

## **Fitness to Study and Reasonable Adjustment Procedure**

### **1. Introduction**

Esher Sixth Form College is an educational institution for full time students. It has included in its mission statement the commitment to tailoring its education to individual needs and promoting inclusivity and tolerance. This philosophy underpins how we constantly strive to make 'reasonable adjustment' and provide 'best endeavour' for any student. In doing so we fully comply with the Equality Act 2010 and the Children and Families Act 2014.

It is important, however, to be clear about what is reasonable in an educational setting and the limits to the individual support that can be provided within a sixth form college. Our staff provide outstanding care for all students, but there will be times when a student's physical or mental health are so affected that they are no longer able, despite early help support both internal to the College and externally, to maintain a reasonable academic progress:

1. We are not a distance-learning College, and whilst on a temporary basis it is reasonable for subject teachers and support staff to be flexible with attendance due to ill health, prolonged periods of absence cannot be sustainable
2. There may be times when the nature of a student's ill health can require support beyond the expertise or capacity that we can reasonably offer
3. Occasionally a student's ill health may present a health and safety hazard to either themselves or those around them that is unmanageable in a mainstream educational setting

There are therefore occasions where, for one or more of the reasons above, it will be our judgement that, in the best interests of a student, continuing at College is no longer the best option.

### **2. Aims**

These procedures aim to provide:

1. A framework to guide decision making in complex student welfare cases
2. An overview of how reasonable adjustments will be managed in these cases
3. A set of parameters for the minimum acceptable level of academic progress
4. A series of stages for reviewing a student's place at the College
5. A list of minimum expectations of students who are offered the opportunity to restart at the College  
They have been developed to work in conjunction with other key College policies:
  - Safeguarding and Child Protection Policy
  - Equality, Diversity & Inclusion Policy

### **3. Joining the College**

Students are encouraged to disclose any physical or mental health need as part of their application. This disclosure will in no way prejudice any decision about the application – on the contrary, it is used to establish how best we can respond to the individual need and what support can be put in place to ensure a smooth transition to college.

In cases where a complex or significant physical or mental health condition is disclosed, it may be appropriate that further information is sought from health professionals supporting a student to be able to formulate a risk and needs assessment. In addition, a transition meeting may be called to discuss any concerns the applicant may have about starting College, the appropriate programme to be studied and any reasonable adjustments that we will commit to making, alongside the support we can offer. We also need to recognise that adjustment to a sixth form college environment can be challenging for students with such circumstances. For this reason, student attendance to the Admissions Interview, Introduction Day, Enrolment and Induction are compulsory and crucial to making the transition from school. We may also require attendance at an acclimatisation session during the summer term to help ensure the foundations are firm for sixth form success.

In these cases, we may request formal medical paperwork, and students will be allocated, in addition, the oversight of a Tutor Team Leader or member of the Student Welfare Team as part of our safeguarding procedures upon enrolment. These students would be added to Student Welfare Register and would be reviewed at least half termly by their Tutor Team Leader. Students and parents will be consulted to agree on the information that is to be shared with subject teachers and the tutor so adjustments can be made. We encourage students and parents to be open and transparent with our staff to ensure that we are able to provide the reasonable adjustments that will enable a student to engage fully with College life.

#### **4. Studying at the College**

If students do not disclose a pre-existing physical or mental health condition on application, then it is unlikely that they will receive support or reasonable adjustment unless the condition becomes clear to a member of staff. Early disclosure of issues is therefore vital to allow us to assess how best to accommodate students and to avoid exacerbating the issue through a lack of knowledge on the part of subject teachers and tutors.

We only offer full-time programmes, therefore for any student who is under temporary rehabilitative residential care careful consideration must be given regarding the ongoing sustainability and viability of their place at the College.

Students are made aware of the extensive range of student services at the College both at induction and as part of the ongoing Personal Development Programme (PDP) delivered in tutorial. All staff at the College have a duty of care to students and can be approached with any concern, however small. The main staff who would be consulted by students are:

- College Nurse
- Counselling team
- Tutor
- Tutor Team Leader
- Learning Mentor
- DSL
- Subject teacher
- Head of Department
- Exams Officer
- Learning Support Manager

The member of staff consulted will seek consent from the student to share with subject teachers and the tutor the key relevant information so adjustments can be made. In exceptional circumstances confidentiality may need to be broken without the student's consent. If the nature of the medical condition requires support or reasonable adjustment needs to be made to a student's studies, then the Tutor Team Leader and/or College Nurse will be asked to meet with and assess the student. This may lead to support and reasonable adjustments being agreed and other staff in the College, such as the Counselling Team or Student Welfare Team, becoming involved. Consent will always be sought from the student to involve parents and carers in these decisions, however in certain extreme cases confidentiality will need to be respected if the student requests it.

The support considered may also involve referral to outside agencies, such as CAMHS or the student's GP. This is particularly true where the health condition causes significant concern, since the expertise and capacity of the College in providing medical support is finite and the responsibility for medical support lies with the external

services. In crisis situations, where there are immediate and grave concerns for a student's health or well-being, student services staff will judge how best to provide first aid and whether emergency services should be called. We will always endeavour, in these situations, to contact parents and carers as soon as possible.

## **5. Limits to support**

Whether medical conditions are raised before a student joining the College or whilst at the College, there need to be reasonable limits set around the support that can be offered. These include both the flexibility the College should show around academic progress (attendance and meeting assessment expectations) and the support (type, location and frequency) that is needed for a student to remain at College. Clearly it is difficult to set non-negotiable limits for academic progression and support and there needs to be judicious professional judgement in each case. Furthermore, physical and mental health conditions may be temporary or permanent, short or long-term, stable or prone to remission. As a guide therefore, the following minimum expectations should be set:

### **Academic progress**

Each case needs to be considered on its merits, but a minimum level of attendance needs to be maintained overall that will allow a student to realistically achieve. Academic success depends on engagement in classroom activity, so excessively long periods of complete absence or very poor attendance will make a student's studies untenable. With regards to coursework and homework, if students fall significantly behind with their deadlines, despite extensions being offered, then there comes a point at which catching up is not viable. The specific expectations regarding attendance and assessment will be set in each case depending on the circumstances.

### **Support**

It is reasonable for teaching staff, on a short-term temporary basis, to liaise with students via email and the Portal. This cannot continue long-term and the College is not in a position to offer remote learning via online lessons to individual students. We are not a distance-learning College and do not have the resources, expertise or remit to be one. In terms of pastoral support, the College enjoys a privileged position – College Nurse, the Counselling Team, Tutors and Tutor Team Leaders can all provide appropriate support within certain parameters. We will, where appropriate, refer to external services and maintain liaison with them. We cannot provide, however, complex medical or psychiatric support. This would usually be sought externally through the GP or other services. Finally, the pastoral support available is finite and needs to be available for other students as well. In all cases the support we offer must be on site.

## **6. Fitness to Study (FTS)**

Our default position, as a College, is that we want all students to complete their studies successfully and achieve their potential. There are occasions, however, when physical or mental health issues are so complex or so significant that this is not possible. Clearly each student needs to be considered on a case-by-case basis and the College needs to ensure it is fully aware of all the medical evidence and the wishes of the student and the parents or carers. Ideally, a clear consensus would always emerge about the best way forwards, but this will not always be the case. There will be situations where the College believes that it has exhausted the support options available, it has made reasonable adjustment and provided best endeavour in all aspects of College life, but the student is unable to maintain their fitness to study.

These situations impact negatively both on the student, since their welfare is at risk, and on the College, since there is an excessive demand on resources. For the student, who has struggled to maintain their academic progress against the odds and for whom trying to keep the structure of College life going has been so far a positive factor in their rehabilitation, there comes a tipping point at which trying to catch up after a lengthy absence with deadlines long gone becomes more stressful and therefore has more of a negative impact on their health than withdrawing from studies. To continue this situation would place the College in breach of its duty of care to young people. For the College, working with individual students to catch up on missed work, liaising

remotely via email and the Portal with absent students and arranging meetings and support for students must be a finite resource and cannot unreasonably impact on the learning of other students at the College.

If the College, medical professionals, the student and the parents or carers all agree that a student should withdraw then this will be actioned. In these situations, we would always assure students and their parents or carers that the best interests of each student and their welfare are at the centre of decisions. Where there is no consensus that withdrawal is the most appropriate outcome, then the stages below will be followed:

### **Reasonable Adjustment and Fitness to Study Assessment- Level 0**

Once it becomes clear that a physical or mental health issue is having a significant negative impact on a student's ability to engage with their study programme, the Tutor Team Leader will discuss this with the student and parents or carers. At this point the Tutor Team Leader will agree and action relevant reasonable adjustments that will be put in place to support the student to increase attendance and engagement. These reasonable adjustments will be communicated to the student, parent or carer, teachers, and any other relevant staff who may be involved in supporting the student. The Tutor Team Leader will also request parents or carers provide a letter from a medical professional involved in the student's care that confirms their current difficulties, along with proposed treatment plan and prognosis. The parents or carers will be sent a copy of this document at this point.

### **Fitness to Study Concern- Level 3**

If the reasonable adjustments put in place do not lead to significant improvement within an agreed time frame (usually 2-4 weeks), a Fitness to Study Concern email is sent home along with a copy of these procedures outlining concerns and seeking improvement. The letter will also re-confirm the reasonable adjustments that are in place. The situation is reviewed 2 weeks later. A student will remain at this stage for a further two weeks if the attendance and work production targets are met, before a further review to assess ongoing improvement. If the student's situation has improved to the point where there are no longer concerns around their fitness to study, they will remain at this level for the duration of their time at College. If issues arise in future, they will initially be reviewed at this level and targets for improvement will be re-set.

### **Fitness to Study Continuing Concern- Level 4**

If the student has not met the targets outlined at Level 3, a Fitness to Study Continuing Concern email is sent home outlining concerns and re-setting targets. The situation is reviewed 2 weeks later. A student will remain at this stage for a further two weeks if the attendance and work production targets are met, before a further review to assess ongoing improvement. If the student's situation has improved to the point where there are no longer concerns around their fitness to study, they will remain at this level for the duration of their time at College. If issues arise in future, they will initially be reviewed at this level and targets for improvement will be re-set.

### **Fitness to Study Director Concern- Level 5**

If the student has not met the targets outlined at Level 4, a Fitness to Study Director Concern email is sent home by the Director of Safeguarding and EDI firmly outlining concerns and re-setting targets. Further consideration will be given to the reasonable adjustments that have been put in place. The situation is reviewed 2 weeks later. A student will remain at this stage for a further two weeks if the attendance and work production targets are met, before a further review to assess ongoing improvement. If the student's situation has improved to the point where there are no longer concerns around their fitness to study, they will remain at this level for the duration of their time at College. If issues arise in future, they will initially be reviewed at this level and targets for improvement will be re-set.

## Case Conference

If the case gets to this stage without a student voluntarily withdrawing, the Senior Leadership Team will be consulted and will require the student to leave or, in exceptional cases, reinitiate the previous Fitness to Study Director Concern stage for a further two weeks.

### 7. Restarting at College

In certain situations, it may be appropriate to offer a conditional restart at College. Students can only ever restart once. They must restart their studies in the following academic year and before they turn 19 years of age. In cases where the student withdraws from the college of their own accord, has put in place robust medical support outside of College and has time before the restart to respond to this support (typically a minimum of 6 months), then the restart has a good chance of success. In cases where there is no clear commitment to following prescribed medical support and there is less time to respond to this support, then the restart is less likely to work. The College will never allow a restart where a student was required to leave at the Case Conference stage.

Where the College offers the opportunity of a restart, the onus is on the student and their parents or carers to ensure that they are recovered enough to fully engage with a full time academic programme. When the student withdraws, a communication will be sent detailing the conditions that must be met in order to restart. These conditions may include:

- A letter being provided by a professional involved in the student's care that outlines their current health issues and confirms they are not well enough to engage in full-time study, along with information regarding treatment and prognosis
- Attendance at a restart interview in May/June prior to restarting to discuss the student's recovery and academic programme for the following year
- A letter from a professional involved in their care to be presented at or before re-enrolment that confirms they are now fit to study on a full time programme.

The offer of a re-start will be rescinded if any of the conditions outlined are not met.

In July of each year a College representative (usually the Director of Safeguarding and EDI) will write to all parents or carers of students on the restart list confirming the date and time of enrolment and what medical documentation will be required. The letter will also ask for formal written confirmation that the student still intends to restart. Since the exact programme of courses will be agreed at enrolment, it is not always straightforward to expect students to prepare for their restart, for example by re-reading texts or completing summer timetable work. It is expected therefore that students (particularly 6.2 restarters) will have a period of private study or study support added to their timetable to allow for time to catch up any missing work. During, or shortly after re-enrolment, there will also be consideration of the reasonable adjustments required to ensure the success of the restart. Restarters will automatically be monitored by their Tutor Team Leader and will move straight to Fitness to Study Concern (Level 3) of these procedures if similar issues resurface.