

Support for Continuing Studies Policy and Procedure

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1. Introduction

1.1 The College is committed to providing an inclusive and supportive environment for its students. It understands the importance of their health and wellbeing in relation to their learning, academic achievement and wider student experience and seeks to develop a positive and safe environment that enables them to engage with their studies and achieve to the best of their ability.

2. Purpose

2.1 The College recognises that there may be times during their programme of study when a student may not be able to participate fully and satisfactorily in relation to their academic studies and student life generally. This may be as a result of a new or recurring disability, illness or mental health condition. In such instances, students must be reassured that the College will provide an appropriate level of support, within its available resources, for them to continue with their studies.

2.2 The purpose of this policy and associated procedure is to support the student to achieve a positive outcome from their programme of study and to ensure that concerns are identified and discussed in a timely manner and relevant support implemented as necessary.

2.3 Where a student's conduct gives rise for concern, the lead member of staff (usually the student's tutor) should consider what might be causing the poor behaviour, for example:

- safeguarding or welfare concerns
- new or recurring disability, illness, or mental condition
- lack of understanding or disregard of the College's Code of Conduct – 'The Deal'

The Head of Department – Curriculum should then decide whether it is appropriate to use this policy or use the College's Disciplinary Policy.

2.4 In order to identify the level of support required and develop a plan for that support, the student will be expected to fully engage with the 'Support for Continuing Studies' procedure.

2.5 Although the College will endeavour to meet the specific needs of all students, it is also committed to providing a safe and healthy environment for the whole College community and as such, the College will consider whether such support and adjustments are in line with this principle and if they are, reasonable within the College's resources. Where it is not possible to provide the level of support or adjustments required, the College has the right to withdraw the student from their programme of study.

3. Scope

3.1 This policy and associated procedure apply to all full-time and part-time students enrolled at the College where there is concern for their health and wellbeing which may be impacting on the health and safety of themselves and others around them. If the student is enrolled on a supported internship programme, the relevant employer may have their own policies and procedures which also need to be followed.

3.2 Students who are enrolled on a higher education course may be subject to the partner university's policy and procedures.

3.3 Students aged between 14-16 who are enrolled on a college course will be subject to the policy and procedures of the funding school/authority.

4. Associated Policies

4.1 This policy should be read in conjunction with the following College policies:

- Admissions Policy
- Equality, Diversity, and Inclusion Policy
- Safeguarding Policy
- Data Protection Policy
- Health and Safety Policy
- Accessibility Policy
- Student Disciplinary Policy
- The Deal
- Attendance Policy

5. Underpinning Legislation and Guidance

5.1 This policy is underpinned and informed by the following legislation:

- The Children Act 1989 and 2004
- The Children and Families Act 2014
- The Care Act 2014
- The SEN Code of Practice 2015
- Equality Act 2010
- Mental Capacity Act 2005
- Data Protection Act 2018
- UK GDPR 2018

6. Definitions

6.1 Disability – The Equality Act 2010 considers a person to have a disability if they have a physical or mental impairment that has a substantial and long-term negative effect on their ability to do normal daily activities. Substantial is more than minor or trivial and long-term means 12 months or more.

6.2 Reasonable Adjustment - The reasonable adjustments duty under the Equality Act 2010 is to take such steps as is reasonable, in all the circumstances of the case, to avoid a disadvantage which a disabled student experiences because of their disability. This can include adapting a student's timetable or learning environment or adapting teaching methods. Criteria for judging what is 'reasonable' include, whether the adjustments compromise academic standards, health and safety, or the relevant interests of other students. Specifically, the College is also not required to make a reasonable adjustment to the application of a competence standard. The College is only obliged to make reasonable adjustments within its available resources and is also entitled to assess their practicality and likely effectiveness in deciding whether to implement them.

6.3 Supporting Professionals – the College understands that students may be supported by many different professionals, for example, GPs, counsellors, therapists, and as such will take into account the professional recommendations made by such professionals provided, they are qualified to make them and fully briefed on the concerns.

6.4 Head of Department - Curriculum 'Lead Manager' – this is the member of staff who will lead on each stage of the procedure. They will assume responsibility for chairing and recording the meetings and making sure that any agreed actions are followed up.

7. General

7.1 The College will strive to meet the minimum standards required when invoking this policy and procedure. The primary focus will always be on the student's health and wellbeing and ensuring that they are on the right course to achieve a positive outcome.

7.2 All members of staff must consider safeguarding procedures alongside this policy and procedure. If an incident occurs where there is critical concern regarding risk to self or others, the staff member must immediately notify the Designated Safeguarding Lead (DSL) or their deputy and the emergency services must be called if necessary. The College's Safeguarding Policy and Procedure should always be followed and will take precedence over other policies and procedures.

7.3 This policy and procedure will be carried out in line with our Data Protection Policy, subject always to the College's duty of care to safeguard the welfare of students and responsibilities under the safeguarding policies and procedures. The College reserves the right to contact a student's parents/carers where it considers it has a responsibility to do so under the duty of care to safeguard them or where there is a reason to do so under the Mental Capacity Act 2005.

7.4 Any member of staff who has a concern about a student's health and wellbeing which may be affecting their studies, or has had a concern reported to them, should in the first instance, discuss those concerns with the student's personal tutor or their line manager and the Student Safeguarding and Pastoral Support Team, if appropriate, remaining mindful of the confidential and sensitive nature of the matter being discussed. The student must be aware and alerted to the concerns and where possible, involved in strategy meetings.

7.5 Where there is no critical concern of immediate risk to self or others, the first stage of the 'Support for Continuing Studies' procedure should be invoked. The student would usually enter the procedure at Stage 1. However, if the relevant senior manager considers the level of concern to be serious, they may decide that the student needs to immediately enter the procedure at stage 2 or 3, as appropriate.

7.6 A student who is subject to this procedure may be asked not to attend College whilst a decision about appropriate action is being made. This would only occur where the action is urgent and necessary in order to protect the student or others. Before taking this action, the College will complete a risk assessment to determine whether there is a risk to either the student or others that cannot be mitigated. In such circumstances, the student must be reassured that this is not a disciplinary sanction and that they will still remain a student at the College. The student will be informed of such a decision by email or letter within 5 College days of the decision being made.

7.7 Whilst it is envisaged that such cases will be exceptional, the College reserves the right, to vary the procedure outlined in the interests of fairness and/or health and safety. For example, this might occur where there are concerns that the attendance of a student at a meeting could have a detrimental effect on the student, for example if the student is self-harming or the student is in hospital.

7.8 Should a student be unwilling or unable to take part at any stage of the procedure or to attend a meeting, the College may nevertheless follow the procedure where it is reasonable to do so, notifying the student in writing of that step. In addition, it will consider any request from a student to proceed with a meeting in their absence and accept and consider written reports and/or a written statement from them.

7.9 Where concerns are raised during the admissions procedure about whether the College can meet a student's needs, the College's Admissions Policy will apply. Any student who declares a disability, illness or mental health condition should be advised of the existence of this policy and a referral must be made to The Supported Learning Team.

7.10 Where a decision has been made to invoke this policy, the student must be advised that they have a right to appeal this decision if they feel that it is inappropriate or misguided. Any such appeal should be confirmed in writing to the Head of Department (Curriculum) as soon as is practicably possible. On receipt of the appeal, the Head of Department (Curriculum) must convene a panel of professionals, which should include a Supported Learning Manager and Head of Safeguarding and Pastoral Support, to review the appeal. If a student's appeal is declined by that panel, it will inform the student about which stage of the procedure will then commence.

8. Equality, Diversity, and Inclusion

8.1 The College is committed to equal opportunities and aims to make its procedures easy to use and accessible. In responding to and managing situations where a student's health and wellbeing may present a barrier to their learning and achievement, the College will be mindful of the duty of care and of the obligations under the Equality Act 2010, including the duty to make reasonable adjustments.

8.2 In implementing the procedure, the College will ensure that it offers and encourages students to seek appropriate support from the outset, for example, by referring students to their GP, or Student Counselling Service, the College Nurse, the Pastoral Support, or the Supported Learning Department

8.3 When implementing this procedure, each matter will be dealt with in a supportive manner and on an individual basis. Any decision reached about a student's ability to continue with their studies will be made, wherever possible, through a procedure involving the student and their parents/carers as appropriate.

This policy and associated procedure will be reviewed biannually to ensure that it is fully compliant with legislation and best practice in the sector.

Procedure

The procedure outlined below involves five distinct stages of intervention:

Stage 1 - Initial Concerns

Stage 2 - Serious and/or Continuing Concerns.

Stage 3 – Final Review/Decision

Stage 4 – Appeal against Final Decision

Stage 5 – Return to Study

Stage 1 – Initial Concerns

When initial concerns are raised about a student's health and wellbeing and ability to engage satisfactorily in their studies, a Stage 1 intervention should be invoked. Concerns may arise where:

- there is evidence of significant non-engagement by the student with their studies which have not been satisfactorily addressed through other interventions and procedures.
- there are serious concerns about a student's health and wellbeing.
- the student declares a new or recurring disability, illness or mental health condition.
- a member of staff suspects a relevant change in physical or health and mental wellbeing or is advised by a third party of a new or recurring disability, illness or mental health condition.
- a student's conduct could suggest a change or deterioration in their mental health or wellbeing.

An initial meeting must be arranged as soon as possible by the Head of Department (Curriculum) and should be attended by someone who knows the student, (for example, their Achievement Tutor or Academic Teacher.) A member of Student Services/Support must also be invited to the meeting. If agreed by the student, or in the opinion of the Head of Department (Curriculum), necessary to protect the student's welfare, parents/carers should be informed and invited to attend and/or the student should be allowed to bring one other person with them for support.

The Head of Department (Curriculum) should notify the student of the meeting in writing; confirming that the meeting is in relation to initial concerns raised about their health and wellbeing and ability to continue in studies and that Stage 1 of the 'Support for Continuing Studies' procedure is being initiated.

At the meeting, the Head of Department (Curriculum) must;

- reassure the student that this is a supportive procedure and not part of the disciplinary procedure.
- in conjunction with the Head of Safeguarding and Pastoral Support, decide whether the student has capacity under the Mental Capacity Act and who makes relevant decisions for the student. If no decision can be reached, then the Head of Department must presume capacity and proceed as such whilst making reasonable adjustments for any known disability.
- explain the concerns and the impact these may have on the student's ability to achieve a positive outcome from their programme of study.
- allow the student the opportunity to respond to the concerns.
- listen to the student and gather an initial understanding of the student's perception of the matter.
- explain to the student that they are not obligated to accept the procedure and can decline to engage with it.
- discuss with the student any related support needs and/or reasonable adjustments.
- agree with the student, appropriate, time bound actions that need to be met to address the concerns.
- as appropriate, draw up a support plan setting out the ways in which they will be supported, for example, assistive technology, note taker, 1:1 check ins, learning support assistant, including any obligations on the part of the student; (e.g., in respect of their engagement and attendance)
- discuss with the student whether a change of study programme, or a temporary withdrawal may be appropriate and the most supportive option at that time. If a temporary withdrawal is agreed, the student must be reassured that the intention is for them to return to learning as soon as they are well. They must also be advised that a return to the same programme of study may not be possible but in such instances, an alternative programme will be discussed with them.

Following the meeting, the lead staff member must:

- make a written record of the meeting and agreed actions; (this must be on ProMonitor)
- share the support plan with the student and any other relevant parties, for example, their Achievement Tutor, Department Team Leader, Supported Learning, and those in attendance at the meeting.
- ensure that the student is signposted to both College support services and any relevant external services, for example, their GP.

If, following the meeting and implementation of the agreed actions and support plan, effective resolution of the concerns is not reached under Stage 1, (including when a student does not participate in the procedure without a reasonable excuse), a meeting should be arranged on a specified date to consider further action. The following options should be considered.

- continuation of Stage 1, where more time is considered appropriate,
- escalation to Stage 2
- invoking the disciplinary procedure.

Stage 2 – Serious and/or Continuing Concerns

Stage 2 intervention of the ‘Support for Continuing Studies’ procedure will only be invoked when the student’s health and wellbeing continues to be of concern despite Stage 1 intervention, and/or are perceived to be of a serious or potentially serious nature and Stage 1 intervention would not be considered appropriate or effective.

In such instances the member of staff raising concerns should speak with a Head of Department (Curriculum) to agree instigation of a Stage 2 intervention under the ‘Support for Continuing Studies’ procedure. The Head of Department should then become the lead.

Because of the potentially serious nature of the circumstances leading to instigation of a Stage 2 intervention, consideration must be given at all times to the health and wellbeing of the student, and any support that they may need to engage with the procedure.

Once agreed the Head of Department (Curriculum) must arrange a Stage 2 meeting with the student as soon as is practicable. It is imperative that the meeting is convened in a timely manner to reduce the likelihood of the concerns increasing. If agreed by the student, or in the opinion of the Head of Department (Curriculum), necessary to protect the student’s welfare, parents/carers should be informed and invited to attend and/or the student should be allowed to bring one other person with them for support.

The student should be informed that the meeting is in relation to concerns raised about their health and wellbeing and ability to continue in studies and that Stage 2 of the ‘Support for Continuing Studies’ procedure is being invoked.

At the meeting, the staff member should:

- reassure the student that this is a supportive procedure and not part of the disciplinary procedure.
- explain and/or review the concerns.
- discuss and/or review the perceived impact/implications of the student’s health and wellbeing and ability to achieve a positive outcome from their programme of study.
- allow the student the opportunity to respond to the concerns.
- listen to the student and gather an understanding of the student’s perception of the matter.
- remind the student that they are not obliged to accept and engage with the procedure.
- assess the impact of any previous support and identify with the student any further related support needs.

- agree and gain permission for a referral to the student's GP or other supporting professionals, if necessary, in order to assess whether the student is well enough to continue with their studies.
- agree with the student that the letter/email to their GP or other supporting professional will be sent to them in the first instance so that they can make the request and that it is their responsibility to follow this up. This will negate the need for written permissions and expedite the procedure.
- agree any further interim time-bound actions to help manage concerns while the referral and assessment procedure is undertaken including any obligations on the part of the student.
- discuss with the student whether a change of study programme, temporary withdrawal, or full withdrawal may be appropriate and the most supportive option at that time.
- reassure the student that the intention is for them to return to learning as soon as practicable although not necessarily on the same course/level.

Following the meeting, the Head of Department (Curriculum) must:

- decide whether to use the College's Disciplinary Policy instead of this policy. If the matter is to proceed under this policy, then the following steps should be taken.
- make a written record of the meeting and agreed actions on ProMonitor.
- share the updated/support plan with the student and any other relevant parties, e.g., Achievement Tutor, Academic Teacher, and Supported Learning Team
- write to the student's GP or other relevant supporting professional, requesting a professional opinion on what support is needed for the student to continue with their studies. (the letter/email should be sent to the student for forwarding) The letter/email must detail the full requirements and assessment criteria of the course, including, where relevant, the requirement to attend a work placement and engage in work related activities. For example, if the student has a physical disability/condition and is enrolled on a course that requires a considerable level of physical activity and stamina, what support would they need to be able to participate fully? Or if the student is suffering from anxiety, depression or PTSD and they are enrolled on a course which requires research and discussion on distressing topics, what support would they need to be able to participate fully?
- arrange a review date, once medical reports are available to decide it will be necessary to escalate the matter to Stage 3 or whether the matter can be closed.
- In the absence of any medical advice, the lead member of staff will decide whether it is appropriate to continue with the procedure or revert to the disciplinary procedure.

If the student does not or cannot attend the meeting, the College has the right to continue with the procedure in their absence and confirm the outcome to the student in writing.

Stage 3 – Final Review/Decision

If effective resolution of the concerns is not reached under Stage 2, escalation to a Stage 3 should be considered, or alternatively, the use of the College's Disciplinary Policy. The decision to escalate to Stage 3 must be made by the Head of Department (Curriculum) and the Assistant Principal.

The student should be notified of the meeting in writing and details of who will be in attendance should be included. Parents/carers should be informed as appropriate and invited to attend and/or the student should be allowed to bring one other person with them for support.

At the meeting the Head of Department (Curriculum) must:

- ensure that the Resource Manager is appointed to minute key discussion points and the resulting decision. These minutes should be held as a formal record by the College.
- reassure the student that this is a supportive procedure and not part of the disciplinary procedure.
- explain and/or review the concerns.
- review the professional opinion of the GP or other supporting professional taking into consideration any recommendations for reasonable adjustments and appropriate support.
- determine whether the student should be allowed to continue their chosen course of study. If this is not possible, in the opinion of the lead member of staff, make recommendation that the student either changes their programme of study, withdraws temporarily, or fully withdraws from the programme. If a temporary or full withdrawal is agreed, students must be reassured that the intention is for them to return to learning as soon as they are able to.
- explain the decision to the student ensuring that they fully understand the implications and their right to appeal against the decision.

Following the meeting, the Head of Department must:

- ensure that the decision is clearly communicated to the student in writing. If a final decision cannot be made at the meeting, clearly communicate to the student the reasons for this and provide an agreed timeframe for the decision to be made. Thereafter, the student should be notified of the decision within the agreed timeframe by an agreed means and this decision should also be formally communicated in writing.

If the student does not or cannot attend the meeting the College has the right to continue with the procedure in their absence and confirm its outcome to the student in writing.

Stage 4 – Appeal Against Final Decision

A student can appeal the outcome of the Stage 3 procedure. Requests should be submitted (in writing) to the Deputy Principal, no later than 10 College days after the receipt of the outcome of the Stage 3 procedure. Students should state the basis on which they are appealing. The decision will be reviewed in the appeal meeting by the Deputy Principal and the Vice Principal (Support and Experience).

When submitting their request in writing, the student will have the right to request that they present their appeal at the appeal meeting, and they can be accompanied to that meeting by one person as support. If the student attends, once discussion between them and the staff in the meeting has concluded, the student will leave the meeting to allow the panel to make their decision.

The College will seek to review the decision within 10 College days of receipt of the appeal and will give the student 5 College days' notice of the meeting, should they wish to attend.

The outcome of the Appeals Panel is final. Students will be informed of their right to submit a complaint to the Education and Skills Funding Agency (ESFA).

Stage 5 - Return to Study

Any student who, as part of the 'Support for Continuing Studies' procedure:

- temporarily withdraws from their programme.
- is required to withdraw.
- withdraws before there is an outcome.

should be subject to informal periodic review. The frequency and format of this informal periodic review should be agreed with the student by the Head of Curriculum and the Academic Teacher of staff involved in the 'Support for Continuing Studies Procedure.'

Written contact is recommended and a record of discussions and any updates on the student's health and wellbeing should be kept by the staff member, using confidential comments on ProMonitor. This information will help inform the student's progress towards a return to study.

Where a student, (who has been required to withdraw or has withdrawn voluntarily following the Level 2 stage of this procedure), requests to return to their studies, the College will agree and gain permission from the student for a referral to the student's GP or other relevant supporting professional, if necessary, in order to request a professional opinion on what support is needed for the student to return and fully engage with their studies.

Following a request to return to studies/resume studies, the Head of Department must arrange for the Stage 3 panel to meet to consider the request. A member of staff

should be appointed to take minutes which should be held as a formal record by the College.

The purpose of the Panel meeting is to discuss and review the student's situation and to consider:

- whether the student's health and wellbeing has improved sufficiently for them to return to their studies.
- whether it is possible for them to return to their original programme of study or whether an alternative programme could be offered.
- the assessment of the medical professional.
- any support that would be required to ensure a successful return.

The student should be invited to attend the Fitness to Return to Study Panel meeting and may be accompanied by another person to support them.

If the student chooses not to attend the panel meeting. The meeting can go ahead in their absence and a decision made as to their fitness to return to study.

Outcomes from this meeting may include:

- recommendation to the Vice Principal that the student's return to study be approved.
- further medical information being requested and obtained before considering any further action.
- continuance of the student's temporary withdrawal and a further review of the student's progress after a set period of time.

The student should be informed of the decision and any specific recommendations or suggestions about the support that they are recommended to access if they return to studies (in writing, within 5 College days of the Panel meeting). The student will also be monitored and supported by the Student Pastoral Support Team for the remainder of the academic term and be subject to ongoing review.

The student may appeal against Panel's decision by writing to the Deputy Principal. This request should be submitted in writing and follow the appeal procedure under Stage 4 above.

Location and Access to this Policy:

- Staff HUB
- Student HUB

Appendix A

Risk Assessment Record

Name of Student:

Date:

Programme of Study:

What is the risk?	Who may be at risk and how? (Consider student, other students, staff)	Existing controls	Risk Level: High, Medium or Low	Additional controls required to reduce risk	Is the residual risk acceptable?

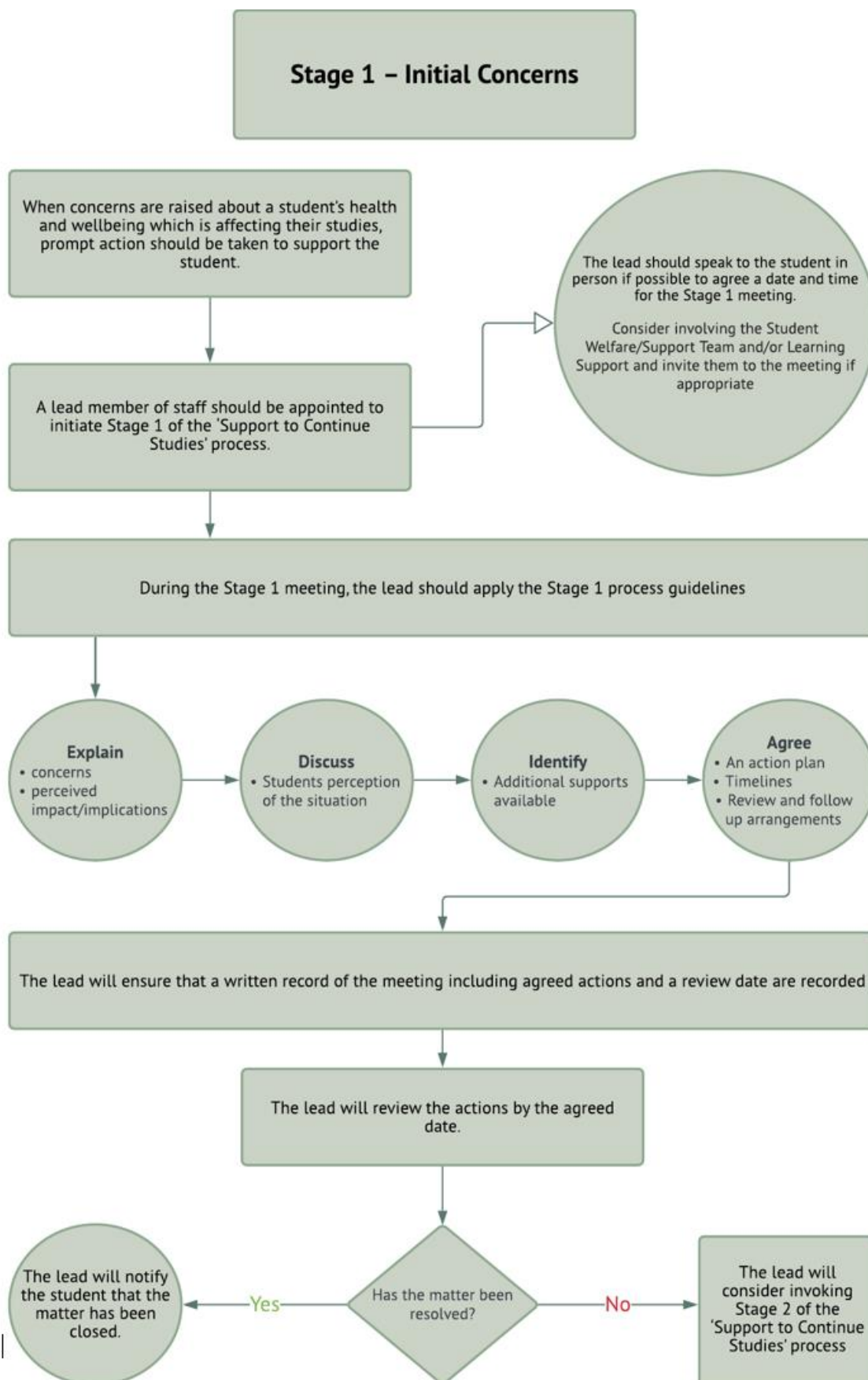
Assessed by:

Date:

Senior Manager:

Date:

Appendix 1



Date:

Ref:

Dear *Student's name*

Re: Stage 1 of the 'Support for Continuing Studies' Procedure

Further to our recent discussion, I am writing to confirm that a Stage 1 meeting has now been arranged. The purpose of this meeting is to discuss our concerns with you (and your parents as appropriate) and to agree an action plan/support plan which will help you to achieve a positive outcome from your programme of study.

Please be reassured that this is a supportive process, and the *school/college* will discuss with you what reasonable adjustments may be required in order for you for Continuing studying.

The meeting will be held as follows

Date:

Time:

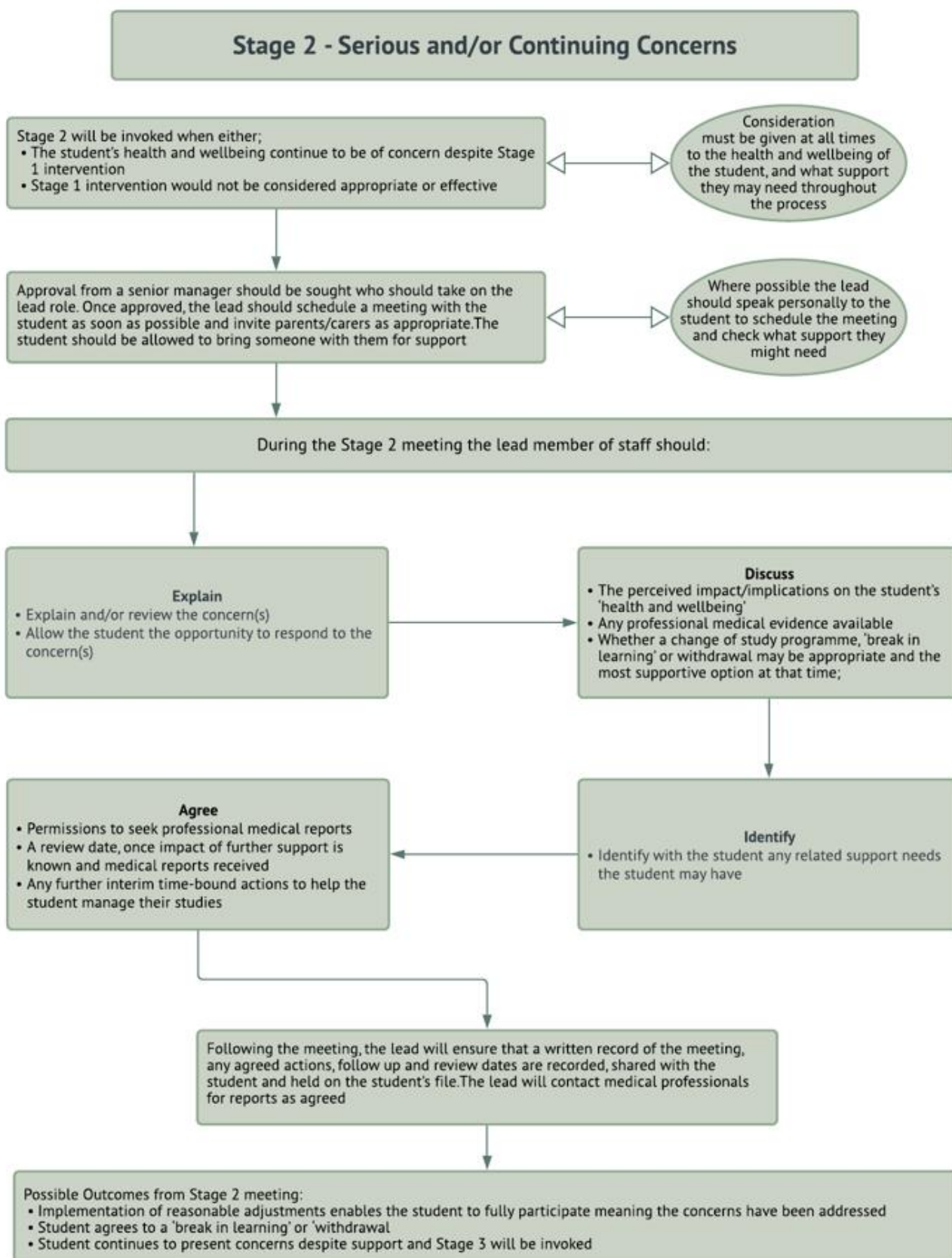
Location:

A copy of this letter will be sent to your parents/carers as we would like to invite them to the meeting. In the absence of your parents/carers, you are welcome to bring another person with you for support. (*delete/amend as appropriate*)

It is very important that you attend this meeting so that we can make sure appropriate support is out in place as soon as possible. I have enclosed a copy of the College's 'Support for Continuing Studies' Policy for your information.

Yours sincerely

Appendix 2



Date:

Ref:

Dear *Student's name*

Re: Stage 2 of the 'Support for Continuing Studies' Procedure

Further to our recent discussion, I am writing to confirm that a Stage 2 meeting has now been arranged. The purpose of this meeting is to discuss our concerns with you (and your parents) and to review the support/action plan that has been put in place. We would also like to discuss with you any other support that you may be receiving from medical professionals. Please bring with you any evidence of assessments or letters from medical professionals.

Please be reassured that this is a supportive process, and the *school/college* will discuss with you what further reasonable adjustments and/or support that may be required in order for you for continuing studying.

The meeting will be held as follows

Date:

Time:

Location:

A copy of this letter will be sent to your parents/carers as we would like to invite them to the meeting. In the absence of your parents/carers, you are welcome to bring another person with you for support. (delete/amend as appropriate)

It is very important that you attend this meeting so that we can make sure appropriate support is out in place as soon as possible. I have enclosed a copy of the College's 'Support for Continuing Studies' Policy for your information.

Yours sincerely