

Health and wellbeing risk assessment procedure

1. Policy

- 1.1 The University is committed to providing a supportive, safe and inclusive learning environment, in which the diversity and individuality of students is respected. As outlined in our [Student Charter](#), we encourage students to access [support services](#) if they encounter any difficulties.
- 1.2 We place the health and wellbeing of students at the centre of our work. Where there is concern that a student's health or wellbeing is at risk, or where a student is posing a risk to others, we will identify appropriate support and adjustments and work with the student to address concerns.
- 1.3 The Health and Wellbeing risk assessment procedure sets out how the University may respond to instances where there is serious cause for concern about a student's health or wellbeing or where a student's health, wellbeing and/or behaviour are having a detrimental impact on their ability to progress academically and function effectively at the University.
- 1.4 Wherever possible, the arrangements for identifying and reviewing support should be fully explored prior to initiating the Health and Wellbeing Risk Assessment procedure.
- 1.5 The Health and Wellbeing Risk Assessment procedure applies to all students enrolled on further education, undergraduate and postgraduate courses. It is applicable to all students throughout their period of enrolment with the University, including those who are seeking a return to study and whose enrolment has previously been interrupted or suspended under this Procedure.
- 1.6 References in this Procedure to steps/actions to be taken by specific officers of the University shall be read as including reference to their nominees.

2.0 Arrangements for identifying and reviewing support

- 2.1 UAL offers a range of specialist services to help students manage difficulties that may be affecting their daily lives, including their health or their ability to achieve their personal, academic or creative potential.
- 2.2 Where there are grounds for concern about a student's health and wellbeing, the student should be encouraged to seek appropriate practical and specialist support through [Student Services](#) .
- 2.3 Guidelines for staff on making referrals to Student Services, along with information on urgent or emergency situations can be found on the staff intranet page ['concerned about a student'](#). Staff can contact Student Services for advice on how best to support students, and may do so without disclosing the student's identity (this is known as a 'no name consultation').
- 2.4 Student Services work with students to identify appropriate support and adjustments. Where necessary, the course team will be informed of any adjustments or support required. This may be through an Individual Support Agreement for a disabled student, or through an action plan agreed with the University Counselling and Health Advice Service.

Case Conferences

- 2.5 Student Services will convene case conferences in order to coordinate, review and monitor support for students. Case conferences are designed to be a supportive, collaborative process for the student to communicate their needs to their course team and support staff. Case conferences may cover: the impact of the student's health condition on their studies; identifying barriers to successful study; identifying adjustments and support that could assist them to continue their studies; outlining potential consequences where a student chooses not to engage with support.
- 2.6 The University respects the right of students to make informed decisions about the type of support they wish to access. The arrangements for identifying and reviewing support outlined above enable us to work collaboratively with students in a way that respects their autonomy.
- 2.7 Where a student is asked to attend a case conference they are entitled to be accompanied or represented by another person e.g. friend or relative or an adviser from the student union, a health professional or another support worker.
- 2.8 Case conferences may consider a range of the University's procedures which may be relevant to supporting the student, including the Extenuating Circumstances and Time Out from Study Policy. At this

stage, a decision to take time out should be a voluntary choice, taken by the student in agreement with their course team. Arrangements should be made to ensure that the student does not incur financial or academic penalties when taking time out on medical grounds.

- 2.9 Action plans arising from case conferences will be monitored by the lead team within Student Services and meetings will be scheduled to review progress.
- 2.10 Case Conferences are a mechanism for enabling students to input into the review of their support. In the event that a student is unwilling or unable to attend a case conference, the meeting may be rescheduled or the student will be invited to input through other routes. Where there are ongoing concerns, the matter may be addressed in line with the Health and Wellbeing Risk Assessment Procedure.

Confidentiality and sharing information

- 2.11 The teams that make up Student Services provide discreet support and each operate according to confidentiality policies. The interactions between a student and each service are confidential. Each service seeks explicit written permission from students in order to share information with other parties within and outside the University.
- 2.12 Information is shared on a 'need to know' basis. Usually, the information shared with course teams is practical and relates to how to meet the students' needs. On the rare occasions that medical or diagnostic information needs to be shared (e.g. to inform a health and wellbeing risk assessment) this should be done with the explicit consent of the student wherever possible. There may be exceptional occasions when information sharing occurs without consent:
- If there is a risk to the student's welfare or that of others
 - If the student is under 18 and there is a child protection concern
 - If disclosure is required by law.

3.0 Health and Wellbeing Risk Assessment Procedure

Scope and principles

- 3.1 The Procedure is to be used when there is serious cause for concern about a student's health or wellbeing and other procedures are not considered to be appropriate at that time or have already been exhausted. Examples of the circumstances where this Procedure may be invoked include (but are not limited to) the following:
- (i) There is a perception that a student may pose a risk to their own health, safety or wellbeing, or to the health, safety or wellbeing of other students and staff
 - (ii) A student's behaviour is at risk of having a significant adverse effect on the teaching, learning and/or experience of other students, the day-to-day activities of the University or a placement provider.
 - (iii) There is evidence of a significant non-engagement by a student with their studies which has not been satisfactorily addressed through other interventions and procedures.
 - (iv) In all of the above, there is evidence to suggest the student is not making, or is not capable of making, decisions that are in keeping with self-care and the health and safety of all concerned.
- 3.2 The purpose of the Health and Wellbeing Risk Assessment Procedure is to ensure that the University considers all possible options to support the student. The process also aims to ensure that where the University requires a student to withdraw from their studies for a period of time, this is done in a supportive way, and steps are taken to prevent any adverse impacts or disadvantage to the student.
- 3.3 The **arrangements for identifying and reviewing support** (outlined above) should be fully explored prior to initiating the Health and Wellbeing risk assessment procedure.
- 3.4 The procedure is not intended to deal with routine concerns about a student's support, attainment, attendance or conduct. The following student regulations and policies may need to be considered prior to initiating, or during the course of any action taken under this procedure:
- [Extenuating Circumstances and Time out from Study](#)
 - [Accommodated Assessment for Disabled Students](#)
 - [Disciplinary Code for Students](#)

- [Complaints and Appeals procedures](#)
- [Accommodation Services Codes of Conduct](#)
- [UAL Safeguarding Policy](#)

- 3.5 Where the University requires medical evidence to inform the health and wellbeing risk assessment, the onus is on the University to arrange such assessments. Students are also entitled to seek independent assessments and for these to be considered by the University.
- 3.6 In taking any action under this Procedure, the University will be mindful of the sensitive and confidential nature of health and well-being matters and its obligations under the General Data Protection Regulation (GDPR) and the Equality Act 2010.

Student representation and participation

- 3.7 Students are entitled to be accompanied or represented by another person at any of the meetings referenced within this procedure. This supporting person may be a friend or relative or an adviser from the Students' Union, a health professional or another support worker, e.g. social workers, care coordinators, advocates.
- 3.8 The student should be reminded of their right to representation / accompaniment when invited to meetings, and should be asked to confirm in advance whether they will be attending and the identity and role of any person who will be accompanying or representing them.
- 3.9 In the event that a student is unwilling or unable to attend meetings as part of the Health and Wellbeing Risk Assessment procedure, the University may still follow the procedure if it decides it is reasonable to do so. The University may also deal with issues on the basis of written reports and / or statements in the event that the student or their representatives are unavailable.

Initiating the procedure

- 3.10 References in this Procedure to steps/actions to be taken by specific officers of the University shall be read as including reference to their nominees. The procedure can be initiated by the College Dean responsible for the student's course (**'College Dean'**), in consultation with the **Dean of Students**. Where possible, a member of staff should be allocated to act as the main point of contact for the student throughout the process.
- 3.11 The College Dean is responsible for keeping accurate notes of meetings and actions undertaken as part of this procedure. The College Dean should share the records with the Dean of Students who has a responsibility to monitor the progress of cases.

Responding to critical concerns

- 3.12 Where there are critical concerns about the risks posed by a student's health, the Dean of Students will make a decision about whether the "emergency contact" provided by the student upon registration should be informed and/or statutory services be contacted. The student's consent will normally be obtained, however the University reserves the right to contact the student's "emergency contact" in the event that the student does not (or cannot) provide consent if it deems that the student's vital interests are at risk.
- 3.13 Where the University reasonably believes that the student poses a risk to their own (or others') health, safety and/or wellbeing, and/or University property, the College Dean may temporarily suspend the student from studies, and/or temporarily exclude the student from certain University premises and/or activities pending action being taken under the Health and Wellbeing Risk Assessment Procedure. Such temporary suspension is referred to as a "Protective Suspension".
- 3.14 Where a Protective Suspension is imposed, the Dean will ensure that it is reviewed at regular intervals to determine whether it is necessary for the Protective Suspension to continue or whether it can and should be revoked or amended in some way. Where the circumstances require prompt action, the imposition of the Protective Suspension may be communicated orally to the student. Whether or not communicated orally, the student will be notified in writing, normally within 3 working days of the date on which the decision to impose the Protective Suspension was taken. The student should be notified within three weeks of the initial protective suspension as to the next stage of the procedure.
- 3.15 A student who has been on Protective Suspension for two weeks or more may appeal against that decision, on the grounds that the Protective Suspension is unreasonable in the circumstances. Appeals should be submitted to the Vice Chancellor.

Stage 1: Meeting with the College Dean

- 3.16 The College Dean should contact the student notifying them of the concern(s) raised, and that they are referring the case for consideration under the Health and Wellbeing Risk Assessment Procedure.
- 3.17 Where possible, the College Dean should meet with the student in person, and may invite a representative from Student Services to attend in order to consider any further adjustments or support. The College Dean should give the student no less than 5 working days' notice of any meeting.
- 3.18 The student will be invited to attend the meeting with a supporter or representative. The student should be asked to confirm at least 2 working days in advance whether they will be attending and the identity and role of any person who will be accompanying or representing the student at the meeting.
- 3.19 The College Dean is at liberty to continue with the Procedure in the event that the student is unable or unwilling to participate.
- 3.20 As an outcome of the meeting, the College Dean may decide to:
 - i. Refer the case for consideration by a case conference, convened by Student Services.
 - ii. Refer the case to stage 2 of this procedure
 - iii. Determine that no further action is required.
 - iv. Refer the case to be considered under other University Regulations.
- 3.21 The College Dean will confirm in writing to the student, the outcome of the meeting and the next steps.

Stage 2: Health and Wellbeing Risk Assessment Panel

- 3.22 A Health and Wellbeing Risk Assessment Panel may be convened in the following circumstances:
 - Support or adjustments have been put in place but there are ongoing, serious concerns about the student's health.
 - The student did not engage with the support or adjustments put in place / recommended, and concerns remain.
 - If the student presents a significant risk to themselves or others, and it is considered that withdrawal from study, suspension or exclusion may be the appropriate course of action.
- 3.23 After taking account of advice/information received and any representations made by the student, the College Dean will prepare a

report setting out the nature of the concerns and an outline of the steps that have been taken to identify and review support.

The report should include:

- Advice from Student Services outlining the support that has previously been identified or put in place and recommendations regarding future support arrangements. Student Services will seek to obtain the student's informed consent to share information as part of the risk assessment.
- Advice from members of the course team (e.g. Course Leader, Programme Director) in relation to academic issues.
- A recommendation as to whether the case should be considered by a Health and Wellbeing Risk Assessment panel and options for the panel to consider.
- Commentary from the Head of the Disability Service and / or Head of Counselling and Health Advice, outlining the steps that should be taken to mitigate any adverse impacts, disadvantage or potential discrimination.
- Where necessary, the report should detail the results of medical assessments relevant for consideration.

3.24 The report will be sent to the University Secretary and Registrar, who will then confirm whether a Panel should be convened. The University Secretary and Registrar may consult with the University's Legal Service in deciding appropriate next steps. At this stage they may:

- i. Refer the case to a Health and Wellbeing Risk Assessment Panel
- ii. Refer the case for consideration by a case conference, convened by Student Services.
- iii. Refer the case to be considered under other University Regulations.
- iv. Determine that no further action is required.

3.25 The student will be notified in writing as to the next steps.

3.26 If the case is referred to the Health and Wellbeing Risk Assessment Panel the student should be given at least 7 working days' notice of the date and purpose of the panel, be invited to attend part of the meeting and be advised that it is not a disciplinary meeting. The student will be provided with a copy of any documentation to be considered at the panel meeting, and will be invited to submit any documentation they wish the panel to consider. These should be provided no later than 3 working days before the meeting.

3.27 The student will be invited to attend the Panel with a supporter or representative. The student should be asked to confirm at least 3 working days in advance whether they will be attending and the identity and role of any person who will be accompanying or representing the student at the Panel meeting.

- 3.28 The Panel will be convened by the University Secretary and Registrar and should normally consist of the following people, none of whom should have been previously involved in working with the student or the case involving the student:
- (i) Dean of School (or equivalent) - not from the student's College
 - (ii) One senior member of University Services staff (who shall be Chair)
 - (iii) A Students' Union Sabbatical Officer or their nominee
 - (iv) A senior representative from the Counselling and Health Advice Service
 - (v) A senior representative from the Disability Service
 - (vi) The University Secretary and Registrar's nominated representative as Clerk
- 3.29 Other members of staff from the student's course team and/or from Student Services may be invited to attend the panel to provide expert advice, depending on the circumstances of the case. The Chair may also involve external professionals where it is necessary and appropriate to do so.
- 3.30 If a student is unable to attend the meeting, the meeting may be delayed, or may proceed in the absence of the student if the issue is one of urgency, in which case the student will be invited to submit a written response and/or evidence they wish to provide in response to the evidence presented by the University.
- 3.31 If not already obtained, the Panel should consult the Student Advice Service concerning the financial implications of withdrawal or suspension. Arrangements should be made to mitigate against financial or academic penalties to the student, wherever possible.
- 3.32 The student will be notified of the outcome of the meeting in writing by the Chair within 7 working days of the meeting.

Possible outcomes of the Panel

- 3.33 **Revised support arrangements and agreed action plan.**
A decision that the student continues in registration with additional support or adjustments, delivered through an agreed action plan with a specified period of monitoring. Where an action plan and specific period of monitoring is recommended, the Panel will reconvene to review the outcome and to make any decision as required by this.
- 3.34 Where there are critical concerns about the risks posed by a student's health, the Panel will make a decision about whether the student's "emergency contact" provided by the student upon registration should be informed and/or statutory services be contacted. The student's consent will normally be obtained, however the University reserves the right to contact the student's "emergency contact" in the event that the

student does not (or cannot) provide consent if it deems that the student's vital interests are at risk.

- 3.35 **Further information needed.** No decision can be made pending further information within a specified period of time, at which point the Panel would have to reconsider its recommended outcome. This recommendation may be made in circumstances where potential disability discrimination has been identified. The Panel can recommend whether the student can remain in registration during this period, or whether it is necessary to suspend the student under this Procedure.
- 3.36 **Requirement to withdraw for up to 12 months, with agreed terms for return.** The Chair should consult with the Academic Quality and Assessment Team and/ or the Student Advice Service to agree appropriate arrangements, taking steps to mitigate financial or academic penalties where possible. The student should be fully aware of the implications of withdrawing from study, and timescales for completing the programme of study. The following arrangements should be made:
- i. It must be made clear what needs to happen in order for a return to study to take place. Responsibilities for arranging meetings and obtaining evidence and documentation must be confirmed and included in the meeting notes.
 - ii. The student should be invited to agree a proposed return date and a plan to return.
 - iii. The University will assist the student in accessing support whilst they are withdrawn from study, taking into account the student's accommodation, support for international students and arrangements for accessing medical treatment. The student should be offered support through the University Counselling and Health Advice Service where appropriate.
- 3.37 **Short term suspension.** A time-limited suspension may be necessary in circumstances where the Panel reasonably believes that a student poses a risk to themselves or others, the student is not recognising this, and therefore a time limited suspension from the University is deemed necessary. In such circumstances, the Panel must indicate what is required to happen before the student is able to return to study.
- 3.38 Where suspension pending receipt of a medical report is required, the Head of Counselling and Health Advice should make arrangements to appoint a medical practitioner. Every effort will be made to arrange for medical consultation to take place within 28 working days of the Health and Wellbeing Risk Assessment Panel meeting. In the event of a student deciding not to accept a medical appointment, a decision may need to be based on presenting concerns.
- 3.39 The Head of Counselling and Health Advice will notify the Chair of the Panel of the outcomes of the medical report. The panel will reconvene to decide either to:

- (i) Lift the suspension, provided the student is compliant with treatment recommendations as detailed in the medical report. The panel may recommend that revised support arrangements and / or an action plan are required.
 - (ii) Require the student to withdraw from study for a period of up to 12 months, in accordance with the arrangements set out under 3.30.
 - (iii) Recommendation for Termination of Enrolment, in accordance with 3.41
- 3.40 The student has a right to appeal against a decision to suspend. The process for an appeal is set out below.
- 3.41 **Termination of Enrolment.** If the 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 Vice Chancellor that the student's enrolment at the University is terminated. This recommendation should only be made in the most serious cases.
- 3.42 The student will be suspended in accordance with this procedure until the Vice-Chancellor has come to a decision. The Vice-Chancellor shall receive the recommendation within three working days of the Panel meeting, and promptly consider all relevant factors so that a decision is made and notified in writing to the student within no more than 15 working days.
- 3.43 The student has the right to appeal against any decision taken by the Vice-Chancellor to withdraw a student's registration. The process for an appeal is set out below.
- 3.44 The University will seek to support students in their next steps, ensuring they are referred to appropriate support.

Appeal

- 3.45 In notifying a student of the outcome of any decision taken under this Procedure, the student should be informed of their right to appeal. The University will consider appeals lodged by a student's representative where appropriate.
- 3.46 Students should lodge any Appeal with University Secretary and Registrar by submitting a written statement detailing the grounds for request within 10 working days of being notified of a decision. A student is entitled to submit an Appeal on one or more of the following grounds:
- i. The University failed to correctly follow its own Procedure.

- ii. The student has significant new information or evidence which was not reasonably available at an earlier time.
 - iii. The outcome is unreasonable.
- 3.47 When submitting an Appeal, the student must provide associated evidence/information in support of the ground(s) on which the Appeal is being made.
- 3.48 The University Secretary and Registrar may reject an application to appeal if the notice of appeal does not include one or more of the grounds stated above and/or if the explanation given in support of the grounds stated discloses no reasonable basis for an appeal.
- 3.49 The appeal will be heard by an Appeal Officer or Panel who have had no prior involvement in the case. On hearing the appeal the Appeal Officer or Panel will decide whether the original outcome decision should stand, be revoked or be amended.
- 3.50 In the event that the University decides to amend the original decision, they have the power to vary the nature and extent of any obligations imposed on the student by that original decision.
- 3.51 The outcome of the Appeal will be notified to the student in writing together with reasons, within 5 working days of determination of the Appeal. The decision of the Appeal Officer/Panel is final.
- 3.52 The written notification of the Appeal outcome will also represent a formal “Completion of Procedures” and will provide information on the student’s right to seek independent external review via the Office of the Independent Adjudicator for Higher Education (www.oiahe.org.uk).

Return to study

- 3.53 Following a period of voluntary or required temporary withdrawal or suspension resulting from actions taken under this Policy and Procedure, a student who wishes to return to study will be required to submit a formal written request to the College Dean with satisfactory medical evidence or other evidence from recognised professionals who have sufficient knowledge of the student to confirm that the concerns about the student's health, wellbeing and/or behavior have been satisfactorily addressed and their health is sufficiently stabilised to manage the academic demands of the course. This evidence must be submitted 6 weeks prior to the proposed return date. If the student does not provide medical evidence a return to study will be withheld, until such a time as this is received.
- 3.54 A return to study request from a student will involve a consideration of the context and specific circumstances of the student's case and the College Dean will have discretion as to the most suitable process to

adopt in order to best establish that a student is ready to resume study and has complied with any conditions placed on the student's return.

- 3.55 In order to determine whether to permit a student to return to study the College Dean, in addition to requiring medical evidence, may consult with relevant University staff and external professionals. The decision of the College Dean will be notified to the student in writing, normally within 10 working days of the student's request to return to study.
- 3.56 In the event of a decision to permit a return to study, the College Dean may impose conditions on the student including conditions relating to conduct, any support they should seek and any academic conditions for return e.g. the need to repeat some or all units.
- 3.57 In the event that the student's request to return to study is declined, the College Dean will notify the student in writing of the reasons, along with information on the process of reapplication for a return to study. In the event that a student wishes to appeal against a decision to decline the request to return to study, they may do so by writing to the University Secretary and Registrar setting out the reasons for contesting the decision. The decision of the University Secretary and Registrar is final.
- 3.58 A return to study meeting with the student, tutor and member(s) of staff from Student Services is required for all students taking time out on health / medical grounds. This meeting must take place at least one month prior to the course start date to assess current support needs. The tutor and Student Services staff will seek advice on funding/immigration/disability issues and co-ordinate with other support services as needed. At the return to study meeting an action plan will be drawn up to support the student's successful transition back to study. The action plan will deal with any conditions imposed and any support needs identified in respect of the student's return. The student will be provided with a copy of any action plan.

4.0 Arrangements for monitoring, review and training

- 4.1 The University is committed to ensuring this policy and procedure is implemented in a way that supports our ethos of inclusivity and support for students.
- Staff involved implementing this procedure will be required to undergo Disability Equality training.
 - The procedure will be monitored by the Dean of Students, with input from Student Services staff in order to ensure it is implemented fairly and actions are taken to prevent discrimination.
 - An equality impact assessment will be conducted at the end of the first year on implementation (May 2019), drawing on input from disabled students and the Students' Union.