

<b>Procedure 2.10 Special Circumstances Affecting Study</b>					
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**Procedure issued:** April 2014

**Procedure owner:** Principal / CEO

- ❖ This procedure is shared with our students and/or can be obtained:
  - on our website <https://docklandsacademy.co.uk/policies-and-procedures>,
  - on the desktops of all computers in the library on the top floor,
  - by emailing us at [info@docklandsacademy.co.uk](mailto:info@docklandsacademy.co.uk) in the case of remote learning.
- ❖ Also, our students are informed about the related main aspects of the procedure in the Student Handbooks, Induction Seminar and Learning Agreement.
- ❖ The procedure is reviewed and monitored on a regular basis for currency and fitness as part of our Annual 1.9 Policy and Procedures Review.

## **1. Substance Use and Misuse Amongst Students**

**1.1** Under the Health and Safety at Work Act 1974, the Academy is required to ensure, as far as is reasonably practicable, the health and safety of its employees, students and others at work. Misuse of drugs and alcohol poses serious risks to the health and general well-being of misusers and those with whom they come into contact; this situation also raises disciplinary issues for the Academy. In addition, substance misuse presents a potential threat to the Academy's reputation.

**1.2** The principal aim of this statement is to foster student awareness of the Academy's attitude and position in relation to the misuse of illicit drugs and alcohol within Academy premises.

### **1.3 Use of drugs and alcohol**

**1.3.1** Under the Misuse of Drugs Regulations 2001, it is a criminal offence for the Academy knowingly to permit the use, production or supply of any controlled drugs on its premises. In the case of drug misuse, the Academy will take appropriate disciplinary action which may include referral to the police.

**1.3.2** Whilst alcohol is not illegal and its consumption, subject to the Licensing Act 1964, is permitted on Academy premises, the Academy is concerned about the detrimental effects of excessive alcohol consumption on the welfare of students. The Academy seeks to discourage the inappropriate use of alcohol particularly during the day and the excessive consumption of alcohol during social events. The additional serious risk to health occasioned by the combination of drugs and alcohol is also noted. Students who are found to be acting in an inappropriate manner under the influence of alcohol may be subject to disciplinary action.

#### **1.4 Advice and information**

The Academy will provide relevant information and advice for students about health and other risks that may result from the misuse of drugs and alcohol. The Academy will also ensure that information about support and treatment services, both within the Academy and outside, are made readily available. Students seeking help for drug and/or alcohol misuse are as having a health problem and will be treated accordingly. Confidential issues will be respected.

#### **2. Disruption of study due to mental ill-health or substance abuse**

- 2.1** Experience has suggested that some students who have to interrupt their programme of study because of illness are not themselves the best judges of when they are fit to return to study. The Academy will take reasonable steps to satisfy it that students who interrupt for health reasons are indeed fit to return to study.
- 2.2** Any student interrupting their course of study for reasons of ill-health must provide evidence that they are fit to return to study before they are re-instated on their programme of study. The evidence should take the form of a letter from a medical practitioner responsible for their care, stating that they are fit to return to study: a statement of diagnosis and treatment is not sufficient. In the event that such a letter is not forthcoming or is equivocal, the Academy should require the student to submit to examination by an Academy-appointed doctor in order to seek the evidence that they are fit to return to study.
- 2.3** Administratively, the Head of Administration will be the responsible officer for implementing this policy, with advice from the Academic Head where necessary.

#### **3. Procedure in the event of the death of a student**

- 3.1** The Head of Administration is the Academy officer responsible for coordinating arrangements in the event of the death of a student and must be notified immediately of the death.
- 3.2** It is essential that the CEO / Principal and Directors be given any relevant information about the circumstances of the death, especially where the death appears to be by other than natural causes or to involve any kind of violence, whether the death took place on Academy premises or not.
- 3.3** The CEO / Principal will draft a letter of condolence and a copy of that letter will be placed on the student's file. The Head of Administration will circulate notification of the student's death to appropriate lecturers, tutors, advisors and relevant administrative staff. Those notified are asked to disseminate this information to colleagues who may need to know.
- 3.4** In the event of death by suicide or violence, it is normally the responsibility of the police to inform next of kin of the death, and the Academic Head should be notified whether the police have been informed or be asked to notify them.
- 3.5** If a student death is discovered on Academy premises, the Head of Administration, Academic Head or CEO / Principal will dial 999 and request the immediate attention of an Ambulance and the Police.
- 3.6** If the student was from overseas, the Head of Administration will inform the police whose responsibility it is to tell the Embassy or High Commission concerned. The Embassy or High Commission will inform the student's next of kin. Funeral arrangements for an overseas student are a matter for the Embassy or High Commission to take up with the student's next of kin.

3.7 The Principal and Directors will write a personal letter to the next of kin of a deceased overseas student offering to assist in any way possible. The Administration Department will keep on file a record of student deaths.

#### **4. Interruption of study**

Interruption of study is for students who require a temporary break from their studies and plan to resume their studies at a future date.

##### **4.1 Making an application**

Applications must be made in advance of the proposed interruption for both undergraduate level and postgraduate level students

1. Applications for first interruptions or those less than one calendar year will require the approval of the Academic Head, Head of Administration and Principal
2. Applications for repeat interruptions or those in excess of one calendar year will be require the approval of the of the Academic Head, Head of Administration and CEO / Principal
3. The Academic Head must forward the application to the Head of Administration within 24 hours of effective date of interruption. If received later, the effective interruption date will be the date of receipt, not the date on the application
4. 4 Modular/flexible programmes cannot be interrupted

##### **4.2 Resuming studies after a period of interruption**

**4.2.1** Students must email the Head of Administration one month prior to the expected date of return to confirm that they intend to re-enrol. The Head of Administration must then confirm their intention to re-enrol to the Academic Head and CEO / Principal in advance of the proposed return date so that the Academy can re-instate the student record. Students will not be able to re-enrol until confirmation has been received from the Academic Head and the record has been reinstated.

**4.2.2** Students must re-enrol in person at the Administration Office within one week of the date of return. Failure to bring the appropriate fees to enrol may result in the closure of the student record.

**4.2.3** Visa national students should bring their passport and current visa when re-enrolling.

##### **4.3 Procedure for Requesting Deferred Assessment (Course-unit) Procedure**

1. Any request for Deferred Assessment will not be considered without a letter of application and the appropriate supporting documentation.
2. Deferred Assessment will not be allowed in any circumstances where prior planning could have made it unnecessary.
3. Deferred Assessment shall normally be in the same format as the missed examination (i.e., if the examination was by unseen written paper, the deferred assessment should also be by unseen written paper). Where this is not possible, an explanatory statement should be submitted with the application form
4. Deferred Assessment on non-medical grounds is only permissible on the following grounds: (a) Bereavement of a close relative (during or immediately preceding the relevant examination) e.g., parent, partner, sibling, or grandparent; (b) Illness of dependents (nature of dependency and medical certification must be provided).
5. Straightforward deferred assessment applications can be approved at Academic Department level. A log of cases should be kept for quality assurance purposes.

6. Applications for the following type of complex deferred assessment cases will be sent for approval to and in the discretion of the Deferred Assessment Panel chaired by the Academic Head:
- All non-medical cases,
  - “Weak” medical certificates,
  - Medical cases with no certification, self-certification, retrospective certification and certification from any non- recognised practitioner,
  - Cases that could have been foreseen by the student and therefore planned for in advance,
  - All cases where the proposed method of assessment differs from the original assessment that was missed,
  - Force majeure cases such as Covid-19 pandemic or any other disaster related mental and/or physical issues,
  - Any other case on which the Academy Lecturers would like to seek further advice.

#### **4.4 Dealing with students in debt**

- 4.4.1** It is a condition of enrolment that tuition fees are paid on time and students are expected to arrange prompt payment to meet the required deadlines. Students are deemed to be debtors when there is an overdue, outstanding balance on any of their student accounts. These debts can relate to tuition fees, residence fees, examination re-entry fees, late submission fees, or library fine.
- 4.4.2** Students in debt to the Academy will receive a series of e-mail reminders informing them of overdue balances and warning of possible future sanctions. Continued non-payment will lead to the prevention of access to selected services and facilities (library, computer access, building access) and may ultimately result in a suspension or expulsion of registration. All students in debt have a flag applied to their account, this prevents the release of any official documentation the student may require (e.g. council tax certificates, transcripts, official examination results). An account flag also prevents a student enrolling for a future session and from being awarded a qualification. Once a student has settled their debt, the flag and sanctions are removed, usually within 24 hours.
- 4.4.3** Students are responsible for payment of all fees including those invoiced to a sponsor. Default flags are applied to unpaid sponsor invoices and liability may be transferred from the sponsor to the student.
- 4.4.4** Debtors no longer enrolled will be contacted by post and e-mail. Continued non-payment of an undisputed debt may result in the use of external agencies for collection.

#### **4.5 Arrangements for students with disabilities**

- 4.5.1** Special arrangements can be made for any student who is unable to sit in an examination room for one of the following reasons: disability or ill health or dyslexia.
- 4.5.2** The Academy will automatically assemble a committee on special assessment arrangements to consider applications for special provision as well as to advise on policy matters relating to candidates with dyslexia, disabilities or ill health.
- 4.5.3** The arrangements will vary depending upon the circumstances and needs of each individual student. These needs must be identified as early as possible in order to make appropriate provision for them. Academic and support staff must advise the Academic Head at the earliest opportunity where students with additional needs are identified.

#### **4.6 Special facility for sick students and those with disabilities**

The Academy will set up a room where medical attention is available and where question papers and stationery are provided. When a student is taken ill on the day of the examination or comes out of an examination space after starting the paper, they may also sit in this special facility.

#### **4.7 Special facility for students with dyslexia**

Students who are diagnosed with dyslexia and granted additional writing time, sit their examinations in a special room which is organised and invigilated at the direction of the Academic Head.

#### **4.8 Other special arrangements**

- 4.8.1** Students granted the use of a word processor, with or without additional time, sit their examinations in a special cluster room which is organised and invigilated at the direction of the Academic Head.
- 4.8.2** Students granted the use of an amanuensis, or whose special needs make it inappropriate for them to sit in a special venue, are required to sit their examinations in accommodation which has prior approval of the Academic Head and awarding body.

### **5 Barring students from examinations and related issues**

#### **5.1 Barring**

- 5.1.1** At the start of their course, students must be clearly informed about the procedure on barring, together with clear definitions of what will constitute "unsatisfactory performance" [The Academy's minimum requirement for engagement is 90%, but course organisers may stipulate a higher percentage if this is appropriate]
- 5.1.2** Arrangements are in place for the monitoring and recording of attendance at seminars, classes and other formal sessions, for the submission of required coursework, and for the reporting by individual lecturers of any serious deficiencies by the Head of Academics, who has overall responsibility for instigating the barring process.
- 5.1.3** Students who are clearly falling short of any course requirements in any particular course(s) **MUST** be informed in writing that their performance is currently less than satisfactory and that, if the situation continues, they may be barred from the assessment of the course(s) in question, together with the consequences that this may bring with it. A copy of this letter/e-mail should be sent to the Head of Administration and Academic Head for information). Such warning **MUST** be given to students in sufficient time for them to be able to rectify the situation during the remainder of the session, i.e. no later than half-way through the course(s), or part of a course where appropriate, in question. The Academic Head may also decide at this point to interview the student concerned.
- 5.1.4** If the problem persists, and if the student has been given the prior written warning detailed above, the Academy may then move towards barring the student. The student should first be interviewed, so that they have the opportunity to explain any reason there may be for underperformance. If the barring is to be implemented, all staff should be informed of the intention to bar and the reasons for it.

- 5.1.5** The decision on barring from individual examinations/assessments ultimately rests with the Academic Head, and must be made on the basis of a written record of attendance, performance, etc. Any decision to bar students must be made by no later than the end of the relevant Term (for undergraduate level) or 4 weeks before the relevant examination/assessment (for postgraduate level students and affiliates, where appropriate).
- 5.1.6** The programme coordinator's role will normally be to monitor any Academy decision, and to ensure that the above procedures have been adhered to. However, where a decision to bar a student from an examination will de facto result in non-progression (e.g., with regard to the overall number of units required, or units that are compulsory), the Head of Academics and academic programme co-ordinators must interview the student before confirming (or not) the final decision.
- 5.1.7** Students have the right to appeal against the decision to bar. Such appeals must be made by the student in writing to the CEO / Principal within 7 days of the date of notification of the department's decision.
- 5.1.8** The programme coordinators will deal with any appeal there may be against a departmental decision where progression is not at stake within 5 working days of receipt of the written appeal.
- 5.1.9** Appeals against a decision by the Academic Head which results in non-progression or classification difficulties for the student will be dealt with by the Principal within 5 working days of receipt of the written appeal.
- 5.1.10** Should a student be dissatisfied with the outcome of their appeal, they may then go through the Academy's standard grievance procedures, but they must accept that a final outcome is unlikely to be reached before they are due to take the examination(s) in question.

## **5.2 Academic insufficiency**

- 5.2.1** This occurs when a student's overall performance is deemed to be unsatisfactory by the department, either with regard to attendance or production of required work, or both, and as such it is neither realistic nor viable for them to continue with their studies for the remainder of the session.
- 5.2.2** All such cases must be referred to the Academic Head for a final decision. The expected outcome will be that the student's studies are suspended (for up to one year, as appropriate), and that they must repeat the year of study in which the insufficiency occurred.
- 5.2.3** Should a student wish to appeal against this decision, they may do so using the Academy's standard grievance procedures.

## **5.3 Repeat study**

- 5.3.1** Students who fall into any of the above two categories may expect to be permitted to have repeat study (full-time or part-time, as appropriate, and, depending on the individual circumstances, either for the whole or just part of a session). It is only in this way that students can make well their previous "insufficiency".
- 5.3.2** It is expected that such repeat study will be in the immediately following session. It is likely that repeat study will be taken alongside and in addition to the standard courses a student is expected to take in a given year and will not exceed the equivalent of one course unit in an undergraduate programme.

- 5.3.3** If a department does not wish to offer repeat study to a student, it must provide good, well-documented grounds for not doing so. In such circumstances, the department must make their recommendation to the Academic Head, and it is the Academic Head that reaches the final decision and informs the student of it in writing, together with the reasons for the decision. Should the decision be that repeat study is not available to the student, this in effect prevents the student from ever completing the relevant course (which may affect progression – see below).
- 5.3.4** Should a student wish to appeal against the Academic Head's decision, they may do so by writing to the Principal within 7 days of the date of notification of the decision.
- 5.3.5** The appeal will be dealt with by the Principal within 5 working days of receipt of the written appeal.
- 5.3.6** Should the Principal's decision effectively result in a student not being allowed to progress with their programme of study (e.g., no repeat study permitted, and the course is compulsory), the student may appeal against it using Academy's standard grievance procedures.

#### **5.4 Termination of studies**

- 5.4.1** A student's registration may also be terminated on the grounds of academic insufficiency; in such cases, the academic insufficiency must be deemed to be irretrievable.
- 5.4.2** For any student whose studies are to be terminated in this way, it is essential that they have previously been referred by the Department to the Head of Academics for a formal interview and written warning that their studies are at risk of being terminated should the insufficiency continue.
- 5.4.3** Should the insufficiency continue, or any conditions that were made at the above interview for the continuation of the student's studies not have been met, the student must be interviewed again by the Academic Head and issued with formal written notification of the termination and the reasons for it. Only the Academic Head and CEO / Principal are empowered to terminate a student's registration on the grounds of academic insufficiency.

#### **5.5 Suspension and termination for non – attendance at mandatory meetings**

- 5.5.1** Should any student not attend a mandatory meeting (e.g., an end-of-term interview arranged to discuss poor academic performance), they will be written to by the programme coordinators informing them that if they fail to make, and keep, an alternative appointment by a specified deadline their registration will be automatically suspended.
- 5.5.2** When such a suspension has to be invoked, the student must be sent a formal letter by the Administration Department confirming the suspension and warning them that their studies will be terminated should they not attend for interview by a specified deadline.
- 5.5.3** When such a termination has to be invoked, the Head of Academics must write a further letter to the student informing them of this, together with their right to appeal against the decision.
- 5.5.4** Should a student wish to appeal against this final decision, they may do so using the Academy's standard grievance procedures.

## 6. Related Documents

### 6.1 Policies

- 2 Academic Management
- 3 Teaching Learning Assessment
- 5 Student Support, Engagement and Learning Resources

### 6.2 Procedures

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| <ul style="list-style-type: none"> <li>• 1.5 Equal Opportunities</li> <li>• 1.7 Data Protection</li> <li>• 1.9 Review and Revision of Policies and Procedures</li> <li>• 2.1 Academic Misconduct Version V Aug21</li> <li>• 2.2 Academic Regulations</li> <li>• 2.4 Appeals</li> <li>• 2.5 Complaints</li> <li>• 2.6 Self-Assessment and Annual Programme Monitoring</li> <li>• 2.8 Plagiarism</li> <li>• 2.10 Special Circumstances Affecting</li> </ul> | <ul style="list-style-type: none"> <li>• Study</li> <li>• 2.12 Contingency and Adverse Effects</li> <li>• 2.13 Access and Participation Statement</li> <li>• 3.6 Internal Verification</li> <li>• 4.4 Attendance Monitoring</li> <li>• 4.6 Student Induction</li> <li>• 4.7 Student Disciplinary</li> <li>• 5.1 Student Code of Conduct</li> <li>• 5.3 Equality, Diversity and Special Needs</li> <li>• 7.1 Review and Sign off PI</li> <li>• 7.4 HE Public Information</li> </ul> |
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### 6.3 Student Terms and Conditions

### 6.4 External Reference Points

- Office for Students (OfS) Requirements and Guidance at <https://www.officeforstudents.org.uk/advice-and-guidance/regulation/>
- UK Quality Code Advice & Guidance – Concerns, Complaints and Appeals at <https://www.qaa.ac.uk/en/quality-code/advice-and-guidance/concerns-complaints-and-appeals>
- UK Quality Code Advice & Guidance – Assessment at <https://www.qaa.ac.uk/en/quality-code/advice-and-guidance/assessment>
- Higher Education Code of Governance (Committee of University Chairs, December 2014) at <https://www.universitychairs.ac.uk/wp-content/uploads/2020/09/CUC-HE-Code-of-Governance-publication-final.pdf>
- Association of Employment and Learning Providers (AELP) principles of Good Governance for Independent Training Providers at <https://www.aelp.org.uk/media/2595/code-of-governance-final-sept-2018.pdf>
- OIA The Good Practice Framework: Handling Students Complaints and Academic Appeals at <https://www.oiahe.org.uk/media/1859/oia-good-practice-framework.pdf>
- OIA Disciplinary Procedures at <https://www.oiahe.org.uk/media/2045/good-practice-framework-disciplinary-procedures-section.pdf>
- UKCISA Code of Ethics at <https://www.ukcisa.org.uk/Membership/Codes-of-practice/Code-of-ethics>
- Equality Act – 2010 at <https://www.legislation.gov.uk/ukpga/2010/15/contents>