



Support for Study Policy

Purpose of Policy

The Support for Study Policy outlines the University's approach to supporting students who may be struggling with their studies due to health issues.

Overview

The University of Edinburgh welcomes a diverse student body and aims to support all students throughout their studies. This includes students who have temporary or long-term physical or mental health conditions which may have an adverse impact on their ability to study.

The University takes seriously its duty of care to all members of the University community. This policy and procedures are to be followed by staff where the behaviour of a student is giving cause for concern, and where it is believed this may be caused by a mental health problem. The Support for Study Policy applies to all students and to all aspects of University life.

Occasionally, physical or mental ill-health and/or a disability may lead to a student behaving in a way which has an adverse impact on others. This policy is intended to provide an effective framework to support students in cases where such circumstances are having an adverse impact on the health, safety, wellbeing or academic progress of others.

Scope: Mandatory Policy

The policy applies to all students of the University and is used by staff to handle cases where students need additional support due to health issues. Specific roles are outlined for Support for Study panels in each College.

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Document control

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Consultation undertaken	The policy was developed on behalf of the Mental Health Strategy Group and had widespread consultation within the University and Edinburgh University Students' Association, including Student Disability and Student Counselling Services.				
Section responsible for policy maintenance & review	Deputy Secretary, Student Experience				
Related policies, procedures, guidelines & regulations	Code of Student Conduct: http://www.ed.ac.uk/academic-services/staff/discipline/code-discipline				
UK Quality Code	n/a				
Policies superseded by this policy	n/a				
Alternative format	If you require this document in an alternative format please email Academic.Services@ed.ac.uk or telephone 0131 650 2138.				
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1 SCOPE AND PURPOSE

- 1.1 The University of Edinburgh welcomes a diverse student body and aims to support all students (regardless of level of study) throughout their studies in line with its commitments under the Equality Act (2010) and in its own Equality and Diversity Strategy to developing a positive culture, where all staff and students are able to develop to their full potential.
- 1.2 Occasionally, physical or mental ill-health (including a disability) may lead to a student behaving in a way which has an adverse impact on the health, wellbeing or safety of other members of the University community. This may include behaviour that poses a direct risk to health and safety, or making unreasonable support demands of other members of the University community. This policy is intended to provide an effective framework to support the student in question, other students and members of staff in these circumstances, where other means of providing student support, or student disciplinary or fitness to practice processes, are not the more appropriate way forward. The policy applies to all students and to all aspects of their University life.

2 UNDERLYING PRINCIPLES

- 2.1 Students are responsible for the management of their own health and wellbeing. Staff are expected to support students who are struggling with health or wellbeing with their choices in a person-centred, respectful manner. In all situations, and at all stages of this policy, every effort should be made to address concerns with the full and informed agreement of the student (for example the student may agree to take a voluntary interruption of studies). However, where a student is unable or unwilling to cooperate in the management of their health and wellbeing, this policy makes provision for proceeding without the consent of the student.
- 2.2 Staff with responsibility for implementing the policy at any stage should do so in a manner that emphasises the aim of supporting students to succeed in their studies, and which takes into consideration and seeks to minimise the stress and anxiety that engagement in any formal process may cause students.

3 OVERVIEW OF THE POLICY

- 3.1 There are three stages to the policy. Under normal circumstances, staff should work sequentially through Stages 1 to 3, only going on to the next stage where the previous stages have not satisfactorily addressed the issues of concern. However, where the issues and their adverse impact are particularly severe, and the University has reasonable grounds to believe that earlier stages of the policy would not be effective in addressing these issues, the University can proceed to a later stage of the policy without working sequentially through earlier stages.
- 3.2 The University may use this policy in circumstances where a member of the University community raises concerns about the student's behaviour and its adverse impact on the health, safety or wellbeing of other members of the University community (students or



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staff), and there are grounds for believing that this behaviour relates to the student's physical or mental health.

4. INTERACTION WITH OTHER POLICIES

- 4.1 The University has a duty to ensure that members of the University community are not subjected to unacceptable behaviour and therefore has the right to investigate any allegations of inappropriate behaviour under the Code of Student Conduct (www.ed.ac.uk/academic-services/staff/discipline/code-discipline) even when there are grounds for believing that this behaviour relates to issues regarding the student's health.
- 4.2 The Support for Study policy however offers an alternative to the University's Code of Student Conduct when there are grounds for believing that a student's behaviour may relate to the student's physical or mental health. The circumstances in which the University may choose to follow the Support for Study Policy rather than the Code of Student Conduct include the following:
- The student's behaviour, while causing an adverse impact on other members of the University community, is unlikely to constitute an offence under the Code of Student Conduct; or
 - Were the student found to have committed an offence under the Code, the most likely penalties that a Student Discipline Officer or Student Discipline Committee would apply would be unlikely to offer the most appropriate way to resolve the student's behaviour and / or any underlying health issues.
- 4.3 A student under consideration through this policy nonetheless has the right to request that their case is considered under the Code of Student Conduct instead, for example if they feel that their behaviour is not caused by physical or mental ill health.
- 4.4 Where a student's degree programme is subject to a professional body's Fitness to Practise requirements, the relevant College may follow its Fitness to Practice regulations or procedures when a student's behaviour raises issues regarding their fitness to practice. The College can follow these regulations or procedures at the same time as the Support for Study policy.

5. EMERGENCIES

- 5.1 Where a student's behaviour presents an immediate risk to themselves or others, the Emergency Services should be contacted by dialling 999. For matters arising on University premises, University Security should also be alerted by dialling 650 2222.
- 5.2 There is no provision under this policy for students whose behaviour is a cause for concern to be immediately suspended from the University. If a member of staff thinks that it may be appropriate to immediately suspend a student for their or others' safety and wellbeing, they should contact the University Secretary or one of the Deputy Secretaries, who may be able to take action (in conjunction with a designated Vice-Principal) under the Code of Student Conduct. See: <https://www.ed.ac.uk/academic-services/staff/discipline/code-discipline>
- 5.3 Further information on handling emergencies is available online:



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- <https://www.ed.ac.uk/staff/supporting-students/student-mental-health/helping-distressed-student>
- <http://www.health-service.ed.ac.uk/out-of-hours-58661-htm>
- www.ed.ac.uk/chaplaincy/support/emergencies
- For guidance on contacting emergency contacts see: <https://www.ed.ac.uk/staff/supporting-students/student-mental-health/guidance-communicating-student-emergency-contacts>

6 SUPPORT FOR STUDY STAGE 1 – INITIAL OR MODERATE CONCERNS

- 6.1 When initial or moderate concerns arise about a student's health and its adverse impact on other members of the University community, these should be dealt with locally by the appropriate member of staff. This may be the student's Personal Tutor/Supervisor/Student Support Team, or a more senior member of staff in the student's School such as the Senior Tutor. If concerns arise in the University's residential accommodation, the relevant member of staff (e.g. warden, Residence Life team or others as appropriate) should address them, where necessary discussing the issue with the student's School.
- 6.2 The appropriate member of staff should discuss their concerns with the student in an informal and supportive manner, and give the student the opportunity to explain their perception of the matter. Possible outcomes from such a discussion might include:
- No follow-up action necessary;
 - Supporting referral to appropriate support service – e.g. Health Service, Student Counselling, Student Disability Service, etc;
 - Supporting the student to apply in the normal way for an appropriate change to their programme status – e.g. interruption of studies or a transfer to part-time study - with due consideration (taking advice as needed) as to how any interruption of studies or change in status might impact on the student (e.g. for immigration or financial reasons);
 - The student's agreement about changes to behaviour, with a review period agreed, and a review undertaken by the student's Personal Tutor/Supervisor/Student Support Team or relevant residential accommodation member of staff.
- 6.3 In the majority of cases, Stage 1 should be adequate to resolve the concerns about a student's health and its adverse impact on other members of the University community.
- 6.4 The staff member responsible for handling the case at Support for Study Stage 1 is responsible for maintaining a secure record of the discussions and actions agreed, in line with defined retention periods.

7 SUPPORT FOR STUDY STAGE 2 – CONTINUING OR MORE SERIOUS CONCERNS

- 7.1 If the student is unable or unwilling to discuss the concerns at Stage 1, or there are continuing and / or more serious emerging concerns despite any actions agreed during Stage 1, the case may be referred to the College Dean of Students (or nominee) for consideration under stage 2 of the policy. Any such referral must be made by either:
- Head of School (or nominee);
 - (for cases arising in University accommodation) the Head of Residence Life.



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When referring the case to the Dean of Students, the School representative or Head of Residence Life should set out their concerns regarding the student's health and / or behaviour, and the steps that staff have taken to date to support the student, including any reasonable adjustments made to date, providing any supporting documentation that they consider relevant.

- 7.2 If the Dean of Students (or nominee) is not satisfied that reasonable attempts have been made to resolve concerns regarding the student's behaviour, they will refer the case back to the School and may meet with the School to discuss further support and adjustments that could be implemented.
- 7.3 If, however, the Dean of Students (or nominee) is satisfied that reasonable attempts have been made to resolve concerns regarding the student's behaviour, that the conditions set out in 7.1 are met, and that no alternate process (for example student discipline or fitness to practice) would be more appropriate, they will arrange a student case conference. The purpose of the case conference will be to assess what further solutions, plans and intervention can be put in place to support the student in relation to any health issues and to address any adverse impact that their behaviour is having on other members of the University community.
- 7.4 In advance of the student case conference, the Dean of Students (or nominee) will write to the student:
- summarising their reasons for holding the case conference;
 - Inviting the student to attend an appointment with a doctor within the Occupational Health Unit of the University, with the understanding that the doctor will (subject to the student's agreement) provide the case conference with a summary of any medical conditions that may be affecting the student;
 - inviting the student either to attend the case conference or make any written representations they wish the case conference to consider.

The invitation should ideally be sent at least 10 working days in advance of the case conference in order that the student can seek support and prepare for the meeting. However, in urgent situations it may be necessary for the Dean of Students to act sooner.

- 7.5 The Dean of Students (or nominee) will inform the student that they can submit any written representations at least one working day before the case conference, and that they should only submit personal information about third parties (e.g. other students) where this is relevant to the student's written statement. The Dean of Students (or nominee) can proceed with the case conference even if the student does not wish to attend and does not make any written representations.
- 7.6 Where a student wishes to take part in the case conference, the Dean of Students (or nominee) will inform them of the time and venue for the case conference at least five working days in advance of the case conference. They will inform the student that they have the right to be accompanied by a supporter from within the University community, including a member of the Students' Association staff. They will inform the student that their supporter cannot represent the student at the case conference, and cannot attend if the student is not present in person. They will also inform the student that:



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- they can request to be accompanied by a specialist provider of health or wellbeing support;
- they can approach the Students' Association Advice Place for free and impartial advice on and support with their situation.

7.7 The Dean of Students (or nominee) will chair the case conference and conduct it in the manner they determine appropriate to the circumstances subject to the following:

- The following will always be required for a student case conference: a representative from the student's School (for example the School Senior Tutor or Head of the Student Support Team); and a head of student support (for example the Director of the Counselling Service or the Student Disability Service or their nominee). Where appropriate, the Dean of Students (or nominee) may also invite a representative of an appropriate student support service, Residence Life, Academic Services, or any other University service.
- The Dean of Students (or nominee) will provide all those attending the case conference with a copy of any written representations, along with all other documentation that the Dean of Students (or nominee) considers relevant, including any report from an Occupational Health professional (if available).
- Attendees at the case conference should treat all documentation and all matters discussed at the conference as confidential, and should only share any information with other staff whether there is a legitimate reason to do so and where this is consistent with the University's data protection policies and guidance (see <https://www.ed.ac.uk/records-management/policy/data-protection>)

7.8 The Case Conference will either decide that no follow-up action is necessary or will agree a time-bound action plan. Possible elements of a plan might include:

- Requiring the School / the Residence Life team to introduce further adjustments to support the student (defining who is responsible for reviewing progress and on what timescales);
- Supporting the student to apply in the normal way for an appropriate change to their programme status – e.g. interruption of studies or a transfer to part-time study - with due consideration (taking advice as needed) as to how any interruption of studies or change in status process might impact on the student (e.g. for immigration or financial reasons);
- A plan for the student to address specified aspects of their behaviour (defining who is responsible for reviewing progress and on what timescales), including assistance in accessing relevant services which may support the student in making these changes.

7.9 The Dean of Students (or nominee) will write to the student within five working days of the conclusion of the student case conference, confirming the actions and/or further support that the case conference proposes, together with details of how these proposals will be taken forward, by whom and by when. The Dean will also remind the student that if the concerns persist, their case may be escalated to Stage 3 of the policy.

7.10 The Dean of Students (or nominee) is responsible for maintaining a record of the student case conference (including all supporting documentation), in line with defined retention periods.



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7.11 The Support for Study Policy does not apply to staff. However, where the case under consideration involves a student who is also a member of staff, the Dean of Students (or nominee) should ensure that the relevant line manager is made aware of the concerns and actions being taken under the Support for Study policy.

8 SUPPORT FOR STUDY STAGE 3 – PERSISTENT AND SERIOUS CONCERNS

8.1 If concerns persist following the end of any time-bound action plan agreed at stage 2, or if the student does not engage with the recommendations arising from the case conference, or if more serious concerns emerge, the relevant Dean of Students can refer the case to the Deputy Secretary (Student Experience). They should summarise the student's case and their reasons for seeking escalation to Stage 3, providing any supporting documentation that they consider relevant.

8.2 The Deputy Secretary (Student Experience) or another Deputy Secretary will review the information in the referral, including evidence of actions taken to date. If the Deputy Secretary is not satisfied that reasonable attempts have been made to resolve concerns regarding the student's behaviour, they will refer the case back to the College and may meet with the College to discuss further support and adjustments that could be implemented.

8.3 However, if the Deputy Secretary is satisfied that reasonable attempts have been made to resolve concerns regarding the student's behaviour they will ask the Director of Student Wellbeing (or deputy) to prepare a formal risk assessment regarding the student and the wider University community.

8.4 Following receipt of the risk assessment, if the Deputy Secretary concludes that the risks of adverse impact on the wider University community can be adequately managed or mitigated without further formal action, they will conclude the formal process under this policy, and they will refer the case to the Director of Student Wellbeing and ask them to consider whether the student's School or relevant support services should take any further, informal steps.

8.5 If the Deputy Secretary concludes that the risk assessment and other information provide evidence that the student's behaviour is causing significant risks to the wider University community, they will convene a Stage 3 Panel hearing to consider the student's case. The Deputy Secretary (Student Experience), or another Deputy Secretary is responsible for arranging a date, time and venue for the panel hearing, and for inviting panel members and other attendees to the hearing. The Panel may hold physical or virtual hearings including conducting by electronic business.

8.6 In advance of the panel, the Deputy Secretary will ask a delegate to gather further evidence (including, if required, meeting with the student). This will include gathering the following information from the student's School: the student's academic progression to date; advice from a relevant academic in the School (e.g. the Programme Director) regarding whether it is likely that the student will progress to the next year of the programme; and a summary of any academic and regulatory aspects of the student's programme of studies which may constrain the range options for addressing the issues regarding the student's health and / or behaviour (including the academic consequences of an interruption of studies at this stage in the academic session).



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- 8.7 The Deputy Secretary will write to the student at least ten working days in advance of the panel hearing, covering the following points:
- Summarising their reasons for holding the panel hearing and enclosing all documentation that the panel will consider (including the risk assessment);
 - (if not already done at an earlier stage) Inviting the student to attend an appointment with a doctor within the Occupational Health Unit of the University, with the understanding that the doctor will (subject to the student's agreement) provide the panel with a summary of any medical conditions that may be affecting the student;
 - Inviting the student to attend the panel or to make any written representations they wish the panel to consider. The Deputy Secretary will inform the student that they can submit any written representations at least two working days before the panel hearing, and that they should only submit personal information about third parties (e.g. other students) where this is relevant to the student's written statement.
 - Informing the student that they have the right to be accompanied by a supporter from within the University community, including a member of the Students' Association staff. They will inform the student that their supporter cannot represent the student at the hearing, and cannot attend if the student is not present in person. They will also inform the student that they can request in addition to be accompanied by a specialist provider of health or wellbeing support.
 - Reminding the student that they can approach the Students' Association Advice Place for free and impartial advice on and support with their situation.
- 8.8 The Deputy Secretary can proceed with the panel hearing even if the student does not make any written representations, or if the student is unable or unwilling to attend the panel hearing.
- 8.9 The Membership of the Support for Study Panel is as follows:
- Convened by the University Secretary, Deputy Secretary (Student Experience) or another Deputy Secretary;
 - A Dean of Students (or delegate) (not from the student's College);
 - A Vice- or Assistant- Principal with responsibilities in relation to student or learning and teaching matters' *or* in the case of PhD / research students, a Vice- or Assistant Principal with responsibilities in relation to research matters;
 - One student (from a list of student representatives agreed on an annual basis by the Senate Curriculum and Student Progression Committee).
- 8.10 While the Convener is responsible for inviting the full membership to attend, the hearing will be quorate as long as a minimum of three of its members are present.
- 8.11 In addition to the formal members, a representative from Academic Services will attend and act as the secretary to the panel, and the Convener will also invite the Director of Student Wellbeing to attend.



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8.12 The Convener will provide all those attending the hearing with a copy of:

- The original referral from the Dean of Students, together with any background information;
- The information gathered in stage 8.3 (risk assessment) and 8.6 (additional information) above;
- The letter from the doctor within the Occupational Health Unit (if available);
- Any written representations from the student.

8.13 In the first part of the hearing, the Convener will summarise the evidence in relation to the case, with particular reference to the main points from the risk assessment. Those present will be able to ask to clarify any of this evidence.

8.14 The panel will then provide the student (if attending) with an opportunity to present any further information regarding the student's situation. If the student has asked that a relevant professional who is involved in supporting the student attend the meeting, the panel will provide them with an opportunity to present any further information regarding the student's situation. The panel members will be able to ask the student and relevant professional to clarify any of the points they make.

8.15 The student / their representative and the Director of Student Wellbeing will then withdraw from the hearing while the panel discusses the case and makes a decision on how to proceed. In doing so, the Panel must give careful consideration to:

- The extent to which support has been offered / taken up to date;
- Whether any reasonable adjustments might support the student's ability to continue with their studies;
- Relevant legislation and in particular the University's duties under the Equality Act;
- Medical and other evidence about the student's current health plus any advice about prognosis;
- Any evidence presented by the student, including any new medical evidence;
- The student's academic progress to date and likelihood of progressing to the next year of the programme;
- The impact of the student's behaviour on other members of the University community.
- The academic consequences of an interruption of studies at this stage in the academic session;
- The impact of an interruption of studies on the student, including careful consideration of their personal circumstances (including immigration status).

8.16 The Panel will either decide that no follow-up action is necessary or will agree one or more of the following:

- Requiring the School / the Residence Life team to introduce further adjustments to support the student (defining who is responsible for reviewing progress and on what timescales);
- Supporting the student to apply in the normal way for an appropriate change to their programme status – e.g. interruption of studies or a transfer to part-time study;



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- A plan for the student to address specified aspects of their behaviour (defining who is responsible for reviewing progress and on what timescales), including assistance in accessing relevant services which may support the student in making these changes;
- A requirement that the student interrupt studies for a specified period that does not exceed 12 months, with a requirement to subsequently demonstrate that they are fit to return to their studies.

- 8.17 The Panel will where possible make its decision on a consensual and unanimous basis. However, where the Panel is not able to reach agreement, the Convener will have a casting vote.
- 8.18 If the student has attended the hearing, the Convener will invite the student and their representative (if relevant) to return to the hearing to hear the decision of the Panel. The Convener will also write to the student within two working days of the meeting, setting out the Panel's decision and a summary of its reasons, and highlighting any further support that may be relevant to the student at this point. The Convener will copy this communication to relevant contacts in the School including Head of School and a Student Support lead contact, and the Head of College.
- 8.19 Where the Panel agrees to require the student to interrupt their studies, the Director of Student Wellbeing will develop and send to the student a plan to support and advise the student during their period of interruption. This should be done if at all possible in collaboration with the student concerned.

While the University's Policy on Authorised Interruption of Studies sets out the services that students can access while they interrupt their studies, this plan may include additional elements of support. The plan will address the following:

- Offering the student access to advice on and support with relevant welfare matters, on an ongoing basis during the interruption and prior to return to study, including but not limited to:
 - finances, considering the different fee regimes at the University and the different financial impacts that may arise from a period of interruption;
 - accommodation;
 - immigration matters (for international students);
 - access to support;
 - a case management approach, co-ordinated by the Director of Student Wellbeing (or nominee) while the student is on interruption to ensure:
 - continuity;
 - ongoing support;
 - periodic reviews of progress;
 - planning and support for re-entry into studies;
 - Continued support post re-entry to studies.
- 8.20 A student who wishes to appeal the decision of the Panel should follow the process set out in the University's Student Appeal Regulations. The decision of the Appeal Committee is



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final and there is no further opportunity for appeal against that decision within the University. If an appeal is upheld then the Appeal Committee will refer the student case to the Support for Study Panel to review its decision. Any decisions made by the Support for Study Panel remain in force while an appeal is underway and until the outcome of any review of the decision.

- 8.21 Academic Services are responsible for maintaining a record of Panel hearings (including all supporting documentation) and of relevant follow-up activities (including return to studies actions), in line with defined retention periods.
- 8.22 The Support for Study Policy does not apply to staff. However, where the case under consideration involves a student who is also a member of staff, the Dean of Students (or nominee) should ensure that the relevant line manager is made aware of the concerns and actions being taken under the Support for Study policy.

9 STUDENTS DETAINED UNDER THE MENTAL HEALTH ACT

- 9.1 For any student who is detained ('sectioned') under the Mental Health (Care and Treatment) (Scotland) Act 2003 and who is therefore unable to interact with the University in the management of their wellbeing, the student's College will put an appropriate interruption of studies in place. Prior to the student's return to study, and in order to ensure appropriate support is in place, the case will be considered under Support for Study Stage 2, where further evidence may be sought regarding the student's fitness to return to study.

10 RETURN TO STUDY

- 10.1 Where the Support for Study Panel requires a student to interrupt their studies for medical reasons, the Panel will require the student to demonstrate their fitness to return to study. The Panel will either:
- Ask the student to provide Academic Services with documentary evidence in the form of a letter in English (or with a certified translation into English) from a qualified medical doctor, specifically addressing the behavioural issues identified by the Support for Study panel, and confirming that in the view of the doctor, the student is:
 - fit to return to study because these issues are in their opinion sufficiently under control, or;
 - is likely to be fit to return to study as long as certain other adjustments are in place on their return to study.

The letter must be provided by a specified date in advance of the planned return to their studies (which will be variable based on the length of the interruption and the students' situation); or

- Refer the student to be assessed by Occupational Health professionals at a specified date in advance of the planned return to their studies (typically three months in advance).
- 10.2 The Deputy Secretary (Student Experience) or another Deputy Secretary is responsible for assessing this evidence and deciding whether the student is fit to return to their studies, taking advice from the Director of Student Wellbeing or other relevant University staff as



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needed. If the Deputy Secretary decides that the evidence does not demonstrate that the student is fit to return to their studies, they will constitute a Support for Study Panel (based on the membership set out in 8.9 above) and ask them to decide whether to require the student to interrupt their studies for a further period. The student has the right to appeal any further decision of the Support for Study panel as set out in 8.20 above.

- 10.3 The Deputy Secretary will aim to inform the student whether they can return to their studies normally no later than two months prior to the date that the student plans to return to their studies. The Deputy Secretary will copy this communication to the student's relevant contacts in the School including the Head of School and a Student Support lead contact, and the Head of College. The Director of Student Wellbeing (or nominee) will work with the School to ensure that a plan is put in place by the School to support the student back into studies and post-entry with their studies.

11 REPORTING AND RECORDING

- 11.1 The Deputy Secretary (Student Experience) is responsible for ensuring that an annual report is provided to Senatus Curriculum and Student Progression Committee summarising the number of cases referred for consideration at Support for Study stages 2 and 3, together with data on:
- the number of students required to interrupt studies;
 - the number of appeals against decisions of the Panel; and
 - the outcome of these appeals.

12 DATA PROTECTION

- 12.1 University staff are governed by the requirements of the Data Protection Act 2018 and the EU General Data Protection Regulation (GDPR) which defines all data relating to a person's physical or mental health as special category data. Staff involved in the administration of the Support for Study Policy must recognise that they may receive special category data of a confidential nature in respect of the student, at any stage of this policy, and they must therefore ensure that all such data is handled, processed and stored in accordance with the requirements set out in the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

Student members of any panel at stage 3 of the policy will be required to sign a confidentiality agreement prior to being appointed to a panel or receiving any information with regards to a Support for Study case.

30 May 2019