

# Fitness to Study Policy

Online Delivery

September 2024

For Policies, use the following:

### Document Control

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### Associated Documents

Policy
Safeguarding Policy – Online Learning Mitigating Circumstances Policy/s

Legislation and Government Guidance
Equality Act 2010 General Data protection Regulations (GDPR)

### Approved

Executive Director	Signature and date
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## 1. Introduction

Study Group welcomes students with health conditions or learning differences and wants to facilitate their success. To do this, students should disclose any specific health conditions (physical, emotional, or mental) as part of the application and registration process so an effective support plan can be agreed and implemented in advance. Students should keep appropriate staff updated throughout the duration of their course.

The DSL/DDSL will have an overview of the students and liaise with academic teams regarding reasonable adjustments in the classroom to ensure positive outcomes for all students.

All students who disclose a learning, health or disability need will receive advice and general support. The Centre does not provide direct professional medical and mental health support, so students must be able to self-manage their conditions.

This policy is intended for all students undertaking digital courses within their home countries and should be read alongside the *Safeguarding Policy – Online Learning*.

## 2. Purpose and Aims

It is recognised that students may experience difficulties because of an existing medical or mental health condition; or because of a new diagnosis. The *Fitness to Study Policy* is intended, in the first instance, to provide supportive measures to enable a student to continue with their studies however when this is no longer possible, the policy will provide a fair and consistent process to assist a student to defer their course until they are fit to resume.

The *Fitness to Study Policy* aims to ensure:

- All students are, and remain, safe;
- All students have access to reasonable adjustments if possible and appropriate;
- Any students experiencing physical or mental ill-health are supported to study as appropriate;
- Any student who is identified as not fit to study is supported without detriment to future study.

It should be noted that on occasions where a student is significantly impacted by their health or wellbeing and unable to study online, or is significantly detrimental to others, the Head of Digital Learning Delivery has the discretion to defer a student's course immediately.

## 3. Scope

This policy applies to all staff who are employed by Study Group to deliver or support the online only programme via the Global Digital Learning Hub (GDLH).

This policy applies to all students, including prospective students, who are studying online within their home countries.

This policy must not be used for behaviour and general attendance management, nor should its use be considered punitive. For incidents involving difficult behaviours that are not

associated with a student's fitness to study, please refer to the *Disciplinary Policy* and *Attendance Policy*.

This policy is not intended to replace or replicate any policy or processes resulting from a student's failure to academically engage or progress.

### 3.1. Fitness to Study Criteria

This policy is enacted when one or more of the following apply:

- The student's health or wellbeing means they are unable to attend synchronous classes, or meetings, or spend sufficient time on their asynchronous activities to enable them to succeed;
- The student's health or, wellbeing is causing concern to others although there may be no detrimental effect on their studies;
- The health, or wellbeing of a student is to the detriment of the learning of others.

## 4. Roles and Responsibilities

Study Group adopts a collaborative approach to managing student welfare and wellbeing and as such both staff and students themselves are responsible for ensuring that they are safe and fit to study throughout their course.

### 4.1. All students

All students should inform Study Group of any pre-existing medical or mental health condition prior to starting their online course so that reasonable adjustments can be put in place ready for the commencement of their online course. If a student chooses not to disclose a pre-existing condition, then Study Group cannot be held accountable if they are unable to access their online course fully or fail to complete and progress.

If a student receives a new diagnosis of a medical or mental health condition that is likely to impact on their ability to study, they must inform their Welfare Team as soon as possible. Failing to inform the Welfare Officer or equivalent of a new diagnosis will make it difficult for support measures to be put in place to support learning.

If students do not declare an existing condition or that they have received a new diagnosis and the adjustments are not reasonable, the *Fitness to Study Policy* may be enacted.

### 4.2. All staff

All staff must be vigilant of student welfare and raise concerns with the Welfare Officer in a timely way as per the *Safeguarding Policy*.

### 4.3. Welfare Officer/Team

The Welfare Officer/Team is responsible for:

- Receiving concerns from GDLH staff and acting upon them in line with the *Safeguarding Policy*;
- Engaging students and offering advice and guidance as required;
- Where possible, assisting students to find suitable support within their home countries;

- Working in partnership with academic staff, ensuring that students who qualify for adjustments receive them;
- Raising any concern that a student is not fit to study to the Head of Digital Learning Delivery;
- Supporting students through the *Fitness to Study* process, acting as an advocate as required.

#### 4.4. Head of Digital Learning Delivery

The Head of Digital Learning Delivery is responsible for:

- On receiving all key information from the Welfare Officer, enacting the *Fitness to Study* process as required;
- Making an immediate decision to defer a student if their health or wellbeing has a significant impact on their ability to study online or is detrimental to others.

#### 4.5. Executive Dean

An Executive Dean or substitute of appropriate seniority is responsible for reviewing any appeal made against the *Fitness to Study* outcome within 3 working days of it being made.

### 5. Fitness to Study Process

All concerns relating to *Fitness to Study* must be referred to the Welfare Officer as per the *Safeguarding Policy*.

**The key question to ask at each stage is: “Are we confident the student will be safe?”.**

#### 5.1. Stage 1: Initial support

On receiving a referral, the Welfare Officer will liaise with all relevant personnel i.e. lecturers and personal tutors to gain a fuller picture of the student’s circumstances. The Welfare Officer will identify additional support or reasonable adjustments that may assist the student to continue with their studies.

Ask the question: “Are we confident the student will be safe?”. If the answer is no and there are immediate concerns for the student’s safety or the safety of others, then Study Group reserves the right to proceed to Stage 3.

#### 5.2. Stage 2: Agreed Fitness to Study Support Plan

The Designated Safeguarding Lead/Deputy or designate engages the student in an Agreed Fitness to Study Support Plan which identifies targets to be met, any further adjustments to be made and a time set for review – this would be at least every two weeks but may be more frequent. Information that an Agreed Fitness to Study Support Plan is in place would be shared with parents or legal guardians of U18 students and/or sponsors for sponsored students. Consent would be required from the student to share details of the content of the Agreed Fitness to Study Support Plan, unless it meets the criteria of a safeguarding risk – see *Information Sharing Principles*.

Engagement with this Agreed Fitness to Study Support Plan and its review will be a requirement to continue with their studies. Students that show good engagement and who have demonstrated they are safe to live independently, or their situation has changed, may be removed from Fitness to Study, which will be approved by the DLHL or delegate.

Non-engagement by the student will move the process to Stage 3.

During periodic reviews of the Fitness to Study Support Plan, ask the question “Are we confident the student will be safe?”. If the answer is no and there are immediate concerns for the student’s safety or the safety of others, then Study Group reserves the right to proceed to Stage 3.

### 5.3. Stage 3: Fitness to Study Review

Please refer to Section 3.1: *Fitness to Study Criteria*.

The Fitness to Study Review is an opportunity to discuss concerns with the student, to get their viewpoint and to assess their ability to continue to study and complete their course successfully. It is also an opportunity to assess any risk to themselves or others.

A fitness to study review will be convened by the DLHL or delegate in the following situations:

- The student is unable to study or live independently after the initiation of an Agreed Fitness to Study Support Plan;
- There are immediate concerns for the student’s safety or the safety of others which mean the earlier stages of the process are void;
- The student shares for the first time at their Stage 5 attendance termination meeting that they have evidence of a health condition (including mental health) or disability and this is the reason for not attending or engaging with their studies (for those with no evidence, the *Attendance Policy* continues).

Information that a Fitness to Study Review is being held would be shared with parents or legal guardians of U18 students and/or sponsors for sponsored students and/or trusted contacts of students that meet the criteria of a safeguarding risk – see *Information Sharing Principles*. Consent from students would be required to share any details of the content of the review meeting.

Where possible, this review should be attended by the student who may choose to bring a support person with them. This support person must be a student peer or a family member. It cannot be a legal representative. If the student does not have a support person, then a member of the welfare team should act as the student’s advocate. The review will take place online.

It should be noted that in some circumstances a student may not be able to attend, and in these cases the student may submit a written statement and the *Fitness to Study Review* can continue in their absence.

It is the responsibility of the staff member leading the Fitness to Study Review to consider the following information as part of the review and give an opportunity for the student to respond:

- Evidence provided by the student of any medical or mental health condition;
- Evidence of attendance and engagement with classes;
- Evidence of concerns raised about the student;
- Evidence of any support already provided and its impact;
- Evidence of any residence-based issues that have been reported to the Centre;

- The Agreed Fitness to Study Support Plan and details of the student's engagement and adherence to it;
- In the absence of the student, a statement from the student as to the problems they may be experiencing;
- The potential impact of any decision made at the review;
- Any other information that might assist with a decision.

**Ultimately, we must make the decision based on “Are we confident the student will be safe?”.**

#### 5.4. Fitness to Study outcomes

The following are the possible outcomes following the review:

- Continue with studies with additional support and or further medical treatment;
- Voluntary deferment to a future course date when the student is proven fit to return to study;
- Mandatory deferment until the student is proven fit to return to study;
- In year change of course (if possible);
- Cancellation of course.

The outcome of the meeting should be communicated to the student within 3 working days of the *Fitness to Study Review* meeting and confirmed by email. A member of the welfare team should be made available to support the student to the conclusion.

## 6. Appeals

The student will be informed in writing of their right to appeal to the Head of Digital Learning within 3 working days of the final decision. This request must include the reasons for the appeal.

### 6.1. Appeals process

An Executive Dean or substitute of appropriate seniority, will be responsible for:

- Acknowledging the appeal and informing the student of the process;
- Reviewing all paperwork and evidence objectively;
- Convening an appeals panel within 3 working days of the appeal being raised, if appropriate;
- Hearing the student's reasons for appeal.

The outcome of the appeal will be either that the original decision is upheld, or an adjustment is agreed to the outcomes stated in 5.3 above.

Following the appeal, the decision will be communicated to the student within 3 working days. The decision will be final and there will be no further right to appeal.

### 6.2. Complaints

If the student wishes to make a complaint about any part of the *Fitness to Study* process, then they should refer to the *Complaints Policy*. It should be noted that a complaint being raised will not alter or pause the outcome of the appeals panel.



## 7. Record Keeping and Monitoring

All documentation and outcomes must be recorded and stored in line with GDPR requirements.



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