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Fitness to Study and Reside Policy	LSPRO039	4.0

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Corporation	20 October 2026	1 October 2027

LEAD PERSON	Director - Designated Safeguarding		
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FITNESS TO STUDY AND RESIDE POLICY

Policy Statement

Activate Learning is committed to providing safe, inclusive and supportive learning environments in which all learners and apprentices can participate, progress and achieve.

We recognise that physical or mental health, disability, neurodivergence, wellbeing, personal circumstances or other factors may affect an individual's ability to participate effectively in study, work-based learning, professional practice or residential life.

Activate Learning takes a supportive, person-centred and trauma-informed approach. We seek to identify concerns early, understand the circumstances affecting the individual, and provide appropriate support, reasonable adjustments and risk-management measures wherever reasonably possible.

The Fitness to Study and Reside Policy provides a structured framework for responding where a learner or apprentice's circumstances significantly affect their ability to participate safely or effectively in their programme, work-based learning, professional practice or residential provision. It is not a disciplinary process and is not intended to penalise an individual because of their health, disability or personal circumstances.

Activate Learning also has a responsibility to protect the health, safety and wellbeing of learners, staff, employers, visitors and others. Where concerns cannot be appropriately managed through support and reasonable adjustments, or where there is a significant or immediate risk, formal action may be necessary.

Decisions will be fair, proportionate and evidence-informed, taking account of the individual's age, capacity, disability, support needs, programme and professional

requirements, residential arrangements and the potential impact on others.

Purpose

The purpose of this policy is to provide a consistent framework for:

- identifying and responding to concerns about an individual's fitness to study, reside, participate in work-based learning or undertake professional practice;
- understanding the circumstances contributing to concerns;
- identifying appropriate support, reasonable adjustments and risk-management measures;
- enabling learners and apprentices to remain engaged with their education or training wherever reasonably possible;
- facilitating a safe and supported return to study, work-based learning or residence following a period of absence;
- ensuring that decisions are fair, proportionate, evidence-informed and non-discriminatory; and
- protecting the health, safety and wellbeing of the learner/apprentice and the wider community.

The policy should be read alongside the Fitness to Study and Reside Procedure, which sets out the operational stages, responsibilities, meeting arrangements, possible outcomes and appeal arrangements.

Scope

This policy applies to all learners enrolled with or receiving education, training or support from Activate Learning, including:

- Further Education;
- Higher Education;
- adult learners;
- apprentices;
- learners undertaking work-based learning, work experience or placements;
- learners aged 14–16 studying through arrangements with partner schools;

- learners undertaking programmes involving professional, statutory or regulatory requirements; and
- learners living in Activate Learning residential accommodation.

The policy applies to concerns arising:

- on Activate Learning premises;
- in residential accommodation;
- during teaching, assessment or other educational activity;
- during work experience, placements or work-based learning;
- while representing or participating in an Activate Learning activity;
- during educational trips, visits or other organised activities;
- in online learning environments or other digital activity connected with the learner's programme; and
- where circumstances outside the educational environment materially affect the learner's ability to study, participate safely or reside.

For apprentices, this policy operates alongside the apprentice's employment relationship and does not replace the responsibilities of the employer under employment, health and safety or other applicable legislation. Where appropriate and lawful, Activate Learning will work with the apprentice and employer to coordinate support and manage concerns affecting the apprenticeship or workplace activity. Where an apprentice's employment is affected, the employer's relevant employment procedures may also apply. Activate Learning will not make employment decisions on behalf of an employer.

This policy does not apply during the pre-enrolment phase, where the Admissions Policy applies.

Definitions

Fitness to Study - Fitness to study means a learner or apprentice’s ability, with appropriate support and reasonable adjustments where applicable, to:

- participate meaningfully in their programme;
- engage with learning, assessment and relevant support;

- benefit from their programme;
- manage the reasonable requirements of their programme;
- participate safely in the wider educational environment; and
- do so without causing unreasonable detriment to their own health, safety or wellbeing or that of others.

Fitness to study is not determined solely by the presence or absence of a medical diagnosis. A learner may have a diagnosed or undiagnosed health condition, disability, neurodivergence or other difficulty and remain fit to study with appropriate support and reasonable adjustments. Conversely, concerns may arise where the impact of a learner or apprentice's circumstances is such that they are temporarily unable to participate safely or effectively, regardless of whether a formal diagnosis has been established.

Fitness to Reside - For learners living in Activate Learning accommodation, fitness to reside means the learner's ability, with appropriate support and reasonable adjustments, to live safely and appropriately within the residential environment.

This includes the ability to:

- maintain an appropriate level of personal safety and self-care;
- comply with reasonable residential expectations;
- respond appropriately to emergency procedures;
- live alongside other residents without causing significant or unreasonable detriment to their health, safety or wellbeing;
- access and engage with available support;
- manage the reasonable expectations of independent or supported living appropriate to their age and circumstances; and
- reside without creating an unacceptable or unmanageable risk to themselves, other residents, staff or others.

Residential provision will take account of the learner's age, maturity, individual circumstances, support needs and the level of supervision and support that Activate Learning is reasonably able to provide. A learner's need for additional support does not, in itself, mean that they are not fit to reside.

Fitness to Practise – Learners undertaking programmes leading to, or associated with, professional registration, professional qualification or employment in a regulated profession may be subject to additional requirements established by relevant Professional, Statutory and Regulatory Bodies (PSRBs), professional standards, placement providers or employers. Examples may include programmes involving nursing, teaching, counselling or other regulated or professionally governed occupations.

Where concerns relate specifically to a learner or apprentice's suitability to undertake professional practice, the relevant Fitness to Study or Practise requirements will apply. These may include professional conduct, competence, health, safety, safeguarding, integrity and other professional standards.

Commitment Statement

Activate Learning will seek to respond to concerns at the earliest appropriate opportunity and will consider the individual circumstances before determining the most appropriate course of action.

Concerns that may lead to consideration under this policy include, but are not limited to:

- a significant decline in physical or mental health;
- behaviours linked to health, wellbeing or learning difficulties that present a risk to the health, safety or wellbeing of the learner or others, or significantly disrupt teaching, learning or support;
- persistent or extended absence affecting academic progress;
- circumstances where continued participation may jeopardise the learner's longer-term health or wellbeing;
- a residential learner being unable to live safely or appropriately within the accommodation without significant disruption, risk or unreasonable demands on the environment; or
- support needs that significantly exceed what Activate Learning can reasonably provide, or place excessive or inappropriate demands on staff or other learners.

Where appropriate, Activate Learning will seek to support the learner or apprentice to remain engaged with their programme or residential provision, or to return following a period of absence. This may include reasonable adjustments, additional support, risk-management measures, temporary arrangements or a phased return.

The Fitness to Study and Reside framework provides an alternative route where concerns are primarily related to a learner's health, wellbeing or support needs and the Student Positive Behaviour Policy and Procedure or Student Conduct and Behaviour in Accommodation Procedure would not be appropriate. However, other policies or procedures may also apply depending on the circumstances and Activate Learning may use these where necessary and proportionate.

Any formal action will be considered on an individual basis, with the aim of balancing the learner's rights, needs and wellbeing with Activate Learning's responsibilities to maintain a safe and supportive environment for the wider community.

Responsibilities

Leadership Oversight: The Director – Designated Safeguarding Lead and relevant Group Directors of College are responsible for oversight and implementation of this policy.

Faculty and Accommodation Teams: Relevant senior leaders are responsible for ensuring that decisions are consistent, proportionate and aligned with the individual's programme, safeguarding responsibilities and legal obligations.

Staff are responsible for identifying concerns early, taking appropriate action, engaging relevant support services such as GLS or GSS, implementing agreed support and reasonable adjustments, contributing to risk assessments and reviews, and monitoring and escalating concerns where support is not effective.

Student Support, Learning Support and Safeguarding: Specialist support teams will provide advice, support and coordination within their areas of responsibility. This may include wellbeing and mental health support, counselling, learning support, progress coaching, safeguarding, careers and progression support, external

referrals, liaison with health, social care and other agencies, and advice on reasonable adjustments and risk management.

Apprenticeship Teams: Apprenticeship staff will coordinate appropriately with apprentices, employers and relevant support services where fitness concerns affect apprenticeship participation or workplace activity.

Group Administration: Group Administration will support the formal process by coordinating meetings, communications, records and outcomes. Learners will receive written confirmation of significant decisions, including any actions, timescales, review arrangements and appeal rights.

Learners and Apprentices: Learners and apprentices are expected, within their individual circumstances and capabilities, to engage with support, participate in meetings and reviews, communicate relevant changes that may affect their ability to study or reside safely, comply with reasonable risk-management arrangements, and provide relevant information to support safe and effective planning.

An individual's inability or reluctance to engage with support will be considered in context and will not automatically be treated as inappropriate behaviour.

Equality and Diversity

Activate Learning recognises that some physical and mental health conditions may constitute disabilities under the Equality Act 2010. We will comply with the Act and seek to remove barriers to success in line with our Equality and Diversity Policy, Student Health and Wellbeing Policy, and Health and Wellbeing Procedure for Residential Students.

Where safeguarding concerns arise, these will be managed in accordance with our Safeguarding and Prevent Policy and Safeguarding – Reporting a Concern Procedure.

Activate Learning takes a person-centred approach, working collaboratively with the learner, guardians where appropriate, staff, internal support services and external agencies to provide appropriate support.

Communication

Activate Learning will ensure learners and apprentices are aware of the Fitness to Study and Reside Policy and understand the procedures being followed. Individuals will be given reasonable notice of meetings and clear information about expected timescales for next steps, including deadlines for responses and review periods. Group Administration will provide the individual with a written summary of meeting outcomes for their records.

Data Protection

Information relating to a learner's health, disability, wellbeing or other sensitive personal circumstances will be handled in accordance with UK GDPR, the Data Protection Act 2018 and Activate Learning's Information Security and Data Protection policies.

Only information that is necessary, relevant and proportionate will be collected and shared. Records relating to fitness concerns will be securely stored and accessible only to staff with a legitimate role in supporting the learner, managing risk or administering the relevant process.

Feedback, Complaints and Appeals

Individuals may raise concerns about the application of this policy through Activate Learning’s Customer Compliments, Comments and Complaints Policy.

Learners and apprentices may also appeal formal decisions made under the Fitness to Study and Reside Procedure, including decisions relating to suspension, withdrawal, restrictions on participation or termination of residential accommodation. Appeals will be managed in accordance with the Procedure and, unless otherwise specified, should be submitted in writing to Group Administration within ten working days of the written decision: Group.Administration@ActivateLearning.ac.uk.

For advice on this policy or how it applies to a specific situation, learners should speak to their Faculty, the Safeguarding Team at safe@activatelearning.ac.uk, or the Learning Support Team at gss@activatelearning.ac.uk.

Review

This policy will be reviewed in annually or sooner where there are significant changes to legislation, statutory requirements or sector best practice.

References

Activate Learning Policies and Procedures:

Admissions Policy

Customer Compliments, Comments and Complaints Policy

Equality and Diversity Policy

Fitness to Study and Reside Procedure

Health and Wellbeing Procedure for Residential Students

Safeguarding – Reporting a Concern Procedure

Safeguarding and Prevent Policy

Student Code of Conduct

Student Conduct and Behaviour in Accommodation

Student Health and Wellbeing Policy

Student Positive Behaviour Policy

Student Positive Behaviour Procedure

Relevant Legislation:

Equality Act 2010

Keeping Children Safe in Education

Working Together to Safeguard Children

Care Act 2014

Data Protection Act 2018

General Data Protection Regulation (GDPR)