TITLE		REF	VERSION
Fitness to Study and Reside Procedure		LSPRO039	6.0
DEPARTMENT	Group Student Support - Safeguarding		
DATE	01/10/2026	**REVIEW DATE**	01/10/2027

FITNESS TO STUDY AND RESIDE PROCEDURE

Procedure Statement

Activate Learning is committed to transforming lives through learning by providing inclusive, supportive environments in which learners and apprentices can develop the skills, knowledge and behaviours they need to make progress.

Our Learning Philosophy recognises the relationship between the brain, motivation and emotions and the importance of learners and apprentices feeling safe, secure and well to engage effectively with learning. These principles underpin our approach to supporting learners and apprentices whose health, wellbeing, personal circumstances or other factors may affect their ability to study, participate, practise or reside safely.

Scope

This procedure applies to all Activate Learning learners and apprentices, regardless of their background or protected characteristics, and will be applied in accordance with the Equality Act 2010 and other relevant legislation and guidance.

It applies across all modes and levels of provision, including:

- Further Education;
- Apprenticeships;
- Higher Education;
- Adult education;
- 14–16 provision;
- Alternative provision;
- Residential accommodation;
- Provision delivered through or in collaboration with Activate Learning franchise partners;
- Work placements and work-based learning; and
- Activities undertaken by learners as representatives of Activate Learning or as part of an Activate Learning activity within the wider community.

This procedure does not apply during the pre-enrolment phase, where the Admissions Policy and relevant admissions procedures apply.

Purpose

This procedure provides a consistent, supportive and proportionate framework for responding to significant or persistent concerns about a learner or apprentice's health, wellbeing, safety or ability to participate effectively in education, professional practice or residential provision.

The learner or apprentice's welfare will remain central to decision-making, while also considering the safety, wellbeing and learning environment of others.

The procedure should be used where concerns cannot be adequately addressed through usual pastoral, academic, learning support or safeguarding arrangements, or where a formal review of the individual's ability to study, practise or reside safely is required.

It should not be used as a disciplinary process or because of a diagnosis, disability, neurodivergence or mental health difficulty alone. Where another policy or procedure is more appropriate, this should be used instead.

Procedure

When to Use This Procedure

This procedure may be appropriate where there are significant or persistent concerns about a learner or apprentice’s ability to study, practise or reside safely and effectively, despite appropriate support.

This may include:

- significant or ongoing concerns about physical or mental health;
- behaviour or circumstances creating a significant risk to the individual or others;
- persistent absence or disengagement affecting participation or progress;
- concerns about meeting essential professional, health, safety or competence requirements;
- difficulty living safely or appropriately in residential accommodation;
- circumstances where current support or reasonable adjustments are no longer sufficient; or
- concerns that the level of support required cannot reasonably or safely be provided.

The presence of one or more of these circumstances does not automatically require formal action. Staff should first consider appropriate support, reasonable adjustments and risk management. A formal Fitness to Study/Reside meeting should normally be considered where concerns remain significant, increase or require a formal decision.

This procedure should not be used solely because a learner or apprentice has a disability, mental health difficulty, neurodivergence or other health condition. Decisions must be based on the individual's current circumstances, needs, risks and ability to participate safely and effectively, with appropriate support and reasonable adjustments considered.

Initial Response

When a concern is identified, staff should respond promptly, sensitively and proportionately. Where appropriate, involve the learner or apprentice in understanding the concern and identifying what support may help.

1. Understand the concern: Speak with the learner or apprentice, and their parent/carer, where appropriate, to understand what is happening; any barriers affecting their ability to study, practise or reside; and what support they feel would help. It may be helpful to hold a Cause for Concern meeting in line with the Student Positive Behaviour Management Policy and Procedure.

2. Put appropriate support in place: Consider:

- existing support and reasonable adjustments;
- learning, wellbeing or pastoral support;
- temporary changes to study arrangements;
- risk assessment or Support Plan; and
- referral to internal or external support services.

Activate Learning will consider reasonable adjustments to support a learner or apprentice to study, practise or reside safely and effectively. Adjustments will be considered based on their effectiveness, practicality, feasibility and available resources and must not compromise essential academic or professional requirements, health and safety, or the safety, achievement and wellbeing of others. The aim is to identify the least restrictive and most supportive approach that can reasonably address the concern.

3. Consider safeguarding: Inform the Safeguarding Team without delay where there is:

- a risk of harm to the individual or others;
- significant vulnerability requiring safeguarding support or coordination;
- relevant involvement from external professionals or agencies; or
- any other concern requiring a safeguarding response.

Staff can contact the Safeguarding Team by:

- Telephone: 01865 550401

- Email: safe@activatelearning.ac.uk
- Record of concern form [internal staff use only]
- Speak directly to the Designated Safeguarding Adviser and follow up in writing.

Where appropriate, temporary measures, such as remote learning or changes to study or residential arrangements, may be put in place while the situation is reviewed.

In some circumstances, it may become clear that the level of support required exceeds what Activate Learning can reasonably provide. Where this is the case, the learner may be advised or supported to access appropriate external services, such as their GP, mental health services or social care. Where justified by the level of risk, Activate Learning may also need to contact relevant third parties, such as emergency services, psychiatric services, local authority social care teams or emergency contacts, without the learner's prior consent. Any such action will be proportionate to the level of risk and undertaken in accordance with the Safeguarding and Prevent Policy.

4. Involve Support & Inclusion: Where the learner or apprentice has an EHCP or significant additional support needs, involve Support & Inclusion/Learning Support promptly: Email gss@activatelearning.ac.uk

5. Review: Agree what will happen next, who is responsible and when the situation will be reviewed. If the concern improves, continue with the agreed support and monitor its effectiveness. If the concern does not improve, becomes more serious or requires a formal decision, consider whether a Fitness to Study/Reside meeting is appropriate.

When a Formal Meeting is Needed

A formal Fitness to Study or Reside meeting may be appropriate where:

- support and reasonable adjustments are not working;
- concerns are significant or increase;
- a formal decision is required.

Faculty, Apprenticeship, or Accommodation staff should request a meeting through Group Administration.

Fitness to Study/Reside Meeting

The Fitness to Study/Reside meeting is an opportunity to understand the learner or apprentice's current circumstances, hear their views and consider what they need to study, practise or reside safely and effectively.

The meeting will:

- Understand the situation – what has happened, what is affecting the learner or apprentice and any barriers they are experiencing.
- Hear their views – give the learner or apprentice an opportunity to explain their circumstances, needs and experiences and contribute to decisions about their support.
- Review support – consider the support and reasonable adjustments already in place, what has worked and whether anything else could reasonably be provided.
- Consider risk and requirements – consider any relevant risks to the individual or others, alongside course, placement, professional, health, safety or residential requirements.
- Agree the way forward – decide what support, adjustments or other action is needed and whether a formal change to study, placement or residential arrangements is required.

The meeting will be conducted in a respectful, supportive and trauma-informed way. The learner or apprentice should be supported to understand the concerns being considered, the information available and the possible outcomes.

The focus will be on the individual's current circumstances, needs, abilities and support requirements, rather than assumptions based on a diagnosis, disability, neurodivergence, previous experience or presentation.

The people attending will depend on the circumstances and should be limited to those who need to be involved. This may include:

- the learner or apprentice;
- a parent, carer or guardian, where appropriate;
- an advocate or other person chosen by the learner or apprentice;
- relevant Faculty, Apprenticeship or Accommodation staff;
- representatives from Safeguarding and/or Support & Inclusion; and
- relevant external professionals, where appropriate.

A supporter or advocate is there to help the learner or apprentice participate in the meeting and express their views. They should not prevent the learner or apprentice from being heard or prevent the meeting from progressing. Where necessary, Activate Learning may ask the learner or apprentice to identify an alternative supporter.

Information considered will depend on the circumstances and may include:

- the learner or apprentice's views, wishes and experiences;
- attendance, engagement and progress, taking account of individual circumstances and agreed adjustments;
- relevant course, programme, placement or awarding-body requirements;
- professional, regulatory, health or safety requirements;
- current support and reasonable adjustments and whether these are effective and sustainable;
- relevant risk information and protective factors; and
- for residential learners, their ability to live safely and manage independent living.

Where relevant, the learner or apprentice may be asked to provide information from an appropriately qualified professional to help understand their circumstances, support needs, risks or reasonable adjustments. Only information relevant to the decision should be requested.

Where a learner or apprentice is unable to obtain relevant information themselves, Activate Learning may seek their consent to obtain it directly. If relevant information is not provided or consent is not given, the meeting may proceed using the information available.

Every reasonable effort should be made to support the learner or apprentice to participate, including considering adjustments to how or when the meeting takes place. If they remain unable or unwilling to attend, the meeting may proceed using the information available, provided they have been given a reasonable opportunity to share their views and understand the concerns and possible outcomes.

Possible Outcomes

1. **Continue with Support**

The learner remains on programme, placement or in accommodation with agreed support, adjustments, risk management and review arrangements.

The outcome should clearly set out the agreed actions, responsibilities and timescales for review.

2. **Temporary Break**

A temporary Break in Learning or other agreed break may be appropriate to allow the learner to recover or access additional support. A break should be time-limited and normally not exceed 12

months. The programme area should maintain appropriate contact during the break and support consideration of the learner or apprentice's readiness to return.

For apprentices, the employer should be informed where appropriate. Where the learner or apprentice has an EHCP, arrangements must be agreed with the Support & Inclusion Team and relevant Local Authority.

3. Withdrawal form Study, Training or Accommodation

Withdrawal should be an exceptional outcome and considered only where the available evidence indicates that the learner or apprentice cannot currently continue safely or meaningfully, and reasonable support, adjustments and less restrictive options have been considered and are not sufficient or reasonably practicable.

Where withdrawal is agreed, the learner or apprentice should be clearly informed of:

- the reasons for the decision;
- the support, adjustments and alternatives considered;
- any relevant next steps;
- their right of appeal; and
- where applicable, how they can seek to return to study, training or accommodation in the future.

The study programme area is responsible for initiating withdrawal through the Amendments System. Where the learner resides in college accommodation, the implications for their accommodation should be explained clearly and sensitively.

Where the learner or apprentice has an EHCP or allocated Social Worker, the relevant Support & Inclusion, Safeguarding and Local Authority arrangements must be considered before withdrawal.

Return to Study/Accommodation

Where a learner or apprentice has taken a break, been deferred or withdrawn, the outcome should explain the process for requesting a return.

Any return will be considered on an individual basis, taking account of the learner or apprentice's current circumstances, support needs, relevant risks and the arrangements that can reasonably be provided. The learner or apprentice may be asked to provide relevant information or professional evidence to demonstrate that the circumstances that led to the previous decision have changed sufficiently to support a safe and sustainable return. Where professional information is required, they should be told what is needed and why.

Where an individual has been formally withdrawn, any return will also be subject to the relevant Activate Learning admissions and programme requirements. Where applicable, the learner or apprentice may need to reapply for a future academic year. The final decision will be made by the relevant Director, in consultation with Safeguarding and/or Support & Inclusion, as appropriate.

Where a return is agreed, a meeting should be arranged to review:

- current support needs and reasonable adjustments;
- any ongoing or new risks;
- arrangements for a safe return; and
- any support or review arrangements needed to help the learner or apprentice sustain their return.

The aim of the process is to support a safe, sustainable and positive return to study, training or accommodation wherever this can reasonably be achieved.

Compliance

Staff must record information about Fitness to Study/Reside concerns on the appropriate system.

- Support and reasonable adjustments: Record in ProMonitor under Learner Comments and update the Support Plan where appropriate. For apprentices, record under the ALS tab in Smart Assessor.
- Cause for Concern and Supportive Conversations: Record in ProMonitor Learner Meetings in line with the Student Positive Behaviour Management Procedure.
- Fitness to Study/Reside meetings: Record in ProMonitor under Learning Meetings, using Learner Support – Fitness to Study. The reasons for decisions must be recorded.
- Safeguarding or confidential information: Do not record this in ProMonitor. Refer concerns to the Safeguarding Team, who will record them securely in CPOMS.
- Formal meetings and communications: Requests should be submitted through Group Administration.

Learners and apprentices should be kept informed throughout the process. Activate Learning will:

- provide reasonable notice of meetings;
- explain what will happen and expected timescales;

- set clear timescales for actions and reviews; and
- provide a written summary of meeting outcomes.

Personal and sensitive information must be stored securely and only accessed by staff who need it for their role. Information must be handled in line with UK GDPR and Activate Learning's Information Security and Data Protection Policy.

Appeals

Learners and apprentices have the right to appeal decisions made under this procedure, including decisions about temporary suspension, remote study or withdrawal.

Appeals must be submitted in writing to Group.Administration@ActivateLearning.ac.uk within 10 working days of receiving the written outcome. The appeal should explain the grounds for the appeal and why the decision should be reconsidered.

Review

For advice on how this procedure should be applied, contact the relevant programme area, Safeguarding Team at safe@activatelearning.ac.uk, or Support & Inclusion at gss@activatelearning.ac.uk.

Feedback about the procedure can be submitted through the Activate Learning website using the Customer Feedback process, in line with the Customer Compliments, Comments and Complaints Policy.

This procedure will be reviewed annually, or sooner if required, to reflect changes in legislation, statutory guidance, organisational requirements, feedback and learning from practice.

References

Care Act 2014
Customer Compliments, Comments and Complaints Policy
Data Protection Act 2018
Equality Act 2010
Fitness to Study and Reside Policy
General Data Protection Regulation (GDPR)
Health and Wellbeing Procedure for Residential Students
Information Security and Data Protection Policy
Keeping Children Safe in Education
Procedure for Personal Risk Assessments and PEEPS

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 Management Policy

Student Positive Behaviour Management Procedure

Working Together to Safeguard Children