

Academic Regulations

Section 16

Student Conduct

2020-21

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Part 1. General Provisions

1 Introduction

- 1.1 These Student Conduct Regulations (“Regulations”) set out the expectations on students to maintain the University as a community of scholars in which all members can work beside each other in conditions which permit freedom of thought and expression within a framework of intellectual honesty and respect for the rights of other persons. The Regulations also provide for the discipline of students on the grounds of misconduct.
- 1.2 Nothing in these Regulations is intended to limit Students’ freedom of expression within the law, or to prevent Students from openly criticising, disagreeing with or peacefully protesting against the University.
- 1.3 The use of the procedures under these Regulations is a serious matter. Any student who is accused of misconduct is advised to seek assistance from the Students’ Union promptly.

2 Applicability

- 2.1 These Regulations apply to:
 - 2.1.1 any person who is registered as a student of the University (including those students who have taken a break from their studies);
 - 2.1.2 so far as is practicable, any person to whom an offer of a place has been made and who subsequently becomes a Student; and
 - 2.1.3 Student against whom an allegation was pending when their registration by withdrawal or otherwise was terminated and who subsequently re-joins the University.
- 2.2 These regulations apply where the alleged conduct
 - 2.2.1 affects the University or its property; or
 - 2.2.2 affects the person or property of its students, staff, visitors; or
 - 2.2.3 occurred during or arises out of university activities (including placements or field work or trips) or use of University facilities or premises; or
 - 2.2.4 brings the University or its community into disrepute.
- 2.3 It does not matter whether the alleged conduct takes place on or off University premises. These Regulations also apply to conduct on social media.
- 2.4 Students at a partner institution are subject to that institution’s code of discipline or disciplinary regulations. Such a student shall only be subject to these regulations in the event that the partner institutions code of discipline or disciplinary procedure does not adequately cover (either in scope or sanction available) acts that would be considered misconduct under these regulations.

- 2.5 Where the alleged misconduct arises or appears to arise from a physical or mental health condition (including from a failure to take prescribed medication), the allegation shall be dealt with in accordance with the University's Fitness to Study regulations.

3 Standard of Conduct

3.1 Students shall:

- 3.1.1 respect and uphold the rights and dignity of others regardless of race, colour, national or ethnic origin, sex, age, disability, religion, sexual orientation, gender identity, or socio-economic status;
- 3.1.2 uphold the integrity of the University as a community of scholars in which freedom of speech within the law is available to all;
- 3.1.3 respect university policies as well as the law;
- 3.1.4 not improperly interfere (by act or omission) with the functioning or activities of the University, or of those who work or study in the University, or improperly damage the University or its reputation.

- 3.2 Breach of this standard of conduct shall be misconduct. A non-exhaustive list of examples of misconduct is set out in Schedule 1 .

4 Misconduct Offences

- 4.1 If a Panel finds that it is more likely than not that a student has committed misconduct, the student is liable to disciplinary proceedings and sanctions.
- 4.2 All interviews, panels and decisions under these regulations shall be made and conducted in accordance with Schedule 3.
- 4.3 Misconduct that has been proven under these regulations may be referred to in any reference given by the University or a member of staff. The University may also be obliged to report it to a relevant professional body.

5 Criminal Offences

- 5.1 The University cannot determine whether a criminal offence has been committed – that is a matter for the criminal courts. However, the University recognises that some misconduct may also constitute a criminal offence.
- 5.2 Where alleged misconduct is or could also be a criminal offence, the Student Conduct Officer shall confer with the University Secretary. The University may:
 - 5.2.1 Report the matter to the police or other relevant authority, but this does not affect the right of any person affected by the alleged misconduct to report it to the police on their own behalf;

- 5.2.2 Defer taking action until the police, Crown Prosecution Service and courts have dealt with the matter; and/or
- 5.2.3 Continue with its investigation, where it is confident that the University's investigation will not prejudice or hinder the police investigation or criminal proceedings.
- 5.3 The University is entitled to rely on the fact of a criminal conviction (whether on a guilty plea or otherwise) or acceptance of a caution as proving that an offence was committed and the facts on which the conviction is based occurred.
- 5.4 The University will take into account any caution accepted or sentence imposed when deciding the appropriate penalty.
- 5.5 Save as provided for by regulations 5.3 and 5.4, proceedings under these regulations are separate from and additional to the criminal law. A student is not exempt from proceedings under these regulations simply because they have been convicted of a criminal offence arising out of the same set of facts and no defence of double jeopardy can be claimed. Similarly, a student is not exempt from proceedings under these regulations simply because they have been acquitted of a criminal offence arising out of the same set of facts and no defence of double jeopardy can be claimed.

6 Licensed Premises

- 6.1 While an alleged incident takes place on licensed premises (whether on University premises or elsewhere) that incident may give rise to both proceedings under these regulations and exclusion, barring or suspension of access to the licensed premises by the licensee in accordance with the general law.
- 6.2 Proceedings under these regulations are separate from and additional to any decision of a licensee regarding exclusion, barring or suspension of access to licensed premises. A student is not exempt from proceedings under these regulations simply because of a licensee's decision based on the same set of facts and no defence of double jeopardy can be claimed.
- 6.3 No decision under these regulations may overrule, reverse or amend any decision of a licensee regarding licensed premises.

7 Fitness to Practise and professional or regulatory requirements

- 7.1 Where allegations are made against a student on an Accredited Course, the University may:
 - 7.1.1 Notify the relevant body of the matter;
 - 7.1.2 Take separate action (in addition to any action under these regulations) under its Fitness to Practise policy, Academic Regulations or course regulations. The University may use any evidence compiled pursuant to these regulations in any Fitness to Practise proceedings or vice versa.

8 Authority to Check Disorder

- 8.1 All members of staff have the authority to check disorder or any potential and/or actual breach of regulations or policies by students occurring in any part of the University. This may include giving the student an oral warning or requiring a student to leave a particular area of the University's premises, such as a lecture room or library, for a specified period not exceeding 1 hour or the end of the teaching session (whichever is longer). Because it is a short-term measure, there is no right of appeal against a member of staff's decision.
- 8.2 Where a student is reasonably believed to be causing disorder, a Facilities Manager may, on their own authority or on the report of a member of staff, ban the student from the University's premises for 24 hours. Because it is a short-term measure, there is no right of appeal against a Facilities Manager's decision.
- 8.3 Where a staff member has exercised the authority under regulation 8, they must report the matter to the Student Conduct Officer.

9 Precautionary Suspension and Conditions

- 9.1 Where a student is suspected of misconduct, a Student Conduct Officer may, with the consent of a member of Senior Staff, suspend the student for a period of time or indefinitely if:
- 9.1.1 A criminal charge is pending against the student; or
- 9.1.2 They consider that the student's presence on University premises would:
- 9.1.2.1 breach the University's duty of care to the student or others; or
- 9.1.2.2 cause the University to be in breach of its wider obligations (including, but not limited to, obligations under the UK immigration regulations); or
- 9.1.2.3 impede an investigation into the allegation;
- 9.2 A member of Senior Staff may suspend a student in the circumstances set out in regulation 9.1 in the absence of the Student Conduct Officer.
- 9.3 Suspension means that the student shall be excluded from all University premises. The student may seek support from their Personal Academic Tutor or the Students' Union, but this must be by appointment. A student who has not made an appointment will not be admitted to the University's premises.
- 9.4 Where a student is suspected of misconduct, a Student Conduct Officer may, with the consent of a member of Senior Staff, impose conditions on the student for a period of time or indefinitely, whether in addition to a suspension or not, to ensure that:
- 9.4.1 The student does not cause the University to be in breach of its:
- 9.4.1.1 wider obligations (including, but not limited to, obligations under the immigration regulations); or

9.4.1.2 duty of care to the student or others or

9.4.2 the student does not impede an investigation into the allegation.

9.5 A member of Senior Staff may impose conditions on a Student in the circumstances set out in regulation 9.4 in the absence of the Student Conduct Officer .

9.6 A student who has been suspended or had conditions imposed under regulation 9 may:

9.6.1 Ask the Student Conduct Officer or University Secretary to review the suspension or condition. Any such request must be in writing and may be made not more frequently than once a month or where there has been a material change of circumstances.

9.6.2 Ask the Student Conduct Officer or University Secretary for temporary permission to attend the University or temporary variation of the conditions for examinations, for submission of coursework or to access student support or advice from Student Services or the Students' Union. Such request must be in writing.

9.7 Suspension and conditions under this regulation 9 are precautionary and do not mean that the allegation has been judged or proven. A suspension or conditions must not be used as a punishment or used in place of disciplinary proceedings.

10 Office of the Independent Adjudicator for Higher Education

10.1 Under the Higher Education Act 2004 the University subscribes to the independent scheme for the review of student complaints. If a student is dissatisfied with the outcome of a misconduct case they may be able to apply for a review to the Office of the Independent Adjudicator for students in Higher Education (OIA) providing that the complaint they make to the OIA is eligible under its Rules. The University will confirm in writing to students, by way of a Completion of Procedures email/letter, when they have exhausted the University's internal procedures. At this point students may make a complaint to the OIA if they wish.

Part 2. Investigations and Panels

11 Student Conduct Officer

11.1 Each Head of School shall appoint one or more Student Conduct Officers to investigate allegations of misconduct against students. An additional Student Conduct Officer may be nominated by a Head of School for a particular allegation of misconduct.

- 11.2 In exceptional cases or in cases involving a sabbatical officer of the Students' Union a Student Conduct Officer may be nominated by the Head of Student Casework.
- 11.3 A Student Conduct Officer's authority to act may be confirmed retrospectively in cases where it has been called into question. Unless a Student Conduct Officer is disqualified from acting for reasons of actual or apparent bias, the Head of School or Head of Student Casework's confirmation of the Student Conduct Officer's authority shall be final.
- 11.4 Allegations of non-academic misconduct by a Student should be reported to a Student Conduct Officer. A Student Conduct Officer should not investigate allegations where:
- 11.4.1 They teach or have taught the student against the allegation has been made
- 11.4.2 They have a close connection with the student or the complainant;
- 11.4.3 They have previously advised the student or complainant regarding the allegation; or
- 11.4.4 A reasonable independent third party would conclude there was a real possibility that they would not be impartial.
- 11.5 Where a student wants to report an allegation of non-academic misconduct by another Student, but does not know which school the other Student is a member of, they can report the matter to the Student Conduct Officer.
- 11.6 Where a Student Conduct Officer receives an allegation or is otherwise made aware of non-academic misconduct, they shall investigate matters relevant to the alleged misconduct to determine whether misconduct has taken place. This investigation will usually be completed within 25 days of the receipt of notice of the suspected misconduct. In complex matters the investigation may take longer than this.
- 11.7 The nature of the investigation under regulation 11.2 will depend on the nature and complexity of the allegation, but the investigation:
- 11.7.1 May include an interview with the person reporting the alleged misconduct
- 11.7.2 should include an interview with the student against whom the allegation is made, where the allegation against them and evidence on which it is based is put to them and they have an opportunity to respond. A student can decline to be interviewed and/or may give a written response. A student who refuses or fails to attend 2 interviews without good reason, shall be deemed to have declined the opportunity to be interviewed.
- 11.7.3 may include enquiries of the University's Disability and Dyslexia Service.
- 11.8 The interview under regulation 11.6.2 should be conducted in accordance with Schedule 3. A student may decline to be interviewed. If a student declines to

be interviewed the Student Conduct Officer shall proceed on the basis of the evidence available to them.

- 11.9 When the investigation is complete, the Student Conduct Officer shall decide whether there is sufficient evidence to proceed. The Student Conduct Officer shall have regard to the guidance published on sufficiency of evidence.

12 Misconduct

- 12.1 Where the Student Conduct Officer is satisfied that there is sufficient evidence to support the allegation, they shall inform the student. Notification to the student shall include:

12.1.1 a copy of the Disciplinary Misconduct Report and any evidence in support of it;

12.1.2 a copy of these regulations;

12.1.3 an invitation to the student to admit or deny the allegations and to make any submissions in response to the allegation within a period of ten working days to the Student Casework Office. The student should submit any documents that they intend to rely on in response to the allegation. **Failure to respond will result in the University deeming that the student has accepted the allegation and a Panel shall determine the appropriate sanction to be imposed.**

- 12.2 The Student Casework Office shall refer the allegation to a panel unless they consider:

12.2.1 that there is insufficient evidence to substantiate the allegation against the student;

12.2.2 there is a real risk that proceeding will adversely affect the student's health or the health of or safeguarding the welfare of another person;
or

12.2.3 that it is not in the University's interests for the matter to proceed.

- 12.3 Where the Student Casework Office declines to refer a matter to a Panel pursuant to regulation 12.2.1, they may refer the matter to the Student Conduct Officer for further investigation (and subsequent referral).

- 12.4 Where the Student Casework Office declines to refer a matter to a Panel pursuant to regulation 12.2.2, they may make a safeguarding referral.

13 Consideration by a Panel

- 13.1 A Panel shall consider all allegations of misconduct referred to it by the Student Casework Office.

- 13.2 Where the misconduct has been admitted or is deemed to have been admitted the Panel shall only consider the question of the appropriate sanction;
- 13.3 A hearing before a Panel shall be convened by the Student Casework Office, which shall also appoint a clerk to the Panel. Such hearing shall usually take place within 30 days of receipt of the Student Conduct Officer's referral by the Student Casework Office.
- 13.4 The Panel shall have at least two, and not more than three members. There must be at least one member of academic staff and at least one representative of the Students' Union.
- 13.5 No person shall be a member of a Panel if they:
 - 13.5.1 are a member of the same School as the student or have a close connection with the student; or,
 - 13.5.2 Have a close connection with the complainant; or
 - 13.5.3 have been previously involved in a review of an allegation involving the same student; or
 - 13.5.4 have previously advised the student or complainant regarding the allegation; or
 - 13.5.5 A reasonable independent third party would conclude there was a real possibility that they would not be impartial.
- 13.6 The preparation for the hearing shall be in accordance with Schedule 3.
- 13.7 The hearing shall be conducted in accordance with Schedule 3 and the Student Casework Officer (or their nominee) shall present the case against the student.
- 13.8 Where the Panel determines that the student has committed misconduct it shall apply one or more of the sanctions set out in Schedule 2.
- 13.9 Imposition of a financial sanction under regulation 13.7 shall not prevent the University or any other person from seeking compensation from the student for the costs of repair to their property.
- 13.10 The clerk to the Panel shall notify the student, the Student Casework Officer, the Student Casework Office and the Head of School of the decision of the Panel and shall record the decision on the student's file.

14 Dealing with Allegations Administratively

- 14.1 Where the Student Conduct Officer decides that it is more likely than not that the student has committed the misconduct, before notifying the student under regulation 12.1, and having specific regard to guidance from the Head of Student Casework on when it is appropriate to deal with matters administratively, they may deal with the matter in accordance with regulation 14.3

- 14.2 The following cannot be dealt with under regulation 14.3
- 14.2.1 repeated or systematic misconduct;
 - 14.2.2 attempts to influence or victimise complainants or witnesses involved with any proceedings under these regulations or criminal proceedings;
 - 14.2.3 failure to comply with a sanction imposed under these regulations, the conditions of a conditional warning or reprimand, or the conditions of an Undertaking.
 - 14.2.4 misconduct relating to examinations or assessments (insofar as it does not amount to academic misconduct);
 - 14.2.5 submission of falsified documents to the University (including documents provided evidence in support of mitigating circumstances claims or academic appeals, or in support of an application to study, enrolment, or access to student funding, or a visa sponsorship);
 - 14.2.6 a criminal offence where a custodial sentence (immediate or suspended) has been given.
- 14.3 The Student Conduct Officer shall notify the student of the allegation, their conclusion that the student committed the misconduct and that it will be dealt with administratively and provide a summary of the reasons for their decision and may give the student:
- 14.3.1 a warning - this notes that the misconduct has been committed by the student, but no further sanction will be applied. It is sufficient to record the matter on the student's file.
 - 14.3.2 a conditional warning - this notes that the misconduct has been committed by the student, but no further sanction will be applied, provided the student complies with certain conditions. Such conditions may include a requirement to apologise, to make reparation (financial restitution or otherwise) and/or to accept behavioural measures to prevent future misconduct.
- 14.4 Before giving a warning or conditional warning, the Student Conduct Officer shall have specific regard to guidance from the University Secretary on the use of warnings.
- 14.5 The Student Conduct Officer shall within 5 days notify the student, Head of School and the Student Casework Office of their decision under regulation 14.3 and the warning and record the decision and warning on the student's file;
- 14.6 If the Student Conduct Officer has given the student a conditional warning and the student does not comply with the conditions, both the original misconduct and the failure to comply with the conditions may be referred for consideration as misconduct.

- 14.7 Imposition of a financial condition under regulation 14.3 shall not prevent the University or any other person from seeking compensation from the student for the costs of repair to their property.

15 Undertakings

- 15.1 At any time before a decision has been made pursuant to regulations 13.7 or 14.3, the Student Conduct Officer may, having had particular regard to the guidance published by on undertakings, agree with the student not to proceed subject to agreed conditions, provided that:
- 15.1.1 the student admits the misconduct; and
 - 15.1.2 the student undertakes to abide by the conditions of the agreement; and
 - 15.1.3 the Associate Pro Vice-Chancellor: Academic and Student Services (Interim) and the Head of Student Casework consent to the agreement;
- 15.2 Conditions may include, but are not limited to, a requirement to apologise, to make reparation (financial restitution or otherwise) and/or to accept behavioural measures to prevent future misconduct.
- 15.3 If the student breaches the conditions of the agreement, the University may proceed with the original misconduct (together with any subsequent misconduct) on the basis of the admission and a sanction may be imposed for all instances of misconduct (taking into account any partial compliance with the conditions of the agreement);
- 15.4 No student shall be required to conclude an agreement pursuant to regulation 15.1
- 15.5 A student shall not be subject to any detriment (other than a continuation of proceedings under these regulations) for declining to conclude an agreement pursuant to regulation 15.1 and the fact that such an agreement has been declined shall be disregarded when considering the matter.

16 Times Scales and Changes to Procedure

- 16.1 Where a matter has been deferred pursuant to regulation 5.2.2, no period of time stipulated under these regulations shall run until the police, Crown Prosecution Service and courts have dealt with the matter and the University has been notified of this;
- 16.2 Any period of time stipulated for completion of a step by the University may be extended:
- 16.2.1 at the request of the student (including, but not limited to, a request to reschedule an interview or hearing);
 - 16.2.2 with the agreement of the student;

- 16.2.3 with the agreement of the Head of School or the University Secretary in the event of matters outside the University's control or where the complexity of the matter so requires;
- 16.3 Any period of time stipulated for completion of a step by the student may be extended with the agreement of the Student Conduct Officer or the University Secretary. Such agreement shall usually only be given the event of matters outside the student's control or where the complexity of the matter so requires.

Part 3. Appeal

17 How to Appeal

- 17.1 A student who has received a warning or a sanction pursuant to these Regulations (whether given by a Panel or by a Student Conduct Officer) may appeal the decision and/or the sanction.
- 17.2 The appeal must be made in writing on the prescribed Appeal Form not more than 10 working days after the student was notified of the decision being appealed;

18 Grounds of Appeal

- 18.1 An appeal may only be made on the grounds that:
 - 18.1.1 the student was unable to respond to the allegation within the timeframes provided in these Regulations for valid reasons beyond the student's control; or
 - 18.1.2 there has been a material procedural defect, other than one for which the student is responsible, resulting in substantial unfairness to the student; or
 - 18.1.3 the evidence of alleged misconduct was insufficient to substantiate the allegation; or
 - 18.1.4 the student has new evidence that they could not reasonably have provided during the investigation and which would probably have a material influence on the outcome. Other than this, no new evidence shall be considered; or
 - 18.1.5 The sanction is manifestly disproportionate to the misconduct that was found.

19 Appeal Procedure

- 19.1 The Executive Office may dismiss an appeal that:
 - 19.1.1 is received late and there is no reasonable explanation why it could not be brought in time, or
 - 19.1.2 does not clearly state the grounds on which the appeal is being made; or
 - 19.1.3 does not disclose any reasonable grounds of appeal; or
 - 19.1.4 is entirely without merit.
- 19.2 Unless the appeal is dismissed pursuant to regulation 19.1, the Executive Office shall refer the appeal to the Vice-Chancellor or their nominee within 10 days of receiving the student's duly completed Appeal Form.

- 19.3 The Vice-Chancellor shall consider the appeal on the basis of the written appeal papers, unless an oral hearing would assist their consideration or otherwise in the interest of fairness, in which case a hearing shall be convened. A decision on the basis of the written appeal papers or a decision to convene a hearing shall usually be made within 30 days of the Executive Office's receipt of the duly completed Appeal Form.
- 19.4 After reviewing the decision and the appeal the Vice-Chancellor may:
 - 19.4.1 affirm, set aside or vary any finding or decision reached;
 - 19.4.2 refer the matter, or any part of it or any decision to the Disciplinary Panel for further consideration, with any such guidance as the Vice-Chancellor thinks fit.
- 19.5 The Vice-Chancellor shall within 5 days of their decision notify the student and Executive Office of their decision.

Schedule 1. Misconduct

1. Non-academic misconduct includes, but is not limited to, the following:
 - 1.1. Any conduct that has resulted in conviction by a criminal court or for which a caution has been accepted.
 - 1.2. Any conduct that brings the University into disrepute;
 - 1.3. Disruption of or improper interference with the academic, administrative, sporting, social or other activities of the University;
 - 1.4. Obstruction of or improper interference with the functions, duties or activities of any student, member of staff or visitor to the University;
 - 1.5. Sexual misconduct;
 - 1.6. Violent, indecent, disorderly, threatening, or intimidating behaviour or language, including physical misconduct;
 - 1.7. Harassment of any student, member of staff or visitor, including but not limited to harassment related to one or more of the following: sex, gender reassignment, race, disability, religion or belief, marriage or civil partnership, sexual orientation, age.
 - 1.8. Victimising any student, member of staff or visitor because of anything done or not done in connection with these Regulations (including making a complaint or giving evidence);
 - 1.9. Deception, dishonesty or corruption in relation to the University, its staff, students or visitors;
 - 1.10. Misappropriation or misuse (including computer misuse) of University property, or the property of the University's staff, students or visitors;
 - 1.11. Misuse or unauthorised use of University premises;
 - 1.12. Damage to, or defacement of, University property, or to the property of the University's staff, students or visitors, whether or not caused intentionally or recklessly;
 - 1.13. Action likely to cause injury or to impair safety on University premises;
 - 1.14. Failure to respect the rights of others to freedom of belief and freedom of speech;
 - 1.15. Breach of the provisions of any University code, policy, rule or regulation, including (but not limited to) Premises Rules, Library Code, ITS Rules or the Research Code;
 - 1.16. Failure to disclose personal details, including criminal convictions, when required (whether by University policy or otherwise), to a member of staff at the earliest opportunity;
 - 1.17. Failure to comply with an instruction issued by a security officer or by a member of staff;

- 1.18. Conduct or behaviour which raises questions about a student's fitness to practise, by reference to the relevant professional body's guidance, any profession for which you are studying at the University;
- 1.19. Failure to comply with a reasonable instruction of a member of staff relating to proceedings under these regulations (including, but not limited to, failing to attend an interview or hearing as a witness, without reasonable excuse);
- 1.20. Failure to comply with a sanction or condition imposed under these regulations;
- 1.21. Inducing or intimidating any person into not reporting a matter to the police or the University;
- 1.22. Inducing or intimidating any person into not giving evidence.
- 1.23. Agreeing or attempting to persuade another member of the University (student or staff) to participate in actions that would breach these Regulations.
- 1.24. Assisting, encouraging or advising another member of the University (student or staff) to participate in actions that would breach these Regulations.

Schedule 2. Non-Academic Misconduct Sanctions

In respect of non-academic misconduct a Panel may impose one or more of the following sanctions:

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| 1. A reprimand | Note that the misconduct has been committed by the student, but no further sanction will be applied. |
| 2. Conditional reprimand | This notes that the misconduct has been committed by the student, but no further sanction will be applied, provided the student complies with certain conditions. Such conditions may include a requirement to apologise, to make reparation (financial restitution or otherwise) and/or to accept behavioural measures to prevent future misconduct. If the conditions are breached, sanctions can be imposed for the original misconduct and the further misconduct. |
| 3. Suspended sanction | A sanction is imposed, but does not take effect provided that no further misconduct is committed in a period specified by the Panel. If further misconduct is committed the original sanction take effect and new proceedings can be taken for the further misconduct. |
| 4. Fine | Pay a sum of up to a maximum of £500 within a specified period. |
| 5. Compensation Requirement | Require the student to pay reasonable sum to compensate for any loss or damage sustained by the University or any other person within a specified period. The compensation shall be payable to the person who has sustained the loss. |
| 6. Apology Requirement | Require the student to apologise formally (orally or in writing) to an individual or individuals affected by the student's behaviour within a specified period. |
| 7. Unpaid work Requirement | Require the student to perform up to 40 hours unpaid work for the University community or a local community affected by the student's behaviour within a specified period. |
| 8. Restriction | Restrict the student from contacting a specified person or person; and/or Restrict the student from accessing specified facilities or premises of the University. Such a restriction shall be for a fixed period of time not exceeding 12 months. Notwithstanding the time limit for appeals, the student may ask the Associate Pro Vice-Chancellor: Academic and Student Services (Interim) to review a restriction at any time while the restriction is effective on the ground that the restrictions is seriously impeding the student's academic progress. |

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| 9. Academic Sanction | Failure in any item of assessment associated with the misconduct, with (where permissible under the Academic Regulations) or without a re-assessment right. If a re-assessment right is granted this may be uncapped (where permitted by the Academic Regulations) or capped at a bare pass. |
| 10. Exclusion | Exclude the student from the University for a fixed period of time. While excluded, the student is not permitted to access the University's premises or its facilities, or to participate in its activities. |
| 11. Termination of Enrolment and/or Transfer | Termination of the student's enrolment on their current course. The student remains liable for any tuition fees that fell due for payment before termination of enrolment and the University reserves the right to take action to recover the debt. The student may be eligible to transfer to a different course at the discretion of the Panel. |
| 12. Expulsion | Expel the student from the University. The student ceases to be a member of the University and loses all rights and privileges of membership. The student remains liable for any tuition fees that fell due for payment before expulsion and the University reserves the right to take action to recover the debt. |

Schedule 3. Safeguards and Procedures

1. In respect of all interviews, hearings and decisions under these regulations:
 - 1.1. The student shall be presumed innocent of the alleged misconduct until a decision or determination has been made;
 - 1.2. An allegation of misconduct shall only be proven, if it is found that it is more likely than not that the misconduct occurred (that is, on the balance of probabilities);
 - 1.3. The person (whether the University or the student) making an allegation or stating a particular fact is responsible for proving it. There is no need to prove an allegation or a fact that has been admitted or is proven by the existence of a relevant criminal conviction;
2. In respect of any interview arranged under these regulations
 - 2.1. the student is entitled to:
 - 2.1.1. be given at least 5 days' notice of the interview;
 - 2.1.2. receive a summary of the allegation made against the student at least 3 days before the interview Attend with a Friend. The Student Conduct Officer may permit the Friend to speak on behalf of the student if it would assist the investigation;
 - 2.1.3. see any documents upon which a decision may be based;
 - 2.1.4. ask questions to clarify the allegations and the facts that are being alleged;
3. In respect of any oral hearing before a Panel:
 - 3.1. The student shall be given at least 5 days' notice of the hearing, which will include a list of witnesses that the Student Conduct Officer intends to call;
 - 3.2. No later than 3 days before the hearing, the student shall file with the Student Casework Office a list of witnesses whom they intend to call. It is the student's responsibility to arrange for these witnesses to attend the hearing.
4. At any oral hearing before the Panel arranged under these regulations,
 - 4.1. the student may:
 - 4.1.1. Attend the hearing. The student may attend either in person or by suitable electronic means agreed by the Chair of the Panel in which all participating in the meeting may communicate with all the other participants. The student does not need to attend the hearing and the Panel may make a decision in the student's absence, provided that the Panel is satisfied the student was informed of the date of the hearing and has not given a reasonable excuse (supported by evidence) for absence. An oral hearing will only be postponed more than once in exceptional circumstances;

- 4.1.2. Be assisted by a Friend at the hearing. The Chair of the Panel may permit the Friend to speak on behalf of the student if it would assist the running of the hearing. The student is responsible for arranging the Friend's attendance at the hearing;
 - 4.1.3. See any documents relevant to the matter that the Panel has seen (whether or not the University relies on them);
 - 4.1.4. Ask questions to clarify the allegations and the facts that are being alleged;
 - 4.1.5. Call witnesses. The student is responsible for arranging the witnesses' attendance at the hearing. The Panel may decline to hear a witness if their evidence is not relevant;
 - 4.1.6. Ask (via the Chair of the Panel) questions of witnesses or the person presenting the case against them;
 - 4.1.7. Make representations to the Panel including putting forward any mitigation;
- 4.2. The Panel:
- 4.2.1. shall be conducted in accordance with the directions (whether given at the hearing or beforehand) of the Chair of the Panel, who may also determine the order of proceedings. Such directions may include:
 - 4.2.1.1. hearing of related allegations against two or more students at the same hearing;
 - 4.2.1.2. requiring the provision of written witness statements or summaries of the witnesses' evidence before the hearing;
 - 4.2.1.3. the manner in which any witnesses' evidence will be taken (for example, in person or by suitable electronic means)
 - 4.2.1.4. imposing time limits on submissions;
 - 4.2.1.5. adjourning the hearing to another time or place;
 - 4.2.2. shall be conducted in private, except that members of staff may attend for training purposes, with the agreement of the student.
 - 4.2.3. May ask questions of the student, witnesses or the person presenting the case against the student.
 - 4.2.4. May take advice from the clerk, a legal advisor or other advisors.
 - 4.2.5. Shall reach its decision by majority vote. In the event of a tie, the Chair of the Panel shall have a second or casting vote.
 - 4.2.6. shall not be made aware of any previous misconduct by the student, except where
 - 4.2.6.1. the previous misconduct is relevant to the current allegation or

- 4.2.6.2. when the Panel is considering sanctions.
- 4.2.7. shall state the reasons for the decision that it reaches, including any penalties imposed.
- 4.3. A record of the Panel meeting, and the Panel decision (including the Panel's reasons), shall be kept and shall be agreed by the Chair of the Panel and will be shared with the student.
- 4.4. The clerk to the Hearing shall notify the student of the decision of the Hearing and shall record the decision on the student's file.