



**UNIVERSITY OF BIRMINGHAM**  
**CODE OF PRACTICE ON STUDENT ATTENDANCE / ENGAGEMENT AND**  
**REASONABLE DILIGENCE**



## **Index of points**

1. Preamble
2. Expectations
3. Timescales
4. Monitoring of Attendance / Engagement
5. The First Stage
6. The Second Stage
7. The Third Stage
8. The Right of Appeal



## 1. Preamble

- 1.1 This Code of Practice applies to all Registered Students, including those on undergraduate programmes, postgraduate taught programmes and postgraduate research programmes. It covers all modes of study including full and part-time students, students on distance learning, collaborative provision programmes, studying abroad and placements. The term 'student' will be used throughout the Code.
- 1.2 This Code of Practice sets out the University's expectation for attendance / engagement and reasonable diligence. The Code sets out the process to be followed when a Student is found to be showing a cause for concern in relation to attendance / engagement or reasonable diligence.
- 1.3 Students undertaking programmes of study or research that are subject to fitness to practise requirements, and who fail to show reasonable diligence, will be dealt with in accordance with Regulation 8 and the Code of Practice on Misconduct and Fitness to Practise Committees.
- 1.4 Where there are significant concerns over the welfare of a Student, a member of staff in the PAU should contact Student Services immediately.
- 1.5 With the exception of students who hold a Tier 4 Visa this Code shall not apply to students whilst they are undertaking a period of study abroad. These students shall be governed by the attendance / engagement requirements of their host institution during this time and are therefore advised to ensure that they familiarise themselves with any such requirements at an early stage
- 1.6 For those students who hold a Tier 4 Visa the University will continue to monitor their attendance / engagement whilst they undertake study abroad in consultation with the host institution. This is to ensure that the University meets its obligations as a Tier 4 sponsor.

## 2. Expectations

- 2.1 Reasonable diligence is an engagement with University systems and support, which includes programme-level requirements. The engagement with a programme of study can determine the success of students.
- 2.2 Reasonable diligence is defined as the proper level of attention and care required to fulfil all necessary obligations and is to be determined by the PAU taking into account programme specific requirements and the standards reflected in this Code of Practice. Any additional requirements to those set out in this Code of Practice must be clearly set out in the relevant module and / or programme specification(s).
- 2.3 Failure to show reasonable diligence shall be defined in accordance with Regulation 7.8.1 (c). PAUs will normally take into account the following:
  - .1 Absence from and/or failure to engage with teaching sessions and / or other programme activities where a record of attendance / engagement is kept, or contravention of the attendance / engagement requirements set out in programme and / or module specifications. Where this concerns live teaching events this will normally equate to more



than 30% of recorded teaching sessions but this may vary according to the programme requirement.

- .2 Failure to submit formally assessed work which is required by the module description or programme specification.
- .3 Failure to adhere to the requirements and timescales for improved attendance / engagement and diligence after a formal written warning has been given by the PAU.
- .4 Failure to register for modules to the required credit value for the programme of study or research (appropriate to the level and stage of learning and teaching required by the programme).
- .5 Failure to report to the PAU an absence of more than ten consecutive University working days during an academic session.
- .6 For Students undertaking research, failure to comply with the responsibilities of research students as set out in Section 6 of the Code of Practice on Supervision and Monitoring of Progress of Research Students.

2.4 A PAU may also initiate reasonable diligence proceedings where a justifiable cause for concern has been raised by an academic or professional services member of staff, e.g. the Personal Academic Tutor, Academic Tutor, Supervisor, Module Leader or Wellbeing Officer.

### **3 Timescales**

- 3.1 In the interests of the Student, a PAU should engage in reasonable diligence procedures at the earliest opportunity. This enables the Student to take steps to engage with their programme and also allows sufficient time for applying the reasonable diligence procedure.
- 3.2 Reasonable diligence procedures may be invoked at any time. PAUs will identify a suitable cut off point for pursuing reasonable diligence in accordance with the teaching structure of their programme.
- 3.3 For Students undertaking postgraduate research programmes, reasonable diligence procedures may be invoked at any time, and in accordance with the Code of Practice on Supervision and Monitoring of Research Students.
- 3.4 In considering whether to invoke the reasonable diligence procedure, PAUs should take account of the timescales involved in reporting any recommendations for withdrawal to the University Progress and Awards Board. This enables a Student to lodge an appeal against the decision before the main summer examination period.

### **4. Monitoring of Attendance / Engagement**

- 4.1 PAUs will maintain a record of attendance / engagement as appropriate to the requirements set out in this Code of Practice and those required by the programme specification. For Research Students this should be in accordance with the Code of Practice on Supervision and Monitoring of Progress of Research Students.



- 4.2 Individual PAUs shall determine the methods of monitoring satisfactory attendance / engagement, including the University's obligations under Tier 4 to monitor the attendance / engagement of Students in accordance with their visa requirements, and the University's obligations to monitor the attendance / engagement of Students on a degree apprenticeship programme.
- 4.3 In the first instance, PAUs should utilise section 3 of the Code of Practice on Health, Wellbeing and Fitness to Study to ensure all concerns regarding the welfare of the Student have been satisfactorily assessed. If concerns still remain following the completion of process regarding welfare, PAUs should enact the procedure in section 5 of this Code of Practice<sup>1</sup>.
- 4.4 PAUs must take appropriate steps to draw attention to the need for Students to demonstrate reasonable diligence by achieving satisfactory attendance / engagement with regard to their programme of study or research. Such notification should also indicate that failure to show reasonable diligence may result in the imposition of penalties and sanctions, as set out in this Code of Practice. PAUs should also ensure that Students are aware of the sources of advice and support available to them both from the University and the University of Birmingham Guild of Students and that this is published through a variety of means.
- 4.5 In the case of Joint Honours programmes of study, the lead responsibility for undertaking monitoring and recording resides with the PAU taking primary responsibility for the programme of study ("the Home PAU"). Where modules are taken outside of the Home PAU, the module owning PAU must report any concerns to the Home PAU as soon as possible.

## 5. The First Stage

- 5.1 Any Student whose attendance / engagement and / or academic progress, having been monitored by the PAU, is deemed to be a cause of concern, shall be informally warned by the PAU at an early stage.
- 5.2 The reasonable diligence procedure is a serious matter but, in the first instance, lack of reasonable diligence may be dealt with by the PAU on a more informal basis. The Student is expected to continue attending the programme during an investigation.
- .1 Where it is determined that there is sufficient evidence to support a cause for concern, the PAU should write to the Student to raise concerns and outline next steps and further action. This might include attendance at a meeting, lecture or webinar<sup>2</sup> which should take place with an appropriate member of staff such as a Personal Academic Tutor, Wellbeing Officer, research supervisor, or other relevant academic member of staff determined by the PAU. Another member of University staff may also be present. Where Students are overseas or on distance learning programmes, suitable alternative arrangements should be made, for example a discussion by telephone.
- .2 The Student will have 5 working days to confirm their attendance or seek to rearrange for a more appropriate time.

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<sup>1</sup> Any concerns regarding a degree apprentice's attendance will also be flagged with their Employer.

<sup>2</sup> Meetings and lectures can be held via any suitable method and are not restricted to face-to-face.



- .3 The Student may be accompanied to the meeting by a 'friend' defined in the Regulations.
- .4 The purpose of the Student's attendance at one of the above is to outline the importance of adhering to the engagement/attendance requirements for their programme of study and discuss and / or review the options available for the Student to make improvements to their attendance / engagement and / or diligence. The session shall also outline the consequences of failing to show reasonable diligence and outline the support available to students to support them in meeting these requirements. The Student shall be given an opportunity to discuss the matter further, and the opportunity to present any extenuating circumstances that may have had an adverse effect on their attendance / engagement and / or diligence.
- .5 If the Student does not attend or seek to rearrange their attendance to one of the above, the Student will be sent a reminder prior to referral on to the Second Stage if no appropriate contact has been made.
- .6 Following attendance at one of the above, a letter should be sent to the Student setting out the key points raised, the reasoning behind the decision and the action the Student is required to take to achieve reasonable diligence. This letter will serve as a record and a copy shall be retained by the PAU.

## **6. The Second Stage**

- 6.1 If, following attendance at one of the informal meeting above under the First Stage, the PAU judges that the Student's attendance / engagement or reasonable diligence continues to be unsatisfactory and that the action identified for improvement at the informal meeting has not been complied with, the Head of the PAU (or nominee) will send a formal written warning to the Student that clearly sets out the requirements and timescales for improved performance, as determined by the PAU.

## **7. The Third Stage**

- 7.1 If the Student has not complied with the requirements and timescales for improvement following the formal written warning from the PAU, it will refer the Student's case for consideration by the Board of Examiners. The PAU will inform the Student in writing, and via email, that the third stage of the procedure has been initiated and advise the Student of the possible recommendations of the Board of Examiners.
- 7.2 The Board of Examiners for the Student's programme of study will be convened or, if no meeting is possible or scheduled, the Chair of the Board may take Chair's action, consulting as appropriate, and according to the procedure specified in the Board's Terms of Reference. If the Chair has had any prior involvement with the Student in question, the case should be handed over to the nominated deputy. For Students on postgraduate research programmes, a PAU Progress Panel will take the place of the Board of Examiners.
- 7.3 If the Board of Examiners decides to impose a sanction, it shall ensure that it is proportionate to the circumstances of the case. The possible decisions are as follows:



- .1 to require the Student to withdraw from the programme of study or research;
  - .2 to require the Student to continue on the programme of study or research, subject to conditions of an academic nature that are deemed appropriate, such as regular meetings with the Personal Academic Tutor or specific study skills sessions. Failure to follow these requirements will result in immediate referral again to the Board of Examiners;
  - .3 to permit the Student to continue on the programme of study or research unconditionally.
- 7.4 The decisions of the Boards of Examiners will be ratified by the University Progress and Awards Board. For Students on postgraduate research programmes, the Research Progress and Awards Sub-Panel will take the place of the Progress and Awards Board.
- 7.5 All warnings and sanctions will remain on the Student's record throughout their academic career and will be transferred year-to-year and in the event of a transfer between programmes of study or research.
- 7.6 In order to monitor the implementation of the requirements to show reasonable diligence across the University, the Progress and Awards Board will receive an annual report from the Registry that summarises the cases heard under this Code of Practice.
- 8. The Right of Appeal**
- 8.1 A Student may appeal against the decision of the University Progress and Awards Board as detailed in the Code of Practice on Academic Appeals Procedures.