Support to Study Policy

Document Q4.10

SUPPORT TO STUDY POLICY

Approved by Academic Board – 11 October 2018

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Support to Study Policy

1. The University of Law’s Support to Study Policy sits under the University of Law’s Enabling Student Development and Achievement Policy which has been informed by the Quality Assurance Agency’s Quality Code for Higher Education, specifically the Advice and Guidance for Enabling Student Achievement. The QAA’s Quality Code is the definitive reference point for all UK higher education institutions and sets out how academic standards are established and maintained and how the quality of learning opportunities are assured and enhanced.

Introduction

2. The University is committed to providing an environment conducive to teaching, learning, study, research, progression and achievement and to the enjoyment of a positive wider student experience. As part of this commitment it recognises the importance of supporting the health and wellbeing of all of its students. The University has set out in its Cause for Concern Policy how it aims to ensure the safety and wellbeing of all members of the University and sustain an environment where all can engage fully in a community of learning. This policy sets out how the University may respond when a student is causing significant concern to those around them as a result of physical, mental, emotional or psychological health issues. The University’s aim is to adopt an approach which supports students in these circumstances.

Responsibility for this policy

3. Ultimate responsibility for the development of clear and effective processes and procedures associated with the quality assurance and maintenance of standards of academic provision and overseeing their application lies with the Academic Board.

Expectation

4. The University has in place, monitors and evaluates arrangements and resources which enable students to develop their academic, personal and professional potential. This includes assessing whether or not a student is fully engaging with their studies and student life at the University, and providing appropriate support and advice where it is determined that this is not the case.
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5 This policy and associated procedures are intended to help us to support students where there are causes for concern regarding the student’s ability to engage with their studies and student life at the University. It may also be appropriate to apply the policy and procedures where the student’s behaviour may lead the University to invoke the Student Disciplinary Policy in this regard but there are grounds to believe that the student is suffering from physical or mental health issues.

6 In applying the policy and associated procedures the University’s aim is to find agreed ways for students to continue with their studies, or to take a break from their studies by way of an intermission from their course, until they are able to re-engage with their studies and student life at the University.

Use of this policy

7 This policy will be applied only where:

(i) There are concerns that a student’s physical or, mental health is significantly affecting their ability to participate fully and effectively in relation to their academic studies and student life; and/or

(ii) There are concerns that the student’s behaviour is diminishing the learning experience of other students; and/or

(iii) There are concerns about the impact of the student’s behaviour on their own safety or on the safety of others.

8 The University’s response will be intended to protect the interests of the student and to balance these with the needs of other students and staff, ensuring that it is able to continue to provide an environment conducive to teaching and learning. The University will take care to explain to the student why it is invoking the policy and, where relevant, why their behaviour is causing concern to others.

9 Wherever possible the usual student support services will be used before any response is made in line with this policy.

10 The University recognises that it has a duty to all students and staff and reserves the right to invoke disciplinary procedures where a student does not cooperate with responses made in line with this policy.
The University remains mindful of its duty of care to its students, and to its staff, and of its obligations under the Equality Act 2010 (including its duty to make reasonable adjustments for disabled students).

Data Protection

12.1 The University remains mindful of the sensitive nature of information arising in matters related to this policy and of its obligations under the Data Protection Act 2018 and the University’s Privacy Policy to process student’s personal information fairly and lawfully, and to ensure that such information is appropriately safeguarded.

12.2 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. Once consent has been obtained, it is the responsibility of the person passing on the information to ensure it is processed under the terms agreed with the student.

12.3 If the student chooses not to provide their consent this decision should be respected in most instances. In this scenario, the implications of non-disclosure in terms of additional support should be made clear. However, there may be rare occasions when the student’s consent is withheld, or it is impracticable to try to obtain it and the University takes a decision to disclose information. These occasions include:

- When the student’s mental health has deteriorated to the extent of threatening his/her personal safety;
- When the student’s behaviour is adversely affecting the rights and safety of others;
- Where a member of staff would be liable to civil or criminal procedures if the information were not disclosed (e.g. if a crime had been committed);
- Where the student is either under 18 years of age or a vulnerable adult (see University Safeguarding Policy);

The Procedure

13 There are three stages to the procedure. The stages are based on the seriousness of the concerns set out in paragraph 7, and, where relevant, the student’s
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awareness of the impact of their behaviour and the level of the student’s cooperation with our response. The policy will be invoked at stage 1 or 3 as deemed appropriate.

14 The three stages of the Support to Study procedure are as follows

- Stage 1 Meeting - Emerging concerns
- Stage 2 Meeting - Ongoing concerns
- Stage 3 Meeting - Persistent and/or significant concerns

15 The University will endeavour to obtain appropriate and proportionate evidence during the implementation of the procedure and facilitate the student accessing appropriate support.

16 If a student will not engage with the procedure, the University may make the decision to proceed in their absence. In such circumstances the University will endeavour to protect the interests of the student and balance these with the interests of other students and staff.

17 Where there are significant concerns regarding the student and it has been decided to commence the procedure at Stage 3 the University may exclude, to such extent and for such periods as is deemed necessary, the students access to and use of the Campus, pending the outcome of the Stage 3 meeting.

18 Decisions available to the University at a Stage 3 Support to Study Meeting include asking the student to take a break from their studies by way of an intermission from their course. If the student declines, the University may, where it is reasonable and proportionate to do so, require the student to intermit from their course.

19 If following a break the student’s health has not improved sufficiently to enable them to re-engage with their studies and student life, the policy and associated procedures will be applied to assist the University in determining whether it is reasonable to offer a further break from studies or to bring the student’s studies to an end.

20 A student may appeal against a decision that:
   (i) they are to be excluded under paragraph 17;
   (ii) they are to be required to intermit under paragraph 18;
   (iii) they are required to take a further intermission from studies under paragraph 19; or
   (iii) their studies are to be brought to an end following an intermission from studies under paragraph 19.
21 More details on these procedures can be found in the Support to Study Procedures.

**Office of the Independent Adjudicator (OIA)**

22 The University is a member of the OIA for Higher Education Scheme. This scheme enables students to obtain an independent review of their case, subject to the OIA’s rules for eligibility. Further information can be obtained from www.oiahe.org.uk.

23 If having completed the Universities procedures for support to study matters, a student is dissatisfied with the outcome, he or she may request a review by the OIA. Full details of this service are provided to the student by the University.

24 On conclusion of any appeal of a decision under this policy, Academic Registry provides the student with a Completion of Procedures letter, which they must present to the OIA if they wish to request the OIA to review their case.

**Emergency situations**

25 This policy is not appropriate where a student is at real and immediate risk of harm or their behaviour presents a real and immediate risk of harm to others. In such a situation the guidance for responding to urgent/emergency situations contained in the Cause for Concern Policy should be followed.

**Monitoring and evaluation of the provision**

26 Formal responsibility for monitoring and evaluation of this provision lies with the Academic Board.

**Date for next review**

September 2021

**Version history**

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<td>Senior Counsellor</td>
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<td>30/11/14</td>
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<tr>
<td>V1.1</td>
<td>Head of Quality Assurance</td>
<td>Review of version 1.0, addition of standard policy template elements, separation of policy and procedure</td>
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<td>V1.2</td>
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<td>Group Legal Counsel</td>
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<td>V1.6</td>
<td>Director of Operational Services</td>
<td>To incorporate feedback from Wellbeing Team and AEC and comply with OIA Good Practice Framework for Supporting Disabled Students and GDPR</td>
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<td>V1.7</td>
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