

### 1. Statement of Intent, Scope and Purpose

- 1.1. HNC is committed to supporting students and recognises the importance of a student's health and wellbeing in relation to their academic progression. This policy outlines the process and procedures to be followed when a student's health, wellbeing and / or behaviour affects their ability to cope at College, to study or progress on their course or when their health, wellbeing or behaviour poses a risk to the health and safety of self and / or others.
- 1.2. The College's commitment to equality is demonstrated through its determination that every student receives a high quality learning experience, which will enable them to fulfil their potential. The Fitness to Attend & Study Procedure will be implemented in a manner which maintains and supports each individual's attendance at College if at all possible.
- 1.3. The College is committed to supporting student wellbeing and recognises that a positive approach to the management of physical and mental health and behavioural issues is critical to student learning and academic achievement. This philosophy underpins how we constantly strive to make reasonable adjustment for any student. In doing so we fully comply with the Equality Act 2010. It is important, however, to recognise what is reasonable and the limits to the individual support that can be provided in an educational setting. There will be times when a student's physical or mental health is so affected that they are no longer able, despite support, within the College and / or externally, to maintain reasonable academic progress.
- 1.4. The following require consideration:
  - Full attendance is the College expectation.
  - HNC is not a distance-learning College and, while it is reasonable for subject teachers and support colleagues to be flexible on a temporary basis, prolonged periods of absence cannot be sustainable. In exceptional circumstances, such as a global pandemic which may involve full or partial lockdown as containment strategies, the College will use remote learning, supported by teachers and others, as appropriate. The College expects students to fully engage with this remote learning via the online platform the College deploys, and where necessary, will support students to do so
  - An indicative medically evidenced reasonable adjustment is 90%
  - There may be times when the nature of a student's ill health can require support beyond the expertise or capacity that we can reasonably offer
  - Occasionally a student's ill health may present a health and safety risk to either themselves or those around them that is unmanageable in a mainstream educational setting

There are therefore occasions where, for one or more of the reasons above, it will be our judgement that, in the best interests of a student, commencing or continuing at HNC is no longer an option.

### 1.5. The Fitness to Attend & Study Policy aims to provide:

- A framework to guide decision making in complex student welfare cases
- A set of parameters for the minimum acceptable level of academic progress
- A series of stages for reviewing a student's place at the College



- A list of minimum expectations of students who are offered the opportunity to apply to restart at the College

### 1.6. Associated documents

- Admissions Policy
- Admissions Policy appendix SEND and CE guidelines
- Student ABC expectations
- Health and Safety Policy
- Safeguarding and Child Protection Policy
- SEND Policy
- Attendance and Behaviour for Learning Policy

## 2. Procedures

### 2.1. Stage 1 - Admissions

Prospective students are encouraged to disclose any additional learning needs or medical issues related to their mental or physical health at application point, and any declaration will not negatively affect their application. The information will be shared as appropriate, with relevant staff members.

- 2.2. HNC need to be made aware of any issues during the admissions process so we can ensure that we can offer the support that meets the needs of the student.
- 2.3. The College will ask for specific information (anorexia nervosa, psychosis etc.), rather than accepting any generalised information. This information will support us in establishing the most appropriate programme of study and to ensure any additional support requirements can be implemented where this is reasonable.
- 2.4. The College will take into account our duty of care towards all students and staff, health and safety considerations and what are reasonable expectations of teaching and support staff.
- 2.5. Wherever possible, we aim to include health professionals and other external experts in discussions and in all cases, medical or relevant evidence will be required to inform the support plan agreed.
- 2.6. Where appropriate, a risk assessment will be undertaken before an offer of a place is considered.
- 2.7. Although we are mindful of any disclosure and responsive to individual needs, students with a disclosed SEND must still be able to demonstrate that they can engage successfully in a full-time educational programme.
- 2.8. Our entry criteria still applies for prospective students with a disclosed SEND.

- 2.9. Full attendance is the College expectation. In cases where an applicant's educational provider attendance is below 95%, or 90% as a medically evidenced reasonable adjustment, a further discussion will be required at interview to ensure applicants fully understand the expected attendance levels at HNC and are committed to making any changes required to meet these expectations.
- 2.10. **Stage 2 – On roll at the College**
- 2.11. If a student does not disclose a pre-existing physical or mental health condition on application, then it is unlikely that s/he will receive support or reasonable adjustment until the condition becomes clear to the College.
- 2.10 A student's Fitness to Attend & Study may be brought into question as a result of a wide range of circumstances. These include, but are not limited to:
- Serious concerns about the student emerge from a third party (e.g. friend, multi-agency partner, parent) which indicates that there is a need to address Fitness to Attend & Study
  - A student has told a member of the College's staff that they have a problem and / or has provided information which indicates that there is a need to address their Fitness to Attend & Study
  - A student has not engaged with meaningful study for a period of time causing concern from subject teachers and / or progress tutor
  - The student's disposition is such that it indicates there may be a need to address an underlying health issue. For example, if a student has demonstrated mood swings or unusual behaviour, an inability to attend lessons or concentrate throughout lessons, shown signs of depression, become withdrawn / aggressive / distressed / irritable, is becoming intimidating to others, is communicating suicidal thoughts or is self harming to a point where the College considers the support required to be beyond the expertise or capacity that we can reasonably offer
  - Behaviour, otherwise dealt with as a disciplinary matter, which could be considered the result of an underlying physical or mental health problem
  - The student's academic performance, physical behaviour or demeanour is not acceptable and this is thought to be the result of an underlying physical or mental health problem
  - Attendance falls below 95%
- 2.11 Early disclosure of issues is vital to allow staff to assess how best to accommodate students and to provide appropriate support.
- 2.12 HNC will always seek to provide appropriate support to any student with ill health, whether the condition was pre-existing or commences during study at the College. Students are made aware of the range of support available at the College, both at induction and as part of the on-going pastoral curriculum.
- 2.13 The supportive measures may also involve referral to outside agencies, such as CAMHS or the student's GP. This will particularly apply where the health condition causes significant concern, as the capacity of the College in providing medical support is finite and the responsibility for medical support lies with the external services.
- 2.14 In crisis situations, where there are immediate and grave concerns for a student's health or well-being, staff will judge how best to provide first aid and whether emergency services should be

called. In these situations, and if applicable, colleagues will endeavour to contact parents and carers as soon as possible.

- 2.15 It is important to be clear about what is reasonable in an educational setting and the limits to the support that can be offered will be communicated to the student and the parent / carer where applicable. These include both the flexibility HNC can offer regarding academic progress (attendance, punctuality, engaging in lessons, meeting assessment and behavioural expectations) and the support (type, location, frequency) required for a student to remain at College.
- 2.16 A minimum level of attendance needs to be maintained to allow a student to make academic progress. HNC is not a distance-learning College and, while it is reasonable for subject teachers and support staff to be flexible on a temporary basis, excessive periods of complete absence or poor attendance will make a student's studies untenable. If a student falls significantly behind with their deadlines for coursework, assignments or homework then there comes a point when catching up is not viable. The specific expectations regarding attendance and assessment will depend on the individual's circumstances and the professional judgement of staff. An indicative measure would be 95% attendance, or 90% as a medically evidenced reasonable adjustment.

### 3. Fitness to Attend & Study

- 3.1. The College is committed to enabling all students to complete their programme of study successfully and achieve their potential. There are occasions, however, when physical or mental health issues are so complex or so significant that this is not possible. Each student will be considered on a case by case basis.
- 3.2. Where it is decided that a student may be able to continue with their studies an assessment of need will be completed by the College to determine if it is within our expertise and capacity to reasonably offer the support required. The responsibility to obtain and supply evidence of fitness to attend & study, and any involved costs, lies with the student / parent / carer. This evidence may only be for a finite period and if circumstances change will be re-assessed and possibly required again.
- 3.3. Ideally, a clear consensus would always emerge regarding the best way to progress, however, this will not always be the case. There will be occasions where the College believes that it has exhausted the support options available, it has made reasonable adjustments in all aspects of College life, but the student is unable to maintain their fitness to attend & study. These situations impact negatively both on the student, since their welfare is at risk, and on the College, since there is an excessive and unreasonable demand on resources.
- 3.4. If the College reaches a decision, after consultation with the student, parents / carers (if applicable) and medical professionals (where appropriate), that a student should withdraw then this will be actioned.
- 3.5. If it is agreed that a restart in the following academic year is an option, then this will only be possible if the student is able to provide evidence that their health has improved sufficiently so that they are fit to resume attendance & study.
- 3.6. Where there is no consensus that withdrawal is the most appropriate outcome, then the stages below will be followed (please note that in exceptional circumstances the College will move immediately to stage 3 if it considers it is appropriate to do so):

### Stage 1

- A Stage 1 letter is sent home outlining concerns and setting targets. The situation is reviewed 10 working days later.

### Stage 2

- If at review, targets have not been met a stage 2 letter is sent home outlining concerns and resetting targets. The situation is reviewed 10 working days later.

### Stage 3

- A case conference (the safeguarding team, individual teachers, student wellbeing manager, progress tutor, head of faculty and Assistant Principals as appropriate) reviews the situation and adjudicates on the feasibility of the student's continued place at College. The student and parents / carers will then be notified of the decision. The College will always provide advice and guidance on alternative progression routes at this stage.

3.7. There may be occasions when the College will be advised by medical professionals that it is unsafe for the student to attend. This advice will always supersede College policy.

3.8. If at stage 1, the student meets the targets, but there is a need to review fitness to study at a future date, then it will be appropriate to begin again at stage 1. However, should a further occasion arise (having previously been on stage 1 twice) then the process would begin at stage 2.

3.9. If, after stage 2 it is determined that the student has proved their fitness to attend & study, they are likely to be placed on a monitoring contract to support sustained attendance / engagement / progress. Should a need to assess fitness to attend & study arise within three calendar months of a stage 2 process, then the process would begin again at stage 2.

## 4. Appeals

4.1. Appeals regarding applications or admissions (see 2.1) must follow the admissions policy.

4.2. For student who are on roll, students / parents / carers will have the opportunity to appeal against the decision. In order to make an appeal they must write to the Principal within 5 working days of the outcome of the case conference. The Principal, or a designated member of the Senior Leadership Team, will review the decision and will report the outcome of the review in writing to the appellant within 10 working days of receipt of the appeal.

4.3. Please note: The Principal, or the designated member of the Senior Leadership Team's decision cannot be challenged. Any appeals against the outcome of the review can only be to challenge that due process (as described in this policy) has not been followed. This appeal must be made in writing within 5 working days of receipt of the Principal, or the designated member of the Senior Leadership Team's decision to the Chair of the Corporation via the Clerk: C. Coupland who can be contacted via email at [c.coupland@huddnewcoll.ac.uk](mailto:c.coupland@huddnewcoll.ac.uk)

### 5. Roles in the process

5.1. Staff that are likely to be involved in the process of determining a student's fitness to study include;

- Assistant Principal Quality & Standards
- Assistant Principal Student Development
- Head of Faculty Learning Support
- Director of Safeguarding
- Learning Support Manager
- Student Wellbeing Manager
- Head of Faculty (subjects)
- Subject Tutors
- Progress Tutors

### 6. Review of Policy and communication

The Senior Leadership Team own this policy, staff will be notified of the new policy via the staff news bulletin and the policy will be published on the external website.

Version	Date	Author(s)	Comments	Approval Route/ Date	Date of Next Review
1	Feb 2020	Lee Goddard	Complete re-write of policy	SLT Feb 2020	Feb 2022
2	September 2020	Lee Goddard	Addition to 1.4 in response to the Covid 19 global pandemic	SLT September 2020	Feb 2022
3	January 2022	Lee Goddard	Bi-annual review and informed by practice	SLT January 2022	Feb 2024
4	July 2022	Lee Goddard	Informed by practice	SLT July 2022	July 2024
5	July 2023	Lee Goddard	Informed by practice	SLT July 2023	July 2025
6	October 2023	Lee Goddard	In line with the College admissions policy	SLT October 2023	July 2025

### Equality Impact Assessment

Question	Response
1. Name of policy being assessed	Fitness to Study Policy
2. Summary of aims and objectives of the policy	The purpose of the policy is to clearly identify the process of assessing a student's fitness to study at HNC and the steps taken to identify reasonable adjustments on behalf of the College.
3. What involvement and consultation has been done in relation to this policy? (e.g. with relevant groups and stakeholders)	Research of sector policies and consultation with Learning Support, Safeguarding and Pastoral senior leaders.
4. Who is affected by the policy?	HNC students and students applying to join HNC
5. What are the arrangements for monitoring and reviewing the actual impact of the policy?	The policy will be the basis for all decision making and processes with regards to identifying whether support can be reasonably expected to be provided. .  The policy will be reviewed bi-annually.

Protected Characteristic Group	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address negative impact (e.g. adjustment made
Disability	Neither	The policy sets out the College's processes when assessing whether it can be reasonably expected to provide support for individual students and their circumstances.	N/A
Gender reassignment	Neither	As explained for disability	N/A
Marriage or civil partnership	Neither	As explained for disability	N/A
Pregnancy and maternity	Neither	As explained for disability	N/A
Race	Neither	As explained for disability	N/A
Religion or belief	Neither	As explained for disability	N/A
Sexual orientation	Neither	As explained for disability	N/A

# HNC Policies, Protocols and Procedures

## Fitness to Attend & Study Policy



Sex (gender)	Neither	As explained for disability	N/A
Age	Neither	As explained for disability	N/A

### Evaluation:

Question	Explanation / justification	
Is it possible the proposed policy could discriminate or unfairly disadvantage people?	The policy describes the processes to ensure that all student's support needs can be met by the College.	
Final Decision:	Tick the relevant Box	Include any explanation / justification required
1. No barriers identified, therefore activity will <b>proceed</b> .	✓	The basis of the policy is to be clear that the College seeks to support all students unless it is / becomes an unreasonable request to do so.
2. You can decide to <b>stop</b> the policy or practice at some point because the data shows bias towards one or more groups		
3. You can <b>adapt or change</b> the policy in a way which you think will eliminate the bias		
4. Barriers and impact identified, however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore you are going to <b>proceed with caution</b> with this policy or practice knowing that it may favour some people less than others, providing justification for this decision.		

Reviewed by: (Author)	Lee Goddard.
Date:	October 2023
Review date (if applicable):	July 2025



# HNC Policies, Protocols and Procedures

## Fitness to Attend & Study Policy



Approval by: (SLT review)	Catherine Cushnie
Date:	October 2023