Policy Title: **Fitness to Study Policy and Procedure**

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Approved By: **Karen Wilson**

Responsible Person: **Irene Farragher**

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Document Change Log	
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Alternative format of Policy

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1. Introduction

1.1 We are committed to supporting your wellbeing and recognise that a positive approach to the management of physical and mental health issues is critical to your learning, academic achievement and your wider learner experience, either at programme level, or through a range of professional support services.

1.2 The Fitness to Study Policy and Procedure is intended to inform and guide our response to situations where we are concerned that you are not well enough to study.

1.3 The purpose is to provide a framework to support an appropriate and co-ordinated response by academic and Professional Services staff in circumstances, where it is deemed you may benefit from extra support due to ill health.

1.4 Fitness to Study is your capacity to participate fully as a learner in relation to your academic studies, and in relation to your participation in the college community in general. It applies to situations where college staff become aware of learner conduct that may suggest a potential risk to the health, safety or wellbeing of the student or others. (Student Conduct and Behaviour Policy and Procedure)

1.5 The focus at all stages is to provide the infrastructure to support you to succeed on your course. The policy seeks to promote early intervention, active collaboration between yourself, staff, and third parties.

1.6 We will deal with matters in a sensitive and non-judgemental manner and co-ordinate your support.

1.7 Whilst the college seeks to work with you in a spirit of co-operation, cases may arise in which it may, under this Policy, determine that you are not fit to study at that time and that your enrolment should be suspended or revoked, on completion of the formal second stage of the Fitness to Study Procedures.

1.8 Whilst we hope that you will engage with this policy and procedure, if you do not do so, we may enact this policy and procedure without your agreement.

Policy

2. Scope

2.1 The policy applies to all staff and all learners studying at Lakes College West Cumbria.

2.2 This policy covers conduct at, on, or during all learning, teaching and related activities, on or off campus, or online, and behaviours whilst on college premises, including but not limited to:

- Contact with staff, learners, or visitors by telephone, email, webform, in online meetings or in person
- Tutorials
- Lakes College hosted online forums
- Lakes College monitored social media sites, however where the college does not monitor a social media site, we will act if concerns are brought to our attention by learners` or staff
- Work placement activity, trips, or visits

3.Purpose

We recognise that there may be instances where your physical or mental health give rise to concerns about your ability to study, for example your capacity to engage with your studies and/or to function more widely as a member of the college community.

3.1 This policy is designed to encourage early intervention and active collaboration between staff and learners in implementing reasonable adjustments and managing situations where there are concerns regarding fitness to study. (Reasonable Adjustment Policy and Procedure).

3.2 Your fitness to study may be a cause for concern because of a wide range of circumstances, including (but not limited to) the following:

- Your academic performance and/or personal conduct is causing concern and is thought to be the result of underlying physical or mental health problems.
- You are making repeated applications for extenuating circumstances, stating health issues (mental or physical), where these requirements are not part of an agreed learning support plan for reasonable adjustment. (Reasonable Adjustment Policy and Procedure)
- You exhibit conduct which, although usually dealt with as a disciplinary matter, may be known to be, or suspected to be, the result of an underlying physical or mental health difficulty. (Link to Student Conduct and Behaviour Policy setting out the behaviours which would prompt concern).
- Your health issues are adversely affecting the health, safety, or wellbeing of others or the ability of others to engage successfully in learning, or assessment, or college life in general.
- Concerns about a learner's fitness to study are raised by the student directly, or by a third party, either whilst the learner is at college or engaged in college organised activities, such as placements or field trips.
- Some programmes due to the nature of work involved will require Fitness to Practice. For further details of Fitness to Practice please refer to the Fitness to

Practice Policy and Procedure Lakes College - Higher Education - Fitness to Study Policy and Procedure.docx.

3.3 The Fitness to Study procedure has two stages, based on the degree of concern and/or the perceived seriousness and urgency of the situation. These are the:

- Informal Stage with a 'Cause for Concern' meeting
- Formal Stage where a Case Review Panel (CRP) takes place.

3.4 The procedure can be entered at either stage, however in most cases learners will be supported within the informal 'Cause for Concern' stage. (Fitness to Study Procedure)

3.5 In serious cases (including but not limited to violence, criminal behaviour, risk of harm to yourself and/or others) you may be suspended prior to a CRP being convened as a precautionary measure, to protect yourself and the college community. This will be communicated to you by telephone, email and in writing, giving the reasons for your suspension.

3.6 You are able to appoint an advocate to represent you at a CRP and to liaise on all matters regarding your suspension.

Procedure

4. Implementation and application of procedure

4.1 When implementing this policy, we will follow these overarching principles:

1) We will ensure you are aware of the Fitness to Study Policy and any other relevant policies and will support you at induction to understand the procedures we will be following.
2) We will discuss our concerns with you and/or your advocate and give you the opportunity to respond to this, as well as an opportunity to address the behaviours causing these concerns.

3) We will act in a timely manner, keeping you informed of anticipated timescales of further actions that may need to be taken.
4) We will set clear timeframes for each of our actions and your responses, including timeframes for improvement and review.
5) You will be given a copy of any support or action plans that are agreed at each stage, as well as a written summary of all meetings held with you.
6) Any record made during this process will be held on your learner record in accordance with our Student Privacy Notice. It will be treated in strict confidence and only made available to those who have a role in the Fitness to Study process. We will act in what we understand to be your best interests, whilst safeguarding the wellbeing of other students and our staff.

Throughout the Fitness to Study process, you can invite a friend/ family member/colleague to attend any meetings with you and provide emotional support.

4.2 You may appoint an advocate if you are finding it difficult to speak for yourself or to understand the process that is being applied. We ask that you let us know in writing if you intend to appoint and use an advocate.

4.3 If you choose not to engage with the Fitness to Study process, we may follow the process without your agreement. However, if you refuse to undertake the actions, set to address the concerns about your conduct, we may refer you to alternative policies including, but not limited to the Learner Conduct and Behaviour Policy and the Attendance and Engagement Policy.

5. Informal stage: The Cause for Concern meeting

5.1 We encourage matters to be dealt with in an informal manner through the college support mechanisms. You will have a full induction programme which will cover the support available to you. This information can also be found on the College website Student Welfare - Lakes College (lcwc.ac.uk) and Canvas.

5.2 At the stage of a Cause for Concern meeting, the focus is on ensuring that you understand the concerns raised and improvement sought, have an opportunity to discuss and question the concerns raised, are aware of the support services available to you, and understand and are supported to access these.

5.3 Where staff have persistent concerns about your academic progress or conduct, following attempting to discuss this with you, they will report to your Progress & Welfare Coach.

5.4 Concerns can be raised during the weekly meetings with pastoral care and curriculum staff, and they will be recorded in the minutes and also on the learner record system . Where concerns are expressed verbally by staff outside of the weekly pastoral meeting the Welfare Coach will record them on Pro Monitor. The same will be done if concerns are raised via email.

5.5 The Welfare Coach will contact you within 5 working days, via a call or text message, with the intention of arranging a meeting to discuss specific issues and concerns and to offer appropriate support.

5.6 You will be signposted to sources of help, support, and advice. You will also be informed of your entitlement to nominate an advocate and/or bring a representative/friend/family member to the meeting should you wish. You will be asked to confirm who will be attending with you.

5.7 The Welfare Coach may check any relevant information pertaining to the student such as record on Pro Monitor (our student records system) and consult with relevant colleagues, including the Programme Lead to determine the full scope and nature of concerns about the student's fitness to study. If relevant, we may need to contact your work placement/external colleagues/employers that a Fitness to Study concern has been raised

5.8 A record of the invitation will be on Pro Monitor. The you will be made aware that the meeting is being held in accordance with the Fitness to Study procedure and that the discussion will be held as a Cause for Concern meeting. A record of any concerns raised by the Programme Leader, the actions agreed, and a review period should be determined as part of this meeting. A member of the college's Cross-

College Team will attend the meeting to take notes and record any actions. Notes of the meeting will be stored on the College's central system, Pro Monitor and shared with you.

5.9 It may be necessary to hold an urgent meeting with you, but where possible, a minimum of 24 hours' notice for the meeting will be given.

5.10 The outcomes available at the Informal Stage are to:

- agree that no further action is required; or
- monitor you formally for a specific period of time (normally between 2-6 weeks, as agreed by the Welfare Coach and you). In this case, an action plan will be agreed and sent to you by your college email within x working days, detailing any steps you will need to take and the support to be provided to you, including any further meeting(s) that will be arranged to review progress, as agreed by the Programme Leader; or
- progress to the formal stage of the process.

5.11 You will be invited to a follow-up meeting at the end of the review period if applicable. If you have responded positively and taken advantage of the support available, no further action will be required. If, however, concerns remain, you can be invited to another review meeting at a mutually agreed time.

5.10 Regular review meetings may be planned in, as long as the Welfare Coach and/or Programme Leader considers this approach is beneficial. If, however, the Welfare Coach or Programme Leader is of the view that further action is required, the formal stage of the process can be initiated. Further action may be required if the actions agreed at the informal stage have not been completed. For example, if there is continued non-completion of assignments, poor attendance, disruption in group sessions.

6. Formal stage: Case Review Panel

6.1 If your case is to be considered by the Case Review Panel you will be notified in writing, a minimum of 5 working days prior to the date of the Panel, of the following:

i) the ground(s) for calling the meeting
ii) the membership of the Panel
iii) the right to be accompanied/represented at the hearing by a friend or representative, and/or nominated advocate
iv) your right to submit documentary evidence prior to the meeting
v) the content of any documentation intended to be used or referred to in the meeting or as part of the meeting.

6.2 The meeting will be organised the Cross-College Administration Team and chaired by an independent chair.

6.3 The Case Review Panel (CRP) will comprise:

- Impartial Chair (a member of the Senior Leadership Team (SLT))
- At least one other academic member of staff not associated with the programme.

A member of staff from Cross-College Admin will be in attendance to take notes of the meeting and to provide procedural advice to the Panel members and the student if required. Welfare Coach may attend the meeting to provide procedural advice.

6.4 It should be made clear at the start of the CRP that the intention is to provide support to you.

6.5 The purpose of the CRP will be to ensure that:

- you are made fully aware of the nature of the concerns that have been raised and the reasons for the Case Review Panel being called
- your views are heard and taken account of

- an action plan is drawn up with a suitable review period. This may include the you being advised to seek a medical assessment, either through their GP (or consultant in the NHS) or through the College's Counselling Service
- the action plan and notes of the meeting are sent to you within 5 working days of the CRP meeting and a record is kept on your student record system, EBS.
- you will be informed of the possible outcomes if serious concerns remain.

6.6 The outcomes available to the CRP are:

- to agree that no further action is required; or
- to monitor you formally for a specific period of time (normally between 2-6 weeks). In this case, an action plan will be agreed with you, detailing any steps the student will need to take and the support to be provided to the student. A further CRP meeting will be arranged to review progress, as agreed by the Chair of the Panel. (All CRP meetings will be supported by a member of Cross College Admin to take notes and ensure that due process is followed); or
- to recommend a specific academic arrangement be put in place which may include a suspension of studies or a view that you be required to withdraw. The panel will endeavour in the first instance to reach agreement with you on such arrangements. If a suspension takes place, re enrolment will be on the basis of you fulfilling the conditions of suspension which will be confirmed to you in writing.

6.7 Where possible, you will be advised in person at the earliest opportunity after the CRP has made a decision, ideally on the day of the meeting.

6.8 The formal recommendation of the CRP will be sent by email and letter to you or your nominated advocate, . within 5 working days of the panel meeting to set out its decisions and the reasons for the decisions taken. The report from the Panel will set out the following:

i) the recommendations made by the panel;
ii) the reasons for reaching the Panel's decision;
iii) why the decision was considered proportionate, indicating why alternative outcomes were considered and discounted. The report will be kept on your record;
iv) The grounds for review.

7. Review Stage

7.1 You have a right to request a review of a CRP recommendation of suspension or withdrawal. You can request a review on one or more of the following grounds:

i) that the procedures were not followed properly
ii) that the Panel reached an unreasonable decision. An unreasonable decision is one which is not proportionate for the concerns raised, or a decision which was not evidenced, therefore having an unfair impact on you.
iii) that you have new material evidence that you were unable, for valid reasons, to provide earlier in the process
iv) that there was bias or reasonable perception of bias during the procedure.

7.2 Request for review must be submitted to the Chair in writing by email or letter within 10 working days of the written CRP decision being issued by email and letter. If after 10 working days and no review request has been received the suspension or withdrawal will be actioned. Only in exceptional circumstances, and with supporting evidence, will late review requests be accepted.

7.3 Reviews are carried out by an impartial member of the SLT who have not been involved at other stages of the process to ensure that decision making staff are independent and coming to each decision afresh.

7.4 The Review stage is not a rehearing of the original case. The reviewer will consider the documents considered by the CRP, the panel outcome and any additional evidence or written representations supplied by the student(s) requesting review. The Reviewer will not meet with the learner.

The reviewer can make one of the following decisions:

i to confirm the decision of the CRP
ii to change the decision of the CRP
iii to refer the case back for further consideration at CRP stage.

7.5 The review decision will be sent to you in writing by email and letter within 15 working days of the review request being submitted. Unless the case is referred back to CRP stage the decision will include a Completion of Procedures notification. If you are a Higher Education learner, this will allow you to apply to the Office of the Independent Adjudicator (OIA) for Higher Education to review their case.

7.6 An application to the OIA must be made within 12 months of the issue of a Completion of Procedures letter. Full details regarding the OIA's rules and guidelines are available on the OIA website Office of the Independent Adjudicator for Higher Education - OIAHE.

8. Methods of appeal

9.1 If you wish to appeal against the decision of the Review Stage of any element of this Policy has been applied, please consult the Complaints and Appeals Procedure.

9. Retention of Records

9.1 Records of formal meetings will be retained by the College for 6 years after:

- successful completion of the course; or
- withdrawal from the course; or
- the last time the records were referred to following completion of the appeals process.

Please refer to the Lakes College Data Retention Policy and Procedure.

10. Commitment to Equality, Diversity, and Inclusion at Lakes College

10.1 Policies are inclusive of all Lakes College Learners, regardless of age, civil status, dependency or caring status, care experience, disability, family status, gender, gender identity, gender reassignment, marital status, marriage and civil partnerships, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, socio-economic background, sex, sexual orientation, or trades union membership status.

10.2 Academic Board will receive monitoring reports of the implementation of the policy on an annual basis, including equality, diversity, and inclusion statistical analysis.

11. Safe Space Reporting

11.1 Lakes College is committed to creating a diverse and inclusive environment in which everyone feels safe and is treated with dignity and respect. Unlawful discrimination of any kind across Lakes College will not be tolerated. Safe Space Reporting is available through the QR Code through which staff, learners, and visitors are encouraged to report incidents of assault, bullying, harassment, hate crime, or sexual harassment. It also provides information about what you can do if these incidents happen to you, or to someone you know, and where you can find support.

12. Other relevant policies and procedures

- Lakes College West Cumbria Complaints and Appeals Policy and Procedure
- Lakes College West Cumbria Data Protection Policy
- Lakes College West Cumbria Student Conduct and Behaviour Policy and Procedure
- Lakes College West Cumbria Misconduct, Malpractice and Maladministration Policy and Procedure

- Lakes College West Cumbria Fitness to Study Policy and Procedure Lakes College - Higher Education - Fitness to Study Policy and Procedure.docx
- Lakes College West Cumbria Reasonable Adjustment Policy and Procedure Lakes College - Higher Education - Student Conduct Policy and Procedure.docx
- Lakes College West Cumbria Safeguarding and Prevent Policy and Procedure
- Lakes College West Cumbria Withdrawal Policy and Procedure

13. Any external references

- Equality Act 2010 Equality Act 2010 (legislation.gov.uk)
- Office of the Independent Adjudicator (OIA) for Higher Education Office of the Independent Adjudicator for Higher Education - OIAHE
- Open University The Open University | Courses and Qualifications
- University of Central Lancashire University of Central Lancashire - UCLan
- University of Cumbria University of Cumbria

Initial Screening for Equality Impact Assessment (including Safeguarding)
To be completed prior to a Policy or Procedure being introduced and at each review.

Name of Policy/Procedure:	
Is this a new or existing policy/procedure? □ New X □ Existing	
1. To ensure that the policy / procedure complies with the Equality Act 2010, which of the listed categories could be impacted by the policy / procedure? (The categories follow the College Single Equality Policy, and the impact could be positive or negative.) □ Age □ Compliance with Children & Families Act 2014 □ Disability □ Gender □ Race/ethnicity □ Gender Re-Assignment □ Marriage/Civil Partnership □ Pregnancy/Maternity □ Socio-Economic □ Sexual Orientation □ Religion/Belief □ X All of the above □ None of the above expected	
2. What are the risks of introducing this policy / procedure change to any of the above groups?	None, applies equality to all applicants
3. What are the expected benefits of introducing this policy / change to any of the above groups?	Clarity of support for all applicants
4. Are there any areas or issues that could impact on the safety of staff or learners?	Supportive of health, wellbeing and safety of all students
5. What evidence do you have for your responses to questions 2, 3 and 4? (e.g. evidence could be provided to counteract identified risks and, therefore, a full screening would not be required)	Policy outlines support framework available to all.
6. What is the level of risk for the policy / procedure?	□ High □ Medium X□ Low
7. Is a Full Screening Impact Assessment required?	□ Yes (complete the box below) X□No
What are the recommendations from Equality Impact Assessment? No action required.	
Date of Review:	28th September 2026
Reviewer's Name:	Karen Wilson
Reviewer's Job title:	Chief Operating Officer