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### 1. Introduction

- 1.1. The University is committed to supporting student health and wellbeing and recognises the importance of a tailored, collaborative and supportive approach to the management of physical and mental health issues, and the benefits of such an approach to a student's academic and wider student experience.

### 2. Purpose and scope

- 2.1. There may be instances where a student's health or wellbeing causes the University significant concern - including regarding their capacity to engage with their studies/research and/or to function more widely as a member of the University community. This Procedure is designed to support the University and students in managing such concerns and ensuring appropriate support is implemented.

- 2.2. Such instances may arise where the University is concerned that:

- a) a student poses a risk to their own health, safety and/or wellbeing or that of other members of the University or wider community;
- b) a student's behaviour is (or is at risk of) adversely affecting the teaching, learning, research and/or experience of other students;
- c) a student's behaviour is (or is at risk of) adversely affecting the day-to-day activities of the University or a partner organisation (such as a placement provider or collaborative partner) – this may include the impact of the behaviour on members of staff;

- d) a student's support needs fall outside the scope of the support and other services which the University or placement provider can reasonably be expected to provide;
- e) a student's health and/or wellbeing are continuing to have a significant adverse effect on their ability to complete their programme of study/research, despite steps taken by the University to support them through to completion.

The word 'Concern(s)' is used throughout this Procedure to describe the concerns which may be considered.

- 2.3. This Procedure applies to all students (including all full-time and part-time undergraduate, postgraduate taught and postgraduate research students (including during their submission pending period)) throughout their programme/period of registration with the University (and to students who might previously have been interrupted or suspended). It applies irrespective of where the Concerns might arise (for example, on campus, via remote learning, whilst on placement or studying abroad, in accommodation, whilst engaged in University activities, etc.).
- 2.4. There are a range of steps which the University may take outside of this Procedure to support students with their studies/research and welfare, and this Procedure is not intended to have any adverse impact on such support being accessed or implemented. There are also separate processes for students who wish to apply for a voluntary interruption.

### **3. Levels of Concerns under this Procedure and the Support to Study Officer role**

3.1. For the purpose of this Procedure, the University has identified two levels of Concern:

- Level 1 – Initial and/or emerging** Concerns
- Level 2 – Continuing and/or serious** Concerns

3.2. Each University School/Faculty, and the Division of Campus Life, has a Support to Study Officer. The Support to Study Officer is responsible for implementing aspects of this Procedure (as described below) and for ensuring that relevant support options are identified for students.

### **4. General principles**

- 4.1. The Procedure is designed to promote early intervention, and support the University and students to respond to Concerns in a tailored, collaborative and supportive way.
- 4.2. The University's overriding priority is to identify ways to support students to engage with their studies/research and University experience. There may, however, be serious cases where it is necessary to consider the potential outcomes identified at section 11.12 below.

- 4.3. The procedures outlined below identify the steps which the University will normally take when managing Concerns. Depending on the circumstances, and recognising the need to deal with cases individually and appropriately, the University may vary the process where, for example, it considers this to be in the interests of fairness or for health, safety and wellbeing reasons. Whilst most cases will initially be dealt with at Level 1, the Procedure may be commenced at Level 2, particularly where the Concerns are of a serious nature. Where appropriate, meetings under this procedure may be held remotely (for example, using Zoom or Teams).
- 4.4. When considering complex cases the University may hold, in the absence of the student, a meeting of relevant individuals and professionals. The purpose of a case meeting is not to determine formal outcomes (these are determined at Level 1 and Level 2 as described below) but to help ensure Concerns are managed in an informed, appropriate and supportive manner. The outcome of a case meeting may include a decision to proceed to Level 1 or 2 of this Procedure, or that alternative support and measures are currently more appropriate.
- 4.5. If a student is unable or unwilling to engage with aspects of this Procedure or attend/participate in meetings, the University may still follow the Procedure where it is reasonable to do so, making any variations which it considers appropriate in the circumstances. There may be exceptional circumstances where, owing to the seriousness of a student's health, safety or wellbeing, it is necessary for Level 1 and 2 meetings under this Procedure to proceed in the student's absence. In such circumstances, the University will consider whether there are alternative appropriate means of enabling the student to engage with the Procedure.
- 4.6. A student may, and is encouraged to, be accompanied to any formal meeting held under Level 1 or 2 of this Procedure by a Student Supporter – who would normally be an adviser from the Students' Union, a fellow student, a member of staff of the University, a close family member, an external medical professional or a Personal Advisor for care experienced students. The Student Supporter may support the student during meetings but, unless there are exceptional circumstances, they may not speak on behalf of the student or respond to questions asked. The Student Supporter is expected to engage with the process respectfully, collegially and within the scope permitted by the University.
- 4.7. If a student wishes to request any adjustments to meetings held under this Procedure because of a medical condition or a disability then they should raise these with the Support to Study Officer, for consideration. Depending on the nature of the request, advice may be sought from the Disability Advisory and Support Service. Where students are already registered with DASS, appropriate adjustments will be made when implementing this Procedure in line with their DASS Support Plan.
- 4.8. Any references in this Procedure to a named officer should be read to include their delegated nominee.

## **5. Support for students**

- 5.1. A range of support is available (within and outside the University) to students affected by this Procedure. This includes support from the University's Counselling and Mental Health Service, the Occupational Health Service, the Disability Advisory and Support Service, the Students'

Union and the support teams relevant to the student's programme. The [Student Support](#) pages include details of the support available from the University. When managing cases under this Procedure, the Support to Study Officer will identify relevant support options.

## 6. Associated policies and procedures

- 6.1. This Procedure is designed to help manage situations where a student's health or wellbeing causes the University significant concern as described in section 2 above. Students are, however, expected to maintain appropriate standards of conduct and behaviour and it may be appropriate for the University to implement alternative University procedures, such as Regulation XVII (Conduct and Discipline of Students) or the Fitness to Practise Procedure, and the University is not prevented from doing so where Concerns relate to health and/or wellbeing. This might be as an alternative to action under this Procedure or following the consideration of Concerns under this Procedure.
- 6.2 For programmes where Fitness to Practise is applicable, consideration needs to be given as to which process is most suitable. The decision will be done on a case by case basis by the Fitness to Practise Concern Review Panel. Guiding factors are likely to be whether a concern has arisen due to health and/or performance concerns. The Concern Review Panel may consult Campus Life when considering which process to use. Health concerns are likely to be handled under the Support to Study Procedure and performance concerns under the Fitness to Practise procedure, but exceptions will occur. Where both types of concern exist, consideration will be given as to the relative weight of each and the usefulness of each process to address the concerns. A case may commence under one process and then change to be handled under the other in certain circumstances. If a case is handled under the Support to Study Procedure, the outcome of that process will be shared with the Concern Review Panel

## 7. Identification of Concerns and referral to the Support to Study Officer

7.1. The University may become aware of Concerns through a variety of different ways. For example:

- a) a student might disclose information to the University which identifies a Concern;
- b) a student's behaviour might give rise to a Concern;
- c) a Concern might be disclosed to, or raised by, other members of the University community (for example, other students or members of staff); and/or
- d) a Concern might be raised by other individuals (for example, from placement providers, collaborative partners, other individuals or organisations external to the University, healthcare professionals, etc.).

7.2. Concerns should initially be referred to the relevant Support to Study Officer. This will be the:

- a) **School/Faculty<sup>1</sup> Support to Study Officer** – where the Concern is impacting primarily on a student's academic engagement, teaching, learning or research.

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<sup>1</sup> For PGR students, the Faculty Support to Study Officer will perform this function.

- b) **Campus Life Support to Study Officer** – where the Concern is impacting more broadly on a student’s engagement with the University.

7.3. Where the Concern is impacting on both the areas identified at section 7.2 (a) and (b) above, the Support to Study Officers within the student’s School/Faculty and Campus Life will discuss the matter and agree who is most appropriate in the circumstances to act.

7.4. References in this Policy to a ‘Support to Study Officer’ include an appointed delegate.

## 8. Initial consideration of Concerns

8.1. The relevant Support to Study Officer (see section 7.2) will conduct an initial review of the Concern and determine appropriate next steps. They will consider whether:

- a) **no further action** is required or the Concern should most appropriately be managed at this stage through support/guidance or other measures provided **outside the scope of this Procedure**;
- b) there is evidence of **initial** and/or **emerging Concerns** which should be considered further under **Level 1 (section 10)** below);
- c) there is evidence of **continuing** and/or **serious Concerns** which (having consulted with the Director of Campus Life) should be considered further under **Level 2 (section 11)** below);
- d) the Concern should be referred to the Director for the Student Experience to determine whether any **precautionary action** should be taken under **section 9** below; and/or
- e) it is more appropriate for the Concern to be referred for consideration under an **alternative University regulation or procedure** (for example, Regulation XVII (Conduct and Discipline of Students) or the Fitness to Practise Procedure).

8.2. As part of the initial review, the Support to Study Officer may seek appropriate information, advice and guidance from relevant members of the University (for example, from the Division of Campus Life).

## 9. Precautionary action

9.1. The University may take precautionary action to mitigate risk where a Concern has been identified. Such action is neutral (i.e. it is purely a precautionary measure and does not involve any determination of the Concern).

### Examples of precautionary action

9.2. Precautionary action may include temporary:

- a) **restriction (whether total or in part) on participation** by a student in their programme of study/research and/or University activities (for example, a placement);

- b) **restriction on access to the University** or a specified part of the University;
  - c) **restriction on access to University facilities, services and/or resources** (e.g. academic, residential, social or sporting facilities provided by the University);
  - d) **prohibition from exercising the functions or duties** of any office or committee membership in the University or the Students' Union; and/or
  - e) **prohibition from contacting** any named person(s).
- 9.3. For students residing in University owned or managed accommodation, a recommendation might also be made for certain action to be considered under the accommodation contract (such as relocation or termination of the accommodation contract).

Grounds for taking precautionary action

- 9.4. Such action may be taken where it is considered necessary to:
- a) protect the health, safety and/or wellbeing of the student and/or that of others;
  - b) protect the property of the University and/or others;
  - c) facilitate the proper functioning and/or activities of the University or a part of the University; and/or
  - d) protect the reputation of the University or any partner organisation (such as a placement provider or collaborative partner).

Process for determining precautionary action and informing students

- 9.5. If a School/Faculty Support to Study Officer considers precautionary action to be appropriate, they should submit a written request to the Support to Study Officer within the Division of Campus Life. The request should identify the grounds (under section 9.4) considered appropriate and the type of precautionary action (under section 9.2) considered relevant, together with any relevant supporting evidence. The Support to Study Officer within the Division of Campus Life will consider the request and, if appropriate, they will refer the request to the Director for the Student Experience for further consideration.
- 9.6. The Director for the Student Experience shall have the right to take precautionary action under this Procedure. In exercising that right, they may seek appropriate information, advice and guidance as part of the assessment of risk.
- 9.7. The Director for the Student Experience, or their nominee, shall inform the student of a decision to take precautionary action as soon as possible and normally within two days of the decision being made. The method of informing the student (for example, whether by email/letter or meeting) shall be determined in individual cases, having regard to the need to ensure that the decision is communicated appropriately and in a supportive manner. The decision will be confirmed in writing and will be communicated to individuals within the

University (and at any relevant partner organisation, such as a placement provider) who have a need to know.

#### Appeals against precautionary action

- 9.8. Students may appeal against a decision to take precautionary action, on one or more of the following grounds:
- a) procedural irregularity in the procedure followed in reaching the decision;
  - b) availability of new evidence which could not reasonably have been expected to be available prior to the precautionary action being taken;
  - c) the disproportionate nature of the precautionary action.
- 9.9. Any appeal must be raised within 10 working days of the date of the written notification of the decision. Appeals should be submitted to the Vice President for Teaching, Learning and Students and the student should supply with their appeal any information or evidence they wish to be considered as part of the appeal process. The appeal will be considered by the Vice President for Teaching, Learning and Students who will confirm their decision in writing within 10 working days of the appeal being received.

#### Review of precautionary action

- 9.10. The Director for the Student Experience shall review precautionary action every 20 working days to assess whether it remains necessary and/or whether any variation to the action is appropriate. They may seek appropriate information, advice and guidance as part of the review process. There is no right of appeal against review decisions.

### **10. Level 1 - Initial and/or emerging Concerns**

10.1. Initial or emerging Concerns will be considered by either:

- a) an appropriate member (or members) of staff within the student's School (for example, their personal tutor, supervisor, programme leader, PGR Tutor/Director, etc.); or
- b) a relevant member (or members) of staff from within a professional service (such as the Division of Campus Life)

applying the factors at paragraphs 7.2 and 7.3 above.

10.2. The Support to Study Officer who carried out the initial consideration of the Concern under section 8 may (but is not required to) act as the member of staff (or one of the members of staff) to consider the Concerns further under Level 1.

10.3. Any member of staff involved in considering Concerns under Level 1 may seek advice and guidance from the Division of Campus Life.

- 10.4. The Support to Study Officer/member(s) of staff identified to consider the Concern at Level 1 will notify the student about the Concern. The method of notification (for example, in writing/in person/by telephone/video call) shall be determined in individual cases, having regard to the need to ensure that the decision is communicated appropriately and in a supportive manner. The student will be provided with a summary of the Concern and details of how this will be considered under Level 1 (and provided with a copy of the Procedure).
- 10.5. The member(s) of staff will arrange to meet with the student and will normally give the student at least three working days' notice of the meeting. They will explain who will be present at the meeting and inform the student of their right to be accompanied by a Student Supporter (see paragraph 4.6 above).
- 10.6. Other relevant members of staff might be asked to attend the meeting, although the number of attendees will be kept to a minimum to help ensure the meeting proceeds in a supportive manner. For example, those who are able to explain the Concern or provide appropriate advice, guidance and support (such as a member of the School/Faculty pastoral support team, the Disability Advisory and Support Service or the Division of Campus Life, an accommodation manager, a relevant medical professional, etc.).
- 10.7. The purpose of the meeting is to discuss the Concern (the meeting provides an opportunity for the student to respond to this) and any support needs the student may have.
- 10.8. The member(s) of staff will determine any appropriate actions to be taken. Such actions may include (but are not limited to) one or more of the following:
  - a) the implementation of additional support/adjustments and/or signposting to external support;
  - b) drawing up a Support to Study Plan (see further below);
  - c) recommending to the student that they take a period of voluntary interruption or other changes to their study/research;
  - d) referring the Concern for further consideration under Level 2 of this Procedure or for consideration under an alternative University regulation or procedure.
- 10.9. Where a Support to Study Plan is drawn up under Level 1, this will identify:
  - a) how the Concern will be managed, including details of relevant support, provision of additional support and any actions/requirements which must be met (for example, in respect of the student's conduct and/or support they should seek);
  - b) appropriate arrangements for monitoring/reviewing progress and applicable timescales (a review meeting will normally be scheduled – see section 10.10 below);
  - c) that if the student does not meet/achieve any identified actions/requirements, or if new or additional Concerns arise, the Concerns may be referred for consideration under Level 2 of this Procedure.



10.10. A review meeting (normally with the same member(s) of staff) will normally be held with the student (the same arrangements as identified above regarding notice and accompaniment will apply). The meeting will normally be scheduled around 20 working days after the Level 1 meeting (although the appropriate timescales will be determined in the individual case and will remain flexible to enable early further intervention if Concerns increase). When a Support to Study Plan has previously been developed (as above), a decision will be made regarding whether or not the plan should continue with an extension to the review period and, if so, whether the plan should be revised, and whether any actions/requirements have been complied with and, if not, whether the Concern should be referred to Level 2 of this Procedure. The outcome of the review meeting will be confirmed to the student in writing, normally within 10 working days of the meeting.

#### Right of appeal against Level 1 outcomes

10.11. A student may appeal against the outcome of a Level 1 meeting (but not any subsequent review meeting held at Level 1) on one or more of the following grounds:

- a) procedural irregularity in the operation of the procedure of such a nature as to cause reasonable doubt as to whether the outcome might have been different had the irregularity not occurred;
- b) availability of new evidence which could not reasonably have been expected to be presented at an earlier stage;
- c) the disproportionate nature of the outcome.

10.12. A student's appeal must detail the ground(s) on which the appeal is made and be submitted in writing by the student, together with any supporting evidence they wish to be considered, within 10 working days of the Level 1 meeting (or if the outcome is confirmed at a later date, within 10 working days of that date). The appeal should be submitted to the following University staff, who will also consider the appeal:

- a) The student's Head of School or PGR Director, where the Concern was initially managed by the School/Faculty Support to Study Officer; or
- b) The Director of Campus Life, where the Concern was initially managed by the Campus Life Support to Study Officer.

10.13. Appeals will be considered on the basis of the documentary evidence provided (and there will be no requirement for an appeal meeting). The person dealing with the appeal may seek further appropriate information, advice and guidance as part of their consideration of the appeal. A decision will be made either to uphold the original decision, to refer the matter back for further consideration, or to impose an alternative outcome.

10.14. Students who believe their case has not been dealt with properly by the University or the outcome is unreasonable may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) if the complaint is eligible under its rules and once all internal procedures have been concluded. Information about the role of the OIA and the

procedure for submitting complaints can be obtained from the Students' Union Advice Service or from the OIA website: [www.oiahe.org.uk](http://www.oiahe.org.uk).

## **11. Level 2 - Continuing and/or serious Concerns**

11.1. Continuing and/or serious Concerns will be considered under Level 2. This may arise as a result of:

- a) A decision taken following an initial consideration of the Concern (see section 8 above);  
or
- b) A student not meeting/achieving identified actions/requirements at Level 1 and significant Concerns continuing to be present, or if new or additional Concerns arise following the consideration of Concerns at Level 1.

11.2. Under Level 2, a Support to Study Panel meeting will be held to discuss the Concern and potential outcomes. Unless exceptional circumstances apply (see paragraph 4.5 above), the student will be invited to attend the meeting.

11.3. The relevant Support to Study Officer (see paragraph 7.2 above) will oversee the handling of the case at Level 2. Where that officer was involved in determining the Concern at Level 1 a decision will be made about whether it is appropriate for them to oversee the handling of the case at Level 2 or whether an alternative Support to Study Officer with no prior involvement should be appointed. The role will involve notifying the student that the Concerns will be considered under Level 2, encouraging the student to engage with the process and making arrangements for the Panel meeting as described below. The Support to Study Officer will also signpost the student to sources of available support within the University.

11.4. The Support to Study Panel will be chaired by a senior member of professional or academic staff from within the student's School/Faculty or a senior member of staff from within the Directorate for the Student Experience. The Panel members will have no prior substantive involvement in the issues. The size and composition of the Panel will be determined by the Chair in their discretion having regard to the particular case and the need to ensure that the Panel has appropriate knowledge of the student's academic programme, the support available at the University and the area in which the Concern has arisen. The Panel will normally consist of two other members of staff, appointed in consultation with the Chair. These could include, by way of example:

- a) the Head of School, the Vice (or Associate) Dean for Teaching, Learning and Students, the Associate Dean for Postgraduate Research or the Director of Campus Life (assuming they are not the Chair), or their delegates;
- b) the Programme Director or PGR Director (again, assuming they are not the Chair);
- c) a senior member of Campus Life;
- d) a senior member of Professional Services staff in the School/Faculty with relevant student support experience;

- e) a senior representative(s) of the area making the referral (for example, Division of Sports, Residential Services, etc.)
- 11.5. A meeting of the Panel will be arranged and in line with paragraph 4.5 above the student will normally be invited to attend the meeting. The purpose of the meeting is to discuss the Concern and identify any appropriate outcomes. The student is entitled to be accompanied to the meeting by a Student Supporter (see paragraph 4.6 above).
- 11.6. In advance of the meeting, the Support to Study Officer may, following consultation with the Chair, seek information from other relevant individuals (for example, members of academic or support staff, health professionals, etc.) for consideration during the meeting and to help identify any additional support for the student.
- 11.7. The Support to Study Officer will be present at the meeting to provide any necessary procedural advice and support to the Panel, and a note-taker will also attend if necessary. At the discretion of the Chair, other relevant individuals may be asked to attend the meeting to provide relevant information (for example, staff who have been involved with the student), or provide such information in writing for consideration by the Panel. In addition, relevant external professionals (such as, GPs or other medical professionals, psychiatrists, mental health workers, etc.) may also be invited to attend. Written reports from such professionals might also be sought and considered during the meeting.
- 11.8. The student will be informed about the meeting in writing, normally at least 10 working days in advance. The invitation will:
- a) explain the purpose of the meeting and provide a copy of this Procedure;
  - b) provide a summary of the nature of the Concern(s) to be discussed;
  - c) identify who will be present;
  - d) explain the student's right to be accompanied by a Student Supporter;
  - e) explain that the student may provide a written statement, and relevant supporting evidence, for consideration by the Panel.
- 11.9. The invitation will also enclose any relevant information/documents for consideration during the meeting including, for example, records of previous meetings held under this Procedure,

any Support to Study Plan, any specific documents which might evidence the Concern and written reports which might have been received.

11.10. The student will be asked to confirm their attendance at the meeting and the identity of any Student Supporter and provide copies of any written statement and relevant supporting evidence they wish the Panel to consider, at least five working days in advance of the meeting.

11.11. The process followed during the meeting will be at the discretion of the Chair but will be focused on ensuring that the meeting proceeds in a supportive manner and provides the student a full opportunity to respond to the Concern(s). Normally the process will involve:

- a) introductions and an explanation by the Chair about the purpose of the meeting;
- b) an outline of the Concern(s), with input from any individuals who have been asked to attend the meeting;
- c) hearing the student's response to the Concern(s), with input from any individuals they have asked to attend the meeting;
- d) questions from members of the Panel and the student; and
- e) the Panel considering its decision in private.

#### Outcomes

11.12. The Support to Study Panel will determine any appropriate actions to be taken. Such actions may include (but are not limited to) one or more of the following:

- a) the implementation of additional (or alternative, if previously considered at Level 1) support/adjustments for the student and/or signposting the student to external support;
- b) drawing up a Support to Study Plan (see further below);
- c) where the student resides in University owned or managed accommodation, to make recommendations for consideration (such as relocation or termination of the accommodation contract);
- d) where practicable, to make adjustments to enable the student to continue to participate in their programme (such as a change to part-time study or study by means of remote or distance learning/research with appropriate support);

- e) withdrawing the student from prescribed activities (such as placement, overseas study or other University related activity);
- f) recommending to the student that they take a period of voluntary interruption or other changes to their studies/research;
- g) suspending the student's registration as a student of the University to enable the student to pause their studies/research to seek support and resolve the Concerns. The end of a period of suspension will usually seek to coincide with a suitable re-entry point to a programme, and unless necessary to meet the re-entry point, will not normally extend beyond a period of 12 months. Where appropriate the student may continue to access internal support at the University during this period;
- h) terminating the student's registration at the University. This may, for example, be necessary where it is determined that there is no realistic prospect of the Concerns being resolved or the student being able to complete their programme, or where other exceptional circumstances apply.

11.13. Unless exceptional circumstances apply a decision will not be made during a first Support to Study Panel meeting to terminate a student's registration at the University. Such a decision will normally only be made following Concern(s) continuing despite the development and implementation of a Support to Study Plan under Level 2 and following a further meeting of the Support to Study Panel being held to consider the continuing Concern(s).

11.14. Where a Support to Study Plan is drawn up under Level 2, this will identify:

- a) how the Concern will be managed and any actions/requirements which must be met (for example, in respect of the student's conduct and/or support they should seek);
- b) appropriate arrangements for monitoring/reviewing progress and applicable timescales (the Panel may identify a member of staff to monitor/review progress, with a further Panel meeting scheduled in due course to conduct a more formal review);
- c) that if the student does not meet/achieve any identified actions/requirements and significant Concerns continue, or if new or additional Concerns arise, the Concerns may be referred for consideration by a further Support to Study Panel at Level 2 of this Procedure.

11.15. The outcome of the meeting will, where possible, be communicated to the student at the end of the meeting (the Panel is likely to need to discuss its decision in private before communicating this to the student). In any event, the outcome will be confirmed to the student in writing, normally within 10 working days of the meeting.

11.16. Where any of the actions above do not result in appropriate improvement to the Concerns, or if new or additional Concerns arise, a student may be referred back to the Support to Study Panel in keeping with the process outlined above. Depending on the circumstances, it may be considered helpful to keep some continuity of Panel membership as they will have knowledge of the Concern and the student. The outcome of any further Panel meetings may include those identified at paragraph 11.12 above.

## **12. Appeals against decisions of Support to Study Panels made under Level 2**

12.1. A student may appeal against a decision of a Support to Study Panel made under Level 2 of this Procedure on one or more of the following grounds:

- a) procedural irregularity in the operation of the procedure of such a nature as to cause reasonable doubt as to whether the decision of the Support to Study Panel might have been different had the irregularity not occurred;
- b) availability of new evidence which could not reasonably have been expected to be presented at an earlier stage;
- c) the disproportionate nature of the outcome.

12.2. Appeals must detail the ground(s) on which the appeal is being made and must be submitted in writing by the student to the Head of Teaching & Learning Delivery ('HoTLD') within ten working days of the date on which written notification of the Support to Study Panel decision was sent to the student.

12.3. On receipt of the appeal, the HoTLD will initially consider whether the appeal is made on one or more of the grounds specified in paragraph 12.1 above and if it has been submitted in the timeframe specified above. If either test fails, the student will be notified normally within ten working days of the appeal being received that the appeal is not eligible for consideration, with reasons given. There will be no opportunity for the student to appeal against this decision within the University and the student will be issued with a Completion of Procedures letter.

12.4. Upon an appeal being accepted for consideration, the procedure identified at paragraphs 12.5 – 12.8 will normally be followed and the HoTLD will usually reach a decision within 20 working days of the appeal having been submitted. Having conducted the initial consideration of the grounds of appeal under paragraph 12.3 above, the HoTLD may in exceptional cases where particularly serious or complex matters are raised which require further investigation or enquiry, determine that the appeal should be considered by an appeal panel, rather than the HoTLD alone. See paragraph 12.9 below for further information on this.

12.5. The HoTLD will not re-hear a case afresh, but will consider whether the initial meeting and outcome were fair by reviewing the student's appeal against the documentary evidence available. The appeal process includes, as appropriate:

- a) reviewing the procedures followed;

- b) establishing whether the student has presented any new evidence that could not reasonably have been expected to be presented at an earlier stage and such evidence is material and substantial to the findings;
- c) reviewing the outcome identified by the Support to Study Panel.

12.6. The HoTLD may submit requests for information to a student or to other areas of the University if such information is necessary to reach a conclusion on the appeal.

12.7. The HoTLD shall reach a decision on an appeal based on the balance of probabilities. The HoTLD has the authority to confirm or set aside the finding, and to confirm, set aside, or amend the outcome. If a procedural irregularity or new evidence that is material and substantial has been found to exist by the HoTLD, they may refer the case back for consideration to a newly constituted Support to Study Panel. The HoTLD may also make other recommendations they consider are reasonably necessary to address the issues identified in the appeal.

12.8. The student will normally receive a Completion of Procedures letter outlining the final decision and the reasons for it. The decision of the HoTLD shall be final and there shall be no further opportunity for appeal against their decision within the University. If, however, the appeal results in a case being referred back to an earlier stage of the procedure for reconsideration, then a Completion of Procedures letter will not be issued, as the case is still ongoing and the student will normally have a further opportunity to appeal after the reconsideration has been concluded.

12.9. Where it is decided that the appeal should be considered by an appeal panel, the panel will consist of three members of staff who have had no prior involvement in the issues to be considered. The panel will normally follow the same steps as those identified at paragraphs 12.5 – 12.8 above. However, they may in their discretion invite the student and/or other relevant individuals to meet as part of their process of considering the appeal and/or request relevant information or evidence. Where meetings are held at the appeal stage, the right of accompaniment at paragraph 4.6 will apply and students will normally be given 10 working days' notice of the meeting.

12.10. Students who believe their case has not been dealt with properly by the University or the outcome is unreasonable may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) if the complaint is eligible under its rules and once all internal procedures have been concluded. Information about the role of the OIA and the procedure for submitting complaints can be obtained from the Students' Union Advice Service or from the OIA website: [www.oiahe.org.uk](http://www.oiahe.org.uk).

### **13. Procedure on Supporting Return to Study**

13.1. The Procedure on Supporting Return to Study will be followed when a student is due to return from their break in study/research following interruption/suspension under this Procedure.

### **14. Confidentiality, data protection and information sharing**

14.1. The University will implement this Procedure in accordance with its confidentiality and data protection obligations and consistently with the [Registered Student Privacy Notice](#).

14.2. When implementing this Procedure, the University may be required to:

- a) disclose a student’s personal data (and in some cases, special category data); and
- b) disclose information and evidence provided by other individuals (for example, witnesses, experts, etc.);

both within the University (for example, in connection with Level 1 or 2 of this Procedure or as part of any appeal process, etc.) and, in some cases, externally (for example, to a student’s emergency contact(s) or to a placement provider, for the purposes of safeguarding a student’s health, safety or wellbeing, etc.). The University will ensure that all personal data is processed and disclosed in accordance with individuals’ data protection rights. The University’s [Student Emergency Contact Statement](#) also identifies circumstances in which the University may contact an emergency contact.

14.3. Additional layers of consent will be sought from students where appropriate. In these circumstances, if consent is not provided (for example, due to refusal or incapacity), the procedure will either continue on the basis of the information that is available or a decision might be taken by the University to share confidential information in circumstances where it is considered (which may arise from information which has been disclosed to the University) that a:

- a) student’s health has deteriorated to the extent that it is threatening their personal safety;
- b) student is at risk of serious abuse and/or exploitation; and/or
- c) student’s behaviour and/or conduct is adversely affecting the rights or safety of others.

14.4. Advice around data sharing can be sought from the Information Governance Office. If the decision is taken that confidential information should be shared without the student’s consent, the student must be informed of this unless it is determined that to do so will increase the risk of harm to the student or others. A record of the information shared should be maintained.

<b>Document control box</b>	
Policy/procedure title:	Support to Study Procedure (formerly Procedure on Fitness to Study)
Lead contact email:	<a href="mailto:spencer.davies@manchester.ac.uk">spencer.davies@manchester.ac.uk</a>
Date approved:	28/7/23
Approving body:	Senate Academic Quality and Standards TLS Committee
Version:	2.0 23/6/23
Supersedes:	1.0
Previous review dates:	N/A
Next review date:	May 2025
Related Statutes, Ordinances, General Regulations	<a href="#">Regulation XVII (Conduct and Discipline of Students)</a> <a href="#">Regulation XX – Monitoring Attendance and Wellbeing of Students</a>



Related policies/procedures/ guidance etc:	<ul style="list-style-type: none"> <li>• Wellbeing</li> <li>• <a href="#">Student Mental Health</a></li> <li>• <a href="#">Policy on Recording and Monitoring Attendance</a></li> <li>• <a href="#">Policy on Circumstances Leading to Changes to PGR Study</a></li> <li>• Procedure on Supporting Return to Study</li> <li>• <a href="#">Guidelines for monitoring student attendance</a></li> </ul>
Policy Owner	The Director of Campus Life
Lead contact:	The Head of Advice and Response

<b>Version amendment history</b>		
Version	Date	Reason for change
1.0	25 April 2018	Original document (New Procedure)
2.0	23 <sup>rd</sup> June 2023	The Student Fitness to Study Procedural Suite has been updated to enable enhanced care and support of students encountering health issues which are impacting their progress and/or conduct. The Student Fitness to Study Procedural Suite will now be known as the Support to Study Procedural Suite and comprises two related procedures – the Support to Study Procedure and the Procedure on Supporting Return to Study.