

Fitness to Study Policy & Procedure

1. Scope and Purpose

- 1.1. The Loughborough College Group recognises that it has a duty of care for all its students and staff and takes a positive approach to support student's health and well-being in relation to their learning, academic achievement, and wider student experience. As a trauma informed organisation, the College Group is wholeheartedly committed to support students and recognising the importance of their health and well-being in relation to their academic progress and college experience.
- 1.2. The procedure is designed to ensure that any concerns related to a student's ability to study due to health, medical, mental health and wellbeing needs are managed and addressed in a timely, equitable and supportive manner.
- 1.3. This policy and procedure apply to all applicants and students enrolled at The Loughborough College Group on all modes of study on and off campus. Including Further Education, Apprenticeships, Higher Education, Adult, Distance Learning, and Work Based Learning. This policy covers all students for the duration of their programme and regardless of their background or protected characteristic.
- 1.4. Fitness to study relates to a student's capacity to participate fully and satisfactorily in relation to their academic studies and in college life generally in the light of their health or well-being.
- 1.5. The purpose of this policy is to help the College to take a fair and consistent approach in circumstances where students are unable to meet course requirements, including in terms of attendance and participation in class, other college related activities or completion of work due to their health and well-being.
- 1.6. The Loughborough College Group recognises that students may face a variation of difficulties and challenges impacting their health, well-being or behaviour which influence the likelihood of success and progression, or their capability to safely attend our college or work placement. This Procedure will apply in situations where a student's health or well-being will have or is having a detrimental impact on their ability to progress academically and function effectively at the College. It is intended to ensure an appropriate and co-ordinated response in situations where:
 - The student is unable actively to engage in their programme of study, to attend classes or meetings with teachers or supervisors or to spend sufficient regular time in private study in such a way as to enable them to succeed.

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- The student's continued study is likely to have a detrimental impact on their health and well-being.
 - The student's continued study is likely to have a detrimental impact on fellow students, staff, or the College external partners.
 - The adjustments required in respect of the student's disability (including mental health difficulty) have become unreasonable.
- 1.7. The procedure should be applied where there is a significant concern that a student's attendance and academic progress is being or in the case of an applicant likely to be negatively affected by mental or physical ill health, disability or that their behaviour is having a negative impact on other staff, students or third parties. It is alternative to the procedures for managing behaviour that is in breach of the College's Code of Conduct. Concerns should be acted on promptly as early intervention and support can result in better outcomes for the student and may avoid situations becoming more complex.
- 1.8. This policy applies to Loughborough College Group and its colleges. References to the Group or College refer to all parts of the group.

2. Policy & Procedure Statement


- 2.1. This Procedure should be used in circumstances where a student's fitness to study gives cause for concern and other procedures are not considered appropriate at that time or have already been exhausted.
- 2.2. Students and applicants will be treated fairly, respectfully and in line with the College's Equality, Diversity and Inclusion Policy and it is important to remember that 'Fitness to Study' procedures are supportive steps to prioritise the student/applicant's well-being. Where it is identified a student/applicant is not fit to study, staff are expected to assess on a case-by-case basis whether reasonable adjustments can be implemented to enable students/applicants with additional needs to participate and engage fully in the teaching, learning and assessment activities.
- 2.3. The procedure has three levels. At all levels, a member of college staff will act as 'Case Officer'. The Case Officer will be appointed and wherever possible will be a person who knows the student.

3. Impact Assessments

- 3.1. This policy/procedure has undergone an impact assessment process during review to ensure that any foreseeable risks and implications have been appropriately considered.

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- 3.2. Equal Opportunities: The policy has been reviewed to uphold principles of equality and non-discrimination in accordance with equal opportunities legislation, ensuring fair treatment for all individuals.
 - 3.3. Data Protection: All personal data processing activities governed by this policy have been assessed for risk and are fully compliant with current data protection laws. Privacy-by-design has been embedded as a core approach, with safeguards implemented to protect data subjects.
 - 3.4. Safeguarding, Health & Safety, and Environmental Sustainability: Relevant aspects of safeguarding, health and safety, and environmental sustainability have been impact assessed to support a secure, inclusive, and responsible working and learning environments for all.

4. Procedure

- 4.1. Level 1 - Emerging Concerns (informal intervention)
 - 4.1.1. When a concern that an applicant or student may not be 'Fit to Study', the relevant member of staff should meet with the student / applicant to discuss the concerns, next steps and develop an action plan. Parents/carers of students aged under 18 or those under 25 who have an EHCP will be invited to the meeting. Welfare/ Emergency contact/s of HE students will also be notified, where consent has been given. The student and where appropriate the parent / carer/ welfare/ emergency contact will be invited to the meeting via email, giving five working days' notice.
 - 4.1.2. Where the concern has arisen externally e.g. on work placement or enrichment event the member of staff may involve other relevant college staff (such as a workplace assessor, career advisor, staff involved in enrichment event).
 - 4.1.3. The meeting should be conducted in an informal 'trauma informed' manner with an emphasis on supporting the student and the parent / carer (for students aged under 18 or with an EHCP).
 - 4.1.4. At the meeting the nature of the concern should be explained to the student, and they should be encouraged to discuss any issues or worries that are impacting them. If appropriate, this is an opportunity to provide information to the student about relevant college regulations and procedures, and support that is available within and external to the College. It should also be explained that a continuation of the same or any additional concerns could result in an escalation to Level 2 of the policy. College staff who have been supporting the student under this policy may also be invited to attend the meeting to support the student and discuss progress with strategies implemented to date.

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- 4.1.5. Where a student does not attend the meeting, staff should try to meet with the parent / carer for students aged under 18 or arrange another date for the meeting. Where the student and/or parent / carer still fails to attend the re arranged meeting, the College will meet with the relevant internal and external professionals to discuss the case and determine the outcome.
- 4.1.6. A meeting will be held giving at least 5 working days' notice and will comprise of the following:
- Tutor, or Progress Tutor or designated member of the College team for enrolled students / an appropriate member of college staff for applicants
 - A member of the Safeguarding, Welfare or Learning Support Team
 - Other College staff may be called to the meeting if they have relevant information for the case
- 4.1.7. A written record of the meeting and an agreed action plan will be logged on the students ILP (for enrolled students). The action plan will set out any reasonable support measures and any conditions that the student is required to adhere to, which may relate to their health and well-being, academic studies, and/or behaviour. A review date should be set (with a reasonable timeframe given the actions identified and in any case within 4 weeks, defined as term time for taught student) and agreed with the student / applicant.
- 4.1.8. Within five working days of the meeting, an email will be sent to the student and parent /carer where appropriate, setting out any agreed actions and, if appropriate, arrangements for a follow up meeting with the student at a later date. If the student is unwilling or unable to respond positively, the member of staff from the College should discuss this with their manager. The letter will be sent within 5 working days and logged on ProMonitor for enrolled students of on Pro Solution for applicants. The letter will normally be sent by email to the student's college account and to the parent / carer for students under the age of 18 or with an EHCP.

4.2. Level 2 Continuing or Serious Concerns

- 4.2.1. Where continuing or serious concerns about an individual student's health, safety or well-being are raised, the Case Officer may consult with other college staff, external professionals, and other persons as appropriate, to gather relevant information about the matter and confirm that the Fitness to Study Procedure at this level is the most appropriate means of dealing with the matter.


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- 4.2.2. A meeting will be held with the student and chaired by the Manager or designated member of staff at the appropriate level giving five working days' notice. Parents/carers of students aged under 18 or those under 25 who have an EHCP will be also invited to the meeting. Welfare/ Emergency contact/s of HE students will also be notified, where consent has been given. The college staff who have been supporting the student under this policy may also be invited to attend the meeting to support the student and discuss progress with strategies implemented to date.
- 4.2.3. A meeting will be held giving at least 5 working days' notice and will comprise of the following:
- Relevant Manager for the curriculum area (Chair) or designated manager
 - A member of the Safeguarding and Welfare or Learning Support Team member (panel)
 - Other College staff may be called to the meeting if they have relevant information for the case.
 - Case worker (support)
- 4.2.4. The student should attend and may choose to be accompanied by a friend, family member or carer for support. However, the accompanying person is not normally permitted to speak at the meeting. Legal representation is not permitted.
- 4.2.5. The meeting should be conducted in a trauma informed manner with an emphasis on supporting the student. At the meeting, the specific concerns regarding the students 'Fitness to Study' will be discussed, how the concerns can be alleviated and the options available. A record of the meeting and an agreed action plan will be logged on the students ILP. The action plan will set out any reasonable support measures and any conditions that the student is required to adhere to, which may relate to their health and well-being, academic studies, and/or behaviour.
- 4.2.6. Within five working days of the meeting, an email will be sent to the student and parent /carer where appropriate, setting out any agreed actions and the action plan review date.
- 4.2.7. A review date should be set (with a reasonable timeframe given the actions identified and, in any case, no longer than 4 weeks following the meeting, defined as term time for taught student) and agreed with the student. At the

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review meeting progress against actions will be measured. Three options are available:

- No further action required. Targets have been met and staff have been satisfied that the student is fit to study.
- Resetting of targets. This may be appropriate where targets have been partially met or where further, relevant targets are helpful to maintain progress, and these have been identified during the review meeting.
- Escalation. Where targets have not been met and the setting of further targets would not appear unlikely to yield any progress the case should be escalated to Level 3 (see below).

4.2.8. An outcome letter will be sent within 5 working days and logged on ProMonitor. The letter will normally be sent by email to the student's college account and to the parent / carer for students under the age of 18 or with an EHCP.

4.3. Level 3 - Serious or Persistent Concerns

4.3.1. Level 3 represents the final level of the process. It is intended for use when the informal and initial formal steps outlined above have been exhausted without success. Level 3 will be implemented where action already taken at Level 2 has not resulted in a satisfactory outcome or the concern is sufficiently serious or persistent as to require the Procedure to be initiated directly at Level 3.

4.3.2. The manager for the curriculum area where the student is studying may consult with other college staff, external professionals, and other persons (as appropriate) to gather relevant information, including seeking medical advice where appropriate. This consultation may, at the managers discretion, be undertaken by way of a case review meeting attended as relevant by representatives of the College, external professional and others as may be appropriate.

4.3.3. A meeting will be held giving at least 5 working days' notice and will comprise of the following:

- A member of the senior Leadership Team from the curriculum team where the student is studying (Chair)
- A manager from either the Safeguarding, Welfare or Learning Support Manager (Panel)
- Other college staff may be called to the meeting if they have relevant information for the case.

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- Case worker (support)

4.3.4. The student should attend and may choose to be accompanied by a friend, family member or carer for support. However, the accompanying person is not normally permitted to speak at the meeting. Legal representation is not permitted.

4.3.5. The student will be provided with copies of any documents to be considered at the meeting and may submit any documents they wish the meeting to consider. (Parents/ carers of students aged under 18, under 25 if they have an EHCP will also be invited to attend). Welfare/ Emergency contact/s of HE students will also be notified, where consent has been given. The student should be provided with their evidence at least 3 working days in advance of the meeting. The student will normally be expected to bear the cost of this unless the report is requested by the panel to aid its assessment of the case or there are compelling financial hardship grounds in which case the Student Support Centre may be contacted for advice on securing financial assistance.

4.3.6. It is standard practice for the student to attend the meeting. However reasonable adjustments will be made where appropriate to ensure the student is not disadvantaged due to illness or other extenuating circumstances. Where the student is too unwell or otherwise unable to attend in person, they may:

- Join the meeting remotely via Microsoft Teams;
- Submit written representations in advance of the meeting; or
- Nominate a representative to attend the Case Conference on their behalf

The representative may be any person of the student's choosing, such as a friend, family member, or a member of staff who has supported them during their studies. However, the representative may not act in a legal capacity, and legal representatives are not permitted to attend.

4.3.7. At the meeting:

- The chair will introduce the staff in attendance
- Explain the concerns and its perceived impact/implications
- Student will have the opportunity to respond to the concerns and provide any further supporting evidence
- The panel will review any evidence submitted by the college and student
- Discuss any related support needs the student may have

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- Where relevant, consider any action taken to support the student and their effectiveness including the student's engagement with the support offered or provided at the previous levels

4.3.8. The outcome of the meeting may be one of the following:

- a) The student is permitted to continue immediately with their studies in the current mode of study with no conditions attached
- b) Implementation of appropriate support arrangements and/or reasonable adjustments for the student
- c) An imposed break in learning for a stated period of time and/or withdrawal from specified college facilities/activities, with or without conditions for any subsequent return to study or readmission to those facilities/activities
- d) A decision to withdraw the student from any current placement, other College related activity or from their studies at the College. Students may re apply to the college in future years.

4.3.9. For outcomes b and c, a time-bound action plan will be drawn up, with the agreement of the student (where possible), setting out the ways in which the matter will be managed and any obligations on the part of the student (e.g. in respect of their conduct, engagement with studies, or support that they should seek).


4.3.10. The Level 3 Panel may choose to communicate its decision orally or in person to the student, particularly where circumstances indicate a need for prompt notification. Whether or not such verbal notification is given, the student and parent / carer where a student is aged 18 or under or has an EHCP will be notified in writing, normally within five working days of the panel meeting, with reasons for the decision and details of any actions to be taken. Welfare/ Emergency contact/s of HE students will also be notified in writing, where consent has been given.

4.3.11. Minutes will be taken of the meeting and these minutes and the decision of the panel, including the rationale for that decision, will be recorded and retained by the Learning Support Team with a copy provided to the relevant department as part of the student's formal records.

4.3.12. An outcome letter will be sent within 5 working days and logged on ProMonitor. The letter will normally be sent by email to the student's college account and to the parent / carer for students under the age of 18 or with an EHCP.

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4.3.13. The student has the right to appeal against the panel decision. See appeals.

4.4. Imposed Break in Learning

4.4.1. Where a student has had a break from studies, the following may be supported by the Learning Support Manager, or Safeguarding or Welfare team on their return to college, this may include:

- Fitness to Study Policy meeting to ensure the requirements of their action plan can be met. This may include ensuring the medical and support needs of the student can be met and that College and/or their course provides a safe environment for the student. Input may be required from a medical/healthcare professional as appropriate. Where applicable, documentation/ supporting letter may be required.
- Satisfactorily completing a mutually agreed probationary period. If the student entering any stage of the process is an international student or in college accommodation the respective manager for those areas should be informed immediately

4.4.2. It may only be possible for a student to return to study at certain points in the academic calendar, depending on the particular circumstances of the student and the course of study. If a voluntary break in learning is agreed at any stage of this policy, the College will be entitled to request satisfactory evidence that the original concerns have been overcome or are under control before the student can be re-admitted at a suitable point in the academic year. In some instances, based on the requirements of the awarding institution or accrediting body we may require further confirmation and appropriate evidence of fitness to study


4.4.3. A break in learning will normally be reviewed every four weeks in the light of any developments or upon receipt of any other relevant evidence. Such a review will not normally involve a meeting, or submissions made in person.

4.4.4. The student will be required to provide or co-operate with the College in obtaining satisfactory evidence that the original concerns are overcome or under control before being permitted to return to study. Any failure to co-operate with the College may result in further action or may result in the student not being able to return to their programme of study.

4.4.5. The required evidence will be specified in the outcome letter, and may include a report from an appropriately qualified professional expert approved by the college, with sufficient knowledge about the health and well-being of the student during the relevant period and its potential impact, confirming that the student is fit to study on a particular course and as a member of the college

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community, and recommending any reasonable support measures for the College to consider. In the case of a break in learning the college Principal and other relevant staff members must be informed.

4.4.6. The Chair of the Fitness to Study meeting, in consultation with the relevant members of staff, students and parents / carers of a student aged under 18 or with an EHCP will determine if:

- The student is fit to study and should be permitted to resume the course. This will be subject to an action plan identifying relevant support measures and any conditions. Regular review meetings will be arranged so that the student's progress can be monitored, and support modified if necessary.
- The student remains unfit to return and should be suspended for a further specified period. Their return to study will be subject to confirmation after a further review by the Case Conference and Action Plan
- The student is not fit to study and should be withdrawn from the course. A copy of the decision and associated reasons will be provided to the student in writing within 10 working days.

4.5. Withdrawal

4.5.1. Where a student is withdrawn, it will be stated whether this is from a part of their programme or all elements.

4.5.2. In the case of a withdrawal outcome the College Principal will be informed.


5. Appeals

5.1. All appeals must be made by email to the Director of Governance & Legal Services (appeals@loucoll.ac.uk) and must state the grounds for the appeal (e.g., new evidence not considered, conduct or fairness of the original procedure, disagreement over decision applied). An appeal must be made within ten working days of receiving the outcome letter.

5.2. The Director of Governance & Legal Services or nominated representative will review the appeal to ensure that it meets the required grounds for appeal. The Director of Governance & Legal Services may request further information from the person appealing. Where an appeal is submitted without valid grounds of appeal, the Director of Governance & Legal Services may dismiss the appeal without a hearing. In exceptional circumstances, the Director of Governance & Legal Services in consultation with the Vice Principal Learner Services and Quality can uphold the appeal without a hearing. In all other cases where a valid appeal has been submitted, an appeal meeting will be set up and recorded on a 'Fitness to Study Appeal Meeting' template on ProMonitor.

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- 5.3. For all Stage 1 and Stage 2 appeals, the Head of Department (or nominated representative) and Wider Management Team (WMT) member will normally undertake a desk-based review of the appeal within 10 working days of receipt of the appeal. In exceptional circumstances, the appellant may be invited to attend a short meeting to discuss the appeal further. An outcome letter will be sent within 5 working days and logged on ProMonitor. The letter will normally be sent by email to the student's college account and to the parent / carer for students under the age of 18.
- 5.4. For Stage 3 appeals, the appeal will be chaired by an Executive member or nominated representative and a Senior Leadership Team member. The appeal will be heard within 15 working days of receipt of the appeal (wherever practicable) and the student (and parent/carer if aged under 18) will be given five working days' notice of the date in writing. A student can be supported in the appeal by a member of staff, friend, relative, not a legal advisor. The student and the relevant member of college staff will have the opportunity to present oral or written evidence. An outcome letter will be sent within 5 working days and logged onto ProMonitor. The letter will normally be sent by email to the student's college account and to the parent / carer for students under the age of 18. Requests can be made for the letter in other formats.
- 5.5. The appeal panel can uphold or dismiss the appeal. They cannot apply a more severe outcome than the one originally issued at the Fitness to Study meeting. However, if the appeal is upheld, the panel may amend the outcome to a less severe or alternative resolution where appropriate.
- 5.6. The decision of the Appeal Panel is final and is the end of the Fitness to Study appeals process.
- 5.7. All Stage 3 appeal hearings, where the Director of Governance & Legal Services considers it appropriate, will be supported by a representative of the Director of Governance & Legal Services, whose role will be to support the administration of the hearing, to take notes and to provide advice on process where appropriate ("the appeal clerk").

6. Confidentiality and Disclosure

- 6.1. There may be occasions where the College is required to share sensitive information without the student's consent due to safeguarding concerns, serious risk to the student or others, or legal obligations. This includes situations where the student is under 18 or where there are concerns about their capacity to make informed decisions. In such cases, disclosures may be made to appropriate internal staff, emergency contacts, or external agencies such as health professionals, social care, or the police. The College will always seek to obtain the student's informed consent wherever possible, unless doing so would increase the risk of harm.

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6.2. If the student chooses not to provide consent, the implications of non-disclosure should be explained clearly. However, there may be rare occasions-regardless of age-where consent is withheld or it is impracticable to obtain, and confidentiality may need to be breached. These circumstances may include:

- The student is putting their own life at risk
- The student is putting someone else's life at risk
- The student's mental health has deteriorated to the point that they are unable to maintain daily living routines or relationships
- The student is at risk of exploitation or abuse
- The student's behaviour is adversely affecting the rights or safety of others
- Staff are placed in a position where their professional integrity is compromised

7. General principles

- 7.1. Students are encouraged to seek appropriate practical and specialist support to manage and where possible, mitigate the matters which give rise to concerns actioned under this procedure.
- 7.2. All matters considered under this procedure will be dealt with according to the individual circumstances. Whilst seeking to ensure consistency of approach and application, the College reserves the right in exceptional cases to vary from the prescribed procedure where it deems it necessary to do so in the interests of fairness and/or health and safety.
- 7.3. Students are encouraged to engage with the College and access all support available to them. If they choose not to do so, then this policy may continue without their involvement.
- 7.4. In taking action under this procedure, the College will be mindful of the sensitive and confidential nature of Fitness to Study matters and its obligations under the Data Protection Act 2018 and Equality Act 2010, Keeping Children Safe in Education 2025, Care Act (2014), Safeguarding Vulnerable Groups Act (2006), Human Rights Act 1998.

8. Location and Access

- 8.1. This document can be found here:
- The Loughborough College Group's Website
 - The Loughborough College Group's SharePoint

9. Linked Policies and Procedures

- 9.1. You may wish to view the following policies:

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- Probationary Policy
- Student Behaviour Policy and Procedures
- Equality, Diversity, and Inclusion Policy

10. Change Log

Date	Version	Details of Change	Reviewer	Reviewer Title

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