



**UNIVERSITY
COLLEGE
BIRMINGHAM**

**UNIVERSITY COLLEGE BIRMINGHAM
CODE OF PRACTICE ON LEAVE OF ABSENCE
PROCEDURES**

Approved at Academic Regulations

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1. Introduction

- 1.1 During their period of registration, students may experience a range of significant challenges that may compromise their ability to attend and continue to fully engage with their programme of study.
- 1.2 This Code of Practice applies to all students undertaking Undergraduate and Postgraduate programmes.
- 1.3 Leave of Absence is not an automatic entitlement and therefore it may be refused depending upon the circumstances and the evidence provided. It may also be imposed by the University rather than requested by the student.
- 1.4 If students are concerned with the outcome of assessments or their progression, they should discuss their concerns with their Tutor, Senior Lecturer or Head of Department in the first instance, where relevant, who will advise on whether Leave of Absence (Deferral) may be applicable
- 1.5 Code of Practice on Leave of Absence does not apply to apprenticeship students in the same way. Apprenticeship students must apply for Leave of Absence (Deferral) through their employer and Centre for Apprenticeships team, an exception would be required for Degree Apprenticeship programmes, where the Head of Department would confirm the Leave of Absence (Deferral).

2. Definition of Leave of Absence

- 2.1 Leave of Absence is a recognised and authorised break from studies where there is no academic engagement. It should not be sought as a means to extend study periods and the decision should not be taken lightly because of the wider implications. (See point 3 for more information)
- 2.2 Leave of Absence may also be referred to as a Deferral.
- 2.3 Leave of Absence should not be used as a short-term solution where an alternative option, such as apply for Extenuating Circumstances, would be more beneficial to the academic progress of the student (see [Code of Practice for Extenuating Circumstances](#)).
- 2.4 Leave of Absence will normally only be given for a period of either one semester or one academic year but cannot span over more than two academic years.
- 2.5 A student must apply for Leave of Absence at the time the situation arises that adversely impacts on their ability to study (See point 11. Refused Leave of Absence)

3. Implications of a Leave of Absence

- 3.1** The student's registration status will be recorded as Deferred for the duration of the Leave of Absence.
- 3.2** a) Tuition fees will be adjusted to take account of the period of Leave of Absence.
b) The employer apprenticeship programme fees will be suspended during the period of Leave of Absence (Deferral).
- 3.3** There will be an impact upon student funding provision i.e., payments via student loans and scholarships, it depends on individual circumstances, which may result in the student having no funding for a proportion of the course.
- 3.4** The University is required by law to withdraw immigration sponsorship for students taking Leave of Absence who have entered the UK on a student visa. This will normally mean that they will be required to leave the UK for their period of Leave of Absence (as will any of their dependents). Therefore, International and EU students who have entered the UK with a student visa, should seek advice from the International Compliance team regarding the impact of a Leave of Absence on their immigration status. The student should also note that they would have to apply for a new visa, so need to seek advice from [the International Office](#).
- 3.5** a) Although there is still a connection with the University, there is no active student registration status for this period of absence, thus having other outcomes such as no access to University provision (teaching, tutorials, supervision, accommodation and associated facilities).
b) An apprentice remains employed during the agreed academic leave of absence (deferral) and will need to ensure that prior to the agreed return from leave of absence formal contact is made with the Centre for Apprenticeships.
- 3.6** Any pre-existing University processes, (such as investigations into plagiarism, fitness to practise, misconduct etc.) will normally continue during any approved Leave of Absence.
- 3.7** For entrants to the University from 2016/17 onwards, in accordance with [UCB Regulation 2.2.1 g](#)), all time spent on Leave of Absence for students is excluded from the calculation of the maximum period of registration.

4. Categories of Voluntary Leave of Absence

4.1 Leave of Absence covers both medical and non-medical circumstances.

4.2 Medical

All Leave of Absence applications which are categorised as being for 'Medical' reasons require medical evidence to be submitted at the time of application. The University reserves the right to request permission to contact the relevant medical professional for additional information where appropriate

4.3 Non-Medical

Non-Medical categories of Leave of Absence are as follows, and students need to provide the necessary supporting evidence.

- a) Maternity Leave/ Paternity Leave/Shared Parental Leave/ Adoption Leave
For Maternity Leave, statutory guidelines must be followed. Students are advised to discuss with an appropriate member of staff the most appropriate options for supporting them through their pregnancy at the earliest opportunity.
- b) Financial Hardship
The financial situation of the student means that they cannot continue with study at this time.
- c) Transfer of programme
This category should be used to reflect situations where students will be transferring to a new programme of study but where it is too late in the current academic year to start their new programme. (This category is not applicable to Apprenticeship Students).
- d) Placements
This category should be used where a student undertakes a placement or internship which is not an integral and assessed part of their programme. (This category is not applicable to apprenticeship students).
- e) Competitive Sports
This category should be used where a student needs to take a Leave of Absence to compete at International level without disadvantaging their studies. (This category is not applicable to apprenticeship students).
- f) Leave of Absence may be granted for those elected to a full-time sabbatical office post within the Guild. Deferral can be considered for the duration of post, starting from the date the post commences, up to two years in duration.
- g) COVID-19
This category should be used where a student feels they are experiencing significant or serious illness or have caring responsibilities for a member of their immediate household, or due to travel restrictions the student is unable to attend the University as a result of Covid-19
- h) Other (including personal reasons)
The reasons for Leave of Absence arising from situations such as family bereavement and other personal circumstances must be specified and evidenced.

5. Categories of Compulsory Leave of Absence

5.1 In certain situations, a student may be permitted to take a Leave of Absence by the University without the student submitting a Leave of Absence request, such as module availability, late resits or late enrolment.

- a) Suspension following academic or non-academic misconduct following an Academic Misconduct or Fitness to Practice Hearing
- b) the Relevant University Committee may apply a penalty of suspension not exceeding one year.

6. Evidence requirements

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

6.2 Leave of Absence on appropriately evidenced medical grounds will usually be authorised providing that the evidence is acceptable. Where relevant a translation in English must be provided.

6.3 Examples of acceptable third-party evidence include (but are not limited to):

- GP/Consultant/Hospital letter on headed paper;
- Letter from a Solicitor;
- Letter from a Counsellor or other authority;
- Copy of the funeral booklet/order of service or Death Certificate;
- Bank Statement or letter from the Student Loans Company, Court letters etc.;
- Police Case Reference number and report. Crime reference number on its own will not be sufficient to support claim and medical letter or police report explaining the effect would be more appropriate

6.4 Medical evidence must contain information including

- a. Confirmation that the ongoing treatment/ medication is affecting the student
- b. Dates of any consultations with a GP/Consultant and outcomes of the meetings;
- c. Dates of the affected period of time (this must cover the date of the assessment);
- d. Information on how the illness or medication has affected the student's performance, ability to attend University, concentration or completion of assessments

6.5 Evidence provided does not have to be an original document. We accept photocopied/scanned documents, but we may request to see an original document for authentication purposes. All photographs/screenshots have to be a good quality, not faded or cropped and all information should be clearly displayed. Photographs of injuries or illnesses are not appropriate and won't be considered.

6.6 If you are waiting for the evidence and are worried it will not arrive in time, you should still apply for Leave of Absence, but highlight that you are still waiting evidence and report when it's likely to arrive

6.7 For apprenticeship students all leave of absence requests must be accompanied by evidence of employer agreement to the duration of the leave of absence

6.8 UCB reserves the right to check the legitimacy of any evidence provided. If any submission is found to be fabricated or altered, then the student may be investigated.

6.9 Examples of reasons for requesting Leave of Absence, which are unlikely to be accepted, include problems with equipment or technology, lost work, travel difficulties, holidays or moving house

7. Alternatives to Leave of Absence

Possible alternatives to Leave of Absence are:

7.1 Switch to part time study if appropriate (see your Head of Department for further advice); (This category is not applicable to apprenticeship students and Student Visa holders).

7.2 If it is short-term it may be appropriate to complete an Extenuating Circumstances application (see [Code of Practice for Extenuating Circumstances](#)).

8. Processing a Leave of Absence application

8.1 The list of Heads of Department or their nominees, who are authorised signatories for Leave of Absence applications, must be provided to the Registry at the start of the academic year.

8.2 If a student is fully enrolled at UCB the application should normally be made online through the student dashboard on the Portal or U@UCB app, if the student is dormant or withdrawn, Leave of Absence application form should be requested from Registry directly, by emailing to Registry@ucb.ac.uk.

8.3 Apprentices should forward completed deferral form with supporting evidence to the Apprenticeship Service Support Team.

8.4 The application form must be submitted as soon as possible to the Registry alongside the relevant evidence. Where evidence is not included, the reasons for this should be provided at time of submission of the applications. If evidence cannot be provided, application will be reviewed by Head of Department or

nominee and the decision will be made based on information provided.

8.5 If you are waiting for the evidence and are worried it will not arrive in time for your application, you should still apply for Leave of Absence, but highlight that you are still waiting evidence and report when it's likely to arrive.

8.6 The Registry administrator and an appropriate Head of Department or nominee will consider the application and the Registry aim to respond in writing within 10 working days of receipt of the application and may:

- a) Approve the application; or
- b) Reject the application giving full reasons for the decision.

8.7 Once processed, the student and the relevant departments of UCB will be notified via email. The progress of the application can be viewed on the Portal. The student will be notified of the approved Leave of Absence by post or e-mail and of the process that is to be followed in order to return to their studies at the relevant time. Also, a notification will be posted on the Portal under the Comments section and a confirmation letter will be uploaded into the "Files" section on the student dashboard on the Portal.

8.8 a) It is the student's responsibility to inform Student Finance England of their confirmed Leave of Absence where applicable. FISU will update the student's record and recalculate the tuition fees due up to the date of the Deferral request. They will then notify Student Finance England and the Student of the amended fee. The student will also be informed of the tuition fee due on their subsequent return to study.

b) The Centre for Apprenticeships will update the student's record and recalculate the training and assessment fees to be paid by the employer or funding agency where necessary. A new planned end for the Apprenticeship programme will be notified to the Apprentice and employer.

8.9 The University will normally report to the Home Office the withdrawal of immigration sponsorship of a Student Visa holder that is on Leave of Absence. Student status will be suspended for them whilst on Leave of Absence.

8.10 Any grades/credits achieved at the point of deferral will stand.

9. Return from Leave of Absence

9.1 Before the student is due to return to study a reminder will be sent out by the Student Records team with the link to the online registration system. Students must show their intention to return by completing the online registration.

9.2 Apprenticeship team holds a tripartite meeting with the employer and apprentice to agree a date to return to learning.

9.3 Student Visa holders will need to apply for a new visa before they can return to UK. They must contact visa-advice@ucb.ac.uk to request a new CAS at least 8 weeks before they are due to travel.

9.4 Students returning must be mindful that there can be no guarantee that the modules and programme remaining for study will be available in the same way as would have been had the Leave of Absence not occurred. It may be that some modules are not available in a particular semester, or that they may have been replaced or revised, if a module is not available, the department will agree a substitute could be made available. This may mean that a student may need to take longer to complete their programme than might otherwise be expected or may be transferred to a re-validated programme, if the same programme is not available.

9.5 Student's returning from a Leave of Absence do not have the right to resubmit or resit assessments undertaken prior to the period of deferral, unless specified in the letter from Registry.

9.6 If a student is returning to study following suspension imposed as a penalty the student will be permitted to return at the end of the period of suspension subject to any conditions that may have been imposed.

9.7 If a student wishes to return at earlier date than then agreed deferral period, they will need to request it in writing by emailing to Registry@ucb.ac.uk. Please note that modules and programmes may not be available at the earlier date, (see point 9.4).

10. Failure to Return from a Leave of Absence

10.1 A student will be deemed to have withdrawn from the University if they do not return to study or their employed apprenticeship status by the approved end date of the Leave of Absence and have not applied for an extension to it. Where applicable formal confirmation of the student's achievement up to the point of deferral will be issued. This may take the form of a transcript, notification of performance or an award.

11. Refused Leave of Absence

11.1 Permission for a Leave of Absence will not normally be granted if:

- a) Fewer of the teaching weeks on a module remain
- b) It would be reasonably expected that a dissertation or equivalent would be substantially completed.

- 11.2 Where a Leave of Absence is not approved, the student will be expected to attend their programme of study. In some cases, Leave of Absence that was originally refused will be subsequently approved following submission of additional information and/or supporting evidence.
- 11.3 Complaints and appeals relating to decisions on Leave of Absence may be made through the Assessment Appeals Procedure. Information regarding the procedure for making an appeal may be found on the [UCB website](#).
- 11.4 An Extenuating Circumstances application can be made if a student's ability to attend and participate in the programme of study on which they are enrolled is or will be adversely affected by Extenuating Circumstances over a short period of time. For further information, see the [Code of Practice on Extenuating circumstances procedures](#).

12. Extension to Leave of Absence

- 12.1 Leave of Absence will normally be approved for a maximum period of twelve months. If a student is unable to return to studies at the end of the Leave of Absence, they will need to apply for an extension by completing a new form and providing new evidence. This may not be approved as it may not be in the best interest of the student.
- 12.2 If an apprenticeship student is unable to return to their apprenticeship programme at the end of the leave of absence (Deferral) they will be required to attend a meeting with their employer and UCB representative to determine the commitment to the programme. Leave of Absence over a period of 24 months is not usually accepted unless in exceptional circumstances and is at the discretion of the Director of Apprenticeships.
- 12.3 An extension to maximum period of study is considered exceptional, rather than the norm and is not a right, so may be refused depending upon the circumstances. These circumstances include not being able to provide sufficient evidence or sufficient details. For apprenticeship students this would also require the employer to agree to any further extension.

13. Extensions to Study Periods

- 13.1 Students are expected to complete their Award within the prescribed maximum period of study as set out in [Regulation 2.2](#)
- 13.2 Periods of study where a student has been granted a Leave of Absence are excluded from this maximum time.
- 13.3 Application for an extension to the maximum period of study should be submitted at least two months before the expiry of the maximum period of study or as early as possible before the deadline.

13.4 An extension to maximum period of study is considered exceptional, rather than the norm and is not a right so may be refused depending upon the circumstances. These circumstances include not being able to provide sufficient evidence or sufficient details.

13.5 Poor academic progress is in itself, not reasonable grounds for an extension.

13.6 Reasons that may be approved are:

- a) Accidents
- b) Bereavement of an immediate family member
- c) Serious ill health
- d) Serious illness affecting an immediate family member
- e) Serious unforeseen events or personal difficulties
- f) Unexpected serious financial hardship
- g) Covid- 19 restrictions

13.7 Reasons that may not be approved are:

- a) Work commitments
- b) Unrealistic time plan
- c) Holidays or periods of absence taken earlier
- d) Improve language skills
- e) Requests in excess of 12 months

13.8 All applications asking for Leave of Absence extensions must be accompanied with appropriate supporting evidence (see section 6 for more information).

13.9 Evidence in a language other than English must be translated and certified.

13.10 Extension requests and evidence must be supplied to Registry as stated in point 13.3. Registry will aim to respond in writing within 10 working days of receipt of the form.

13.11 An application for extension to a study period must be approved by Head of Department or their nominee.

14. Appeals

14.1 A student can appeal against the final Deferral decision. If further evidence becomes available, it should be forwarded to the Registry for further consideration.

Where a student does not agree with the final decision, the student can appeal by making a case to the Assessment Appeals Committee of the Academic Board. Information regarding the procedure for making an appeal may be found on the [UCB website](#).