



LINCOLN COLLEGE

**MENTAL HEALTH AND DISABILITY
SUPPORT POLICY AND PROCEDURES**

POLICY CQ/PO/2

SPONSOR

Director of Student Services

Equality and Diversity Statement

Lincoln College strives to treat all its members and visitors fairly and aims to eliminate unjustifiable discrimination on the grounds of gender, race, nationality, ethnic or national origin, political beliefs or practices, disability, marital status, family circumstances, sexual orientation, spent criminal convictions, age or any other inappropriate grounds.

LINCOLN COLLEGE

MENTAL HEALTH POLICY AND PROCEDURES

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LINCOLN COLLEGE

MENTAL HEALTH AND DISABILITY SUPPORT POLICY AND PROCEDURES

1 PURPOSE

- 1.1 This policy states the responsibilities of Lincoln College in relation to the wellbeing of students who are displaying visible signs of illness, mental health difficulties, psychological, personality or emotional disorders which may have a profoundly disturbing impact on the functioning of individual students and on the wellbeing of others around them.

2 AIM

- 2.1 This policy is intended to promote positive attitudes to students with impairments and indicates the commitment of the college to maintaining students' wellbeing. This procedure can be used to support students and staff when a student becomes unwell and/or presents a risk to self and/or others. The college has a duty of care to respond appropriately to situations where there are substantial concerns relating to a student's mental and/or physical functioning and the impact upon the individual and/or other members of the college community.

This policy should be read in conjunction with the following Policies:

- Admissions Policy
- Staff Disciplinary Procedure
- Safeguarding Policy and Procedures
- Medicines Policy

3 INTRODUCTION

- 3.1 This policy is intended to enable a non-judgemental, consistent and sensitive approach to managing situations that require an appropriate level of intervention. In situations where a student's behaviour or wellbeing causes concern, staff should consult with the Director of Student Services (or their nominee). In the first instance the Personal Tutor should make it clear to the student, where there are concerns relating to their mental and/or physical health and the impact upon the individual and/or other members of the college community, that such concerns exceed the usual pastoral role and need to be referred onto specialist support. Where it is suspected that a student's behaviour may be related to an ongoing or emerging mental health problem, the student should be referred to Student Services and encouraged to get help through their GP.

- 3.2 This policy seeks:

- To identify the appropriate response by academic and support staff, where it is not considered appropriate to apply disciplinary procedures, particularly when the student's behaviour should be managed rather than punished.

- To provide a co-ordinated approach to the management of a situation where it is apparent that a student's mental and/or physical functioning may prevent him/her from gaining benefit from the educational and social provision at a particular time. Alternatively, if their behaviour is adversely affecting the student experience of others, or has extended beyond the pastoral support that can be given within the college.
- To allow staff to identify the appropriateness of a programme of study when taking into account a learners emotional, psychological or mental wellbeing. This is of particular importance in relation to counselling, teaching, psychology and care related courses. These are examples and not an exhaustive list.
- To enable staff to identify the limits to the support which they can provide and the appropriateness of referring the student onto other agencies.
- To signpost areas of support for staff.
- To identify and implement reasonable adjustments where appropriate.
- To ensure appropriate support for students affected by, or involved in, the interaction with other students in the aforementioned circumstances.
- To consider the lawful application of temporary suspension or permanent exclusion and the justification for such an action.

4 ADMISSION TO COLLEGE

- 4.1 The college has a duty of care to look after the wellbeing of students, staff and the wider community.
- 4.2 The college recognises that for certain courses there is a need to ensure that learners are emotionally and physically fit and able to undertake all aspects of the programme of study and relevant work placement.
- 4.3 The college will take every reasonable step to ensure that learners with a learning difficulty and or disability are supported. However in doing this the college must also consider its duty of care in relation to Health and Safety and Safeguarding of students/staff and visitors.
- 4.4 If a member of staff has concerns that by allowing an applicant to undertake a programme of study it may have a detrimental effect on either them and/or others, then a referral needs to be made to the Director of Student Services (or their nominee) and relevant Director of School.
- 4.5 The Director of School and Director of Student Services will then evaluate the staff member's concerns, to discuss if further support can be put in place to allow the applicant to progress, or alternatively, if the case needs referring for a case conference.

- 4.6 The case conference will be chaired by a member of the Quality Team. Other attendees at the conference will be the relevant Director of School or their representative, representation from Student Services, tutor and relevant external professionals. The purpose of the conference is to review concerns raised by the tutor.

The following will be taken into consideration:

- What evidence is there to support the case?
- Are there any potential risks to the applicant, other learners or the tutor?
- Should additional or alternative support be put in place to allow the applicant to continue?
- Does the college need to access specialist support for the applicant to allow them to continue?

- 4.7 If it is decided that the learner's case is being referred to a case conference, the relevant School Director will write to the applicant to advise them of the reasons for this decision. The applicant will be given 10 working days to provide any supporting evidence that can be passed to the case conference to review.

- 4.8 Following the case conference the panel will make one or more of the following recommendations:

- The applicant is allowed to continue on the understanding that they accept support put in place following an assessment of support needs.
- The college feels they do not have sufficient evidence to make a decision and may make recommendations that further evidence/support may be required from a GP, Health professional or external agency. In this instance a date will be set for the panel to resume within 3 weeks and the applicant will be advised of the reasons why. The applicant will then be asked to provide details of relevant support services that can be contacted. If the learner declines, the college will need to decide if they can risk assess the learner being allowed to continue with the existing information available. If the college feels it cannot put risk management procedures in place to support the applicant, other learners and staff, then a decision will be made to withdraw the offer of study.
- The applicant cannot continue on chosen programme of study, identifying specific reasons why; however the panel will consider the applicant applying for a different study programme.
- The college does not feel that currently they are able to make reasonable adjustments necessary to support the applicant in their studies. The college will need to demonstrate in this instance that they have risk assessed the applicant and have evidence to support reasons for decline.

5 DISRUPTIVE BEHAVIOUR OR BEHAVIOUR OTHERWISE GIVING CAUSE FOR SERIOUS CONCERN

5.1 If a learner displays behaviour that is seen as causing immediate and serious concern or poor behaviour is continuing the following guidance needs to be followed.

5.2 Stage One

The tutor needs to identify if the learner has any learning difficulty and/or disability (LDD) which may affect behaviour or the incident is seen as unacceptable behaviour. If the behaviour is not due to LDD it should be dealt with by following disciplinary procedures.

If the behaviour is relating to LDD then the tutor should review the following points:

- Have references or previous educational records identified past behavioural issues?
- What evidence has been reported of issues or problems?
- Has an Assessment of Support Needs taken place and have the recommendations been followed?

If all recommendations have not been followed the tutor needs to ensure that this is rectified as a priority. If however all support is in place the tutor should contact The Assessment Team in Student Services to see if there is any further support that could be considered and implemented.

Although a learner may have a learning difficulty and/or disability, this does not excuse what is deemed as "poor behaviour". Unless behaviour is directly attributed to a particular health related problem, poor behaviour will be dealt with through standard disciplinary procedures.

5.3 Stage Two

If there is no improvement in the situation or if the student refuses to access support and/or continues to exhibit behaviour that is causing significant concern, the Programme Manager and Student Services should be informed.

The Programme Manager and a representative from Student Services should meet with the individual to discuss the behaviour which is causing significant concern and which may have implications to their continuing study.

The learners' behaviour will then be closely monitored for improvement. If it is felt that the learner is not showing any signs of improvement the case should be referred to the Director of School and the Director of Student Services.

When it is necessary and appropriate, support will be offered to those students and staff who may be affected by any incident or ongoing situation.

5.4 Stage Three

The Director of School and Director of Student Services (or their nominees) need to review all evidence to ensure that systems have been followed effectively.

If evidence shows that systems have been followed correctly and that they deem the learner's behaviour is beyond the resources of the college or that concerns of an individual's engagement with study is causing a significant concern to the health, safety and welfare of learners, staff and/or the general community then a case conference will be arranged.

If evidence highlights that systems have not been followed effectively it is the responsibility of Director of School and Director of Student Services to rectify this situation with immediate effect.

A recommendation will be made on whether the student should be required to take leave of absence from their studies at the college whilst appropriate means of addressing the situation are being considered. In reaching any decision, due care and consideration will be exercised, to avoid as far as possible the student being placed in a more vulnerable situation or a situation that increases the vulnerability of other students. If it is recommended that a student has a leave of absence, the academic area will arrange that the student has work to undertake at home, so that they are not placed at a disadvantage.

The conference will be chaired by a member of the Quality Team to discuss the most appropriate course of action. The group will include (where applicable) representative(s) from the academic department, i.e. the personal tutor, Director of School, Director of Student Services and other staff as appropriate. With the learners consent relevant health professionals or key workers may be invited to attend.

The case conference should be convened within 10 working days from the decision to take this course of action. The case conference may consider various options, including a reduced timetable, change of course (where available), extended completion date (where available), removal of placement (where applicable) distance learning, recommending additional support strategies, suspension or exclusion.

The outcome of the meeting will be communicated to the student by the relevant Director of School in a meeting which will take place within 5 working days of the recommendation. The student will be supported during this meeting by a suitable advocate of the student's choosing.

If it is agreed that the student can continue with their studies they will be informed of the 'Return to Study' procedure and process. It will be made clear to the student that this procedure is quite separate from the college's disciplinary procedures. It will also be made clear why the college is recommending this course of action.

It is acknowledged that though a student may have mental health difficulties, this in no way lessens the duty of care that the college has for other students. The duty of care for students with mental health problems should be balanced against the duty of care to other students.

The appropriate Director (or nominee) will hold a de-briefing meeting for relevant staff within 5 working days of communicating the outcome of the case conference to the student. Information will only be shared with those on a “need to know basis”, for the purpose of ensuring all parties have adequate support.

Student Services will keep a central record of all referrals, action and developments in the case conference and relevant staff will be updated on a “need to know” basis.

6 RETURN TO STUDY

- 6.1 Following a period of absence from the college for recuperation and/or treatment, it may be appropriate for the student to return/resume studies.
- 6.2 If this is the case, it will be necessary to ensure that the student is assisted by the course team, with advice from Safeguarding and Assessment Support Team Leader (or their nominee) in their return to the college.
- 6.3 The college will require the student to produce appropriate confirmation of their health and ability to resume studying. If a student has taken a leave of absence from the college due to illness, mental health difficulties, psychological, personality or emotional disorders, they will need a formal assessment by an appropriate medical practitioner or other health professional before returning to study. The Safeguarding and Assessment Support Team Leader (or their nominee) will support the student to access an appropriate referral.
 - A ‘Return to Study Plan’ will be signed in consultation with the student, the Safeguarding and Assessment Support Team Leader (or their nominee) and their course tutor. This will address:
 - The specific study-related support needs of the student in returning to education
 - The support which is reasonably required in the short term; involvement of and liaison with external agencies
 - Any longer term support or adjustments that are reasonably required and any conditions that might or will apply to provision.
- 6.4 The Return to Study Plan should incorporate a Risk Management Plan that takes account of the experiences that led to the student’s initial absence from their course and any other information that is known to be relevant. Any return to study will be subject to the student’s co-operation with this process and full adherence to any agreements made.

- 6.5 Other members of staff within the Student Services team will be available to provide advice and support to facilitate the student's transition back on to the course, particularly in relation to any action that might be required under the Equality Act 2010.
- 6.6 When return to study is not deemed to be an option, the student will be advised in writing by the Chair of the case conference. If the student is unhappy at any stage with the decision made they should be advised to follow the appeals procedure.

7 DATA PROTECTION ISSUES

- 7.1 All college staff are governed by the requirements of the Data Protection Acts 1984 and 1998. Under these acts, all data relating to a person's physical or mental health is regarded as sensitive, personal data. 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.
- 7.2 For the purpose of this Policy, sensitive data is deemed to be information given in confidence concerning, for example, a student's ill-health or disability including mental health illness.

8 CONFIDENTIALITY

- 8.1 In all cases where, in the member of staff's judgement, it would be in the student's best interests to disclose sensitive information (e.g. so that appropriate support may be provided) the student's 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 this information and the likely consequences of giving or withholding consent. Once consent has been obtained, it is the responsibility of the person passing on the information to ensure it is done on the terms agreed with the student.
- 8.2 If the student chooses not to provide their consent, this decision should be respected. In this scenario, the implications of non-disclosure in terms of additional support should be made clear. However, there exists rare occasions when the student's consent is withheld or it is impracticable to try to obtain it, when confidentiality may be broken. These include:
- When the student's mental health has deteriorated to the extent of threatening his/her personal safety
 - When the student is at risk of serious abuse or exploitation
 - When the student's behaviour is adversely affecting the rights and safety of others
 - Where the member of staff would be liable to civil or criminal procedure if the information were not disclosed (e.g. if a crime had been committed)

- 8.3 Staff should consult with the appropriate Director of School or Director of Student Services if they believe there is a need to break the commitment to confidentiality. Initial discussion should not identify the student until the grounds for breaking confidentiality have been established and agreed upon.

9 HEALTH AND SAFETY IMPLICATIONS

- 9.1 There may be circumstances where there appears to be a conflict between Mental Health Policy issues and the health and safety of employees and learners. All cases will be dealt with on an individual basis.

10 APPEALS

- 10.1 All appeals should be made in writing to Vice Principal, Curriculum, Planning and Quality detailing reason for appeal. The Vice Principal or their nominee will investigate the appeal and any supporting evidence providing an outcome to the student within 15 working days.

APPENDIX ONE: SELF-HARM

- Self-Harm is identified as (but not limited to,) intentional burning to one's self, intentional cutting to one's self, and misuse of prescription and non-prescription medications, asphyxiation and use of ligatures with intent to harm one's self.
- Students are informed that they should not bring objects/sharps onto any College site or Outreach sites that could be classed as an offensive weapon. To bring these items into any learning environment would be seen as serious misconduct. This will lead to investigation which could result in suspension and possible dismissal under serious misconduct. (Note: this does not include where students require equipment as part of their college course, ie hairdressing students (scissors and razors) or trainee chefs (knives), etc and these are used as part of their studies in the appropriate environment).
- Students are informed that they are not to self-harm in class. To do so would be seen as serious misconduct, lead to suspension, investigation and possible dismissal under serious misconduct. Students should inform tutors that they need to leave the class if they feel they may self-harm and seek support from Student Services Staff.
- When a student is seen by a first aider or presents themselves at Student Services having self-harmed the presenting physical injury is to be treated first and foremost, this may require a visit to the Walk In Centre, a visit to A& E or in some cases an ambulance to be called. A member of Student Services Mental Health Support Team is to be requested to support the student and to sign post to external agencies as required. This would include the GP, CRISIS Team or CAMHS.
- If any Student self-harms resulting in a hospital stay or if a disciplinary has been initiated the student must meet with the Mental Health Lead (who will then contact the H&S department) to assess whether a risk assessment is necessary to support the student at College.
- Students (who have recently self-harmed) are requested that when working on placements or where they would have contact with the public as part of their studies the affected areas of their body where possible are covered with appropriate clothing.