

Equality Impact Assessment

Guidance on completing Equality Impact Assessments can be found on the intranet in the equality and inclusion section

Document:	Fitness to Study
Executive Summary:	<p>The purpose of the Fitness to Study Policy is to ensure that students whose physical or mental health, emotional wellbeing, or behaviour is having a significantly adverse impact on themselves or others are identified and supported appropriately. The policy outlines procedures to address concerns and provides a clear framework for support, including reasonable adjustments, study pauses, and a structured panel process.</p> <p>Several negative equality impacts have been identified across all several protected characteristic groups. Steps taken to reduce negative impacts:</p> <ul style="list-style-type: none">• Ensure relevant training for all staff involved in the Fitness to Study process, e.g. trauma-informed practice and Corporate Parenting.• Provision of specialist advocacy and interpretation where required, e.g. BSL, ESOL translation support.• Monitor and review demographic data of students affected by this policy to identify patterns or concerns.• Annual review of Fitness to Study cases, disaggregated by protected characteristics.• Review of appeals and complaints to identify any trends or issues.


By law we must meet the requirements of the Equality Act 2010 including the Public Sector Equality Duty. Please give due regard to the following when completing an EIA;

- 1: Does the policy/practice eliminate discrimination, harassment and victimisation?
- 2: Does the policy/practice promote equality of opportunity?
- 3: Does the policy/practice promote good relations?

Protected Characteristic	<p>Commentary</p> <p><i>For each protected characteristic provide a commentary of impact. If a negative impact occurs, consider the following;</i></p> <ol style="list-style-type: none"> <i>1. Change the policy so impact is no longer negative</i> <i>2. Justify why it has to be done e.g. health and safety legislation</i> <i>3. Consider how you are going to mitigate the impact</i>
Age <i>Someone belonging to a particular age, or range of ages</i>	<p>Ne negative impacts identified.</p> <p>The policy allows tailored support for all ages, including specific guidance for students under 16 (e.g. parental accompaniment).</p>
Care Experienced <i>Someone who has been or is currently in care or from a looked-after background at any stage in their life. This includes adopted children who were previous looked-after.</i>	<p>Care-experienced students may be more likely to face challenges such as mental health issues, instability in living arrangements, or limited access to support networks. These factors may increase the likelihood of being referred under the Fitness to Study process. While the policy includes supportive measures, it is essential to apply a trauma-informed approach and ensure that students are not disadvantaged due to circumstances relating to their care experience. Staff should be aware of these vulnerabilities and ensure appropriate support is in place throughout the process.</p> <p>Action: Ensure all staff are trained in trauma-informed practice and Corporate Parenting.</p>
Marriage/Civil Partnership <i>Married couples and civil partnership should be treated the same on a wide range of matters</i>	<p>Unlikely to be directly affected.</p>
Race <i>Refers to a group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins</i>	<p>The policy states that representatives at Fitness to Study hearings should not speak on behalf of the student. However, ESOL students may experience communication challenges (e.g. not being understood/being misunderstood) during a Fitness to Study hearing. The policy has been updated to provide flexibility in approach and to arrange appropriate support where required.</p>
Sexual Orientation <i>A persons sexual and/or romantic attraction to other people, or lack thereof</i>	<p>No direct negative impact identified. Support processes should be sensitive to LGBTQ+ students, particularly regarding confidentiality.</p>

Disability <i>A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities</i>	<p>This policy could have a potential negative impact for this group. It positively supports students with mental or physical health conditions. However, care must be taken to ensure decisions are not discriminatory. Reasonable adjustments and access to support (e.g., BSL, translation) are explicitly mentioned.</p> <p>Action: Ensure staff are trained in understanding the impact of disabilities.</p>
Gender identity/reassignment <i>The process of transitioning from one gender to another (can include changing names, pronouns, dressing differently, medical intervention and living in their self-identified gender)</i>	<p>No specific negative impacts. Support offered under the policy is inclusive. Ensure confidentiality and dignity are upheld throughout the process.</p>
Pregnancy/maternity <i>Refers to being pregnant and the period after birth (linked to maternity leave in the employment context)</i>	<p>Students who are pregnant may require adjustments. Fitness to Study processes must take care not to disadvantage students due to pregnancy-related health concerns.</p> <p>Action: Ensure that students who are pregnant or recently gave birth are provided with appropriate, flexible adjustments, and that pregnancy-related absence, health needs, or temporary disengagement are not treated as evidence of lack of commitment or fitness to study.</p>
Religion or Belief <i>Religious and philosophical beliefs, including lack of belief (atheism)</i>	<p>The policy must consider the impact of religious practices on attendance or behaviour.</p> <p>Action: Ensure that students' religious practices, beliefs, or associated needs are respected and accommodated, and that these are not misinterpreted as behavioural or engagement issues within the Fitness to Study process.</p>
Sex <i>Gender assigned at birth</i>	<p>The policy applies equally to all genders. Ensure gender-based health issues are considered when applying support measures.</p>
Employment or Trade Union Membership	<p>Unlikely to be directly affected.</p>
Past Criminal Convictions	<p>Students with past convictions may be disproportionately affected by decisions made under the Fitness to Study process, especially if behavioural concerns are interpreted through the lens of their past. The policy's emphasis on support and collaboration is positive, but there is a risk of unconscious bias or stigma influencing outcomes. It is essential that each case is assessed on current behaviour and wellbeing, not past history, unless directly relevant to current risk or legal obligations.</p>

	Action: Ensure criminal record disclosures are only considered when directly relevant (e.g. safeguarding, placement suitability)
Poverty or Deprivation	<p>Poverty can negatively affect a student's physical and mental health, attendance, engagement, and ability to meet academic expectations. These students may also face digital exclusion, food insecurity, or housing instability - all of which could contribute to behaviours or wellbeing concerns that might trigger the Fitness to Study process. The policy's commitment to financial support and regular review of wellbeing support plans is a positive step. However, careful consideration is needed to ensure that poverty-related factors are not mistaken for disengagement or lack of motivation.</p> <p>Action: Avoid triggering formal Fitness of Study Processes where barriers can be resolved through hardship support, food access or digital inclusion measures.</p>

Owner:	A Brydon	
Date initiated:		
Consultation:	<i>Which groups were consulted with in the development of this EIA? Equality Diversity and Inclusion Officer, Students Association, SA Support Officer, Fitness to Study working group, Heads of Sector and Promoted Lecturers, Union Representatives</i>	
Signature (Owner)		Date 22.4.25
Signature (Equalities Officer)	<i>Hilary Broatch</i>	Date 17.04.25

Please return the completed Equality Impact Assessment to the Equalities Officer (hbroatch@borderscollege.ac.uk)