



TITLE		REF	VERSION
Fitness to Study and Reside Procedure		LSPRO039	5.0
DEPARTMENT	Group Student Support - Safeguarding		
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FITNESS TO STUDY AND RESIDE PROCEDURE

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1. Procedure Statement

1.1. Activate Learning is committed to its vision and mission of transforming lives through learning. We achieve this by fostering inclusive environments that promote the development of essential skills and behaviours, preparing learners for higher education, further training, apprenticeships, or employment.

1.2. Our [Learning Philosophy](#) highlights the critical connection between brain, motivation, and emotions. For children and adults to learn effectively, they must feel safe, secure, and well. Emotions form a cornerstone of our tripartite approach to ensuring learners can engage safely and successfully in their educational journey.

2. Scope

2.1. This procedure applies to all learners at Activate Learning, irrespective of their background or protected characteristics, in accordance with the [Equality Act 2010](#).

2.2. It covers all modes and levels of learning, including learners in Further Education, Apprenticeships, Higher Education, Adult Education, 14–16 programmes (delivered in collaboration with partner schools), college accommodation, and provision delivered

through or in collaboration with Activate Learning's franchise partners. It also applies to learners engaged in work placements or participating in any activities that represent Activate Learning within the community.

- 2.3. Please note that this procedure does not apply during the pre-enrolment phase, during which the Admissions Policy is followed.
- 2.4. If there are questions about the content of this document, how to interpret it or about how this procedure applies to a learner's situation, please speak with the learner's Faculty, the Safeguarding Team at safe@activatelearning.ac.uk, or the Learning Support Team at gss@activatelearning.ac.uk, for further advice or clarification.
- 2.5. For the purpose of this procedure, the term 'Faculty' refers to the staff responsible for the delivery and oversight of a learner's specific programme. This may include roles such as Faculty Curriculum Managers, Higher Education Programme Coordinators, Heads of Delivery for Apprenticeships, Accommodation Managers, or Elective Home Education Manager.

3. Purpose

- 3.1. The primary aim of this procedure is to safeguard the health, safety, and wellbeing of both individual learners and the wider college community. It sets out a sensitive and flexible approach to managing concerns relating to a learner's health, wellbeing, or safety. While the learner's welfare remains the central focus, this procedure also considers the potential impact on others within the college environment.
- 3.2. This procedure may be used when concerns are considered significant by staff or when issues persist despite existing academic or support interventions. It offers an alternative to the [Student Positive Behaviour Management Policy](#) and [Procedure](#) or the Student Conduct and Behaviour in Accommodation Procedure (INTERNAL), in situations where those procedures may not be appropriate.
- 3.3. However, Activate Learning reserves the right to apply any other relevant policy or procedure if it is deemed more suitable, even when health or wellbeing concerns are present.

4. Procedure

4.1. When to Use This Procedure

4.2. This procedure is intended for use when there are concerns regarding a learner's fitness to study or to reside in college accommodation.

4.3. Typical examples include, but are not limited to:

- A significant decline in physical or mental health.
- Behaviours that present a risk to the health, safety, or wellbeing of the learner or others - including behaviours that disrupt teaching, learning, or support. This may include conduct that would normally be addressed through disciplinary procedures but is linked to health, wellbeing, or learning difficulties.
- Persistent or extended absences that are impacting academic progress.
- Situations where continued participation may jeopardise the learner's long-term health or wellbeing.
- A learner residing in accommodation is unable to live independently without causing disruption, posing a risk to themselves or others, or creating unreasonable demands on the environment.
- Support needs that go significantly beyond what Activate Learning can reasonably provide, or where excessive or inappropriate demands are placed on staff or other learners.

4.4. Each case is considered individually, and decisions are made with input from relevant stakeholders, such as Faculty, Student Support Team, Safeguarding Team, Learning Support Team, and Accommodation Team (if relevant).

5. Initial Response

5.1. Concerns about a learner's fitness to study or fitness to reside may be raised by anyone, including the learner themselves, college staff, or external professionals. Upon becoming aware of a concern, Faculty or Accommodation staff must act without delay to:

- a) Engage the learner in a discussion to explore the concerns and collaboratively agree on appropriate actions to address them. This should include identifying and implementing relevant sources of support and setting a timescale for review. (NB: Where the learner is under 18, under 25 with an Education, Health and Care Plan (EHCP), and/or where there are concerns about communication difficulties or mental ill-health, it may also be appropriate to involve a parent, carer, guardian, or advocate in this process).
- b) Offer and make reasonable adjustments.
- c) Record all actions, discussions, and adjustments on relevant systems such as ProMonitor or Smart Assessor.

- d) Refer serious concerns promptly to the Safeguarding Team or Learning Support Team.

5.2. Examples of supportive actions or reasonable adjustments may include:

- a) Holding a Cause for Concern meeting and Supportive Conversation, including setting of SMART targets, in line with the Student Positive Behaviour Management Policy and Procedure.
- b) Referring the learner to internal support services, such as counselling, wellbeing advisors, learning support, exam access arrangements, or progress coaches.
- c) Making a referral to the Retention Panel.
- d) Signposting the learner to external services, including GPs, mental health services, or specialist organisations.
- e) Reviewing Support Plans and/or conducting risk assessments in accordance with the Procedure for Individual and Medical (Personal) Risk Assessments and PEEPs.
- f) Referring to other Activate Learning procedures e.g., Student Health and Wellbeing Policy.
- g) Implementing short-term adjustments to the learner's course, study location, or timetable, such as remote learning or a reduced timetable, if appropriate. During any temporary period of remote learning, the faculty is responsible for ensuring that provision remains accessible and that a learner's engagement is appropriately monitored.

5.3. When deciding whether an adjustment is reasonable, Activate Learning will consider how effective the adjustment will be, its practicality, its feasibility, the cost, the organisations resources, and availability of resources. All reasonable adjustments should not compromise the academic standards, health and safety regulations or the interest, achievement, safety and wellbeing of others.

6. Additional Support

6.1. If there is a risk of harm to the learner or others, the learner is considered vulnerable (e.g., in Local Authority care, a Young Carer, etc), or there is known involvement from external professionals (e.g., mental health services, social care), the Safeguarding Team must be informed immediately using one of the following routes:

- Call 01865 550401
- Email safe@activatelearning.ac.uk
- Complete a [Record of concern form](#) [Internal Staff Use Only]

- Speak to the Designated Safeguarding Adviser directly. Once referred, staff must follow up immediately with a written record and ensure this is sent to the relevant Designated Safeguarding Adviser. This can be via email or on a Safeguarding Record of Concern form.

6.2. In some situations, it may become clear that the level of support a learner requires exceeds what Activate Learning can reasonably provide. If this is the case, the learner may be advised to seek additional support from external sources, such as their General Practitioner (GP), mental health services, or other relevant professionals. This would be in addition to any support or actions taken under the procedures outlined in this document.

6.3. If the learner has an Education, Health and Care Plan (EHCP), the Group Learning Support Team and the appropriate EHCP team must be informed immediately, so that an early annual review can be arranged in collaboration with the relevant Local Authority.

Contacts include:

- gss@activatelearning.ac.uk
- readingehcpteam@activatelearning.ac.uk
- bracknellehcpteam@activatelearning.ac.uk
- oxfordehcpteam@activatelearning.ac.uk
- banburyehcpteam@activatelearning.ac.uk
- surreyehcpteam@activatelearning.ac.uk

7. Safeguarding and Assessment of Risk

7.1. Activate Learning is committed to supporting learners in a compassionate and collaborative manner. However, where a learner's behaviour, presentation, or mental ill-health indicates a serious and immediate risk of harm (either to themselves or to others) urgent safeguarding action may be required.

7.2. Risk is assessed and determined using a combination of available evidence, professional judgment, and in line with established safeguarding protocols. This includes consideration of factors such as risk of harm to self, e.g., self-harm or suicidality, and risk harm to others e.g., physical, emotional/psychological or sexual harm, as described in the Procedure for Personal Risk Assessments and Personal Emergency and Evacuation Plans (PEEPS).

7.3. In such cases, the Safeguarding Team will work in consultation with relevant Faculty staff and, where necessary, external agencies, in accordance with Keeping Children Safe in Education, Working Together to Safeguarding Children and the Care Act. Decisions will be

made on a case-by-case basis, considering the level of risk, the immediacy of concern, and the most proportionate safeguarding response.

7.4. Actions may include contacting third parties (such as emergency services, psychiatric services, local authority social care teams, or emergency contacts) without the learner's prior consent, where justified by the level of risk and in accordance with the Safeguarding and Prevent Policy.

7.5. In circumstances where the risk is significant or immediate, precautionary measures such as a temporary suspension or transfer to remote learning may be put in place. This allows time for further information to be gathered and a formal Fitness to Study or Reside meeting to be convened. These decisions prioritise the safety and wellbeing of all parties involved.

8. Requesting a Meeting

8.1. If initial support measures are insufficient, concerns persist, or the situation is sufficiently serious, Faculty or Accommodation staff must request a Fitness to Study/Reside meeting via Group Administration (using the [Group Administration Requests Application](#) [internal staff only]).

8.2. Faculty or Accommodation staff must consult with the Safeguarding and Learning Support Teams to identify any other relevant professionals who should be invited to the meeting. This may include Special Educational Needs and Disabilities (SEND) Case Workers, mental health professionals, or social workers.

9. Fitness to Study/Reside Meeting

9.1. The purpose of this meeting is to review the learner's circumstances and assess whether they are currently fit to continue studying, working, or residing in accommodation. The meeting provides an opportunity to consider the situation holistically and agree on the most appropriate course of action.

9.2. Who Attends:

9.3. Attendees may include:

- a) The learner
- b) The learner's parent, carer or guardian
- c) An advocate chosen by the learner (note: this must not be a legal representative acting in a professional capacity, and Activate Learning reserves

the right to defer the meeting and request that the learner nominates an alternative advocate or representative if the original nominee is considered to be obstructing the process).

- d) Faculty and/or Accommodation representatives, as appropriate
- e) Representatives from the Safeguarding and/or Learning Support Teams
- f) Relevant professionals or any evidence submitted by them

9.4. Medical or Professional Evidence

9.5. Before the meeting, learners may be asked to provide medical or other professional evidence from a suitably qualified practitioner offering their view on the learner's fitness to study. Acceptable evidence may include a GP letter, Psychologist report, Child and Adolescent Mental Health services (CAMHS) report, social care assessment, etc.

9.6. If the learner is unable to provide such evidence, Activate Learning will seek consent to obtain this information directly from the relevant professional. If the learner refuses to provide evidence or does not give consent for the college to obtain it, the case may still be considered based on the existing information available. Learners should note that without relevant evidence, it may not be possible for Activate Learning to make a fully informed decision.

9.7. If the learner is unwilling or unable to engage in the process, the procedure may proceed in their absence, based on the available information.

9.8. What is Considered

9.9. The meeting will consider a range of factors, including:

9.10. **Attendance and engagement:** Learners are expected to maintain a reasonable level of attendance to achieve their educational goals. Although expectations will be adapted to individual needs, very low or prolonged absence may make continued study or placement unviable.

9.11. **Course requirements:** Activate Learning must comply with the requirements set by awarding bodies. In some cases, even with extensions or support, it may not be possible for the learner to catch up or meet essential deadlines.

9.12. **Professional standards:** For learners on courses with professional requirements, the implications for professional conduct and practice will be considered.

9.13. **Sustainability of adjustments:** Temporary measures such as reduced timetables or remote learning may not be a sustainable long-term option, especially where in-person delivery is essential.

9.14. **Scope of support:** The learner's needs may exceed what Activate Learning, or a placement provider can reasonably or safely deliver, particularly if specialist input is required.

9.15. **Independent living:** If the learner resides in college accommodation, their ability to manage independent living without posing risk or disruption will also be reviewed.

9.16. **Learner voice:** Concerns will be clearly outlined, and learners will have an opportunity to respond and reflect on the behaviours or circumstances causing concern.

9.17. Outcomes

9.18. Fit to Study / Reside with Support

9.19. A learner is considered fit to study or reside if they can:

9.20. Participate effectively in their programme of study – demonstrating the ability to progress with the help of reasonable adjustments or support and having a realistic chance of achieving their academic or vocational goals.

9.21. Engage positively with their learning environment – functioning independently or with appropriate support across academic, workplace, residential, or community settings, without causing significant disruption or concern to others.

9.22. Live safely and responsibly in accommodation (where applicable) – managing independent living in a way that does not pose a risk to themselves or cause ongoing disruption to peers or staff.

9.23. Continuation on the programme, placement, or in residence will be conditional upon compliance with agreed support and safety measures, such as those outlined in the learner's Support Plan, Risk Assessment, or SMART Targets. Failure to comply or any recurrence of concerns will lead to a review of the decision and may result in further action.

9.24. Withdrawal

9.25. In exceptional cases, where all reasonable support strategies and adjustments have been exhausted (such as those outlined in the *Initial Response* section), withdrawal from the programme or accommodation may be necessary. The decision to withdraw will be made by

the members present at the Fitness to Study/Reside meeting and is subject to the right of appeal, as detailed in the next section.

9.26. Faculty staff are responsible for initiating the withdrawal through the Amendments System [internal use only]. Where the learner resides in accommodation, they will also forfeit their place in halls of residence.

9.27. Before withdrawing any learner with an Education, Health and Care Plan (EHCP), the Learning Support Team must be notified so they can coordinate an early annual review and inform the relevant Local Authority. Likewise, if the learner has an allocated Social Worker, the Safeguarding Team must be informed prior to withdrawal so that the Local Authority and/or Virtual School can be notified.

9.28. Break in Learning

9.29. In some circumstances, it may be appropriate to agree a temporary break in learning. For example, to allow the learner time to access medical treatment or seek support for their mental health. Any agreed break in learning will be time-limited and should not exceed 12 months.

9.30. For learners with an EHCP, breaks in learning must be arranged in collaboration with the Learning Support Team, who will notify the Local Authority. In the case of apprentices, a recommendation for a break in learning must also be shared with the learner's employer.

9.31. During the break, Faculty are responsible for maintaining regular contact with the learner to monitor their situation and readiness to return. This may be supported by ongoing welfare involvement from the Student Support, Learning Support, or Safeguarding Teams, as appropriate and agreed with the learner.

9.32. Please note that a break in learning may not be possible in all cases. Options will be discussed with the learner in full before a decision is made, including any conditions that must be met prior to returning to study.

9.33. Return to Study / Accommodation

9.34. Following a withdrawal or deferral, the process for requesting a return to study or accommodation will be explained to the learner as part of the Fitness to Study/Reside meeting outcome. However, if a learner has been formally withdrawn, they will not be eligible to rejoin any learning programme at any college within the Activate Learning group during the same academic year and must reapply for future entry.

- 9.35. A return to study or accommodation will only be considered where there is clear evidence of sufficient improvement in the learner's circumstances, demonstrating that they are now fit to return. The type of evidence required will vary depending on the individual case but may include documentation from a suitably qualified practitioner (as described in the Medical or Professional Evidence section).
- 9.36. The final decision will be made by the relevant Director (e.g., Director of Delivery for Faculty, Head of Delivery for Apprenticeships, or Accommodation Manager), in consultation with the Safeguarding and/or Learning Support Teams.
- 9.37. If return is agreed, a meeting will be arranged with the learner to review their current support needs, develop their support plan, and assess any ongoing risks.

10. Compliance

10.1. Recording

10.2. Staff must record and manage information appropriately as follows:

10.3. General discussions regarding support needs or reasonable adjustments should be logged in ProMonitor under Learner Comments, with updates made to the Support Plan where relevant. While learners do not have direct access to notes recorded in ProMonitor, Support Plans are developed collaboratively with learners and information shared appropriately.

10.4. All Cause for Concern meetings and Supportive Conversations should be recorded in ProMonitor Learner Meetings, as per the Student Positive Behaviour Management Procedure.

10.5. Any safeguarding or confidential concerns must be referred directly to the Safeguarding Team, following the Safeguarding – [Reporting a Concern Procedure](#). These must not be recorded in ProMonitor. The Safeguarding Team will log this information securely in Child Protection Online Management System (CPOMS).

10.6. All Fitness to Study/Reside meetings should be recorded in ProMonitor under Learning Meetings with the category set as Learner Support and the meeting type as Fitness to Study. The rationale for all decisions must be included.

10.7. Requests for formal Fitness to Study/Reside communications and meetings should be made via Group Administration.

10.8. **Communication**

10.9. Learners will be made aware of the Fitness to Study and Reside Policy and supported in understanding the procedures being followed.

10.10. Activate Learning will provide reasonable notice of the meeting and communicate any expected timelines for next steps.

10.11. Clear timeframes will be set for both college actions and learner responses, including periods for review.

10.12. A written summary of the meeting's outcome will be provided by Group Administration to the learner for their records.

10.13. **Confidentiality and Data Storage**

10.14. Sensitive personal information, such as medical or health-related records, will be stored securely and only accessible to staff with a legitimate role in the Fitness to Study and Reside process. All data will be handled in line with the UK General Data Protection Regulation (UK GDPR) and Activate Learning's Information Security and Data Protection Policy.

11. Feedback

11.1. Feedback on this procedure, or how it is implemented in practice, can be submitted through our website at: <https://www.activatelearning.ac.uk/contact-us/customer-feedback>, in accordance with our [Customer Compliments Comments and Complaints Policy](#).

12. Appeals

12.1. Learners have the right to challenge decisions made under the Fitness to Study/Reside Policy and Procedure, including decisions relating to temporary suspension, remote study, or withdrawal. To appeal, a written request should be submitted to Group.Administration@ActivateLearning.ac.uk within ten working days of receiving the written outcome.

12.2. The appeal must clearly state the grounds on which the learner wishes to challenge the original decision.

13. Review

13.1. This procedure is reviewed annually to ensure compliance with legislative updates and to incorporate feedback from staff and learners.

References

- [Admissions Policy](#)
- [Customer Compliments Comments and Complaints Policy](#)
- [Equality and Diversity Policy](#)
- Health and Wellbeing Procedure for Residential Students
- [Safeguarding Reporting a Concern Procedure](#)
- [Safeguarding and Child Protection Policy](#)
- [Student Code of Conduct](#)
- Student Conduct and Behaviour in Accommodation
- Student Health and Wellbeing Policy
- [Student Positive Behaviour Management Policy](#)
- [Student Positive Behaviour Management Procedure](#)
- Fitness to Study and Reside Policy
- Higher Education Withdrawal and Suspension of Studies Policy
- Higher Education Withdrawal and Suspension of Studies Procedure
- Information Security and Data Protection Policy
- Procedure for Personal Risk Assessments and PEEPS
- Safeguarding and Prevent Policy

Relevant Legislation:

- [Equality Act 2010](#)
- [Keeping Children Safe in Education](#)
- [Working Together to Safeguard Children 2023](#)
- [Care Act 2014](#)
- [Data Protection Act 2018](#)
- [General Data Protection Regulation](#)

Appendix 1: Fitness to study process

Concerns Raised Regarding a Learner's Fitness to Study / Reside:

Relevant area (e.g., Faculty, Apprenticeships, Accommodation, etc), discuss concerns with learner and guardians (if learner is under the age of 18 or where considered appropriate).

Relevant area implements appropriate support and considers reasonable adjustments.

If a risk of harm is identified, the learner is vulnerable, or there is evidence of professional involvement, the Safeguarding Team must be informed immediately.

If the learner has an EHCP, the Learning Support Team must be informed immediately.

If There Is a Significant or Imminent Risk of Harm to Self or Others:

Faculty to implement remote learning until a Fitness to Study/Reside meeting can take place.

Faculty to monitor remote learning and coordinate provisions of support with the Safeguarding Team.

If Concerns Reduce or Resolve:

Learner remains on programme with relevant support. Faculty continue to monitor effectiveness of support.

If Concerns Do Not Improve with Support, or The Concerns Are Sufficiently Serious:

Faculty request a Fitness to Study/Reside Meeting via Group Administration.

Faculty to consult with the learner, guardian, Student Support, Safeguarding and Learning Support Teams regarding other internal or external professionals to invite.

Fitness to Study Meeting:

Fit to Study / Reside with support

Faculty, Student and Learning Support Teams to update Support Plan, Risk Assessments, etc, as appropriate. Learner remains on programme with support.

Faculty/ Accom Manager continue to monitor.

Withdrawal

Faculty to process Withdrawal via Amendment System.

If the learner has an EHCP, Learning Support to arrange the early Annual Review before withdrawal.

If the learner is vulnerable, Safeguarding Team to inform the Local Authority.

Break in Learning

Faculty to process Break in Learning via Amendment System. Faculty to agree level of communication and support.

If the learner has an EHCP, Learning Support to inform the Local Authority.