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# Fitness to Study Policy

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**Status:** Approved

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**Approval date:** 3 February 2021

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**Review date:** August 2025

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**Audience:** Public

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**Responsible person:** Head of Professional Development  
and Undergraduate Experience

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**Approved by:** Academic Board

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# 1.0 Introduction

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The Dyson Institute of Engineering and Technology is committed to supporting the health and wellbeing of its Student body. It recognises the importance of a Student's health and wellbeing, and that a positive approach to the management of health and wellbeing is crucial to Student learning and academic achievement. It also recognises that, while studying at The Dyson Institute, all Students should be able to study and perform to the best of their ability, in a safe and comfortable environment.

The purpose of this policy is to encourage a co-ordinated institutional response in circumstances where it is considered that the health or wellbeing of a Student may mean that they pose a risk to themselves, to other Students or to the activities of The Dyson Institute.

The Fitness to Study Policy is designed to support the health and wellbeing of Students.

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## 1.1 Vision and mission

This policy has been developed with a view to supporting and furthering The Dyson Institute's vision and mission.

The Dyson Institute's vision is to be the best engineering university in the world, which develops the engineering leaders of the future.

Its mission is to build challenging and enriching educational experiences, which are free, student-centric and aligned with the needs of industry.

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## 1.2 Objectives

The aims of this policy are:

- to ensure that Staff and Students understand the concept of 'fitness to study'; and
- to provide a clear, supportive and impartial procedure through which to address concerns relating to a Student's fitness to study.

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## 1.3 Scope

This policy applies to all present and former Students who are currently enrolled at The Dyson Institute.

This policy should be used when a Student's fitness to study causes concern and all other procedures or options have been considered or exhausted. This may include, but is not limited to, when:

- a Student poses a risk to their own health, safety or wellbeing
- a Student poses a risk to health, safety or wellbeing of others
- a Student's behaviour is (or is at risk of) adversely affecting the teaching, learning or experience of other Students; or the day to day activities of The Dyson Institute
- a Student's academic engagement is unsatisfactory and may be known to be or suspected to be the result of an underlying physical or mental health condition,

– a Student’s academic performance has declined against the standard to which they usually perform and may be known to be or suspected to be the result of an underlying physical or mental health condition.

This policy is usually only intended for use in cases in which the behaviour, disruption or risk presented by the student is perceived to be of a serious or potentially serious nature. The policy is not disciplinary in nature; it is a supportive policy concerned with the wellbeing of the Student and The Dyson Institute community.

Disruptive or inappropriate behaviour that does not relate to an underlying physical or mental health issue should be dealt with through The Dyson Institute, or Dyson Technology’s, disciplinary processes.

A Student may be referred to the Fitness to Study Policy during or after the conclusion of a disciplinary process.

Students should be involved in the management of their own wellbeing wherever possible. However, should a student be unwilling or unable to participate, The Dyson Institute may nonetheless follow this policy where it is reasonable to do so.

In this Fitness to Study Policy, all references to a post holder in The Dyson Institute should also be read as referring to any person (including external parties) to whom the roles and responsibilities of that post holder have been delegated.

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#### **1.4 In an emergency**

If a Student’s wellbeing behaviour poses an immediate risk, either to themselves or to others, action should be taken in accordance with The Dyson Institute’s Critical Incident Process.

The emergency services should be called, and if onsite Dyson’s Security team should be notified. The Dyson Institute’s Head of Professional Development and Undergraduate Experience should also be notified.

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## 2.0 Definitions

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### 2.1 Fit to study

A Student who is fit to study is physically and mentally well enough, once any required reasonable adjustments are in place, that:

- they can engage with and benefit from their academic studies and submit assessments with a reasonable chance of obtaining the qualification they have registered for;
- their behaviour does not unreasonably disrupt any other members of The Dyson Institute community; and
- they do not pose a risk to their own health, safety or wellbeing or the health, safety and wellbeing of others.

A Student who demonstrates behaviour that does not meet the above definition, where such behaviour may be known to be or suspected to be the result of an underlying physical or mental health condition, may be supported through the Fitness to Study Policy.

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## 3.0 Reporting a Fitness to Study concern

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Any member of The Dyson Institute community who has a concern about a Student's Fitness to Study should speak to the Student's designated Student Support Advisor. If they are unsure who this individual is, they should speak to any member of the student support team.

It is possible that a third party, such as other students, accommodation providers, or Student's workplace colleagues may report concerns to a member of staff. It is the responsibility of the staff member to whom the concern is reported to ensure that the relevant Student Support Advisor is informed that a concern has been raised.

Information regarding Fitness to Study concerns may also be discovered as part of a disciplinary process, an academic appeal or claim for mitigating circumstances. In all these examples, as the initial coordinator for any further Fitness to Study activity the Student Support Advisor should be informed within a five working days of the information coming to light, in writing.

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## 4.0 Responding to Fitness to Study concerns

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The Dyson Institute takes the health and wellbeing of every member of its community very seriously.

Where a Fitness to Study concern is reported, it is the responsibility of the Student's designated Student Support Advisor to explore this concern and initiate further action as appropriate, in accordance with the policy steps set out below.

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### 4.1 Exploratory

The Student's designated Student Support Advisor (SSA) will discuss with them the concern that has been raised. This discussion will usually take place in a face to face meeting, either in person or via video call. They will listen to the Student's views, discuss any factors that may be relevant and discuss any immediate support that The Dyson Institute can offer as appropriate. The SSA will retain a record of this discussion.

This exploratory stage is very important. It is possible that a Student may be unaware that their behaviour may be distressing to others or causing concern, and it's important that they are made aware and given the opportunity to consider and address their behaviour. An informal resolution, reached through discussion with the Student, is always preferred outcome.

It may be appropriate to immediately initiate the Fitness to Study Procedure as set out at 4.3, depending on the nature of the concern and the supporting evidence available.

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### 4.2 Student Support Review

On a monthly basis, The Dyson Institute holds a Student Support Review. As part of this review, concerns relating to a student's academic or workplace engagement may be raised, as well as concerns around Fitness to Study and actions for exploration with the student agreed.

Where a Fitness to Study concern is immediate and critical, it may be appropriate to immediately initiate the Fitness to Study Procedure at either Stage 1 or 2 (outlined below and in Section 5.0 of this policy).

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### 4.3 Fitness to Study Procedure

Where the health and wellbeing support offered to the Student via The Dyson Institute's Student Support Advisors or relevant, contracted services is not improving the fitness to study concern, and the Student continues to meet the definition of a Student who is not fit to study (as set out in section 2.0 of this policy), it will usually be appropriate to initiate the formal Fitness to Study Procedure.

This Procedure consists of two stages:

- Stage 1: continuing and/or serious concerns
- Stage 2: persistent and/or critical concerns

Further information about these two stages is set out in Section 5.0 of this policy.

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## 5.0 Stage one: continuing and/or serious concerns

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Stage one of the Fitness to Study Procedure will be initiated where there is a serious fitness to study concern about a Student that cannot be addressed by The Dyson Institute's usual health, wellbeing and student support tools, or where action already agreed in relation to supporting the health and wellbeing of a student have not improved a fitness to study concern.

The elements of stage one of the Fitness to Study Procedure are outlined below.

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### 5.1 Formal meeting

The Student will be invited to a meeting to discuss the fitness to study concern.

#### 5.1.1 The meeting invitation

The meeting invitation should:

- be sent in writing via email and/or post;
- explain the concern;
- offer the Student the opportunity to provide any documentation or other evidence relevant to the concern;
- state the purpose of the meeting and its potential outcomes;
- give notice of at least five working days;
- inform the Student of their right to be accompanied by a Supporter, and define the role of 'Supporter';
- list the other individuals who will be attending the meeting, and their roles;
- set out what happens if the student chooses not to attend; and
- provide a date by which by which the Student should respond.

#### 5.1.2 Meeting attendees

The Student may be accompanied to the meeting by a 'Supporter'. A 'Supporter' is a friend, relative or guardian, a Dyson colleague, a fellow student at The Dyson Institute or a member of Dyson Institute staff. The Supporter may support and assist the Student but should not represent them nor act on their behalf, including in a legal capacity. If the Supporter is unable to attend in person, arrangements will be made for them to attend virtually via phone or video call.

In addition to the Student and any chosen 'Supporter', the meeting will be attended by:

- The Student's designated Student Support Advisor
- The Student's designated Engineering Tutor
- A representative from Dyson Technology (if relevant)
- The Dyson Institute's Reasonable Adjustments specialist (if relevant)
- A note taker (to record the meeting).

If the Student has any concerns about the presence of one or more of meeting attendees, they should discuss these with the Student Support Advisor (the meeting's Chair). Where possible and appropriate, alternative representatives will be found.

If the Student is not comfortable speaking about their concerns with the Student Support Advisor, they may contact any member of The Dyson Institute's Quality and Standards Team who will support them in raising and addressing their concerns.

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## 5.2 Attendance at the meeting

The Stage one fitness to study meeting is designed to be part of a supportive process in which the Student and appropriate staff members discuss together the fitness to study concerns and appropriate actions. It is always helpful, therefore, if the Student attends the meeting.

If the Student does not respond to the letter by the deadline, the Student Support Advisor should make appropriate checks that correspondence is going to the correct address and contact the Student directly to inform them of the meeting and letting them know that the meeting can go ahead in their absence.

If the Student has indicated that they wish to attend the meeting but cannot do so for good reason which can be evidenced, and the Student advises the Student Support Advisor before the meeting, all effort will be made to defer the meeting to a mutually convenient time and date. This date should usually be within 5 working days of the date originally proposed.

If the Student has indicated that they do not wish to attend the meeting, the meeting will go ahead and a decision will be reached based on the information available.

If the Student fails to confirm attendance and all attempts to contact the Student have failed, the meeting may go ahead and a decision may be reached based on the information available.

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## 5.3 Content of the meeting

In advance of the meeting, any relevant documents or papers will be circulated to all parties. This includes the notes of any previous meetings regarding the concern, and any prior action plans. All information provided regarding fitness to study will remain confidential for use within this procedure and is subject to the requirements of the Data Protection Act. Only staff directly involved in the process will be given access to confidential information.

The purpose of the meeting is to support the Student; its intention is to recognise the individual needs of the Student and agree with an approach to addressing that Fitness to Study concern that recognises those needs.

During the meeting, the attendees will:

- review the nature of the concerns that have been raised;
- discuss the student's views;
- explore with the student any explanations for the behaviour that has resulted in the fitness to study procedure being enacted;
- discuss actions that may be required following the meeting;
- explain how the student will be informed of the actions that are recommended and/or that will be required – either by the Student or by The Dyson Institute;
- explain how progress will be monitored and reviewed; and
- explain what will happen if the behaviour that has resulted in the fitness to study concern does not improve.

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## 5.4 Meeting outcomes

Following the meeting, possible outcomes include (but are not limited to) the following:

- No further action required;
- Creation of a Reasonable Adjustments Plan (RAP) for the Student
- Enhancement of an existing RAP;
- Arrangement of a needs assessment for the Student;
- Arrangement of additional support for the Student;
- Recommendation or requirement for the Student to access specified support;
- Recommendation or requirement for the Student to engage with specified support in an agreed pattern;
- Recommendation or requirement for the Student to achieve a stated benchmark
- Agreement of a period of monitoring of the student's fitness to study; or
- Temporary interruption or suspension of the Student's studies.

Recommendations may be identified, which require support or action by the Student's employer (Dyson Technology). In these circumstances, a further meeting will be held with relevant representatives from Dyson Technology.

Within five working days of the meeting, the meeting notes and a record of the agreed outcomes should be shared with the Student in writing via email. This record should include any agreed milestones or timeframes and whether review meetings will be required to discuss progress, and should specify The Dyson Institute's commitments, as well as those of the Student.

Once the written record of the meeting has been sent to the Student, the Student Support Advisor should within five working days contact the Student to ensure that they understand what has been agreed, and to provide any necessary support as appropriate.

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## 5.5 Review meetings

Where requirements or benchmarks have been agreed in relation to the fitness to study concern, one or more review meetings may be held to discuss progress and to determine whether the Student is no longer a fitness to study concern.

Review meetings will be conducted by the designated Student Support Advisor and Engineering Tutor.

If the Student is not fit to study, or progress is not being made as expected, it may be appropriate to initiate stage two of the Fitness to Study Procedure.

Further information about stage two is set out in Section 6.0 of this policy.

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## 5.6 Appealing a fitness to study decision

Students may appeal against a Fitness to Study decision – see section 7.0 of this policy.

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## 6.0 Stage two: persistent and/or critical concerns

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Stage two of the Fitness to Study Procedure will be initiated where there is a critical fitness to study concern about a Student that cannot be addressed by The Dyson Institute's usual health, wellbeing and student support tools, or where action already agreed at stage one of the Fitness to Study Procedure have not been followed, or have not improved the fitness to study concern.

The elements of stage two of the Fitness to Study Procedure are outlined below.

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### 6.1 Formal meeting

The Student will be invited to a meeting to discuss the fitness to study concern.

#### 6.1.1 The meeting invitation

The meeting invitation should:

- be sent in writing via email and/or post;
- explain the concern;
- explain why the concern is being discussed at Stage Two of the procedure;
- offer the Student the opportunity to provide any documentation or other evidence relevant to the concern;
- state the purpose of the meeting and its potential outcomes;
- give notice of at least five working days;
- inform the Student of their right to be accompanied by a Supporter, and define the role of 'Supporter'; and
- list the other individuals who will be attending the meeting, and their roles;
- set out what happens if the student chooses not to attend; and
- provide a date by which by which the Student should respond.

#### 6.1.2 Meeting attendees

The Student may be accompanied to the meeting by a 'Supporter'. A 'Supporter' is a friend, relative or guardian, a Dyson colleague, a fellow student at The Dyson Institute or a member of Dyson Institute staff. The Supporter may support and assist the Student but should not represent them nor act on their behalf, including in a legal capacity. If the Supporter is unable to attend in person, arrangements will be made for them to attend virtually via phone or video call.

In addition to the Student and any chosen 'Supporter', the meeting will be attended by:

- The Student's designated Student Support Advisor
- The Student's designated Engineering Tutor
- A representative from Dyson Technology (if relevant)
- The Dyson Institute's Reasonable Adjustments specialist (if relevant)
- The Head of Professional Development and Undergraduate Experience
- A note taker (to record the meeting).

If the Student has any concerns about the presence of one or more of meeting attendees, they should discuss these with the Student Support Advisor (the meeting's Chair). Where possible and appropriate, alternative representatives will be found.

If the Student is not comfortable speaking about their concerns with the Student Support Advisor, they may contact any member of The Dyson Institute's Quality and Standards Team who will support them in raising and addressing their concerns.

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## 6.2 Attendance at the meeting

The Stage two fitness to study meeting is designed to be part of a supportive process in which the Student and appropriate staff members discuss together the fitness to study concerns and appropriate actions. It is always helpful, therefore, if the Student attends the meeting.

If the Student does not respond to the letter by the deadline, the Student Support Advisor should make appropriate checks that correspondence is going to the correct address and contact the Student directly to inform them of the meeting and letting them know that the meeting can go ahead in their absence.

If the Student has indicated that they wish to attend the meeting but cannot do so for good reason which can be evidenced, and the Student advises the Student Support Advisor before the meeting, all effort will be made to defer the meeting to a mutually convenient time and date. This date should usually be within 5 working days of the date originally proposed.

If the Student has indicated that they do not wish to attend the meeting, the meeting will go ahead and a decision will be reached based on the information available.

If the Student fails to confirm attendance and all attempts to contact the Student have failed, the meeting may go ahead and a decision may be reached based on the information available.

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## 6.3 Content of the meeting

In advance of the meeting, any relevant documents or papers will be circulated to all parties. This includes the notes of any previous meetings regarding the concern, and any prior action plans. All information provided regarding fitness to study will remain confidential for use within this procedure and is subject to the requirements of the Data Protection Act. Only staff directly involved in the process will be given access to confidential information.

The purpose of the meeting is to support the Student; its intention is to recognise the individual needs of the Student and agree with an approach to addressing that Fitness to Study concern that recognises those needs.

### During the meeting, the attendees will:

- review the nature of the concerns that have been raised;
- discuss the student's views;
- explore with the student any explanations for the actions that have resulted in stage two of the fitness to study procedure being enacted;
- explore with the student any reasons or factors due to which they have been unable to meet requirements agreed in stage one of the fitness to study meeting (if applicable);
- discuss actions that may be required following the meeting;
- explain how the student will be informed of the actions that are recommended and/or that will be required – either by the Student or by The Dyson Institute;
- explain how progress will be monitored and reviewed; and
- explain what will happen if the behaviour that has resulted in the fitness to study concern does not improve.

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## 6.4 Meeting outcomes

Following the meeting, possible outcomes include (but are not limited to) the following:

- No further action required;
- Creation of a Reasonable Adjustments Plan (RAP) for the Student
- Enhancement of an existing RAP;
- Arrangement of a needs assessment for the Student;
- Arrangement of additional support for the Student;
- Recommendation or requirement for the Student to access specified support;
- Recommendation or requirement for the Student to engage with specified support in an agreed pattern;
- Recommendation or requirement for the Student to achieve a stated benchmark;
- Suspension of the Student's studies;
- Withdrawal of the Student from their Studies.

Recommendations may be identified which require support or action by the Student's employer (Dyson Technology). In these circumstances, a further meeting will be held with relevant representatives from Dyson Technology.

Where a decision is taken to interrupt a Student's studies, or to withdraw a Student from their studies, this decision will be shared with Dyson Technology (the employer), which may separately review whether a leave of absence from their employment should be considered.

In the case of a suspension of studies, an initial time period for this suspension should be agreed; an extension to this period can be considered as appropriate and in accordance with The Dyson Institute's Academic Regulations. Return to study must be supported by the meeting of certain requirements (see Section 8.0 – Returning to Study).

Within five working days of the meeting, the meeting notes and a record of the agreed outcomes should be shared with the Student in writing via email. This record should include any agreed milestones or timeframes, and should specify The Dyson Institute's commitments, as well as those of the Student.

Once the written record of the meeting has been sent to the Student, the Student Support Advisor should contact the Student to ensure that they understand what has been agreed, and to provide any necessary support as appropriate.

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## 6.5 Review meetings

Where requirements or benchmarks have been agreed in relation to the fitness to study concern, one or more review meetings may be held to discuss progress and to determine whether the Student is no longer a fitness to study concern.

Review meetings will be conducted by the designated Head of Professional Development and Undergraduate Experience. They will take place on a basis agreed between the Head of Professional Development and the Student (this agreement must be recorded in writing and shared with the Student via email).

If the Student is not fit to study, or progress is not being made as expected, it may be appropriate to reconvene the Stage Two meeting panel to consider further actions.

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## 6.6 Appealing a fitness to study decision

Students may appeal against a Fitness to Study decision – see section 7.0 of this policy.

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## 7.0 Appeals against a Fitness to Study decision

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Students may appeal against a Fitness to Study decision, on the basis of the reasons set out at 7.1 below.

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### 7.1 Grounds for appeal

An appeal against a Fitness to Study decision can only be made on one of the following grounds:

- New, relevant evidence is now available that was not available previously, and may have changed the decisions made. In this case, appropriate reasoning must be given as to why the evidence could not be presented previously;
- There was a significant procedural error during the Fitness to Study Procedure that can reasonably be thought to have potential to influence the decisions made;
- The decision breaches the requirements of natural justice.

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### 7.2 Making an appeal

The Student should make their appeal in writing to [dysoninstitute.regulation@dyson.com](mailto:dysoninstitute.regulation@dyson.com).

The email initiating the appeal must be sent within 10 working days of the Student receiving written confirmation (via email) of the decision and must specify the grounds on which the appeal is based (as set out at 7.1 above). The appeal should be supported by relevant evidence as appropriate.

The Dyson Institute's quality and standards team will appoint an independent investigator who has not been previously associated with the concern.

The role and remit of the Independent Investigator is set out in 7.3.

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### 7.3 Independent Investigator

The investigator will have access to all of the evidence, notes and other records relating to the previous decision making process. They will treat this data confidentially, for use only to support the appeal and in accordance with the Data Protection Act. They will examine how the process was carried out and review the decision with any additional information and/ or evidence. This may include interviewing the members of staff involved and/ or the student.

The investigator will submit a report, including recommendations, for the consideration of Director of The Dyson Institute, who will determine one of the following outcomes:

- To dismiss the appeal;
- To uphold the appeal and refer the case to a new Fitness to Study Review Panel for Reconsideration; or
- To impose an alternative action/ outcome.

The student will receive the outcome of the appeal by email and in writing within 10 working days.

The Director's decision is final.

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## 7.4 Completion of procedures

Upon the conclusion of the appeals process (i.e. upon the decision to reject the appeal, if this is the decision reached), the Student will be sent a Completion of Procedures letter within 10 working days.

Once the Student has received their Completion of Procedures letter and, if they are still dissatisfied, they may ask the Office of the Independent Adjudicator for Higher Education (OIAHE) to review their case. The request must be made within 12 months of receipt of the Completion of Procedures letter.

The OIAHE's website is available at [www.oiahe.org.uk](http://www.oiahe.org.uk). Their phone number is 0118 959 9813.

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## 8.0 Returning to study

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It is very important that any Student returning to The Dyson Institute after a period away from their studies is adequately supported upon their return.

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### 8.1 Prior to returning to study

No later than one month prior to the agreed date on which the Student is due to return, the Head of Professional Development and Undergraduate Experience will contact them to discuss how they have progressed since the suspension began, discuss their wellbeing and support needs and to agree with the Student how their return to The Dyson Institute will be supported.

If a suspension of workplace activities has also been agreed, a Dyson Technology representative may join the above meeting and support the Student in observing Dyson's return to work processes.

If a Student's studies were suspended for medical reasons, they must provide medical evidence that the concern has been appropriately addressed. This evidence will be reviewed by an appropriately qualified medical expert.

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### 8.2 Return to study action plan

The Head of Professional Development and the Student will discuss an action plan to support the Student's return. This action plan should be a collaborative exercise – the Student's active participation will help The Dyson Institute to design an action plan that is appropriate to their own, individual needs. The Head of Professional Development will furthermore discuss with The Dyson Institute's Head of Engineering programme how they would envisage supporting the Student's return to their apprenticeship and academic studies, and will discuss any proposed measures and the associate reasoning with the Student.

This action plan may include, but is not limited to:

- Reconsideration of the Student's Reasonable Adjustment's Plan;
- Regular meetings with their Student Support Advisor;
- Regular review meetings in relation to their Fitness to Study;
- Provision of ongoing counselling or other, professional welfare support.

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### 8.3 Upon return to study

Upon a Student's return to study, it is the duty of both The Dyson Institute and the Student to observe the agreed action plan.