

**STUDENT PRECAUTIONARY MEASURES POLICY – (FITNESS TO STUDY, FITNESS TO PRACTISE AND STUDENT DISCIPLINE)**

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**1. Purpose of Policy**

- 1.1 The purpose of this policy is to ensure that the University applies precautionary measures proportionately, consistently, and fairly, to ensure that risks can be mitigated as fully as possible pending processes including Student Discipline, Fitness to Study and Fitness to Practise.

The precautionary measures procedure provides a mechanism to assess risks and apply precautionary measures prior to investigations taking place and any measures or sanctions being applied under other processes such as those outlined above.

The underlying principle for the application of precautionary measures is that the precautionary measures put in place should best mitigate risk and protect the parties involved and the university community.

- 1.2 The precautionary measures process should:

- Be informed by the known facts of the case and any associated risks
- Be conducted with due regard to the principles outlined above
- Ensure that clear reasons are given for decisions reached
- Ensure that there is clear and timely communication with the student(s) involved throughout the process, and that timelines are shared with parties involved.
- Ensure that support is offered to all parties.
- Ensure an appropriate level of confidentiality is maintained
- Ensure appropriate review in light of any developments to the case
- Minimise any unnecessary impact on parties involved and ensure that all parties are treated with sensitivity.

**2. Scope**

- 2.1 This Precautionary Measures Policy applies to:

- Student Regulation 8 – Disciplinary Procedures for Students
- The Fitness to Study Policy
- The Fitness to Practise Policy
- The Dignity and Respect Policy – Student Respondents only

- 2.2 This Precautionary Measures Policy may be used in relation to other policies where it is appropriate and reasonable to do so.

- 2.3 In the case of a student being arrested, a precautionary measures panel will be convened as standard procedure.

- 2.4 In cases where a student is also an employee or casual member of staff, advice will be sought from the Deputy Director (HR Services) or Director of HR and due process will be followed in applying any precautionary measures.
- 2.5 Full consideration will be given to the possible implications of any precautionary measures applied; however, the overriding objective of the precautionary measures policy and process is to mitigate risk.
- 2.6 In order to allow the processes to take place under the policies outlined above with due regard to best protecting the parties involved and the university community, an appeal may not be made against precautionary measures.
- 2.7 Any student who has been party to any of the above procedures can raise a concern about their application using the [Student Complaints Policy](#). The SU (Students' Union) Advice and Support Centre offer independent guidance on how to raise a concern.
- 2.8 Parties to this process are encouraged to provide feedback on any aspect of it any stage by emailing [studentpolicy@bath.ac.uk](mailto:studentpolicy@bath.ac.uk)

### **3. Roles and responsibilities**

- 3.1 Responsibilities of the Chair of the Precautionary Measures Panel may be delegated to a nominee. The Chair will be responsible for decisions made under Precautionary Measures, informed by a panel of advisors.
- 3.2 Where suspension or exclusion is a proposed precautionary measure resulting from a panel meeting, the Chair of the Panel will make a recommendation to a Pro Vice Chancellor (PVC) who will review the case and either uphold, amend, or dismiss the proposal.
- 3.3 The secretary to the panel is responsible for convening panel meetings, liaising with the Chair, panel advisors, and compiling reports resulting from the panel meetings.

### **4. Definitions:**

- 4.1 Student:

The term 'student' applies to any registered student at the University of Bath.

- 4.2 'Party' any party involved in one of the identified policies or processes who may be at risk as a result.

- 4.3 Reporting Party:

The person affected or impacted by the alleged misconduct (for example in a Student Disciplinary process)

- 4.4 Respondent:

The person against whom the allegation is made (for example in a Student Disciplinary process).

#### 4.5 The Precautionary Measures Panel:

The Precautionary Measures Panel will normally comprise:

<b>Chair of the Panel</b>	Head of Student Policy and Safeguarding
<b>Advisors to the Panel</b>	Senior Case Manager Head of Security Services Student Discipline Manager Student Casework Manager Director of Accommodation and Hospitality Services Other relevant staff
<b>Secretary to the Panel</b>	Student Safeguarding Manager

The Precautionary Measures Panel will usually be chaired by the Head of Student Policy and Safeguarding, or another Manager within Student Policy and Safeguarding, in their absence. The Chair may call on other individuals to attend in an advisory capacity. The Chair of the Panel will also seek the views of those involved in the process.

#### 5. Records and Notifications

- 5.1 The Secretary will notify The SU and other teams/ departments within the University of sanctions applied on a 'need to know basis' as determined by the University's administrative and safeguarding responsibilities (i.e., notification of a No Contact Order where the Respondent and the Reporting Party are in the same academic department or SU club).
- 5.2 A Respondent's academic department will normally be informed of precautionary measures applied.
- 5.3 All records taken under this policy will be held for the recommended period of time for which records should be retained to comply with legal requirements and meet operational needs as defined with the [University Records Retention Schedule](#)

#### 6. Policy review

- 6.1 If you have any feedback on this policy, or on your experience of this policy or process, please email [studentpolicy@bath.ac.uk](mailto:studentpolicy@bath.ac.uk)

The SU Advice and Support Centre offer independent advice on drafts of written feedback.

#### 7. Related Policies and Procedures

- The Precautionary Measures Procedure
- Student Regulation 8 – Disciplinary procedures for Students
- The Fitness to Study Policy
- The Fitness to Practise Policy
- The Dignity and Respect Policy – Student Respondents only

#### 8. Document Control Information

Owner	Cassie Wilson, Pro-Vice-Chancellor for Student Experience.
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Approved By	Senate

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Date of next review	April 2025

## **STUDENT PRECAUTIONARY MEASURES PROCEDURE (FITNESS TO STUDY, FITNESS TO PRACTISE AND STUDENT DISCIPLINE)**

### **1. Notification of the need for a Precautionary Measures Panel Meeting**

- 1.1 If a risk to a member or members of the University community is identified within the scope of this policy (see section 2 above), it may be necessary to convene a Precautionary Measures Panel meeting. The following staff may contact the Head of Student Policy & Safeguarding to advise this:
- Senior Case Manager
  - Head of Security Services
  - Student Discipline Manager
  - Student Casework Manager
- 1.2. Upon receipt of the information related to the risk, the Head of Student Policy & Safeguarding will determine whether a Precautionary Measures Panel meeting is necessary, and convene the meeting as required.
- 1.3 Relevant papers, including a meeting agenda, information on the case, and risk assessment proformas, will be circulated to attendees prior to the meeting, by the Student Safeguarding Manager. Attendees will consider the information and complete relevant sections of the risk assessment prior to the meeting, to enable a focused discussion to take place at the panel meeting.

### **2. Structure of the panel meeting**

- 2.1 The panel meeting will follow a set agenda as follows:

<b>Item</b>	<b>Person responsible</b>
1. Overview of the case	Secretary
2. Presentation of relevant information that has come to light since papers were circulated	Members
3. Risks to the/each student party	All
5. Risks to other stakeholders	All
6. Risk assessment proformas finalised for each party; Precautionary measures to be decided	Chair
7. Communication to be agreed	Chair
8.AOB	All

- 2.2 The panel will consider the risks for each student party, any other stakeholders, the University community, and a risk assessment will be completed. The proforma for the risk assessment may be partly completed prior to the meeting and should be fully completed by the end of the meeting. The risk assessment will consider what actions can be taken to mitigate risks and provide appropriate support for students affected.
- 2.3 The panel will consider any risks to the wider community and other stakeholders

including those external to the University. The risk assessment will consider what actions can be taken to mitigate risks and provide appropriate support for stakeholders affected.

- 2.4 Having considered the risks fully, based on the information available, the panel will determine which precautionary measures, if any, should be applied. The Chair of the Panel may apply the full range of precautionary measures with the following exceptions:
- In the case of suspension or exclusion being proposed as a precautionary measure, a recommendation will be made to the PVC by the Chair, in the form of a report following the meeting. The PVC will decide whether to uphold the decision to suspend/exclude.
  - In the case of precautionary measures involving SU activities, the panel will seek approval from the SU prior to implementing those precautionary measures.
- 2.5 Precautionary Measures can include some or all of the following, or other measures that the panel agrees are appropriate:
- Change of accommodation
  - No contact order
  - Exclusion from areas of campus, or from the entire campus
  - Move to remote learning
  - Suspension from study
- 2.6 The panel will consider any necessary communication that should take place regarding the precautionary measures agreed, and this will be recorded in the meeting report. The Chair will consider that stakeholders will usually be informed on a need-to-know basis: students involved, others at risk, etc, informed by the risk assessment.
- 2.7 The Secretary to the panel will be responsible for disseminating the agreed communication from the panel meeting. This will usually include letters to any parties who are subject to precautionary measures, and precautionary measures notifications to relevant staff. All notifications will be sent within 3 working days.
- 2.8 The Panel will agree review dates and the process for information sharing following the panel meeting. In the case of a police investigation, the point of contact for any developments in the case will be confirmed. All cases will be monitored on at least a monthly basis. The Panel will be reminded that it is the responsibility of students to keep the panel informed of any developments. Students will have an identified single point of contact with whom to communicate. Following the precautionary measures panel meeting, a report will be written by the Secretary to record the decisions of the panel. This report will be shared with the PVC and all related documents made available to them.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date of Last Update: 1 August 2022*