



Ruskin College Oxford

FITNESS TO STUDY POLICY

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Amendments	Author	Reviewed
Updated titles for staff	Programme Manager (HE)	March 2021
URL links to external reference points	Programme Manager (HE)	March 2021
Timescales clarified and revised	Programme Manager (HE)	March 2021

1.0 Policy on Fitness to Study

The external reference points for this policy are:

1.1 Equality Act 2010. Access at: <https://www.legislation.gov.uk/ukpga/2010/15/contents> **1.2** Protection from

Harassment Act 1997. Access at: <https://www.legislation.gov.uk/ukpga/1997/40/contents>

1.3 Mental Capacity Act 2005. Access at: <https://www.legislation.gov.uk/ukpga/2005/9/contents> **1.4**

This policy has drawn on examples sourced from Newham Sixth Form College.

2.0 Introduction

2.1 Ruskin College aims to provide the best level of education and inclusion opportunities to adults - particularly those who may be excluded or disadvantaged - and to transform the individuals concerned along with their communities, groups, and society. We will make our best endeavours to meet the needs of students with learning needs, medical conditions, and disabilities. We will make all reasonable adjustments so that barriers to access are removed and to

enable academic success.

3.0 Scope

3.1 This policy applies to all Ruskin College students and learners registered on programmes where any adjustments made are no longer reasonable or possible.

4.0 Definitions

4.1 The College recognises that there may be times when the physical or mental health of students is so affected that academic progress is unable to be maintained. In very rare situations where support is required beyond that which is reasonable, it is useful to bear in mind that:

- Whilst on a temporary basis it is reasonable for tutors and support staff to be flexible with attendance due to ill health, prolonged periods of absence cannot be sustained as we are not a distance learning college.
- There may be times when the nature of a student's ill health requires support beyond the expertise or capacity that we can reasonably offer.
- Occasionally ill health may also present a health and safety hazard and, in this situation, a risk assessment will be undertaken. It is recognised that if such a situation arises, then risks cannot be managed at an appropriate level in the college environment.

4.2 There are therefore occasions where, for one or more of the reasons above, it will be our collective judgement that to continue at the college is no longer in the best interests of the student.

4.3 There may be other circumstances, such as pregnancy or gender reassignment surgery, where the principles of this policy will apply.

4.4 This policy and accompanying appendix provide a framework to guide decision making in the event of "fitness to study" issues arising and are seen as a set of parameters for the minimum acceptable level of academic progress and attendance and a series of stages for reviewing support and improvement.

5.0 Procedure

5.1 Telling the College

5.1.1 We will do all we can to create an inclusive and supportive environment to encourage students to feel safe to disclose their learning needs, medical conditions and disabilities. There are many opportunities for disclosure such as during the application process, at the interview stage, during enrolment and induction and when speaking with your tutor. Students are made aware of the extensive range of student services at the college both at interview, at induction and via the College Handbook.

5.1.2 Students are encouraged to disclose any physical or mental health conditions as part of their application. Information disclosed does not prejudice any decision about the application. The information is used to establish how best we can respond to individual need and what reasonable adjustments can be made. Early disclosure is encouraged so that the student can receive support at the earliest opportunity and the college can make timely and reasonable adjustments.

5.1.3 In cases where a complex or significant physical or mental health condition is disclosed on application, it may be appropriate for the Finance and Welfare Officer to seek further information from health professionals and to formulate a support plan, including when the student has an Education Health and Care Plan already in place. A transition meeting may take place to discuss and agree details of the support plan, the appropriate programme to be studied and any reasonable adjustments. In these cases, the support plan will require formal medical documentation to be provided. Agreement will be reached on the information given to staff so that they can best make adjustments.

5.1.4 Whenever a student discloses information to a member of staff the college will always seek to provide appropriate support, whether the condition is pre-existing or begins during the period of study. All students have a tutor with whom information is most likely to be shared. However, all members of staff have a duty of care and students may share this information with any member of the college staff. Members of staff will refer students who disclose relevant information to the Finance and Welfare Officer.

5.1.5 The Finance and Welfare Officer will meet with the student, provide information for staff and, with the relevant Programme Manager (Higher Education) or Programme Manager (Further Education) create a support plan. The support plan may also involve referral to outside agencies, such as the student's GP. This is particularly true where the health condition causes significant concern, since the responsibility for medical support lies with external

agencies.

5.1.6 If students are not able to begin a programme of study at Ruskin College because of a physical or mental health condition, a deferred start for the following academic year may be appropriate. This may be possible if there has been an improvement in their condition by the next period of enrolment and students meet the general entry requirements. Guidance will be given on the level of support that might be appropriate to ensure their fitness to study on their return, as well as the evidence that will be needed at enrolment to support their return to study. Any future enrolment should be supported by the recommendation of any external agencies involved, the agreement of parents/guardians/mentors (if applicable) and a support plan.

5.2 Support during the course

5.2.1 The college will endeavour to support students when issues arise that mean they find it difficult to meet the college's expectations of attendance and academic progress. Physical and mental health conditions may be temporary or permanent, stable or prone to remission.

5.2.2 On an individual basis we will look at any possible flexibility around academic progress (attendance, meeting assessment expectations, and the length of programme) and the support (types, location and frequency) needed for students to remain at college. We will make reasonable adjustments to these expectations and provide support for a limited/agreed period of time, for example, enabling students to study at home for a short period as a temporary measure.

5.2.3 The following should be considered on an individual basis:

- A minimum level of attendance needs to be maintained overall that will allow students to achieve their qualification. The specific expectations regarding attendance will be set out in each case depending on individual circumstances.
- It is reasonable for teaching staff, on a short term and temporary basis, to liaise with students via email and online learning. However, this can only be a temporary solution as we do not have the resources and expertise of a distance learning college.
- In terms of pastoral support the College can provide general support on site and, where complex medical or psychiatric support is needed, refer students to external agencies and services.
- Students must prepare for assessment through the completion of formative assessment and exam practice. Academic success depends on engagement in classroom activity. Long periods of complete absence or poor attendance will make students' studies untenable. With regards to course work and homework, if students fall significantly behind with their deadlines, beyond the normal range of extensions offered, then the ability to maintain their place on the course and achieve within a reasonable time frame will be in jeopardy.
 - The college is obliged to meet awarding body regulations with regards to meeting coursework deadlines, specification requirements and procedures for access arrangements.

5.3 Fitness to study

5.3.1 When issues arise the College will follow a staged process. At each stage we will use our best endeavours to support students and to make reasonable adjustments with the aim of students remaining at the college. There may be situations where the College believes that it has exhausted the support options available and made reasonable adjustments but the student remains unable to maintain their fitness to study. In such circumstances it may not be possible for students to remain at the college.

5.3.2 In these situations the best interests of the student and their welfare are of primary concern in the decision making process. There comes a point at which trying to catch up after a lengthy absence and/ or a significant body of work remains outstanding may have more of a negative impact on the health of the students than withdrawal from study. To allow this situation to continue would place the college in breach of its duty of care.

5.3.3 A panel of college staff will review each student's situation and may make a recommendation for withdrawal to the Student Support Manager. If withdrawal is the outcome, then the student would have the right of appeal.

5.3.4 If it is agreed that a restart in the following academic year is an option, this may be possible if there has been notable improvement by the period of enrolment and if the student meets the conditions of general entry requirements. Any re-enrolment would be with the recommendation of external agencies involved and a newly agreed support plan.

5.3.5 When students withdraw from studies, guidance will be given both on the support that may be appropriate to ensure fitness to study upon a possible return and the evidence that will be expected at enrolment to support the return to study.

5.4 Time frames and stages

These time-frames and stages are indicative and may vary from student to student. Each case will be considered upon its own merits. In some cases it may be appropriate to remain at the 'concern' stage for a longer period of time whilst others may move straight to a panel review. At all times the college will be guided by the needs of the student and the guidance of external agencies.

5.5 Concern

The student is absent through ill-health (e.g. an absence of more than two weeks) or is failing to make academic progress because of a physical or mental condition. The tutor raises concerns with the student. The tutor puts in place a support plan with agreed targets. The tutor reviews the situation within an agreed time frame. This would usually be within two calendar weeks but may be lengthened to allow for events such as public holidays and term dates.

5.6 Tutor Review 1

The student is continuing to be absent through ill-health (e.g. an absence of more than four weeks) or is failing to make academic progress because of a physical or mental condition.

The tutor reviews the support plan and agrees targets at a formal meeting. The tutor reviews the situation within an agreed time frame. This would usually be within two calendar weeks but may be lengthened to allow for events such as public holidays and term dates.

5.7 Tutor Review 2

The student is continuing to be absent through ill-health (e.g. an absence of more than six weeks) or is failing to make academic progress because of a physical or mental condition. The tutor, in conjunction with the Programme Manager (Higher Education) or Programme Manager (Further Education), reviews the support plan and agrees targets at a formal meeting. The tutor reviews the situation within an agreed time frame. This would usually be within two calendar weeks but may be lengthened to allow for events such as public holidays and term dates.

5.8 Panel review

If, when the final stage (i.e. Tutor review 2) is reviewed, the student cannot demonstrate fitness to study, a panel of college staff, to include the Programme Manager (HE) or Programme Manager (FE), the Finance and Welfare Officer and the subject tutor, will review the student's position at the college. The panel may make a recommendation for withdrawal to the Student Support Manager. If withdrawal is the outcome, then the student will have the right of appeal to the Assistant Principal. The student will always be offered a careers interview to explore alternative options and referrals to external agencies as appropriate.

6.0 Outcomes

6.1 Appeals must be submitted in writing to the Assistant Principal within 2 calendar weeks of receipt of confirmation of the decision to withdraw the student. Appeals can be made on the basis of the following criteria:

- The student can demonstrate a serious breach in the handling of this fitness to study procedure
- The student has substantial and relevant evidence that was not available for consideration at the Panel review stage.