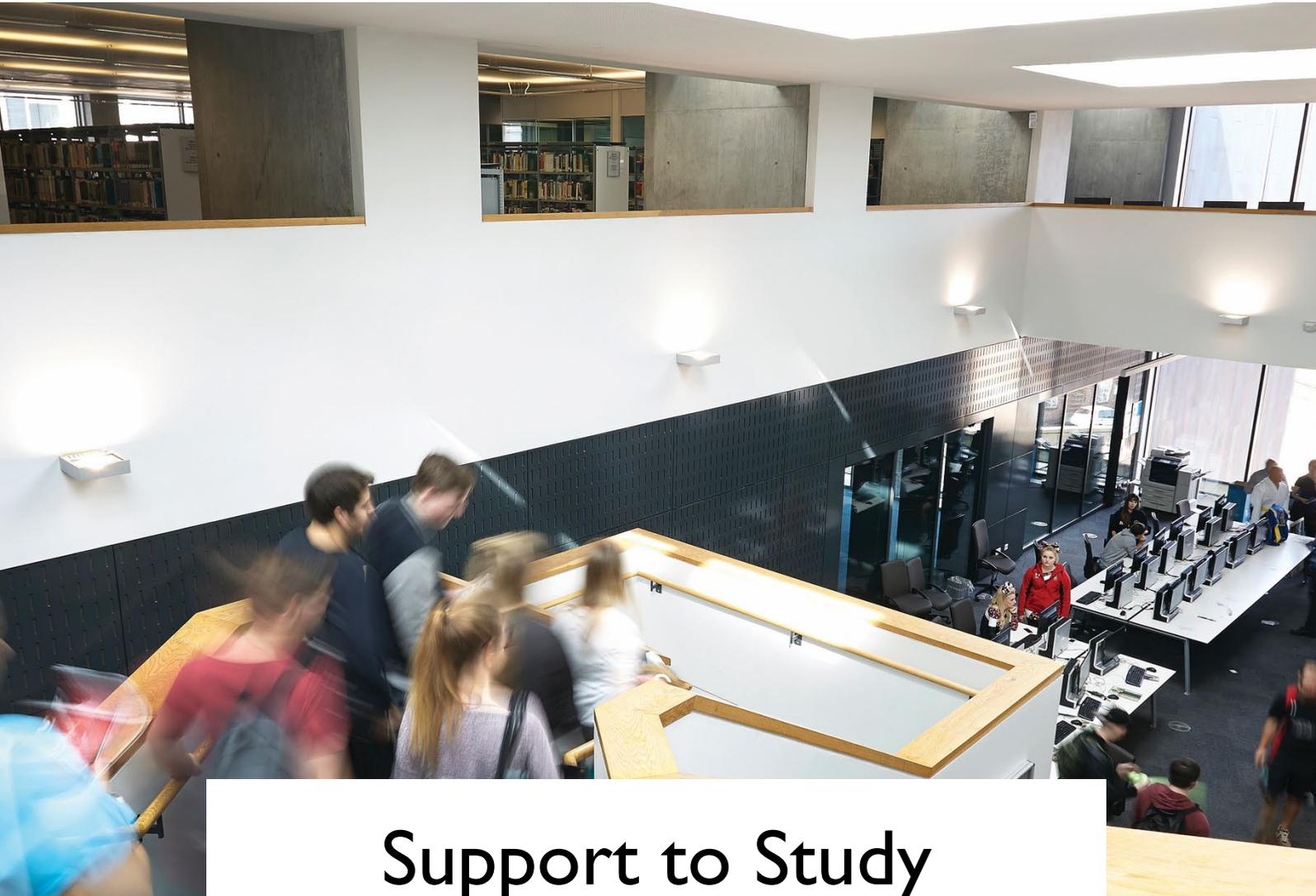




BUCKINGHAMSHIRE
NEW UNIVERSITY

EST. 1891



Support to Study Procedure



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Purpose

- 1 Buckinghamshire New University (BNU) aims to transform lives through employment-focused education. The University is committed to the health and wellbeing of all learners and this procedure aims to support people who experience challenges during their studies. Where a learner's wellbeing causes concern, BNU will always act with a duty of care to find the best solution for that person's needs and the wider university community.
- 2 All colleagues have a collective responsibility to be vigilant for any patterns of behaviour or symptoms which may be of concern. The Students' Union or members of the public may raise an issue. As such, any member of staff may request that a learner is entered into the Support to Study procedure. Learners studying with an academic partner of the University will be supported via the partner institutions' own processes.
- 3 A student or learner is considered able to study, subject to reasonable adjustments when:
 - a. they are aware of their own wellbeing and safety and that of others
 - b. they are able to produce work within agreed timescales
 - c. they attend teaching and practical sessions
 - d. they are able to undertake examinations
 - e. they are able to engage with the wider university community safely.
- 4 Support to Study cases are a priority and cover a range of wellbeing and safeguarding concerns for the learners involved. The expectation of all engaging with these cases is to ensure they are dealt with as quickly as possible. The 10-working day limit is a maximum timeframe which must not be exceeded.
- 5 Please [complete this form](#) to notify the University of a concern. If after reading this document you are still unsure about what to do, please contact students@bnu.ac.uk

Applicability and Scope

- 6 BNU is committed to encouraging and supporting all learners who can benefit from higher education, to access education with ease and flexibility.
- 7 This policy applies to all enrolled learners and may be used for any learner who is unable to manage university life, study or progress on their programme as a result of their health and wellbeing. This may include cases where:
 - a. a learner's current wellbeing has an impact on their ability to study either on a temporary or permanent basis
 - b. a learner poses a risk to their own health, safety or wellbeing
 - c. a learner's behaviour is a risk to the safety and wellbeing of others

- d. a learner's behaviour is, or is at risk of, negatively affecting the experience of other learners or the day-to-day activities of the University and/or a placement provider
 - e. a learner does not have the capacity to continue with their studies
- 8 BNU can stop this procedure at any stage if concerns are not felt to warrant further action.
 - 9 The procedure can be paused by the University if there are concerns about an individual learner's capacity and may be reconvened at a later date when appropriate. If there is reason to believe the learner may not have the capacity to continue in a reasonable timeframe, it is possible for the process to continue. However, the evidence for this decision must be well documented.
 - 10 This process should be managed with sensitivity, compassion and confidentiality throughout.
 - 11 In some cases the University may decide that the learner is unable at this time to study and may decide to suspend or terminate the learner's study. The University may determine, in accordance with this procedure, that a learner is unable to study and therefore suspend or terminate their studies.
 - 12 Once the BNU process has concluded, learners may contact the Office of the Independent Adjudicator for Higher Education.

Procedure

Stage I – Initial Concerns

- 13 This procedure aims to resolve cases at the earliest possible stage.
- 14 Colleagues are reminded to maintain confidential notes at all stages.
- 15 All employees have a collective responsibility to be vigilant for any patterns of behaviour or symptoms which may be of concern. The Students' Union, partners or members of the public may raise an issue. As such, any member of staff may request that concerns are reviewed under stage one of this Support to Study procedure.
- 16 To request a learner is entered into the Support to Study procedure, email students@bnu.ac.uk having completed the Support to Study request form.
- 17 On receipt of a request, a Case Conference will be arranged by the Directorate for Student Success. The case conference is the start of Stage I of this procedure.
- 18 A Case Conference is an opportunity for everyone involved in supporting a learner to meet in private, without the learner present, to share concerns and decide on an appropriate course of action.
- 19 The Case Conference Group will review the steps which have been taken. This is not an exhaustive list but may include:

- a. Meeting with a Personal Tutor
 - b. Meeting with senior member of the academic School
 - c. Referral to University or external support services
 - d. Consideration of mitigating circumstances
 - e. School Action Plan
 - f. Contact with the Student Engagement and Retention Team
 - g. Voluntary suspension.
- 20 The Case Conference should also consider any protected characteristics (see table of definitions) of the learner and how these might impact the case and, additionally, how characteristics may intersect ('intersectionality').
- 21 This Case Conference may include relevant staff from the Directorate for Student Success and relevant academic colleagues.
- 22 Discussions are open and confidential but will be conducted in a sensitive and professional manner with respect to the learner's wellbeing.
- 23 A note taker should be appointed to record who was present, key points and recommended actions.
- 24 The Case Conference may recommend one or more of the following. That:
- a. the learner be referred for additional support
 - b. further information is sought from external services (e.g., NHS or local authority)
 - c. the learner undergoes a medical assessment
 - d. further pastoral support is offered
 - e. the learner be encouraged voluntarily to suspend their studies for a year
 - f. the learner's trusted contact is notified (where consent has been obtained or a serious safeguarding concern has been highlighted)
 - g. the case is moved to a different procedure
 - h. a temporary exclusion is put in place (see Appendix 1)
 - i. the case progresses to stage 2
 - j. no further action is taken.
- 25 During the meeting, a member of the Case Conference group will be appointed to meet with the learner to discuss these actions.
- 26 The learner may invite an individual to support them, such as a Students' Union representative, when they meet with a member from the Case Conference group. The learner will be required to undertake actions emerging from the Case Conference unless there is an exceptional reason.

- 27 If a learner raises an exceptional concern about any of the recommended actions (e.g., contact with family) an alternative can be sought in consultation with the Case Conference.
- 28 Temporary exclusions are put in place for safeguarding reasons.
1. A learner may submit an appeal against the temporary exclusion on the following grounds:
 - Material procedural irregularity
 - Disregard of material evidence
 - New evidence has become available
 - Demonstrable bias or prejudice
 2. An appeal must be submitted within 10 working days from the original decision in writing, and addressed to studentsuccess@bnu.ac.uk. It will be recommended to the learner they seek help and support from the SU Advice Centre in submitting an appeal. More information on this process is available in Appendix I.
- 29 If escalation to stage 2 is recommended, the appointed Case Conference Group member will explain the next stage to the learner.
- 30 If escalation to stage 2 is not recommended, the appointed Case Conference Group member will explain the actions agreed at the conference.
- a. If the learner agrees, they will be supported throughout the review period and the Case Conference will review in four weeks to track progress.
 - b. If the learner does not engage with any of the recommended actions and has not raised any reasonable concerns, the learner will progress to stage 2.

Stage 2 – Support to Study Panel

- 31 The Support to Study Panel assesses the learner’s situation in relation to their academic studies and impartially decides what is in the best interests of the learner and the wider University community.
- 32 No panel members will have prior involvement in the case. If the learner has a valid objection to a panel member, they may raise this, and it will be considered on a case-by-case basis. The panel chair should be a member of the University Management Group.

Support to Study Panel Process

- 33 On the conclusion of stage 1, the Director of Student Success (or nominee) will appoint
- a member of staff not previously involved in the case, to collate a list of key contacts and all case notes relating to the learner to provide to the panel.
- 34 These contacts, including the learner, course team and support services will be invited to provide a statement for the panel meeting.

- 35 The panel must take into account any reasonable adjustments required by the learner or any individuals invited to take part. This includes provisions such as language interpreters and different formats or assistive technology. Furthermore, the day, date or time of the panel meeting should be set to ensure it is as accessible as possible (e.g., does not conflict with a period of worship).
- 36 The Panel will communicate the outcome to the learner and ensure that, as far as practicable, this information will be kept confidential to the parties involved.
- 37 The panel chair should be a member of the University Management Group and the panel will comprise of:
 - a. Directorate of Student Success Manager or a nominee
 - b. A senior member of staff from the College
 - c. A senior member of staff from outside the College
 - d. A secretary to record notes of the meeting
- 38 As far as possible, panels should reflect the demographics of the institution.
- 39 The date will be organised for the Support to Study stage 2 meeting within 10 working days from stage 1.
- 40 The panel and learner will be supplied in advance with the overview report and any evidence gathered.
- 41 The learner may bring a supporter from the university community such as a Students' Union representative. This supporter is permitted to speak on behalf of the learner or attend in their place. Please note, this may not be a family member or legal professional.
- 42 The panel will consider the case against the following criteria:
 - a. Challenges relating to a learner's wellbeing impact their ability to study
 - b. A learner poses a risk to their own health, safety or wellbeing
 - c. A learner's behaviour is a risk to the safety and wellbeing of others
 - d. A learner's behaviour is, or is at risk of, negatively affecting the experience of other learners, or the day-to-day activities of the University and/or a placement provider
 - e. A learner does not have the capacity to continue with their studies
- 43 The panel may also refer to other BNU policies, such as the Learning Partnership Agreement or Attendance and Engagement Policy to support their decision.
- 44 The Chair will conduct the meeting in a supportive manner. The panel and learner are able to call breaks during the meeting.
- 45 The learner and their supporter may be asked to withdraw so that part of the meeting can be held in private.
- 46 The outcome will be provided to the learner within ten working days in writing via email.

Outcome of the Support to Study meeting

- 47 The panel may conclude that:
- a. the learner may continue their course
 - b. the learner may continue but further support is recommended which should be captured on an action plan
 - c. the learner may continue their course but with restrictions
 - d. the learner may continue but an allegation of misconduct is outstanding and should be dealt with through the *Student Code of Conduct procedure*
 - e. the learner is not able to study at this time and a temporary exclusion will be issued, which may contain conditions on return to study
 - f. the learner is not able to study and termination of enrolment will be issued.
- 48 Any financial or accommodation consequences to the action taken by the University in suspending or terminating a learner's enrolment will be discussed with the learner and related directorates.

Stage 3 Right of appeal – review of process

- 49 A learner who has been subject to termination of enrolment may make a request for a review of process on the following grounds:
- a. The procedures were not followed properly
 - b. The outcome was not reasonable given the evidence
 - c. New evidence has become available, which was not available at an earlier time
- 50 The appeal request must be made to the Director for Student Success, who will have had no prior involvement with the case, within 10 working days of the decision. Their email address is studentsuccess@bnu.ac.uk.
- 51 If the review of process is upheld, the case will be referred to a new Support to Study panel for consideration afresh.
- 52 If the appeal request is not upheld it will be rejected and the learner will be provided with a Completion of Procedures letter and advised of their right to further action through the Office of the Independent Adjudicator.
- 53 The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. Buckinghamshire New University is a member of this scheme. If a learner is unhappy with the outcome, they may be able to ask the OIA to review their case. More information can be found on the OIA website: <https://www.oiahe.org.uk/students>.

Return to study

- 54 Return to study following a temporary exclusion is not automatic and will depend upon the learner providing evidence that they are able to study and that any conditions set have been met.
- 55 Prior to the end of the temporary exclusion period the key contact will arrange a meeting with the learner to talk about their return to study. If any particular documentary evidence is required to demonstrate their readiness to return to study this can be requested and a 'return to study plan' will be agreed.
- 56 In some cases medical evidence of a learner's readiness to return to study will be required. Evidence submitted must be from a recognised professional, such as a GP a mental health professional, or member of the Disability and Inclusion service. This is to ensure an informed decision regarding return to study can be made. In particular, specific reference should be made to the learner's mental capacity to return to study.
- 57 Following the meeting or receipt of medical evidence that the learner can return to study, the Course Team will be advised.
- 58 If evidence cannot be provided, the key contact will need to discuss alternatives with the learner.
- 59 Should a new concern be raised then it would be appropriate for the learner to be referred back through the Support to Study process.

Monitoring

- 60 In order to maintain a rigorous and equitable procedure, the support to study process will be subject to regular monitoring carried out by the Directorate for Student Success.
- 61 Learners will be able to access information regarding the process through the University's website.

Table of Definitions

<p>Protected characteristics</p>	<p>You cannot treat someone unfairly because of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These are called protected characteristics. We also expect people with different backgrounds and circumstances to be treated fairly, such as: carers; people who may have socio-economic disadvantage; those who serve or who have served in the armed forces, and their families; people that are or were homeless; people who misuse(d) alcohol and/or substances; people experiencing domestic and/or sexual violence; ‘looked after children’ and ‘care leavers’.</p>
<p>Reasonable Adjustments</p>	<p>It is a legal duty for higher education institutions to anticipate needs and make reasonable adjustments so that disabled students are not placed at a substantial disadvantage compared to students who are not disabled. The duty arises in relation to all aspects of the student experience, including:</p> <ul style="list-style-type: none"> a) provisions, criteria, or practices (for example, procedures, policies, course materials, and teaching and assessment methods), b) physical features (for example, access to buildings, fixtures, and fittings), c) providing aids, Non-medical helper support or services (for example, equipment or human support).
<p>Intersectionality</p>	<p>The concept of intersectionality describes the ways in which systems of inequality based on gender, race, ethnicity, sexual orientation, gender identity, disability, class and other forms of discrimination “intersect” to create unique dynamics and effects.</p>

Appendix 1: Process for Temporary Exclusion

3. Temporary exclusion of a learner pending completion of the conduct procedures may be considered in certain circumstances, such as a violent assault which resulted in police intervention.

Note: In itself temporary exclusion from the University is not intended to be a penalty, although it may have consequences for the learner which are unavoidable.

4. If there is a risk of immediate or continuing danger to others, or disruption of the University's normal operations because of the nature of the learner's behaviour, a recommendation may be made that the learner is temporarily excluded from all or part of the University's premises, including residential accommodation.
5. The same procedure also applies to practice placements and other off-campus learning locations in which case the learner may be suspended from the placement / learning setting and all or part of the University's premises, including residential accommodation. (Please note: the Fitness to Practise procedure should be referred to regarding learners on certain professional courses).
6. A Case Conference nominee will complete the 'Temporary Exclusion form', which incorporates a risk assessment tool. The report will include details of the rationale and be supported by any evidence which might be available. It will conclude with a recommendation for temporary exclusion and request for authorisation.
7. In making any recommendations they should take into account any examination attendance or assignment deadline that may apply to the learner. If necessary, it should be explored whether special arrangements can be made in order for the learner to attend exams, submit assignments or retain virtual access to coursework. This may not always be possible.
8. The report will be submitted to one of the following, who will consider the report and recommendations, and confirm their decision within one working day. Those who can authorise temporary exclusion are:
 - Member of the University Strategic Team (UST)
 - College Dean
 - Director of Estates
 - Director of Student Success
 - A nominee of any of the above
9. Once approval is confirmed the Academic Registry will take the appropriate action to ensure the temporary exclusion is applied to the learner's record, and will inform

the learner in writing (normally by email) of the decision and any conditions which apply.

Note: If approval is not confirmed no further action will be taken.

Right of Appeal

10. A learner may submit an appeal against the temporary exclusion on the following grounds:
 - Material procedural irregularity
 - Disregard of material evidence
 - New evidence has become available
 - Demonstrable bias or prejudice
11. An appeal must be submitted within 10 working days from the original decision in writing, and addressed to studentsuccess@bnu.ac.uk. It will be recommended to the learner they seek help and support from the SU Advice Centre in submitting an appeal.
12. A prima facie review of the appeal will be undertaken to confirm it is eligible under the grounds mentioned. If so, it will be referred to an Appeal Manager, who will be one of those mentioned above, but not the person who made the original decision, for consideration.
13. The Appeal Manager will inform Academic Registry of their decision whether or not to uphold the appeal along with the reasons for that decision. The Academic Registry will inform the learner of the outcome, and take any necessary actions.

Review of decision

14. The decision to temporarily exclude a learner will be reviewed every four weeks from the date of the original decision. Any changes in circumstances will be highlighted.
15. The report will be referred to the person who made the original decision (or their nominee if they are unavailable). The review will not involve a hearing, but the learner will be entitled to submit a written statement for consideration. If there have been no changes in circumstance the temporary exclusion will remain in place for a further four-week period.
16. If new information or evidence is made available which may have a material effect on the temporary exclusion, a review will be undertaken as soon as possible, and will not wait for the four-week review.

Appendix 2: Equality Impact Assessment

1. What is changing and why?				
<p>The Support to Study policy is an update of Fitness to Study. The policy has been streamlined and clarified to ensure that clarity exists for students and staff enacting the procedure.</p> <p>Support to Study is intended to identify wider problems impacting learners in order to help them complete their degrees. Throughout the process, students can be signposted to further support. The policy both ensures that support is provided and risk to the university community is managed.</p>				
2. What do you know?				
<p>Best practice has been explored from similar universities to identify a new approach. Consultation took place with a range of colleagues across the Students' Union, Resolutions, Registry, academic schools and Student Success</p>				
3. Assessing the impact				
	Could benefit	May adversely impact	What does this mean? Impacts identified from what you know (actual and potential)	What can you do? Actions (or why no action is possible) to advance equality of opportunity, eliminate discrimination, and foster good relations
a) How could this affect different ethnicities? <i>Including Gypsy, Roma, Traveller, Showmen and Boaters, migrants, refugees and asylum seekers.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The policy should be an improvement on the former procedure as the requirement to consider protected characteristics is written into the approach.</p> <p>Language has been simplified which should help students for whom English is a secondary language.</p> <p>Adjustments, such as translators, can be provided through the policy.</p>	DfSS will monitor the outcomes of STS process and report on any trends.
b) How could this affect cisgender and transgender men and women (including maternity/pregnancy impact), as	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Language within the policy is gender neutral.	

well as non-binary people?				
c) How could this affect disabled people or carers? <i>Including neurodiversity, invisible disabilities and mental health conditions.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The process specifies that adjustments should be made by panel members and that learners can be referred to wider support services.	
d) How could this affect people from different faith groups?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The process empowers panellists to consider periods of worship and to reconsider as appropriate to make this accessible to the student.	
e) How could this affect people with different sexual orientations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There is no anticipated impact for students of different sexual orientations.	
f) How could this affect different age groups or generations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There is no anticipated impact for students from different age groups or generations.	
g) How could this affect those who are married or in a civil partnership?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There is no anticipated impact on students who are married or in civil partnerships.	
h) How could this affect people from different backgrounds such as: socio-economic disadvantage, homeless, alcohol and/or substance misuse, people experiencing domestic and/or sexual violence, ex-armed forces, looked after children and care leavers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This process is designed to support these students effectively through study and to consider how issues relating to their wellbeing and thus backgrounds, may be impacting their studies.	

i) How could this affect people with multiple intersectional experiences?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This process should improve considerations of students with multiple intersectional experiences.	
4. Overall outcome				
No major change needed <input checked="" type="checkbox"/>	Adjust approach <input type="checkbox"/>	Adverse impact but continue <input type="checkbox"/>	Stop and remove <input type="checkbox"/>	
5. Details of further actions needed				
6. Arrangements for delivery and future monitoring				
Support to Study case outcomes will be monitored at each stage to identify trends.				
7. Completed by:	Sophia James	Head of Students and Wellbeing	Date	01/11/2022
8. Signed off by:	Kirsteen Coupar	Director for Student Success	Date	01/11/2022



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