

Fitness to Participate in College Life Procedure

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Published on website	Yes	Related policies and/or procedures	Student Handbook Academic Offences Academic Appeals Equality and Diversity Policy Malpractice Policy Student Disciplinary Policy Complaints Policy Grievance Procedures
Relation to QAA requirements (parts of code covered)			
Informed by UK Quality Code – Core Practices for Standards and Quality			

Introduction

The College is committed to promoting an open and diverse community; we respect the rights and dignity of all and believe in valuing people whatever their background. This is reflected in our values and behaviours and our Equality and Diversity policy.

It is the aim of College is to provide an inclusive and supportive response to students who experience illness or are disabled, to enable them to participate in college life and fulfil their potential. However, the College has a duty of care to respond appropriately where there are substantial concerns relating to a student's behaviour and the impact that may have on the individual and/or members of the college community.

This procedure outlines the action that will be taken in such instances, to provide a timely, constructive and transparent response.

Members of staff are responsible for acting within the framework of this procedure, rather than the Disciplinary policy, if any of the following circumstances apply and the member of staff believes that this may be resulting from an illness or disability;

- Staff believe that the student presents a serious risk to themselves or others
- The student's behaviour is having a significant detrimental effect on other students and/or staff
- The student is causing damage to property

In exceptional circumstances, if any member of staff is concerned about an applicant's

fitness to participate in college life, due to concerns outlined above, this policy can be implemented and may result in deferred entry.

Procedure

1. If any member of staff is concerned about a student's fitness to participate in college life, due to their health or disability, they should contact Program Administrators in Room G14. Also prior to taking any action, the member of staff should inform the student of what actions they are taking and the reasons for this.
2. Program Administrators and Student Support Office will conduct an initial assessment and identify a supportive response appropriate to the level of risk presented. Possible responses include-
 - to make contact with the student and offer support
 - to monitor the student's behaviour and review if any deterioration is detected
 - to advise staff of appropriate action and upon the boundaries to which they must adhere
 - for the staff member to arrange an informal meeting with the student
3. If the student is unable to engage in any of the responses outlined above, or these responses do not reduce the risk or concern, the formal Fitness to Participate in College Life Procedure should be followed;
 - 3.1. The member of staff should arrange a three-way meeting between themselves, Program Administrators and the student. The student should be given the opportunity to bring a representative/friend or if the student is under 18 years, or under 25 years and has complex learning difficulties, a parent/guardian or appropriate adult.
 - 3.2. The member of staff should contact the student informing them of the date, time, and place of the meeting, its nature and the issues to be discussed. This information should be provided in writing at least 48 hours prior to the meeting. For online/distance learners arrangements should be made to conduct the meeting via telephone conference or Skype to give the student the opportunity to participate.
 - 3.3. The member of staff or Student Support representative should facilitate the meeting as appropriate.
 - 3.4. All issues discussed in the meeting and outcomes should be recorded on the Fitness to Participate in College Life plan (Appendix1).
 - 3.5. All persons present should sign the Plan and a copy should be given to the student.
 - 3.6. Confidentiality will be maintained throughout these procedures in line with the Data Protection Policy (Appendix2).
 - 3.7. If a student fails to attend the meeting and does not provide good reason for non-attendance the meeting will proceed and a decision may be taken in their absence.

4. If the student is too ill to attend the meeting:

- 4.1. A Student Support representative should make contact with the student and assess their health in partnership with statutory services as appropriate
- 4.2. Appropriate support strategies should be identified with the student and relevant statutory services.
- 4.3. The Fitness to Participate in College Life Plan should be completed on an interim basis and a further date arranged to give an opportunity for the student to be present and to have their views heard.
- 4.4. The situation should be monitored on an on-going basis and the Fitness to Participate in College Life Plan should be reviewed as a minimum every four weeks, or if the situation deteriorates.
- 4.5. A decision to suspend or withdraw a student from their programme may be made on completion of the Fitness to Participate in College Life Plan or upon subsequent review

5. Suspension from Programme

- 5.1. A temporary suspension from programme is a way of managing the potential risk posed by a student while an assessment is on-going. The assessment may be undertaken within the Fitness to Participate in College Life procedures, but may also be conducted by external statutory services.
- 5.2. Whenever possible, the issues of concern should be discussed with the student and their agreement to withdraw/take an authorised break from study should be sought, if appropriate. When such agreement is not forthcoming, Student Support Service and the College may make a joint decision to suspend the student without their agreement. This decision will be made based on what is in the best interest of the student and the management of any risk to others.
- 5.3. Suspension would always be by the Principal unless there was a need to immediately suspend a student for the following reasons:
 - the student's continued presence represents a threat to themselves or others,
 - the behaviour seriously breaches the regulations or infringes a Code of Conduct,
 - the behaviour compromises the reputation of the College

In these instances a student may also be suspended from the College and/or excluded from any of its facilities, including virtual environments by the Principal.

- 5.4. Such a suspension may be temporary until the student can attend a Fitness to Participate in College Life assessment meeting or the suspension may be the outcome of a Fitness to Participate in College Life assessment meeting.
- 5.5. Whenever possible, the student should be informed of the decision to suspend them from study in person, by the relevant Programme Leader or Program Administrator, with an appropriate staff member in attendance to provide immediate support.
- 5.6. A copy of the form will be logged with the Programme Leader.
- 5.7. The decision to suspend will be reviewed by the Registrar within 10 days of the decision. The student has the right to make written representation to the Registrar or nominee which will be taken into account as part of the review. This process will be explained to the student when they are informed of the suspension.
- 5.8. The outcome of the review may include the following:
- To continue the suspension without amendment
 - To continue the suspension with amendment
 - To end the suspension
- 5.9. The outcome of the review will be confirmed to the student in writing.

6. During Suspension

- 6.1. During a period of suspension, the student will not be entitled to attend academic teaching or any associated assessments and entitlement to access some or all College facilities may be withdrawn.
- 6.2. Where possible, subject to the safety and welfare of staff and other students, efforts will be made to minimise disruption to the student's programme of study.
- 6.3. An assessment of whether any outstanding tuition fees or debts should be cancelled and whether the student should be reimbursed with any outstanding credit should be carried out.
- 6.4. The student should be provided with appropriate support during a temporary suspension or an authorised break from study, which may include; liaising with statutory mental health services, parents, GPs, social workers, etc. as appropriate.
- 6.5. The student will be suspended from study until they can provide evidence that they are fit to participate in College life.

7. Returning to study following concerns relating to Fitness to participate in College Life

- 7.1. This protocol should be followed when a student is requesting to return to study following an authorised break from study, suspension or withdrawal which is a result of a Fitness to Participate in College Life meeting.
- 7.2. When the student applies to return to the study they will be required to attend a meeting with a member of staff from their College and a member of staff from Student Support. The purpose of the meeting would be to:
 - Assess the student's fitness to participate in College life
 - Identify support requirements
 - Discuss previous concerns and identify strategies to prevent their reoccurrence
- 7.3. All issues discussed in the meeting should be recorded on the Return to Study (Appendix3).
- 7.4. The College and the Student Support Service should make a joint decision on the appropriateness of the student returning to study at that time.
- 7.5. The student should be informed in writing of the decision to accept or decline their application to return to study within 7 working days.
- 7.6. The student's return to study will be upon condition of the student accepting support and adhering to the actions outlined in the Return to Study Plan.
- 7.7. The Return to Study Plan should be signed by all parties before the student returns to study and should be reviewed on an on-going basis.
- 7.8. If the student is not deemed fit to return to study at that time they can request a review for the next academic semester.

8. Appeals

- 8.1. Students have the right to appeal against the outcome of the Fitness to Participate in College Life meeting.
- 8.2. An appeal will only be considered on one or more of 3 grounds:
- 8.3. if new evidence is available that for good reason was not available at the time of the original meeting,
- 8.4. if it can be demonstrated that the correct procedures were not followed
- 8.5. if the consequence is out of proportion with the issue of concern and the level of risk presented.
- 8.6. The appeal must be submitted in writing within 14 days of communicating the outcome of the Fitness to Participate in College Life meeting, explaining

the reasons for the appeal.

- 8.7. Appeals should be submitted to the Academic Appeals and Complaints Manager who will forward them to the Appeal Panel. No member of the Appeal Panel will have any prior experience of the matter.
- 8.8. The Appeal Panel and the student will be given the written material presented to the Fitness to Participate in College Life meeting, the notes of the proceedings and the decision of that meeting. If there is good evidence to demonstrate that providing this written material would have a significant detrimental impact on the student, this material can be withheld from the student.
- 8.9. The student is entitled to attend a meeting with the panel in order to state her/his case, and to be accompanied in such a meeting by an appropriate professional approved by the College, family member, friend or a member of the College or Students' Union, and, if the student is under 18 years of age, or under 25 years and has complex learning difficulties by her/his parent or guardian or appropriate adult.
- 8.10. The outcome of the review will be to
 - Confirm the original decision
 - Annul the original decision or
 - Amend the original decision.
- 8.11. The Panel will keep a record of the appeal proceedings, and will communicate their decision to the student in writing, giving reasons for that decision, within 7 days.

Appendix 1

Fitness to Participate in College Life Plan

Date of incident/		Name
Date of meeting		Address
		Contact telephone number:
		Contact email:
		Student No
		Programme

Present at meeting:

Name	Role

Current issues/problems – staff view:

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Current issues/problems – student view/response:

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Current Support:

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Actions agreed

Issue	Action	By Whom	By When

Anything else:

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Review Date (2 weeks from review)	
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	Signature & full name	Role	Date
Student			
College / Halls of Residence			
Student Support			
Any other			

A copy of this form should be kept on file with student records, a copy given to the student and at the student request, a copy passed to the relevant College support worker.

Appendix 2

Student Support Service

Confidentiality Policy

This document outlines the policy of the Student Support Service – with the exception of the Counselling Service which has its own distinct policy.

The purpose of this policy is to ensure that personal information provided to the Student Support Service is managed appropriately.

The Student Support Service is a confidential service.

The Student Support Service will not share information about a student with any other College department or faculty without the student's express permission, except in the circumstances outlined below.

The Student Support Service will only share information with services external to the College with the student's express permission or in exceptional circumstances where:

- The student poses a serious and imminent risk to themselves or others
- There is a safeguarding concern
- The student discloses information relating to a possible act of terrorism or drug trafficking
- The College has a statutory duty to provide this information

In these cases, where possible, a member of the Student Support Service will first discuss their concern with the student before making any disclosure outside the service. Any disclosure of confidential information will be restricted to relevant information and conveyed only to appropriate people for appropriate reasons.

Internal Support Services

Information disclosed to a member of the Student Support Service may be discussed within the Service for purposes of supervision and co-ordinating support.

The Student Support Service, the Students' Union Advice Centre, Chaplaincy and Halls of Residence may share information between them to ensure consistency of support within the clearly defined terms of joint Service Level Agreements. We will always seek a student's permission before sharing any information in this way. However, where permission cannot be gained, limited

factual information may still be shared where it is clearly in the best interest of the student.

External Support Services

When working with external support services it is our intention to always act in the best interests of the student to ensure they receive the best possible and most consistent support. We will seek to gain a student's permission before discussing their support with any external agency.

However, we recognise there may be occasions when a student is in mental health crisis and it is in their best interests for the discussion to take place, even if permission cannot be gained. In these rare circumstances discussion will be limited to the student's immediate need.

Access to Records

Students' have a right to any information stored about them. The only exception to this is if the disclosure of information would be likely to cause serious harm to physical or mental health or which would breach the confidentiality of another person. If the decision is made to withhold information a justified reason will be recorded.

If a student wishes to have access to the information stored about them or they wish us to share information with a third person they should discuss this with a member of the Student Support or the Student Support Service Manager. They will be required to complete a Subject Access Request form. The Service will reply to such requests within 20days.

Students will be given access to records on written request but records can only be accessed with an appropriate member of staff present.

We will not provide access to our records if requested by other parties unless directed to by a court order.

Appendix 3

Return to Study

Date of meeting		Name
		Address
		Contact telephone number:
		Contact email:
		Student No
		Programme

Present at meeting:

Name	Role

Outline of current situation

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Issues of concern

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Student's response

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Actions agreed

Issue	Action	By Whom	By When

Is it appropriate for the student to return to the study at this time?

YES	NO
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Reasons for decision

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Review Date	
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	Signature & full name	Role	Date
Student			
College / Halls of Residence			
Student Support			
Any other			

A copy of this form should be kept on file with student records, a copy given to the student and at the student request, a copy passed to the relevant College support worker.