

Owner:	Director of Student Services
Version number:	2.3
Date of approval:	11 May 2011
Approved by:	Student Experience Committee
Effective date:	August 2020
Updated:	May 2013 (interim review July 2019)
Due for review:	2020/2021

This document is part of the Academic Regulations, Policies and Procedures which govern the University's academic provision. Each document has a unique document number to indicate which section of the series it belongs to.

11J - Support to Study: Policy and Procedure

1. SCOPE AND PURPOSE

- 1.1 This policy and the accompanying procedures are for BU staff and students.
- 1.2 This policy and the accompanying procedures are to be followed by BU staff where a student's behaviour is giving cause for significant concern, and where it is believed either that there is an underlying physical or mental health condition, or that the use of the Student Disciplinary Procedures would be inappropriate or counter-productive.

2. KEY RESPONSIBILITIES

- 2.1 The Director of Student Services is responsible for the overall management and implementation of this policy and the accompanying procedures. References in the Procedure to any University Officer include his or her properly appointed nominee. References to job titles include equivalences.
- 2.2 Members of staff are responsible for acting within the framework of this policy and the accompanying procedures where a student's behaviour gives them cause for significant concern.

3. BACKGROUND AND LINKS TO OTHER DOCUMENTS

- 3.1 BU is committed to supporting all students to fulfil their potential. Occasionally a student's physical or mental health condition may impact upon their own, or others, ability to fulfil that potential; alternatively a student's behaviour may give cause for concern but the Student Disciplinary Procedures may not be the most appropriate route of resolution. This policy and the accompanying procedures are designed to outline the action that BU will take in such instances to ensure that issues can be dealt with in a clear and transparent fashion.
- 3.2 This policy and the accompanying procedures are not intended to give guidance on wider matters relating to students with physical or mental health issues, but is intended to ensure a consistent approach to managing situations in which a student's behaviour is giving cause for significant concern.
- 3.3 BU has various resources which students and staff may find useful in relation to wider matters relating to students with physical or mental health issues, including:
 - a) Student Support Guidelines for Staff
 - b) Student Wellbeing Framework
- 3.4 Links to other BU documents:
 - [11L - Third Party Involvement: Procedure](#)
 - [11F - Student Complaints: Policy and Procedure](#)

Policy

4. BU ETHOS AND SUPPORT

- 4.1 BU is committed to an ethos of equality and inclusivity and aims to facilitate and promote positive mental health and well-being through the recognition and understanding of all disabilities. BU encourages all students to contact the appropriate service at the earliest possible opportunity in order that they are provided with the support they need to realise their full potential and complete their course of study.
- 4.2 The Support to Study Procedure is an internal procedure and is not intended to be a legal process. BU does not normally use legal professionals in the handling of cases, and therefore it is not expected that students would be required to do so either. As such the engagement of legal professionals by students in relation to Support to Study is normally not permitted. Please refer to *11L - Third Party Involvement: Procedure* for further details¹.

5. DUTY OF CARE

- 5.1 At all times BU aims to support individual students and allow them to make their own decisions as to when to engage with their studies. However BU owes a “Duty of Care” to **all** members of the BU community to ensure the health, safety and well-being of all its students, staff and visitors.
- 5.2 In exceptional cases, BU’s duty of care may require BU to remove a student from BU if that student presents a risk to themselves or to other members of the BU community.

6. DATA PROTECTION AND CONFIDENTIALITY

- 6.1 BU is governed by the General Data Protection Regulation and will treat all personal information (including sensitive personal information relating to students’ mental and physical health) as confidential.
- 6.2 Personal information about a student obtained under these policy and procedures will only be shared within BU amongst those members of staff who need to know that information in order to offer the student with appropriate support or to enable the operation of these policy and procedures.
- 6.3 BU may ask a student for their agreement to share their personal information obtained under these policy and procedures with relevant professionals outside BU in order to offer the student appropriate support or to enable the operation of these policy and procedures. BU will not normally share any personal information about a student without their agreement, but may do so in exceptional cases where permitted by law.

Procedure

7. INTRODUCTION

- 7.1 These procedures are to be followed:
- a) where a student’s behaviour is giving cause for significant concern, and where it is believed either that there is an underlying disability or mental health condition, or that the use of the Student Disciplinary Procedure would be inappropriate or counter-productive. These procedures may be applied equally to those students who have a recognised mental health condition and those who do not.
 - b) where a student has not engaged with study for a period of time without reason given. Absence may be a cause for concern, and staff should be aware of the wellbeing of

¹ Added May 2015.

students who are on programmes of study at the University as absence is often an indication that there is a possible need to be addressed.

- c) where there is concern about how well a student may manage their learning experience on a year abroad / placement / field trip. Students may have been receiving support and staff may be concerned as to how well a student may cope in an unusual environment even when support issues have been addressed.
- d) where a student regularly submits exceptional circumstances as a result of ongoing health concerns.

7.2 BU reserves the right to follow the Student Disciplinary Procedures to deal with behaviour which is the result of physical or mental health issues, depending on the individual circumstances of the case. However, once this policy and the accompanying procedures have been used (at any of the following three stages) the behaviour will normally be considered under this policy and the accompanying procedures rather than under the Student Disciplinary Procedure.

7.3 These procedures should in no way distract from any emergency situation where it is believed that a student's behaviour presents an immediate risk to themselves or others. In this situation, Emergency Services should be contacted on extension 222.

8. STAGE 1 – EMERGING CONCERN

8.1 Where a student's behaviour first raises concern, details of this should be recorded for the student's file by the member of staff identifying the concern. Where possible, the record should include specific incidents and dates and may relate to individual or isolated incidents or a series of issues.

8.2 The student should be invited to meet with an appropriate member of staff within that student's Faculty (e.g. course leader) and the Student Support and Engagement Coordinator to discuss the concerns. The explicit causes/instances for concern should be explained, with clear examples provided.

8.3 The student should be offered the opportunity to disclose any underlying physical or mental health condition and, if appropriate, the student should be provided with information about sources of professional support and advice available within BU.

8.4 The student should be informed that a continuation of concerns or any additional causes of concern may result in Stage 2 of these procedures being considered. The student should be provided with notes of what was discussed. A copy of the notes should also be put on the student file.

9. STAGE 2 – CONTINUED CONCERN

9.1 If the concerns have not been resolved by the actions in Stage 1, or if the member of staff identifying a concern feels that the case is too serious to be dealt with in the Faculty under Stage 1, the member of staff should inform the Student Support and Engagement Officer of the concerns and any steps already taken to address the situation.

9.2 The Director of Student Services should review the information provided to them in relation to the student and, if they believe that the student may need further support, they may invite the student and the member of staff raising the concerns to discuss the concerns further with them. The Director of Student Services may involve an appropriate professional (such as the Wellbeing Coordinator, Student Wellbeing or the Occupational Health Advisor) at this stage.

9.3 At this point the Director of Student Services should remind the student of BU's duty of care to every member of its community and inform the student that BU may take action in accordance with this policy and the accompanying procedures if it believes that the student may be putting themselves or others at risk.

- 9.4 The student will be asked to agree an action plan to bring about changes in the behaviour causing concern. This may include:
- a) requiring the student to attend weekly appointments with a nominated member of staff for regular monitoring; and
 - b) requiring the student to seek help from support services within BU or from external professionals, such as the student's GP or the University Medical Practice.
- 9.5 The Director of Student Services will set a date for review of the student's progress against the action plan and will inform the student that failure to carry out the action plan may lead to action being taken under Stage 3 – Acute Concern.

10. STAGE 3 – ACUTE CONCERN

- 10.1 If concerns about a student have not been resolved by the actions in Stage 2 of these procedures, or a student's behaviour raises serious and immediate concern, the member of staff identifying the concerns should inform the Director of Student Services as soon as possible.
- 10.2 The Director of Student Services, in conjunction with other relevant staff, will carry out a risk assessment to identify formally the level of risk to the student and / or others and to consider whether continued study may put the student and / or others at unacceptable risk or exacerbate the student's difficulties. In addition to the student's course-related activities, their level of engagement with their studies and the quality of social interactions, consideration should also be given to the student's domestic situation. All available evidence should be included in the risk assessment.
- 10.3 The risk assessment will result in one of two possible outcomes:
- a) The level of risk to the student and / or others currently posed by the student is within acceptable levels. In this case, Stage 2 of these procedures should (continue to) be followed.
 - b) The level of risk to the student and / or others currently posed by the student is unacceptable. In this case, Stage 3 of these procedures will continue to be followed.
- 10.4 If the risk assessment highlights an unacceptable level of risk, the Director of Student Services will call an urgent case conference. Attendees at the conference will include the Director of Student Services and other staff as are necessary and appropriate to consider the case (e.g. the student's programme leader, appropriate healthcare professionals, accommodation or welfare staff). The student will normally be invited to attend the case conference and may be accompanied by a friend or representative (not acting in a legal capacity). Please refer to *11L – Third Party Involvement: Procedure* for further details².
- 10.5 The case conference may consider various options in relation to the student, including additional support strategies, suspension from study or a recommendation to the Vice Chancellor that the student be withdrawn from the University.
- 10.6 The decision of the case conference will be communicated to the student in writing (normally within 5 working days of the conference).
- 10.7 If it is deemed appropriate that the student should be suspended from studies then the student will also be informed in writing of the general procedure for return to study below and any arrangements specific to their case.

11. RETURN TO STUDY

² Added May 2015.

- 11.1 Following any period of suspension from BU under these procedures, it may be appropriate for the student to return to resume their studies.
- 11.2 Each student's case depends on specific circumstances but in all cases, return to study will be conditional upon satisfactory medical evidence being provided. Medical evidence should be from a GP or relevant health professional who has enough knowledge of the student's circumstances to be able to make an informed statement about the student's health and wellbeing.
- 11.3 The decision to permit a student to return to study will be made by the Director of Student Services who may impose such conditions as they deem appropriate to the relevant case (such as a return to study plan or a requirement for the student to attend regular review meetings).

12. APPEAL/COMPLAINT

- 12.1 Students have the right to appeal against any decision taken under Stage 3 of these procedures. Appeals will only be accepted if there is evidence of procedural irregularity, bias or failure to reach a reasonable decision, or if the student submits further material circumstances which could not reasonably have been expected to have been submitted for consideration at the Stage 3 case conference.

12.2 Appeals against suspension

- 12.2.1 Appeals against suspension must be made in writing to the Director of Student Services within 10 working days of notification of the suspension clearing outlining the grounds for request (see 12.1).

- 12.2.2 The Director of Student Services or nominated representative will review the appeal and after consulting with the student's Executive Dean and the General Manager of the Students' Union, may overturn the decision to suspend a student if they believe it appropriate. The Director of Student Services' decision will be final.

12.3 Appeals against Withdrawal

- 12.3.1 Appeals against withdrawal must be made in writing to the Vice Chancellor within 10 working days of notification of the suspension clearing outlining the grounds for request (see 12.1).

- 12.3.2 The Vice Chancellor or nominated representative will review the appeal and after consulting with the student's Executive Dean and the General Manager of the Students' Union, may overturn the decision to withdraw a student if they believe it appropriate. The Vice Chancellor's decision will be final.

12.4 Complaints

- 12.4.1 If a student is not satisfied with any decision made by BU or a member of BU staff in accordance with any stage of these procedures, the student should follow *11F - Student Complaints: Policy and Procedure*.

12.5 OIA

- 12.5.1 If, after exhausting the Appeals Stage, the student feels there to have been an error of judgement, or that due process has not been followed, they may request a review from the Office of the Independent Adjudicator for Higher Education. Contact details for the Independent Adjudicator are³:

³ Updated May 2015

Office of the Independent Adjudicator
Second Floor
Abbey Gate
57-75 Kings Road
Reading
RG1 3AB
Tel: 01189 599813
Email: enquiries@oiahe.org.uk

General

13 REFERENCES AND FURTHER INFORMATION
None.

14 APPENDICES
None.