Fitness to Study Policy

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Introduction

Our Training Provider is committed to offering a safe, inclusive, and supportive online learning environment where all adult learners are respected and empowered to succeed. We understand that some learners may face additional challenges due to health or wellbeing issues.

In line with our commitment to equality, diversity and inclusion, we aim to provide reasonable adjustments wherever appropriate, particularly for learners with protected characteristics under the Equality Act 2010.

We also recognise that health or wellbeing concerns may impact engagement, behaviour, or academic progress. In such cases, these Fitness to Study Regulations provide a supportive alternative to disciplinary action, ensuring learners receive the assistance they need to continue their studies successfully.

Purpose and scope

This policy applies to all learners enrolled in higher education programmes with the Training Provider, regardless of study mode or attendance.

Fitness to study refers to a learner's ability to engage safely and appropriately in their learning due to known or suspected health or wellbeing issues.

These regulations aim to:

- Provide a consistent and sensitive response to concerns about a learner's fitness to study.
- Outline a phased approach for addressing such concerns.
- Define clear responsibilities for staff involvement, ensuring objectivity and confidentiality

When to use these regulations

This policy should be applied when a learner's health or wellbeing:

- Impacts their studies or attendance.
- Causes disruption to other learners or staff.
- Results in behaviour that raises concern and may otherwise fall under disciplinary procedures.

Triggers for applying this policy may include:

- Concerns raised by staff, tutors, or peers.

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- Learners disclosing health issues or submitting relevant evidence.
- Behavioural changes linked to mental or physical health concerns.

Note: In cases of immediate risk to self or others, emergency procedures and safeguarding protocols will take priority.

Procedure

There are **two stages** to this procedure:

- **Phase 1: Support Stage**
- **Phase 2: Fitness to Study Panel**

Cases can begin at either stage, depending on the severity or urgency of the concern.

If a learner requires adjustments during any stage of this process due to a disability or other needs, they should inform staff so suitable support can be arranged.

Support stage

Initial Informal Support

Concerns are usually first addressed by the learner's Academic Team (e.g., Course Leader or Tutor). Support may include:

- Monitoring attendance and engagement.
- Offering pastoral support.
- Holding informal meetings to explore concerns with the learner.

Escalation to Senior Management

If initial support does not resolve the issue, or if the concern escalates, staff may involve the **Senior Management Team**. Possible outcomes may include:

- Additional academic or wellbeing support.
- A reduced workload (in consultation with relevant academic partners).
- A voluntary break in studies.
- Creation of a **Supportive Action Plan**.
- Referral to the **Fitness to Study Panel** in more serious or ongoing cases.

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A review timeframe will be agreed upon between the learner, academic staff, and Senior Management.

Supportive Action Plan Meetings

When appropriate, a formal meeting will be arranged to develop a plan. The learner may bring a friend, peer, or other suitable support person. The meeting will:

- Outline concerns clearly and respectfully.
- Allow the learner to respond.
- Agree on actions and timescales.

Meeting notes and any agreed actions will be shared in writing within 5 working days.

Phase 2: Fitness to Study Panel

This stage is used when:

- The Support Stage has not resolved the issue.
- The concern is too serious or urgent for informal handling.

Panel Process

A panel will be convened within 25 working days of referral. The learner will receive at least 10 working days' notice, including:

- Date, time and purpose of the meeting.
- Details of attendees.
- Their rights to representation and to submit written evidence.
- Information about the process and expectations.

If necessary, a learner may be **suspended without prejudice** until the hearing takes place.

The learner may bring a peer supporter (but not a solicitor or external representative). Written statements and witness confirmations must be submitted 3 working days before the hearing.

If the learner cannot attend, the hearing may be rescheduled once. If they fail to engage without valid reason, the Panel may proceed in their absence.

Panel Membership

Typically includes:

- A member of Senior Management (Chair).
- A senior academic or University partner representative.

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- A note-taker.

Staff who raised the concern will present their case. The Panel may request additional evidence or witnesses.

Panel outcomes

The Panel may decide on one or more of the following actions:

- A written undertaking by the learner to meet required standards.
- Temporary deferral of studies (up to 12 months).
- Prohibition from attending premises if health or safety risks are present.
- Permanent withdrawal from the course (in serious cases only).
- Any other appropriate action.

Learners will be informed verbally and receive a written decision within 5 working days.

Return to study (if applicable)

If a learner was deferred and wishes to return:

- They must notify the Training Provider in writing at least 25 working days before the course starts.
- Medical or professional evidence confirming fitness to study must be provided.
- A **Return to Study Plan** will be developed with academic and support staff.
- Non-compliance with this plan may lead to referral back to the Panel.

In complex cases, the Panel may need to reconvene to decide on the learner's return.

Appeal process

Learners may appeal the Panel's decision **within 10 working days** of receiving the outcome.

Appeals will only be considered on the following grounds:

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- **Procedural error** (e.g. conflict of interest, policy not followed).
- **Exceptional circumstances** not previously known for valid reasons.

Disagreement with the Panel's professional judgement is not valid grounds for appeal.

Referral for disciplinary action

Concerns may be referred to disciplinary procedures if:

- The learner poses a serious and immediate risk to themselves or others.
- Their conduct continues to negatively impact others.
- They fail to provide appropriate evidence relating to their health or wellbeing.

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