

## **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 is assured and enhanced.

### **Introduction**

- 2 The University is committed to providing a supportive environment where students are fully able to participate in 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 Students of 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. We expect our students to act responsibly and behave in ways that do not compromise their own wellbeing, or the wellbeing of other members of the University community. We also recognise that there may be occasions where students experience difficulties or have conditions that may require additional support for them to meet their responsibilities. 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 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.
- 5 In applying this policy and procedure, the University will ensure that the student is at the heart of the process. Every effort will be made to involve the student at each stage of the procedure and the University will communicate in a clear and timely manner about the progress of the procedure.
- 6 The intention of this policy and procedure is to provide a supportive environment for the student to enable them to engage with their studies. Staff involved with implementing the policy and procedure must do so in a manner which emphasises the supportive nature and seeks to minimise the stress and anxiety that engagement in any formal process may cause students.

## **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; and /or
- (iv) The University becomes aware that the student has been hospitalised for a period of more than seven consecutive days and there are serious concerns for the student's mental or physical

wellbeing, taking into account considerations of capacity and whether the student is fully able to participate in any Support to Study Procedure

- 8 The University's response will be intended to protect the interests of the student and their wellbeing 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 at all stages of the process 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 Throughout the process, the student will be encouraged to make use of the student support and wellbeing services available within the University, including those offered by the Students' Union, and any appropriate external services.
- 10 This policy is not a replacement for the Student Disciplinary Procedure or the Student Attendance and Engagement Monitoring Procedures. The University reserves the right to instigate proceedings under any other applicable policy or procedure, including in cases where a student fails to comply under this procedure.
- 11 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 an adult with care and support needs (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 8, 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 policy will be invoked at stage 1, 2 or 3 as deemed appropriate.

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

- Stage 1 - Emerging concerns
- Stage 2 - Ongoing concerns
- Stage 3 - Persistent and/or significant concerns; and/or Student has been hospitalised for a period of 7 days or more and / or there are serious concerns for the student's mental or physical wellbeing

- 15 The University will endeavour to obtain appropriate and proportionate evidence during the implementation of the procedure and facilitate the student accessing appropriate support, either internally or externally.
- 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 student's access to and use of the Campus, pending the outcome of the Stage 3 procedure.
- 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 a backdated intermission or an intermission from their course, or that the student's period of study should be brought to an end, regardless of any outstanding fee liability. The Panel must make its decision in the best interests of the student and the rights and safety of others. If the student declines, the University may, where it is reasonable and proportionate to do so, require the student to intermit from their course or withdraw them from their course.
- 19 If following a period of absence or intermission 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 period of intermission or to recommend the termination of the student's registration.
- 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 under paragraph 18 or 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](http://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, the University 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 Students of 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.

## Version history

Version	Amended by	Revision summary	Date
---------	------------	------------------	------

V1.0	Senior Counsellor	First Draft	30/11/14
V1.1	Head of Quality Assurance	Review of version 1.0, addition of standard policy template elements, separation of policy and procedure	05/11/14
V1.2	AGQS	QA	25/11/14
V1.3	AGQS	To incorporate feedback gathered through student engagement	21/01/15
V1.4	Director of Operational Services	To incorporate feedback from welfare and counselling professionals	04/12/15
V1.5	Group Legal Counsel	General review	26/01/16
V1.6	Director of Operational Services	To incorporate feedback from Wellbeing Team and AEC and comply with OIA Good Practice Framework for Supporting Disabled Students and GDPR	September 2018
V1.7	Registry Officer	Change to coding convention	24/03/2020
V1.8	Senior Quality Officer	Further naming convention clarifications	26/03/2020
V2.0	Head of Student Support Services	Complete Re-draft	16/01/2023

V2.1	Head of Student Support and Wellbeing	Minor amendments	16/04/2024
V2.2	Head of Student Support and Wellbeing	Further amendments following ASQC ARP	24/05/2024
V2.3	Head of Student Support and Wellbeing	Added backdated intermission with clarification on fee liability as a possible panel outcome	25/06/2024
V2.3	Academic Board	Approval	18/07/2024