



UOW ADMINISTRATION

Academic Registrar's Division

STUDENT HEALTH ASSESSMENT AND LEAVE POLICY

Date approved:	26 May 2009	Date Policy will take effect:	On approval	Date of Next Review:	December 2013
Approved by:	Administrative Committee				
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Supporting documents, procedures & forms of this policy:	DSM Report of Concerning Behaviour template Notice of Meeting with Student Health Assessment Panel template Notice of Outcome of Student Health Assessment Panel Meeting template Notice of Outcome of Student Health Assessment & Leave Appeal template Flow Charts depicting Student Health Assessment And Leave Process Procedures for dealing with violent or disruptive behaviour or behaviour which might be indicative of a mental health condition Guidelines for Dealing with Disruptive Behaviour				
References & Legislation:	Anti-Discrimination Act 1977 (NSW) Disability Discrimination Act 1992 (Cwth) Disability Standards for Education Privacy and Personal Information Protection Act 1998 (NSW) Health Records and Information Privacy Act 2002 (NSW) National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students Disability Policy – Students Privacy Policy Student Conduct Rules and Procedure for Managing Alleged General Misconduct by Students Campus Access and Order Rules Fees Policy Student Academic Consideration Policy UOW Emergency Response Guidelines UOW Critical Incident Guidelines and Procedures				
Audience:	Internet – public access				
Expiry Date of Policy:	Not applicable				

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Purpose of Policy

The purpose of the Student Health Assessment and Leave Policy is to:

- i. provide for the management of students with serious health conditions that are causing them to behave in disruptive, threatening or harassing ways towards other members of the University community or to behave in a manner that may constitute a danger to themselves or that may be repeatedly preventing them from progressing in their course.
- ii. manage infrequent cases where the Student Conduct Rules are not the appropriate means of dealing with a case.
- iii. provide a process for placing a student on involuntary leave if there is a reasonable belief that the student has a serious health condition (as defined in section 2 of this policy) that makes the student unfit to attend the University or to continue in a course for a period of time, and where the student is unwilling or unable to request a leave of absence.

Definitions

Word/Term	Definition (with examples if required)
Concerning behaviour	Behaviour that: <ol style="list-style-type: none"> a. Physically endangers or is likely to physically endanger the student or a member of the University community; or b. causes or may cause any member of the University community to feel harassed or threatened; or c. causes or may cause significant emotional disturbance to any member of the University community; or d. negatively disrupts the provision of academic or general services to any member of the University community.
Designated Staff Member	One of the following members of the University staff: <ul style="list-style-type: none"> Senior Executive Faculty and Executive Deans Sub Deans Associate Deans Deputy Dean (Graduate School of Medicine and Sydney Business School) University Librarian Associate Librarian, Client Services Student Residence Managers Chief Technology Officer Manager Security Head, Shoalhaven Campus Manager, UOW Education Centres Dean of Research
Involuntary leave	A period of leave from the University that a student is directed by the University to take on health grounds.



Leave of absence	A period of approved leave from the University.
University community	Staff and students of the University and visitors or contractors at the University or persons elsewhere, where the student is representing the University.
Misconduct	Conduct by a student that is in breach of the Rules, codes, policies and procedures of UOW.
Registered medical practitioner or mental health professional	A person registered with a professional body to provide a specialised medical or mental health service and/or opinion.
Serious health condition	A health condition or disability that causes or results in concerning behaviour or is of such a nature that it is repeatedly preventing the student from successfully progressing in a course in which the student is currently enrolled.
Student	A person enrolled in a subject at the University.
The University	The campuses, facilities, operations, resources, residences and services of the University of Wollongong.

Application & Scope

1. This policy applies to University of Wollongong students:
 - a. attending an Australian campus; or
 - b. undertaking study within the virtual/online environment; or
 - c. elsewhere, where the student is representing UOW. This includes during work or clinical placements, practicum and related activities, field trips, academic or sporting competitions.
2. This policy does not preclude or replace disciplinary action in response to criminal activity or serious violations of UOW rules or policies.
3. If there is a critical incident or emergency situation, UOW Security should be contacted immediately.

Policy Principles

1. UOW is committed to providing:
 - a. a safe and orderly environment free from harassment and discrimination for all members of the University community; and
 - b. a supportive environment for all UOW students.

Underlying the requirements, definitions and procedures of this policy are the principles of equity, consistency, transparency and procedural fairness.

The University will comply with privacy legislation and anti-discrimination legislation at all times in applying this policy.

Note: A staff member who has witnessed or has reliable reports of a student engaging in concerning behaviour as defined in Section 2 of this policy should consider discussing that behaviour with the student confidentially before deciding whether to report the student to a Designated Staff Member under this policy. Staff members are urged to consult the Guidelines for Dealing with Disruptive Behaviour before approaching a student about concerning behaviour.



Reporting and Investigating a Serious Health Condition

Reporting a Serious Health Condition

1. When a staff member is of the reasonable belief that a student's concerning behaviour might be the result of a serious health condition, the staff member can report these concerns to the appropriate Designated Staff Member.

The Designated Staff Member will make preliminary enquiries into the student's concerning behaviour. If the Designated Staff Member has reasonable grounds to believe the student has a serious health condition, the Designated Staff Member will make a report about the student's behaviour to the Academic Registrar using the DSM Report of Concerning Behaviour template. In making the report, the Designated Staff Member will provide the Academic Registrar with all relevant information and evidence relating to the student. The DSM Report must be made within 5 days of the Designated Staff Member receiving the initial report.

Where the Academic Registrar is not available, the Academic Registrar will appoint a nominee who is not a Designated Staff Member to carry out the functions of the Academic Registrar under this policy.

The Designated Staff Member must inform the staff involved in making the initial report whether or not the Designated Staff Member will report the matter to the Academic Registrar. Where the Designated Staff Member decides not to make a report to the Academic Registrar, the Designated Staff Member will give all staff involved in making the initial report reasons for not making a DSM report to the Academic Registrar.

If, during an investigation into alleged student misconduct under the Student Conduct Rules, a Subject Coordinator, Primary Investigation Officer or Faculty Investigation Committee has reasonable grounds to believe that the alleged misconduct is related to a student's serious health condition, the matter must be reported to a Designated Staff Member under this policy,

The Academic Registrar will investigate the DSM report and decide whether further action is required as soon as possible and within 5 days of receiving the DSM report.

In the course of investigating a DSM report, the Academic Registrar may seek any other information the Academic Registrar deems relevant to the student's possible serious health condition and its effect or likely effect on the student or other members of the University community.

In deciding whether further action is required, the Academic Registrar may seek the advice of a registered mental health professional or medical practitioner.

If, based on the information available, the Academic Registrar has reasonable grounds to believe that further action is required, the Academic Registrar will notify the student in writing of the investigation in accordance with section 5.17 and ask the student to attend a meeting with the Student Health Assessment Panel. At the same time, the Academic Registrar will inform the Designated Staff Member of whether or not further action will be taken and what any further action might be.

In considering any report on concerning behaviour, the Designated Staff Member, the Academic Registrar and the Student Health Assessment Panel may consider previous reports of concerning behaviour by the student and the outcomes of these reports.

The Academic Registrar will inform the Designated Staff Member of the nature of the determination reached by the Student Health Assessment Panel as soon as practicable after the determination has been made.

The Designated Staff Member will keep the staff involved in making the initial report informed of the nature of the decision of the Academic Registrar and the determination of the Student Health Assessment Panel.

Student Health Assessment Panel

The Student Health Assessment Panel shall be convened by the Academic Registrar as soon as practicable after the decision to investigate the DSM report further and before the notice of the meeting is sent to the student.

The Student Health Assessment Panel shall comprise:

- a. the Academic Registrar as Chair, and
- b. the Dean of Students or nominee, and



- c. a member of staff of the University who is a registered mental health professional or medical practitioner. This person will not be required to make a diagnosis.

The Student Health Assessment Panel may not include a person who has previously treated the student for the serious health condition, a Designated Staff Member or a member of the faculty in which the student is enrolled.

Both genders must be represented on the Student Health Assessment Panel.

Notice of Meeting

In the notice to the student, the Academic Registrar must advise the student that the Student Health Assessment Panel has been convened and:

- d. outline the circumstances which led to the initial report and the DSM report being made and the nature of the reports; and
- e. outline the reasons for believing further action is required on the matter and summarising the basis of these reasons; and
- f. ask the student to attend a meeting with the Student Health Assessment Panel to discuss the matter further and provide the student with the date, time and place at which the meeting is to be held; and
- g. advise that the student may bring a support person to the meeting; and
- h. request that the student provide information that may be relevant to the concerning behaviour or serious health condition; and
- i. advise that a registered mental health professional or medical practitioner will be in attendance, and that the registered mental health professional or medical practitioner will not be attending to diagnose a serious health condition; and
- j. give the student no less than five and no more than ten days to respond to the notice in writing or by telephone; and
- k. advise the student that failure to attend the meeting will result in the Academic Registrar recommending to the Vice-Chancellor that the student immediately be suspended from all or some activities and services of the University, as appropriate.

At the meeting with the student, the Student Health Assessment Panel will give the student reasonable opportunity to respond to the reports about the student's concerning behaviour and possible serious health condition.

The Student Health Assessment Panel may at any time recommend that the student take a leave of absence and offer the student information on appropriate external support services the student can access during that period of leave.

In exceptional circumstances, the Academic Registrar or Student Health Assessment Panel may modify the timeframes stipulated in this policy.

Outcomes of Meeting with Student

Following the meeting and taking into account the student's response, the Student Health Assessment Panel will make a determination. The Student Health Assessment Panel's determination may include:

- i. taking no further action on the basis the Student Health Assessment Panel reasonably believes:
 - i. the student does not have a serious health condition which makes the student unfit to attend the University or to continue in a course for a period of time; and/or
 - ii. that the student is unlikely to repeat the concerning behaviour that gave rise to the report; and/or
 - iii. that, based on additional information, the behaviour was not sufficiently serious to warrant further action; or



- m. taking no further action on the basis that the student discloses that the student has a serious health condition which is likely to have caused or resulted in concerning behaviour and the student provides satisfactory evidence that:
 - i. the student is managing the serious health condition, and
 - ii. the concerning behaviour is unlikely to recur; or
- n. if the student discloses to the Student Health Assessment Panel that the student does have a serious health condition which is affecting the student's ability to progress in a course, direct the student to do one or more of the following:
 - i. receive treatment at a counselling, psychological or health service; and/or
 - ii. attend Learning Development for help with academic matters; and/or
 - iii. speak to their Faculty Sub Dean or Associate Dean about applying to reduce the student's academic load by withdrawing from one or more subjects without academic penalty; and/or
 - iv. observing any other medical or behavioural directions made by the Student Health Assessment Panel, or
- o. if the Student Health Assessment Panel has a reasonable belief that the student does have a serious health condition which is affecting the student's ability to progress in a course, direct the student to do one or more of the following:
 - i. receive treatment at a counselling, psychological or health service; and/or
 - ii. attend Learning Development for help with academic matters; and/or
 - iii. apply to their Faculty Sub Dean or Associate Dean to reduce the student's academic load by withdrawing from one or more subjects, without academic penalty; an/or
 - iv. observing any other medical or behavioural directions made by the Student Health Assessment Panel, or
- e. if the student discloses to the Student Health Assessment Panel that the student has a serious health condition which makes the student unfit to attend the University or to continue in a course for a period of time, the Student Health Assessment Panel may place the student on a period of involuntary leave, with conditions for the student's return to or re-enrolment at the University. Such conditions may include, but are not limited to:
 - i. receiving treatment at a counselling, psychological or health service (with information provided to the student on services they can access that are external to the University)
 - ii. providing evidence of the use of a prescribed medication to manage the serious health condition or the concerning behaviour that is caused by or results from that condition. Such evidence may include an ongoing assessment from a registered mental health professional or medical practitioner on the effectiveness of treatment for the serious health condition
 - iii. observing any other medical or behavioural directions made by the Student Health Assessment Panel, or
- f. if the Student Health Assessment Panel has a reasonable belief that the student has a serious health condition which makes the student unfit to attend the University or to continue in a course for a period of time, the Student Health Assessment Panel may place the student on a period of involuntary leave, with conditions for the student's return to or re-enrolment at the University. Such conditions may include, but are not limited to:
 - iv. receiving treatment at a counselling, psychological or health service (with information provided to the student on services they can access that are external to the University) and/or



- v. providing evidence of the use of a prescribed medication to manage the serious health condition or the concerning behaviour that is caused by or results from that condition. Such evidence may include an ongoing assessment from a registered mental health professional or medical practitioner on the effectiveness of treatment for the serious health condition and /or
- vi. observing any other medical or behavioural directions made by the Student Health Assessment Panel, or
- g. terminate the investigation and refer the matter to a Primary Investigation Officer under the Student Conduct Rules, in accordance with section 8.

In the event of 5.21(b) to 5.21(f) the Student Health Assessment Panel will advise the student to register with UOW Disability Services so that the University can provide the student with appropriate assistance. The Student Health Assessment Panel may notify UOW Disability Services.

In the event of 5.21(c.iii) or 5.21(d.iii), a student can apply for a fee refund in accordance with the Fees Policy.

If the student does not comply with the Student Health Assessment Panel's directions issued under clauses 5.21(c) or (d) in the time and manner specified in the notice to the student of the outcome of the meeting, the Student Health Assessment Panel may place the student on a period of involuntary leave, with conditions that must be met for the student's return to or re-enrolment at the University. Such conditions may include, but are not limited to:

- p. receiving treatment at a counselling, psychological or health service (with information provided to the student on services they can access that are external to the University) and/or
- b. providing evidence of the use of a prescribed medication to manage the serious health condition or the concerning behaviour that is caused by or results from that condition. Such evidence may include an ongoing assessment from a registered mental health professional or medical practitioner on the medication's effectiveness and/or
- c. observing any other medical or behavioural directions made by the Student Health Assessment Panel.

If there is insufficient information for the Student Health Assessment Panel to form an opinion as to whether the student has a serious health condition that may have caused the student's concerning behaviour or affect the student's ability to progress in a course, the Student Health Assessment Panel will direct the student to be assessed by a registered psychologist or psychiatrist at the University's expense. The assessor will be:

- a. selected by the University; or
- b. selected by the student and approved by the University; and
- c. will be informed of the initial report made by staff and the DSM report so these reports can be taken into account during the assessment; and
- d. advised that the assessment must be provided to the Student Health Assessment Panel.

If a student does not cooperate with the direction to be assessed under section 5.24, then the Student Health Assessment Panel may recommend to the Vice-Chancellor that the student be suspended from some or all of the activities and services of the University.

The Academic Registrar will notify the student in writing of the outcome of the meeting with the Student Health Assessment Panel and detail the reasons for the Student Health Assessment Panel's determination as soon as possible or within five working days of the meeting between the Student Health Assessment Panel and the student. The notice to the student must outline the appeals process.

Involuntary Leave

In accordance with clause 5.20(e) and 5.20(f), a student placed on involuntary leave will be directed to comply with certain conditions in order to return to or re-enrol at the University.



If a student is placed on involuntary leave for the remainder of a session, the student may apply to withdraw from their subjects without academic penalty and may apply for a tuition fee refund in accordance with the University's Fees Policy.

If a student is placed on a short period of involuntary leave, the student may apply for academic consideration, in accordance with the Student Academic Consideration Policy.

A student may be placed on involuntary leave for a maximum period of 15 months.

The Academic Registrar or nominee must advise the Conferrals and Compliance Manager in the Academic Registrar's Division as soon as practicable when a student is placed on involuntary leave.

Discontinuation of Investigation

If at any point in the investigation process the student applies for and is granted a leave of absence, the Academic Registrar may decide to discontinue the investigation.

Conditions on Return to or Re-enrolment at the University

1. A student who has been placed on a period of involuntary leave or a student who has taken a leave of absence after a DSM report has been made must attend a meeting with the Student Health Assessment Panel before the end of that period of leave in order for the Student Health Assessment Panel to determine whether the student can return to or re-enrol at the University.
2. Matters the Student Health Assessment Panel may take into account include whether the student can show evidence that they have met the Student Health Assessment Panel's conditions for the student's return to or re-enrolment at the University, as stated in the notice to the student of the outcome of the meeting with the Student Health Assessment Panel.

Urgency Provisions

1. If at any point following a report about concerning behaviour, the Academic Registrar or the Student Health Assessment Panel believe that the student's behaviour constitutes a direct threat to other members of the University community, the Academic Registrar may recommend to the Vice-Chancellor that the student immediately be suspended from all or some of the activities and services of the University pending further investigation.

Instigation of Student Conduct Proceedings

1. If, during the course of the investigation, the Academic Registrar or the Student Health Assessment Panel have reasonable grounds to believe that the student should be dealt with through the University's student conduct process, then the investigation will be discontinued and the Academic Registrar will refer the matter to a Primary Investigation Officer, in accordance with the Student Conduct Rules.

Appeals

Appeal to Deputy Vice-Chancellor (Academic)

1. A student may appeal in writing to the Deputy Vice-Chancellor (Academic) for a review of the Student Health Assessment Panel's determination on the following grounds:
 - a. substantive procedural error;
 - b. new and substantive information that could not be provided originally;
 - c. the merits of the Student Health Assessment Panel's determination.
2. An appeal by a student against the Student Health Assessment Panel's determination must be lodged with the Deputy Vice-Chancellor (Academic) within 20 working days of the notice to the student of the Student Health Assessment Panel's determination. The student must state grounds for appealing the determination and may include any new information the student believes is relevant to the appeal and could not be provided originally.



3. The Deputy Vice-Chancellor (Academic) will review all of the evidence provided by the Student Health Assessment Panel and the student, and may seek further information as necessary.
4. Upon consideration of the appeal, the Deputy Vice-Chancellor (Academic) may apply the following outcomes:
 - a. appeal denied and the determination of the Student Health Assessment Panel stands;
 - b. appeal upheld on the basis of new and substantive information provided and the matter referred back to the Student Health Assessment Panel for reconsideration;
 - c. appeal upheld on the grounds of procedural error, in which case the Deputy Vice-Chancellor (Academic) determines an outcome on the matter as provided in 5.18 to 5.21.
5. The Deputy Vice-Chancellor (Academic) will commence the appeal process within 10 working days of the formal lodgement of the appeal and supporting documentation. All reasonable measures must be taken by the Deputy Vice-Chancellor (Academic) to finalise the appeal as soon as practicable.
7. Where the matter is referred back to the Student Health Assessment Panel for reconsideration, the Academic Registrar must notify the student of the outcome of the investigation as soon as possible and within 10 working days of the matter being referred back to the Student Health Assessment Panel.
8. In the case where the Deputy Vice-Chancellor (Academic) notifies of a conflict in dealing with an appeal or is otherwise unable to hear an appeal, the Deputy Vice-Chancellor (Academic) will nominate a substitute officer to hear the appeal.

Record Keeping and Confidentiality

1. Files relating to reports of and investigations into a student's alleged serious health condition shall be retained and disposed of in accordance with the [University's Records Management Policy](#), the [State Records Act 1998](#), and the [General Retention and Disposal Authority GDA23](#).

Other than as described in this policy, all parties involved in matters of a student's alleged serious health condition are obliged to preserve confidentiality in accordance with the University's [Code of Conduct - Staff](#), [Privacy Policy](#), and other relevant privacy legislation.

Roles & Responsibilities

1. Roles and responsibilities are as detailed in this policy.

Version Control and Change History

Version Control	Date Effective	Approved By	Amendment
1	26 May 2009	Administrative Committee	First Version
2	9 March 2010	Vice-Principal (Administration)	Future review date identified in accordance with Standard on UOW Policy
3	15 October 2010	University Council	Major review and revision in line with specified review date.
4	7 March 2011	N/A	Updated hyperlinks