

# FITNESS TO STUDY

**A framework to support students to enable them to progress and achieve.**

## 1. INTRODUCTION

St David's is a Catholic College for the community, seeking to discover and realise the full potential of all in an atmosphere of love, service and respect inspired by Christ. Our expectations are that learner be 'ready, respectful and safe' during their time at the college. We want to support all learners through a graduated response to ensure that learners are able to progress and achieve.

### **POLICY SCOPE**

The college expects all learners to maintain the core expectations, enabling us to create a learning environment which is safe for all. Where behaviour or conduct fall below the core expectations set within our charter, the college will invoke its 'fitness to study' procedure.

St David's College acknowledges that there may be many circumstances where wider context, specialist intervention and impact on self and/or others may mean that a learner is unable to recognise or determine that they are placing unreasonable demands on themselves, college staff or that their circumstances are having an adverse effect on the success and wellbeing of themselves and/or others.

Where the behaviour of a learner presents an immediate significant risk to the safety of themselves or others, the appropriate emergency services should be notified immediately.

The College will take reasonable steps to ensure that learners are not placed at a substantial disadvantage due to their disability or additional learning need. 'Reasonable' includes consideration that they do not compromise academic standards, the ability to achieve the requirements set out by the awarding body, health and safety or the relevant interest of other individuals.

This is not a legal document.

## 2. Handling concerns and disclosures

Personal data is handled, processed and stored in accordance with GDPR. Sensitive personal or confidential data will be held by the safeguarding team and only shared with consent from the learner or where

- A learners behaviour threatens their safety or the safety of others
- A member of college would be liable to civil or criminal penalty for failing to disclose.

### 3. Initial support and guidance

Prior to this process being invoked, in the majority of cases, there must be evidence which supports an ongoing supportive dialogue between the learner, staff and, if appropriate, parent /guardian. Evidence of these must be uploaded onto student advantage / myconcern. Pastoral tutors retain responsibility for attendance monitoring and updating staff on any actions agreed in meetings with student and/ or parents. In a case regarding a safeguarding issue the urgency of the situation may require the process being invoked without such a prior dialogue.

Where a disclosure is made whilst on the course, the ALN or Wellbeing team should be notified immediately. Any safeguarding matters arising from this disclosure need to be raised with a member of the safeguarding team.

### 4. Admission processes

St David's College recognises the importance of ensuring that all learners have fair access to appropriate learning opportunities which enables them to fulfil their highest potential. It is essential that the college fulfils its own duties in ensuring that applicants are physically and emotionally fit and able to undertake and participate in all aspects of learning.

The college must have regard to its duty of care in relation to safety, health and wellbeing and safeguarding of its learners and staff. Where the college feels that there is insufficient information available to make an informed decision around managing risk based on disclosure, we will request an applicant's express permission to obtain further information and evidence from relevant professionals. If the learner declines the colleges request for permission to seek further information, the college reserves the right to highlight this in any risk assessment.

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 risk assessment by wellbeing/ safeguarding team. Where a serious risk is identified, the procedure may be entered at stage 3 or 4 depending on the level of risk. Should a learner be unwilling to participate in the procedures, the process will continue in their absence with all options remaining available

### 5. Stage 1: Emerging Concerns

**Applies where emerging concerns about a learner's health, safety or wellbeing are raised.**

A supportive exploratory meeting will be arranged involving relevant staff to include Pastoral tutor, wellbeing and safeguarding and may also include LAMs and the DSP/ Director of ALN.

In all cases where a learner is under the age of 18, a parent / carer should be contacted and present wherever possible. If the learner is over 18 years of age, they are entitled to support but not from any legal representative.

Evidence for the need for a stage one meeting must be provided and an action plan will be drawn up with the learner. Permission will be sought to disclose to relevant staff as appropriate.

## 6. Stage 2: Continuing or strong initial concerns.

**Applies when continuing or serious concerns about a learner's health, safety or mental wellbeing are raised. Staff should refer to a member of the wellbeing or safeguarding team.**

A supportive meeting will be arranged involving relevant staff to include Pastoral tutor, LAM, wellbeing and safeguarding team, Director of ALN. Where suitable external agency personnel will be invited.

In all cases involved learners aged under 18 a parent/carer should be contacted and present wherever possible. If the learner is aged over 18 years, they are entitled to support but not from any legal representative.

Discussions will involve establishing whether further reasonable adjustments or support can be put into place to enable the learner to continue their studies

The outcome may be

- Withdrawal from the course with a view to re-enrolling at a future date.
- Transfer to an alternative course

If a learner is asked to withdraw from a course of study, they will be asked to do so voluntarily. If a learner refuses, then the case will be passed to Director of Studentship for consideration for exclusion.

## 7. Stage 3: Immediate and serious concern or no progress from stage 2.

**Applies when there are immediate and serious issues or where no progress from previous concerns has been made and where the learner's actions or behaviours are putting the health, safety, wellbeing or academic progress of themselves or others at significant risk or is likely to adversely affect the reputation of the college.**

If the case is the result of an incident which falls into one of the above categories, security/stewards should ensure they minimise any immediate danger to the learner or others.

A Pastoral Director or member of SLT should be informed immediately.

The learner should be asked to work remotely until a case conference can be convened – this should occur within 5 working days.

A letter stating the above will be sent to the learner's home address and parents if the student is under the age of 18.

A case conference will be held with relevant parties from the following: director of studentship / DSP, LAM, Wellbeing and safeguarding Manager/ Director for ALN.

In all cases where the learner is under the age of 18 a parent or carer is requested to attend. Any medical or legal reports relating to the learner should be presented to panel to facilitate the construction of a risk assessment. If the case conference was convened as a result of an immediate and serious incident the risk assessment will inform whether a supportive action plan can be put in place in order for the learner to remain at the college. If this is the case, the action plan/ risk assessment should be revisited within 4 college weeks to ensure progress is being made.

If the panel has met as a result of no progress against concerns, a decision should be made about whether the learner remains on their course.

The following outcomes may be considered:

- Exclusion from college
- Completion of course as a distance learner

- Appeals

The learner has a right of appeal where the decision has been made to exclude. All appeals should be made in writing to the Vice Principal for Pastoral Care within 5 working days of the decision. The Vice Principal's decision will be final. Exclusion will preclude a learner applying for another course without evidence from an external professional, stating that they are fit to return to study and will convene a meeting with the learner and the external agency prior to an application being made to return.

## Risk Assessment Form

### RISK ASSESSMENT

Name:

DoB:

ID No.

Background Information:

Threat:

Risk:

Aggravating Features:

Mitigating Features:

Risk Severity:

Risk Likelihood:

Impact Level\*:

Control Mechanisms:

Parties Responsible:

Contact Telephone Numbers (as appropriate - e.g., Tutor, Parent/Carer, Social Worker, PA, YOS)

Risk Rating Key - Impact Level\*

	Risk Severity			
	Acceptable	Tolerable	Undesirable	Intolerable
	Little or no effect on learner and/or others	Effects are felt but manageable with control measures	Serious impact to learner and/or others	Risk too much to manage for learner and/or others in college
<b>IMPROBABLE</b> Risk is unlikely to occur	<b>LOW</b>	<b>MEDIUM</b>	<b>MEDIUM</b>	<b>HIGH</b>
<b>POSSIBLE</b> Risk will likely occur	<b>LOW</b>	<b>MEDIUM</b>	<b>HIGH</b>	<b>EXTREME</b>
<b>PROBABLE</b> Risk will occur	<b>MEDIUM</b>	<b>HIGH</b>	<b>HIGH</b>	<b>EXTREME</b>