Support to Study Procedures

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SUPPORT TO STUDY PROCEDURES

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Support to Study Procedures

Introduction

1. This document sets out the procedure for implementing the University’s Support to Study policy.

2. These procedures apply to students accepted onto all of the University’s programmes. The policy applies at all times, not just in term time, and in relation to programme-related activities, and regardless of mode or place of study. It continues to apply where a student has completed their period of study but has outstanding assessments. It also applies where a student has accepted a place but not yet started their course.

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

4. For the purposes of these procedures Campus Dean means the person with primary responsibility for the management of a campus, or his/her nominee; or for students enrolled onto an online programme of study, the director or other person with overall responsibility for the delivery of the programme concerned, or his/her nominee.

Stage 1 – Emerging concerns about a student’s health, safety or behaviour

5. If significant concerns develop within the University environment the Cause for Concern Policy should be followed and the concerns reported in accordance with that policy.

6. The Support Team together with the student’s personal tutor and Programme & Student Lead (PSL) will determine the full scope and nature of the concerns and together they will decide the appropriate person to contact the student. The intention will be to raise and discuss the specific issues and concerns with the student and to offer support.

7. The student will be given at least 3 days’ notice of the meeting and that they may be accompanied to the meeting by a relative or friend. The discussion will be conducted in a supportive and understanding manner.

8. A record of the discussion will be produced together with a list of the agreed actions and these will be sent to the student by the PSL. A review period will have been agreed at the meeting and will be specified in the letter. During this period the
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PSL will consult with relevant colleagues to determine whether there is any continuing cause for concern.

9  Actions which may be agreed at the meeting include specifying a minimum level of attendance, requiring evidence that the student is in receipt of support from providers such as the student’s GP or other medical practitioners or referring the student to services within and/or external to the University.

10  If at the end of the review period the concerns have been addressed this will be confirmed to the student and no further steps will be taken. If subsequently concerns re-emerge, the PSL will decide whether or not to invoke Stage 2 or 3 of the procedure.

11  If at the end of the review period the concerns have not been addressed the PSL will initiate a meeting with the student at which a further review period may be agreed or the case will move to the next stage of the procedure.

12  It is hoped that the majority of cases will be resolved at Stage 1 and that students will respond positively to the process and take advantage of the support available to them.

13  Where a student is unable or unwilling to co-operate, the PSL will consult with relevant colleagues to decide whether to progress to Stage 2 or 3.

Stage 2 – Ongoing concerns about a student’s health, safety or behaviour

14  At Stage 2 the Campus Dean will be informed if not already involved.

15  The PSL will consult with relevant colleagues and inform the student that Stage 2 of the policy is being initiated. The student will be given at least 7 days’ notice of the meeting and informed of the reasons for the meeting.

16  The Campus Dean will appoint a member of staff at Manager Level or above to chair the meeting. The Chair will invite the PSL and may invite a suitably qualified colleague, such as the Mental Health Advisor, to attend the meeting. It will be agreed which member of the panel will take notes of the meeting.

17  It is hoped that in all cases the student will attend but the meeting may take place in the absence of the student if the student fails to attend. If the student wishes they may be accompanied to the meeting by a relative or friend. The discussion will be conducted in a supportive and understanding manner.
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18 Before the meeting the student may be asked to seek a medical assessment to enable the University to support the student in the most appropriate manner and make an informed assessment of risk.

19 If the student is asked to seek a medical assessment the PSL will provide the student with a copy of the Programme Demands Document together with a letter to present to the medical practitioner conducting the assessment explaining the purpose of the request for a medical assessment. The purpose may be to gain an understanding of:

- any medical condition from which the student may be suffering and any treatment/support they are receiving
- the extent to which any medical condition which may affect the student’s ability to study and/or manage the demands of student life
- any impact it may have on others
- any risk it may pose to others
- what, if any, steps the University could take to enable the student to study effectively and/or manage the demands of student life

20 If the student is requested to seek a medical assessment they will be asked to authorise full disclosure of the results of the medical assessment to the University. They are not obliged to authorise disclosure but any information they do provide will assist us to assess how we will meet our Legal and Statutory obligation in relation to their disability. Special category data in this context refers to data that we share with our Disability Support Service, such as:

- Physical disabilities and impairments
- Specific learning difficulties (e.g. Dyslexia and ADD/ADHD),
- Autistic Spectrum Conditions (e.g. Autism, Asperger’s syndrome)
- Mental health conditions (e.g. anxiety and depression)
- Long term medical conditions (e.g. diabetes, cancer, arthritis)

This would constitute “sensitive personal data” under the Data Protection Act 2018, and as such, will be handled in accordance with the higher levels of protection afforded to such information.

21 If the student declines to undertake a medical assessment and/or refuses to authorise disclosure, the University may either continue with the Support to Study procedures or, as per paragraph 10 of the Support to Study Policy, it may address the issues under the disciplinary procedures.

22 The purpose of the Stage 2 meeting will be to:
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- Make the student aware of the University’s ongoing concerns
- Listen to the student’s views
- Make clear that the University is seeking to support the student to successfully complete the course
- Decide whether to:
  - draw up an Action Plan with a suitable review period or
  - immediately refer the matter to Stage 3 if an Action Plan would not be appropriate given the seriousness of the matter.
- Inform the student of the possible outcomes if the concerns are not addressed.

If an action plan is put in place, it will set out expectations regarding the support to be provided to the student internally, the support the student should seek externally and the student’s conduct. The length of the review period will not be longer than 6 teaching weeks and may be shorter. The date of at least one interim meeting must be specified in the action plan.

The consequences of the student not adhering to the Action Plan, or the concerns continuing, will be that a Stage 3 meeting will be scheduled. If the student partially achieves the action plan sufficient to reduce any risk to the student or others, and/or eliminate the disruption to the learning of others, an extended action plan may be considered for a further period, not in excess of 6 weeks.

During the Stage 2 meeting it may be appropriate to explore the option of the student intermitting i.e. taking a break from their studies to recuperate. The implications of Intermission must be explained to the student and recorded in the notes of the meeting.

The Chair of the Stage 2 meeting will write to the student and the Campus Dean within 3 working days and provide the notes of the meeting and the action plan agreed. A copy of the notes of the meeting and the action plan will be kept by the PSL.

Stage 3 – Persistent and/or very significant concerns about a student’s health, safety or behaviour

This stage will only be implemented where;

- Stage 2 has not been successful;
- The concerns identified at Stages 1 and 2 are continuing;
- The student does not agree with the Stage 2 action plan; or
- Concerns are deemed to be sufficiently serious to warrant starting the procedure at Stage 3.

The decision to start the procedure at Stage 3 will be the Campus Deans, in consultation with relevant colleagues.
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29 Where a decision has been made to start the procedure at Stage 3 or the procedure has been moved to Stage 3, the Campus Dean may exclude the student's access to and use of the Campus facilities where he or she has reasonable grounds to determine that such action is necessary to protect the student, any other student or member of staff or university property.

30 The Campus Dean will inform the student as soon as practicable that Stage 3 of the policy is being initiated together with the reasons for this and, where relevant, that they have been excluded and the reasons for the exclusion. Where the student has been excluded they should be advised of their right of appeal against the exclusion under paragraph 47 below.

31 Where a student has been excluded the Campus Dean must take reasonable steps to enable the student to pursue his or her course of study, without access to or use of the Campus, and obtain the teaching, assessment and support services to which he or she is entitled. The Campus Dean will review his or her decision to exclude the student at intervals of no more than three weeks and will notify the student in writing of the outcome of each review.

32 The Academic Registry will appoint a panel of 3 members of staff at Manager Level or above who have not previously taken part in the Support to Study procedure. At least one member of staff will have a student support role at Manager Level. One member of the panel will be appointed as Chair and one member of the panel will be nominated to take notes of the meeting.

33 The student will be given at least 7 days’ notice of the Stage 3 meeting and the names of the Chair and other staff members who will be in attendance. The student may be asked to seek a medical assessment and, if so, paragraphs 18 to 21 will apply. The student will be informed that they have the right to submit documents to the meeting and will have access to any documents that are submitted on behalf of the University at least 3 working days in advance of the meeting.

34 In most cases the student will attend but the meeting may take place in the absence of the student if the student fails to attend. If the student wishes they may be accompanied to the meeting by a relative or friend.

35 At the Stage 3 meeting the actions that may be agreed include asking the student to intermit or, where the student declines, requiring the student to intermit where it is reasonable and proportionate to do so. Appropriate advice will be provided to the student and recorded in the notes minutes of the meeting together with the proposed return date.

36 In cases where the panel considers that any medical evidence provided is not sufficient for the panel to assess the student’s ability to successfully engage with their studies and student life, the panel may adjourn the meeting to enable a second medical opinion to be obtained. In this case the student may be asked to submit
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themselves for examination by medical or occupational health professionals nominated by the University.

37 Within 3 working days of the meeting the Chair will send the student a copy of the notes of the meeting, any agreed action and if the student is intermitting the proposed date of return. Information regarding the student’s right of appeal under paragraph 47 below will be included.

38 Where a student is intermitted the Chair will put in place a plan for keeping in contact with the student. This will be sent to the student within 7 working days of the Stage 3 meeting. The plan will include contact details for named staff who can advise on financial, academic and other issues.

Return to Study

39 Where a student intermitted their studies as an outcome of the support to study procedure it is hoped that the student will be able to return and engage with their study and student life.

40 The student will be invited to attend a Return to Study panel no less than 1 month before the proposed date of return which will be chaired by the PSL and include at least one member of staff in a student support role at Manager Level. The student must be given at least 14 days written notice of the Return to Study panel meeting.

41 Each case will depend on the specific circumstances out of which concerns arose but all cases where the student’s health was a concern will depend on satisfactory medical evidence of the student’s ability to re-engage with their studies and student life, an assessment of what support would be necessary to enable a student to return and whether this can be reasonably provided.

42 Where medical evidence is required, together with notice of the Return to Study meeting, the student should be provided with a copy of the Programme Demands Document for their course together with a letter to present to the medical practitioner conducting the assessment explaining the purpose of the request for a medical assessment. Medical evidence should be from a recognised health professional who has sufficient knowledge of the student’s health and the concerns that led to the intermission to be able to make an informed statement of the student’s ability to successfully engage with their studies and student life. The student will also be invited to submit a statement for consideration alongside the medical evidence.

43 Where the panel decides that the student is able to return it may draw up an action plan and/or require the student to attend regular review meetings with a nominated member of staff to aid the student’s Return to Study. The student must provide continued co-operation with such meetings.
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44 Where the panel decides that there are continuing concerns as to the student’s ability to successfully engage with their studies and student life the panel may make a recommendation to the Campus Dean that a second medical opinion is required. In this case a student may be asked to submit themselves for examination by medical or occupational health professionals nominated by the University.

45 In cases where in the panel’s opinion the student’s health has not improved sufficiently for them to return the panel will refer the case to the Campus Dean together with a recommendation as to whether it is reasonable to offer a further intermission from studies or bring the student’s studies to an end.

46 Within 3 working days of the panel meeting the PSL will notify the student of the outcome of the panel and include a copy of the notes of the meeting. If the outcome was to refer the case to the Campus Dean the PSL will include details of the date by which the Campus Dean will notify the student of their decision which will not be more than 7 working days from the date of the panel meeting.

47 When considering the panel’s recommendation the Campus Dean will consult with relevant colleagues taking into account the medical evidence and any statement from the student. The Campus Dean will communicate their decision by letter to the student together with the reasons for the decision. The letter will include information as to the student’s right of appeal under paragraph 48 below.

Rights of Appeal

48 A student may appeal against a decision to:

(a) exclude them under paragraph 29 above;
(b) require them to intermit under paragraph 35 above;
(c) take a further intermission from studies under paragraph 45-47 above; or
(d) bring their studies to an end under paragraphs 45-47 above.

49 An appeal must be made in writing within 14 working days to the Academic Registrar, at the address in paragraph 54 below, setting out the grounds for appeal. The following constitute grounds for appeal:

(i) there is new substantive information that has a bearing on the decision; or

(ii) that there has been significant failure of due process in the making of the decision, which the student believes affected that decision.

50 When applying for an appeal the student should state which ground of appeal he or she intends to rely on together with all supporting evidence. If the student is unable to submit the appeal within 14 working days he or she should write to the Academic Registrar with an explanation.
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51 On receipt of the appeal the Deputy Academic Registrar will:
(a) determine whether the appeal is eligible for consideration;
(b) appoint an Appeal Panel comprising 3 members of staff at Manager Level or above to conduct the appeal;
(c) nominate one member of the Appeal Panel to act as Chair;
(d) confirm the date of the appeal hearing;
(e) notify the student at least 14 working days before the hearing of when and where the hearing will be held; the name of the Chair and members of the panel; the right of the student to provide a written statement of their case and to be accompanied by a friend or relative; and
(f) provide any documents to be referred to at the meeting.

52 The panel may proceed in the absence of the student where notice has been given under paragraph 51 above.

53 The Appeal Chair will notify the Appeal Panels decision to the Deputy Academic Registrar who will then write to the student within 14 working days together with a Completion of Procedures Letter. The Appeal Panels decision is final but the student request a review of the decision by the Office of the Independent Adjudicator.

54 The address of the Academic Registry is:

Academic Registry (Support to Study Appeal)
The University of Law
14 Store Street
Bloomsbury
London WC1E 7DE

academic.registry@law.ac.uk.

Next review: September 2021

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