

**University of Bradford**

**Health, Wellbeing and Fitness to Study Policy and Procedures**

## **Introduction**

The University of Bradford aims to maintain an enabling environment which is safe and conducive to teaching, learning and research and the well-being of all. The University aims to enable all students to have opportunities to fully engage with all aspects of their student life, removing barriers as necessary, so that all students have the opportunity to achieve their maximum potential. The University aims to be inclusive and provide opportunities in a safe, supportive and welcoming environment.

The University recognises that it has a duty of care to identify and respond appropriately to situations where there are substantial concerns relating to a student's mental and/or physical functioning and the impact upon the individual, their studies and/or other members of the University community. There is a need to respond appropriately to situations where visible signs of illness, mental health difficulties, psychological, personality or emotional disorders may have a profoundly disturbing impact on the functioning of individual students and on the wellbeing of others around them.

Instances where a student's health, well-being or behaviours cause the University concern regarding their fitness to study may arise, for example when:

- A student poses a risk to their own health, safety and/or well-being and/or that of others and there is reason to consider that this is the result of a health or wellbeing issue.
- A student's behaviours are, or are at risk of, disrupting or negatively affecting their own experience, engagement with their studies or academic performance and progression, and there is reason to consider that their behaviours are the result of a health or wellbeing issue.
- A student's behaviours are, or are at risk of, affecting their ability to meet external competencies or standards required by a Professional, Statutory or Regulatory Body, and there is reason to consider that their behaviours are the result of a health or wellbeing issue.
- A student's behaviours are, or are at risk of, disrupting or negatively affecting the teaching, learning and/or experience of other students and there is reason to consider that their behaviours are the result of a health or wellbeing issue.
- A student's behaviours are, or are at risk of negatively affecting the day-to-day activities of the University and there is reason to consider that their behaviours are the result of a health or wellbeing issue.
- A student's behaviours result in unreasonable demands being placed on staff or other students and there is reason to consider that their behaviours are the result of a health or wellbeing issue.

The University is committed to supporting students' health and wellbeing in relation to their engagement with learning, academic progression and their wider university experience. The University believes that a positive approach to the management of physical and mental health is crucial to student engagement, learning and academic achievement. To support this, the University promotes an inclusive approach to learning and student support. More specifically a comprehensive and well established range of services is available to support the engagement, health and well-being of students. These services adopt an inclusive and individualised approach to student support.

This policy and procedures has been developed to acknowledge that disciplinary procedures are not always the most appropriate means to deal with students whose behaviours may not fit the 'norm', or where there are recurring problems with a student's engagement with learning due to their physical or mental health. In such circumstances, consideration of support needs are required and this policy and procedure aims to provide an appropriate alternative to the normal disciplinary route.

### **Purpose of the Policy**

The purpose of this policy is to:

- Provide a clear set of procedures which can be used by staff when a student's health, wellbeing and/or behaviours may be having a detrimental impact on their ability to engage with their studies, progress academically and function at the University
- Provide a clear set of procedures which can be used by staff when a student's health, wellbeing and / or behaviours may having a detrimental impact on the ability of other students to engage with their studies, or on the ability of the University to carry out its business.
- Ensure that students who are experiencing health or wellbeing difficulties are supported to achieve their potential within a supportive and inclusive environment
- Provide a suitable and co-ordinated response by academic and support staff, in circumstances where it not considered appropriate, to apply other internal procedures such as the 'Student Disciplinary Policy/Procedure'.
- Ensure a consistent, co-ordinated and sensitive approach to managing situations or behaviours which have become problematic.
- Encourage early intervention and active collaboration between all staff in managing situations where there are concerns regarding a student's fitness to study.
- Ensure that the University has provided the student with appropriate, proportionate and reasonable support to enable them to complete their studies.

It is the aim of the University to foster independence, self-awareness and personal responsibility. In this context it is also important that students take an active part in the process, and take appropriate steps to manage their own health and wellbeing in order to fulfil their academic potential. It is important that this emphasis on personal responsibility is clearly communicated to students from the outset.

Advice on the operation of this policy and procedures is available from the Academic Registrar's Office and from Disability Services. Early intervention may prevent situations developing into crises at a later stage. Any member of staff who has a concern regarding a student's health and considers that it is posing a risk to his/her own health, safety or wellbeing, or that of others, should contact (add details).

### **The Scope of the Policy**

The Policy applies to all students whatever their mode of study: undergraduate, postgraduate taught, postgraduate research, and for full time, part time and distance learning study. The Policy applies to students throughout the period of their registration with the University irrespective of the mode or place of study.

The Policy does not relate to Fitness to Practice – certain professional programmes have fitness to practice procedures which operate outside the scope of this policy (see Student Fitness to Practice Policy and Procedures).

### **Relevant Legislation**

In responding to and managing situations, where a student's fitness to study is a concern, the University will be mindful of its obligations under the Equality Act 2010 (including, in appropriate cases, its duty to make reasonable adjustments). In dealing with these matters the University will also be aware of its obligations under the General Data Protection Regulations.

**University of Bradford**  
**Health, Wellbeing & Fitness to Study Procedures**

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This procedure is part of the University of Bradford's Health, Wellbeing and Fitness to Study Policy.

The procedure is intended to be supportive and to:

- Enable the student to progress, meet the required learning outcomes and complete their course
- Ensure the best interests of the student are being considered in relation to their personal situation, health, mental health or wellbeing
- Ensure that the student is receiving adequate support
- Ensure that disability related reasonable adjustments have been considered and where appropriate put in place
- Identify a plan of how to progress with clear boundaries and expectations; options may include including continuing their programme with adjustments, suspension of studies for a set period of time or repeating a year of study.

Please refer to University Policy and Procedures on Suspension of Study, available at: <http://www.bradford.ac.uk/academic-quality-unit/policy-and-guidance/>

**Structure of the Procedures**

The Procedure has 3 Levels – 1, 2 and 3. The levels represent the degree of concern and/or the perceived seriousness of the situation.

The Procedure may be invoked and resolved at any level. In most cases Levels 1 and 2 should be used before escalation to Level 3. If the concerns are not remedied by the recommended and agreed actions at one level the next level may be instigated.

A record of all informal meetings and panel meetings and copies of agreed action plans should be kept. Copies of the record of the meeting and agreed action plan should be sent to the student and to all other attendees of any meeting no more than 5 working days after the meeting has taken place.

At any stage, if a student is invited but fails to attend a scheduled meeting at any level, contact should be made with the student to ascertain the reason for their absence. If appropriate, another meeting should be arranged. If contact is unsuccessful and/or the student does not attend the re-arranged meeting or engage with the process, and where the concern continues, the student should be escalated to the next stage of the process. At Level 3, the

Panel will agree a suitable course of action in the absence of the student, and based upon the available evidence.

### **Who can instigate the procedure?**

Level 1 of the procedure can be invoked by a member of staff with a direct link or primary responsibility for the student's needs. For example:

- An appropriate member of staff from the student's Programme Area, e.g. Personal Academic Tutor (PAT), Programme Leader, Module Leader, PGR Supervisor; or
- A member of staff from one of the University's Student Support Services

Where other members of staff have concerns about a student's health, wellbeing and behaviour they should contact their Manager and/or the Head of their Programme Area or the Academic Registrar who will consider whether this procedure should be implemented.

Levels 2 and 3 can only be instigated by a senior academic (e.g. Head of School or Associate Dean, Learning and Teaching) in consultation with the Student Casework Team or the Academic Registrar. This decision will be made following consultation with the member(s) of staff raising the concern.

### **Level 1 – Early Resolution**

Level 1 should be used when there are **emerging** concerns about a student's health, wellbeing and/ or behaviours and the impact this has on their ability to progress on a course or at the University or on others.

Concerns may include (but are not restricted to) a deterioration in health, attitude, personal conduct, attendance, ability to meet deadlines, ability to succeed academically, or ability to participate in student life. Once concerns have been raised about a student's fitness to study, an appropriate member of staff should be designated as the 'lead person' to instigate Level 1. This would normally be the student's PAT or Supervisor.

The lead person should contact and/or approach the student, in a sensitive and understanding way, to request a meeting. They should explain that this is as a result of concerns that have been raised about their fitness to study. This could be done in person, by email or letter. The student should be given clear information about the HWFTS procedure, with particular emphasis on the fact that it is designed to be a supportive process.

As Level 1 is intended to be relatively informal, it is recommended that this meeting is on a one to one basis. There may be situations where it is important for others to be present. In such cases the student should be informed. Where a student requests to be accompanied by

another student, member of support services or member of the Students' Union this should not be unreasonably refused.

The student should be made aware of the precise nature of the concern(s) being raised. (Clear examples can be helpful).

- The student should be given the opportunity to give their views on what is happening.
- The member of staff should outline the relevant University boundaries and rules that the student needs to be aware of and remind the student of their personal responsibility (e.g. to be 'well enough' to study and to be respectful of others).
- The member of staff should consider with the student what would be helpful and make the difference to the student in order to support him/her.
- The student should be made aware of any relevant University Support Services from which they may benefit.

#### Level 1 Initial Meeting:

- An action plan should be agreed;
- A review period should be established by agreement, with sufficient time to allow the student to consider the issues and seek support.

It should be made clear to the student at this stage that a continuation of the same or any additional concerns could result in escalation to Level 2 of this procedure.

#### Level 1 Review/follow up Meetings should include:

- Review of the student's progress against the action plan
- Explanation/exploration of any further concerns arising
- Exploration of further/on-going support needed (the member of staff should help the student to access support available to them if necessary)
- Agreement of whether further action is necessary.

#### Level 1 Review/Follow-up Meeting: Possible Outcomes

- If the concern has been resolved no further action is required. The general expectation is that the student will take personal responsibility and fully engage with the process and with the support recommended.
- If concerns have not been addressed, support has not been accessed and the member of staff feels that progress has not been made, escalation to Level 2 should be considered.

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## **Level 2 – Faculty Fitness to Study Panel**

Level 2 of the procedure should be used where there is continued and on-going concern following Level 1, or when there is significant concern about a student's health, wellbeing, behaviours, safety and/or ability to study, and where a response from the University is required.

A Level 2 Case Review Panel should be convened by the Student Casework Team. The panel should include:

- The Lead Person from Level 1 (If this was not the student's PAT, or if Level 1 was not operated, then the PAT should be the 4th member of the panel)
- A senior academic from the Student's Faculty (e.g. Head of School, Associate Dean, Learning and Teaching) (Chair)
- A representative from relevant support services (for example a Disability or Mental Health Adviser)

The student should be invited to attend the Level 2 Case Review Panel by the School Administrator in writing. They should be given at least 5 working days' notice.

The invitation to the meeting should include:

- Date, time and venue of the meeting
- The purpose of the meeting
- Whether the student needs to provide any specific documents (e.g. medical evidence)
- Confirmation that the student can be accompanied by someone in a supportive capacity (for example a parent, friend, someone from the University support services or adviser from the Students' Union), but not by someone acting as a legal advocate.
- Disabled students may also be accompanied by a Support Worker e.g. sign language interpreter or Mental Health Worker/Disability Adviser as appropriate to their needs.
- A list of people who will attend the meeting and the reason they will be there
- A web link to the Health, Wellbeing and Fitness to Study Policy and Procedure.

Level 2 Fitness to Study Panel should include:

- Identification/explanation of the issue/concern (providing clear and specific examples), and any past relevant information
- An opportunity for the student to give their perspective on the issues and if appropriate a history of events, past experiences and helpful strategies or support

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- for managing these issues
- Clarification of relevant University expectations and Regulations.
  - Clarification of the student's responsibility at the University (e.g. to be 'well enough' to study and to be respectful of others)
  - Consideration of what would be helpful or make the difference to the student in relation to their support and in order to minimise the concerns
  - The student should be made aware of any relevant University Support Services from which they may benefit.

### Level 2 Panel Meeting: Possible Outcomes

- If a student has been referred straight into Level 2, an action plan should be agreed with the student detailing any steps the student will need to take and the support to be provided. Regular monitoring meetings should be arranged with the student and a nominated member of staff (normally the Lead Person/PAT).
- If a student has been referred from Level 1 following the Review/Follow-up meeting, a further action plan should be agreed detailing any steps the student will need to take and the support to be provided. Regular monitoring meetings should be arranged with the student and a nominated member of staff (normally the Lead Person/PAT).

In either of these cases the student should be made aware of what will happen if the action plan is breached, which will normally involve their case moving to Level 3.

The Level 2 Case Review Panel will designate responsibility to monitor the process and ensure the agreed review meeting/s take/s place. This will usually be the Lead Person. For students in one of the above two categories, the Lead Person will make the decision as to whether the issue or concern is resolved by the end of the agreed monitoring period and no further action is required.

If it is not resolved, the Lead Person will make a decision regarding the appropriate next stage. This will be one of the options 1 and 2 set out below.

**Option 1:** A recommendation for a specific academic arrangement which may include a student agreeing to suspend their studies for a period of time. Such recommendations should be agreed by the student's programme team and the student.

Where a voluntary suspension of studies is an outcome the panel should make sure that full consideration has been given to the implications of this and that this is clearly communicated to the student. Students should be advised to seek advice from the Student Fees and Finance Team and, where appropriate, the Visa Support Team, on the implications of suspension of study. Please see relevant extracts from the University Student Suspension Policy at the end of this document\* and refer to University Policy and

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Procedures on Suspension of Study at: <http://www.bradford.ac.uk/academic-quality-unit/policy-and-guidance/>

Any voluntary suspension of studies should agree a return to study date, and regular touch points should be built in. In cases where suspension of studies is agreed it must be made clear what needs to happen in order for a return to study to be considered. Responsibilities for arranging meetings and obtaining evidence and documentation must be confirmed and included in the meeting notes.

**Option 2:** A referral to Level 3 Fitness to Study Panel. This will be appropriate in serious cases for example where there is evidence of a risk to the health and safety of the student or others in the University community. This course of action would be used when it is considered that, temporary exclusion, suspension or withdrawal may be the appropriate course of action or if the student has not agreed to a recommendation or action plan made under Level 2.

### **Level 3 – University Fitness to Study Panel**

Level 3 of the procedure should be used where there is serious or persistent concern about a student's health, wellbeing and/or behaviours, safety and/or ability to study and cope at the University. In most cases escalation to this level will follow attempts to address concerns through Levels 1 and 2. However, in some cases it may be appropriate to proceed directly to Level 3.

A Level 3 Fitness to Study Panel should be convened and supported by the Student Casework Team.

The panel should include:

- The DVC or PVC (Chair)
- The Dean of the student's Faculty or their nominee
- The Lead Person from Level 1 (If this is not the PAT they should be included as a member of the panel)
- A representative from relevant support services (for example a Disability or Mental Health Adviser)
- The Student Casework Manager

Examples of when it may be appropriate to proceed directly to Level 3 might be:

- Where health, wellbeing and ability to study are seriously compromised.
- When all other options to deal with the situations have been explored locally and a wider University perspective is required.
- When a higher level of decision making and authority is required.
- Where there are serious concerns regarding risk to the health and safety of the student and/or where there is a perceived threat and risk to others.

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- Where an immediate temporary exclusion is considered to be in the best interests of the student or the University

The decision to convene a Level 3 Fitness to Study Panel will be made by the Dean of the student's Faculty or in their absence by their nominee (an appropriate Senior Manager) in conjunction with the Student Casework Manager. This decision will be made in consultation with the member(s) of staff raising the concern.

The objective of a Level 3 Fitness to Study Panel is to ensure that the University considers all possible options to enable the student to continue with their studies.

The student should be invited to attend the meeting by the Student Casework Team in writing. They should be given no less than 5 working days' notice. The invitation to the meeting should include all the information outlined above in Level 2 Procedures.

The student should be encouraged to prepare in advance for the meeting by speaking to key staff, including the Students' Union. They should obtain any necessary documentation and reports and give consent for disclosure of medical reports. The student may wish to write a short summary report for the meeting.

In preparation for the meeting all information to be considered should be documented, and copies provided to panel members and the student at least five working days before the Panel meets. The contribution of representatives will be subject to Data Protection legislation and/or professional codes of confidentiality. This information will be sent to the Student Casework Team and circulated to people attending the meeting

The Panel will convene for an initial 30 minutes, before the student arrives.

The Panel will consider the following:

- A summary of presenting situation, concern(s) being raised, and past relevant information
- An opportunity for the student to give their perspective of current issues and if
- appropriate history of events, past experiences and helpful strategies or support for managing the issues
- Clarification of relevant University expectations and Regulations
- Clarification of the student's personal responsibility at the University (e.g. to be 'well enough' to study and to be respectful of others)
- Identification of any further information which may be required such as medical evidence
- Clarification of the options available to the student at this stage e.g. part-time study with support, a period of suspension with repeating, or a recommendation for withdrawal of the student.

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- Consideration of what would be helpful or make the difference to the student in relation to the options available.
- The student should be made aware of any relevant University Support Services from which they may benefit.
- Clarification of agreed options/actions and support options that the student is encouraged to access
- Explicit clarification of the consequences of failing to complete the agreed actions, and/or a continuation of the causes for concern
- Agreement of any interim monitoring or measures
- Agreement of a date to meet again to review the situation

In cases where suspension is the outcome, the meeting should consider and make explicit what is required to happen before the student is permitted to return to study. Please refer to the University Policy and Procedures on Suspension of Study available at: <http://www.bradford.ac.uk/academic-quality-unit/policy-and-guidance/>

### Level 3 Fitness to Study Panel: Possible Outcomes

The panel may decide to dismiss the case with no recommendations, or to agree a further action plan, with agreed timescales to be reconsidered by the panel. Where the panel wishes to make a more serious recommendation, this recommendation will be made to the Vice-Chancellor, and includes the following possible outcomes:

- A temporary exclusion to allow the student to be assessed by a medical professional, access support services both within and outside of the University or for the University to obtain further information. The exclusion will be reviewed within 4 weeks as set out below in relation to temporary exclusion.
- Suspension with conditions. A student who is suspended from the University may be prohibited from participating in University activities and may either be prohibited from entering the University premises or have restricted rights to enter the premises. The terms of the suspension will be notified to the student in writing, depending on the circumstances of the case. If suspension of studies is recommended the panel should make sure that both they and the student are fully aware of the implications. Please see relevant extracts from the University Student Suspension Policy at the end of this document\* and refer to University Policy and Procedures on Suspension of Study at: <http://www.bradford.ac.uk/academic-quality-unit/policy-and-guidance/>. The student should be given a clear indication of the proposed return date and regular reviews should be built in. In cases where a suspension of studies is agreed it must be made clear what needs to happen in order for a return to study to be considered and responsibilities for arranging meetings and obtaining evidence and documentation must be confirmed and included in the meeting notes.
- Exclusion or requirement to withdraw. If the Panel concludes, taking into account

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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 Vice-Chancellor that the student is permanently excluded or required to withdraw. This recommendation should only be made in the most serious cases.

- Any other action considered to be appropriate and proportionate.

In cases where permanent exclusion or withdrawal of the student is the recommendation of the Level 3 Fitness to Study Panel, this must be approved by the Vice-Chancellor (or their nominee), who will in turn report this to the next meeting of Senate.

### **Temporary Exclusion**

The Academic Registrar may refer a case straight to the Vice-Chancellor (or their nominee) if it is considered that the risk to the student or the University is very high and an immediate temporary exclusion is the most appropriate course of action.

The Vice-Chancellor may using the powers vested in him under article 5(5) of the statutes impose a temporary exclusion for a set period of time with immediate effect. A student who is subject to a temporary exclusion order is prohibited from entering University premises and from participating in University activities. The exclusion may, exceptionally be subject to qualification, such as the permission to take an examination or to enter the University premises to attend a meeting with a support service such as the Counselling or Disability Service. The terms of a temporary exclusion will be individual to each case and will be notified to the student in writing. A temporary exclusion order does not affect the student's status as a member of the University.

The decision to exclude will normally be reviewed within four weeks and a Fitness to Study Panel will be convened to consider the case.

### **Returning to Study**

In cases where the outcome of the Health, Wellbeing and Fitness to Study procedures result in a suspension of studies, the procedure for considering a return to study should be made clear to the student at the time of their suspension. Please refer to the University Policy and Procedures on Suspension of Study available at: <http://www.bradford.ac.uk/academic-quality-unit/policy-and-guidance/>

In all cases the student will be asked to provide satisfactory evidence 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

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the student during the period of suspension, and the potential impact that returning to study might have.

If the student agreed to suspend studies under Level 2 of the procedure, the Case Review Panel that originally considered the matter can make the decision to allow the student to return to study. The decision will be based on the evidence that the student provides and the panel will need to be satisfied that the student is fit to return.

If the decision to suspend or temporarily exclude the student was made at Level 3 of the procedure the decision to allow a student to return to study will be made by the original Fitness to Study Panel concerned.

**Please note:** A suspension should not normally total more than **one** year in any one programme of study.

Where a student returns to study after a temporary exclusion or suspension under this procedure, the Panel should consult relevant support staff regarding arrangements and reasonable adjustments that might be needed to support the student on return.

The Panel's decision will be communicated in writing to the student prior to their return, and any requirements and arrangements will be made clear. The University will determine the on-going arrangements to support and review of the progress of the student to minimise risk of a recurrence of the original difficulties.

### **Review and Appeal of Decisions**

A student may appeal to a Review and Appeal Panel against a decision reached at Level 2 or Level 3. Students should note that a request for review of a decision will only be accepted if there is evidence of the following:

- That there were demonstrable procedural irregularities in the conduct of the procedures
- Evidence of prejudice or bias on the part of one or more of the participants in the process
- Evidence of further material circumstances which could not reasonably have been expected to have been submitted for consideration by the Panel; these might include new, documented medical evidence.

Students should lodge any request for review with the Student Casework team by submitting a written statement detailing the grounds for request within 10 working days of being notified of a decision at Level 2 or Level 3. Students should seek advice from the Students' Union.

### Membership of the Panel

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A Review and Appeal Panel should be chaired by a Deputy or Pro-Vice Chancellor not connected to Level 3 consideration of the student, and a member of the Senate, and another senior academic member of staff, as well as a Students' Union representative. No member of the Panel should have previously been associated with the complaint. The Panel will be advised by the Academic Registrar, and a member of the Student Casework Team will attend as secretary.

The student should be informed of the date of the Review and Appeal Panel meeting no less than 10 working days in advance. They may choose to appear before the Panel but the Panel may also hear a case, by mutual agreement, in the absence of the student. The student can be accompanied by another student or a Students' Union representative; however students may not bring legal representation to the meeting without prior consent obtained from the Academic Registrar which will only be granted in exceptional circumstances. The name of the person attending with the student must be notified to the secretary of the Panel in advance of the meeting.

The Chair of the Panel, in consultation with the Academic Registrar, will determine, prior to the meeting, the relevant evidence and documentation required at the meeting and the persons required in attendance at the meeting. The documentation will normally comprise the documentation and papers relevant to earlier consideration during the procedure.

Documentation in support of the request for review should be circulated to the Review and Appeal Panel and to the student no less than ten working days before the meeting.

The student, and any accompanying person, will be called to appear before the Panel and the proceedings will continue as follows. A statement will be requested from the student about the case;

The student will have the opportunity to speak to the Panel, and the Panel will have the opportunity to ask questions of the student. A person accompanying the student may be heard by the Panel, subject to the student's approval.

The Panel may also see and ask questions of other relevant staff or members of the university involved in the case, and may seek external or independent advice as required.

The Panel should ask the student and the Head of the Programme Area (or representative) concerned to withdraw while it reaches its decision.

The Panel, having considered the evidence will inform the student of its decision and the reasons for that decision. An appeal will be deemed upheld or not upheld. A decision made by the Panel is final and is not open to further appeal under internal University of Bradford procedures. The Review and Appeal Panel will record its deliberations and decisions. In the event that a student is suspended or excluded, a recommendation will be made by the Academic Registrar to the Vice-Chancellor to act under the powers vested in him by statute (Article 5(5))

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The Academic Registrar should notify the student in writing, by means of a Completion of Procedures letter, of the Panel's decision, giving the reasons for it, within five working days of the meeting. Students will be informed of their right to appeal to the Office of the Independent Adjudicator [www.oiahe.org.uk](http://www.oiahe.org.uk)

### **Monitoring and Reporting**

The Student Casework Team will provide Learning and Teaching Committee with an annual overview report which will present the data by diversity categories.