



## REGULATION B4: FITNESS TO STUDY

(formerly Regulation 10: Leave of Absence).

This Regulation relates only to taught programmes, i.e. those covered by the following regulations: C3 - Bachelors Degrees, C4 - Intercalated Bachelors Degrees, C5 - Medical Bachelors Degrees, C6 - Integrated Masters Degrees, C7 - Taught Postgraduate Degrees, C8 - Graduate Certificates and Graduate Diplomas, and C9 - Professional Doctorates. Within these regulations, the section Student Health and Wellbeing, refers to this Regulation.

### 1. FITNESS TO STUDY

**1.1** Leave of Absence is defined as an absence from the University of greater than 15 days' duration but normally no more than 12 months' duration, during which time a student is not undertaking any study.

**1.2** For students experiencing difficulties but wishing to continue their studies, they should refer to the University's Exceptional Circumstances Policy.

**1.3** Any student who takes a leave of absence should be aware that the programme of study on which they are registered may change or cease to be offered during the period of leave of absence and that the student, upon return to the University may be required to undertake a different or amended programme of study.

**1.4** Students are requested to respond to any communications received from the University regarding re-registration at the conclusion of their leave of absence. These communications will normally be received no later than one month before the leave of absence is due to complete.

**1.5** If a student fails to respond to communications within the specified timeframe they will be withdrawn from the University.

**1.6** Due to the University's responsibilities as a student visa route Sponsor, international students on a student visa route visa who apply for, and are granted, a leave of absence will have their Visa curtailed and will need to return to their home country for the duration of the leave of absence. Any student who chooses to take a leave of absence should be aware that the University's sponsorship may be removed and that they may not be able to return to study following a leave of absence.

## **2. LEAVE OF ABSENCE FOR PERIODS IN EXCESS OF ONE ACADEMIC YEAR**

**2.1** Only in exceptional circumstances will applications for a leave of absence totalling in excess of one academic year be considered. Any such applications should be made in writing to the Academic Registrar, who shall, informed by specialist advice (if necessary) determine what conditions, if any, shall apply to the permission.

**2.2** Students should also be advised that periods of leave of absence do count towards their allowed maximum period of registration (Ordinance IV) and that they may not normally be allowed to return to the University to complete their studies once they have reached their maximum period of registration.

## **3. LEAVE OF ABSENCE CAN BE EITHER BE:**

**3.1** Voluntary (section 4)

**3.2** Compulsory (section 5)

## **4. LEAVE OF ABSENCE UPON THE STUDENT'S REQUEST**

**4.1** A student may be permitted to take a leave of absence from the University only with the prior agreement of the relevant Head(s) of School/School Director or Research Institute Director/Faculty Research Director, for a specified period, normally a semester or one academic year.

**4.2** A student can request a leave of absence for the following reasons:

- (a) medical reasons, as recommended by the campus GP and/or medical practitioner;
- (b) maternity/paternity/adoption leave;
- (c) bereavement;
- (d) other valid personal reasons;
- (e) personal financial hardship;
- (f) to change course;
- (g) to undertake work experience not included as a formal course-based work placement.

**4.3** The University will request documentary evidence to support a leave of absence request.

**4.4** Any student who requests a leave of absence must do so through the University's established procedures, which are outlined in the Leave of Absence Procedure.

## **5. COMPULSORY LEAVE OF ABSENCE**

**5.1** When a student's health, wellbeing and/or behaviour is having a detrimental impact on their ability to progress academically and function effectively the University, following the procedure outlined in the Support to Study Policy, will seek to identify appropriate measures to support the student. The Support to Study procedure comprises of three stages accompanied by a risk assessment process outlined in section 6.

## **6. RISK-RELATED MEASURES**

**6.1** Where there is concern in relation to student's health, wellbeing and/or behaviour, the University may impose immediate conditions on that student to ensure that a full and proper investigation can be carried out and/or to safeguard the student or others whilst the concerns are being considered.

**6.2** In the event that the University believes that a student presents a threat of harm to themselves, other students and/or members of the University or to University property, the University may temporarily suspend the student. Temporary suspensions are precautionary for the safety of the student wellbeing or that of University staff or students.

**6.3** For the purposes of this procedure, temporary compulsory suspension is defined as a partial or total ban on attendance at the University, including at learning, teaching or assessment activities, including placements; and/or on participation in University activities, and/or on attendance at or access to specified facilities or parts of the University (including residential accommodation); and/or on exercising the functions or duties of any office or committee membership in the University or the Students' Union.

**6.4** A temporary compulsory suspension will be based upon the outcome of a formal risk assessment through a stage 3 support to study panel, authorised by the Deputy Vice-Chancellor or their nominee and would be based on a recommendation from cases as a result of this procedure. The temporary compulsory suspension will be for a specific period of time.

**6.5** Students enrolled on a course that requires them to undertake practical training in a professional role involving patients, pupils, clients or service users, or where the end qualification provides a direct license to practise or is a requirement for a license to practise may also be temporarily excluded from their studies by a Health and Conduct Committee or Fitness to Practice Committee under Regulation B.5 Fitness to Practice.

**6.6** In each case of temporary compulsory suspension, the student will be informed in writing of the specific restrictions placed upon them, of the time scale and manner by which the suspension will be reviewed and of their right to appeal.

**6.7** All efforts will be made, as far as is possible, to reduce the impact of any temporary compulsory suspension on the student's studies.

**6.8** The temporary compulsory suspension will be reviewed 4 weeks from the date that it came into effect, or earlier upon receipt of the outcome of an internal investigation, evidence of external developments or significantly altered circumstances of the student.

**6.9** The temporary compulsory suspension shall normally remain in place until such time as any investigation and or confirmation from a health care professional has been obtained.

**6.10** Where a student who is also an employee of the University or the Students' Union has been temporarily excluded, the Director of Human Resources and/or the Students' Union will be notified for consideration as to whether any further action is required under their procedures.

## **7. CONFIDENTIALITY AND RECORD KEEPING**

**7.1** At all times, staff operating this policy or procedure will adhere to the guidelines laid down within the Data Protection Act to ensure that the appropriate level of confidentiality is maintained.

**7.2** Where personal information is shared it is only released to only those who are part of the University's Support to Study procedures and other relevant officers of the University as appropriate.

**7.3** This includes the storage of records and data and sharing of information for the purposes of dealing with the student case.

**7.4** If it is determined that an offence has been committed, the incident is normally referred for consideration by the University Discipline Committee. This, and notes on the support to study process will be placed on the student's file and shared with the relevant Head(s) of School and other relevant officers of the University.

## **8. AVAILABLE SUPPORT AND REPRESENTATION**

**8.1** Students have the right to be accompanied to any formal meetings by a member of the University. A member of the University is defined in Statute 2 as being a member of staff, a fellow student, a member of the Advice and Support at Keele (ASK) team or from another University support service, or an elected officer of the Students Union. Members of the University asked by the student to support and/or represent them may attend the whole meeting. Notification of the names and status of the friend or representative must be given to the Chair of the Panel at least 24 hours in advance of the meeting for approval.

## **9. RETURNING TO STUDY**

**9.1** In cases where the outcome of the Support to Study procedures result in a leave of absence, the procedure for considering a return to study should be made clear to the student at the time of them being notified.

**9.2** In all cases involving compulsory leave of absence, the Student will need to obtain permission to return from the Academic Registrar (or their nominee).

**9.3** The student will be required to provide satisfactory evidence including medical evidence where appropriate, that they have overcome the original difficulties and are well enough to return to study. The precise nature of the evidence required from the student will be dependent on the individual circumstances in each case, but in all cases it is expected that this will involve a report from a recognised independent health professional with sufficient knowledge about the health and wellbeing of the student during the period of leave, and the potential impact that returning to study might have.

**9.4** Where a Student returns to study after a temporary suspension or leave of absence under this procedure, the Academic Registrar or nominee should consult with the Student's Head of School to establish that arrangements and reasonable adjustments are in place to support the Student's return.

## **10. PERMANENT WITHDRAWAL FROM THE UNIVERSITY**

**10.1** If the stage 3 Panel concludes, taking into account the individual circumstances of the case and any supporting medical evidence, that there is no reasonable prospect of the student re-engaging with their programme, a recommendation will be made to the Deputy Vice-Chancellor that the student is permanently withdrawn from the University. This recommendation should only be made in the most serious cases and be based on a risk assessment conducted by the stage 3 Support to Study Panel

## **11. APPEAL OF DECISIONS**

**11.1** A student has the right of appeal against the final decision of this process and any penalties that are imposed. Such an appeal should normally be lodged in writing with the Academic Registrar within 10 working days from the date of the letter informing them of the panel decision. Appeals may only be made on one of both of the following grounds:

- (a)** procedural irregularity in the conduct of the case;
- (b)** there is new evidence that can be substantiated, including exceptional circumstances, which was not known at the time, and may have affected the outcome had it been known to the Authorised Officer/Committee and there is a valid reason for not making it known at the time.

**11.2** Appeals against the decision of an Authorising Officer will be heard by the Support to Study Appeals Panel. The composition of the Appeals Panel hearing must be different to the original Support to Study Panel and Chaired by the Academic Registrar.

**11.3** A student subject to temporary suspension may appeal to the Pro-Vice Chancellor. Such an appeal should normally be lodged within 10 working days from the date of the letter informing them of the temporary suspension.

**11.4** The Academic Registrar may reject or accept the appeal and lift the temporary suspension or modify the terms of the temporary suspension or reject the appeal so that the temporary suspension remains in force. This decision will be notified to the student in writing.

**11.5** In the event of a conflict of interest, the Academic Registrar will nominate an appropriate member of staff to deal with the appeal on their behalf. If this is the case, the student will be notified of the name of the nominated person in writing.