

Code of Practice for Leave of Absence Procedures**1. Introduction**

- 1.1 During their period of registration, students may experience a range of significant challenges that may compromise their ability to continue to fully engage with their programme of study and to maximise their academic potential. In certain situations the most viable course of action may be to take an authorised break from study, known as a Leave of Absence.
- 1.2 This Code of Practice applies to all Registered Students undertaking Undergraduate and Postgraduate Taught programmes, and Postgraduate Research programmes.
- 1.3 A Leave of Absence is a recognised and authorised break from studies.
- 1.4 A Leave of Absence should not be sought as a means to extend study periods, and the decision should not be taken lightly because of the wider implications of a Leave of Absence (see section 3 'Implications of a Leave of Absence').
- 1.5 A Leave of Absence is not an automatic entitlement and therefore it may be refused depending upon the circumstances and the evidence provided. It may also be recommended by the University rather than the student, as per the Code of Practice on Suspension from Study on Health Grounds.

2. Definition of a Leave of Absence

- 2.1 A Leave of Absence is a recognised and authorised break from studies – it should not be sought as a means to extend study periods and the decision should not be taken lightly because of the wider implications of a Leave of Absence
- 2.2 A Leave of Absence is not a right and therefore it may be refused depending upon the circumstances, for example, where the time of year would result in a negative impact on peers e.g. group work (this will differ between programmes and is for the appropriate College staff to make a judgement on); or where inadequate reasons are given for seeking temporary withdrawal and/or acceptable independent third party evidence has not been provided.
- 2.3 A Leave of Absence should not generally be used as a short-term solution where an alternative option (such as extension or the Fit to Sit procedure) would be more beneficial to the academic progress of the student.
- 2.4 A Leave of Absence would generally only be given for requested periods of absence exceeding two calendar months.

3. Implications of a Leave of Absence

- 3.1 The student ceases to have a “Normally Registered” student registration status for their period of authorised absence. Their registration status will be recorded as being “Leave of Absence” for the period of absence.
- 3.2 There is no tuition fee liability while on a Leave of Absence.
- 3.3 There will be an impact upon student funding provision, for example, payments via student loans, scholarships and research grants will either be stopped and/or be required to be repaid for the period of absence.
- 3.4 Students who have entered the UK on a student visa will be required by law to leave the UK for their period of absence from their studies (as would any of their dependants). Consequently the implications for this cohort of students are significant and a Leave of Absence application will only be able to be processed upon confirmation from the International Students Advisory Service (ISAS) that the student has been given specific immigration advice in relation to their proposed course of action.
- 3.5 Although there is technically still a connection with the University, there is no active registration status for this period of absence, and this drives certain other outcomes:
 - 3.5.1 Lack of insurance;
 - 3.5.2 Limited library access (as of those of the general public – limited visits and no borrowing rights);
 - 3.5.3 No access to University provision, such as teaching, tutorials, academic supervision, University accommodation and Counselling Services during the period of Leave of Absence;
 - 3.5.4 Any pre-existing University processes, (such as investigations into plagiarism, fitness to practise, misconduct etc) will be suspended for the duration of any approved Leave of Absence, and will recommence upon the students return to study.
- 3.6 All time spent on a Leave of Absence for Taught programmes still counts towards the maximum period of registration.
- 3.7 No automatic entitlement to Web CT and e-learning, (however, University email addresses remain active so long as they are regularly accessed by the student).
- 3.8 *The above implications represent the ‘default’ position, however, as indicated in (5) below, there will be certain anomalous circumstances that arise and these should be referred to a Panel as per the Code of Practice on Extenuating Circumstances.*

4. Categories of Leave of Absence

- 4.1 The student registration status of Leave of Absence covers both medical and non medical circumstances, due to the wide range of possible situations within one or the other category and the potential to create inequities from using such a distinction.
- 4.2 Whilst it is recognised that students who are taking a Leave of Absence due to ill-health should not be on campus as they should be taking the time to recover, it is also acknowledged that medical problems are not always so clear cut, and that some students may benefit from access to facilities whereas others will benefit from having a complete break. In order to address this it is proposed that all anomalous situations should be referred to the Extenuating Circumstances Panel for scrutiny on a case by case basis.
- 4.3 All Leaves of Absence which are categorised as being for 'Medical' reasons require a medical note to be submitted, both at the time of applying for the Leave of Absence and at the time of submitting the form to notify the University of their proposed return. The University also reserves the right to request permission from the Registered Student to contact the relevant medical professional for additional information where appropriate, for example, where further clarity is required to ensure that the students return to study would not be putting them at risk.
- 4.4 The University Medical Officer is to be consulted in cases where there are any concerns over the students' fitness to return, in advance of approving the return process.
- 4.5 Non-Medical categories of Leave of Absence are as follows, and students are required to state the category they are applying under, and provide the necessary supporting evidence:
- 4.5.1 Maternity:
Pregnancy-related absence constitutes a separate category of Leave of Absence and statutory guidelines should be followed as with University staff. Leaves of Absence arising from pregnancy are not necessarily medical in nature (for example, programmes where they may be a risk to pregnant women e.g. MB/ChB and possible exposure to radiation).

Pregnant students are advised to discuss the most appropriate options for supporting them through their pregnancy with their Welfare Tutor.
- 4.5.2 Paternity:
Although the standard two week allowance of Paternity Leave would not generally qualify for a Leave of Absence, the newly-introduced longer allowances for Paternity Leave should be considered as valid grounds for a Leave of Absence application.
- 4.5.3 Transfer of degree programme:
The descriptor of "Educational" has been added to the list of categories for a Leave of Absence, to more accurately reflect situations where it is too late in the current academic session to transfer programmes.

4.5.4 Placements:

The category of "Placement" should be used to cover all approved absences arising as part of the approved programme of study where students are temporarily absent from the University of Birmingham – these include industrial placements and external intercalation.

4.5.5 Competitive Sports:

The category of "Competitive Sport" has been added to the approved categories for Leave of Absence in order to reflect the University's sporting success, whereby students need to take a Leave of Absence to enable them to compete at international level, without disadvantaging their academic studies.

4.5.6 Compulsory Leave of Absence:

Where there is a reasonable suspicion that a Registered Student may have a medical illness or condition, (including but not limited to an infectious illness, and/or alcohol, drug or substance misuse), which may render the completion of their programme of study impossible, or which renders the student a possible danger to himself/herself or to others with whom they may come into contact as part of their studies, please refer to the Code of Practice on Suspension from Study on Health Grounds.

5. Evidence requirements

- 5.1 A Leave of Absence is not an automatic entitlement for non-medical situations, and the student must give valid reasons and supporting evidence in order to have their application considered.
- 5.2 A Leave of Absence on appropriately evidenced medical grounds will generally be automatically authorised, however, this is on the basis that the medical evidence provided is from a UK-registered practising medical Doctor or Consultant.
- 5.3 In the following non-medical situations independent third party evidence must also be provided:
 - a. Mid year applications for a Leave of Absence where there will be disruption to peers e.g. group work
 - b. Where the student is under investigation for plagiarism/reasonable diligence
 - c. Where students are in close proximity to examinations
 - d. For Doctoral Researchers where a Leave of Absence would impact on the progress of a research project or have funding implications.
- 5.4 Any application for a Leave of Absence relating to 3.2 above will be invalid and will be returned to the student if the appropriate evidence is not provided at the time of submitting the application.
- 5.5 Examples of acceptable evidence for non-medical requests include Death Certificates for bereavement, crime numbers for victim of crime situations, third party Medical Certificates relating to serious illness in the immediate family.

- 5.6 Examples of unacceptable reasons for requesting a Leave of Absence include problems with equipment or technology, lost work, travel difficulties, holidays, or moving house.

6. Alternatives to a Leave of Absence

- 6.1 The following routes are identified as possible alternatives to a Leave of Absence:
- 6.1.1 Switch to part time study if appropriate (NB: this will not be permissible for anyone with a student visa, nor may it be possible for some programmes);
- 6.1.2 Extensions (where the time period will not include progression). For extensions outside of Regulations for Doctoral Researchers the case should be referred to the Research Sub-Panel;
- 6.1.3 Agree and implement an Academic Plan (an example is attached as Appendix 1).

7. Retrospective Leaves of Absence

- 7.1 Any retrospective Leave of Absence should be the exception not the norm, and should only be approved under certain circumstances, and there will be extra scrutiny in these cases.
- 7.2 In order to submit a request for a retrospective Leave of Absence, the student must provide independent third party evidence, and, must be able to provide reasons as to why they were unable to present the evidence at the time (in line with the Code of Practice on Extenuating Circumstances).
- 7.3 It is recognised that it may take time for students to obtain the necessary evidence to support their Leave of Absence application, (for example to obtain a medical certificate). On the proviso that the necessary evidence is forthcoming, the Leave of Absence application will be dated as per the point of request and hence such a delay would not be considered to be retrospective.
- 7.4 Where a student is too unwell to make contact regarding extending an existing leave of absence, it is acceptable for a family member etc to send in a sick note and for the Leave of Absence paperwork to be completed retrospectively.
- 7.5 Retrospective Leaves of Absence may be appropriate when a student's complaint or appeal regarding inadequate supervision/equipment has been upheld.

8. Processing a Leave of Absence application

- 8.1 The details relating to a Leave of Absence (such as start and end dates, and authorising signatories) should be decided at College/School/Programme level, as appropriate.
- 8.2 The level of authorised signatories for Leave of Absence requests are to be agreed at a local level on an annual basis, in advance of the start of the new academic session. They should refer to the role(s), not to the named current office holder(s), and should be notified to Academic and Student Administration.
- 8.3 Application forms for a Leave of Absence should be downloaded or collected as they are required to ensure that the correct version of the application is being submitted, and thereby delays from invalid applications being returned.
- 8.4 The application form must be completed by the student who is requesting the Leave of Absence, and then returned to the appropriate signatory (as in 8.2 above) for authorisation.
- 8.5 The necessary evidence should generally be submitted at the same time as the application form, but if this is not possible reasons for the delay should be provided, plus an estimated date for receipt of the evidence.
- 8.6 Supporting documentary evidence can either be sent attached to the application form itself, or, the authorised signatory can indicate that sufficient evidence has been provided by the student and is being stored at local level.
- 8.7 Forms can be either paper or electronic, but the latter should be printed out within the University to facilitate an original authorising signature from an approved member of University staff (8.2 above).
- 8.8 The completed application form is to be returned to Academic and Student Administration for checking and processing, and the authorising signature will be verified by email.
- 8.9 All overseas students who are in the UK on a student visa will be required to seek immigration advice from the International Students Advisory Service (ISAS), and the application will not be processed until ISAS have confirmed that they have provided this advice to the student making the Leave of Absence application.
- 8.10 Any requests for a retrospective Leave of Absence that are received by Academic and Student Administration without confirmation of the required independent third party evidence will be deemed invalid, and the application will be returned to the authorising signatory and an email sent to the student to advise them that it is not possible to process their application.
- 8.11 Once processed, all authorised Leaves of Absence will be entered on to Banner and the relevant notifications made to third parties, such as the UK Border Agency and University Accommodation Services.

- 8.12 The student will be notified of the approved Leave of Absence and of the process that is to be followed in order to return to their studies at the relevant time.
- 8.13 Access to facilities such as Web CT will be reactivated upon receipt and processing of the students notification, (plus the required medical evidence where the Leave of Absence was on medical grounds), of returning from their Leave of Absence. This should generally be submitted three months in advance of the anticipated date of return.