

## Support to Study Policy

Effective from 1 September 2022

### 1. Purpose

This Policy and the accompanying Procedure seek to promote early intervention, and a consistent, supportive and collaborative approach to responding to concerns raised about any registered student who, due to ongoing health issues or disability, are struggling to study or function within an educative environment.

It aims to ensure that students experiencing difficulties as a result of disability or significant ill-health are provided with appropriate support to study. The Policy should be read in conjunction with the [Support to Study Procedure](#).

The policy is intended to be supportive in nature and is **not** intended to deal with instances of student misconduct or unsatisfactory academic progress. Student misconduct should be dealt with under the [Student Disciplinary Policy](#) and [Student Disciplinary Procedure](#). Unsatisfactory academic progress, which is not health or disability orientated, should be dealt with in line with [University Regulations on Unsatisfactory Progress](#).

A student's capability to study or engage with the educative environment may still be considered despite the fact that other University procedures have been invoked.

### 2. Scope

This policy relates to all cases where a serious concern has been raised in relation to a registered student's capability to study or function within an educative environment due to their disability or ongoing health issues.

A student does not need to have a formal diagnosis of a health condition or disability to be considered under this policy.

### 3. Roles and responsibilities

An **Academic Appeals Panel** is a panel of Academic and/or Professional Services University employees appointed by the University Education Committee to investigate matters related to student academic progress and/or student welfare.

The **Academic Registrar**, or nominee, is the senior University employee with overall responsibility for the Support to Study Policy and Procedure.

An **Appeal Adjudicator** is a Dean or other member of the Academic Appeals Panel with no prior involvement in or close connection to the case and appointed by the Head of the Student Progress Service to consider formal appeals against Support to Study decisions.

An **Authorised Person** is a person with relevant experience and expertise nominated by the Head of School within the Academic Unit to coordinate and manage formal support under the Support to Study Procedure. The Authorised Person may be, for example, a Senior Tutor, Degree Programme Director, Director of Excellence in Teaching and Learning, Director of Postgraduate Studies.

**Degree Programme Directors** are responsible for considering requests for adjustments made by students, such as adjustments to the mode or pattern of study, or interruptions of study.

**The Student Progress Service**, is the service appointed by the Academic Registrar to act on the Academic Registrar's behalf to consider cases reported by the Academic Unit or Student Health & Wellbeing, where Level 2 of the procedure is not sufficient to enable the student to successfully engage with their programme of study and to administer Fitness to Study hearings.

**The Student, Health & Wellbeing Service**, is the Service appointed by the Academic Registrar to support students to maximise their academic potential and help them gain the most from their time and studies at Newcastle.

**Students** are responsible for reading and adhering to the [Student Charter – Rights and Responsibilities](#), which sets out the University's expectations of students. Students are expected to cooperate with the Support to Study Procedure, including by agreeing to abide by Support to Study Action Plans.

Please note that where reference is made in this policy to any named University role, such references may also include their nominee(s).

#### 4. When to use this policy

Concerns about a student's capability to study or engage with the educative environment may present themselves in a number of different ways and be raised by a variety of people, including University employees, fellow students, third-parties, such as placement providers or healthcare professionals, and/or the student themselves.

Concerns raised about students will be handled respectfully and sensitively and a coordinated approach will be adopted across the University.

Examples of the most common indicators of serious concern include, but are not limited to:

- Rapid deterioration in academic performance and/or failure to submit assignments;
- Poor attendance or lack of engagement with Academic Unit colleagues (including with Personal Tutors/Supervisors);
- Failure to engage with project approval, annual progress review, supervisory meetings (for Research Students);
- Not responding to requests within University communications;
- Noticeable change in mood or behaviour, including social withdrawal;
- The sudden onset of physical or psychological problems;
- Signs of self-harm;

- Substance misuse, including excessive alcohol consumption;
- Multiple submissions of Personal Extenuating Circumstances (PECs);
- A pattern of behaviour or communications which appears irrational or extremely inconsistent, or which results in unreasonable demands;
- Behaviours resulting from a medical condition or illness, which adversely impact other students and/or University colleagues;
- Repeated interruptions of study for health reasons.

The initiation of the Support to Study procedure at any Level must not be taken as relevant grounds for the student to fail to proceed with their programme of study. Unless given specific instruction to the contrary, the student should continue to engage with their programme of study and tutors, submitting work as normal.

## **5. Policy**

### **5.1. Support**

The Support to Study Procedure should be primarily supportive in nature. The University will always strive to empower students to manage their own wellbeing and health conditions and work collaboratively with students to find solutions when issues arise.

University employees dealing with students at any level of this Procedure will consider what support may be offered to the student both from within the University (e.g. by SHWS Teams) and externally (e.g. directing or referring students to local GPs or mental health services). Students will be encouraged to seek support where it is deemed necessary and appropriate.

The University will adopt a collaborative and cooperative approach to managing concerns regarding a student's conduct. Formal support under the Support to Study Procedure will be offered by the Academic Unit in conjunction with relevant colleagues from the Student Health and Wellbeing Service to ensure a consistent and holistic approach.

### **5.2. Interventions**

The University also recognises that there may be circumstances where allowing a student to continue with their studies may be detrimental to their personal wellbeing or educational progression or to the wellbeing or educational experience of other members of the University community. In such circumstances, the student's fitness to study will be determined and, where it is found that they are not currently fit to study, their studies may be terminated or suspended. See also 5.6 Interim Suspension of Studies.

### **5.3. Placement or Year Abroad students**

If concerns regarding a student's capability or engagement arises while the student is on placement, including the year abroad, the University may discuss and consider alternative arrangements with the placement provider.

If it is not possible for alternative arrangements to be made, the student's placement may be withdrawn and deferred, or other appropriate adjustments may be considered.

#### 5.4. Data Sharing and Confidentiality

Through the implementation of the Support to Study Policy and Procedure, the University recognises that it will receive personal sensitive data. The University will process and share such data with relevant University employees for the legitimate business purposes of undertaking a thorough investigation, in line with the General Data Protection Regulations (GDPR).

Where appropriate, the University may use personal data held by the University in order to consider the suitable support or application of this procedure. Examples of data include:

- Medical letters or other information submitted with a PEC application
- A disability diagnosis;
- Student Support Plans.

The University may access this information without the explicit consent of the relevant student where a legitimate concern has been raised and the University is required to assess if there is any risk to the student or to others.

Students should avoid disclosing unnecessary personal information during the course of the Support to Study procedure or any resultant appeals, unless they feel it is relevant to the issues raised.

Relevant colleagues will be informed, in confidence, of the outcome of any Fitness to Study case. Senior colleagues may also receive a copy of the outcome, in confidence, so that the University may learn from issues identified as part of the Fitness to Study case.

#### 5.5. Reasonable adjustments

In the implementation of this policy, the University will remain mindful of its duty of care and obligations to students under the Equality Act 2010 including by ensuring that, where appropriate, reasonable adjustments are made.

Reasonable adjustments may be made by Academic Units to the normal academic provision of a programme of study in advance of initiating the Support to Study Policy and Procedure. Such adjustments should be identified as a result of an assessment by the Student Health and Wellbeing Team based on a disclosed disability, health condition or specific learning difficulty, and should be detailed within a Student Support Plan (SSP).

#### 5.6. Interim suspension of studies

At any stage under the Support to Study Procedure, the Head of the Student Progress Service may place an interim suspension of studies on a student, pending further consideration by a Level 3 Fitness to Study Panel. Where an interim suspension is deemed necessary, the student will be informed of this in writing, via a Decision Letter and will have the right to appeal this decision, as set out in **6.5.1.** below.

Interim suspension to a student's studies will be imposed when the student's conduct suggests that there are serious concerns for their wellbeing or the wellbeing of other

students, or following a recommendation from the Director/Head of the Student Health and Wellbeing Service.

An interim suspension is not a disciplinary sanction, but rather a temporary precautionary measure while an investigation into the student's circumstances is ongoing.

While an interim suspension is in place, the suspended student may not attend classes or be present on campus, except to attend a prearranged appointment with either the Student Progress Service or the Student Health and Wellbeing Service. Requests to access the campus for any other reason should be directed to the Head of the Student Progress Service via [casework@newcastle.ac.uk](mailto:casework@newcastle.ac.uk).

### **5.7. Evidence**

If concerns are raised about a student's capability to study or function within the University environment, the student is encouraged to cooperate with any reasonable request to provide medical or other evidence. It is for the University to determine the weight to be given to any evidence presented, in conjunction with the requirements of the programme of study and consideration of the overall evidence in the case.

Normally it is expected that no cost will be incurred in providing additional evidence; however, if costs are incurred, these will normally be expected to be covered by the student.

If the University requests that the student completes an independent assessment to supplement evidence already provided by the student (for example, an Occupational Health assessment), this will be arranged and paid for by the University and the University may request that specific questions are addressed as part of the assessment.

If the student does not provide evidence as requested, the University may still reach a decision on the case based on the available evidence.

### **5.8. Right to refund of fees**

A student suspended or terminated from the University as a result of Support to Study proceedings will have no right to a refund of fees.

### **5.9. Conflicts of interest**

Where the Student Health and Wellbeing Service has offered a student support during the administration of this procedure, an alternative member of the Student Health and Wellbeing Service may be asked to provide general advice to the Fitness to Study Panel about any specific health condition or disability the student may have. Care will be taken to avoid any potential conflict of interest that may arise.

Although University employees, including those from the student's Academic Unit, may have had previous involvement with the student prior to the Support to Study process, this will not preclude their involvement in the Support to Study Procedure. Care will be taken to avoid any potential conflict of interest that may arise.

### **5.10. Relation to other procedures**

Sometimes the University will refer the treatment of a student's case out of one procedure and into another to ensure an appropriate response to the facts of the case. However, the University will not normally consider parallel procedures about the same substantive matter (for example, the University will not normally consider a case under the Support to Study Procedure and the Student Disciplinary Procedure/in line with University Regulations on Unsatisfactory Progress at the same time).

Where successful completion of a programme of study would normally lead to professional registration, the University's [Fitness to Practise procedure](#) may be applied following conclusion of the Fitness to Study process.

## 6. Levels of the Procedure

The Support to Study Procedure may be invoked at any level deemed appropriate and does not need to proceed in level order.

### 6.1. Level 1: Informal Support

Initial concerns about a student's conduct or capability to engage with their programme of study/educative environment will normally be raised by, or addressed to the student's personal tutor/supervisor (or an appropriate nominee within the student's Academic Unit).

The personal tutor/supervisor will arrange to meet with the student to discuss the concerns. The meeting is intended to be supportive and non-confrontational, and the purpose will be:

- To encourage an open discussion about the student's current circumstances and any concerns about their engagement or capability to continue their studies;
- To outline the University's duty of care and signpost to appropriate sources of support;
- To agree an informal actions of how the student can be supported to address the concerns (for example, by submitting a PEC, agreeing to a voluntary interruption of studies, accessing additional support, or engaging with the development of a Student Support Plan). *Formal action plans are not normally expected at this level of the Procedure.*

A record should be kept of all meetings held with the student under Level 1 of this Procedure.

The tutor/supervisor will schedule regular follow-up meetings (of no more than one month apart) to ensure that appropriate support is offered to the student and any further changes in circumstances are identified.

### 6.2. Level 2: Formal Support

Formal support under Level 2 of this procedure will be offered to students where Level 1 informal support has been unsuccessful in addressing concerns, or where the concerns identified are particularly serious and support is required beyond what a Personal Tutor/Supervisor could normally be expected to provide.

Formal support may be initiated by either the Academic Unit or the Student Health and Wellbeing Service; the Student Health and Wellbeing Service will normally be made aware of any planned Level 2 meetings and may attend such meetings where appropriate.

Students will be given reasonable written notice of any formal Level 2 meeting and will be provided with a copy of the Support to Study Procedure and the following information in advance of the meeting:

- The purpose of the meeting;
- Who will be in attendance;
- What will be expected of them;
- Their right to submit any relevant documentation (for example, medical evidence) prior to the meeting;
- Their right to be accompanied by a friend or supporter at any formal meeting.

If the student does not engage with Level 2 formal support, for example by repeatedly choosing not to attend the meetings or by not providing relevant evidence when requested, the meeting may still go ahead and the case will be considered based on the evidence currently available.

The student will be provided with a written record and any agreed action plans resulting from meetings held under Level 2 of this procedure, normally within 7 calendar days of the meeting.

Regular review meetings will be scheduled (of no more than one month apart) to ensure that appropriate support is offered to the student and any further changes in circumstances are identified. Attendees at review meetings may be different to those at the initial Level 2 meeting.

#### 6.2.1. Possible outcomes of Level 2: Formal Support

Without prejudice to other conclusions, the initial Level 2 meeting may decide that one of the following outcomes is appropriate:

- That no further action is necessary;
- That it is necessary for the Academic Unit and/or the Student Health and Wellbeing Service to work with the student to develop a new/review an existing Action Plan;
- That it is appropriate for the Chair of the relevant PEC Committee to consider adjustments to assessments;
- That it is necessary and appropriate for the Degree Programme Director to consider an adjustment to the student's hours of study (with the student's consent);
- That it is necessary for the Degree Programme Director/Deans of Postgraduate Studies to consider whether an interruption from the student's programme of study is appropriate;
- That the student's circumstances should be referred to Level 3 of this procedure for consideration by a Fitness to Study panel;

- That a referral should be made to a more appropriate University procedure, such as the Student Disciplinary Procedure, or for consideration in line with University Regulations on Unsatisfactory Progress;
- That the student should be referred to the Student Health and Wellbeing Service to consider whether a Student Support Plan may be appropriate;
- Any other outcome intended to support the student to successful progression or completion of their programme of studies.

If the student does not agree to the proposed supportive outcome discussed during the initial Level 2 meeting, they may be advised that their case will be referred to Level 3 of this procedure for further consideration of their case and may be considered by a Fitness to Study panel.

#### 6.2.2. Action Plans

Where it is determined that it is appropriate for an Action Plan to be implemented, the following should be noted:

- The Action Plan should seek to address and resolve the specific concerns raised about the student prior to, or during, the open discussions held during the Level 2 meeting;
- It should outline the provision of any appropriate support discussed during the meeting;
- It should identify specific and achievable tasks for the student to undertake, along with a clear timetable for the completion of such tasks;
- It should detail what will happen if the student does not engage with the Action Plan;
- The student should be requested to agree to the Action Plan.

#### 6.3. Level 3: Fitness to Study Considerations

A Support to Study case may be referred to Level 3 of the Procedure for consideration of Fitness to Study interventions where:

- The concerns raised about the student are deemed too serious to be considered under Level 2 of this procedure;
- There is evidence that the student's programme of study and/or being in the University environment is having an adverse impact on their health or wellbeing;
- The student's behaviours or health issues are having a significant adverse impact on the wellbeing or educational experience of other people;
- The student has not agreed to or abided by the provisions set out in the Action Plan, or has failed to engage with the Support to Study procedure;
- There is insufficient improvement in the student's capability to study or function within the educative environment following Level 2 formal support.

Level 3 of the Support to Study Procedure may be initiated by the Academic Unit or the Student Health and Wellbeing Service. The Student Progress Service will normally arrange a case conference with the Academic Unit and the Student Health and Wellbeing Service to discuss the circumstances of the case. Where the case conference considers that

intervention is appropriate, a Fitness to Study hearing will be convened and a panel appointed.

The Fitness to Study panel will consist of two impartial members of the University's Academic Appeals Panel (appointed by the Head of the Student Progress Service, one of whom will act as the Chair), and the Director of the Student Health and Wellbeing Service (or their nominee). The Chair of the panel will determine whether any third parties should be invited to provide further information. Secretarial support for the panel will be provided by the Student Progress Service.

The student will be given reasonable written notice of the date of the hearing and may be asked to provide documentary evidence (such as medical evidence) to aid the panel in determining their fitness to study. The student will also be provided with the following information:

- The purpose of the hearing;
- Their right to be accompanied to the hearing by a friend or supporter;
- Details of the Panel composition and how they may request a review of the panel if they perceive a conflict of interest;
- Details of participants invited to attend the panel to give evidence;
- Their right to request witnesses to be present at the hearing. The student should provide details of the proposed witness(es) and the nature of the evidence they intend for them to provide. It is for the Chair of the Fitness to Study panel to determine whether any witnesses may be permitted to attend;
- A copy of this policy and the Support to Study Procedure.

If the student or their supporting person is unable to attend the originally scheduled date of the Panel hearing, they may request that it is rescheduled to a more appropriate time.

At least 7 days in advance of the hearing, the student and Panel members will be provided with full copies of the documentation to be considered. If the student wishes to submit any additional documentation for consideration by the Panel, this should be done at least two working days in advance of the scheduled hearing. Documentation received after this deadline will be admitted at the discretion of the Panel chair who may, if appropriate, decide to postpone the hearing until the new evidence can be duly considered.

The Fitness to Study Panel will normally proceed if the student does not attend or engage in the process. The hearing will consider the case even if the student has not provided the evidence requested of them, or if a witness or other invited attendee is unable to attend.

#### 6.3.1. Possible outcomes of Level 3: Fitness to Study considerations

After reviewing the case, the Fitness to Study panel may decide that one or more of the following outcomes is appropriate:

- No further action is necessary;
- That it is necessary for the Academic Unit and/or the Student Health and Wellbeing Service to work with the student to develop a new Action Plan;

- That an existing Action Plan should be maintained or revised;
- That it is appropriate for the Chair of the relevant PEC Committee to consider adjustments to assessments;
- That, with the approval of the Degree Programme Director or Dean of Postgraduate Studies, it is necessary and appropriate for the student's mode or hours of study to be adjusted (with or without the student's consent);
- That, with the approval of the Degree Programme Director or Dean of Postgraduate Studies, it is necessary and appropriate to agree an interruption of studies (with the student's consent);
- That it is necessary and appropriate to impose a temporary suspension on the student's studies (with or without the student's consent);
- That it is necessary and appropriate to terminate the student's studies at the University (with or without the student's consent);
- That a referral should be made to a more appropriate University procedure, such as the Student Disciplinary Procedure or for consideration in line with University Regulations on Unsatisfactory Progress;
- That the student should be referred to the Student Health and Wellbeing Service to consider whether a Student Support Plan may be appropriate;
- Any other outcome intended to support the student to successful completion of their programme of studies.

The student will normally be notified in person of the outcome of the Fitness to Study hearing. This will be followed by confirmation, in writing, within 5 calendar days of the hearing. A full statement of reasons will normally be supplied within 14 calendar days of the date of the hearing.

#### **6.4. Return to study following interruption**

Where any period of suspension or interruption of studies is imposed or agreed, students will normally only be permitted to return to their programme of study at the end of this period after receiving suitable medical or other evidence declaring that they are fit to return to study.

It is expected that the Academic Unit will consult with the Student Health and Wellbeing Service prior to the student recommencing their studies to determine a suitable level of support for the student prior to their re-registration. Normally the student will return to their studies under a Level 2 Action Plan to ensure that appropriate support is offered to the student and any further changes in circumstances are identified.

It is expected that regular review meetings will take place following the student's return to study. These will be initiated by a nominated person within the student's Academic Unit and should include relevant representatives from the Student Health and Wellbeing Service.

#### **6.5. Appeals**

##### **6.5.1. Appeals against Interim suspensions**

Appeals against an interim suspension should be directed to [casework@newcastle.ac.uk](mailto:casework@newcastle.ac.uk) within 21 calendar days of the Decision Letter, and will be considered by the Academic Registrar. Students should specify their grounds for review and should provide any relevant supporting documentation.

Subsequent requests for review of an interim suspension may be considered where there is a material change in the student's circumstances.

#### 6.5.2. Appeals against Fitness to Study panel outcomes

Appeals against Fitness to Study panel outcomes will only be considered if one or more of the following grounds are met:

- There is new material evidence available which was not reasonably available at the time the original decision was made;
- Procedural irregularity;
- Bias or prejudice;
- The decision reached was perverse in that it was one which no reasonable person could have reached on the available evidence.

Appeals should be made within 21 days of the decision and should be directed to the Academic Registrar, via [casework@newcastle.ac.uk](mailto:casework@newcastle.ac.uk). Students should clearly state their grounds for appeal and should provide any relevant supporting documentation. If deemed eligible for review, a member of the Academic Appeals Panel (or a senior academic with comparable experience to an Appeal Adjudicator) will be appointed.

Where the decision against which a student is appealing involves the partial or full suspension/termination of studies, the student may not be permitted to attend part or all of the University campus, as appropriate, while the appeal is being considered.

If the student's appeal is admitted by the Appeal Adjudicator, a Review Fitness to Study Panel, consisting of newly appointed panel members, may be convened to reconsider the case. In determining the appeal, the Fitness to Study Panel may confirm, vary or quash the original decision.

If a student is reinstated to the University on appeal against a suspension or termination of studies, the student will be liable to pay appropriate fees, regardless of any temporary loss of tuition and other University facilities.

Where an Appeal Adjudicator does not admit an appeal wholly or in part, or the Review Fitness to Study panel confirms the original decision, there can be no further appeal within the University and the student will be provided with a Completion of Procedures Letter. Provision for independent external review is made through the Office for the Independent Adjudicator for Higher Education ([www.oiahe.org.uk/](http://www.oiahe.org.uk/)).