UNIVERSITY OF BIRMINGHAM

CODE OF PRACTICE ON LEAVE OF ABSENCE PROCEDURES

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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 temporary break from study, known as Leave of Absence.

1.2 This Code of Practice applies to all Registered Students undertaking Undergraduate and Postgraduate Taught programmes, and Postgraduate Research programmes. In this Code of Practice "Postgraduate Researcher" means a Postgraduate Registered Student undertaking a research degree programme.

1.3 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 imposed by the University rather than requested by the student.

2. Definition of Leave of Absence

2.1 Leave of Absence is a recognised and authorised break from studies where there is no academic engagement. 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 Leave of Absence.

2.2 Leave of Absence should not generally be used as a short-term solution where an alternative option (such as an extension to a submission deadline for coursework or a dissertation, or the Extenuating Circumstances procedure) would be more beneficial to the academic progress of the student.

2.3 Leave of Absence will normally only be given for requested periods of absence exceeding one calendar month and not exceeding twelve calendar months, and refers to situations where the student's registration status will change to "Leave of Absence" (LA).

2.4 Leave of Absence should not be used to accommodate a short period of absence (less than one month) that is considered by the School/Department/Supervisor to not unduly interfere with the student's studies and therefore will not require an extension to the student's programme end date. For short periods of absence for international students where a Leave of Absence is not appropriate (e.g. to return home urgently following an immediate family emergency), an Authorised Absence should be applied for.

2.5 A student must apply for Leave of Absence at the time the situation arises that adversely impacts on their ability to study.

3. Implications of a Leave of Absence

3.1 The student's registration status will be recorded as "Leave of Absence" for the duration of the Leave of Absence.

3.2 Tuition fees will be adjusted to take account of the period of Leave of Absence in accordance with the University's published tuition fee liability policy.

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 Leave of Absence.

3.4 The University is required by law to withdraw immigration sponsorship for students taking Leave of Absence who have entered the UK on a Tier 4 Student visa. This will normally mean that they will be required to leave the UK for their period of Leave of Absence (as will any of their dependants). Therefore international students should seek advice from the International Students Advisory Service (ISAS) regarding the impact of a Leave of Absence on their immigration status. In certain circumstances, the University may be able to continue immigration sponsorship for a maximum period of eight weeks during which time the University's statutory responsibilities as a Home Office Tier 4 sponsor will apply.

3.5 Although there is technically still a connection with the University, there is no active student 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 There is no automatic entitlement to the VLE and e-learning.

3.5.5 University email addresses remain active so long as they are regularly accessed by the student.

3.6 Any pre-existing University processes, (such as investigations into plagiarism, fitness to practise, misconduct etc) will normally continue during any approved Leave of Absence.

3.7 For entrants to the University from 2015/16 onwards, in accordance with Regulation 6.2.1(f) and 6.2.2(d), all time spent on Leave of Absence for students on Taught programmes is excluded from the calculation of the maximum period of registration. For taught students who entered the University in 2014/15 or earlier, the maximum periods of study as stated in the Regulations for 2014/15 apply and time spent on Leave of Absence will be included when calculating the maximum period of registration.

3.8 In accordance with Regulation 6.2.3(g) all time spent on Leave of Absence for a postgraduate researcher is excluded when calculating the time limit for the submission of the thesis.

4. Categories of Voluntary Leave of Absence

4.1 The student registration status of Leave of Absence covers both medical and non-medical circumstances.

4.2 Medical
All Leaves of Absence which are categorised as being for 'Medical' reasons require medical evidence to be submitted both at the time of applying for Leave of Absence and evidence to confirm fitness to return to study at the end of the period of leave of absence. The University reserves the right to request permission from the Registered Student to contact the relevant medical professional and/or the University Medical Officer for additional information where appropriate, for example, where further clarity is required to ensure that the student's return to study would not be putting themselves, or other members of the University, at risk.

4.2.1 Whilst it is recognised that students taking Leave of Absence due to medical reasons 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 some facilities (subject to any technical or licensing restrictions), where others will benefit from having a complete break. In order to address this, all anomalous situations should be scrutinised on a case by case basis via the appropriate channels within the School. For Taught Students this will normally be an Extenuating Circumstances Panel.

4.3 Non Medical
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:

4.3.1 Maternity
For maternity leave, statutory guidelines must be followed, in accordance with the University's Student Maternity Guidelines. As early as possible in the pregnancy, students are advised to discuss with an appropriate member of staff, i.e. their Welfare Tutor, Personal Tutor or Supervisor, the most appropriate options for supporting them through their pregnancy.

4.3.2 Paternity
Paternity Leave is considered a valid reason for Leave of Absence.

4.3.3 Financial
The category of "Financial" should be used when Leave of Absence is due to financial hardship. This will include situations where an excluded student voluntarily applies for a Leave of Absence.

4.3.4 Transfer of degree programme
The category of "Transfer of degree programme" should be used for Leave of Absence to reflect situations where students will be

transferring to a new programme of study but where it is too late in the current academic session to start their new programme.

4.3.5 Placements
The category of "Placement" should be used for Leave of Absence where a student undertakes a placement (or internship) which is not an integral and assessed part of their programme of study.

4.3.6 External Intercalation
The category of "External intercalation" should be used for Leave of Absence where a student takes an intercalated year at another institution.

4.3.7 Competitive Sports
The category of "Competitive Sport" should be used where a student needs to take Leave of Absence to enable them to compete at international level, without disadvantaging their academic studies.

4.3.8 Sabbatical Officer – second term of office

A Registered Student may only stand for election for a second term of office as a Sabbatical Officer of the Guild of Students before completing his or her programme if leave of absence for that second term of office has been conditionally granted. Leave of absence granted on this basis will come into effect if the student is elected and will take effect from the date on which the student takes office.

4.3.9 Other (including personal reasons)
The reasons for Leave of Absence arising from situations such as family bereavement and other personal circumstances must be specified and evidenced as part of the application process.

5. Categories of Compulsory Leave of Absence

5.1 In the following situations a student may be put on Leave of Absence by the University without the student submitting a Leave of Absence request.

5.1.1 Suspension following a Misconduct or Fitness to Practise Hearing
A College or University Misconduct or Fitness to Practise Committee may apply a penalty of suspension of the student from membership and/or attendance at the University for a specified period not exceeding one year. The student's registration status throughout this period will be Leave of Absence.

5.1.2 Imposed – excluded for tuition fee debt
"Imposed – excluded for tuition fee debt" will be used in instances where the student has been excluded due to a tuition fee debt but has not applied for Leave of Absence themselves. The University will place the student on an imposed Leave of Absence for the remainder of the academic year in accordance with Regulation 5.3.1(j).

Where an excluded student voluntarily applies for Leave of Absence, the reason will be recorded as "financial".

5.1.3 Compulsory Leave of Absence

The procedures in the Code of Practice on Health, Wellbeing and Fitness to Study should be followed where there is a reasonable suspicion that a Student's ability to study on their programme and/or participate in University life is or may be compromised as the result of health and/or wellbeing issues. Those procedures may lead to a Student being suspended by the Director of Academic Services and College Administration or their nominee. The Student's registration status throughout the period of suspension will be Leave of Absence.

6. Evidence requirements

6.1 All Leave of Absence requests should be accompanied by appropriate third party supporting evidence.

6.2 Leave of Absence on appropriately evidenced medical grounds will normally be authorised. This is on the basis that the medical evidence provided is from a UK-registered medical professional. Where the medical evidence is from a non-UK registered medical professional and is not in English, a certified translation must be provided by the student. The University reserves the right to request permission from the Registered Student to contact the relevant medical professional and/or the University Medical Officer for additional information, for example, in cases where there are concerns about the evidence presented.

6.3 Examples of acceptable evidence for non-medical requests include death certificates for bereavement, crime numbers for victims of crime situations, third party medical certificates relating to serious illness in the immediate family, copies of bank statements for financial hardship.

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

7. Alternatives to Leave of Absence

The following routes are identified as possible alternatives to Leave of Absence:

7.1 Switch to part time study if appropriate (NB: this will not be permissible for anyone with a Tier 4 student visa, nor may it be possible for some programmes);

7.2 Extensions to submission deadlines for course work, a dissertation or thesis.

8. Processing a Leave of Absence application

8.1 The authorised signatories for Leave of Absence requests (name and role) should be agreed at a local level on an annual basis in advance of the start of the new academic session and should be notified to Registry.

8.2 Application forms for Leave of Absence should be downloaded from

The Taught Student Administration Leave of Absence web-page for UG and GT students.
The Research Student Administration Leave of Absence web-page for PGRs.

as and when they are required to ensure that the correct version of the application form is being submitted, and thereby avoid delays from applications submitted on out of date forms being returned.

8.3 The application form must be completed by the student who is requesting Leave of Absence, and then returned to the appropriate signatory (as per 8.1 above) for authorisation.

8.4 The supporting evidence should normally be submitted at the same time as the application form. Where evidence is not included, the reasons for this should be provided. The School must indicate the rationale for supporting or not supporting the request without evidence.

8.5 Supporting 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.

8.6 Leave of Absence request forms may be submitted in hard copy or electronically, but must always include the student's signature and an authorising signature from an approved member of University staff (as per 8.1 above).

8.7 The completed application form should be returned to Registry for checking and processing, Applications from Postgraduate Researchers will normally be referred to the Research Progress & Awards Sub Panel for consideration.

8.8 All students who are aged under 18 must provide evidence of parental or guardian approval in the form of a letter signed by the parent or guardian.

8.9 Applications for leave of absence for a Sabbatical Officer's second term of office before completion of the programme must be submitted and conditionally approved before submission of nomination papers for the Sabbatical Officer election in question. The application for leave of absence will be decided in consultation with the student's Head of School (in those cases when the application for leave of absence is determined by any person or body other than the student's Head of School) and the Director of Academic Services and Professional Administration based on:

- Academic judgement;
- The impact the second leave period of leave of absence would have on the student's studies;
- Any academic dependencies.

8.10 Once processed, all authorised Leave of Absence will be recorded in Banner and the relevant notifications made to third parties, such as University Accommodation Services, the University's Finance Office and where applicable the Disability Team, the Student Loans Company, UK Visas and Immigration and Research Councils. It is the responsibility of the student to notify their sponsor about their Leave of Absence.

8.11 The student will be notified of the approved Leave of Absence by e-mail and of the process that is to be followed in order to return to their studies at the relevant time. International students will be advised of the impact of the Leave of Absence on their student visa.

8.12 International Students

8.12.1 In this Code of Practice "International Students" means international, non-European Economic Area (non-EEA), students who require immigration permissions to study in the UK. The University of Birmingham has been granted a Home Office Tier 4 Sponsor Licence and must ensure that it complies with the conditions of the Tier 4 Sponsor Licence.

8.12.2 The University will normally report to the Home Office the withdrawal of immigration sponsorship of a Tier 4 (General) Student Visa holder on Leave of Absence .

9 Return from Leave of Absence

9.1 At the end of the period of Leave of Absence, it is the responsibility of the student on voluntary Leave of Absence to notify Registry in writing of their intention to return to their programme of study and to confirm that the issue that led to the request for Leave of Absence has been resolved.

9.2 If the Leave of Absence was granted on medical grounds the student is required to provide medical evidence of their fitness to return to study. Where a suspension was imposed under the Code of Practice on Health Wellbeing and Fitness to Study, the student should follow the Return to Study procedure in that Code of Practice.

9.3 Return from Suspension imposed as a penalty by a College/University Misconduct or Fitness to Practise Committee

Where a Suspension was imposed under the Code of Practice on Procedures for Misconduct and Fitness to Practise Committees, the student will be permitted to return to studies at the end of the period of suspension subject to any conditions that may have been imposed.

9.4 Return from Imposed Leave of Absence

9.4.1 Normally students will be put on imposed Leave of Absence until the end of the academic session and their tuition fees will be adjusted in accordance with the University's published Tuition Fee Liability policy. If the student clears their outstanding tuition fee debt before the end of

the academic session, re-admission to the programme will be discussed with the Finance Office and the School.

9.4.2 If tuition fee charges need to be re-applied, the Finance Office may require a payment in advance before the student can be permitted to return to studies to ensure that the student is able to pay all tuition fees by the 1st May deadline. The School may decide that due to the amount of learning and teaching that the student has missed, they will not be able to return until the start of the next academic session.

9.4.3 In accordance with Regulation 5.3.1(m) a Registered Student who remains excluded and therefore on imposed Leave of Absence for a continuous period of 12 months, shall be withdrawn from the University and on payment of the outstanding fees, will only be readmitted at the discretion of the University.

9.5 Access to facilities such as Canvas will be reactivated upon receipt and processing of the students notification, (plus the required medical evidence where Leave of Absence was on medical grounds), of returning from Leave of Absence. This should generally be submitted in advance of the Leave of Absence end date.

9.6 Where tuition fees have been reduced in accordance with the University's published fee liability policy (see 3.2 above), the student will become liable for the remainder of the annual tuition fee on their return from Leave of Absence.

9.7 International Students are responsible for ensuring that they comply with the visa requirements in accordance with Regulation 5.2.2 which requires them to hold current valid immigration permissions which permit entry into the UK and are appropriate for their progamme and mode of study. A Right to Study Check will be undertaken on their return to study at the end of the period of Leave of Absence.

10 Failure to Return from a Leave of Absence

10.1 A Registered Student will be deemed to have withdrawn from the University if he/she does not return to study by the approved end date of the Leave of Absence and has not applied for an extension to the Leave of Absence.

10.6 A Registered Student's withdrawal in these circumstances shall not affect their liability to pay any unpaid tuition fees or other fees or charges.

11. Refused Leave of Absence

11.1 Where Leave of Absence is not approved, the student will be expected to attend their programme of study in accordance with the Code of Practice on Student Attendance and Reasonable Diligence. In some cases, Leave of Absence that was originally refused will be subsequently approved following submission of additional information and/or supporting evidence.

12. Extension to Leave of Absence

12.1 Leave of Absence will normally be approved for a maximum period of twelve calendar months. If a student is unable to return to studies at the end of the Leave of Absence, they will need to apply for an extension to the Leave of Absence (except in the situation set out in 9.4.3 which takes precedence). A further Leave of Absence application form should be completed and submitted with up to date supporting evidence. The evidence that was submitted to support the original Leave of Absence request cannot be used when requesting an extension to Leave of Absence.

12.2 Where a student has requested a number of extensions to Leave of Absence, there may be concerns about the length of time the student has been away from their studies and the impact that this may have on their ability to successfully complete their programme of study. This will be of particular concern where the programme requirements have been changed while the student has been on Leave of Absence and, for research degrees, where the research already undertaken may be out of date. Approving a further extension to the Leave of Absence may not be in the best interests of the student and may be refused. In cases where the request is on health grounds, with the permission of the student, the University may contact the University Medical Office or the Disability Team for further information and advice before making a decision on the Leave of Absence request.