

## **Policy Statement in relation to Vulnerable Students**

### **University of St Andrews**

The University recognises that within the diverse student population there may be members who are vulnerable at any given time. It must be recognised that the nature and degree of a student's vulnerability may change over time, and the level of support needed may change

#### Definition of a vulnerable student

The University's definition of 'vulnerable student' takes into account current legislation such as the Adults with Incapacity (Scotland) Act 2000 and the Disability Discrimination Act 1995, and is consistent with relevant University policy documents, including the Mental Health and Wellbeing Policy and Disability Statement. It also takes full account of the present legislative proposal to the Scottish Executive to be addressed in 2006.

*A "vulnerable student" is a student of the University who as a result of age, illness, disability, or mental disorder, in the University's reasonable opinion, is unable to safeguard his or her personal welfare, property, or financial affairs or who may be unable to protect him/herself against significant harm or exploitation and is in need of support or attention*

This Policy takes the definition as proposed by the Scottish Executive Vulnerable Adults Bill. Once the legislation is enacted, the University reserves the right to amend this Policy accordingly using reasonable discretion.

#### Responsibilities of the University

The University and its staff have a collective and individual duty of care to support and safeguard the welfare of vulnerable students and where possible to prevent abuse and to report any protection issues discovered or suspected.

There are a number of existing Policies in place dealing with the University's duty of care to its students and staff. These include:

- Equal Opportunities Policy
- Disability Equality Policy
- Race Equality Policy
- Disciplinary Policy
- Harassment and Bullying Policy
- Complaints and Grievance policy
- Health and Safety Policy

- Mental Health and Wellbeing Policy
- Sickness Absence Policy
- Manager's and Employee's Stress Guidance
- Occupational Stress Policy

The University seeks to establish and maintain a non-stigmatising community and respects the individuality of students and staff. The University provides formal support for students through support and advisory services.

Should the University be made aware of an individual or individuals who require support, the University must make reasonable efforts to meet their needs and to communicate those needs where appropriate. As an institution, the University will do its utmost to respect confidential information and the privacy of its students in accordance with the laws of confidentiality and the Data Protection Act 1998. While the University acknowledges its obligations in respect of the Data Protection Act 1998 and the common law of confidentiality, there will be circumstances which may arise where the University will require to disclose certain information relating to its students to additional University personnel and third parties on a "need to know" basis. Such third parties may include local agencies (as appropriate) such as the social work departments of local authorities and the Police. This is to ensure that the welfare of that particular student is safeguarded.

Student Support Services is responsible for maintaining details of vulnerable students and for establishing and co-ordinating each individual's support plan, liaising where appropriate with external agencies and seeking legal advice where potential clashes of confidentiality and health and/or safety may arise.

The University will monitor, maintain and regularly review its procedures which relate to vulnerable students.

#### Students (and Staff dealing with students)

(please see guidelines annexed to this policy for more detailed guidance)

Students and staff dealing with students are to be encouraged to contact Student Support Services where they believe that a student may be vulnerable so that the situation can be mutually assessed and responded to with an appropriate and reasonable plan. However, the University emphasises that each individual is also responsible for his/her own health and wellbeing and must take care not to put that at risk by supporting a vulnerable student to the point where their individual choice is limited.

On occasions, Student Support Services will ask for its Occupational Health Professional Consultant to review medical conditions and disabilities declared by students with a view to advising on the University's response. Students will be asked to co-operate with that assessment and to respect the judgment of that Consultant, taking due account of his or her recommendations. It may be necessary, on rare occasions, for the University to terminate studies. This will only occur where students unreasonably refuse to co-operate

with the medical strategy outlined by the Consultant and where health and safety risks require this action to be appropriate.

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