PRINCIPLES

6.1 The College will strive to meet the minimum standards required when invoking this policy and procedure. The primary focus will always be on the student's health and wellbeing and ensuring that they are able to meet the requirements set out in 2.3 and therefore to achieve a positive outcome on their current programme.

6.2 All members of staff must consider safeguarding procedures alongside this policy and procedure. If an incident occurs where there is critical concern regarding risk to self or others, the staff member must immediately notify the Safeguarding Team and the emergency services must be called if necessary. The College's Safeguarding Policy and Procedure should always be followed and will take precedence over other policies and procedures.

6.3 This policy and procedure will be carried out in line with our Data Protection Policy, subject always to the College's duty of care to safeguard the welfare of students and responsibilities under the safeguarding policies and procedures. The College reserves the right to contact a student's next of kin where it considers it has a responsibility to do so under the duty of care to safeguard them or where there is a reason to do so under the Mental Capacity Act 2005.

6.4 Reasonable steps should be taken to maintain confidentiality, with any disclosure of a student's name being limited to those who need to know in order to help resolve the situation that has presented itself.

6.5 Any member of staff who has a concern about a student's health and wellbeing which may be affecting their studies, or has had a concern reported to them, should in the first instance, discuss those concerns with the student's Programme Leader or their line manager, and the Safeguarding or Additional Learning Support if appropriate, remaining mindful of the confidential and sensitive nature of the matter being discussed.

6.6 The Procedure outlined below involves five distinct stages of intervention:

Stage 1 - Initial Concerns

Stage 2 - Serious and/or Continuing Concerns.

Stage 3 – Final Review/Decision or Emergency Review

Stage 4 – Appeal against Final Decision

Stage 5 – Return to Study

6.7 Where there is no critical concern of immediate risk to self or others, the first stage of the 'Fitness to Study' procedure should be invoked. The student would usually enter the procedure at Stage 1. However, if the relevant manager considers the level of concern to be serious, they may decide that the student needs to immediately enter the procedure at stage 2 or 3, as appropriate.

6.8 Where a student is studying on a degree programme, the Programme Partnership manager will liaise with the awarding institution to advise of the invoking of the policy at Stage 2 or 3. A nominated member of staff from the awarding institution will be invited to attend any meetings where their role will be to ensure the college consistently applies the policy.

6.9 A student who is subject to this procedure may be asked not to attend College whilst a decision about appropriate action is being made. This would only occur where the action is urgent and necessary in order to protect the student or others. Before taking this action, the College will complete a risk assessment to determine whether there is a risk to either the student or others that cannot be mitigated. In such circumstances, the student must be reassured that this is not a disciplinary sanction and that they will still remain a student at the College. The student will be informed of such a decision and the stage of intervention to the student's college email or via letter within 5 College days of the decision being made.

6.10 Whilst it is envisaged that such cases will be exceptional, the College reserves the right to vary the procedure outlined in the interests of fairness and/or health and safety. For example, this might occur where there are concerns that the attendance of a student at a meeting could have a detrimental effect on the student, for example if the student is self-harming or the student is in hospital.

6.11 In implementing the procedure, the College will ensure that it offers and encourages students to seek appropriate support from the outset, for example, by referring students to their GP, or Student Counselling Service, The Safeguarding Team, or Additional Learning Support Team as appropriate.

6.12 When implementing this procedure, each matter will be dealt with in a supportive manner and on an individual basis. Any decision reached about a student's ability to continue with their studies will be made, wherever possible, through a procedure involving the student.

6.13 Should a student be unwilling or unable to take part at any stage of the procedure or to attend a meeting, the College may nevertheless follow the procedure where it is reasonable to do so, notifying the student in writing of that step. Written correspondence will be sent to the student's college email address and contact address. In addition, it will consider any request from a student to proceed with a meeting in their absence and accept and consider written reports and/or a written statement from them.

6.14 The student may, if they wish, be accompanied by a friend, family member, Student Union or HE Student Support member, provided that the Lead member of Staff is informed of their identity at least two working days before the meeting. It is the responsibility of the student to inform any attending third party of the date, time and location of the meeting.

6.15 Where a decision has been made to invoke this policy, the student must be advised that they have a right to appeal this decision if they feel that it is inappropriate or misguided. Any such appeal should be confirmed in writing to the lead member of staff as soon as is practicably possible. On receipt of the appeal, the lead member of staff must convene a panel of professionals, which should include the Head of Additional Learning Support, the Head of Safeguarding, the Partnership Manager/Head of School and a member of the Executive Board, to review the appeal. If a student's appeal is declined by that panel, it will inform the student about which stage of the procedure will then commence. The panel are also able to invoke a different policy if it is deemed more appropriate to the case.

7. POLICY REVIEW

7.1 This policy and associated procedure will be reviewed annually to ensure that it is fully compliant with legislation and best practice in the sector.

FITNESS TO STUDY PROCEDURE

1. STAGE 1 – INITIAL CONCERNS

1.1 When initial concerns are raised about a student's health and wellbeing and ability to engage satisfactorily in their studies, a Stage 1 intervention should be invoked. Concerns may arise where;

- there is evidence of significant non-engagement by the student with their studies which have not been satisfactorily addressed through other interventions and procedures as outlined in the HE Attendance & Engagement Policy or HE Disciplinary Policy;
- there are serious concerns about a student's health and wellbeing;
- the student declares a new or recurring disability, illness or mental health condition;
- a member of staff suspects a relevant change in physical or health and mental wellbeing or is advised by a third party of a new or recurring disability, illness or mental health condition;
- a student's conduct could suggest a change or deterioration in their mental health or wellbeing.

1.2 An initial meeting must be arranged within 5 working days by the lead member of staff and should be led by someone who knows the student, (for example, their personal tutor, programme leader, Safeguarding team member, ALS Learning Mentor etc.). The lead member of staff will be the Chair of the meeting and a member from Additional Learning Support and/or the Safeguarding Team and/or HE Student Support must also be invited to the meeting.

1.3 The lead member of staff should notify the student of the meeting in writing to the college email with 2 working days; confirming that the meeting is in relation to initial concerns raised about their health and wellbeing and ability to engage in studies and that Stage 1 of the 'Fitness to Study' procedure is being initiated.

1.4 At the meeting, the lead staff member must;

- I. reassure the student that this is a supportive procedure and not part of the disciplinary procedure;
- II. explain the concerns and the impact these may have on the student's ability to achieve a positive outcome from their programme of study;
- III. allow the student the opportunity to respond to the concerns;
- IV. listen to the student and gather an initial understanding of the student's perception of the matter;
- V. explain to the student that they are not obligated to accept the procedure and can decline to engage with it;
- VI. discuss with the student any related support needs and/or reasonable adjustments;

- VII. agree with the student, appropriate, time bound actions that need to be met to address the concerns;
- VIII. as appropriate, draw up a support plan setting out the ways in which they will be supported, for example, assistive technology, 1:1 check ins, Wellbeing interventions including any obligations on the part of the student including applying for Disabled Student's Allowance; (e.g., in respect of their engagement and attendance) with agreed review dates
- IX. discuss with the student whether a voluntary interruption may be appropriate and the most supportive option at that time. If a voluntary interruption is agreed, the student must be reassured that the intention is for them to return to learning as soon as they are well. They must also be advised that a return to the same programme of study may not be possible but in such instances, an alternative programme will be discussed with them. Breaks in study are usually only permitted for a period of up to 12 months and will need approval from the awarding body e.g. UEA/UAL. If the break in study is required for more than one academic year a subsequent concession will be required.

1.5 Following the meeting, the lead staff member must;

- I. make a written record of the meeting and agreed actions within 5 working days of the meeting date; (this should be on the student's ProMonitor (meetings section))
- II. send a summary of the meeting and actions to the student's college email address within 5 working days;
- III. share the support plan with the student and any other relevant parties, for example, their personal tutor, programme leader, Curriculum Leader/Programme Partnership Manager Additional Learning Support, Safeguarding and those in attendance at the meeting within 10 working days of the meeting;
- IV. ensure that the student is signposted to both College support services and any relevant external services, for example, their GP, for referral to mental health services, Occupational Therapy etc;
- V. Review Meeting scheduled within the agreed action/support plan.

1.6 If following the Review Meeting efficient progress has been made the following options should be considered:

- I. Close the action plan as all agreed targets have been met;
- II. Continue with the agreed action plan with new dates agreed for review;
- III. Adjustment of the agreed action plan.

1.7 If, following the meeting and implementation of the agreed actions and support plan, effective resolution of the concerns is not reached under Stage 1, (including when a student does not participate in the procedure without a reasonable excuse), a meeting should be arranged on a specified date to consider further action. The following options should be considered;

- I. continuation of Stage 1, where more time is considered appropriate,
- II. escalation to Stage 2

- III. In cases of persistent non-attendance or non-submission the student will be referred under the Attendance & Engagement Policy
- IV. invoking the HE Disciplinary procedure.

2. STAGE 2 – SERIOUS AND/OR CONTINUING CONCERNS

2.1 Stage 2 intervention of the 'Fitness to Study' procedure will be invoked when the student's health and wellbeing continues to be of concern despite Stage 1 intervention, and/or are perceived to be of a serious or potentially serious nature and a Stage 1 intervention would not be considered appropriate or effective meaning a Stage 2 is the more appropriate response.

2.2 In such instances the member of staff raising concerns should speak with the Deputy Executive Director of Higher Education & Quality, the Head of Safeguarding and/or Head of Additional Learning Support in the College to agree instigation of a Stage 2 intervention under the 'Fitness to Study' procedure. The Head of Safeguarding or Head of Additional Learning Support should then become the Chair and confirm who the Staff Lead will be moving forward.

2.3 Because of the potentially serious nature of the circumstances leading to instigation of a Stage 2 intervention, consideration must be given at all times to the health and wellbeing of the student, and any support that they may need to engage with the procedure.

2.4 Once the Stage 2 is agreed at a management level as outlined in 2.2, the lead will work with the Student Services Officer (Behaviour Improvement & Customer Service) to schedule a Stage 2 meeting with the student. It is imperative that the meeting is convened in a timely manner to reduce the likelihood of the concerns increasing. The Programme Partnership Manager will be responsible for liaising with the awarding institution to advise of the instigation of the stage 2 and whether they require an invite to the meeting.

2.5 The student should be informed via telephone within 2 working days that Stage 2 of the 'Fitness to Study' procedure is being invoked due to concerns raised about their health and wellbeing and ability to continue in studies. The lead member of staff will advise that they or a member of staff from Safeguarding or Additional Learning Support will be in contact to arrange an informal meeting with the student to gather information about support needs for the report in preparation for the Stage 2 Panel. The student will be sent a written summary of the telephone call and lead staff members contact details to their student email.

2.6 The date, time and place of the meeting shall normally be notified in writing to the student's College email address and contact address at least five working days before the meeting, unless there are good reasons for taking more immediate action. The student may, if they wish, be accompanied by a friend, family member or Student Union member, provided that the Student Services Officer (Behaviour Improvement & Customer Service)

is informed of their identity at least two working days before the meeting. It is the responsibility of the student to inform any attending third party of the date, time and location of the meeting. The meeting may proceed in the student's absence if, having been properly invited, the student fails to attend.

2.6.1 The letter of invitation to the meeting should:

- I. clearly outline the causes of concern(s);
- II. indicate that the student may, if they wish, be accompanied and by whom;
- III. inform the student of the members of the Fitness to Study Review Panel;
- IV. inform the student that other staff (such as the student's Programme/Course Leader, a Programme Partnership Manager/Head of School, the Additional Learning Support Manager, Representative from the awarding institution – UEA/UAL) may be in attendance when this is considered by the Director of HE Operations and Head of Safeguarding to be in the best interests of the student; and
- V. encourage the student to seek advice from their doctor and/or the Additional Learning Support Manager or other adviser in Student Services as appropriate to the particular case or concern(s) in question prior to their attendance at the meeting.

2.7 At the meeting, the Chair should;

- I. reassure the student that this is a supportive procedure and not part of the disciplinary procedure;
- II. explain and/or review the concerns including any time-bound targets that have not been met;
- III. discuss and/or review the perceived impact/implications of the student's health and wellbeing and ability to achieve a positive outcome from their programme of study;
- IV. allow the student the opportunity to respond to the concerns;
- V. listen to the student and gather an understanding of the student's perception of the matter;
- VI. remind the student that they are not obliged to accept and engage with the procedure;
- VII. assess the impact of any previous support and identify with the student any further related support needs;
- VIII. agree the timeframe for the student to seek reports/letters from a GP or other supporting professionals, if necessary, in order to assess whether the student is well enough to continue with their studies;
- IX. agree any further interim time-bound actions to help manage concerns while the referral and assessment procedure is undertaken including; any obligations on the part of the student;
- X. discuss with the student whether a voluntary interruption may be appropriate and the most supportive option at that time. If a voluntary interruption is

agreed, the student must be reassured that the intention is for them to return to learning as soon as they are well. They must also be advised that a return to the same programme of study may not be possible but in such instances, an alternative programme will be discussed with them. Breaks in study are usually only permitted for a period of up to 12 months and will need approval from the awarding body e.g. UEA/UAL. If the break in study is required for more than one academic year a subsequent concession will be required.

- XI. Confirm the review dates and outcome of the meeting verbally from the following:
- i. Efficient support is in place and the matter will be resolved soon;
 - ii. Further investigations required with agreed timeframes for reports to be submitted;
 - iii. A Support Plan to be implemented with set timeframes;
 - iv. Student to apply for interruption to study;
 - v. Student to withdraw.

2.8 Following the meeting, that Chair member must;

- I. decide whether to use the HE Disciplinary Policy instead of this policy.
- II. If the matter is to proceed under this policy, then the following steps should be taken;
 - i. arrange a review date, once medical reports are available to decide if it will be necessary to escalate the matter to Stage 3 or whether the matter can be managed with a set time-frame or closed.
 - ii. In the absence of any medical advice, the chair will decide whether it is appropriate to continue with the procedure or revert to the disciplinary procedure.

2.9 Following the meeting, that lead staff member must;

- I. share the updated/support plan with the student and any other relevant parties, e.g. course tutors, learning support and those in attendance at the meeting;
- II. Support the student in contacting their GP or other relevant supporting professional, requesting a professional opinion on what support is needed for the student to continue with their studies;
- III. Prepare any correspondence to support the student including a letter/email detailing the full requirements and assessment criteria of the course, including, where relevant, the requirement to attend a work placement and engage in work related activities. For example, if the student has a physical disability/condition and is enrolled on a course that requires a considerable level of physical activity and stamina, what support would they need to be able to participate fully? Or if the student is suffering from anxiety, depression or PTSD and they are enrolled on a course which requires research and discussion on distressing topics, what support would they need to be able to participate fully?

2.10 Following the meeting, the Student Services Officer (Behaviour Improvement & Customer Service) must;

- I. make a written record of the meeting and agreed actions, this could be on the student's Promonitor record within 5 days of the meeting;
- II. Support in the sending of letters to professionals and the student with agreed actions and date of review meetings;
- III. Schedule the review meeting.

2.11 If the student does not or cannot attend the meeting, the College has the right to continue with the procedure in their absence and confirm the outcome to the student in writing.

2.12 If following the Review Meeting efficient progress has been made the following options should be considered:

- I. Close the action plan as all agreed targets have been met;
- II. Continue with the agreed action plan with new dates agreed for review;
- III. Adjustment of the agreed action plan.

2.13 If, following the meeting and implementation of the agreed actions and support plan, effective resolution of the concerns is not reached under Stage 2, (including when a student does not participate in the procedure without a reasonable excuse), a meeting with the members of the panel and student should be arranged on a specified date to consider further action and recorded on the student's ProMonitor Record. The following options should be considered;

- I. continuation of Stage 2, where more time is considered appropriate;
- II. escalation to Stage 3;
- III. In cases of persistent non-attendance or non-submission the student will be referred under the Attendance & Engagement Policy;
- IV. invoking the HE Disciplinary procedure.

3 STAGE 3 – PERSISTENT SERIOUS CONCERNS OR EMERGENCY REVIEW

3.1 If effective resolution of the concerns is not reached under Stage 2 or the student presents as a serious and immediate risk to self or others, escalation to a Stage 3 should be considered, or alternatively, the use of the HE Disciplinary Policy.

3.2 The decision to escalate any case to Stage 3 must be made by a member of the Executive Board, normally the Deputy Executive Director Higher Education & Quality and Executive Director Foundation Learning & Additional Learning Support. A referral for Stage 3 should include timeframes of the concerns including escalation and a summary of previous meetings and agreed actions. The Executive Director Foundation Learning & Additional Learning Support or another member of the Executive Board should then become the Chair and confirm who the Staff Lead will be moving forward. The Programme Partnership Manager will be responsible for liaising with the awarding

institution to advise of the instigation of the stage 3 and whether they require an invite to the meeting.

3.3 The student should be informed via telephone within 2 working days that Stage 3 of the 'Fitness to Study' procedure is being invoked due to concerns raised about their health and wellbeing and ability to continue in studies. The lead member of staff will advise that they or a member of staff from Safeguarding or Additional Learning Support will be in contact to arrange an informal meeting with the student to gather information about support needs for the report in preparation for the Stage 3 Panel. The student will be sent a written summary of the telephone call and lead staff members contact details to their student email.

3.4 The date, time and place of the meeting shall normally be notified in writing to the student's College email address and contact address at least five working days before the meeting, unless there are good reasons for taking more immediate action. The student may, if they wish, be accompanied by a friend, family member or Student Union member, provided that the Student Services Officer (Behaviour Improvement & Customer Service) is informed of their identity at least two working days before the meeting. It is the responsibility of the student to inform any attending third party of the date, time and location of the meeting. The meeting may proceed in the student's absence if, having been properly invited, the student fails to attend.

3.4.1 The letter of invitation to the meeting should:

- I. clearly outline the causes of concern(s);
- II. indicate that the student may, if they wish, be accompanied and by whom;
- III. inform the student of the members of the Fitness to Study Review Panel;
- IV. inform the student that other staff (such as the student's Programme/Course Leader, a Programme Partnership Manager/Head of School, the Additional Learning Support Manager and Representative from the awarding institution – UEA/UAL) may be in attendance when this is considered by the Executive Deputy Director Higher Education & Quality and Head of Safeguarding to be in the best interests of the student; and
- V. encourage the student to seek advice from their doctor and/or the Additional Learning Support Manager or other adviser in Student Services as appropriate to the particular case or concern(s) in question prior to their attendance at the meeting.

3.5 The Executive Board can request that a student does not attend a panel meeting in the interest of health, wellbeing and safety for the student and others. The meeting will be held as a Stage 3 Emergency Review and the student will be notified of the decision and rationale for this approach in writing to their student email address. The panel shall meet to consider the case at the nearest possible opportunity and no less than 5 working

days after the decision has been agreed. The Panel will consider the documentation provided by the Lead Staff Member and/or Safeguarding or Additional Learning Support Team Member and make a decision as to whether a mandatory interruption to study is required. The Chair of the Panel will follow the procedures from 3.7 in communicating the decision to the student.

3.6 At the meeting the Chair alongside the lead staff member must:

- I. ensure that the Student Services Officer (Behaviour Improvement & Customer Service) is appointed to minute key discussion points and the resulting decision. These minutes should be held as a formal record by the College;
- II. reassure the student that this is a supportive procedure and not part of the disciplinary procedure;
- III. explain and/or review the concerns;
- IV. review the professional opinion of the GP or other supporting professional taking into consideration any recommendations for reasonable adjustments and appropriate support;
- V. determine whether the student should be allowed to continue their chosen course of study. If this is not possible, in the opinion of the chair, make recommendation that the student intermits from the programme. If an intermission is agreed, students must be reassured that the intention is for them to return to learning.
 - i. Fitness to Study Procedures cannot recommend withdrawal as an outcome. Mandatory Withdrawals are usually recommended under Disciplinary Proceedings. A student can choose to withdraw but the decision of the panel should be recorded as if the student remains.
- VI. the panel shall have the power to require a mandatory interruption to the student's study. This power shall be exercised where the panel regards the continuation of the student's studies to pose a significant risk to themselves or others or where the student's fitness for study is sufficiently undermined by their current circumstances such that they are unable to engage effectively with their studies or make progress. The interruption period shall be set by the panel and should not exceed 12 months in duration;
- VII. explain the decision to the student ensuring that they fully understand the implications and their right to appeal against the decision.

3.7 Following the meeting, that Chair must:

- I. ensure that the decision is clearly communicated to the student in writing within 5 working days of the meeting. If a final decision cannot be made at the meeting, clearly communicate to the student the reasons for this and provide an agreed timeframe for the decision to be made. Thereafter, the student should be notified of the decision within the agreed timeframe by an agreed means and this decision should also be formally communicated in writing.

3.8 Following the meeting, the Student Services Officer (Behaviour Improvement & Customer Service) must;

- I. make a written record of the meeting and agreed actions, this could be on the student's Promonitor record within 5 days of the meeting;
- II. Support in the sending of letters to professionals and the student

3.9 If the student does not or cannot attend the meeting the College has the right to continue with the procedure in their absence and confirm its outcome to the student in writing.

4 STAGE 4 – APPEAL AGAINST FINAL DECISION

4.1 A student can appeal the outcome of the Stage 3 procedure. Requests should be submitted (in writing) to the Deputy Executive Director Higher Education & Quality, no later than 10 College days after the receipt of the outcome of the Stage 3 procedure. Students should state the basis on which they are appealing. The decision will be reviewed in the appeal meeting by the Deputy Executive Director Higher Education & Quality and a member of the Leadership & Management Team.

4.2 When submitting their request in writing, the student will have the right to request that they present their appeal at the appeal meeting and they can be accompanied to that meeting by one person as support. If the student attends, once discussion between them and the staff in the meeting has concluded, the student will leave the meeting to allow the panel to make their decision.

4.3 The College will seek to review the decision within 10 College days of receipt of the appeal and will give the student 5 College days' notice of the meeting, should they wish to attend.

4.4 The outcome of the Appeals Panel is final. Students will be informed of their right to submit a complaint under the College's Compliments & Complaints Policy.

4.5 Students may refer the case to the Office of the Independent Adjudicator within 12 months if the appeal is not upheld. [How to complain to us - OIAHE](#)

5 STAGE 5 - RETURN TO STUDY

5.1 Any student who, as part of the 'Fitness to Study' procedure;

- temporarily intermits from their programme;
- is required to intermit;
- intermits before there is an outcome;

should be subject to informal periodic review. The frequency and format of this informal periodic review should be agreed with the student by the lead member of staff involved in the 'Fitness to Study Procedure.'

5.2 Written contact is recommended and a record of discussions and any updates on the student's health and wellbeing should be kept on the student's profile on ProMonitor or confidentially with the Safeguarding Team. This information will help inform the student's progress towards a return to study.

5.3 Where a student, (who has been required to or has intermitted following the Level 2 or 3 stage of this procedure), requests to return to their studies, the College will request information from the student regarding their current situation. The student should submit a professional opinion, usually a GP or other professional, on what support is needed for the student to return and fully engage with their studies.

5.4 Following a request to return to studies/resume studies, the lead member of staff involved in the initial procedure must arrange for the original panel to meet to consider the request with support from the Student Services Officer (Behaviour Improvement & Customer Service) who will also take the minutes which should be held as a formal record by the College.

5.5 The purpose of the Panel meeting is to discuss and review the student's situation and to consider;

- whether the student's health and wellbeing has improved sufficiently for them to return to their studies;
- whether it is possible for them to return to their original programme of study or whether an alternative programme could be offered;
- the assessment of the medical professional;
- any support that would be required to ensure a successful return.

5.6 The student should be invited to attend the Fitness to Return to Study Panel meeting and may be accompanied by another person to support them.

5.7 If the student chooses not to attend the panel meeting. The meeting can go ahead in their absence and a decision made as to their fitness to return to study.

5.8 Outcomes from this meeting may include;

- I. recommendation to the Deputy Executive Director of Higher Education & Quality that the student's return to study be approved;
- II. further medical information being requested and obtained before considering any further action;
- III. continuance of the student's intermittence, subject to approval from awarding bodies, and a further review of the student's progress after a set period of time.

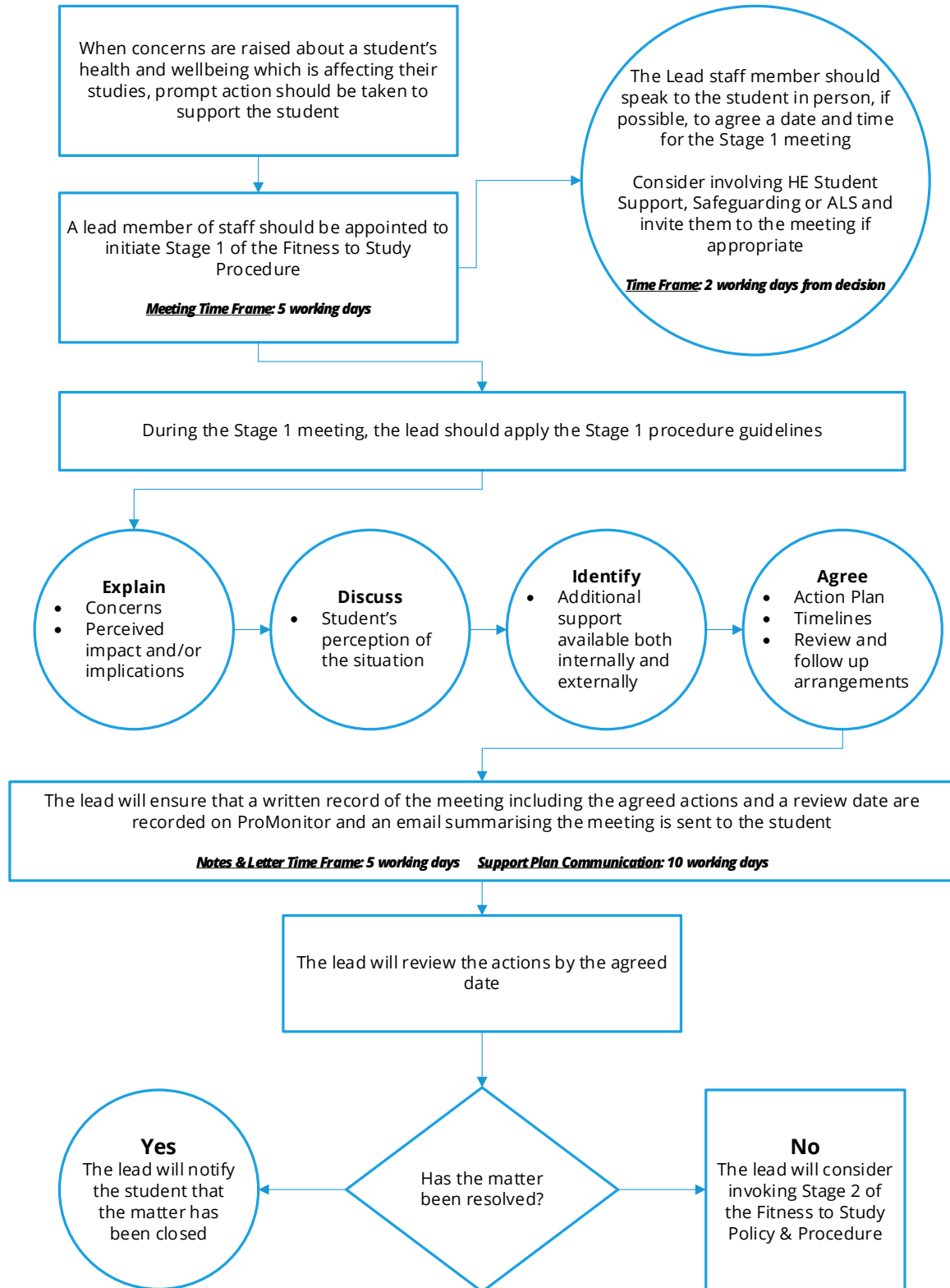
5.9 The student should be informed of the decision and any specific recommendations or suggestions about the support that they are recommended to access if they return to studies (in writing, within 5 College days of the Panel meeting). The student will also be monitored and supported by the Additional Learning Support

Team or Safeguarding Team for the remainder of the academic session and be subject to ongoing review.

5.10 The student may appeal against Panel's decision by writing to the Deputy Executive Director of Higher Education & Quality. This request should be submitted in writing and follow the appeal procedure under Stage 4 above.

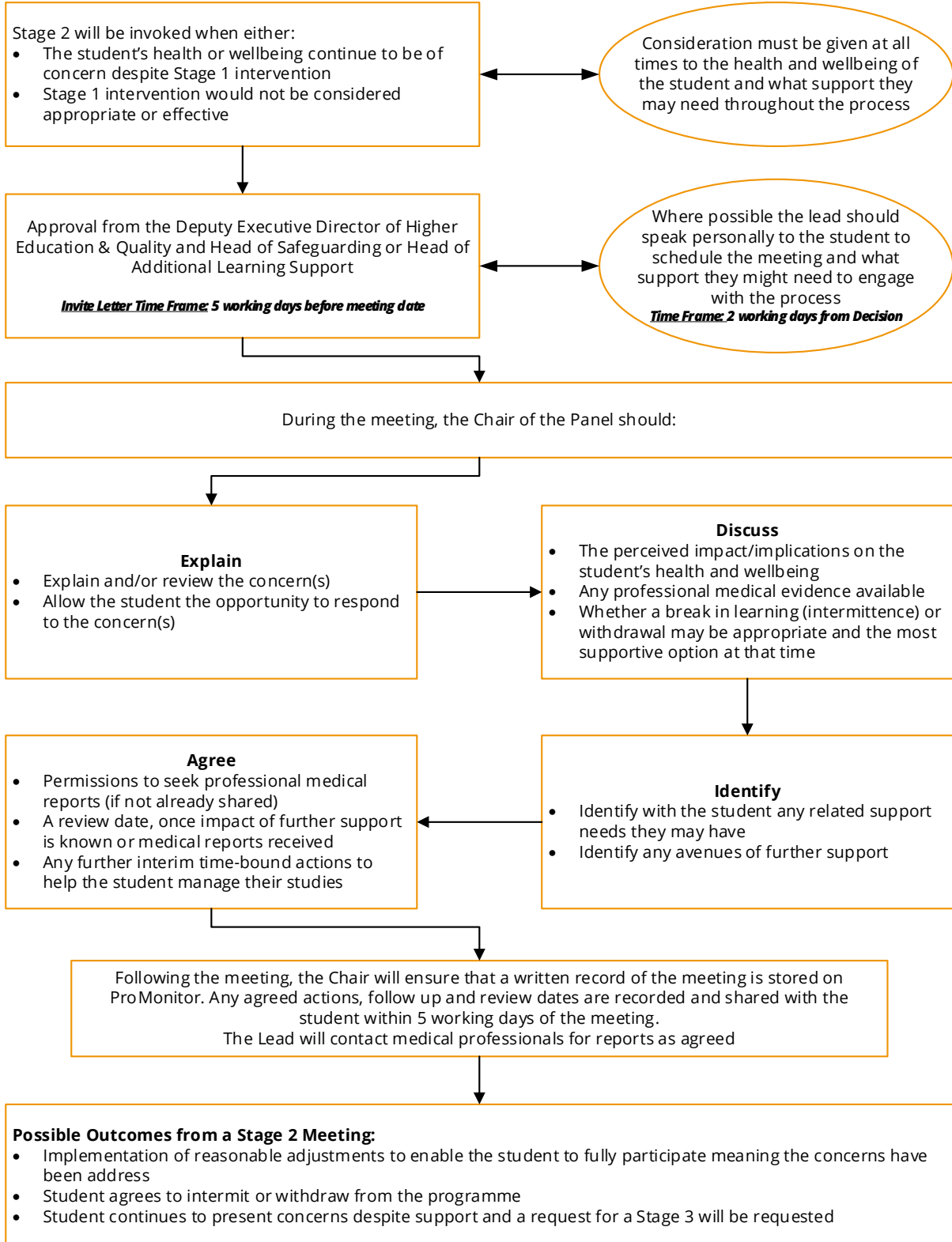
APPENDIX ONE

Stage 1: Initial Concerns



APPENDIX TWO

Stage 2: Serious and/or Continuing Concerns



APPENDIX THREE: EQUALITY IMPACT ASSESSMENT

The aim of an equality impact assessment (EIA) is to consider the equality implications of any new or amended policy, procedure, practice, project, function on different groups of staff, students and visitors to the college. This EIA tool provides a simple framework that helps evaluate whether the change may inadvertently disadvantage protected characteristics and identify ways to proactively advance and promote equality.

You will need to consider each of the equations and provide information as to consideration and any changes made in relation to Equality, diversity and inclusion.

Date EIA completed.	July 2025
Name of person responsible for completing the EIA	Jane Belcher
Role of person responsible for completing the EIA	Head of Safeguarding
Who is affected by the policy / decision / change	All staff and students
What's the reason for the new policy / change in policy, practice, process etc.	Review and development of a new Fitness to Study Policy for Higher Education and Level 4+ programmes

You will need to consider whether it's possible that the proposed new policy / change in policy / procedure / practice etc could discriminate or unfairly discriminate or disadvantage people. You should consider:

Who gets to participate	Who does not, or who now does not due to the changes proposed / made.
Who is at an advantage	Who is at a disadvantage, and again has this changed?
Who will benefit	Who will not benefit (or who did and now doesn't due to the changes proposed in policy)
Who can access the policy	Who cannot, or now cannot.

Protected Characteristic	What degree of impact does the change have (score 1-5 with 1 the lowest and 5 the highest)	What is a potential positive, neutral or negative impact? Include what you have considered. Are there any barriers?	What action will be taken to address any negative impact or remove any potential barriers identified? Note if we are not able to resolve anything identified.	Date by when and whom will this action be taken.
Age	1	None identified		
Disability	1	Some potential barriers to accessing/reading and understanding documentation	Appropriate action will be taken to ensure any person who discloses a health concern and/or disability are provided with adjustments to enable them to understand and be aware of processes	As and when required
Gender (Sex)	1	None identified		
Gender Reassignment	1	None identified		
Marriage or Civil Partnership	1	None identified		
Pregnancy / Maternity	1	None identified		
Race	1	None identified		
Religion or Religious Belief	1	None identified		
Sexual Orientation	1	None identified		
Any other element that needs to be considered.	1	Persons where English is not a first language	Appropriate action will be taken to ensure any person who discloses English as a second language are provided with adjustments to enable them to understand and be aware of processes	As and when required

Note:

1. The terms stated under protected characteristics are the terminology used in the Equality Act 2010.
2. As part of the policy approval process Executive Board will consider the EIA assessment and any potential barriers which we may not be able to overcome and whether the action proposed will mitigate sufficiently within legislation or whether we decide to not implement the new policy if the risk are significant. If the policy is approved the EIA is also approved



Senior Leadership Responsibility	Deputy Chief Executive – Curriculum & Quality
Policy Author	Head of Safeguarding
Roles Responsible for Reviewing	Head of Safeguarding Deputy Executive Director Higher Education & Quality Executive Director Foundation Learning & Additional Learning Support
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