

UNIVERSITY OF BIRMINGHAM

CODE OF PRACTICE ON SUSPENSION FROM STUDY ON HEALTH GROUNDS

Index of points

1. Preamble
2. Introduction
3. The Process

Code of Practice on Suspension from Study on Health Grounds

1. Preamble

- 1.1 This Code of Practice applies to Registered Students, Students on Leave of Absence, Students with Thesis Awaited Status and External Resit Students. Herein the term 'Student' will be used throughout the Code of Practice.
- 1.2 Where this Code of Practice refers to the Director of Academic Services, Head of College, Pro Vice-Chancellor for Education or University Medical Officer this should be read to include his or her nominee

2. Introduction

- 2.1 This Code of Practice sets out the processes and procedures to be followed in cases where the University believes that a Student should be suspended or withdrawn from a programme of study on health grounds.
- 2.2 This Code of Practice is intended to apply particularly to students not studying for Fitness to Practise programmes. Health concerns for Fitness to Practise students should normally be dealt with by the relevant College Fitness to Practise Committee in accordance with the Code of Practice on Procedures for Misconduct and Fitness to Practise Committees.
- 2.3 Notwithstanding the University needing to invoke the provisions of this Code, it will seek to support and work with the Student to ensure that they are able to access relevant sources of medical and other support. This will include consideration of other courses of action including (but not limited to) taking Leave of Absence.
- 2.4 Schools should liaise with the Student Conduct Office and/or the appropriate department of Student Support before considering using this Code of Practice. Other Codes of Practice and processes that should be considered include:
- Code of Practice on Leave of Absence Procedures
 - Code of Practice on Reasonable Adjustments for Students
 - Disability and Learning Support and Mental Health Advisory Service Disclosure and Consent Protocol.
 - Regulation 8 – Student Conduct
 - Code of Practice on Procedures for Misconduct and Fitness to Practise Committees.

The Student Conduct Office will normally manage the procedures under this Code of Practice.

3. The Process

- 3.1. The Director of Academic Services may require a Student to cease attendance on their programme where there is a reasonable suspicion that the Student may have a medical illness or condition (including but not limited to an infectious illness, alcohol, drug and substance abuse, or mental health issues) which in the judgement of the Head of College (after relevant consultation) has any of the following consequences:

- renders the completion of their programme of study impossible,
- renders the Student a possible danger to themselves, or
- renders the Student a possible danger to others with whom they will come into contact as part of the programme

Such a decision must be taken in consultation with the University Medical Officer and the Head of College.

- 3.2 If due to this suspicion it is considered that there is an immediate danger to the Student or other members of the University or to other persons with whom the Student will come into contact, the Director of Academic Services may suspend the Student with immediate effect.

The following steps will be taken:

- 3.2 .1 The University will write to the Student to inform them of the nature of the concern and that as a result of this concern they are required to provide medical evidence from a duly qualified medical doctor in relation to their fitness to continue on the programme of study. The medical evidence should be received within ten working days of the date of the letter.
- .2 The University Medical Officer will review the medical evidence, and if necessary may advise that the Student obtains further medical evidence. The University Medical Officer will then make one of the following recommendations to the Director of Academic Services:
- a The Student is fit to continue on the programme of study.
 - b The Student is fit to continue on the programme of study, subject to regular review by the University Medical Officer
 - c The Student is unfit to continue and will be suspended from the programme of study for a specified period or an unspecified period but subject to regular review. Their return to the programme will be conditional upon the provision of suitable medical evidence concerning their fitness to continue on the programme of study. Return to study may only be possible at certain times of the academic year depending on the programme of study.¹
 - d The Student is unfit to continue and will be required to withdraw permanently from the programme of study.

¹ Where the Student has missed a significant amount of the programme and /or the programme has changed during their period of suspension, it may be appropriate for the Student to return to an earlier stage of the programme. The School will be consulted on this matter when the Student's return to study is being considered.

- .3 If the Student refuses or fails to provide sufficient medical evidence, the University Medical Officer will make the recommendation to the Director of Academic Services based on the available evidence.
 - .4 A copy of the University Medical Officer's recommendation to the Director of Academic Services will be sent to the Student. The Student is entitled to make representation to the Director of Academic Services. These representations should be in writing and received within ten working days of the date of the letter accompanying the recommendation.
 - .5 The Director of Academic Services will make a decision on what action should be taken if any, based on the recommendation of the University Medical Officer and taking into consideration any representations made by the Student. The Student will be notified in writing of the decision as soon as practicable and normally within two working days of the expiry of the deadline for the representations to be received.
 - .6 If the Student is aged under 18, the Director of Academic Services should normally ensure the Student's parent(s) or guardian(s) is informed of any decision taken to suspend or withdraw the Student in accordance with this Code of Practice.
- 3.3 The Student may appeal against the decision of the Director of Academic Services. The appeal should be made in writing to the Pro-Vice Chancellor for Education and submitted within ten working days of the notification of the decision, stating the grounds for the appeal.