

# Fit to Study Policy

## Scope and Purpose of Policy

This Policy states the responsibilities of Cardiff and Vale College in relation to the wellbeing of learners who are displaying visible signs of illness, mental health difficulties, psychological, personality or emotional disorders which may have a profoundly disturbing impact on the functioning of individual learners and on the wellbeing of others around them.

This Policy is intended to promote positive attitudes to learners with impairments and indicates the commitment of the College to maintaining learners' wellbeing and the procedures and support available to both learners and staff when a learner becomes unwell and/or presents a risk to self and/or others. The College has a duty of care to respond appropriately to situations where there are substantial concerns relating to a learner's mental and/or physical functioning and the impact upon the individual and/or other members of the College community.

## Policy Statements

This Policy is underpinned by several key principles:

- Learners who access Cardiff and Vale College must be free from discrimination and all learners regardless of age, gender, disability, race, religion/belief or sexual orientation have an equal right to protection and support.
- Our learners must be supported to enable them to achieve their potential while at College, in an environment which removes or minimises disadvantage, takes steps to meet their needs and which encourages participation. The wellbeing of our learners is central so they feel good about themselves and respect others.
- A commitment to the social model of disability where we look at removing the barriers someone could face because of their disability or learning difficulty to promote inclusion.
- The promotion of a positive, supportive and secure environment where learners feel valued, respected and understood as individuals and have their wishes taken into account. As part of this we have a non-judgemental, consistent and sensitive approach to managing situations that require an appropriate level of intervention.
- While at College our learners will develop the skills they need to enable them to progress successfully throughout their lives.

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- A commitment to restorative approaches to ensure that we foster good relations by tackling prejudice and promoting understanding.
- Liaison with other agencies that support learners to embrace a partnership approach to safeguarding and wellbeing.

This Policy is intended to ensure a consistent and sensitive approach to managing situations which may become problematic and the College is committed to:

- Supporting learners with disabilities and additional learning needs in ways that meets their individual needs appropriately and effectively, identifying and implementing reasonable adjustments where appropriate.
- Setting up procedures to provide a co-ordinated approach to the management of a situation where it is apparent that a learner's mental and/or physical functioning may prevent him/her from gaining benefit from the educational and social provision at a particular time, or is adversely affecting the learner experience of others, or has extended beyond the pastoral support that can be given in within the College.
- Identifying the appropriate response by academic and support service staff where it is not considered appropriate to apply disciplinary procedures, in particular, because the learner's behaviour should be managed rather than punished.
- Signposting areas of support for staff and enabling staff to identify the limits to the support which they can provide and the appropriateness of referring the learner onto other agencies.
- Ensuring appropriate support for learners affected by, or involved in, the interaction with other learners in the aforementioned circumstances
- Considering the lawful application of temporary suspension or permanent exclusion and the justification for such an action.
- Setting up procedures to ensure that we appropriately record details of learners who are supported under this policy.
- Informing the College community of this policy and our procedures; to ensure that everyone is aware of the importance of supporting learners in this way and of what to do if such a situation arises.
- Promoting an understanding of disability across the College community. This will be done through training for staff, through the induction and tutorial process for learners and using cross-college publicity and posters.
- Recording and monitoring cases that are dealt with under this policy to ensure that the correct procedure is being followed and that we respond effectively to any areas of concern or trends.

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- Reviewing regularly the effectiveness of our policy and our response to the behaviours outlined in this policy.

#### *Responsibilities*

Senior Management are responsible for:

- Reviewing this Policy and the attached procedures.
- Monitoring the application of the procedures, supporting staff to encourage application of the policy and an effective response to any areas of concern.
- Ensuring that relevant college procedures and practices eg admissions, tutorial etc embed these procedures.
- Ensuring that the delivery of the curriculum does not contravene the requirements or spirit of this policy.

The Head of HR and Corporate Services is responsible for:

- Providing appropriate training and development.

All Staff are responsible for:

- Treating all learners with dignity and respect, to ensure their own conduct does not cause offence or misunderstanding.
- Being aware of the policy and the procedures and of working within them in a supportive manner.
- Working within the requirements of the Data Protection Policy.
- Following the policy in relation to a learner's wish for confidentiality.
- Communicating effectively with staff to ensure the needs of learners are met.
- Attending CPD events on aspects of equality and diversity, restorative approaches and disability awareness.

Learners are responsible for:

- Attending induction and tutorial sessions to ensure they are aware of the policy and the issues it raises.
- Behaving in a way that supports the Policy across College.

#### **Data Protection Issues**

All College staff are governed by the requirements of the Data Protection Acts 1984 and 1998. Under these acts, all data relating to a person's physical or mental health is regarded as sensitive, personal data. The College's Policy on Data Protection contains guidance on the use of sensitive information e.g. details about a learner's mental health or condition and should be consulted by staff. In general, all personal data of a sensitive nature given to a member of staff by a learner

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should be treated as confidential and should only be disclosed with the learner's consent. For the purpose of this Policy, sensitive data is deemed to be information given in confidence concerning, for example, a learner's ill-health or disability including mental health illness.

## Equality and Diversity Statement

In accordance with College procedures, an Equality Impact Assessment was undertaken for this Policy on June 30<sup>th</sup> 2011.

## Health and Safety Implications

There may be circumstances where there appears to be a conflict between Fit to Study issues and the health and safety of employees and learners. All cases will be dealt with on an individual basis.

## Linked Policies

- Safeguarding – Children and Vulnerable Adults Policy
- Bullying and Harassment Policy
- Substance Misuse Policy - pending
- Relationship Management Policy
- Disclosure Policy
- Health and Safety Policy
- Equality and Diversity Policy
- Central Admissions Policy - pending
- Learner Complaints Policy

## Linked Procedures

- Safeguarding – Children and Vulnerable Adults Procedures
- Substance Misuse Procedures - pending
- Relationship Management Guidance and Procedures
- Disclosure Procedures
- Learner Complaints Procedures
- Health and Safety Procedures
- Central Admissions Procedures - pending

## Location and Access to the Policy

This is available from the website, staff intranet and Moodle and may be out of date if printed.

**Date approved:** 19 April 2013

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**Approved by:** Curriculum, Quality & Learner Affairs Committee

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**Review date:** 09/02/18

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**Responsible Manager:** Head of Learner and Learning Support Services

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**Executive Lead:** Vice Principal Curriculum and Standards SJ

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**Accessible to Learners:** Yes

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