



LIVERPOOL  
HOPE  
UNIVERSITY

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# The Student Code of Conduct and Disciplinary Process



## Document Control

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# The Student Code of Conduct

## Quick Summary Guide to the Student Code of Conduct and Disciplinary Process

If an allegation of misconduct has been made against you or you have made an allegation against somebody who you believe has committed an act of misconduct then you have the right to access help and support from the Student Development and Well-being Department. The Student Union Advice Service is also available to offer advice and guidance in matters relating to this Code.

All students must act in accordance with the Student Code of Conduct. Examples of misconduct are set out in Section 3 and 4

### **What happens if you have been accused of a breach of the Code?**

- The accusation initially goes to the Case Coordinator who decides what the next steps are.
- If the conduct you are accused of is considered minor (by the Case Coordinator) or satisfies the conditions set out in Section 7.1, you may be given the opportunity to meet with the Proctor. After the meeting, the Proctor may impose a sanction (see Section 7).
- If the misconduct you have been accused of is more serious and/or complex, the matter may be referred for a formal investigation. You will be informed about the investigation process in a letter and you will be asked to meet with the investigator. This is just a fact-finding opportunity and you should be as open and honest as you can during this process.
- You may have your case referred to a Disciplinary Panel, this is a panel of three members, two of the members are staff at the University and the other member is from the Student Union. None of the members will have been involved in your case before and should not know you from your academic studies.
- If a Disciplinary Panel is called, you will be asked to attend the meeting of the Panel and will be asked questions by the Panel.
- Before the Disciplinary Panel meeting you will have been provided with

copies of all of the documents that the Panel has available to them. You will be allowed to suggest questions that the Panel can put to your accuser or other witnesses. You will also have the right to be accompanied or represented at the Panel (see Section 10.3).

### **What do I do if I am not happy with an outcome?**

- If you are not happy with the outcome from a meeting with the Proctor you can ask for the matter to be referred to a Disciplinary Panel (see Section 7.5)
- If you are not happy with a decision of the Panel and your reasons for not being happy fall within the grounds for appeal (see Section 11.1) then you can ask for the Vice Chancellor to review the decision.
- If you remain dissatisfied with the result of the appeal, you have the right to refer the matter to the OIA (see Section 11.10).

If you require any reasonable adjustments to be able to fully participate in the operation of this Code please let [caseworker@hope.ac.uk](mailto:caseworker@hope.ac.uk) know.

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## 1. Introduction to the Code of Student Conduct

The University aims to provide all of its students with the support and guidance they need to achieve success. The [Hope Charter](#) sets out what students should expect from Liverpool Hope University and what is expected of a student of Liverpool Hope University. Any student subject to action under the provisions of this Code or wishing to make an allegation should seek support, advice and representation from the Students' Union. Students should contact [suadvice@hope.ac.uk](mailto:suadvice@hope.ac.uk).

### 1.1. This Student Code of Conduct addresses:

- 1.1.1. The standard of conduct the University expects of its students so that everyone can undertake their studies in a supportive and non-threatening environment. (Section 2 of this document)
- 1.1.2. Behaviours that are considered matters of misconduct or serious misconduct. (Sections 3 and 4 of this document).
- 1.1.3. Where appropriate, behaviours that breach other University policies and regulations by students. These include (but are not limited to):
  - The [IT Acceptable Use Policy](#) (and associated IT Services policies).
  - The [Accommodation Contract](#) (where relevant).
  - The [Library Rules and Regulations](#).
- 1.1.4. The disciplinary process by which cases of misconduct and serious misconduct will be addressed by the University. (Sections 5-10 of this document).

### 1.2. This Student Code of Conduct does not address:

- 1.2.1. Academic misconduct: Guides to Academic misconduct can be found [here](#) or through the Student Gateway.
- 1.2.2. Concerns involving conduct by staff towards students: Complaints about the conduct of a member of staff should be made through [the Complaints Procedure](#).
- 1.2.3. Concerns about the professional unsuitability of students: There is a separate, [Fitness to Practice Procedure](#) which applies to awards that include or lead to a professional qualification. This deals with professional unsuitability of students.
- 1.2.4. However, if through the operation of the procedure in the Student Code of Conduct a student is found to have committed relevant misconduct or serious misconduct, this might constitute a ground for taking subsequent action under the Fitness to Practice Policy or the Academic Misconduct procedures as appropriate.

## 2. Expectations of Student Conduct and Behaviour

### 2.1. On Campus

Liverpool Hope values the involvement of all students in the academic collegium and the social activities of the University. The University wants its students to enjoy their studies, have fun and make a contribution to society. Thus on campus (including university activities such as placements or field work), in University halls of residence, and on social media, students are expected to:

- 2.2.1 behave in a responsible manner that will help to foster mutual respect and understanding between all members of the University community;

- 2.2.2 act within the law and not to engage in any activity or behaviour that is likely to bring the University into disrepute;
- 2.2.3 behave and communicate in ways that do not unreasonably offend others. Examples of unreasonably offensive behaviour include using abusive or obscene language and engaging in any form of discriminatory or anti-social behaviour;
- 2.2.4 treat with respect everyone with whom they come into contact, whether within the University or outside;
- 2.2.5 treat all University property with respect;
- 2.2.6 comply with requests of members of staff;
- 2.2.7 adhere to the University's Health and Safety policies and to any specific requirements that apply to areas where they work;
- 2.2.8 observe fire alarms and related procedures and evacuate buildings when alarms sound;
- 2.2.9 disclose immediately to the University, via the Head of their academic Department, if they are charged with, and/or convicted of a criminal offence relating specifically to assault, drugs supply or sexual offences..

## 2.2. Off Campus

The University works hard to build good relationships with its partners, neighbours and local communities. Therefore, this code is not limited to misconduct that occurs on University premises. It also covers misconduct occurring on fieldtrips, placements, school experience and in the virtual environment of social networking or other websites. Off campus, in addition to the behaviours described above, students are expected to:

- 2.2.1 help to support the relationships that the University has developed with the external community in the way that they conduct themselves especially in the surrounding areas to the University;
- 2.2.2 be considerate to their neighbours, especially in relation to noise levels and rubbish;
- 2.2.3 be considerate when they are parking close to campus, so that they do not obstruct residents;
- 2.2.4 act within the law and not engage in activity or behaviour that is likely to bring the University into disrepute.

## 3. Behaviour that will be Regarded as Misconduct

The University considers the forms of inappropriate conduct that are set out below to constitute misconduct that is likely to lead to disciplinary action under the Student Code of Conduct. However, the list should not be regarded as exhaustive.

- 3.1 Damage to, defacement of, University property or the property of other members of the University, whether caused intentionally or recklessly.
- 3.2 Any interference with fire detectors, fire alarms or fire extinguishing equipment.
- 3.3 Misuse or unauthorised use of University premises and property, including computer misuse.
- 3.4 Any action that did cause, or could have caused, a health and safety concern on University premises.

- 3.5 Any behaviour that damages the University's relationship or reputation with its local communities.
- 3.6 Any behaviour that damages, or that has the potential to damage, the University's relationship or reputation with external organisations and groups.
- 3.7 Actions that involve making defamatory statements and/or false claims about a member of the University community.
- 3.8 Failure to respect the rights of others to freedom of speech within the law, as required by s.43 of the Education Act (No.2) 1986.
- 3.9 Disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University.
- 3.10 Unacceptable behaviour arising from the consumption of alcohol or other substances.
- 3.11 Disorderly, threatening, bullying, or offensive behaviour or language whilst on University premises, engaged in University activity whether on or off the University's premises, or using University computers or e-mail accounts.
- 3.12 Abusive, offensive, threatening or insulting behaviour or language, harassment or bullying of any kind, towards a student, a member of staff or a visitor to the University by any means, including social media, whether on or off University premises and whether conducted through University or personal equipment.
- 3.13 Failure to disclose details of personal identification to a member of staff of the University in circumstances in which it is reasonable to require that such information be given,
- 3.14 Recording lectures, other academic sessions or conversations without the agreement of the person(s) involved.
- 3.15 Breaches of the IT Acceptable Use Policy that are not otherwise specifically covered in the Student Code of Conduct.
- 3.16 Breaches of any other codes, policies or regulations adopted by the University or the Students' Union.
- 3.17 Breaches of the Library Rules and Regulations.
- 3.18 Breaches of the Accommodation Contract that are not otherwise covered in 2.3.1 to 2.3.17 above.
- 3.19 Serious cases of academic misconduct referred by the Registrar (including matters when a student has already graduated).
- 3.20 Failure to comply with a previously imposed penalty or caution under this Code.

#### **4. Behaviour that will be Regarded as Serious Misconduct**

The University considers the forms of inappropriate conduct that are set out below to constitute serious misconduct that is likely to lead to disciplinary action under the Student Code of Conduct. However, the list should not be regarded as exhaustive. Serious Misconduct is further mentioned in Section 6 of this document.

- 4.1 Abusive language used about others, or abusive behaviour towards others, on the grounds of their age, disability, gender, gender identity, pregnancy, maternity, race, religion, belief, or sexual orientation;

- 4.2 Making unwanted remarks of a sexual nature;
- 4.3 The possession or use of illegal drugs or any substance that has a similar effect to illegal drugs;
- 4.4 The supply of illegal drugs or any substance that has a similar effect to illegal drugs;
- 4.5 Taking University property, or the property of University staff or students, without permission;
- 4.6 Deceit, deception or dishonesty in relation to the University or its staff and students, or while on University-related activities;
- 4.7 Serious and/or repeated harassment of staff or students;
- 4.8 Physical violence towards others, or the threat of physical violence;
- 4.9 Engaging in a sexual act involving University staff or students without their consent;
- 4.10 Any behaviour that constitutes a potential criminal offence of relevance to the University or to the student's standing as a member of the University community;
- 4.11 Any action that did cause, or could have caused, serious harm on University premises or during University activities, or that creates a legal liability for the University;
- 4.12 Behaviour that compromises the reputation of the University;
- 4.13 Instances of misconduct in the categories that are set out in section 3 above that are considered by the relevant University officers to have a significant impact on others or on the University generally, or to be persistent and/or repeated over a significant period of time, may be treated as serious misconduct.

## **5. Key Aspects of The Student Disciplinary Procedure**

The Student Disciplinary Procedure is intended to provide a clear and impartial process for dealing with allegations relating to student discipline within a reasonable timescale having due regard to natural justice.

### **5.1 Allegations of misconduct: Possible Stages in the Disciplinary Procedure**

- 5.1.1 Initial Assessment. (Section 6 of this Document)
- 5.1.2 Meeting with the Proctor and associated sanctions. (Section 7 of this Document)
- 5.1.3 Appeal. (Section 10 of this Document)

### **5.2 Allegations of Serious Misconduct: Possible Stages in the Disciplinary Procedure**

- 5.2.1 Initial Assessment. (Section 6 of this Document)
- 5.2.2 Precautionary Action. (Section 8 of this Document)
- 5.2.3 Investigation. (Section 9 of this document)
- 5.2.4 Disciplinary Panel and associated sanctions. (Section 10 of this Document)
- 5.2.5 Appeal. (Section 10 of this Document)

A flow chart setting out these stages is set out in Appendix 1 of this document. Cases are dealt with on a one by one basis and may not necessarily involve all of these stages

### **5.3 Individuals Involved in aspects of Student Discipline**

The Vice Chancellor retains ultimate authority in all matters of student discipline. Operationally the Vice Chancellor delegates disciplinary functions to the Pro Vice-Chancellor Student Life & Learning. The Case Coordinator (HC) has the day-to-day responsibility for case management of discipline matters and ensuring the smooth operation of this Code. The Proctor has responsibility for meeting students as identified by the initial assessment and deciding on a suitable sanction.

### **5.4 Timescale**

The University commits to dealing with discipline cases as swiftly as possible. From the start of any investigation into an allegation the matter shall normally be concluded within 90 calendar days.

### **5.5 Burden of Proof**

The burden of proof rests with the University. The University must prove that the student has done what they are accused of.

### **5.6 Standard of Proof**

The standard of proof that shall be used in all cases that are dealt with under this procedure shall be the balance of probabilities, which is the standard of proof that is used in Civil Law. This means that a disciplinary panel will be satisfied that an event occurred if the disciplinary panel considers that, on the evidence available, then occurrence of the event was more likely than not. The standard of proof shall not be varied according to the perceived seriousness of an allegation.

### **5.7 Use of Anonymous Allegations or Witnesses**

The University discourages the use of anonymous allegations or witnesses, because transparency is central to the University's values and helps to ensure that complaints can be resolved in an atmosphere of trust, openness and fairness that preserves ongoing relationships. If a complaint is made anonymously, it can be much harder to investigate and remain fair. Allegations that are made anonymously, whether by students or by other persons, will be considered at the discretion of the University. In exercising this discretion, the factors that will be taken into account will include:

- 5.7.1 The gravity of the allegation;
- 5.7.2 The credibility of the allegation;
- 5.7.3 The likelihood of being able to conduct a fair investigation;
- 5.7.4 Whether there is good reason for the complainant to remain anonymous.

### **5.8 Inappropriate Behaviour by students in relation to Disciplinary Procedures**

If students behave in a manner that is unhelpful in advance of, during or after a disciplinary procedure then disciplinary action may be taken against them. Examples of such behaviours include where a student:

- 5.8.1 persistently makes allegations without using the Student Complaints Procedure; and/ or
- 5.8.2 does not respect the confidentiality of other parties during an investigation; and/or
- 5.8.3 persistently seeks to publicise allegations about other staff or students that have been resolved or not upheld; and/or
- 5.8.4 is adjudged to have made malicious or vexatious allegations;

## **6 The Student Disciplinary Procedure: Initial Assessment**

**6.1** All allegations of misconduct for both resident and non-resident students should be reported directly to the Case Coordinator.  
This includes:

- 6.1.1 Students who are not resident in University accommodation and who are alleged to have breached the Code of Conduct.
- 6.1.2 Students resident in University accommodation who commit repeated minor breaches of the Code or more serious examples of misconduct,

but does not necessarily include:

- 6.1.3 Students resident in University accommodation who have committed a minor breach of this Code. These individuals can be issued with an initial warning from a Campus Operative or a Senior Resident Tutor without reference to the Case Coordinator.

**6.2** When the Case Coordinator receives an allegation of misconduct or serious misconduct (as in 6.1.1 or 6.1.2) they will conduct an initial assessment and apply one of the following options:

- 6.2.1 there is no case to answer and no action should be taken;
- 6.2.2 that the misconduct should be considered minor in nature and that:
  - some form of informal resolution such as mediation is appropriate; or that
  - the student is required to attend a Meeting with the Proctor;
- 6.2.3 the misconduct is potentially of a serious nature and that:
  - the case should be formally referred to a Disciplinary Panel; or
  - an investigation is required before a decision can be made on the appropriate process. An investigating officer will be assigned to conduct a full investigation; and/or
  - a risk assessment should be undertaken to establish whether precautionary action should be taken prior to a decision being taken on the appropriate action;

## **7 The Student Disciplinary Procedure: Meeting with the Proctor and Associated Sanctions**

**7.1** Where misconduct is considered by the Case Coordinator to fall under the following two circumstances, a meeting between the student and the Proctor may be held to discuss the matter. The outcome of the meeting shall be recorded in a letter.

- 7.1.1** the alleged act of misconduct is minor in nature; or
  - 7.1.2** where a member of staff has witnessed a student engaging in disruptive or antisocial behaviour on University premises, and this is corroborated by another member of staff, evidence from social media/mobile phone messages, or CCTV evidence (this shall be referred to as "Corroborated Misconduct"),
- 7.2** Where the Proctor considers that there is substance to the allegation, the letter shall normally include a requirement for the student to give a formal undertaking as to his/her future behaviour and a warning about the possible consequences of any further breach of the Student Code of Conduct.
- 7.3** the matter In such cases, the penalties that can be imposed are as follows:
  - 7.3.1** A Fine up to a maximum of £100, which must be paid to the Student Finance Office within 14 days of the date of the written notification to the student.
  - 7.3.2** Restitution of any damage caused by way of payment.
  - 7.3.3** A requirement to undertake up to 30 hours of non-academic work ("Community Service") to make restitution for any situation that they created or contributed to creating
  - 7.3.4** Other action appropriate to the circumstances (short of this paragraph 7.3)
  - 7.3.5** Referral to a Disciplinary Panel, where further evidence comes to light that may require a more severe penalty.
- 7.4** Where the Proctor considers that there is substance to an allegation of minor misconduct, the letter shall normally include a requirement for the student to give a formal undertaking as to his/her future behaviour and a warning about the possible consequences of any further breach of the Student Code of Conduct.
- 7.5** If the student does not accept the findings of the Meeting with the Proctor then the matter will be referred to a Disciplinary Panel (see Section 10). The student must send a written notice to the Case Coordinator making a request for the matter to be referred to the next Disciplinary Panel. The Disciplinary Panel will look at the allegation again and can overturn the decision of the Proctor. The Disciplinary Panel may impose lesser or more severe penalties.
- 7.6** If a student does not attend the Meeting with the Proctor, the Proctor can either:
  - 7.6.1** send a warning letter in the student's absence; or
  - 7.6.2** refer the matter to a Disciplinary Panel.

## **8 The Student Disciplinary Procedure: Precautionary Measures**

- 8.1** Where the initial assessment identifies an allegation of Serious Misconduct (see paragraph 6.2.3), or where the University becomes aware that a student is under investigation by the relevant authorities on suspicion of having committed a criminal offence, a full risk assessment will be conducted by the Pro Vice Chancellor Student Life and Learning. This will identify if any precautionary action needs to be taken.
- 8.2** Where one or more of the following conditions is satisfied the student may be suspended immediately from any or all of the University's premises and facilities by the Pro Vice Chancellor Student Life and Learning:

- 8.2.1** the student's continued presence compromises the reputation of the University;
- 8.2.2** there is a reasonable suspicion that the student has been supplying illegal drugs;
- 8.2.3** there is a risk that the student might harm others;
- 8.2.4** there is a risk that the student might cause damage to property;
- 8.2.5** there is a risk that the student's continued presence may inhibit a proper criminal or University investigation;
- 8.2.6** there is a risk that the student's continued presence may cause serious distress to other students or staff.

**8.3** Restrictions can include:

- 8.3.1** immediate suspension from University;
- 8.3.2** restrictions on the campuses and/or buildings of the University that the student may visit or the departments and/or services of the University that the student may access;
- 8.3.3** termination of the Accommodation Contract for halls of residence managed by the University, or for the immediate transfer of the student to other residential accommodation (including another hall of residence that is managed by the University).

**8.4** Normally, students shall be informed that a risk assessment is being carried out and they shall be given an opportunity to submit their objections in writing to the Pro Vice Chancellor Student Life and Learning about a recommendation that they should be suspended from the University. Where the Pro Vice Chancellor Student Life and Learning considers that the circumstances of a case justify the immediate suspension of a student, the student may be invited to present their objections within 10 working days of the suspension being imposed.

**8.5** Once restrictions have been imposed and there is no longer any opportunity to submit representations, the student will be informed that they have the right to appeal the restrictions. Any appeal should be submitted to the Case Coordinator and will be considered by the Vice Chancellor.

**8.6** The Vice Chancellor may either decide to retain the existing restrictions, or make some alternative decision that satisfies the institution's over-riding responsibility to ensure the safety, wellbeing and good order of the University. The decision of the Vice Chancellor shall be communicated to the student in writing and shall be final.

**8.7** Suspensions or restrictions that are imposed under this provision shall be reviewed by Pro Vice Chancellor Student Life and Learning no less than once every month. The student can also request a review at any point if they believe there is a material change in the circumstances of the case. Suspension is not an assumption of guilt and is not considered a disciplinary sanction.

## **9 The Student Disciplinary Procedure: Investigation**

**9.1** Any case being referred to a Disciplinary Panel will normally be subject to an investigation prior to the hearing. However, where there appears to be a clear case of misconduct the matter may be referred directly to a Disciplinary Panel without investigation.

**9.2** The Case Coordinator shall arrange for an investigation to take place. The investigation will be proportionate to the nature of the event and the evidence

available.

**9.3** As part of any investigation, a student may be invited to an investigatory interview with the investigating officer. This will not be a disciplinary hearing but will be part of the process for deciding whether disciplinary action is warranted. Notes will be taken at this meeting and the interview notes may be used in a disciplinary hearing. The student who is the subject of the allegation will be given

**9.3.1** reasonable notice of the interview (usually 3 days but may be shorter taking into account the need to preserve evidence and the seriousness of the allegation),

**9.3.2** a written specification of the allegation and

**9.3.3** notification of the right to be accompanied or represented at the meeting by a member of the University or an advisor from the SU.

**9.4** A student's previous disciplinary record will not normally be relevant to whether they have committed an offence. However, if the student has previously committed the same or a very similar offence then it may be relevant. The student's previous disciplinary record is likely to be relevant to decisions about penalty. If the Investigator decides that the previous offence is relevant it should consider at what stage this information should be shared with the panel to ensure it is not prejudicial.

## **10 The Student Disciplinary Procedure: Disciplinary Panels and Associated Sanctions**

**10.1** Disciplinary Panels will comprise three members, one of whom will chair the Panel. At least one member of the Panel shall be a senior member of staff of the University (the Chair) and another member of the panel shall be a member of the Students' Union Sabbatical Officers (or a nominee made by the SU General Manager if all Sabbatical Officers are otherwise compromised).

**10.2** At disciplinary panel hearings, the investigating officer, or a senior member of staff of the University who has not otherwise been involved in the process, shall present the case to the disciplinary panel. Investigating officers may not be members of disciplinary panels.

**10.3** In all cases that are referred to a Disciplinary Panel, the student shall receive a letter that sets out:

**10.3.1** a clear specification of the allegation;

**10.3.2** the time, date and place of the disciplinary panel hearing;

**10.3.3** their right to be accompanied or represented at the disciplinary panel hearing by a member of the University or an advisor from the Students' Union. It will not normally be necessary for a student to be legally represented but if there are sufficient reasons then the student must submit a request to the Case Coordinator at least 3 days before a hearing.

**10.3.4** their right to call witnesses, how they will be able to question these and other witnesses

**10.3.5** their right to submit documentary evidence and/or a written statement;

- 10.3.6** a copy of any documentation that will be referred to or made use of during the disciplinary panel hearing including a copy of the investigation report;
- 10.3.7** notification that the panel may ask the student to present additional representations (mitigation) about the penalty if a finding of misconduct is made or anticipated; and
- 10.3.8** in the case of Serious Misconduct (see Section 4), a notice that potential outcomes of the hearing could include suspension or expulsion from the University.

The letter shall be provided no later than 10 working days before the hearing.

- 10.4** If a student fails to attend a hearing, the Panel will consider the evidence and make a decision in the student's absence.
- 10.5** At the conclusion of the disciplinary panel hearing, the student, his/her friend or representative, and all witnesses and/or parties to the allegation shall withdraw and the disciplinary panel shall reach a decision. The disciplinary panel shall determine whether or not the student has committed the alleged offence. If the disciplinary panel determines that the student is guilty, it shall then decide on the appropriate penalty.

The decision of the disciplinary panel shall normally be notified to the student orally in the first instance (if appropriate), and subsequently in writing. The written notification shall include a summary of the reasons for the decision and the reasons for the penalties, this shall be sent within 10 working days of the hearing.

- 10.6** A copy of the letter to the student shall be held on file by the Case Coordinator and if appropriate will be sent to the Head of Department in which the student is studying. The file copy shall be held for the duration of the student's registration with the University and may be referred to in the event that a further disciplinary allegation is made against the student.

### **10.7 Sanctions Available to Disciplinary Panels**

Where an allegation is proved against a student, a Disciplinary Panel may impose one or more of the sanctions that are set out below.

- 10.7.1** Either an oral or a written warning, advising of the likely consequences of a further breach of the Student Code of Conduct and requiring the student to give a written undertaking as to their future good conduct;
- 10.7.2** A requirement to pay costs in respect of any damages and/or losses suffered by the University and/or any third parties as a result of the student's actions. Payment must be made to the Student Finance Office within 14 calendar days of the date of the written notification to the student;
- 10.7.3** A fine of up to £200, which must be paid to the Student Finance Office within 14 calendar days of the date of the written notification to the student. Fines may be suspended for a period of up to 6 months, during which time they will become payable only if the student does not meet conditions that have been specified by the disciplinary panel. If, at the end of the period, all of the conditions have been met, the fine will be cancelled;
- 10.7.4** Withdrawal of specified services and/ or exclusion from particular areas of the University, for a period of up to one academic term;
- 10.7.5** a requirement to undertake up to 50 hours of non-academic work ("Community Service") to make restitution for any situation that they created or contributed to creating.
- 10.7.6** A requirement to participate in a programme identified by the Disciplinary Panel to educate students about misconduct and its consequences.
- 10.7.7** A restriction on access to facilities or buildings, or contact with staff and/or other students,

for a period not exceeding the remainder of the current academic session, provided that this does not prevent the student's academic progress.

- 10.7.8** Re-location of the student to similar accommodation, with immediate effect (where the allegation that has been upheld is of misconduct or serious misconduct in or relating to a hall of residence that is managed by the University).
  - 10.7.9** Recommendation that the agreement for University Halls of Residence is terminated by serving such notice on the student as is legally required.
  - 10.7.10** Suspension from the University for a specified period of time, up to and including three academic terms or an equivalent period.
  - 10.7.11** Exclusion from particular areas of the University, or University activities, for the duration of a student's enrolment at the University.
  - 10.7.12** Expulsion from the University.
- 10.8** A student is allowed to submit a statement of mitigation that will (if appropriate) be taken into account when the panel is setting the penalties. If the student admits the allegation, they may then proceed to make a statement of mitigation. If the student does not make an admission, any statement of mitigation is likely to be given much less weight. Mitigating factors might include whether it is a first offence, when the student admitted the offence, an expression of remorse, and any compelling personal circumstances that may have affected judgment.
- 10.9** If a student fails to comply with a non- financial sanction the Panel chair may impose a fine on the student of up to £100. This sanction will not be imposed while an appeal is in progress. This paragraph does not prevent the University from treating the non-compliance as a further disciplinary offence.

## **11 The Student Disciplinary Procedure: Request for appeal**

- 11.1** Students shall have the right to request an appeal of the finding imposed by a Disciplinary Panel, on one or more of the following grounds:
- 11.1.1** The University made a material error in following its procedures or
  - 11.1.2** The outcome was unreasonable in light of the evidence available; or
  - 11.1.3** New material evidence has come to light which was unable to be provided, for valid reasons, earlier in the process.
- 11.2** Appeals shall be dealt with by the Vice-Chancellor (or nominee).
- 11.3** Requests for appeals must be submitted to the Case Coordinator in writing within 10 working days of the date of the written notification of the panel decision. In exceptional circumstances the Vice Chancellor may extend the time allowed for a submission of a request for an appeal for good cause. Such circumstances may include the student being ill.
- 11.4** The student must not only state the grounds for appeal but must also provide evidence to substantiate those grounds.
- 11.5** Depending on the circumstances and at the discretion of the Vice Chancellor, the Vice Chancellor or nominee may convene a meeting of the student. The student has the right to be accompanied as set out in 10.3.3.
- 11.6** The Vice Chancellor or nominee will review the request for an appeal and will

determine whether there are grounds for appeal and whether those grounds have been substantiated.

- 11.7** The aim is to complete the appeal stage within 20 working days of the Case Coordinator acknowledging the notification. The general exception is where receipt of the notification is outside of published term times when there may need to be an extension. This will be communicated to the student.
- 11.8** The Vice Chancellor or nominee may:
- 11.8.1** uphold the finding of the Disciplinary Panel and the sanction(s) imposed;
  - 11.8.2** uphold the finding of the Disciplinary Panel, but to lessen the sanction(s) imposed;
  - 11.8.3** refer the case for re-consideration to a new Disciplinary Panel;
  - 11.8.4** quash the finding of the Disciplinary Panel and the sanction(s) imposed.
- 11.9** The decision of the Vice Chancellor or nominee on the student's appeal shall be communicated to the student in writing. A copy of the letter shall be held by the Case Coordinator.
- 11.10** If an appeal is rejected, a Completion of Procedures letter will be sent. If a student remains unsatisfied, the opportunity to apply for a review by the Office of the Independent Adjudicator (OIA) shall be available. The OIA is an independent body which was established to consider student complaints which had not been resolved through an institutions internal procedures. The deadline for an appeal to the OIA is 12 months from the Completion of Procedures letter. This service is free to students. For further details see the OIA website [www.oia.org.uk](http://www.oia.org.uk)

### **Implementation and Review of this policy**

Information will be collected on gender, ethnic origin, age group, disability, sexual orientation and religion and beliefs for monitoring purposes. The nature of the issues will also be recorded for monitoring purposes. Some confidential monitoring of outcomes will also be recorded to evaluate the impact of the procedure. The Information will be kept in accordance with the University Data Protection Policy and Retention Schedules.

The policy and its associated Impact Assessment will be formally reviewed every 2 years by the Case Coordinator and recommendations for material amendments will be made to Senate through the appropriate University bodies.

## Flowchart

