



Moray College, University of the Highlands and Islands

# Support for Study Procedures 2021/22

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## 1. Context

- 1.1. The University of the Highlands and Islands and all academic partners (“the partnership”) are committed to supporting students to have a positive experience and to succeed in their studies. The partnership has designed this procedure to offer all students with support for study should they require it.
- 1.2. It is the aim of the partnership to promote independence, self-awareness and personal responsibility amongst students. In this context the Support to Study Procedure encourages students to take an active part in the management of their health and wellbeing in order to make the most of their experience.
- 1.3. The Support to Study Procedure can be used by staff when a student’s health, wellbeing and/or behaviour is significantly impacting on their ability to progress academically and/or function effectively. The Support to Study Procedure may be considered as an alternative to other means of managing concern (for example as an outcome of a Disciplinary Procedure) where there is sufficient belief that a student’s behaviour (including breaches of the Student Code of Conduct), attendance and/or academic progress could be the result of mental or physical ill health or disability.
- 1.4. The procedure may also be used when the institution has concerns about the impact of a student’s behaviour on their own safety, or the experience, safety and wellbeing of staff and other students.
- 1.5. The Support to Study Procedure was previously known as Fitness to Study Procedure, but in keeping with sectoral developments and the emphasis on supporting students has been renamed during a review in the 2020/21 academic year.

## 2. Responsibilities and Interdependencies

- 2.1. The responsibility for initiating this procedure does not sit with any single member of staff and is likely to be the result of different members of staff (e.g. lecturers, student support, guidance, Director of Studies etc) identifying collective concerns about a student's health and wellbeing. Informal discussions are likely to be the first step before formal interventions start.
- 2.2. As per Section 1.2, there is an emphasis on personal responsibility that should be clearly communicated to students from the outset of their studies. Every effort will be made to ensure students are active participants in the process rather than recipients of outcomes.
- 2.3. This Support for Study Procedure is part of a suite of documents, including:
  - Promoting a Positive Learning Environment Policy
  - Student Code of Conduct
  - Mitigating Circumstances Procedure
  - Student Disciplinary Procedure
  - Mental Health Strategy
  - Student Mental Health and Counselling Policy (forthcoming 2021/22)
  - Suicide Intervention and Risk Management Policy and Guidance.
- 2.4. These documents are designed to give students and staff a clear framework to fairly and promptly address any situations which may arise around student wellbeing and student behaviour.
- 2.5. In certain circumstances, staff may deem suspected breaches of the Student Code of Conduct being investigated under the Disciplinary Procedure to be more appropriately resolved by using the Support to Study Procedure.
- 2.6. Student support, learning support, admissions, student funding and the Personal Learning Support Plan (PLSP) processes are also associated with this area.

## 3. Usage of the Procedure

- 3.1. The use of any formal procedure may cause stress and anxiety, particularly if the purpose of the procedure is not understood. It should be ensured that the student understands the focus on their best interests, and that all possible steps are taken to minimise risks and do what is deemed best for them.
- 3.2. This procedure should be used:
  - 3.2.1. For any student regardless of level, mode or location of study. For more information on postgraduate students please see point 3.7.
  - 3.2.2. When self-reported or staff reported concerns about a student's academic progress and/or behaviour or ability to function appropriately could be the result of mental or physical ill health or disability.

3.2.3 When a student's behaviour or ability to function appropriately is impacting the experience, safety and wellbeing of staff and other students.

3.3 Examples of when the procedure may be used include:

3.3.1 Students who are exhibiting some or all of the following behaviours, although this list is not exhaustive:

- Not engaging appropriately in their studies
- Not submitting work, submitting work late or submitting work that falls significantly below the student's usual standard
- Repeatedly not responding to communication from staff
- Making regular requests for mitigation or extensions
- Inappropriate levels or forms of communication with staff

3.3.2 Students with complex personal circumstances.

3.3.4 Students whose health, wellbeing and behaviour is causing concern to others, although there may be no negative impact on their academic work and progression.

3.3.5 Students who have a PLSP in place and are struggling to manage their studies or other elements of their course.

3.3.6 Students whose behaviour is impacting on the health and safety of themselves or of other people.

3.4 The procedure aims to support students to remain on their programme of study wherever possible; however, there may be some circumstances when all options of support have been exhausted, and the student is not able to continue. In such instances the procedure may result in suspension or withdrawal from studies (dependent on what their course allows) as the best support outcome.

3.5 If a student requests suspension or withdrawal (dependent on what their course allows) this procedure can be used to explore potential support arrangements in order to avoid this outcome.

3.6 Should a student suspend or withdraw from their studies (dependent on what their course/programme allows) if they restart their studies or reapply, this procedure and other support mechanisms can be used to explore opportunities for the student to safely return so that they can fulfil their academic potential and make the most of their experience.

3.7 **Postgraduate students only:** Should the Support for Study Procedure need to be initiated, prior to each stage of the procedure beginning a case conference should take place as soon as possible consisting of:

- Academic member of staff responsible for student (e.g. Director of Studies)
- Member of University or Moray College student support staff (normally the Student Advice Manager).

- Any other key members of staff relevant to the process

The case conference should identify who is going to take responsibility for different activities at each stage and record this to ensure the process is not delayed.

- 3.8 If staff are unsure about whether to formally implement this procedure, they should seek advice and discuss their concerns with relevant colleagues, including the University Mental Health and Counselling Manager.

#### 4. Stage 1 Procedure: Initial or Developing Concerns

- 4.1 Stage 1 is used where there are new initial concerns or known concerns escalating about a student's health and wellbeing. It is likely these will be raised by the student themselves or identified by a staff member. If concerns are raised by a fellow student, staff should use their professional judgement and discretion to identify the best course of action.
- 4.2 Stage 1 support is best handled by a member of staff the student is familiar with in order to facilitate an open and honest discussion. Should the student be more comfortable talking to another member of staff (e.g. someone of a specific gender due to the nature of the issues) this should be accommodated where possible. For postgraduate students the best member of staff to oversee this stage is likely to be the Director of Studies, but this should be discussed in the pre-stage case conference.
- 4.3 Before inviting the student for a discussion, the member of staff leading Stage 1 should consider any relevant information about the student and the context of the concern. This may include previous Support to Study and/or disciplinary interventions. Under certain circumstances it may be appropriate to share some information with the student about the concerns prior to the meeting, but professional discretion should be used in order to ensure the meeting takes place and the student has the opportunity to discuss the concerns with a member of staff.
- 4.4 The student should be invited for a discussion about the issue. It is vital that a sensitive approach is used with an emphasis on support and compassionate concern. Other members of staff may be included but during the discussion the minimum number of staff is best. The student may be accompanied in a supportive capacity by a lecturer, a friend, or another member of staff. The student can approach HISA to find out more about the type of support they can offer.
- 4.5 Should the concerns seem to require specialist knowledge outwith the skillset of the member of staff, more specialist knowledge can be sought from specific members of staff, e.g. the University of the Highlands and Islands Mental Health and Counselling Manager or Disability Support Coordinator or the College Student Advice Manager.
- 4.6 At the meeting, the student should be given information about the Support to Study Procedure and informed about the initial or developing concerns.

- 4.7 The student must have the opportunity to discuss the issues raised with the member of staff, and disclose any information relating to the concerns. The student should be made aware of internal support available and signposted to external support, and given a copy of the Support to Study Procedure
- 4.8 It is vital that a note of the meeting is made on the student's record or relevant system. This note should outline the key pieces of information discussed and any outcomes agreed.
- 4.9 It is hoped that many concerns can be resolved in Stage 1 without the need to move to Stage 2 or 3. However, where a student is unable or refuses to engage in Stage 1, or where continuing or serious concerns remain after the meeting it may be necessary to move to Stage 2 or Stage 3. Any staff supporting the student directly should be informed of the outcome of the Stage 1 procedure.

## 5. Stage 2 Procedure: Continuing or Serious Concerns

- 5.1 If Stage 1 has not resolved the concerns, a connected concern arises or a new concern arises which appears to be seriously affecting a student's performance and/or wellbeing then a Stage 2 procedure should be considered. As with Stage 1, it is vital that a sensitive approach is used with an emphasis on support and compassionate concern.
- 5.2 Where a staff member has the type of concerns set out in 3.3 they should liaise with the Student Advice Manager. Where serious concerns exist, specialist staff such as the University Mental Health and Counselling Manager, any other local staff are available for consultation.
- 5.3 If the Student Advice Manager deems the issue to be of appropriate concern the student should be invited to a meeting. The meeting should be arranged with a minimum notice period of three working days.
- 5.4 For postgraduate students, the Director of Studies should be consulted, and the Dean of Research should be involved in the process if deemed necessary at the pre-Stage 2 case conference. If not involved in the Stage 2 Procedure the Dean of Research should be notified of the outcome of Stage 2 Procedures.
- 5.5 **Prior to the meeting**
  - 5.5.1 The student attending will be sent a copy of the Support to Study procedure.
  - 5.5.2 The student may be accompanied in a supportive capacity by a lecturer, a friend, or another member of staff. The student can approach HISA to find out more about the type of support they can offer.
  - 5.5.3 Information will be gathered relating to the student including any information generated under Stage 1 of the procedure. Information may be submitted by academic staff about the behaviour or progress of the student in academic

settings. Any previous disciplinary interventions should also be taken into account.

- 5.4.3 Information supplied by the student themselves, or from external professionals (independently or via the student) may also be considered prior to and during the meeting.
- 5.5 The meeting will be run by the Student Advice Manager (or nominated representative) and other relevant staff members with a direct link to the case may be invited where it is deemed appropriate, although the overall number of staff attending the meeting should be kept to a minimum. For postgraduate students the Director of Studies should be invited.
- 5.6 The Student Advice Manager will explain the purpose of the meeting and the roles of attendees. The meeting will discuss the concerns with the student and the student will be given the opportunity to produce any relevant evidence. Further actions will then be determined. The Student Advice Manager (or nominated representative) will ensure the student is fully aware of the possible outcomes. Actions agreed could include but are not limited to:
- 5.6.1 No further action is required;
  - 5.6.2 Support and/or reasonable adjustments are agreed between the student and staff;
  - 5.6.3 A period of monitoring is agreed to. An action plan will be agreed and signed by both the Student Advice Manager (or nominated representative) and the student which may include an agreement on appropriate support to be provided and/or appropriate behaviour to be expected. Should the period of monitoring not lead to concerns being alleviated then the case will be referred to Stage 3 of the procedure;
  - 5.6.4 The student is referred to the next level of the procedure;
  - 5.6.5 The student voluntarily suspends or withdraws from their studies (dependent on what their course/programme allows).
- 5.7 Following the meeting the student will be provided with an outcome in writing within five working days of the meeting including full articulation of any actions to be taken. Any staff supporting the student directly should be informed of the outcome of the Stage 2 procedure.

## 6. Stage 3 Procedure: Persistent or Critical Concerns

- 6.1 If: a) the interventions at Stage 2 have been unsuccessful; b) have resulted in a referral to Stage 3; or c) there is significant threat of harm to self or others, Stage 3 will be used. Staff members with concerns about students under c) above should draw these to the attention of the Student Advice Manager. If appropriate the Moray College Safeguarding Lead should be notified of any risks.

- 6.2 This stage of the process will usually follow on from Stages 1 and 2. However Moray College retains the authority to require a student to engage at Stage 3 without the previous steps, particularly where the health and wellbeing of staff or students is considered to be at significant risk.
- 6.3 The Student Advice Manager will liaise with relevant members of staff to discuss the case. There will be an initial consideration with professional input as to whether it is in the best interests of the student or those around them to temporarily remove them from their course of study and/or University partnership campuses and accommodation. Where serious concerns exist the University Mental Health and Counselling Manager is available for consultation.
- 6.3.1 Should this be deemed necessary, the Director of Information, Planning and Student Support or their nominated deputy (Dean of Research for postgraduate students), in agreement with the Student Advice Manager or their nominated deputy, and a specialist member staff such as the University Mental Health and Counselling Manager or AP equivalent, shall have powers to temporarily remove, pending further appropriate investigations and/or a Stage 3 Meeting, a person whose continued presence on University partnership campuses and/or accommodation is deemed to constitute a threat to the health and wellbeing of themselves or others.
- 6.3.2 Usually, the agreement of the three members of staff noted above is required, but in emergency circumstances the agreement of two of the members of staff will be deemed sufficient. Appropriate records should be maintained by the staff involved.
- 6.3.3 Appropriate measures should be taken to address student access to online environments and ensure equivalency of process irrespective of mode of study.
- 6.3.4 During a period of temporary removal the student will continue to be offered support by the Student Services team. Their status as a student will not be affected by the temporary removal; relevant staff will be informed of the duration but not the reasons. If a student is removed from their University partnership accommodation the College will take all reasonable steps to check that the student has a safe place to go.
- 6.4 The Student Advice Manager will normally invite the student to a Stage 3 Support to Study Meeting formally in writing at least 24 hours before the meeting is due to be held although as much notice should be given as possible. The student will be provided with a copy of the Support to Study Procedure alongside the meeting invitation.
- 6.5 Should there be a compelling reason that the student cannot attend the meeting, alternatives should be explored (e.g. virtual meeting or different location). If this is

not possible, the reasons should be recorded and taken into consideration at the meeting. Dependent on individual circumstances a decision may also be taken to delay the meeting until the student could attend the meeting.

- 6.6 Should the student reject the opportunity to attend the meeting this will be noted and the meeting will take place in their absence.
- 6.7 The student will be asked to provide any documentation they wish to be considered at the meeting in advance where this is possible or, where only short notice is given, the documentation should be presented at the meeting. Should any documentation become available after the meeting it should be submitted as soon as possible, but if submitted too late to be used in the determination it may create grounds for appeal under Section 7.2d.
- 6.8 The student may be accompanied in a supportive capacity by a lecturer, a friend, or another member of staff. The student can approach HISA to find out more about the type of support they can offer. Students can also be represented by a medical professional. Students are not permitted to be accompanied by a solicitor or another legal representative due to the fact that the meeting is part of a support process and not a legal proceeding.
- 6.9 The Stage 3 meeting will consist of a panel including the Student Advice Manager (chair), Director of Information, Planning and Student Support (or Dean of Students) and a specialist member staff such as the University Mental Health and Counselling Manager or AP equivalent. Careful consideration should be given to the make-up of the panel depending on the nature of the issues to be discussed and to ensure no conflicts of interest exist. For postgraduate students the Director of Studies consideration should be invited to the panel.
- 6.10 Prior to the meeting the Student Advice Manager and as many members of the panel as available are advised to hold a case conference with relevant parties to gather information about the student, the concerns and the earlier stages of the process. Any previous disciplinary interventions should also be taken into account. This case conference might include representatives from departments in the College and/or University, other support services or medical professionals involved with the care of the student. The student will not be invited to the case conference. This conference is fact finding only, and no decisions in relation to the student will be made. Notes of the meeting will, however, be provided to the student for information, and appropriate information should be recorded on the student's record or relevant system
- 6.11 Proceedings for the meeting can be flexibly determined by the panel to suit the nature of the case. These will be determined prior to the hearing and communicated to all parties. It is not required, but where it is deemed in the student's best interest people may be called to present evidence or medical opinion either in person or in



- writing. The wellbeing of other students, staff and the institution must also be considered as part of the meeting.
- 6.12 The Stage 3 Support to Study panel will make a decision based on all the evidence available to them and the advice received.
- 6.13 Actions agreed could include but are not limited to:
- 6.13.1 A period of monitoring is required to give the student time to evidence improvement. An action plan will be agreed with the student which will be signed by both the chair and the student and may include an agreement on appropriate support to be provided and/or appropriate behaviour to be expected. In this case the student should be advised that the consequences of failing to comply with the action plan;
- 6.13.2 That the student is required to suspend for a specific period of time or withdraw from their studies (dependent on what their course allows) to be agreed based on the evidence available noting that the academic requirements for that student on their course of study may affect the time of return;
- 6.13.3 The temporary removal of the student from the Moray College and/or University or from a stated part of it, until such a time that they can demonstrate their ability to return safely. The College and/or University will take all reasonable steps to check that any student subject to temporary removal from University partnership accommodation has a suitable place to go;
- 6.13.4 That the College and/or University makes contact with the student's registered next of kin/emergency contact. Wherever possible this would be done with the full consent of the student but there may be cases where for their health and safety, contact is made without consent. This contact should be made by the Chair of the Stage 3 Panel;
- 6.13.5 Any other action considered to be appropriate and reasonable.
- 6.14 During a period of temporary removal the student will continue to be offered support by Student Services. Their status as a student will not be affected by the temporary removal; relevant staff will be informed of the duration but not the reasons.
- 6.15 Following the meeting the student will be notified of the outcome in writing within 5 working days of the meeting including full articulation of any actions to be taken. Any staff supporting the student directly should be informed of the outcome of the Stage 3 procedure.
- 6.16 Students should note all agreed actions, taking particular note of any restrictions to physical or online environments to ensure compliance. Should restriction to a

physical or online environment restrict the student's ability to study effectively discussions should take place as part of the outcome notification.

- 6.17 The outcome should be recorded on the student's record or relevant system and taken into account for any future applications.
- 6.18 In the case of a withdrawal or temporary removal due consideration should be given to any funding a student may be in receipt of, including referring to up to date Scottish Funding Council and SAAS policies and guidance.

## 7. Appeal

- 7.1 It is the intention and expectation of the College and/or University that decisions will be made in agreement with the student. However the College and/or University, under its wider duty of care to all students and staff, retains the authority to insist on outcomes even when the student does not concur.
- 7.2 A student may appeal against any action taken against them at both stages 2 and 3. Appeals will only be considered on the following grounds:
- a. That the Support to Study Procedure was not followed correctly;
  - b. That there was proven prejudice and/or bias on the part Support to Study panel members which affected the outcome;
  - c. That the action imposed is thought to be disproportionate to the situation;
  - d. That there is new information which could not have been made reasonably available during the original determination.
- 7.3 Appeals must be made in writing to the Principal's office where it will be allocated to a member of the Strategic Leadership Team not previously involved. PG students should appeal to the Dean of Research. The appeal must be made within five working days of receiving the outcome of the Support to Study Procedure and must state the grounds on which the appeal is being made. Any evidence in support of the appeal should be included at this stage. The student can approach HISA to find out more about the type of support they can offer.
- 7.4 Should the student have reasonable adjustments in place that would impact on the ability to meet deadlines then an appropriate extension to the deadline for submitting an appeal will be considered.
- 7.5 Appeals will not be considered for any other reason or through any other means than those outlined above.
- 7.6 The appeal will be considered by the relevant member of the College Strategic Leadership Team or an appointed deputy who will respond to the student within five working days of receiving the appeal. Once the outcome has been decided there is no recourse to further appeal, although students should consider the Complaints Handling Procedure if they remain dissatisfied and have grounds to make a complaint.

## 8. Return to Study

8.1 Following periods where a student has been required to suspend for a specific period of time or withdraw from their studies (dependent on what their course allows), return to study will be managed as follows:

8.2.1 When a student informs the Moray College and/or University that they wish to return to study, they will be required to provide satisfactory evidence from a recognised independent professional with sufficient knowledge of the wellbeing of the student during the period of suspension/withdrawal.

8.2.2 The decision to allow a student to return will be taken by the Student Advice Manager, based on evidence presented, and consultation with relevant parties including the department/faculty/academic partner where the student studies and the University Mental Health and Counselling Manager (if appropriate).

8.2.3 At the discretion of the Student Advice Manager (or nominated representative), and in consultation with all parties including the student, ongoing arrangements to support the student and prevent a reoccurrence of the original difficulties will be agreed.

## 9. Related Policies and Procedures

- Complaints Handling Procedure
- Further Education Student Guidance Policy
- Mental Health Strategy
- Mitigating Circumstances Procedure
- Promoting a Positive Learning Environment Policy
- Safeguarding Policy
- Student Code of Conduct
- Student Disciplinary Procedure
- Student Mental Health and Counselling Policy (forthcoming 2021/22)
- Suicide Intervention and Risk Management Policy and Guidance