



Support to Study Procedure

Responsible Office	Student Wellbeing Services / Student Experience
Responsible Officer	PVC Student Experience
Approving Authority	Senior Leadership Group
Date of Approval	27 April 2020
Effective Date	27 May 2020
Related Procedures	Mental Health Framework Student Disciplinary Procedure Bath Spa University Privacy Notice
Related University Policies	Safeguarding Policy Data Protection Policy
Amended (if applicable)	N/A
Supersedes	Fitness to Study Policy
Next review due	May 2025

1. Purpose

- 1.1 Bath Spa University takes its duty of care to all members of the University community seriously. This procedure is to be followed by staff where the behaviour of a student is giving cause for concern and where it is believed this may be caused by a health problem.
- 1.2 Occasionally, physical or mental ill health and/or a disability may lead to a student behaving in a way that has an adverse impact on the student or on others. This procedure is intended to provide an effective framework to support students where circumstances are having an adverse impact on their studies, or are impacting on the health, safety, wellbeing or academic progress of others.
- 1.3 This procedure adheres to the principles outlined in the OIA (Office of the Independent Adjudicator) good practice framework for supporting disabled students: accessibility; clarity; proportionality; timeliness; fairness; independence; confidentiality; and improving the student experience.
- 1.4 Students are responsible for the management of their own wellbeing wherever possible and the aim of staff throughout to support the student in a collaborative manner. However, where a student is unable or unwilling to cooperate in the management of their wellbeing, this procedure makes provision for proceeding without input from the student.
- 1.5 Bath Spa University reserves the right to refer a student to another procedure as appropriate, for example the Student Disciplinary Procedure.

2. Initiating the Procedure

2.1 This procedure is used for all BSU students and includes:

- Students who are not attending, submitting work and repeatedly not responding to University contact;
- Students with complex circumstances;
- New students with pre-existing conditions who require enhanced support to enable their transition to University;
- Students who regularly submit mitigating circumstances applications as a result of ongoing health concerns;
- Students whose health, wellbeing and behaviour is causing concern or having an adverse effect on others, including where there has been a perceived significant change in a student's personality or attitude;
- Students whose behaviour is affecting the health and safety of other people;
- Where a student is unable or unwilling to cooperate in the management of their wellbeing.

3. Structure of the Procedure

Support to Study Procedure

3.1 This procedure has three levels and depending on the perceived and/or assessed severity of the situation and potential seriousness of risk, action may be initiated at any stage:

- Level 1 – Emerging concern
- Level 2 – Enhanced concern
- Level 3 – Serious concern

4. Who can initiate the Procedure

4.1 Levels 1 and 2 of the procedure is initiated by a member of staff closely involved in student support or academic progression in consultation with an appropriate member of Student Wellbeing Services, (SWS). For example:

- Academic staff: for taught programmes, this may be Personal Tutor, or Head of Course. For research programmes, this may be a Supervisor.
- Professional Services staff may be from SWS or Student and Registry Services.

4.2 Level 3 can only be initiated by:

- Head/Dean of School (or nominee);
- Head of Student Wellbeing (or nominee);
- Head of Student and Registry Services (or nominee).

4.3 SWS is consulted in advance of any of the levels of the procedure in order to maintain a central record, provide guidance and ensure due process.

5. Level 1 – Emerging Concern

5.1 Level 1 is used when there are emerging concerns about a student's health, wellbeing and/or behaviour and the impact this is having on their academic engagement or on others.

5.2 The Lead Person (refer to 2.3) in consultation with appropriate colleagues should:

- Collate relevant information on the issue/s and concerns;
- Clarify what action has been taken so far and whether anyone has discussed with the student.

5.3 The Lead Person should contact the student in a sensitive and understanding way to arrange a time to speak, explaining that it is because of concerns raised in relation to their health, wellbeing and/or studies. A copy of the Support to

Support to Study Procedure

Study Procedure to be given to the student in advance, with particular emphasis on the fact that it is designed to be a supportive process.

5.4 Level 1 is intended to be relatively informal; it is advised that numbers attending are kept to the minimum and every effort is made to ensure the student does not find it intimidating. The student is able to bring someone to accompany them in a supportive capacity and the student should be informed who will be present and why.

5.5 The meeting should be held in a private space and the points in Appendix One should be considered and included as appropriate.

5.6 The StSAP (Support to Study Action Plan) is written by the Lead Person and shared with the student within 5 working days after the meeting has taken place (Appendix Two).

5.7 The student should review the StSAP; agree any amendments with the Lead Person and Email to confirm they agree the Plan, which should also be sent to SWS.

5.8 If the student does not agree the StSAP, they will be referred to the Head of Student Wellbeing Services.

5.9 Level 1 StSAP review meeting should include:

- Review of how the student has been managing since the first meeting and if recommended actions have been achieved;
- Explanation/exploration of any further concerns;
- Discussion of further or ongoing support that would be helpful;

5.10 Outcomes from level 1 review are:

- No follow up action required;
- Referral by the Lead Person to Level 2 of this Procedure.

5.11 If the student fails to engage either by non-attendance at the meeting or by demonstrating no commitment to the action plan, the Lead Person should escalate the case to Level 2 of this Procedure.

6. Level 2 – Enhanced Concern

6.1 Level 2 is where there is continued or enhanced concerns about the student's health and wellbeing or other concerns affecting their ability to function within the University and is instigated:

- Where action agreed under Level 1 does not resolve the concerns or where a student fails to engage;
- As a direct referral to Level 2 where there are enhanced or more significant

Support to Study Procedure

concerns for the wellbeing of the student.

6.2 The Lead Person should discuss the student's circumstances with their Head of School, or nominee and/or the Head of Student Wellbeing, or nominee. If appropriate and following advice the Lead Person may convene a Support to Study Review Meeting (StSRM) to review the concerns. It is also possible, depending on the circumstances to escalate directly to Level 3.

6.3 The StSRM should include the student (who may be accompanied by someone in a supportive capacity, for example a SU advisor) and two or more of the following:

- The Course Leader, or appropriate senior member of staff to Chair the meeting;
- The Lead Person from Level 1 – if the case has been initiated at Level 2 the School should designate a Lead who is responsible for drafting the StSAP;
- A representative from a relevant student service – Accessibility Advisor, Mental Health Practitioner, Student and Registry Service Advisor.

6.4 The student is to be informed of the meeting and its purpose in a clear, written statement from the Lead Person, at least 2 working days in advance (Appendix Three).

6.5 The meeting should be held in a private space and the points in Appendix One should be considered and included as appropriate.

6.6 Outcomes from Level 2 review are:

- No follow up action required;
- Continue at Level 2 (i.e. agreement for a further review of progress and action plan);
- Referral to Level 3.

6.7 If the student fails to engage either by non-attendance at the meeting or by demonstrating no commitment to the action plan, the Lead Person should escalate the case to Level 3 of this Procedure.

7. Level 3 – Serious Concern

7.1 If concerns about a student have not been resolved by the actions in Level 2 of this procedure, or a student's behaviour raises serious and immediate concern, the member of staff identifying the concerns should inform the Head of Student Wellbeing.

7.2 The Head of Student Wellbeing, in collaboration with other relevant staff will undertake a risk assessment to assess the level of risk to the student's safety and/or wellbeing and/or others. In addition to the student's course related activities, their level of engagement with their studies should be considered

alongside their personal circumstances.

7.3 The risk assessment will have two possible outcomes:

- a. The level of risk is considered to be acceptable by the University and can be managed by following Level 2;
- b. The level of risk to the student and/or others is considered unacceptable by the University and Level 3 will continue to be followed.

7.4 If the risk assessment identifies an unacceptable level of risk, the Head of Student Wellbeing will call an urgent Support to Study Panel to review the reported concerns, to include:

- PVC Student Experience or Academic Planning or nominee (Chair);
- Head of Student Wellbeing and/or Head of Student and Registry Services or nominee;
- Head/Dean of the student's School or nominee;
- The Lead Person from any previous level;
- A representative from the Students' Union;
- The student (student may be accompanied by a supporter, but not a legal advocate).

7.5 In situations where the student is unable to attend the Panel, the decision will normally be communicated to the student within 5 working days.

8. Risk Management

8.1 Where there is concern in relation to a student's health or safety, or risk of harm to others the University may impose immediate conditions, in order to ensure that a full investigation can be undertaken and/or to safeguard the safety of the student and/or others.

8.2 In the event that the University believes that a student presents a threat of harm to themselves or others, the University may request a temporary break to studies and contact next of kin. This is purely a precautionary measure in order to ensure the safety of all parties.

8.3 Where a student is subject to immigration control Visa Compliance will be informed as this is a legal obligation.

8.4 A temporary break in studies will be for a specific length of time, based upon the outcome of a formal risk assessment and authorised by the Deputy Vice Chancellor, or a Pro Vice Chancellor.

8.5 Where a student is also an employee of the University or the Students' Union, the Director of Human Resources and/or CEO of the Students' Union will be informed of the temporary break in studies, but no further detail will be shared.

9. Return to Study

- 9.1 Where the outcome of the Support to Study Procedure has resulted in a break of studies, the procedure for considering a return to study should be explained to the student at the time of the decision being made.
- 9.2 In all cases, the student will need to request to return by writing to the Head of Student and Registry Services.
- 9.3 The student will be required to provide appropriate evidence, including medical evidence, that they have resolved the original difficulties and are well enough to return. They will also need to complete a self-assessment form (Appendix Four). The type of evidence required to support their request will vary depending on the situation, but in all cases it is expected this will include a report from an independent health professional with sufficient knowledge about the health and wellbeing of the student during the period of leave and the potential impact that returning to study may have.
- 9.4 All requests to return to study will be considered by a Support to Study Panel.
- 9.5 The panel will ensure that a Support to Study Action Plan is in place ready for the student's return and this is reviewed early in their return.

10. Appeal against the outcome of a Support to Study Procedure

- 10.1 Students have the right to appeal against any decision taken under Level 3 of this Procedure. The only grounds of appeal that will be accepted are that:
 - a. there is relevant evidence which was not considered by the Support to Study Panel before the decision was taken and which may have affected the outcome. In this case, the new evidence must be included in support of any appeal at the time the request is lodged and the student must explain why they were not able to submit the new evidence to the Support to Study Panel; no appeal shall be permitted if all the evidence submitted was considered by the Support to Study Panel or if the new evidence could reasonably have been submitted to the Support to Study Panel by the student before the decision was taken; or
 - b. the procedures were not followed correctly prior to decisions being taken and that irregularity may have affected the outcome.

11. Submission of an Appeal

- 11.1 If the student wishes to appeal the decision of the Support to Study Panel, they must lodge their appeal with the Vice-Chancellor within ten working days from the date of notification of the Support to Study Panel's decision. Such appeals must be made in writing, clearly specifying the ground(s) for appeal and attaching all supporting evidence.

12. Consideration of an Appeal

- 12.1 The Vice-Chancellor shall nominate a member of the University's Senior Leadership Group who has not had any previous involvement with the case to review the appeal. That individual shall decide if the appeal has a real prospect of success or if there is some other compelling reason why the appeal should be considered. If the member of the University's Senior Leadership Group decides that the appeal has a real prospect of success or that there is some other compelling reason why the appeal should be considered then it shall be referred to a Support to Study Appeals Panel. If not, then the decision of the Support to Study Panel will stand. The student shall be notified in writing of the decision together with the reasons for the decision as soon as practicable after the decision has been made.

13. Support to Study Appeals Panel

Composition

- 13.1 Membership of the Support to Study Appeals Committee shall consist of any three members of the Board of Governors appointed by the Chair of the Board of Governors. The Chair shall have regard to the need to ensure that all members of the Panel are impartial.

Assistance to the Panel

- 13.2 A person will be appointed to act as Clerk to the Disciplinary Appeals Panel, to provide procedural advice and to assist the Panel as it thinks fit. The Clerk will arrange for a note of the proceedings to be taken.

Procedure

- 13.3 Subject to the provisions of this Procedure, the order of proceedings shall be at the discretion of the Chair of the Panel. At least ten working days prior to the hearing, the Clerk to the Support to Study Appeals Panel will ensure that the student is sent the time, date and venue of the appeal hearing.

Terms of Reference

- 13.4 The Terms of Reference of the Support to Study Appeals Panel shall be:
- to review the case presented to the Support to Study Panel but not to re-hear the evidence (witnesses will therefore not usually be permitted at the hearing);
 - to examine any relevant evidence which was not considered by the Support to Study Panel before the decision was taken and which may have affected the outcome, and which the student was not able to submit to the Support to Study Panel;
 - to determine whether the procedures were followed correctly by the Support to Study Panel;
 - where the result of the Support to Study Panel action was expulsion, to consider whether the nature of the situation justified the sanction; i.e. to determine whether

or not to uphold the Support to Study Panel's decision.

Outcome

- 13.5 After consideration of the appeal, the Support to Study Appeals Panel shall have the power to annul, vary or confirm the decision of the Support to Study Panel. The decision of the Support to Study Appeals Panel shall be final and the student shall be notified in writing of the decision, together with reasons for the decision. There shall be no further permissible appeal against the outcome.

14. Office of the Independent Adjudicator for Higher Education (OIA)

- 14.1 If, after the University's internal procedures have been exhausted, the student is dissatisfied with the outcome they may make a complaint to the Office of the Independent Adjudicator (OIA), subject to the rules of the OIA's independent complaints scheme. Once the University's procedures have been exhausted, the University will issue a "Completion of Procedures" letter. Students must apply to the OIA within twelve (12) months of the issue of this letter if they wish to make a complaint. For information on how to submit a complaint to the OIA, please refer to the OIA's website: www.oiahe.org.uk
-

Guidance for interactions:

- Identification/explanation of the concern being raised – clear examples should be given and any past relevant information;
- Opportunity for the student to give their perspective on the situation;
- Clarification of whether this has happened before; if so what previously was helpful;
- Clarification of relevant University boundaries and regulations, e.g. Academic Regulations, code of conduct;
- Clarification of the student's personal responsibility, such as to be well enough to study and to be respectful of others;
- Active signposting to University Support Services that may be helpful;
- Agreement of actions and options to enable the student, e.g. extended deadline/s, referral to SWS, a short break;
- Agreement of a date within 2-4 weeks to review progress and the situation and who needs to be present;
- Explain to the student that it will be recorded on their student file (including E-vision) that they have a StSAP (support to study action plan) in place. Student should be reassured this is to ensure staff are able to respond appropriately to the student – the StSAP is removed following conclusion of this Procedure.

Support to Study Action Plan

Name of student	
Student number	
Summary of concerns (Include any potential risk relating to academic progression and/or health and wellbeing)	
What measures are already in place (Include internal and external support)	
Actions for the student – be specific and include time-frame/s	
Actions for the University – be specific and include time-frame/s	
Agreed date for review	
Plan to be shared with – state name and position	

Appendix Three

Template: Level 2, Support to Study Review Meeting invite [Please amend the template as appropriate]

Dear xxxxxx

Bath Spa University is committed to enabling all students to fulfil their potential and takes its duty of care to all members of the University community seriously. The Support to Study Procedure (link) provides a framework to ensure early intervention where concern is raised about a student's mental or physical health and the affect this may be having on the student or others.

Amend as necessary

- [As the concerns have not been resolved following Level 1 and the agreed Support to Study Action Plan, this email is to inform you that Level 2 of the Support to Study procedure is now being followed and you are asked to attend a Support to Study Review Meeting on xxxxx, in xxxxx.]
- [This email is to let you know that significant concerns have been raised about your wellbeing and you are invited to a Support to Study Review Meeting on xxxxx, in xxxxx. This meeting represents Level 2 of the Support to Study Procedure.]

You are welcome to bring a friend or a Students' Union representative with you to the meeting in a supportive capacity (su-advice@bathspa.ac.uk). Xxxxx (Course Leader) and xxxxx (student service advisor) will also be at the meeting, to help ensure we are able to review all the options available to you.]

The meeting will be private and any personal information relating to your health will only be shared with those staff who are directly involved in the Support to Study Review Meeting.

Please make every effort to attend this meeting, even if it requires you to miss a taught session.

If you have any questions, please let me know.

Kind regards

xxxxxxx



Self-assessment for students requesting to return to study

The information you provide in this form will help to inform the decision about your request to return to study.

If you have any questions about this form or the return to study assessment process, please contact: Sara Gallagher, Head of Student Wellbeing Services, s.gallagher@bathspa.ac.uk, or the Students' Union Advice Centre: su.advice@bathspa.ac.uk

Student name	
Date of birth	
Student id number	
Course	
Student consent	I agree to my GP/other relevant medical professional providing Bath Spa University with a medical assessment of my fitness to resume my studies; both using this form and through follow-up communication (if required).
Please sign if you give your consent:	