

## Section 5B: Support to train and study

### 1. Introduction

1.1. We recognise the importance of your health and wellbeing in relation to your academic performance, training, progression and wider student experience, including your residence in our student halls. The aim of this regulation is to enable you to succeed and progress in a supportive environment whilst being mindful of the need to ensure both your safety and wellbeing and of other members of the School community.

1.2. We have a duty of care to our community and are bound by legislation, including The Equality Act, Safeguarding and Health and Safety, which means we are obliged to take action if you present yourself as a risk to either yourself or others. Any action will be taken to first and foremost support both you and rest of the School community.

1.3. You may need extra support for a wide range of reasons such as ongoing or repeated extenuating circumstances, a disability, a medical or mental health condition, caring or parenting responsibilities, commitments as a critical worker (e.g. NHS staff), or you are affected by long-term traumatic events such as war, harassment or discrimination. You may be affected by more than one issue or there may not be an underlying reason. This procedure is designed to put in place a tailored package of measures to support and safeguard both you as an individual and the Guildhall School community.

1.4. When considering risk, we will assess this in relation to your own health, wellbeing, study, and training; other students' health, wellbeing, study, and training as well as the health and wellbeing of members of staff.

1.5. The term 'ability to train and study' in this policy refers to your ability to engage positively and fully with your training and studies, and to fulfil the expectations of the course without negative impact on yourself, fellow students or staff. This might be because of particular health, wellbeing matters, or personal circumstances as noted in paragraph 1.3. above. It applies to all students, including those who have disclosed a particular disability or impairment.

1.6. The following lists our reasonable expectations of all our students. Please note that this is not an exhaustive list:

- You are expected to take responsibility for your own health and wellbeing and will, where relevant, be expected and supported to access support services provided by the School (e.g. counselling) and provided externally (e.g. GP services).
- You are expected to demonstrate that you are able to attend and engage effectively in a range of classes, workshops, rehearsals, lectures and tutorials including with staff, students and professionals, with reasonable adjustments if required.

- You are expected to show that you can undertake private study or activity without supervision.
- You are expected to participate in assessments throughout the academic year, with reasonable adjustments if required.
- You are expected to arrive consistently at the Guildhall School at the time required and meet other attendance requirements.
- You are expected to demonstrate that you can live independently if you reside in our student halls, with reasonable adjustments if required.
- You are expected to be aware of your own health and wellbeing and that of others, including changing behaviour if it is pointed out to you that you are potentially breaching health and safety requirements.
- You are expected to abide by the provisions of the Student Code of Conduct.

1.7. In cases where one or more of these expectations are not being met, this regulation may be applied.

1.8. Supportive action under this regulation may be taken as a result of observable behaviours by staff and students within the School community. A diagnosis of a health issue (mental or physical) is not a requirement for the regulation to be used.

1.9. We have a legal and moral obligation to identify barriers that a student with disabilities might face in their training and studies and to take steps (reasonable adjustments) to identify and remove these barriers wherever possible. There is every reason to expect that a student with a long-term disability or health condition will successfully complete their training and studies. The Reasonable Adjustments Policy and Guidance sets out the details on how we support students with disabilities.

1.10. Where your ability to train and study is identified as in need of further support (for example due to health concerns or injuries), staff and/ or other students should bring the matter to the attention of the relevant Head of Department or Student Services. They will then, in consultation with other senior members of staff and advice from the Student Conduct, Complaints and Appeals Team (if required) follow the procedures outlined below.

1.11. At stages 2 and 3 of the process, a risk assessment should be undertaken to identify the level of risk to you and/or others and to consider whether your presence within the School puts you and/or others at an unacceptable level of risk or exacerbates your difficulties. All appropriate evidence should be included within the risk assessment.

1.12. Normally there will be a three-stage process once it has been established that an ability to train and study issue has arisen. However, any stage of the process may be entered into at any time, as appropriate to the circumstances, following a risk assessment. In exceptional cases of risk, the case may be referred to the Director of Student & Academic Services and Registrar, where the process may move directly to

Stage Three. The process is designed to be as flexible as possible to meet both your needs and those of the School. This means that as well as moving directly to Stage Three, we may choose to reduce the level of action based on relevant assessments of risk. At all stages, we will outline in writing what is expected of you.

1.13. The three stages of the [Support to train and study process](#) are:

- Stage One: Initial concerns
- Stage Two: Department level meeting for continuing and/ or significant concerns
- Stage 3: School level panel for highly significant, serious or persistent concerns

1.14. Details of the procedures for each of these stages is outlined under [section 3](#) below.

## **2. Limitations of this regulation**

2.1. The Support to train and study regulation should be distinguished from other Guildhall School policies and regulations.

- Interruption: when you request a temporary break from your studies on the programme owing to ill health or personal circumstances.
- Extenuating circumstances: when you are unable to participate in a specific assessment owing to ill health or personal circumstances or where ill health or personal circumstances have materially impacted on an assessment but were not, for good reason, disclosed in advance.
- Disciplinary procedures and the student code of conduct: when you may have formal sanctions applied to you owing to a contravention of the academic regulations. You may be referred to disciplinary procedures if your behaviour continues to be disruptive to students and/or staff and there is no indication that you are willing to engage with the Support to Train or Study procedure.
- Reasonable adjustments policy: this outlines the steps that we will take to accommodate the needs of students with disabilities and to make any short-term adjustments to the training for other students.
- Academic engagement regulations: where you are not engaging regularly and consistently with your course for reasons other than those related to your health and wellbeing.
- Principal's emergency powers: where action may be taken to temporarily suspend or exclude you from the course where we identify a high level of risk to you or others ([please see section 4 below](#)).

### **3. Support to train and study procedures**

#### **Stage One: Initial and/ or Emerging Concerns**

3.1. This stage can be initiated by the teaching department and/ or Student Services depending on where the initial and/ or emerging concerns have been identified. The Head of Department/ Programme Leader (or nominees) alongside the Head of Administration (or nominees) will have a conversation with you setting out concerns, how and why you are not meeting the School's reasonable expectations of you as a student and suggest strategies for resolving the situation.

3.2. Where Student Services have initiated the meeting the Head or Deputy Head of Student Services may also need to be involved at Stage one.

3.3. If you feel like you could benefit from these procedures, you may request that the School initiates a Stage 1 meeting. You can request this via your teaching Department or Student Services.

3.4. The possible outcomes at Stage One in the process are:

3.2.1. the matter is considered resolved and no further action is needed;

3.2.2. an action plan is established which may include referral to additional support services;

3.2.3. the matter is referred directly to the next stage or, in serious cases, to Stage Three.

#### **Stage Two: Department level meeting for continuing and/ or significant concerns**

3.5. The Head of Department/ Programme Leader (or nominees), the Head of Administration (or nominees), a representative from Student Services and another senior member of staff from within the Department will have a formal meeting with you which outlines the continuing problems, the agreed strategy for managing the situation and a reasonable timeframe for seeing improvement.

3.6. The possible outcomes at Stage 2 in the process are:

3.4.1. The parties involved (including you) agree a new action plan, which may include further referral to the School's support services;

3.4.2. You decide to interrupt your studies and interrupt for a period of time. Before your agreed return date, you will be subject to a review to determine whether you are able to return to your study and training and whether we are able to support you.

3.4.3. Where there is no improvement or a new action plan cannot be agreed upon, the matter will be escalated to the next stage.

### **Stage Three: School level meeting for highly significant, serious or persistent concerns**

3.7. If there has been no resolution of the problems or a change in your behaviour, or in serious cases such as where you are deemed to be a danger either to yourself or others, the Department will forward the case to Stage 3, to be considered by a School level meeting.

3.8. With approval from the Director of Student & Academic Services and Registrar, a case may be considered directly under Stage 3 if the case is sufficiently serious to warrant immediate referral without moving through the prior stages. A case would only be considered directly at Stage 3 where the level of risk to both you and others is considered very high.

3.9. Once you have been referred to Stage 3, the nominated Registry officer (usually from the Student Conduct, Complaints and Appeals Team) will convene a School level meeting.

3.10. The meeting will be scheduled as soon as practically possible following the decision to refer the matter to Stage 3.

3.11. You will be provided with a brief written notification of the decision to refer the concern to a School level meeting normally within 7 calendar days of the decision.

3.12. You will be provided with information normally 14 calendar days in advance of the meeting, including:

- confirmation of the date, time, and location of the meeting;
- a copy of any supporting documentation
- who will be attending the School level meeting and in what capacity
- notice that you may be accompanied by one other person of your choice and should confirm with the secretary at least 7 calendar days in advance of the meeting who you will be accompanied by. The role of the person accompanying you is in a supportive capacity and they may not speak on your behalf. You may be accompanied by more than one individual only with the agreement of the Chair.
- you will be invited to submit documentation for the consideration of the members of the meeting – this must normally be submitted no later than 7 calendar days prior to the meeting, unless otherwise agreed between the you and the Chair.

3.13. Where you are not able to attend, or you do not notify the Chair that you cannot attend in advance of the meeting, at the Chair's discretion the meeting may proceed in your absence. If you cannot attend, refuse to attend, do not respond to invitations to attend or agree to attend but do not attend without or with very late notice, the meeting may proceed in your absence if the staff managing the meeting consider it appropriate to do so. The meeting may be postponed in these circumstances if the staff managing the meeting consider it appropriate.

3.14. The School-level meeting will be attended by the following members:

- Senior member of staff drawn from another department who is completely independent of the case to act as Chair.
- Senior member of the teaching staff drawn from another department who is completely independent of the case.
- Staff member from Student Services or other student support services (e.g. Safeguarding if you are considered an adult at risk under relevant legislation)

3.15. An officer from the Student Conduct, Complaints and Appeals Team will act as secretary and advisor to the members of the meeting, without participating in the decision-making process.

3.14 The meeting considerations will include, but not be limited to, the following:

- the referral to the School level Panel
- documentation recording previous actions taken under this Regulation (where relevant)
- documentation relating to support provided to you so far (where relevant)
- statements from appropriate members of staff from your host department and/or other relevant Guildhall departments – either in person (verbally), in writing or both. The Chair will determine whether or not staff are invited to make statements to the meeting.
- statement from you – either in person (verbally) or in writing, or both.
- risk assessment
- information provided by consultants, where relevant – e.g. information provided by experts about your mental or physical health condition/ disability/ Specific Learning Difference; or staff members with expertise in student visa rules (where relevant). These consultants do not have a role in the decision-making.

3.15 The School level meeting is authorised to agree one or more of the following outcomes:

3.15.1 determine there is no concern that warrants consideration under this Regulation and no further action will be taken under the Support to Train and Study procedures.

3.15.2 prepare, review or continue an Action Plan with regular monitoring by a member of staff appointed by the Panel;

3.15.2 make recommendations for the introduction of, or a change to, your agreed reasonable adjustments. Any reasonable adjustments will be agreed and put in place in accordance with the normal reasonable adjustments process;

3.15.3 endorse your decision to interrupt your studies. You will be referred to the interruption policy and procedure;

3.15.4 determine that a mandatory temporary suspension will be applied to your registration where it is found that the School cannot support you sufficiently at this present time to minimise the level of risk. The meeting members will agree an initial period of time for the suspension. The Chair will also confirm the following: who your contact should be during the suspension; what your registration status is whilst your studies are suspended; when the suspension will be reviewed and who is responsible for the review and decision as to whether or not you will be permitted to return and when;

3.15.5 determine that there is no appropriate action that can be taken under this Regulation, but refer the concerns regarding the student's behaviour for consideration under the Student Code of Conduct and Disciplinary procedures;

3.15.6 determine that you must be permanently withdrawn from your programme of study where it is considered that the School cannot support you sufficiently now or in the near future to minimise the level of risk. This decision will be reported to the relevant Assessment Board for noting.

3.17. Members of the School level meeting are encouraged to consider potential impact on resources of affected services or individual staff members as a result of its decision and agree with affected services or individuals that its decision is practical and acceptable.

3.18. Members of the School level meeting are responsible for ensuring that follow up actions are clearly defined; responsibilities for actions are clearly agreed and recorded; and, where they want to review information/progress of actions at some point in the future, this is clearly decided and recorded and responsibility for this is clearly allocated.

3.19. Where the outcome means you will be withdrawn or suspended, the School-level meeting members are encouraged to note any potential indirect impact on you. The School level meeting should identify any potential impact on you in relation to maximum registration periods, your fees (and any fee refunds), student loans, bursaries, grants, visa-related issues (for international students) and your accommodation. You should be referred to appropriate support services (within the School or externally) for guidance and advice in relation to any potential impact.

3.20. The secretary will produce a record of the meeting, including its decision and the rationale for the decision. The meeting will normally be recorded in writing. The formal record of the decision will normally be circulated to you and relevant staff members within 14 calendar days of the record being agreed. The School level meeting may make recommendations for the format in which the note is circulated to you (and others) to best support you.

## **4. Temporary precautionary measures under Principal's emergency powers**

4.1. The Director of Student & Academic Services and Registrar may refer your case directly to the Principal if it is considered that the risk to you or to the wider School community is very high and that the temporary precautionary measures should be put in place, such as suspension or exclusion. A temporary suspension or exclusion will be actioned under Section 5C: the Principal's emergency powers of the School's academic regulations.

4.2. The terms of the temporary precautionary measures will be individual to each case and will be notified to you in writing.

4.3. If you are temporarily suspended or excluded for reasons relating to your ability to train and study as a temporary precautionary measure, the School will immediately refer the case for consideration by a School level Panel, in line with Section 3 above.

## **5. Right of appeal and the appeal process**

5.1. If you are subject to a decision by a School level meeting, you will be able to appeal the outcome of that meeting.

5.2. A student is entitled to appeal the decision of a School level meeting on one or more of the following grounds:

- That there was a procedural irregularity in the proceedings associated with the decision, which affected that decision;
- That new information has become available, which is material to the decision, and which could not have been made known to the members of the meeting for a demonstrated, valid or over-riding reason.
- That the decision was not one which the members of the meeting could have reasonably reached on the basis of the evidence presented.

5.3. An appeal does not constitute a re-hearing of the case. Dissatisfaction with the outcome does not constitute grounds for appeal.

5.4. A written statement setting out the appeal, accompanied by any appropriate evidence, should be submitted to the Academic Registrar within 14 calendar days of the date of the correspondence confirming the decision at Stage 3. The responsibility for proving that there are valid grounds for appeal against the Stage 3 decision, lies with you. The level of proof required is measured using the "balance of probabilities".

5.5. The appeal will undergo an initial scrutiny by the Academic Registrar or nominee. This scrutiny will seek to confirm that:

- Your statement sets out clearly the basis for the appeal demonstrating potential grounds for appeal; **and**
- The claim includes sufficient evidence to support the appeal which can justify further consideration.

5.6. You will normally be provided with the outcome of the initial scrutiny within 14 calendar days of the receipt of the appeal.

5.7. Where the appeal is not considered to include sufficient evidence to support the appeal or provide sufficient justification for further consideration, the appeal will be rejected. You will be informed of this decision, with reasons, in a Completion of Procedures (“COP”) Letter. Following this, if you are dissatisfied with the final decision on your case may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education (please see Section 7).

5.8. Where there is sufficient evidence to merit consideration of the appeal on the grounds set out above, the appeal will be referred to an Appeal Panel for further consideration.

5.9. Where a student’s appeal is referred to an Appeal Panel, you will normally be provided with the following information at least 14 calendar days in advance of the date of the meeting:

- The date, time and venue of the Appeal meeting. The meeting will be convened within 28 calendar days of the outcome of the initial scrutiny, unless it would be unreasonable or impractical to do so within this period of time
- Who will be attending the Panel and in what capacity.

5.10. You will be invited to attend this meeting. It is not required that you attend – it is for you to decide if you wish to attend or not. Where you decline to attend, cannot attend, do not respond to invitations to attend, or fail to attend the meeting without advance notice, the Panel may meet in your absence (under which circumstances, the Panel’s considerations will be based on your written statement of appeal).

5.11. You have the right to be accompanied by one other person of your choice, but you should give at least 7 calendar days’ notice of who you will be accompanied by. The role of the person accompanying you is in a supportive capacity and they may not speak on your behalf. You may be accompanied by more than one individual only with the agreement of the Chair.

5.12. The Appeal Panel will be chaired by the Principal (or nominee) and will consist of:

- A senior member of the School not so far involved with the support to study and train process or its investigation
- A representative from the Students’ Union independent of the case

5.13. A nominated Registry officer will act as secretary and advisor to the Panel, without participating in the decision-making process.

5.14. A representative of the original School level meeting will be invited to attend or provide statements to assist the Appeal Panel and its considerations of the appeal. The representative does not form part of the Appeal Panel and will not be present during the Panel's deliberations.

5.15. The Panel will exhaust its enquiries before coming to a conclusion on the merits of the appeal. The Panel does not need to come to a conclusion on the day of the meeting, and where the Panel do not come to a conclusion on the day, the Appeal Panel will inform you of the reasons for any additional time required, and an estimate of when a decision may be issued. The follow outcomes are available to the Appeal Panel:

5.15.1. To reject the appeal

5.15.2. To uphold the appeal (in whole or part) and refer the matter to a freshly convened School level meeting (that is, a meeting with no prior involvement in the matter) for reconsideration if procedure had not been followed or if material new information or evidence was made available

5.15.3. To uphold the appeal (in whole or part) and to make an alternative decision where it is considered that the original decision was disproportionate to the situation.

5.16. A record of the meeting of the Appeal Panel, including the decision and the rationale for the decision, will be drawn up. This will be shared with you normally within 14 calendar days of the date of the Panel.

5.17. The outcome of this Appeal Panel meeting, with reasons, will normally be conveyed to you within 14 calendar days of the meeting. This decision will be conveyed in a Completion of Procedures ("COP") letter. Following this, if you are dissatisfied with the final decision on your case may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education (please see [section 7](#)).

## **6. Return to study and training**

6.1. If you interrupt your studies, or we decide that your studies should be suspended for a specified period of time under this procedure, we will work with you to manage your return to study.

6.2. We are responsible for contacting you no later than 28 calendar days before the agreed review date, to confirm your wish to return and to discuss any necessary arrangements. All of the actions set out at the School level meeting must have been completed and any necessary documentary evidence must have been provided, for us to be able to confirm your return to study.

6.3. If you do not respond within the requested time frame, we will investigate and may decide, after due consideration, that you should be withdrawn.

6.4. Given the practical nature of many of our programmes, and as appropriate, you may need to undertake an assessment by relevant teaching staff to ensure that you are able to meet the obligations set out by the course. Both the outcome of this assessment and any medical information will be taken into account in making a decision about permitting you to return.

6.5. A decision about your return to study and training will involve as many members from the original School level meeting as possible.

6.6. In agreeing your return to study, we may need to take account of the point you had reached prior to their interruption or suspension. This may mean that you will need to restart your studies at the start of an academic year, rather than re-join midway through a year.

6.7. If decisions taken under this regulation mean that you may exceed your maximum period of study by less than one calendar year, we may consider a suspension of regulations to allow you to complete. However, extending a student's maximum period of registration is not guaranteed.

6.8. If your return to study is agreed, you will be invited to enrol and must complete all enrolment stages by the deadlines advertised in section 4. If you do not enrol by these deadlines, you may be withdrawn. The deadlines will also be communicated to you by email from Registry.

## **7. Office of the Independent Adjudicator**

7.1. If you are dissatisfied with the outcome of the appeal stage you may take your complaint to the Office of the Independent Adjudicator (OIA). When you have exhausted the internal processes of the School, we will provide you with a Completion of Procedures ("COP") letter and all the necessary information you need to pursue your complaint with the OIA. Please see Section 5, Regulation 4 of the Academic Regulations.