ASKHAM BRYAN COLLEGE

Support for Study Policy 2026 – 2028

Equality Impact Assessment: Askham Bryan College recognises the importance of the Equality Act 2010 and its duties under the Act. This document has been assessed to ensure that it does not adversely affect staff, students or stakeholders on the grounds of any protected characteristics.

1. POLICY STATEMENT

1.1 Askham Bryan College is committed to supporting students and recognises the benefits of a positive approach to the management of physical and mental health issues critical to students' learning and academic achievement. Additionally, the college has a duty of care within its community and a responsibility to take action to support those in distress or causing significant concern or presenting a risk to themselves or others. This will include, for instance, situations where a student shows visible signs of illness, mental health difficulties or emotional or behaviour disorders that may negatively impact the health, safety, learning and wellbeing of themselves or others. This policy is designed to support any student whose ability to cope with college life, to study or progress on their course is compromised because of one or more of the above factors.

2. PRINCIPLES

2.1 A student's ability to continue in their studies may be questioned by the college where it is concerned that a student's health or wellbeing or behaviour or omission by them is arising in connection with their health or wellbeing and may pose a risk:

- To the students own health, safety or welfare or that of other peoples or
- Disruption to their studies or the studies and student experience of others, or
- Placing unreasonable demands on staff or other students, or
- Interference with day-to-day functions and activities of the college including (but not limited to) delivery of teaching and learning, support and accommodation.

2.2 The term ‘fitness to study’ as used in this policy and associated procedures relates to the entire student experience and the student's membership of the college community and not just their ability to engage with their studies. The college requires the students to be able to live independently (if residential) and study respectfully of each other as members of the community, not conducting themselves in which has an adverse impact on those around them or in contravention of the student charter and residential rules.

2.3 Whilst the college has a Behaviour Intervention Policy & Procedure and Student Charter to outline college expected standards, the College recognises that conduct which disrupts, threatens to disrupt, or adversely affects the College environment or

wider College community may, in some cases, be associated with a student's physical or mental health, wellbeing, or welfare. In such circumstances, it may be necessary to consider whether the student is fit to continue their studies and participate safely and appropriately within the College environment. In such cases, the college may consider it inappropriate to engage the behaviour intervention policy and will opt to utilise the support for study policy based on health or wellbeing concerns in the first instance.

2.4 A concern regarding a student's 'fitness' to continue may arise as a result of a wide range of circumstances. These could include (but are not restricted to) the following;

a) Concerns about the student are raised by a third party (another student, including another residential student, friend, colleague, member of college staff, work placement provider, member of the public, medical professional)
b) Student has told a member of college staff that they have a problem and or provide information which indicates that there may be a need to consider if they are fit to continue.
c) Student's disposition is such that it indicates that there may be underlying mental health or wellbeing problems (if they have demonstrated mood swings; showing signs of depression; becoming withdrawn)
d) Behaviour which otherwise would be dealt with under the behaviour intervention policy, which may be the result of an underlying physical or mental health or wellbeing problem.
e) Students' academic performance does not meet the minimum expected requirement/ standards, as a result of an underlying physical or mental health or wellbeing problem.

In all cases, concerns should be raised and further guidance sought from the students' Head of Department/ Academic Leader (HE)/ Centre Manager/ Student Service Manager/ Residential Manager in the first instance. In taking any steps under this policy and associated procedures the college will have regard to its legal obligations under equality and health and safety legislation.

2.5 In the avoidance of doubt, the college may however use any of its procedures at any stage to manage matters as it considers appropriate and reasonable in the circumstances. In particular, the college may use its behaviour intervention procedure to deal with behaviour notwithstanding a concern regarding the student's health or wellbeing depending on the individual circumstances of the case.

2.6 If there is any uncertainty in relation to which college procedure should be used, guidance should be sought promptly from the Assistant Principal - Student Life or Vice Principals.

2.7 Where students are also undertaking study or work-based learning in context of a professional statutory regulatory profession, this policy should be under in conjunction with the college's Fitness to Practice Policy.

3. SCOPE AND LIMITATIONS

3.1 This policy and associated procedures applies to all students of the college. They apply to all students at all times including when the college related activities include work placement, trips, visits and field trips. They apply regardless of a student's mode of study including onsite or distance learning along with full time, part-time and apprenticeships. They apply to students who previously studied at the college and

have requested to return to study.

Applicants to the College and Support for Study

3.2 Applicants to a programme of study, who declare health condition or disability, may be subject to consideration of the fitness to practice. ~~to study~~.

Vet Nursing Students/PSRB Accredited Programmes

3.3 The Head of Vet Nursing should be informed if any students on a veterinary nursing programme or PSRB (Professional, Statutory, and Regulatory Body)[1] accredited programmes is subject to any of the stages referred to above as this could also lead to the student becoming subject to the College's Fitness to Practice Policy.

3.4 Further information can be found in the Admissions Policy which can be found https://www.askham-bryan.ac.uk/publication-scheme-admissions/

4. DEFINITIONS

4.1 Ability to engage with studies

Students must be able to benefit from and pursue the programme of study for the required period with a reasonable chance of progressing and successfully completing the qualification. Students must be able to function independently in academic, work and community environments. It is recognised that some individual SEND students with EHCP plans may be working towards developing their independence and these outcomes will be part of their plan. Students' mental or physical health needs should not unduly disrupt the learning, research and work of others in the college community. The diversity of our student community means that routes to achievement will vary greatly.

4.2 Reasonable adjustments

Taking reasonable steps to ensure that students are not placed at a substantial disadvantage due to their disability, difficulty or additional need.

The criteria for judging 'reasonable' include consideration that they do not compromise academic standards, health and safety or the relevant interests of others, including other students. The college has a duty of care to the college community and considers the health and safety of everyone to be paramount. All reasonable adjustments should be practical and financially reasonable.

5. STAGES

5.1 There are three stages to the Support for Study these are as follows;

Informal – Stage 1 - Cause for Concern – Emerging Concerns
Formal – Stage 2
Formal stage 3 – Panel Hearing

[1] These are external organisations that accredit, recognise, or approve higher education programmes, often leading to professional qualifications or exemptions. They play a crucial role in setting standards and ensuring quality within specific professions.

NB: If the formal stage 2 does not have the positive outcome the student will attend a panel hearing with a member of STL to discuss next steps.

5.2 If the student is on a vet nursing course or PSRB accredited programme these student will be subject to the Fitness to practice policy.

6. RESPONSIBILITIES

6.1 Senior Leadership Team

A member of SLT, usually a member of the Assistant Principalship with be responsible for chairing Support for Study meetings, this is when the most serious level of concern has been reached either via progression through earlier stages or there is an emerging or new significant concern about the health and wellbeing of a student

The **Assistant Principal – Student Life** is responsible for the monitoring and review of the policy and procedures.

6.2 HoD department/ CTL/ Student Service Manager/ Residential Manager/ HoD of Inclusive Services/ HoD of Quality

The above are responsible for ensuring that their staff are aware of the policy and procedures and understanding how it affects them and their students and for chairing stage two meetings where there is growing concern about a student or a new emerging concern that is not at crisis level.

The Residential Manager is responsible for chairing concern and formal stage two Support for Study meetings for residential students, should the concerns relate to their capacity for independent living.

6.3 Course Managers & Progress tutors

Course Managers are required to understand the Support for Study policy and procedures and what is meant by ‘fitness’ and apply them effectively to their students where appropriate, issuing and addressing any support for study cause for concerns (stage 1), where necessary taking advice from Curriculum Team Leader or Head of Department where appropriate.

6.4 Students

Students with mental or physical health difficulty, firstly;

a) Are encouraged to consult with relevant support services available at the college, in particular the local medical centre for residential students, student wellbeing or counselling (where appropriate) or their own GP.
b) Are expected to speak to their Progress Tutor or Course Manager if they can do not feel comfortable speaking to them, simply speak to a member of staff they do feel comfortable speaking with regarding the difficulty and any related problems that they may be experiencing.
c) Are encouraged to involve the support of parents, guardian or friend as an advocate as necessary.

7. Confidentiality

7.1 All college staff are governed by the requirements of GDPR and the Data Protection Act 2018. 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 students' 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 student should be treated as confidential and should only be disclosed with the student's consent, unless they are/have put themselves or others in danger or unless required to do so by law.

Sensitive data, for the purpose of this policy, is deemed to be information given in confidence concerning, for example a student's ill-health or disability, including mental health issues.

7.2 In all cases where, in the member of staff's judgement, it would be in the students' best interests to disclose sensitive information (so that appropriate support may be provided) the students' informed consent should be obtained where possible. It will be necessary to inform the student why there might be a need to disclose sensitive information, who will have access to the information, and the likely consequences of giving or withholding consent (e.g. additional support strategies such as reasonable adjustments including additional time in exams) Once consent has been obtained and recorded on Promonitor (evidence uploaded), it is the responsibility of the person passing on the information to ensure it is done based on the terms agreed.

7.3 If the student chooses not to provide consent, every effort should be made to respect this, except where legal requirements are required. In the scenario, the implications of non-disclosure in terms of additional support should be made clear. However, there exist rare occasions when a student's consent is withheld, or it is impractical to try and obtain it, when confidentiality may be broken. These include (but not exclusively):

a) When a student's mental health has deteriorated to the extent of threatening their own safety
b) When a student is at risk of serious abuse or exploitation
c) When the student's behaviour is adversely affecting the rights and safety of others
d) Where a member of staff would be liable to civil or criminal procedure if the information was not disclosed (e.g. if a crime has been committed)

7.4 Staff should consult with the college data protection officer if they believe there is a need to break commitment to confidentiality. Initial discussion should not identify the student until the grounds for breaking confidentiality have been established and agreed upon.

8. RECORDING

8.1 All Support for Study meetings must be recorded on Pro Monitor

8.2 Support for Study actions must be agreed and added to PM comments with SMART targets set and clear deadline/reviews

8.3 Any minutes taken in the meetings must be saved on CPOMS due to the confidential

nature of these minutes.

8.4 It is also NOT College policy to allow students or those accompanying them to record meetings on any device. This includes on any recording device or mobile phone app and or use of a transcription app service such as via ChatGPT or similar.

8.5 Under the General Data Protection Regulation ("GDPR") and the Data Protection Act 2018, 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 student'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 student should be treated as confidential and should only be disclosed with the student's consent. Sensitive data, for the purpose of this policy, is deemed to be information given in confidence concerning, for example, a student's ill-health or disability, including mental health issues.

9. APPEALS

9.1 A student may appeal against the outcomes of the Support for Study only at Stage 3 (FE) stage 2 or 3 (HE) If a student fails to attend the meeting without good reason and/or has not notified staff of their reason for non-attendance, they forfeit the right to appeal.

9.2 Appeals must be in writing and must include the grounds of the appeal and any new evidence/information to be brought to the appeal. Appeals against Stage 3 outcomes must be addressed to the Chief Executive's Office. Appeals must be made within 5 working days of the date of the letter advising of the outcome.

HE Students only

9.3 A completion of procedures (CoP) letter will be provided following completion of the appeal stage.

Independent External Review for Higher Education Students

9.4 If a Higher Education student is dissatisfied after completing all stages of the appeal process, they are entitled to ask the Office of the Independent Adjudicator for Higher Education (OIA), an independent ombudsman service, to review their case. For more information please visit: www.oiahe.org.uk. The OIA will only consider cases from students who remain dissatisfied once all internal appeal stages have been exhausted and a Completion of Procedures (CoP) letter has been issued by the College.

Grounds of Appeal

9.5 At the end of a Stage 3 (FE) Stage 2 or 3 (HE) Support For Study meeting the student will be informed that they have the right to appeal.

9.6 Students may only appeal on the following grounds:

a) New evidence can be brought that demonstrates that the student was not responsible for the incident in question. The evidence must not have been

considered during the meeting, must be factual rather than opinion (hence character references are inadmissible), must be from a reliable (independent) source and must evidence a material change to the extent to which the burden of proof is met.

b) That there has been a procedural irregularity or that the college has acted outside its policy. In which case it is incumbent on the student to identify the procedural irregularity or policy breached by the College.

c) That any sanctions imposed are too harsh. The student must evidence that the sanctions are disproportional or are impacting on them or their family in an unintended or inappropriate way.

Appeal process

9.7 The Chair of the appeal will be independent of the stage 3 chair and will consider the appeal they will act depending on the grounds. The Chair of the appeal has 3 possible outcomes to the appeal. The Chair of the appeal can call the student to a meeting to discuss the appeal.

9.8 The Chair considering the appeal can find:

- That the appeal was vexatious or otherwise designed to undermine or frustrate the colleges SFS procedures. In this case the chair may increase the severity of any sanctions;
- Against the appeal in which case the outcome and any sanction stands;
- To partially uphold the appeal. In which case the chair of the appeal may decrease the severity of the any sanctions;
- To fully uphold the appeal:
  - In that the finding of the original SFS meeting Chair was erroneous. In which case the meeting will be removed from the student's record; OR the College failed to follow policy, in which case the meeting will be removed from the student's record.

9.6 The Chair of the appeal will write to the student and explain the outcome of the appeal against the grounds outlined by the student, within 10 working days of the appeal meeting. ***There is no further right of appeal under this policy.***

10. APPEAL AGAINST REMOVAL FROM STUDIES

Timescale for Appeal

10.1 Notice of appeal must be lodged with the Chief Executive's office within five working days of the date of notification of exclusion and must give the grounds and brief particulars of the appeal. The recommendation will not be considered until the expiry of the period for lodging the appeal.

Hearing Appeals

10.2 A member of the Executive team only can hear an appeal against a Chair's recommendation for permanent exclusion of a student.

Appeal Meetings

10.3 If a notice of appeal is lodged within the time allowed, an appeal meeting Chaired by an authorised individual will be arranged to take place (normally) within fifteen working days of the notice of appeal being lodged. The student will be given at least three working days' notice of the time and place of the appeal meeting and will be entitled to be accompanied by one other person of their own choosing (e.g. parent/ carer) OR by a representative of the Students' Union, but not by a member of the legal profession acting in a professional capacity. Any documents considered at the SFS meeting will be available to the Chair for the purposes of the appeal, together with the notes of the meeting.

10.4 At the appeal meeting, the student will be invited to explain the grounds of the appeal and to state their case. The Chair of the original SFS meeting who made the decision to remove from studies will be asked to respond to the appeal and explain the reasons for their decision. The Chair of the Appeal meeting may ask questions of the student and the member of staff and will then consider whether to allow or dismiss the appeal. Witnesses will not be asked to attend except possibly in relation to any relevant new evidence of 'fact' which has come to light since the original meeting (as opposed to a character witness).

Outcomes of Appeal against removal from studies

10.5 If the appeal is allowed, the Chair of the Appeal meeting may decide that alternative measures should be taken. The Chair may also decide that no further action should be taken.

10.6 If the appeal is dismissed, or the original recommendation of the SFS meeting Chair will stand. This will be completed within 10 days of the appeal letter been acknowledged and within five working days of the appeal meeting, the decision of the Chair will be confirmed in writing to the student. There is no further right of appeal under this policy.

11. FUTURE ENROLMENT AT THE COLLEGE

11.1 All students who are involved in a Support for Study stage 3 will be referred to the Admissions Panel on re-application to the College, i.e. on application to progress either onto a new programme or to progress onto a subsequent year of the same programme. The Admissions Panel will review information about the student taken from curriculum staff to ensure that no further concerns have been raised about the student. In some cases, the panel may take the difficult decision to not allow the students to return to College. This will be in the rare cases that in spite of support put in place for the student, they have continued to demonstrate the significant concerns. The decision will be communicated to the student within 5 working days of the Panel meeting.

11.2 The Admissions Panel will also consider where appropriate any application to return into accommodation by these students, particularly but not exclusively around the ability to keep them safe and supported whilst in accommodation.

12. MONITORING AND REVIEW

12. 1 The Assistant Principal - Student Life will maintain oversight of the effectiveness of these arrangements. This policy and the implementation which underpin it will be reviewed biennially by the Assistant Principal – Student Life.

13. SUPPORTING/ RELATED DOCUMENTS

- Behaviour Intervention Policy & Procedure
- Support for Study Procedure – Staff guidance only
- Fitness to Practice Policy

14. RELEVANT LEGISLATION

14.1 In all aspects of this policy the college will comply with the following legislation:

- Data Protection Act 2018
- General Data Protection Regulations (GDPR)
- Equality Act 2010
- Keeping Child Safe in Education (KCSIE) 2026

15. DOCUMENT HISTORY

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