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Preamble

The College is aware that being a student, especially when this involves living away from home, can be a demanding and unsettling experience. We pride ourselves on offering a high level of pastoral support to students to deal with these pressures and in particular to students with impairments – mental or physical. We also take a supportive approach to students with past criminal records where possible.

However occasions will occur when a student registered within the College is unable to function well enough within the College either to safeguard their own well-being, or to live safely and productively alongside others or to make use of or fund the opportunities offered. Often a combination of two or more of these difficulties can occur.

To deal with this, many institutions use a specific Fitness to Study Policy to address the issues, normally managed by the equivalent of their Support and Advisory Services. The College has traditionally sought to keep its Regulations to an accessible minimum and a combination of existing regulations - rather than a separate Fitness to Study Policy - have to date proved fully adequate in all instances. Additionally this allows us to require the same standards of all students, irrespective of whether they have an impairment, but to make reasonable adjustments in how we apply these processes to disabled students. This approach fits with the social model of disability which we seek to implement and with Equality legislation. The purpose of these guidelines – which are available to students and staff - is to serve as an internal document which will guide Departmental and other staff as to how we can address issues and will allow students who possibly come within the category of being unfit to study to understand how their situation is likely to be handled. Our intention in all cases can be address quickly, fairly, efficiently and transparently with minimum disadvantage or distress to all involved. Student wanting advice within this procedure are welcome to approach the Support and Advisory Service or may approach the Students’ Union if they wish to talk with an advisor independent of the College.
Examples have been included to illustrate points.
Ones beginning “A College …” are drawn from our experience here at Royal Holloway.
Ones beginning “A University … “come from other institutions.
In all cases details have been changed, combined and made gender-neutral and generic to
prevent recognition and so any apparent reference to known students past or present should be
considered coincidental.

1. Assessing Suitability to Study before Admission

Students with criminal records.
A procedure exists to allow us to conduct a thorough risk assessment on a student with a significant
past criminal record and set up safeguards and restrictions in order to ensure that they are not
tempted to reoffend and to ensure students and staff are protected from any significant risk.
Students are not obliged to undergo a criminal record check before enrolment, but they do have a
duty to disclose any unspent convictions. Should they try not to do so, various checks exist in the
probation and safeguarding system to alert the College. All staff dealing with admissions are asked
to be highly vigilant in checking for declarations on application forms and in the application process
and for not making any offer to such students before they have been vetted. Any queries about the
issue should be directed to the College Support and Advisory Services.

A more stringent procedure also exists for courses which lead to a professional qualification, requiring
the declaration of all offences that might be relevant to practicing in that profession.

A College applicant declares that they have a recent conviction for dealing in Class A drugs
leading to a custodial sentence. After a risk assessment the applicant is accepted at the College,
but not given the opportunity to live in Hall where they may be tempted to reoffend by seeking
to supply other students. They are also restricted as to when and where they may be on campus.
They follow their course with no difficulties.

A College applicant applies from prison where they is due for release on license part-way through
a sentence for a violent crime. After conducting a risk assessment the College decides to reject
the application as the crime was serious and the applicant has not yet returned to living in the
community and so the chance of them reoffending while at College is considered too high.

Students with significant impairments.
College has a duty under the Equality Act to make all reasonable adjustments required to prevent
students with impairments being disadvantaged. College is not required to lower the academic
standard of a programme or remove necessary learning goals to achieve this. Additionally, some
adjustments, although apparently theoretically possible, may in practice not be technically
achievable or may need significant lead time to be successfully implemented. Before making an offer
to a student with a significant impairment, Departments should liaise with the Disability and Dyslexia
Services (ESO) so that all parties can be made fully aware of precisely what adjustments can and
cannot be made and when and how this can happen. The Disability and Dyslexia Services (ESO)
can make instant contact with over 2000 disability specialists working in HE in the UK and so can advise
very promptly on what can be achieved in a particular situation. It has generally not been shown to
be effective to simply lower the admission standard as a form of adjustment, as this will face the
student with additional challenges. If the situation arises where this might be considered, careful
liaison should take place with the Disability and Dyslexia Services (ESO) before making any offer.
Care needs also be taken when appropriate to check that a student – and if necessary their parents and other advocates - understand the rigours of independent life in Hall – both physically and socially. For certain students Hall life may not be a feasible option and living in a more secluded, a quieter or supported setting – e.g. at home, in digs or in a studio flat – may prove more beneficial.

A College applicant with a very significant sensory impairment is offered a place despite not having reached the normal entry standards as the Department is keen to sponsor and support them. This is legally acceptable but it proves technically impossible to make the course fully accessible to that student, so they are not able to complete it despite a major provision of support. If there had been fuller consultation before acceptance it may have been possible to find the student an alternative course and to offer some foundation training to make that course more accessible to them.

A College applicant with a major physical impairment is about to be refused a place by a Department as they cannot see how the student can possibly follow the course. However, once the Disability and Dyslexia Services (ESO) is alerted, they discover from other institutions that with a combination of funded support, technical adaptation and reasonable adjustments, it is possible to make the course accessible to the student. The student enrols and in time graduates.

Students who seek to enrol late or do not have all the requirements in place at the point of enrolling

It is better not to waive entry requirements or remove entry deadlines to allow students to enrol late as frequently they prove to be unable to fulfil the requirements when given extra time or they become students with some significant short-coming - such as no access to funding - and then cannot progress.

- Normally it is better to advise student to defer the place until proper documentation is obtained and a timely start can be made
- Never fail to apply proper checks on identity, criminal records, qualifications etc. as this might mean a student is admitted to College and even to Halls without their identity being known or a proper risk assessment being possible. We have had cases of bogus students trying to enrol here, as do all universities
- If a student is to be given any conditional access to some College facilities, ensure the conditional and provisional nature of is clear and that other students and the institution is not being exposed to any unnecessary risk. The Support and Advisory Services can advise on ensuring this
- The nature of our attendance requirements as set out in the College regulations should be made plain so that if a student is allowed to start late, they are aware of the need to achieve adequate attendance overall.

Although there is not a requirement for home students to prove they can fund their studies, problems are clearly going to arise for students who do not have recourse to adequate funds. Departments sometimes consider helping by reducing - or even waiving - course fees, but this will not in fact help students adequately if they do not have access for any funding for personal maintenance – for example if they have exhausted their entitlement from SFE.

If a student is found to be in a financially or otherwise problematic situation, the issue should be raised with the Support and Advisory Services and if appropriate Student Fees before any offer is made so that a full evaluation of possibilities can take place to help the Department make a decision.
A College student seeks to enrol at clearing and to get into Hall without providing full ID, allegedly because their passport is with an embassy awaiting validation. On careful checking it is found that the student is an imposter applying under an assumed name for social reasons and they are not admitted.

A College student enrols and soon is suspected of being involved in criminal activity. They attend no lectures. On checking it is found that they have tendered forged qualifications and it is suspected seeking to become part of the College community for the purposes of crime; fortunately they have not been able to attend campus more than occasionally as they are being held on remand for another crime committed elsewhere. They are terminated due to having tendered forged qualifications.

A College student with an apparently tragic history makes a late application and is allowed onto a Masters Course with a funding waiver. Problems quickly appear as they cannot support themselves; their behaviour is highly erratic and they appears unable to study at the level at which they have enrolled. College discovers when checking their references and background in more detail that this student has been enrolled at several other universities in the UK and has been in difficulties at all of them; once the situation is fully understood and confirmed the student is helped gently to withdraw.

2. Students presenting health risks to self or others (including at examinations)

The Student Discipline Officer (the Head of Support and Advisory Services or a nominee) has the power to suspend a student at any time if that student is believed by attending to pose a significant health risk to themselves or others. This power will be operated on the receipt of written advice from the College Medical Officer. It is not necessary for the College Medical Officer to have examined the student. A student may appeal against this decision if the suspension is to last for more than two weeks. As can be seen from the last example below, it is not grounds for suspension or exclusion that a student has a condition which may be upsetting to others, if the student is taking reasonable steps to manage their condition.

A College student is diagnosed with a severe case of rubella, but is insistent they should be allowed to attend an exam despite strong medical advice to the contrary. It is explained that this would not be possible and the student accepts the decision and resits the exam later. Had the student not agreed, they could have faced a brief period of suspension and exclusion for the duration of the illness.

A College student has a severe eating disorder and their weight drops to such a level that they are in danger of immediate cardiac arrest or other permanent organ failure. By trying to continue to study they are depleting what little energy they have and so increasing their chance of premature death. They are persuaded to return home under medical supervision until they have reached a minimum safe weight. Had the student not agreed they could have faced a period of suspension and exclusion until medically fit enough to restart.
A university student (not at this College) has a possibly terminal health condition. Despite receiving full medical care, their condition is such that they could die at any time. The university considers restricting them from living in Hall so as to protect other students from a potentially distressing experience. The university is advised that its behaviour is discriminatory and that the student is entitled to full access to Hall on the same terms as their peers.

3. Students whose uncontrolled behaviour presents a risk to themselves, to others or which significantly disrupts proper College processes

These can be dealt with under the normal Student Disciplinary Regulations, often by use of the alternative administrative withdrawal process detailed in appendix 3 of these regulations.

The College General Regulations (of which the Student Disciplinary Regulations form part) has the following preamble:

Royal Holloway, University of London General Regulations 2014-2015

GR1 Student Responsibility

1.1 Royal Holloway, University of London ("the College") expects all students to act responsibly and to be accountable for their actions, both academic and non-academic. During enrolment all students agree to be bound by the College Statutes, Regulations and policies of the College as amended from time to time ... All College regulations applicable to students will be enforced under the Student Disciplinary Regulations, which may lead to termination of College registration or withdrawal of facilities.

1.2 Students are reminded that this responsibility extends to participation in College related activities off site ...

1.3 Where a student is unwilling or unable to take reasonable steps to manage their behaviour, College reserves the right to take appropriate action. Management of behaviour includes, but is not limited to, physical and mental health issues. Students encountering difficulties are encouraged to seek support from the College's support services.

The Student Disciplinary Regulations proscribe - among others - the following forms of misconduct which are particularly relevant in this area:

Appendix 1
Types of Misconduct

The following list is indicative (but not exhaustive) of the type of offences which would constitute misconduct:

(a) disruption of, or improper interference with, the academic, administrative, sporting, social, or other activities of the College, whether on College property or elsewhere;

(b) obstruction of, or improper interference with, the functions, duties or activities of any Student, member of staff of the College or any authorised visitor to the College;

(c) violent, indecent, disorderly, threatening, aggressive or offensive behaviour or language, however expressed, whilst on College property or engaged in any College activity;

(d) behaviour, action or inaction which, even if self-directed, could reasonably be seen to cause distress to other students or members of staff or could reasonably be seen to cause other students or members of staff to fear for their safety or wellbeing;

(e) behaviour, action or inaction that requires staff repeatedly to act beyond their normal roles and duties or interferes significantly with the normal operation of the College or with members of staff in the normal execution of their duties...

(i) misuse or unauthorised use of College premises or items of property, including computer misuse; damage to, or defacement of, College property or the property of other students or staff, caused intentionally or recklessly, or the misappropriation of any such property;

(j) any action likely to cause injury or impair safety on College premises or to College members in other locations...

The Student Disciplinary Regulations offers the following supportive framework for addressing these issues:
Appendix 3
Serious Emotional or Psychiatric Conditions
A student whose behaviour is in serious breach of the College Regulations may be subject to these Regulations even if it can be shown that the breach is due to reasons of incapacity such as a serious emotional or psychiatric condition. In such cases the College will be mindful of its duty to make reasonable adjustments in order to mitigate the effects of any impairment.

Where such a student's behaviour is causing significant distress or disruption to others students or members of staff or preventing the normal functioning of the College, the Student Disciplinary Officer may direct that the disciplinary proceedings be modified in the following way:

a) A formal written warning letter will be issued by the Student Disciplinary Officer and substituted for a sanction applied by an Authorised Officer or the Student Disciplinary Officer. This letter will outline the behaviour that must be avoided, the improvement required and the supportive resources available to help the student achieve this. This may be followed by a second warning letter from the Student Disciplinary Officer, if required. A copy of all warning letters will be sent to the College Secretary's Office. Students may appeal against this letter in the same way as they can appeal a minor misconduct sanction.

b) If no improvement in behaviour is achieved, or if an incident is of such severity as to merit consideration of the interruption or termination of the student's registration, the case will be referred to a Vice-Principal's Hearing in the normal way, following the procedure for major misconduct.

c) Where a student's registration is terminated or interrupted, it may be referred to as "an administrative withdrawal" to indicate that the student has been deemed unable to continue but has not been held culpable of a deliberate breach of the College regulations. The College may offer to lessen the formality of the proceedings where possible to reduce any adverse psychological impact on the student and modify the terminology used to indicate that the student's behaviour is not deliberately in breach of Regulations.

A College student is involved in significantly damaging part of the College exterior and is arrested. Initially the student denies having any mental health issues and claims to have been under the influence of inadvertently consumed illegal drugs and faces disciplinary action. However on consideration and with support from their family, they reveal that they are receiving treatment for a previously undisclosed serious mental health conditions, but that they have not been complying with the suggested treatment. They agrees to a set of conditions under the administrative withdrawal process which require them to take more care of their mental health. There are no further incidents and they successfully graduate.

A College student assaults a local letting agent. Although they are prosecuted and found guilty in court, they are later held under section and diagnosed with a mental health problem. As their behaviour cannot be controlled adequately to allow them to return to campus, they are withdrawn as a student using the administrative withdrawal process. The hearing, held in her absence receives input from the Mental Health advisor and the judgement is framed in a supportive way. The student is free to reapply to re-join the College if they recover adequately; their doctors work towards this goal and they do eventually receive support from the College while continuing their education.

4. Using the normal attendance monitoring procedure even when a student is vulnerable

College has an unavoidable obligation to monitor the attendance of International Students and most Departments monitor Home / EU students. Understandably there can be a temptation to be more permissive in certain situations. However, all students should be subject to as uniform an approach as possible, with only minor adjustments where there is substantial disability or indicators of emotional vulnerability. If a student is disabled, some changes in attendance expectations or deadlines may have been agreed with the Disability and Dyslexia Service (ESO). If requirements are
still not being met, the Department should be ready to issue a formal warning in the normal way as soon as attendance problems are identified in line with College regulations.

There are two areas where a slight alteration in process is helpful:

- If the student has a substantial impairment (e.g. high degree of autism; blindness; severe paralysis) the Department should consult the Disability & Dyslexia Services (ESO) before issuing a warning because getting the support package right in such situations is often a difficult process and requires an elements of trial and error and therefore the failure to fully meet the course requirements may indicates that the support package needs to be reviewed. This is not, however, likely to be the case with less complex impairments (e.g. depression, anxiety, dyslexia) where the provision of adjustments and supportive interventions is more routine.
- If the Department believes the student to be highly emotionally vulnerable (e.g. when the disability is linked to mental-health issues, particularly depression) the Department may wish to consult with the Disability & Dyslexia Services (ESO), so consideration may be given to ways of delivering the student the warning sensitively and constructively. It remains important, however, that the warning be issued at the appropriate time.

Departments could inadvertently be discriminating against disabled students if they fail to issue a formal warning in the normal and timely way, even though the inaction may be motivated by concern for the student. The student could be considered disadvantaged because he/she is not:

- being made aware at the appropriate time that they are likely to fail or not perform to the best of their ability if they do not remedy the problem;
- being given the timely opportunity to alert us if there are particular additional problems College needs to know about;

The student could then have grounds to appeal or to retake the year, which is to no-one's advantage if they could have passed first time with sufficient warning or if their situation is in fact irremediable and a repeat year is no help. They could also have grounds to allege we have failed in our duties under the Equality Act (2010) to ensure they do not receive less favourable treatment.

If a Department is generally concerned about a student’s performance and there are linked problems – say of attendance and behaviour or other issues causing concern beyond what a Department feels able to address internally– but they have not yet reached the threshold of a formal warning the Support and Advisory Services can call an Interdepartmental Meeting to help that student get back on track (Student Disciplinary Regulations - Appendix 4). The meeting will not take any independent or additional disciplinary action, or issue a formal warning or equivalent, but will take an overview of the student’s situation and will advise the student of the options available for support, the improvements needed and the likely outcome of a failure to address the issues promptly with the different College Departments, including a summary of the likely formal processes and possible sanction that will follow. The recommendations of the meeting will be confirmed in writing and copied to the Departments involved.
A College student who is registered with the Disability and Dyslexia Services (ESO) with diabetes is not attending regularly or using any of the specialist support to which they are entitled; nor are they managing their diabetes very well. An Interdepartmental Meeting is held to make the student aware of the difficulties and the student is given clear guidance on how to access the different areas of support and the attendance needed. The student remedies the problem.

5. Missing Students

As described below, in this extract from our Guidelines on Responding to Reports of Missing Students, the College Support and Advisory Services will help locate a student who it learns has unexpectedly gone missing:

College takes its pastoral responsibilities to all its students very seriously and has an established reputation as a caring institution. Therefore, although it is not “in loco parentis” to its students and although it does not routinely check that students are not missing, College will follow up any report of a missing student promptly and carefully. The disclosures College can make about its students to non-College members are limited by Data Protection rules, but within these it will contact next of kin and if necessary the Police to try and ascertain a missing student’s whereabouts.

Someone concerned that a student may be missing may, after making reasonable enquires his or herself, direct their concerns to the College Support and Advisory Services.

The Support and Advisory Services will investigate the concern and will seek to either make contact with the student to verify that they are safe or to find evidence that the student is taking part in activities that confirm their well-being...

If this proves not to be possible, the Head of Support and Advisory Services will make a decision about whether it will be appropriate to contact a listed next of kin or other outside contact to verify a student’s welfare...If this action does not resolve the situation, consideration will be given to reporting the student to the Police as a missing person.

A College student is admitted to hospital suffering from depression and next of kin are alerted. College learns the student has discharged them self, but they do not reappear at his local address as expected. Police are alerted. The student is found safe a day later by them, having travelled into London and become disorientated. They interrupt their studies and returns home to receive treatment.

A College student who had been a popular member of their course suddenly and unexpectedly ceases to attend after a vacation. College officers visit their local address. They are found to have been the victim of an assault while on holiday and as a result to have become too anxious to travel into College. They are supported in getting treatment and resuming their course.

6. List of relevant policies

- Criminal Conviction Policy
- Disability Policy
- Attendance Policy
- College General and Disciplinary Regulations
- Missing Students Policy
- Fitness to Practice Policy