

# STUDENT RELATED POLICY: FITNESS TO STUDY/PRACTICE

This policy is annually reviewed to ensure compliance with current regulations

| Approved/reviewed by                                                                                                                     |             |
|------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>Approved by:</b> Principal/CEO<br><b>Reviewed by:</b> Assistant Principal:<br>SEND and Inclusion, Head of<br>Safeguarding & Wellbeing |             |
| Date of next review                                                                                                                      | August 2027 |

*This policy and procedure is subject to The Equality Act 2010 which recognises the following Protected Characteristics: Age, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex, Sexual orientation and Disability*

## 1. Document Control

### 1.1. Document Details

|         |                                  |
|---------|----------------------------------|
| Title   | Fitness to Study/Practice Policy |
| Author  | Adam Wardell / Sharon Posey      |
| Version | 3.0                              |
| Date    | August 2026                      |
| Status  | Published                        |

### 1.2. Revision History

| Version | Date        | Author                                     | Comments                                                                                                                      |
|---------|-------------|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| 1.0     | April 2024  | Claire Foster, Abid Hussain & Sharon Posey | Definitive Release - New Policy                                                                                               |
| 2.0     | April 2025  | Abid Hussain & Sharon Posey                | Reviewed – No changes.                                                                                                        |
| 3.0     | August 2026 | Adam Wardell & Sharon Posey                | Job title amends throughout, 'learners' replaced by 'students' throughout. Pro Monitor added as system for recording concerns |

### 1.3. Distribution

| Name      | Email                  | Organisation   |
|-----------|------------------------|----------------|
| All Staff | Uploaded to SharePoint | Boston College |

## 1. Introduction

Boston College takes the health, safety and wellbeing of all students seriously and recognises that this is fundamental to their academic progress.

The College is committed to supporting students so that they may both feel and function well and seek to provide a teaching and learning environment that is safe and conducive to study. Students who present with difficulties due to their physical or mental wellbeing should, wherever possible, be considered from a supportive perspective rather than a disciplinary one, using the approach of Fitness to Study/Practice for everyone.

It is recognised that occasionally a student's circumstances, conduct or health may impact upon their own or others' ability to fulfil that potential, which may result in implementation of the Fitness to Study/Practice Policy

## 2. Purpose & Scope

The purpose of this policy is to provide a suitable, coordinated response by academic and support staff in circumstances where a student's ability to study/practice is a cause for concern. Depending upon the circumstances it may be appropriate to implement other policies alongside or instead of this policy – e.g., Mental Health & Wellbeing policy, Additional Learning Support policy (SEND), Student Code of Conduct policy, Student Disciplinary policy and Safeguarding Students policy.

**Fitness to Study** relates to an individual's capacity and ability to engage satisfactorily as a student, including in relation to academic matters and College life. This covers issues relating to students' wellbeing, physical, emotional and mental health, health and safety and the wellbeing and health and safety of other individuals.

**Fitness to Practice** procedures of this policy apply to all students on courses with a practice component leading to registration with a professional, regulatory or statutory body that entitles the student to practice that profession, for example, early years, counselling and accountancy. Fitness to Practice refers to the student's health, general and professional conduct, both on and off College premises and in private lives and it is judged against the requirements of the professional body in question (the professional, regulatory or statutory body that oversees the course/profession). The expected standard of behaviour relates to their chosen profession, and it may be higher than what is expected from students on other courses. Placement providers and College staff dealing with professional courses need to be aware of this policy.

This policy applies equally to all students regardless of their status.

This policy and the accompanying procedures should in no way distract from any emergency where it is believed that a student represents an immediate risk to themselves or others. In this circumstance, emergency services should be contacted.

This policy is not an alternative to the Student Code of Conduct. However, the college reserves the right to revert to the Student Code of Conduct and/or Fitness to Practise procedures to deal with inappropriate conduct, depending on the individual circumstances of the case, and where the student fails to respond positively to supportive interventions.

### **3. When to use this Policy**

This policy may be implemented by the individual, another student, a member of staff or any third party when:

- There is concern raised that student's health or wellbeing are affecting their attendance or capacity to study to the extent that they cannot participate in their study programme to a level which will enable them to complete successfully.
- Concerns about the student's fitness to study are raised by a third party i.e. a friend, relative, employer, member of the College staff or external/medical professionals.
- The student has told a member of staff that they have concerns about their own fitness to study.
- Behaviour that would usually be dealt with as a disciplinary matter, may be known or suspected to be the result of an underlying physical or mental health difficulty.
- A student's health difficulties are adversely affecting the health, safety or wellbeing of others.
- A student's health difficulties are adversely affecting the learning, progress or likelihood of success of other Students.
- where a student has received support from the college and has had engagement with services but continues not to engage because of the condition or demonstrates that they are at risk of not achieving their qualification.

### **4. Reporting Procedure**

Concerns may be raised by the individual, another student, a member of staff or any third party. They should be reported to the relevant Head of Curriculum or HE Co-ordinator of the area. If appropriate, the concern should also be reported to the Safeguarding and Wellbeing Team. The Head of Curriculum in the first instance, is responsible for following up the reported concern in line with this policy and procedures.

Concerns may range from minor to serious. Professional judgement will need to be made by the Head of Curriculum with support from Student Services and a consistent approach across the College adopted.

When making the judgement, aspects such as the student's maturity, pattern of behaviour, potential risk to them and others, openness of the issue, readiness to address the issue and support that can be offered should be considered.

## 5. Record Keeping

- Copies of all relevant documentation, including medical evidence relating to any level of concern must be retained securely in the student's file. This includes properly recorded outcomes of meetings and/or investigations. This information must be destroyed when it is no longer required.
- The fact that the student has been subject to Fitness to Study/Practice procedures must be noted on Pro Monitor but without any sensitive details.
- If a student is withdrawn/withdraws from the College during the Fitness to Study/Practice process, this will be recorded to ensure that appropriate procedures are followed if the student seeks re-admission.

## 6. Minor Concerns – Intervention 1

- 6.1 Head of Curriculum or the HE Co-Ordinator should address minor concerns through an informal meeting without having to resort to formal action in the first instance. Appropriate support arrangements for the student should be considered and offered. The cause for concern and the agreed actions should be recorded and kept on the student file sensitively on Pro Monitor.
- 6.2 It is the responsibility of the Head of Curriculum to raise and record initial concerns electronically on the student's record, alerting their Director of Learning and other relevant staff e.g. Student Services team, Inclusive Learning Team and Safeguarding team. Where the student has an Education, Health and Care Plan the SEND Managers must be consulted.
- 6.3 During the meeting the concerns identified will be discussed, along with specific academic arrangements and or reasonable adjustments, action plans/targets and a review date set. The student should be encouraged to use support services offered. The Head of Curriculum will send a record of the discussion (annex A) with the agreed actions and review date to the student (and parent/carer if under 18) within 10 working days of the discussion.
- 6.4 If at the review the student has not met the action plan/targets and or concerns continue, then the Head of Curriculum will escalate for consideration of a stage 2 meeting.

## 7. Serious Concerns – Intervention 2

- 7.1 Intervention 2 will be initiated where concerns are continuing, or the review date agreed at Intervention 1 discussion has passed and the student is still experiencing difficulties. It may also be initiated when there is a significant initial concern which is felt to be too serious to be addressed at Stage 1 level.
- 7.2 Serious concerns should be notified to the Director of Learning and the Head of Safeguarding and Wellbeing immediately. They will notify the Assistant Principal: SEND and Inclusion or the Vice Principal: Curriculum, Innovation & Impact who will use professional judgment and any other evidence provided to decide what immediate action needs to be taken (for example, neutral suspension) and which procedure(s) should be followed to address the issue. This may include a combination of:

- A referral to Fitness to Practice/Study formal meeting or Panel
- Safeguarding referral as appropriate
- Disciplinary proceedings
- Signposting to support services
- Suspension
- Notification of third parties
- Any other action that is deemed appropriate in the circumstances.

- 7.3 For referrals to the Fitness to Study/Practice formal panels, the Management Office will ensure that all relevant parties including the student, academic and support staff, parents or carers, employers and external agencies are invited via formal invitation, as appropriate in relation to the student's age and individual circumstances. Where the student has an Education, Health and Care Plan the SEND Manager must be consulted and invited.
- 7.4 The student will be made aware of the purpose of the meeting along with the student's right to be accompanied to the hearing by a parent or another person of the student's choosing, other than a member of the legal profession acting in a professional capacity.
- 7.5 In the event that the student is unable or unwilling to attend, the meeting may go ahead in their absence, if the College considers it reasonable to do so.
- 7.6 In the case of a Child in Care, Care Leaver or a student with an Education, Health Care Plan, the Local Authority and other relevant external agencies will be informed and invited to attend the meeting.
- 7.7 If the student has an EHCP the SEND Managers will consider whether an early annual review of the EHCP should take place.
- 7.8 Medical information and or professional feedback may be obtained prior to the Fitness to Study Panel, where possible and appropriate this will be obtained with the student's consent. This includes but is not limited to GP's, Mental Health Services, Social Services and other medical professionals.

## 8. Cooling Off

Where an incident requires immediate "cooling off", the student may be asked to leave the premises or to move to a specific area in the College. The cooling off period may last up to the end of the day.

Cooling off on the premises should be used where practical and if the student has support needs, they should be referred to the Safeguarding and Wellbeing Team. Discretion should be used before sending a student home, and parents/carers (if under 18 or EHCP) contacted if this is the decision.

Cooling off is not designed to be used as a form of a disciplinary sanction and the issue must be addressed with the student in line with College policy.

## 9. Suspension

Where there is a serious concern over the student's fitness to study/practice and it is believed that their continued presence on site or at placement would compromise the investigation into the matter, potential risk to the safety or welfare of them or others, or the reputation of the College, the placement or the profession, the student may be suspended by the relevant Director of Learning.

Suspension should only be used as a last resort. It is considered a neutral and precautionary act to allow time for an investigation to take place and/or preparation for a Fitness to Study/Practice panel meeting.

Suspension is not designed to be used as a form of sanction, and a proper panel meeting must follow the suspension period within 10 working days.

During the period of suspension, work can be provided by the tutor to be completed remotely if appropriate and not detrimental to their wellbeing, emotional or mental health. The student may (with written permission) be admitted to college for meetings/interviews, to submit coursework to meet deadlines, to take examinations, to use the library facilities, although this may require going to a different site.

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, the Head of Safeguarding and Wellbeing and the Director of Learning 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.

Suspension would always be by a Director of Learning 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 or infringes on the Student Code of Conduct policy.
- 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 Assistant Principal: SEND and Inclusion or Vice Principal: Curriculum, Innovation & Impact.

Whenever possible, the student should be informed of the decision to suspend them from study in person, by the relevant Director of Learning, with an appropriate staff member in attendance to provide immediate support. This could be Student Services staff or the Safeguarding team. Online/distance students should be informed by telephone and signposted to appropriate support. The student will be provided with a

suspension/withdrawal letter setting out the reasons for the suspension/withdrawal within 5 working days of the event.

A copy of the letter will be sent to the HE Quality Manager (for HE students) or the Head of Quality, Teaching, Learning and Assessment.

The decision to suspend will be reviewed at the Fitness to Study/Practice panel held by the Director of Learning and Head of Safeguarding and Wellbeing, and any relevant academic staff within 10 working days of the decision. The student has the right to make written representation to the Director of Learning, which will be considered as part of the review. This process will be explained to the student when they are informed of the suspension.

The outcome of the assessment may include one or more of the following:

- Safeguarding referral as appropriate
- Disciplinary proceedings
- Signposting to support services
- Suspension
- Notification of third parties
- Any other action that is deemed appropriate in the circumstances.

The outcome of the assessment will be confirmed to the student in writing.

## **10. During Suspension**

During a period of suspension, the student will not be entitled to attend academic teaching or associated assessments unless otherwise agreed by Director of Learning, and entitlement to access some or all College facilities may be withdrawn. The extent of this will be considered at the point of suspension and will be confirmed in the confirmation letter.

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.

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.

The student will be suspended from study until they can provide evidence that they are fit to participate in college life (see Returning to Study Following Concerns relating to Fitness to Study/Practice).

## 11. Formal Procedure

The following stages are available within the Fitness to Study/Practice Procedures:

| Concern                               | Addressed at                                                                                                                                                                                                                               | Highest Possible Outcomes                                                                                                                                                                                                                                    |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Minor Concern Intervention 1</b>   | Informal meeting with Head of Curriculum and appropriate staff of that area.                                                                                                                                                               | <ul style="list-style-type: none"> <li>• Set Action Plan</li> <li>• Agree reasonable adjustments with student/academic or support teams.</li> <li>• Set Review date</li> </ul>                                                                               |
| <b>Serious Concern Intervention 2</b> | Formal meeting with Director of Learning and Head of Safeguarding and Wellbeing. Mandatory study breaks or neutral suspension to be agreed by Assistant Principal: SEND and Inclusion or Vice Principal: Curriculum, Innovation and Impact | <ul style="list-style-type: none"> <li>• Formal monitoring or adjustments.</li> <li>• Referrals to support services as appropriate (internal &amp; external)</li> <li>• Mandatory study break.</li> <li>• Exclusion from the programme or College</li> </ul> |

## 12. Returning to Study after implementing the Fitness to Study/Practice Policy

This protocol should be followed when a student requests a return to study following an authorised break, suspension or withdrawal which is a result of a Fitness to Study/Practice panel meeting.

When the student applies to return to study, they will be required to attend a meeting with the relevant Director of Learning and Head of Safeguarding and Wellbeing or Safeguarding and Wellbeing Officers as appropriate. Medical evidence may be gathered prior to the meeting. The purpose of the meeting would be to:

- Assess the student's fitness to participate in college life and their current wellbeing, including physical and emotional.
- Identify support requirements, either internally or externally
- Identify if a phased return to study is viable.
- Discuss previous concerns and identify strategies to prevent their reoccurrence.

All issues and outcomes discussed in the meeting should be recorded on the Fitness to Study Assessment form (see Appendix 1).

The Director of Learning and Head of Safeguarding and Wellbeing should make a joint decision on the appropriateness of the student returning to study at that time.

When determining appropriateness to return to study, Student Services may, with the student's consent, liaise with external agencies involved in the student's support in order to assess fitness to participate in college life and ensure a multiagency approach to support. Such external agencies include, but are not limited to, GP, Mental Health services, Social Services, other medical practitioners.

The student should be informed in writing of the decision to accept or decline their application to return to study within 10 working days.

The student's return to study will be upon condition that they adhere to the actions outlined in the Fitness to Study Assessment form.

The Fitness to Study Assessment form should be signed by all parties before the student returns to study and should be reviewed on a regular basis.

If the student is not deemed fit to return to study at that time, they can request a review for the next academic term/semester.

### **13. Right of Appeal**

The student may appeal against a decision of the Fitness to Study/Practice Panel on the following grounds:

- The college has failed to follow its own procedure.
- There is further material evidence which could not reasonably have been expected to have been submitted for consideration by the panel.

Any request for an appeal should set out the grounds for appeal and be submitted within 10 working days of notification in writing to the Deputy Principal. An appeal hearing with the Deputy Principal or nominee will be arranged to take place normally within 21 working days of receiving notice of the request for an appeal. The student will normally be given at least 5 working days' notice of the time and place of the appeal interview and will be entitled to be accompanied by a friend, student representative or relative (but not by a legal or other professional adviser unless the College otherwise agrees, having been given notice before the day of the hearing).

At the appeal hearing the student or companion will explain his or her case and any special circumstances which may exist. The hearing will review the case, considering the original fitness to study decision and the student's representations from the appeal hearing.

The decision by the Deputy Principal or nominee will be confirmed in writing to the student normally within 5 working days.

The right of appeal in the case of a Child in Care, or a student with an Education, Health and Care Plan will be in consultation with the Local Authority.

For HE (Higher Education) students only:

HE students have the right to complain to the OIA Ombudsman up to 12 months after Fitness to Study/Practice panel decision.

[Office of the Independent Adjudicator for Higher Education - OIAHE](#)

# ANNEX A

## FITNESS TO STUDY/PRACTICE ASSESSMENT

|        |     |
|--------|-----|
| Ref No | FTS |
|--------|-----|

|                    |  |
|--------------------|--|
| Meeting Attendees: |  |
| Date:              |  |

| STUDENT DETAILS |  |             |  |
|-----------------|--|-------------|--|
| Name:           |  | EBS Number: |  |
| Address:        |  |             |  |
| Date of Birth:  |  |             |  |
| Course:         |  |             |  |

| ASSESSMENT                                              |
|---------------------------------------------------------|
| <i>Risk Factors (Background information of student)</i> |
|                                                         |
| <i>Existing Protective/Supporting Factors</i>           |
|                                                         |

Level of risk at present:

|     |        |      |
|-----|--------|------|
| Low | Medium | High |
|     |        |      |

Do protective factors outweigh the risk factors?

|     |    |
|-----|----|
| Yes | No |
|     |    |

**Additional Protective Factors/Reasonable Adjustments:**

|  |
|--|
|  |
|--|

**Risk Level after implementation of additional protective factors and actions:**

| Low | Medium | High |
|-----|--------|------|
|     |        |      |

**Note/Actions:**

*Please ensure targets are SMART and clearly understood by student.*

|  |
|--|
|  |
|--|

|                     |  |
|---------------------|--|
| <b>Review Date:</b> |  |
| <b>Prepared by:</b> |  |
| <b>Signature:</b>   |  |
| <b>Date:</b>        |  |

|                              |  |
|------------------------------|--|
| <b>Director of Learning:</b> |  |
| <b>Signature:</b>            |  |
| <b>Date:</b>                 |  |

Please send completed form to [support@boston.ac.uk](mailto:support@boston.ac.uk) and ensure a copy is sent to the students and parents/carers if under 18.