

<b>SECTION</b>	HR
<b>POLICY</b>	Well-being and Fitness to Study Policy
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### Well-being and Fitness to Study Policy and Procedure

## **1 Purpose**

- 1.1** Whilst at College all students should be able to study and perform to the best of their ability in a safe, comfortable and supportive environment which is conducive to learning and to the enjoyment and enhancement of a positive student experience.
- 1.2** In order to assist the College in the above the College requires students to comply with its rules and regulations including conforming to certain standards of conduct. Whilst the College has disciplinary mechanisms in place to deal with students whose conduct falls outside these standards (see Student Code of Conduct and Disciplinary Procedure), the College recognises that a student's conduct, whilst it may be disrupting or threatening to disrupt this environment, may in some cases arise in connection with a concern about the student's health (physical or mental) or general wellbeing and as a result the student's fitness to study at the College. In such cases the College may consider it inappropriate to deal with the matter under its disciplinary policy by reason of the health or wellbeing concern.
- 1.3** Similarly, as student's fitness to study may be questioned by the College where it is concerned that a student's health or wellbeing, or behaviour or omission by them arising in connection with their health or wellbeing, may pose a risk:
- to the student's own health, safety or welfare or that of other persons, or
  - of disruption to their studies or the studies and student experience of others, or
  - of unreasonable demands being placed on staff or other students.
- 1.4** The term 'well-being and fitness to study' as used in the Policy and Procedure relates to the entire student experience and not just to a student's ability to engage with their studies. The College requires its students to be able to study in harmony with and respectfully of each other as members of the College and not to conduct themselves in a way which has an adverse impact on those around them or in contravention of the Student Code of Conduct

**1.5** A concern regarding a student's well-being and/or fitness to study may arise as a result of a wide range of circumstances. These include (but are not restricted to) the following:

- Concerns about the student are raised by a third party (eg other student, friend, colleague, member of College staff, placement provider, member of the public or medical professional, etc)
- The student has told a member of College staff that they have a problem and/or provided information which indicates that there may be a need to consider their well-being and fitness to study.
- The student's disposition is such that it indicates there may be an underlying mental health or wellbeing problem (eg if they have demonstrated mood swings, shown signs of depression, become withdrawn).
- Behaviour, which would otherwise be dealt with as a disciplinary matter, which may be the result of an underlying physical or mental health or wellbeing problem.
- The student's academic performance does not meet the minimum expected standards, which may be the result of an underlying physical or mental health or wellbeing problem.

**1.6** In all cases, concerns or further guidance should be raised with the Principal.

**1.7** If concerns are raised whilst a student is on work placement or other College related activity the College will liaise with the student and where necessary the placement supervisor and review the appropriateness of the current situation. This may result in the student being withdrawn from the activity or placement and an alternative arrangement made.

**1.8** The College is mindful in seeking to maintain the College environment in its duty of care to its students and staff and of its other legal obligations including those under equality and health and safety legislation. It is also mindful of the need to take appropriate action to discharge these obligations particularly in circumstances where a student may present a risk to themselves or to others, in taking any steps under this Policy and Procedure the College will have regard to its legal obligations.

**1.9** The College will remain mindful when implementing the Policy and Procedure and at each stage of the Procedure, consider what support and (where relevant) reasonable adjustments it may seek to put in place for the student, including to what support resources the student may be referred to such as counselling and additional support services.

**1.10** This Policy and Procedure has been prepared by the College to be used in circumstances where it considers that management of a matter under this Procedure, at any stage of the matter, is more appropriate than dealing with the matter under alternative College procedures (eg disciplinary) by reason of a concern regarding a student's health or wellbeing. For the avoidance of doubt, the College may however, use any of its procedures at any stage to manage matters as it considers appropriate and reasonable in the circumstances. In particular, the College may use its disciplinary procedure to deal with behaviour notwithstanding a concern regarding the student's health or wellbeing depending on the individual circumstances of the case.

**1.11** If there is any uncertainty in relation to which College procedure should be used, guidance should be sought promptly from the Principal.

## **2**     **Scope**

This Policy and Procedure applies to all students of the College. They apply to students at all times including when on College related activities such as placements or fieldtrips. They apply regardless of a student's mode of study (eg distance learning). They apply to students previously enrolled with the College who request a return to study.

## **3**     **Crisis Situations**

It is possible that it is considered a student may pose such an extreme risk to themselves and/or others that they require emergency assistance outside of these procedures. In such cases the Principal will be informed and an emergency response co-ordinated. The emergency response may include immediate temporary suspension of the student from the College and/or involvement of external support services, local authorities and the Police. Such a suspension will be reviewed by the Principal once a member of a medical team has submitted documentation to say the student is fit to return to study.

## **4**     **Initial Support and Guidance to Students**

Students with a mental or physical health difficulty, firstly:

- are expected to speak to their tutor, course leader or another appropriate member of staff about the difficulty and any related problems that they may be experiencing
- are encouraged to involve the support of a parent, guardian or friend as an advocate as necessary.
- are encouraged to consult all relevant support services available to them and in particular their GPs.

## **5     Procedure**

- 5.1**    The Procedure has four levels. Depending upon the individual circumstances of a matter and the College's perceived severity of the situation and seriousness of any risks, action may be initiated by the College at any stage of the three levels without any requirement for the College to have first commenced or exhausted an earlier level.

### **Stage 1 – Pre-Informal Action**

- 5.2**    At any time, a tutor can request a Conference Meeting regarding concerns of well-being for a student. The member of staff should formally request such a meeting to the Principal, who will then co-ordinate an internal meeting of the appropriate people.

The outcome of the Conference Meeting will determine whether any further action is to be taken. This would be general monitoring and support offered to the student by tutors or progression to Stage 2 of the Well-being and Fitness to Study procedure.

### **Stage 2 – Informal Action**

- 5.3**    An appropriate member of staff should approach the student and explain to them in a supportive and understanding manner that concerns about their well-being and fitness to study have emerged. This would ordinarily be a member of staff within the academic department with primary responsibility and/or knowledge of the student concerned eg their course leader or tutor.
- 5.4**    The relevant member of staff will ensure that the student is made aware of the precise nature of the well-being and fitness to study concern and the information in support of the concern, including the level of any perceived risk presented by the student. The member of staff will attempt to resolve the matter through discussions with the student. The student will be given the opportunity to respond to the concerns raised and to explain their own views on the matter and will be encouraged to think about using support services offered by the College. Where appropriate, parents/carers will be informed. The occurrence of the discussion will be documented within the learner's file along with any referrals made.
- 5.5**    It is hoped that in most cases, issues can be resolved at this level and that students will respond positively, co-operating fully with the process and taking advantage of the support available.
- 5.6**    A review period should be determined (if possible by agreement between the member of staff and the student) to allow the student to consider their own behaviour or other relevant aspects arising in the matter and seek advice from the support services available. At the end of this period a meeting should be held to discuss any steps taken by the student to address concerns. If the concerns have been addressed satisfactorily, this will be noted. Further meetings may be scheduled to continue to monitor the situation/progress and help ensure that continued support is provided to the student to enable them to study effectively. If, however, the concerns have not been addressed, a further review period may be agreed, or the case will move to the next stage of the Procedure.

- 5.7** If a student is unable or unwilling to co-operate with the above process or to modify their behaviour, the College may proceed to deal with the matter under Stage 2 and/or Stage 3 of the Procedure where appropriate. The College can implement the Procedure at any stage notwithstanding the failure or inability of the student to co-operate.

### **Stage 3 – Case Review Group**

- 5.8** If the action taken under Stage 1 is not deemed successful by the College, or the College considers that the case is too serious to be dealt with, Stage 3 of the Procedure may be invoked. A meeting of a Case Review Group shall be convened by the Asst Principal, made up of appropriate representatives of the student's academic tutors.
- 5.9** The student will be given at least 7 working days notice of the Case Review Group and will be informed of the purpose of the meeting.
- 5.10** The student may be accompanied at the meeting by a Student Council representative, a fellow student, a parent, or other family member or friend. Students with a disability or learning difficulty may also be accompanied by a support worker if required.
- 5.11** The purpose of the meeting will be to ensure that:
- The student is made fully aware of the nature of the concerns which have been raised
  - The student's views are heard and taken account of
  - The student is fully aware of the possible outcomes if difficulties remain
  - All appropriate support is being provided
- 5.12** The Case Review Group will order its proceedings at its own discretion, and institute enquiries to assist its deliberations.
- 5.13** The Case Review Group can decide:
- That no further action is required
  - To formally monitor the student's progress for a specified period of time. In this case, an action plan will be agreed with the student, outlining any steps which the student will need to take and/or any support to be provided to the student to address the concerns identified. Regular review meetings with the student will be arranged with a nominated member of staff (to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the student to study effectively is being provided). The student will also be informed of the consequences of any breaches of the action plan which will normally involve their well-being and fitness to study being considered at Stage 3.
  - To impose part-time study (where appropriate and available) or that special academic arrangements be put in place. Such recommendations would need to be agreed by the student's tutors and by the student. The student will be informed that unless these arrangements remedy the concerns to the College's satisfaction, their well-being and fitness to study may be considered at Stage 3.

- Where the student is on work placement, to require the student to suspend the placement, or (if available) to transfer to a programme 'without a placement element'.
- With the consent of the student, to agree that their studies be suspended for a mutually agreed period of time.
- To refer the case to be considered under Stage 3 of this Procedure. This will only be appropriate in the most serious of cases where, for example, evidence of a serious risk to either the health and safety of the student or others has been identified and it is thought that suspension, exclusion or expulsion of the student may (without any prejudgement of the matter), be the appropriate course of action, or where a particular course of action has been recommended (such as part-time study or suspending a placement), but the student does not agree.
- To recommend withdrawal from College.

**5.14** The decision of the Case Review Group, with reasons, together with a concise record of the meeting, will be sent to the student normally within 10 working days from the date of the meeting and a copy kept on the student's personal file.

#### **Stage 4 - Support Review Panel**

**5.15** This level of the Procedure will only be implemented following a referral from a Stage 3 Case Review Group, if the student has been previously suspended due to a Crisis Situation, or if in the opinion of the Designated Safeguarding Lead (having consulted as appropriate), concerns are raised which are sufficiently serious as to warrant the consideration of the student's suspension, exclusion or expulsion (eg if they pose a serious risk to the health and safety of themselves, others or serious disruption to the working of the College).

**5.16** As a first step, the course leader shall consider whether suspension of the student pending further action is appropriate.

**5.17** The course leader shall then convene a Review Panel which shall be chaired by the Principal. This will normally comprise of the Principal, the course leader and tutor.

**5.18** A date for a formal meeting of the Review Panel will be identified to hear the case and invite the student to attend to discuss the concerns and all relevant issues.

**5.19** The student will normally be given at least 7 working days' notice of the meeting by the course leader Review Panel. The student will be informed of the purpose of the hearing. The student will also be provided with any documents to be considered at the meeting

and asked to provide any documentation they may wish the Group to consider in good time for the meeting.

- 5.20** The student may be accompanied at the meeting by a Student Council representative, a parent/carer, fellow student or other adviser agreed in advance by the Chair. Students with a disability or learning difficulty may also be accompanied by a support worker where required to ensure fair access to the process.
- 5.21** The purpose of the meeting will be to consider the well-being and fitness to study concern, the evidence available and the student's perception of these concerns and to reach an appropriate decision and action plan or other outcome.
- 5.22** The Chair of the Review Panel will order its proceedings at its discretion and institute enquiries to assist its deliberations, including academic staff working with the student of the student's fitness to study.
- 5.23** The student shall be notified of the decision made by the Principal, with reasons in writing within 10 working days of the meeting of the Review Panel. This may include one or more of the following outcomes:
- To formally monitor the student's progress for a specified period of time. In this case the Panel will provide the student with an agreed action plan, outlining any steps which the student will need to take and/or any support to be provided to the student to address the concerns identified. Regular review meetings with the student will need to be arranged with a nominated member of staff (to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the student to study effectively is being provided). The student will also need to be informed of the consequences of any breaches of the action plan.
  - That, following consultation with the academic and pastoral staff concerned, the student should convert from full-time to part-time study with support; special academic arrangements are put in place or an interruption of studies occurs.
  - To suspend or exclude the student
  - Any other action considered to be appropriate and proportionate.

## **6     Return to Study**

- 6.1** After a period of suspension on health (physical or mental) grounds, a decision as to whether to permit the student to return to study will be made by the course leader.
- 6.2** Students will only be permitted to return if the College is satisfied that the individual is fit to study and able to comply with any conditions imposed on their return.

**6.3** It may be necessary for the student to provide documentation to support their return to study from their GP, consultant or other external agency involved.

**6.4** In any case, where a student returns to study, the College may decide that there **should be regular review meetings with the student that can be used to monitor** and support a return to study plan. If so, the student must provide their continued co-operation in this respect and such review meetings may continue for part or all of their remaining time at College.

## **7 Right of Appeal**

A student who wishes to appeal against a decision to suspend or exclude them, may do so to the Assistant Principal or Principal as per the disciplinary policy.

## **8 General Matters**

**8.1** Any of the functions of the course leader under the Policy may be delegated to the tutor either generally or in respect of a particular case.

The College will take account of relevant legislation, such as the Data Protection Act, the Human Rights Act, Children & Families Act, SEN Code of Practice, the Equality Act and the general rights and expectations of a student of data protection and confidentiality.

**8.3** The College acknowledges that as a result of implementing this Policy and Procedure, it will receive personal data and data of a confidential nature pertaining to the student and on occasion to other third parties, and shall ensure that all such data is handled, processed and stored accordingly.

## **9 Equality and Diversity Statement**

Club Doncaster Sports College welcomes and celebrates equality and diversity. We believe that everyone should be treated equally and fairly regardless of their age, disability, gender, gender identity, race, religion or belief, sexual orientation and socio-economic background. We seek to ensure that no member of the College community receives less favourable treatment on any of these grounds which cannot be shown to be justified.

This document is written with the above commitment, to ensure equality and diversity is at the centre of working life at Club Doncaster Sports College.

## **10 Safeguarding Policy**

Club Doncaster Sports College recognises its moral and statutory responsibility to safeguard and promote the welfare of students. We work to provide a safe and welcoming environment where students are respected and valued. We are alert to the signs of abuse, neglect, radicalisation and extremism and follow our procedures to ensure our students receive effective support, protection and justice. Club Doncaster Sports College expects Governors, staff and volunteers working on behalf of the college to share this commitment.



## **11 Fraud, Bribery & Corruption**

Club Doncaster Sports College follows good business practice and has robust controls in place to prevent fraud, corruption and bribery. Due consideration has been given to the Fraud Act 2006 and the Bribery Act 2010 in the development/review of this policy document and no specific risks were identified.