



Fitness To Learn Policy

September 2023

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Approved by: Chair of Trustees

Principal: Neil Bain

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1. Introduction

Wemms Education Centre is an educational institution for full time SEN students. It has included in its mission statement the commitment to tailoring its education to individual needs and promoting inclusivity and tolerance. This philosophy underpins how we constantly strive to make 'reasonable adjustment' and provide 'best endeavour' for any student. In doing so we fully comply with the Equality Act 2010 and the Children and Families Act 2014. It is important, however, to be clear about what is reasonable in an educational setting and the limits to the individual support that can be provided within a specialist educational institution.

Our staff provide outstanding care for all students, but there will be times when a student's physical or mental health are so affected that they are no longer able, despite early help support both internal to the School and externally, to maintain a reasonable academic progress:

1. We are not a distance-learning School, and whilst on a temporary basis it is reasonable for subject teachers and support staff to be flexible with attendance due to ill health, prolonged periods of absence cannot be sustainable.
2. There may be times when the nature of a student's ill health can require support beyond the expertise or capacity that we can reasonably offer.
3. Occasionally a student's ill health may present a health and safety hazard to either themselves or those around them that is unmanageable in any educational setting. There are therefore occasions where, for one or more of the reasons above, it will be our judgement that, in the best interests of a student, continuing as a learner at Wemms Education Centre is no longer the best option.

2. Aims

These procedures aim to provide:

1. A framework to guide decision making in complex student welfare cases.
2. An overview of how reasonable adjustments will be managed in these cases.
3. A set of parameters for the minimum acceptable level of academic progress.
4. A series of stages for reviewing a student's place at the School.
5. A list of minimum expectations of students who are offered the opportunity to restart at the School.

This policy has been developed to work in conjunction with other key School policies:

- Safeguarding and Child Protection Policy
- Equality, Diversity & Inclusion Policy
- Attendance Policy

3. Joining the School

Parents, Carers, outside agencies and previous schools are encouraged to disclose any physical or mental health need as part of the school application. This disclosure will in no way prejudice any decision about the application – on the contrary, it is used to establish how best we can respond to the individual need and what support can be put in place to ensure a smooth transition to Wemms Education Centre.

In cases where a complex or significant physical or mental health condition is disclosed, it may be appropriate that further information is sought from health professionals supporting a student to be able to formulate a risk and needs assessment. In addition, a transition meeting will be called to discuss any concerns the applicant may have about starting School, the appropriate programme to be studied and any reasonable adjustments that we will commit to making, alongside the support we can offer.

We also need to recognise that, for many, adjustment to a school environment (particularly for those that have been out of school for some time) can be challenging for students. For this reason, we encourage their attendance at any or all Admissions Interviews, Introduction Days, and Induction opportunities. These are crucial to making their transition as smooth as possible.

We may also require acclimatisation sessions during the summer term and or summer holidays to help ensure the foundations are firm for the upcoming academic year. In these cases, students will be allocated, in addition, the oversight of a Head of Year or member of the Student Support Services as part of our safeguarding procedures upon enrolment. These students would be added to Student Welfare Register and would be reviewed at least half termly by their Head of Year, SENCo and the Pastoral Lead. Students and parents will be consulted to agree on the information that is to be shared with subject teachers so adjustments can be made. We encourage students and parents to be open and transparent with our staff to ensure that we are able to provide the reasonable adjustments that will enable a student to engage fully with Wemms life.

4. Studying at the Wemms Education Centre

If students, parents / carers or outside agencies (including previous educational settings) do not disclose a pre-existing physical or mental health condition on application, then it is unlikely that they will receive support or reasonable adjustment unless the condition becomes clear to a member of staff. Early disclosure of issues is therefore vital to allow us to assess how best to accommodate students and to avoid exacerbating the issue through a lack of knowledge on the part of subject teachers and support staff.

Students are made aware of the extensive range of student services at the school both at induction and as part of the ongoing PSHE Programme. All staff at the school have a duty of care to students and can be approached with any concern, however small.

The main staff who would be consulted by students are:

- Principal
- Designated Safeguarding LEAD
- SENCo
- Mental Health Lead
- Counselling Team
- Head of Year

- Subject Teachers
- Heads of Department

The member of staff consulted will seek consent from the student to share with subject teachers the key relevant information so that adjustments can be made. In exceptional circumstances, confidentiality may need to be broken without the student's consent. If the nature of the medical condition requires support or reasonable adjustment needs to be made to a student's studies, then the Pastoral Lead and the Principal will be asked to meet with and assess the student. This may lead to support and reasonable adjustments being agreed and other staff in the school, such as the Counselling Team, becoming involved. Consent will always be sought from the student and will involve parents and carers in these decisions. However, the school reserves the right (in certain extreme cases) to respect the student's confidentiality if the student requests it. The support considered may also involve referral to outside agencies, such as CAMHS or the student's GP. This is particularly true where the health condition causes significant concern, since the expertise and capacity of the school in providing medical support is finite and the responsibility for medical support lies with the external services. In crisis situations, where there are immediate and grave concerns for a student's health or well-being, staff will judge how best to provide first aid and whether emergency services should be called. We will always endeavour, in these situations, to contact parents and carers as soon as possible.

5. Limits to support

Whether medical conditions are raised before a student joining the school or whilst at the school, there needs to be reasonable limits set around the support that can be offered. These include both the flexibility the school should show around academic progress and the support (type, location and frequency) that is needed for a student to remain at Wemms Education Centre. Clearly, it is difficult to set non-negotiable limits for academic progression and support and there needs to be judicious professional judgement in each case. Furthermore, physical and mental health conditions may be temporary or permanent, short or long-term, stable or prone to remission.

As a guide therefore, the following minimum expectations should be set:

Academic progress

Each case needs to be considered on its merits, but a minimum level of attendance needs to be maintained overall that will allow a student to realistically achieve.

Academic Success

Academic success depends on engagement in classroom activity, so excessively long periods of complete absence or very poor attendance will make a student's studies untenable. With regards to coursework, if a student falls significantly behind with their deadlines, despite extensions being offered, then there comes a point at which catching up is not viable.

*The specific expectations regarding attendance and assessment will be set in each case depending on the individual's circumstances, EHCP recommendations and SENCo evaluation. In the case of older students, exam requirements must also be considered.

6. Support

It is reasonable for teaching staff, on a temporary basis, to liaise with students via email and TEAMS. This is not a long term solution and the school is not in a position to offer remote learning via online lessons to individual students long-term. We are not a distance-learning

school and do not have the resources or remit to be one. In terms of pastoral support, the school enjoys a privileged position with a Pastoral Lead, a DSL, SENCo, Counselling Team, Mental Health Lead and Student Services all on board. Those listed above can all provide appropriate support within certain parameters. We will, where appropriate, refer to external services and maintain liaison with them. We cannot provide, however, complex medical or psychiatric support. This would usually be sought externally through the GP or other services. Finally, the pastoral support available is finite and needs to be available for other students as well. In all cases the support we offer must be on site.

7. Fitness to Study (FTS)

Our default position, as a school, is that we want all students to complete their studies successfully and achieve their potential. There are occasions, however, when physical or mental health issues are so complex or so significant that this is not possible. Clearly each student needs to be considered on a case-by-case basis and the school needs to ensure it is fully aware of all the medical evidence and the wishes of the student and the parents or carers. Ideally, a clear consensus would always emerge about the best way forward, but this will not always be the case. There will be situations where the school believes that it has exhausted the support options available, it has made reasonable adjustment and provided best endeavour in all aspects of school life, but the student is unable to maintain their fitness to study.

These situations impact negatively both on the student, since their welfare is at risk, and on the school, since there is an excessive demand on resources. For the student, who has struggled to maintain their academic progress against the odds and for whom trying to keep the structure of school life going has been so far a positive factor in their rehabilitation, there comes a tipping point at which trying to catch up after a lengthy absence, has more of a negative impact on their health than withdrawing from studies or restarting the year. To continue this situation would place the school in breach of its duty of care to young people.

For Wemms Education Centre, working with individual students to catch up on missed work, liaising remotely via email and TEAMS with absent students and arranging meetings and support for students must be a finite resource and cannot unreasonably impact on the learning and pastoral care of other students. If the school, medical professionals, the student and the parents or carers all agree that a student should withdraw or restart their programme of study after a planned break, then this will be actioned. In these situations, we would always assure students and their parents or carers that the best interests of each student and their welfare are at the centre of the school's decisions.

Where there is no consensus that withdrawal is the most appropriate outcome, then the stages below will be followed:

- Reasonable Adjustment and Fitness to Study Assessment- Level 0

Once it becomes clear that a physical or mental health issue is having a significant negative impact on a student's ability to engage with their study programme, the Pastoral Lead and SENCo will discuss this with the student and parents or carers. At this point SENCo will action relevant reasonable adjustments that will be put in place to support the student to increase attendance and engagement. These reasonable adjustments will be communicated to the student, parent or carer, teachers, and any other relevant staff who may be involved in supporting the student. The School will also request parents or carers provide a letter from a medical professional involved in the student's care that confirms

their current difficulties, along with proposed treatment plan and prognosis. The parents or carers will be sent a copy of this document at this point.

- *Fitness to Study Concern- Level 1*

If the reasonable adjustments put in place do not lead to significant improvement within an agreed time frame (usually 4 weeks), a Fitness to Study Concern email is sent home from SENCo along with a copy of these procedures outlining concerns and seeking improvement. The letter will also re-confirm the reasonable adjustments that are in place. The situation is reviewed 2-4 weeks later. A student will remain at this stage for a further 2 weeks if the attendance and work production targets are met, before a further review to assess ongoing improvement. If the student's situation has improved to the point where there are no longer concerns around their fitness to study, they will remain at this level for the duration of their time at school. If issues arise in future, they will initially be reviewed at this level and targets for improvement will be re-set.

- *Fitness to Study Continuing Concern- Level 2*

If the student has not met the targets outlined at Level 1, a Fitness to Study Continuing Concern email is sent home outlining concerns and re-setting targets. The situation is reviewed 2 weeks later. A student will remain at this stage for a further two weeks if the attendance and work production targets are met, before a further review to assess ongoing improvement. If the student's situation has improved to the point where there are no longer concerns around their fitness to study, they will remain at this level for the duration of their time at Wemms Education Centre. If issues arise in future, they will initially be reviewed at this level and targets for improvement will be re-set.

- *Fitness to Study Executive Concern- Level 3*

If the student has not met the targets outlined at Level 2, a Fitness to Study concern email is sent home by the Principal firmly outlining concerns and re-setting targets. Further consideration will be given to the reasonable adjustments that have been put in place. The situation is reviewed 2 weeks later. A student will remain at this stage for a further two weeks if the attendance and work production targets are met, before a further review to assess ongoing improvement. If the student's situation has improved to the point where there are no longer concerns around their fitness to study, they will remain at this level for the duration of their time at school. If issues arise in future, they will initially be reviewed at this level and targets for improvement will be re-set.

- *Executive Conference- Level 4*

If the case gets to this stage without a student being voluntarily withdrawn, the Principal and the Executive Team will consult, review all of the evidence provided and will come to a decision as to whether they collectively require the student to leave or, in exceptional cases, reinitiate the previous Fitness to Study stage for a further 2 weeks.

8. Restarting at Wemms

In certain situations, it may be appropriate to offer a conditional restart at Wemms Education Centre. Students can only ever restart once. They must restart their studies in the following academic year and before they turn 19 years of age.

The school will never allow a restart where a student was required to leave at the Executive Conference stage. Where the school offers the opportunity of a restart, the onus is on the student's parents or carers to ensure that they are recovered enough to fully engage with a full timetable. When the student is withdrawn, a communication will be sent detailing the conditions that must be met in order to restart.

These conditions may include:

- A letter being provided by a professional involved in the student's care that outlines their current health issues and confirms they are not well enough to engage in full-time study, along with information regarding treatment and prognosis.
- Attendance at a restart interview in May/June prior to restarting to discuss the student's recovery and academic programme for the following year.
- A letter from a professional involved in their care to be presented at or before re-enrolment that confirms they are now fit to study on a full-time programme.

The offer of a re-start will be rescinded if any of the conditions outlined are not met. In July of each year a school representative will write to all parents or carers of students on the restart list confirming the date and time of enrolment and what medical documentation will be required. The letter will also ask for formal written confirmation that the student still intends to restart. During, or shortly after re-enrolment, there will also be consideration of the reasonable adjustments required to ensure the success of the restart. Restarters will automatically be monitored by the pastoral team and will move straight to Fitness to Study Concern procedures (Level 3) if similar issues resurface.