

Support to Study

UPR EQ11 version 01.0

Policies superseded by this document

None. This document is a new UPR.

Summary of significant changes to the previous version

None. This document is a new UPR.

Glossary

A glossary of approved University terminology can be found in [UPR GV08](#).

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1 Introduction and Scope

- 1.1 The Support to Study policy can be used by staff when a student’s health, well-being or behaviour is having a detrimental impact on their or others’ ability to progress academically and function in the University context. It may also be the case that the visible signs, for example, of mental health difficulties, psychological or emotional disorders may have a disturbing and negative impact on the functioning of the individual and on the well-being of those around them. When such circumstances arise the needs and rights of the student concerned must be balanced against the need to protect the well-being of fellow students and staff.

- 1.2 The procedures set out in this document (UPR EQ11) are intended to be used as an alternative to any disciplinary procedure where there is concern that a student's behaviour may include issues relating to ill-health or disability. Every effort will be made to ensure that the student understands that the focus of the procedure is in their best interests.
- 1.3 Students must be encouraged to take an active part in the process and will be treated fairly, sensitively and offered support and guidance in order to restore their well-being and for them to succeed in their studies and fulfil their academic potential.
- 1.4 The procedures set out in this document (UPR EQ11) will also enable staff to identify the limits of the support they can provide and the appropriateness of referring the student on to other agencies. Any support provided by University staff cannot be expected to replace the professional care and support which are the responsibility of the student's General Practitioner (GP) and other statutory agencies.
- 1.5 The University reserves the right to revert to the appropriate disciplinary regulations to deal with inappropriate student conduct depending on the individual circumstances of the case and, in particular, where a student's health or behaviour poses a risk to themselves or others or where the student fails to respond positively to more supportive interventions, including those resulting from implementing this policy (UPR EQ11).
- 1.6 Students with a physical or mental health concern must be encouraged to establish contact with all relevant support services at the University, in particular:
- Student Wellbeing
 - University Medical Centre
 - Occupational Health
- Students who make initial contact with their Programme Leader/Personal Tutor must be referred to the relevant specialists in the Office of the Dean of Students.
- 1.7 The Dean of Students has responsibility for the Support to Study policy and must be consulted if there are queries relating to the policy and its implementation.

2 Triggers for the use of the Support to Study policy

- 2.1 Concerns about a student's fitness to study may occur for many reasons and due to a range of circumstances. These include (but are not restricted to) the following:
- a social isolation and / or withdrawal;
 - b explanations which sound plausible, but which make staff feel confused;
 - c aggressive, suspicious or paranoid behaviour;
 - d extreme mood swings, with / without grandiosity;

- e psychological symptoms, anxieties, panic attacks, obsessive compulsive behaviours or repeated and inappropriate emotional outbursts and others;
 - f a student's declaration to a member of staff that they have a problem and have provided details which indicate a need to consider their fitness to study;
 - g concerns about the student are communicated via a third party (e.g. a friend, student/s sharing accommodation, family member, and medical practitioner) which indicate a need to consider the student's fitness to study;
 - h the student's behaviour is such that there may be a need to address underlying mental health issues;
 - i repeating patterns of unacceptable behaviour related to mental ill health or not;
 - j behaviour which would usually be dealt with as a disciplinary matter is considered to be the result of a physical or mental health difficulty;
 - k the student's academic performance, attendance and/or behaviour are not satisfactory and/or acceptable and are thought to be the result of a physical condition or mental health difficulty.
- 2.2 Students allowed to repeat a year or intermit following submission of evidence on health or medical grounds are required to establish contact with The Office of the Dean of Students. Information about the service can be found at:
<http://www.studynet2.herts.ac.uk/ptl/common/studentcentre.nsf/Teaching+Documents?Openview&count=9999&restricttcategory=Personal+Life>
- 2.3 In all cases the student's first point of contact in the School will be the Programme Lead, to ensure that the necessary support can be provided.
- 2.4 Depending upon the severity of the situation, action may be initiated at Stage 1, 2 or 3 of the Support to Study Procedure, which follow.
- 2.5 Records must be kept of all written and verbal communications between the student and the University (and vice versa) during the operation of the Support to Study policy.

3 Stage 1 - Emerging Concerns and Initial Action by the School or Programme Leader/Personal Tutor

- 3.1 If any previous informal action is unsuccessful, a member of staff from Student Wellbeing will approach the student and explain to them that concerns about their fitness to study have emerged. In the first instance this will be someone from the disability or mental health teams in Student Wellbeing who may liaise with the Programme Leader/Personal Tutor, Associate Dean. However, if concerns arise of a non-academic nature (e.g. accommodation related), then the Halls pastoral team will take the lead, in consultation with the student's School and Student Wellbeing.

- 3.2 The student must be made aware of the Support to Study policy and be given a copy of this document (UPR EQ11) prior to any action being taken. The student must also be provided with clear information, confirmed in writing, of the precise reasons as to why concerns have been raised and they must be given the opportunity to explain their views.
- 3.3 The member of staff (as mentioned in section 3.1) will attempt to resolve the situation through discussion with the student and other key members of staff.
- 3.4 A review period will be agreed during which time the student should seek advice if appropriate.
- 3.5 An action plan must be produced for the student, School and Dean of Students Office to monitor and review.
- 3.6 A review meeting must be scheduled within 4 weeks (excluding vacation periods) of the original date of the action plan, and any follow-up action arising from this taken as soon as possible following the review meeting.

4 Stage 2 - Continuing Concerns Case Review Panel

- 4.1 If the action taken under Stage 1 has not been successful, or it is felt that the case is too serious to be handled informally, Stage 2 (or exceptionally Stage 3) of the procedure may be initiated.
- 4.2 A meeting of the Case Review Panel must be convened by the Head/Deputy Head of Student Wellbeing (or nominee) or the Deputy Dean of Students (if the issues relate to concerns of a non- academic nature).
- 4.3 The panel will include a representative from the student's academic School, Office of the Dean of Students, and other appropriate members of staff (e.g. Chaplaincy, Mentor).
- 4.4 Other appropriate professional service staff may attend for information and to provide advice depending on the circumstances of the case, as determined by the Chair of the Case Review Panel.
- 4.5 Before the meeting, a medical assessment or other relevant professional reports may be required. The student will be encouraged to consent to this and be advised that the medical assessment would be used to determine the following;
 - a the nature and extent of any medical condition which may be negatively impacting on study;
 - b their prognosis;
 - c the effect on their ability to manage the demands of student and/or academic life;

- d any impact or risk posed to others;
 - e whether any further adjustments should be made by the University in the light of the medical condition to enable the student to study effectively;
 - f whether the student will be receiving any on-going medical treatment or support;
 - g should the student refuse to provide a medical report and the Review Panel believes that the student is at risk to themselves or others, the Chair may decide either to:
 - i continue with this procedure based on information already in their possession; or
 - ii refer the student to Occupational Health for an independent medical assessment; or
 - iii refer the case to Stage 3 (below).
- 4.6 A referral to Occupational Health may also be made if the Review Panel considers that the medical information provided by the student is insufficient for an objective assessment of their case.
- 4.7 The student will be given at least 10 working days' notice of the meeting of the Case Review Panel and informed of the purpose of the meeting. The student must be provided with any documents to be considered by the Panel and asked to provide any documentation they may wish the Panel to consider, these to be provided no later than three (3) working days before the meeting.
- 4.8 The student may be accompanied to the meeting by a Students' Union representative, another student, a relative or a friend. Disabled students registered with Student Wellbeing may be accompanied by a member of staff from the department, if appropriate, where this is requested, subject to the availability of the member of staff concerned. A student may not be accompanied by a legal representative, even if the legal representative is a member of the University or a relative.
- 4.9 The Panel may call for further information and/or witnesses to assist with its deliberations. No recording of the hearing(s) conducted by the Chair of the Case Review Panel will be permitted.
- 4.10 The purpose of the meeting will be to:
- a make the student aware of the nature of the concerns that have been raised;
 - b listen to and consider the student's views;
 - c agree the best way to proceed; and
 - d ensure that the student is aware of the possible outcomes if difficulties remain.

- 4.11 If the student fails to engage with the procedure (e.g. by refusing to co-operate or to attend the Panel's meeting) the Case Review Panel may proceed to deal with the case following the same procedure as if the student was fully engaged in the procedure, that is to consider the evidence available and make a decision or recommendation(s) as indicated below.
- 4.12 The Case Review Panel may decide:
- a that no further action is required;
 - b to monitor the student's progress formally for a specified period in accordance with an action plan which must be agreed with the student. Regular review meetings must take place with a nominated member of staff. Where the student unreasonably withholds their consent, their case will be referred for consideration at Stage level 3 (see point g below).
 - c to recommend to the student's Dean of School that special academic arrangements are put in place;
 - d to recommend to the student's Dean of School that the student's registration be transferred to part-time study or to an alternative location (where such options exist);
 - e if the student is following a programme with a 'placement' period, including study abroad options, to recommend to the student's Dean of School that the student should switch to a 'without placement' programme (where this option or a similar option exists);
 - f with the consent of the student, to agree a period of intermission / withdrawal for a fixed period (such as an academic year). Students must be referred to the Hertfordshire Students' Union Advice Centre for financial guidance;
 - g to refer the case to be considered under Stage 3. This will only be appropriate in the most serious of cases, where, for example, a serious risk to either the health and safety of the student or others has been identified or where a particular course of action has been decided or recommended but is not accepted by the student or the student fails to engage or meet any requirements arising from the above;
 - h to refer the case to be considered under the Regulations on student discipline in relation to non-academic matters by a Disciplinary Panel or other relevant Regulations.
- 4.13 The decision of the Case Review Panel and a concise record of the meeting must be sent to the student within seven (7) working days from the date of the meeting and a copy kept on the student's personal file held by Student Services.

5 Stage 3 – Persistent or Serious Concerns – Final Review Panel

- 5.1 This stage of the procedure will only be initiated following a referral from a Stage 2 Case Review Panel (as set out in Stage 2 (section 4.12,g) above) or where the concerns identified are more serious than would be appropriate for the informal approach outlined in Stage 1 or the more formal approach set out under Stage 2.
- 5.2 The Membership of the Final Review Panel will be four (4) members to be determined by the Dean of Students (or nominee).
- 5.3 Members will have had no prior involvement in the case under consideration and will normally include a Programme Leader/Personal Tutor and experienced members of academic and professional services staff.
- 5.4 The Panel will consider the evidence available, including the student's understanding of these concerns, and make a decision(s)/recommendation(s) as indicated below.
- 5.5 The student will be given at least 10 working days' notice of the meeting of the Final Review Panel and informed of the purpose of the meeting. The student will be provided with any documents to be considered at the meeting and asked to provide any documentation they may wish the Panel to consider, these to be provided no later than three (3) days before the meeting.
- 5.6 In exceptional circumstances, or as determined by the Chair of the Final Review Panel, the Panel may be convened to hear a case following a shorter period of notification than given in section 5.5 above.
- 5.7 The student may be accompanied to the meeting by a Students' Union representative, another student, a relative or a friend. Disabled students registered with Student Wellbeing may be accompanied by a member of staff from the department, if appropriate, where this is requested, subject to the availability of the member of staff concerned. A student may not be accompanied by a legal representative even if the legal representative is a member of the University or a relative.
- 5.8 Further information may be requested and / or witnesses called to assist the panel with its deliberations. No recording of the hearing(s) conducted by the Chair of the Final Review Panel will be permitted.
- 5.9 The student will normally be notified of the decision of the Final Review Panel within seven (7) working days of the meeting.
- 5.10 The Panel may decide one or more of the following:

- a to monitor the student's progress formally for a specified period in accordance with an action plan indicating the requirements which must be followed to address the concerns identified. The student must be informed of the consequences of failing to meet the requirements set out in the action plan. Regular reviews with a specified member of staff will be arranged to ensure the action plan is being followed and appropriate support provided;
- b to recommend to the student's Dean of School that the student's registration be transferred to part-time study or to an alternative location (where such options exist);
- c to intermit/withdraw from studies for a designated period. Students must be referred to the Hertfordshire Student Union Advice Centre for financial guidance.
- d to recommend to the Vice-Chancellor that the student is excluded from the whole or any specified part of the University and its precincts, for a fixed period (return will be subject to stated conditions) or permanently;
- e to recommend to the Vice-Chancellor that the student is suspended from attendance in any academic or other activities for a fixed period (resumption of studies will be subject to stated conditions) or permanently;
- f to refer the case to be considered under the Regulations on student discipline in relation to non-academic matters by a Disciplinary Panel (see UPR SA13¹) or other relevant Regulations;
- g to take no further action.

6 Appeals

- 6.1 A student has the right to appeal against a decision taken by a Case Review Panel at Stage 2 or by a Final Review Panel at Stage 3.
- 6.2 The grounds on which a student may appeal are:
 - a that there were procedural irregularities in the conduct of the review process of such a nature as to cause reasonable doubt as to whether the outcome might have been different had they not occurred;
 - b that there was evidence which could not reasonably have been made available to the review panels of such a nature as to cause reasonable doubt as to whether the outcome might have been different if that evidence had been received.
- 6.3 A student who wishes to appeal against the Final Review Panel's decision must put this in writing to Student Procedures within 10 working days of the date of the letter of notification setting out in detail:

¹ UPR SA13 'Student Discipline'

- a the nature of the evidence to support the claim that there were procedural irregularities in the review process; or
 - b the evidence that could not have reasonably been made available to the review panels.
- 6.4 Student Procedures will acknowledge the appeal within seven (7) working days of receipt and appoint a senior member of the University to consider the case. The appointed person will decide, on the basis of the documentation received from the student and provided by the Case Review Panel, whether or not the student's appeal should be upheld. Normally a decision on the appeal will be made within 10 working days of the date of acknowledgement of the appeal.

7 Further Appeal Following Appeal Against Decisions Taken at Stage 2 or Stage 3

- 7.1 Following consideration of an appeal against a decision taken by a Case Review Panel at Stage 2 or by a Final Review Panel at Stage 3, there is no further right of appeal except on grounds of procedural fault, bias, irregularity or other inadequacy. Any such appeal on procedural grounds must be submitted in writing to the Secretary & Registrar within three (3) months of notification of the decision being appealed against.
- 7.2 For information on appeals, complaints and discipline please refer to the guidance on StudyNet:

<https://www.studynet2.herts.ac.uk/ptl/common/studentcentre.nsf/Teaching+Documents?OpenView&count=9999&restricttcategory=Personal+Life/Appeals,+Complaints,+Discipline>

8 Return to Study

- 8.1 Students will only be permitted to return if, after receiving written confirmation from a doctor/medical practitioner in the form of a medical report supports their return, the University is satisfied that the individual is fit to study and able to comply with any conditions imposed on their return, from a Return To Study Assessment. The medical report must be submitted to the Dean of Students. All students returning to study will need to meet with a member of staff from the Dean of Students Office, normally disability services or the mental health team and their Personal Tutor/Programme Leader.
- 8.2 In cases where the University has any continuing concerns about the student's fitness to study, a second medical opinion may be required. In these situations, a student may be required to take a medical assessment by an independent medical consultant nominated by the University, at the University's expense.

- 8.3 After a period of exclusion/suspension on health grounds the decision as to whether to permit the student to return to study/have full access to University facilities will be made by the Dean of Students. This decision will be based primarily on the Return to Study Assessment, advice from the Head/Deputy Head of Student Wellbeing and also take into account the student's progress during absence, compliance with any conditions set for the exclusion/suspension and advice from the relevant Programme Leader/Personal Tutor. The Dean of Students' decision will be subject to section 8.4 below.
- 8.4 Should a student return to study after a period of intermission, there must be regular review meetings of the student and the relevant officer(s), to support their return to study and monitor their remaining time at the University. Review meetings must include:
- a a Programme Leader/Personal Tutor; and
 - b a representative from Student Wellbeing.
- 8.5 An Action/Safety Plan must be produced for consideration at the review meetings. The Plans may include one or more conditions, for example, use of medication and attendance at support sessions.

9 Confidentiality

- 9.1 In all cases where it would be in the student's best interests to disclose sensitive information (so that support may be provided) the student's informed consent will be obtained where possible. The student will be informed of why there may be a need to disclose sensitive information, who will have access to the information, and the possible consequences of giving or withholding consent (e.g. to facilitate the development of an Inclusive Learning Plan with support strategies and reasonable adjustments). If consent has been obtained, it is the responsibility of the person passing on the information to ensure it is done on a 'need to know' basis.
- 9.2 If the student chooses not to provide their consent this decision must be respected. In this situation, the implications of non-disclosure in terms of additional support will be made clear.
- 9.3 There are occasions, when the student's consent is withheld, when confidentiality may be broken. These include:
- a when the student's mental health has deteriorated to the extent of threatening their personal safety;
 - b when the student's behaviour is adversely affecting the rights and safety of others;
 - c where a member of staff would be liable to civil or criminal procedures if the information was not disclosed (e.g. if a crime had been committed).

- 9.4 Staff will consult with the Data Protection Officer if it is believed that there is a need to break the commitment to confidentiality.

10 Data Protection

All University staff are governed by the requirements of the General Data Protection Regulation (GDPR). All data relating to a student's physical or mental health is regarded as sensitive, personal data. In general, all personal data of a sensitive nature given to a member of staff by a student will be treated as confidential and will only be disclosed with the student's consent. Sensitive data, for the purpose of this policy, is deemed to be information given in confidence concerning, for example, a student's ill-health or disability including mental health issues.

Sharon Harrison-Barker
Secretary and Registrar
Signed: **1 August 2020**

Alternative format

If you need this document in an alternative format, please email us at governanceservices@herts.ac.uk or telephone us on +44 (0)1707 28 6006.