



# SUPPORT TO STUDY REGULATIONS AND PROCEDURE 2023/24

Title: Support to Study Regulations					
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	Position(s)
<b>Owner</b> <i>The position in the University that is accountable for ensuring that these regulations are applied correctly</i>	Director of Student Services
<b>Implementation</b> <i>The person(s) responsible for ensuring that these regulations operate as required on a daily basis</i>	Head of Support and Safeguarding
<b>Delivery</b> <i>Which positions are involved in delivering these regulations</i>	All staff who interact with the student

## PART A: REGULATIONS

### 1. Introduction

- 1.1. The University is committed to supporting student wellbeing and recognises that a positive approach to the management of physical and mental health issues is critical to student learning, academic achievement and to the wider student experience, either at course level, or through a range of professional support services.
- 1.2. The Support to Study Regulations and Procedure set out how the University can respond to instances where a concern is raised regarding a student's ability to study and the type of action that the University may take to manage the matter and support the student.
- 1.3. The Support to Study Regulations and Procedure apply to: -
  - Students studying at the University's campuses and University of South Wales courses through distance delivery.
  - Students studying at the Royal Welsh College of Music and Drama (RWCMD). *(NB Any reference made to 'faculties' or 'faculty' in the regulations should be read as 'the College'.)*
  - Students studying university courses at the University's partner institutions.
  - Students studying on work placements or engaged in work-based learning.
  - Apprentices *(NB Any reference to 'student(s)' should also be read as 'apprentice(s)'. Information on the receipt and outcome of extenuating circumstances for apprentices will be provided to the Dean of Faculty (or nominee), who will inform the apprentice's employer.)*
  - Individuals registered as an apprentice of the University.
- 1.4. Whilst the regulations and procedure apply to all students, specific consideration will be needed if a concern is raised regarding an international student who is studying under a student visa. Advice will be sought from the Immigration & International Student Advice Team.
- 1.5. The University's [Student Charter](#) states what students can expect and will be entitled to whilst studying at the University of South Wales. The University also has expectations of the student, and these are set out in both the Charter and in the university's [Code of Conduct](#).

### 2. General Principles

- 2.1. The University recognises that there may be instances where a student's physical or mental health give rise to concerns about the student's ability to engage with their studies and/or to function more widely as a member of the University community. The Support to Study Regulations and Procedure seek to promote early intervention, active collaboration and consistency of approach. Matters are dealt with sensitively and non-judgementally and in a co-ordinated manner across the University.
- 2.2. Support to Study concerns may arise where a student is experiencing significant physical or mental health difficulties and/or there has been a significant deterioration in their physical or mental health, resulting in:
  - Risk to the student's health, safety or wellbeing and/ or that of others.
  - Unexplained absences, a lack of meaningful and appropriate engagement with the University environment, and/ or issues with academic performance

- Unacceptable behaviour which is (or is at risk of) adversely affecting the teaching, learning and/or experience of other students or the day-to-day activities of the University or a placement provider.
  - Individual support needs which fall outside the scope of the support and other services which the University can reasonably be expected to provide as, primarily, a higher education institution.
- 2.3. Where concerns are raised regarding Lack of Engagement (A.2.4 of the Regulations for Taught Causes), Student Conduct or Misconduct in University Halls of Residence, and it is considered that the issue is caused by a significant underlying physical or mental health difficulty, these concerns should be addressed via the Support to Study Regulations and Procedure in the first instance.
- 2.4. The Support to Study Procedure runs in parallel to the Fitness to Practise Procedure to enable flexibility of student support according to the individual needs of students, enabling students to continue studying on a course with PSRB requirements where possible, whilst still ensuring service user safety.
- 2.5. Whilst the University seeks to work with students in a spirit of co-operation, cases may arise in which it may, under these regulations and procedure, be determined that a student is not fit to study at that time and that their registration should be suspended or terminated.
- 2.6. The procedure for dealing with Support to Study cases detailed below has three stages. The action will usually begin at Stage 1, however, depending upon the severity of the situation and seriousness of any perceived risks, action may be initiated at any of the three stages. If it is felt that action should be initiated at Stage 2 or 3 then this should be discussed with the Head of Support and Safeguarding (or nominee).

## **PART B: PROCEDURE**

### **1. Stage 1 – Informal Support and Action Planning**

- 1.1. Faculty staff and Advisers from Student Services regularly engage in informal support and action planning with students as part of their regular interactions. These informal interventions are crucial where there are emerging concerns about the health and/or wellbeing of a student and the impact that this is having on their academic engagement or other members of the University community.
- 1.2. Support and action planning should be used in most cases where the risk to the student's health and wellbeing is low; their academic position is vulnerable but recoverable and the impact of their behaviour on others is limited.
- 1.3. The member of staff who has the concerns / with whom concerns have been raised (Lead Person) will discuss these with other appropriate members of staff (i.e., academic course team, the Advice Zone Team Leader, or Senior Student Services Advisers), and collate any relevant information.
- 1.4. The Lead Person will hold discussions with the student outlining the concerns and will keep a written record of discussions held and will provide a summary of agreed actions which may include:
- Signposting to specialist student and learning support internally or externally.

- Appropriate and meaningful engagement with studies (i.e., setting targets to improve attendance or engagement).
  - An application for extenuating circumstances.
  - An application for interruption of studies
  - An adjustment of mode of study
- 1.5. The Lead Person will review progress with the student and will determine whether the concerns have been significantly reduced and/or eliminated or if further action is required.
- 1.6. There may be times when efforts to improve a student's situation through informal support and action planning have been unsuccessful or where the risks are too high to be managed informally. In such circumstances, the case may be referred to stage 2 or 3 of the procedure via the [Support to Study referral form](#) (as appropriate).
- 1.7. Following a referral, the Head of Support and Safeguarding (or nominee) will review the case to determine if Support to Study is an appropriate process and at what stage the case should be considered.

## **2. Stage 2 – Formal Support and Action Planning**

- 2.1 A Support to Study Case Meeting chaired by the Head of Support and Safeguarding (or nominee) will be scheduled with the student and key faculty and professional services staff (including the Lead person) as appropriate.
- 2.2 The student will be given 5 working days' notice of the meeting arrangements and will be informed of the nature of the concerns. The student will be offered the opportunity to be accompanied to the meeting by a friend, family member or officer from the Students' Union. Their role is normally not to represent the student, or to advocate on their behalf or to speak for them, unless this has been agreed as a reasonable adjustment due to a disability. The student cannot send any other person to the meeting on their behalf. At least 48 hours before the meeting, the student must advise the University of the name and status of the person accompanying them.
- 2.3 If the student is not able to attend the meeting, they will be offered an opportunity to submit a written statement, which will be presented at the meeting in their absence. If the student does not attend the meeting or submit a written statement, the meeting will proceed in their absence and recommendations will be made.
- 2.4 The meeting will be supportive in nature and will encourage open discussion of the current concerns around the student's ability to engage appropriately and meaningfully with the HEI environment. The Chair will outline the concerns and the student will be given the opportunity to ask questions and to respond to the concerns raised. It is important at this stage to establish the student's perception of the situation and how this is impacting on their studies. It is also important to consider risk to the student, their studies and to others.
- 2.5 The aim of the meeting is to agree a set of actions and strategies that will support the student to improve engagement with their course and potential outcomes. Action plans may include: -
- Appropriate and meaningful engagement with appropriate Student and Learning Support Services.

- Engagement with GP or other appropriate external services.
  - Appropriate and meaningful engagement with studies (i.e. setting targets and timeframes to improve attendance or engagement).
  - An application for extenuating circumstances
  - A change of mode of study.
  - A change to programme of study.
  - An application for interruption of studies (i.e., suspension of studies) with return to study support review planned.
  - Referral to Stage 3 of Support to Study procedure
  - Referral to other University regulations/procedures (e.g., Student Conduct Procedure, Procedure for Misconduct in University Halls of Residence, Fitness to Practise Procedure), as appropriate .
- 2.6 The student will be provided with a copy of the agreed action plan, within 5 working days of the meeting.
- 2.7 The Chair will set a date for a further meeting to review the action plan. This date will be 4 weeks after the initial meeting unless an earlier meeting is warranted or if a situation arises that requires bringing the meeting forward. At the review meeting all key points from the initial meeting should be addressed. Notes will be made which will document one of the following:
- Concerns have been significantly reduced and/or eliminated - no further action required.
  - Ongoing concerns- further review required.
  - Ongoing concerns - No further action required
  - Ongoing concerns - referral to be made to other appropriate procedures.
  - Severe and persistent ongoing concerns - Referral to be made to Stage 3 of the Support to Study procedure.
- 2.8 The student will be provided with a copy of the agreed action plan within 5 working days of the meeting.

### **3. Stage 3 - Formal Support to Study Hearing**

- 3.1. Stage 3 will be initiated if it is deemed that the severity or persistence of the situation warrants action to be initiated at this stage, or where Stage 1 and/or Stage 2 has not been successful, and the severity or persistence of the situation warrants further action.
- 3.2. Following a referral, a Support to Study Panel hearing will be scheduled. The Panel will be constituted as follows:
- Director of Student Services (Chair)
  - A member of staff with no academic or personal connection to the student
  - An officer of the Student" Union

The Chair may invite other relevant staff to attend as appropriate, including (but not limited) to the Lead Person, the Dean of Faculty (or nominee), a representative from a relevant internal or external specialist agency.

- 3.3. The student will be given 10 working days' notice of the hearing (unless circumstances are such that a shorter period of notice is required) and will be provided with copies of any documentation relevant to the hearing in advance in an appropriate format.
- 3.4. The student will be given an opportunity to provide a written statement or additional documentation that they feel is pertinent to their situation. In the event that the student is unable to attend the hearing, every reasonable effort will be made to accommodate. However, if this is not possible the hearing may take place in their absence.
- 3.5. The student will be offered the opportunity to be accompanied by a friend, family member or officer from the Students' Union. Their role is normally not to represent the student, or to advocate on their behalf or to speak for them, unless this has been agreed as a reasonable adjustment due to a disability. The student cannot send any other person to the hearing on their behalf. At least 48 hours before the hearing, the student must advise the University of the name and status of the person accompanying them.
- 3.6. The Chair reserves the right to refuse the attendance of a support person if it is determined that there is a conflict of interest relating to the nominated person.
- 3.7. The Chair reserves the right to accept or refuse a request for a legally qualified support person/representative to attend the hearing, depending on whether a good reason is provided and the complexity and seriousness of the case. Any such requests must be sent to the Director of Student Services at least 48 hours before the hearing. Should such a request be approved, the University reserves the right to also have a legally qualified person in attendance. Legally qualified support persons/representatives will be clearly informed of the nature of the proceedings, ie, that they are not a legal process and will not be conducted as such.
- 3.8. During the Support to Study Panel hearing, the Chair will outline the concerns, with reference to any relevant documentation, which will have been provided to the student and the Panel no later than 5 working days before the hearing. The student will be given the opportunity to present their perception of the situation, to ask questions and to respond to the concerns raised. Others present at the hearing will be invited to ask any questions or raise any issues that they consider are relevant to the deliberations. Having ensured that all pertinent information has been provided the Chair will adjourn the hearing.
- 3.9. The Support to Study Panel will then consider the information provided. Options for action will include (but are not limited to): -
  - Referral to other University regulations/procedures (e.g., Student Conduct Procedure, Procedure for Misconduct in University Halls of Residence, Fitness to Practise Procedure), as appropriate.
  - Implementation of additional support (internal and/or external).
  - A change of mode of study.
  - Suspension from studies (for the remainder of the academic year).
  - Expulsion from studies, where there is no reasonable prospect of the student re-engaging with their studies.
  - Defer the case.
  - Dismiss the case

- 3.10 The student will be provided with a written record of the hearing and the outcome, within 5 working days.
- 3.11 Where it is concluded that further documentation needs to be considered, the decision will be deferred to allow this to be obtained. A deadline for obtaining the documentation will be set as appropriate and a further meeting will be arranged.

#### **4. Stage 3 - Request for Review**

- 4.1. The student has the right to request a review of a Stage 3 Support to Study outcome on one or more of the following grounds:
- a) That new evidence or extenuating circumstances have become known, which could not have reasonably been made known at the time of the original meeting/hearing/investigation.
  - b) That there were irregularities in the application of the procedure of such a significant nature as to cause reasonable doubt as to whether the same decision would have been reached had they not occurred.
  - c) That there is clear evidence of bias or prejudice in the way that the procedure was implemented.
  - d) That the original outcome was excessive.
- 4.2 The request for review should be submitted on the Support to Study Request for Review Form within 10 working days of the decision having been communicated and should be submitted to: [studentcasework@southwales.ac.uk](mailto:studentcasework@southwales.ac.uk).
- 4.3 The request for review must set out clearly the grounds on which it is being submitted and must be accompanied by supporting evidence that substantiates one or more of the grounds as set out above.
- 4.4 A suspension from studies or expulsion from studies will remain in place pending a decision in respect of the request.
- 4.5 The Head of Student Casework (or nominee) will consider the request for review and the accompanying evidence and decide whether to refer it to a Review Panel or whether it should be dismissed as it does not meet the specified grounds.
- 4.6 If the request for review is referred to a Review Panel a hearing will be held. This will be arranged by the Student Casework Unit and the student will be invited to make representations in writing or in person. The student may be accompanied to the hearing (the principles outlined in sections 3.5-3.7 will apply).
- 4.7 The Review Panel will consist of the Vice-Chancellor (or nominee) and another senior member of university staff who has had no previous connection with the case and will be supported by a Secretary from the Student Casework Unit.
- 4.8 The Review Panel may come to one of the following findings:
- a) that the findings of the Support to Study Panel should be confirmed and the request for review dismissed;
  - b) that relevant new evidence that was not available to the Support to Study Panel at the time for valid reasons should be taken into account;

- c) that there has been a failure to follow the University's regulations and procedures or to follow them with due care such as to deny the student a fair hearing;
- d) that there was bias or prejudice towards the student in the way the Support to Study Panel reached its findings or in other aspects of the support to study procedure;
- e) that the decision of the Support to Study Panel was unreasonable and/or that the outcome was not proportionate with the evidence presented in all of the circumstances of the case.

#### 4.9 Options available to the Review Panel are:

- a) The outcome of the Support to Study Panel should be upheld.
- b) The outcome of the Support to Study Panel should not be upheld and that:
  - i. the Support to Study Panel made procedural errors and/or errors of judgement and a new Support to Study Panel should be convened to hear the case afresh, or
  - ii. the findings of the Support to Study Panel should be substituted with its own findings.

4.10 The decision of the Panel considering the request for review will be final and the student will be notified of the decision within a period of 5 working days following the meeting. If the request for review is unsuccessful, the student will be issued with a Completion of Procedures Letter.

4.11 If the student is unhappy with the outcome of this procedure they may, following issue of a University Completion of Procedures Letter, lodge a complaint with the Office of the Independent Adjudicator for Higher Education (OIA). Details of the OIA and the relevant information in relation to the Scheme can be accessed at [www.oiahe.org.uk](http://www.oiahe.org.uk). Further information and advice can be obtained from the Student Casework Unit.

## 5. Stage 3 - Return to Study

5.1. If a student has agreed to interrupt their studies or been suspended as an outcome of a Support to Study Hearing, a review meeting should be arranged prior to their anticipated return to determine whether the student is fit to return to study. Medical evidence may be requested from the student regarding their ability to engage fully with their studies, meet the requirements of the programme and live independently in residences or in the community.

5.2. Exceptionally, a further suspension will be arranged where this appears to still be justified by evidence discussed at the meeting.

5.3. Where it is concluded that the student is able to return to study a 'Return to Study Plan' will be agreed at the meeting. This should address any specific study-related support need to enable a successful return to studies. It will also be determined who will be responsible for undertaking the necessary action(s) outcome and who may need to be informed of this; dates for any review meetings will also be set. A student will only be permitted to return to studies when an agreed action plan is in place.