

Fitness to Study Policy and Procedure

September 2023 - 2024

Shockout Arts is wholeheartedly committed to supporting students and recognises the importance of their health and wellbeing in relation to their academic progress and Shockout Arts experience. Students are expected to take a proactive part in the process, by managing their own health and wellbeing and engaging with any support, in order to fulfil their potential.

1. Scope and Purpose

- a. This Policy and Procedure applies to any student admitted or enrolled by Shockout Arts.
- b. There may be instances where the health and/or wellbeing of a student deteriorate to a point where it raises questions about their fitness and suitability to continue with their studies at Shockout Arts.
- c. This Policy and Procedure will be used to support staff in all areas of the Shockout Arts to deal with instances where concerns have been expressed over a student's health, wellbeing or behaviour, which have led to a deterioration in their academic and physical performance, prohibiting their full potential to be realised/and qualification cannot be met. There are a broad range of relative interventions which would be implemented as per our individual learner focused approach in order to facilitate a positive outcome in the first instance.
- d. This Policy and Procedures highlights concerns that can be raised by the student, other students, teacher, parent, guardian and any other relevant party. At all stages of this Procedure the student is entitled to be accompanied and/or represented by a person of their choosing, for example, parent, carer or guardian to support their case.

2. Definitions of Fitness To Study

Shockout Arts defines Fitness to study as:

- 2.1 The ability of a student to meet the full physical and academic requirements to complete the course to the best of their ability, notwithstanding reasonable adjustments, which have been made by the student and Shockout Arts, and do not have a negative impact on the student, other students, staff or partner organisations.
- 2.2 If continuing to study at Shockout will have a negative impact on the students' health, safety, wellbeing and/or learning of the student, other students, staff or partner organisations.
- 2.3 The Interventions needed for the students' studies are unsustainable, unreasonable for staff, or are negatively impacting the students SEND, or mental health detention is required under the Mental Health Act.
- 2.4 This Policy and Procedure will normally be applied in relation to concerns which arise on Shockout Arts premises or whilst the student is engaged in a course activity whether at the College or placement/ enrichment provider. However, incidents which occur outside Shockout Arts which raise concerns about a student's fitness to study and where it is considered necessary to protect the safety, interests and reputation of Shockout Arts, its staff or students, may also be considered under this Policy and Procedure.

- 2.5 This Policy and Procedure will apply where students present with difficulties due to their physical or mental health or wellbeing. However, Shockout Arts reserves the right at any stage to invoke either:
- i. Discussions on whether a student is fit to practise where there are concerns about a student's suitability to progress with a professional qualification e.g. to work with children; or
 - ii. Where a student's behaviour poses a risk of harm to either themselves or others, or where the student does not engage positively with supportive interventions.
- 2.6 Shockout also considers cases of extenuating circumstances, where a student suffers some unforeseen illness/injury or misfortune that adversely affects their ability to complete an assessment/ assignment. A student may not submit a claim covering a period beyond one half term period. If extenuating circumstances are on-going and result in further claims, Shockout Arts will consider whether other action is appropriate including agreeing a voluntary break in learning or invoking this Policy and Procedure (where the student does not recognise that they are not making satisfactory progress).

3 **General Principles**

This Procedure has three stages, based on the level of support needed by the student and/or the seriousness of risk posed by the health and/or behaviour of a student. Depending on the concern raised, it may be appropriate to move straight to a higher stage.

Students are encouraged to access all support available to them at all times. If they choose not to do so, then this Procedure may continue without their involvement.

- 3.1 All Shockout staff are encouraged to highlight issues for any students with fitness to study concerns as soon as possible.
- 3.2 At all stages of this Procedure the student is entitled to be accompanied and/or represented by a person of their choosing, for example, parent, carer or guardian to support their case.
- 3.3 Shockout will make reasonable adjustments to this Policy and Procedure if required by a student's SEND or for other mitigating circumstances.
- 3.4 Shockout encourage students to disclose all issues relating to 'Fitness to Study' prior to/upon application stage, as non-disclosure may lead to the student's place being revoked as a result of incorrect information, which has been used to judge whether the student is fit to study at Shockout.

Procedure Stage 1 – Emerging Concerns

- 3.5 When a concern about a student's health, safety or wellbeing is raised, a member of staff from the student support team should approach the student in a supportive manner to request a meeting.
- 3.6 Where the concern has arisen externally e.g. on work placement or enrichment event the member of staff may involve other relevant Shockout Arts or work placement company staff e.g. workplace assessor, career coach, staff involved in enrichment event.
- 3.7 The meeting should be conducted in an informal way with an emphasis on supporting the student. The nature of the concern should be explained to the student, and they should be encouraged to discuss the issues (it is possible that they may not have realised the impact of their actions). If appropriate, this is an opportunity to provide information to the student about relevant Shockout Arts regulations and procedures, and support that is available within and external to Shockout Arts, e.g. SEND team;

counselling services; mental health services. It should also be explained that a continuation of the same or any additional concerns could result in an escalation to stage 2 of the Procedure.

- 3.8 It is anticipated that the student will respond positively, co-operate and access the available support or, where appropriate, modify their behaviour.
- 3.9 Within five working days of the meeting, contact by letter or email should be made with the student, setting out any agreed actions and, if appropriate, arrangements for a follow-up meeting with the student at a later date.
- 3.10 If the student is unwilling or unable to respond positively, the member of staff from Shockout Arts should discuss the situation with the Vice Principal (Students) and a member from the student support team. Shockout Arts may then decide to invoke Stage 2 of the Procedure.

Procedure Stage 2 – Continuing Concerns

- 3.11 Where continuing or serious concerns about an individual student's health, safety or wellbeing are raised, the Programme Leader should contact the student support team to arrange a joint meeting with the student. The student will be notified in advance of the purpose of the meeting. Shockout Arts staff who have been supporting the student under this procedure may also be invited to attend the meeting to support the student and discuss progress with strategies implemented to date.
- 3.12 Together they can assess the student's perception of the impact that their health and/or behaviour is having upon them and/or the wider Shockout Arts community, and ensure the student understands the Shockout Arts's expectations regarding fitness to study.
- 3.13 An Action Plan will be drawn up, setting out any reasonable support measures and any conditions that the student is required to adhere to, which may relate to their health and wellbeing, academic studies and/or behaviour.
- 3.14 The Action Plan will include a review date, and it will be made clear that failure to adhere to the Action Plan may result in Stage 3 being invoked. A copy of the agreed Action Plan will be held by the student's academic department, those staff supporting the student, the Head of SEND and the relevant tutors.
- 3.15 The Action Plan will be reviewed by the Vice Principal (Students), Programme Leader, with assistance from the student support team and/or Head of Safeguarding or Head of SEND (where appropriate) and /or staff supporting the student where required. It is expected that the student will respond positively to the Action Plan and co-operate fully, access the outlined support and/or modify their behaviour accordingly.
- 3.16 If the student does not engage positively or fails to adhere to the Action Plan, or if the meeting gives rise to more serious concerns about the student's fitness to study, the matter should be referred to the Vice-Principal. At this point, a decision will be made whether to go onto Stage 3.

4 Procedure Stage 3 – Significant or Persistent Concern

- 4.1 The Stage 3 will be invoked when significant or persistent concerns are raised about an individual student's actions or behaviour that are putting the health, safety, wellbeing or academic progress of him/herself or other members of the College community at significant risk.
- 4.2 The Programme Leader where the student is studying should contact the Head of SEND and the Student and they will convene a Case Conference to establish the facts and discuss an appropriate course of action. The Case Conference should consider all reasonable options to enable the student to continue with their studies.
- 4.3 Case Conference will comprise:

- Programme Leader or Principal or Vice Principal (Students) (Chair) of the academic department where the student is studying and
- Head of Safeguarding
- Head of SEND and Learner Support

4.4 The student will usually be invited to attend the Case Conference and will be given at least 5 working days' notice of the date and time of the meeting. The student will be provided with copies of any documents to be considered at the Case Conference and may submit any documents they wish the Case Conference to consider.

4.5 It is standard practice for the student to attend the Case Conference but adjustments will be made where reasonably necessary where the student is too unwell to attend, such as submission of written representations or a representative to attend the Case Conference on behalf of the student. The representative can be a person of the student's choosing, including a friend or family member and may be a member of staff who has supported the student.

4.6 The Year Leader will act as secretary to the Case Conference in cases where the Principal, Vice Principal (Students) or Programme Leader are unavailable. The Head of Safeguarding or Head of SEND will act as secretary to the Case Conference for all other cases. S/he will brief the members about the Procedure and take a record of the proceedings.

The outcome of the Case Conference may be one of the following:

- that **no further action is required**; or
- to agree an **Enhanced Action Plan**; or
- to agree to a **voluntary break in learning** of the student's studies; or
- to recommend an **interim suspension/deferral of the student's studies**, in line with Shockout Arts's student contract, whilst also following our Policy's and Procedure's to enable a full assessment of the circumstances with regard to the student and his/her course of study to be carried out; or
- **it is no longer deemed appropriate to continue studies** at Shockout Arts.
- any other action considered to be appropriate and proportionate. If the student is on an attendance contract for the course, **a Case Conference will also consider whether there are implications for professional practice and, if so whether the student can continue on the course or not.**

Enhanced Action Plan

The Enhanced Action Plan will have a review date. It will be made clear that if the student does not adhere to the Enhanced Action Plan, this could result in further action under this Policy and Procedure. The Enhanced Action Plan will be drawn up by all those involved in the Case Conference and implemented by academic and support staff. It will be reviewed by the Case Conference team on the agreed review date.

Voluntary Break in Learning of the Student Studies

It may only be possible for a student to return to study at certain points in the academic calendar, depending on the particular circumstances of the student and the course of study. If a voluntary break in learning is agreed at any stage of this procedure, Shockout Arts will be entitled to request satisfactory evidence that the original concerns have been overcome or under control, before the student can be re-admitted at a suitable point in the academic year

The terms of an interim suspension will be specified, including any arrangements relation to access at Shockout Arts Support Services or Shockout Arts premises, or whether the student can continue with their studies and/or assessments, and if so in what form. Any conditions which must be satisfied in order for the student to return will be clearly set out together with any applicable timeframe ie. It may only be possible for a student to return to study at certain points in the academic calendar, depending on the particular circumstances of the student and the course of study.

6.12 It is important to note that an interim suspension of studies is not a disciplinary sanction, but is intended to allow a period of time for a full assessment of the circumstances with regard to the student and his/her course of study.