Support to Study Procedure

Introduction

1. The aim of this procedure is to create a positive framework to help a student to engage with their studies and to be able to function in the University context.

2. This procedure can be used by staff where a student’s behaviour gives cause for concern and is having a negative impact on their engagement with their academic studies or other members of the University community.

A student may present visible signs, for example, of mental health difficulties, psychological or emotional disorders that may have a disturbing and negative impact on the functioning of the individual and on the wellbeing of those around them. When such circumstances arise the needs and rights of the student concerned must be balanced against the need to protect the wellbeing of fellow students and staff.

3. Support to Study works alongside formal University regulations, policies and procedures. These include:
   - Academic Diligence
   - Regulations on student discipline in relation to non-academic matters
   - Student Charter
   - General Regulations for students
   - Policy statement for students concerning Alcohol
   - Policy statement for students concerning Drugs
   - Respect at Kent Policy
   - Fitness to practice
   - Trans Student Support Policy

4. Students are encouraged to take an active part in the Support to Study process and should be treated fairly, sensitively and offered support and guidance in order to restore their wellbeing and allow them to succeed in their studies, and fulfil their academic potential. Students are also encouraged to contact and engage with support services such as the University Medical Centre (Canterbury), the relevant medical provider at Medway or Student Support and Wellbeing.

5. Support to Study should not be automatically applied where issues are documented via an Inclusive Learning Plan (ILP). The reasonable adjustments, as set out in the ILP, should be fully implemented and reviewed before considering Support to Study.

6. University staff are required to identify the limits of the support they can provide to a student and the appropriateness of referring the student on to other agencies. Any support provided cannot be expected to replace professional care and support which is the responsibility of the student’s GP and other outside agencies.

7. If at any stage in the process it is ascertained that the behaviour and/or engagement of the student was not due to significant wellbeing or mental health factors and/or where the student fails to respond positively to more supportive interventions, the student may be referred to the appropriate procedure(s) as set out in paragraph 3.

8. The University reserves the right to revert to the policies and procedures as set out in paragraph 3 to include the Regulations on student discipline in relation to non-academic matters to deal with inappropriate student conduct, depending on the
individual circumstances of the case and, in particular, where a student’s health or behaviour poses a risk to themselves or others.

9. In cases where a student has been sectioned under the Mental Health Act the University may decide to adopt special procedures. These normally mean that internal Support to Study procedure or other internal procedures may be adjourned.

10. If required, reasonable adjustments will be made to this procedure, in consultation with the Student Support and Wellbeing Team.

11. The Director of Student Services has lead responsibility for the Support to Study Procedure. If there are queries relating to the procedure and its implementation the Student Conduct and Complaints Manager should be contacted at sccoffice@kent.ac.uk.

Your personal data

12. All Support to Study cases will be handled with an appropriate level of confidentiality, with information released only to those who need it for the purposes of investigating or responding to the concerns raised. No third party should be told any more about the investigation than is strictly necessary in order to obtain the information required from them. It is important that the student is advised of this at the earliest possible opportunity in order to manage expectations.

13. Any documentation providing a student’s personal data (including special category personal data if applicable) may be securely shared with a Support to Study Case Team for the purpose of conducting a review. This may include details of a student’s name, course of study, the reason(s) for Support to Study, a student’s academic progress and details of activities which a student has undertaken as part of their studies. Some of the personal data that may be provided may fall within special categories of personal data, including information about a student’s physical and mental health, race, ethnicity, religion, gender and sexual orientation. The personal data about a student may include both verifiable facts and opinions.

Personal data of other students or staff

14. For Support to Study Cases it may be required for the Case Team to gather personal data from University staff and students. For example, if another student witnessed an incident and provided a statement. Some of this data may fall within the special categories of personal data or include information that people may commonly expect to be treated with a high degree of confidentiality and sensitivity.

Confidentiality

15. In all cases where it would be in the student’s best interests to disclose sensitive information (so that support may be provided) the student’s informed consent should be obtained where possible. It will be necessary to inform the student why there may be a need to disclose sensitive information, who will have access to the information, and the possible consequences of giving or withholding consent (e.g. to facilitate the development of an Inclusive Learning Plan with support strategies and reasonable adjustments). If consent has been obtained, it is the responsibility of the person passing on the information to ensure it is done in line with the University’s data protection obligations.

16. If the student chooses not to provide their consent this decision must be respected. In this situation, the implications of non-disclosure in terms of additional support should be made clear to the student.
17. There are occasions when the student’s consent is withheld and confidentiality may be broken.

These include:
   a. When the student’s mental health has deteriorated to the extent of threatening their personal safety.
   b. When the student’s behaviour is adversely affecting the rights and the health and safety of others.
   c. Where a member of staff would be liable to civil or criminal proceedings if the information was not disclosed (e.g. if a crime had been committed).

18. Staff should consult with the Head of Data Protection if it is believed that there is a need to break the commitment to confidentiality.

Support to study Initial concerns

19. When initial concerns arise, these should be dealt with by the appropriate member of staff (for example an Academic Adviser, Personal Tutor, Research Supervisor, Student Support Team or College Master). Concerns can be raised initially by the student, member of staff, fellow students and possibly a third party.

20. A meeting will take place with the student and appropriate member of staff (for example Academic Adviser, Personal Tutor, Research Supervisor, Student Support Team or College Master) to discuss the concerns raised and allow them to respond. The student must be made aware of the Support to Study Procedure and given a copy of this procedure prior to the meeting.

21. During the meeting an action plan will be compiled and agreed with the student. This will include any milestones and targets that need to be monitored. A formal record of the meeting will be taken and recorded centrally.

22. At all times, the number of people involved in the process should be appropriate with the aim of resolving the situation at the earliest possible stage, in order for the student to re-engage with their academic studies as soon as possible or in order that there is no impact on their and/or others ability to progress academically and engage with their studies.

Ongoing concerns

Support to Study Case Meeting(s)

23. Should the action plan referred to in paragraph 20 be unsuccessful, the member of staff initiating the procedure should approach the student and explain to them that concerns about their engagement with their academic studies or other members of the University community remain.

24. A Support to Study Case Meeting can only be initiated with the approval of the Director of Student Services or nominee. In each case the reason for escalating to a Case Meeting will be recorded via a secure central recording system. It should be clear at all times that if Support to Study is no longer appropriate, then the student may be transferred to another more suitable procedure.

25. If Support to Study is the most appropriate procedure, the Director of Student Services (or nominee) will appoint an appropriate College Master to Chair the Study Case Meeting. The Chair will then appoint a Secretary and two other appropriate University members of staff (Support to Study Case Team).
26. The Secretary will provide the student with clear information, confirmed in writing, of:

- the matters to be considered by the Support to Study Case Team
- the student’s right to representation and presentation of their case
- the date, time and venue of the hearing of the case. The student will normally be notified at least 5 working days prior to the meeting. The meeting will be held at the student’s main campus, where possible
- any appropriate professional service staff may attend for information and to provide advice depending on the circumstances of the case, as determined by the Chair of the Support to Study Case Team
- any documents to be considered at the Support to Study Case meeting will be provided to the student at least 3 working days prior to the meeting.
- the student will be asked to provide any further documentation they wish the Support to Study Case Team to consider no later than 2 working days before the meeting. Late submission of any further documentation will be considered in exceptional circumstances.
- the outcome of the meeting, including a written explanation of the decision, and, where appropriate, any right of appeal.

27. In exceptional circumstances, determined by the Chair of the Support to Study Case Team, the meeting may be convened to hear a case following a shorter period of notification.

28. The student may be accompanied to the meeting by a Kent Union representative, another student, a relative or friend. Students registered with Student Support and Wellbeing may be accompanied by a member of staff from the department, subject to the availability of the member of staff concerned. A student may not be accompanied by a legal representative even if the legal representative is a member of the University, a staff member of Kent Union or a relative.

29. No recording of the hearing(s) conducted by the Chair of the Support to Study Case Team will be permitted. An accurate record of the meeting will be made and shared with the student.

30. Further information including a professional medical assessment or other relevant report may be requested and/or witnesses called to assist the Support to Study Case Team with its deliberations. The student should be encouraged to consent to this and be advised that a professional medical assessment would be used to determine the following:

a) The nature and extent of any medical condition which the student has disclosed.
b) Their prognosis.
c) The effect on their ability to manage the demands of student/academic life.
d) Any impact or risk posed to others.
e) Whether any further adjustments should be made by the University in light of the medical condition to enable the student to study effectively.
f) Whether the student will be receiving any ongoing medical treatment or support.

31. Should the student refuse to provide a medical report and the Support to Study Case Team believes that the student is at risk to themselves or others, the Chair may decide either to continue with this procedure based on information already in its possession or refer the student to Occupational Health for an independent medical
assessment or reschedule the Support to Study Case Meeting.

32. A referral to Occupational Health may also be made should the Support to Study Case Team consider that the medical information provided by the student is insufficient for an objective assessment of their case.

33. If the student fails to engage with the procedure (e.g. by refusing to co-operate or to attend the Support to Study Case Team meeting) the Chair of the Support to Study Case Team may continue with the Support to Study Case Team meeting and determine an outcome in line with paragraph 34.

34. The Support to Study Case Team will develop, with the student, a formal action plan and record the formal action plan review date centrally.

35. The Support to Study Case Team may also decide as part of that action plan:

- To refer the case to an appropriate point in another procedure
- Voluntary interruption of studies for an agreed period or withdrawal from academic studies. The period of voluntary interruption of studies must adhere to the University of Kent Academic Regulations in relation to the Maximum Period of Study allowed
- Recommend special academic arrangements are put in place
- Recommend part time study option, taking into consideration any financial or visa implications
- Recommend change of programme or place of study, taking into consideration any academic, financial or visa implications
- An involuntary interruption of studies for a fixed term (to include conditions as set out in paragraph 39). The period of involuntary interruption of studies must adhere to the University of Kent Academic Regulations in relation to the Maximum Period of Study allowed.
- Recommend to the Vice-Chancellor or nominee that the student be permanently withdrawn from their academic studies.

36. The decision of the Support to Study Case Team meeting, including the action plan review date will to be sent to the student, in writing, within 5 working days of the meeting and recorded centrally. A review meeting must be scheduled within 4 weeks of the original date of the Support to Study Case Team meeting and any follow up action arising from this should be taken as soon as possible. Any outcome for the student should be proportionate to the specific circumstances at the time. If the formal Action Plan is not addressed satisfactorily by the student a further Support to Study Case meeting will be scheduled and any revisions to the action plan will be recorded centrally.

37. If the Support to Study Case Team determine that there should be no further action the case will be closed and/or referred to the appropriate formal University regulations, policies and procedures as set out in paragraph 3.

38. Where an interruption of studies (voluntary or involuntary) is under consideration, the student should be referred to the Kent Union Advice Centre (Canterbury) or GKUnions (Medway) for advice on funding arrangements and/or immigration issues that may be relevant.

39. If the student does not accept the outcome of the Support to Study Case meeting then they may submit an appeal (see paragraph 44).

Return to Study following a period of interruption of studies
40. If a student is placed on a period of interruption of studies (voluntary or involuntary) following a Support to Study Case Team meeting, a return to study will only be permitted if, after receiving written confirmation from a doctor, in the form of a medical report, the University is satisfied that the individual is fit to engage in their academic studies and able to comply with any conditions imposed on their return. The request for a return to study and medical report must be submitted to the Director of Student Services at sccoffice@kent.ac.uk.

41. In cases where the Director of Student Services, following consultation with the relevant Academic School/Centre, has any concerns that there may be an impact on the student and/or other’s ability to progress academically and engage with their studies, a second medical opinion will be required. In these situations the student will be required to submit themselves for medical assessment by a medical consultant nominated by the University, at the University’s expense.

42. The Director of Student Services’ decision will be based primarily on medical advice, advice from the student’s Academic School and if appropriate the students College Master. The decision will also take into account the student’s engagement with external support services during absence and/or compliance with any conditions set for the period of interruption.

43. Should a student return to study after a period of interruption of studies (voluntary or involuntary) there must be an initial review meeting with the relevant staff, to support their return to study and monitor their remaining time on the Support to Study procedure. Support to Study Case Review meetings must include:

   a. an appropriate representative from the Academic School
   b. College Master
   c. A representative from Student Support and Wellbeing

44. An Action Plan must be produced for consideration at the review meeting/s and recorded centrally. The Action Plan may include one or more conditions, for example, compliance with medical advice and attendance at support sessions.

**Appeal**

45. A student has the right to appeal against a decision taken by a Support to Study Case Team or the decision of the Director of Student Services as set out above. The University will treat in good faith any appeal which is brought forward by a student under these procedures.

46. The grounds on which a student may appeal are:

   a. that there were alleged procedural fault, bias, irregularity or other inadequacy in the conduct of the Support to Study process of such a nature as to cause reasonable doubt as to whether the outcome might have been different had they not occurred;

   b. that there were evidence which could not reasonably have been made available to the Support to Study Case Team or the Director of Student Services of such a nature as to cause reasonable doubt as to whether the outcome might have been different if that evidence had been received.

47. The submission of an appeal is no guarantee of a successful outcome. If the student would like to receive impartial advice or support during the appeal process they should contact the Kent Union Advice Centre (Canterbury) or GKUnions (Medway).
An appeal will be considered by a senior member of the University. The appeal must:

a) explain the grounds for appeal and remedial action sought;

b) provide all the necessary documentary evidence substantiating the grounds of the appeal;

c) be submitted within 10 working days of the letter notifying the student of the outcome of an Appeal or the decision of a Disciplinary Panel;

d) be submitted in writing to the Student Conduct and Complaints Office at sccoffice@kent.ac.uk.

48. Appeals against the professional medical judgement of a consultant engaged by the University will not be considered as valid grounds for an appeal.

49. A student who wishes to appeal against a decision made by the Director of Student Services should put this in writing to the Student Conduct & Complaints Office at sccoffice@kent.ac.uk within 10 working days of the date of the letter of notification setting out in detail the nature of the evidence to support the claim.

50. The Student Conduct & Complaints Office will acknowledge the appeal within 5 working days of receipt and appoint a senior member of the University to consider the case. The appointed person will decide, on the basis of the documentation received from the student and provided by the Case Review Team or Director of Student Services, whether or not the student’s appeal should be upheld. Normally a decision on the appeal should be made within 10 working days of the date of acknowledgement of the appeal.

Monitoring and review

51. All data will be monitored on an annual basis to identify trends and areas for improvement across the University.

52. The Support to Study Procedure will be reviewed on a bi yearly basis.

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