**Student Conduct Policy 2025-26**

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# Part 1 General Provisions

## Policy Statement

1. The University operates a Student Conduct process that is lawful, and transparent, fair and proportionate. This procedure is designed to ensure that all members of the University community and its services should work, operate, study and learn in a safe, inclusive and orderly environment without any unreasonable interference whilst upholding the fundamental principles of academic freedom.

## Definitions

1. Throughout this policy the term ‘misconduct’ is used to describe any actions that are constituted a breach of the standard of conduct.
2. In this policy, the term ‘Reporting Party’ relates to the individual, or individuals, that have formally reported a case of misconduct. The term ‘Responding Party’ refers to the individual or individuals against whom the report has been made.
3. Any mention of ‘harassment’ under this policy, and related University policies, is defined as either:

Harassment, including sexual harassment - is defined as unwanted behaviour or conduct which has the purpose or effect of violating a person’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics: age; disability; gender reassignment; race; religion or belief; sex; and sexual orientation; and/or

* 1. a course of conduct conducted on at least two occasions that harasses one other person, or a course of conduct that harasses two or more persons at least once each. References to harassing a person include alarming the person or causing the person distress.’ This includes behaviour that may not appear severe in isolation but has a cumulative impact.
1. In accordance with section 1, paragraph 4 of the Protection from Harassment Act 1997, harassment will typically be determined if:
	1. The person knows the conduct amounts to harassment of the other; or
	2. A reasonable person in possession of the same information would think the course of conduct amounted to harassment of the other person.
2. London Metropolitan University recognises the paramount importance of Freedom of Speech and Academic Freedom The University acknowledges their vital role in fostering a culture of vigorous and open debate within the law, while being mindful of the University’s values as stated in its [Strategy](https://www.londonmet.ac.uk/about/our-university/university-publications/strategy-201920--202425/). While these freedoms encompass even unpopular or challenging ideas, they do not extend to violence, threats, intimidation, or discriminatory speech. We champion honest dialogue, respectful engagement with diverse viewpoints, and responsible expression within a safe and inclusive community. Our detailed [Freedom of Speech Code of Practice](https://www.londonmet.ac.uk/about/policies/freedom-of-speech/) provides further guidance on upholding these principles. In the event of a conflict between the contents of this policy and the Freedom of Speech Code of Practice, the provisions of the Freedom of Speech Code of Practice will prevail.
3. In cases where there is an allegation of harassment or misconduct relating to pure speech, for example, spoken or written word or expression, where the report arises from:
	1. the content of higher education course materials, including but not limited to books, videos, sound recordings, and pictures; or
	2. statements made and views expressed by a person as part of teaching, research or discussions about any subject matter which is connected with the content of a higher education course, it will be presumed this is unlikely to amount to harassment, and/or misconduct as in the above definitions unless it is proven false by evidence or argument.
	3. In the absence of further evidence to prove so, the case may not be progressed.
4. In addition to the presumption in paragraph 7, and to ensure a safe environment for all members of the University community, the University will assess the case on its individual merits. In doing so, the following factors will be considered:
	1. The perception of the person who is at the receiving end of the conduct.
	2. The other circumstances of the case, such as the wider context in which the conduct took place.
	3. Whether it is reasonable, under scrutiny, to expect the conduct to have caused the reported impact.
	4. Whether progressing with an investigation would unreasonably discourage, inhibit the legitimate rights or lawful conduct of a Responding party due to the either perceived possible or actual repercussions.
5. Sexual Misconduct is defined in our Sexual Misconduct Policy, and includes, but is not limited to sexual harassment, coercive behaviour, sexual assault and rape.
6. The University has adopted the All-Party Parliamentary Group (APPG) working definition of Islamophobia. In any instance of an allegation of Islamophobia, that may amount to harassment, due consideration will be given in line with paragraphs.
7. The University has adopted the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism, in any instance of an allegation of antisemitism, that may amount to harassment, due consideration will be given in line with paragraphs 2.3 to 2.6.

## Scope

1. This Policy applies to:
	1. any person who is registered as a student at the University (including those students on an approved break from studies).
	2. So far as is practicable, any applicant to whom an offer of a place has been made and who subsequently becomes a student and accepts a firm offer.
	3. any student against whom an allegation was pending when their registration, for example, by withdrawal or otherwise, was terminated and who subsequently re-joins the University.
2. This policy does not apply to the following groups or circumstances:
	1. Applicants that have not been made an offer. If there is evidence that making an offer to an applicant may result in harassment, unreasonably interference with university operations or effect the safety of staff or its students, the Admissions Team may take reasonable and proportionate actions, such as refusing an offer. The University has the discretion to refuse an offer to applicants if the decision is made on a lawful basis, and there is no right of appeal.
	2. Graduands or students that have completed their course but are yet to graduate. Where a report or disclosure has been received against a graduand, if necessary to uphold the safety and wellbeing of the University community, the University may suspend, defer or revoke access to university activities such as the graduation ceremony or prevent alumni library access. If dissatisfied, the Responding Party would have the right to Complain via the Student Complaint procedure.
	3. If there is misconduct from an alumni or student whose registration has been terminated, the University may withhold, suspend or revoke alumni access including access to the premises and where all procedures if not doing so prevents the University from upholding its duties to staff and students or if there has been a breach of any University policy.
	4. Staff conduct. Formal complaints concerning staff to student conduct can be raised through the Student Complaint procedure. Where the Responding Party is both a member of staff, and a student, staff procedures take precedent and Student Conduct procedures may be paused. HR and the Student Casework team may be consulted in these circumstances.
	5. Student Union activities. If the conduct relates to conduct whilst working for, or employed, by the Students’ Union, we may signpost to the Student Union Complaint procedure in the first instance or pause Student Conduct procedures if both processes are taking place.
	6. Complaints from third parties or concerns conduct of a student’s or staff member’s conduct towards a member of the public, will generally fall outside the scope of this policy unless there is a clear connection to the University such as its operations and activities, or its duty of care. The University is not liable or responsible for a student’s conduct in all circumstances, particularly where the conduct in question is solely the student’s personal responsibility and there is no formal link to the University. However, the University may consider concerns where there is a duty of care or a supervisory responsibility such as when a student is on placement or representing the University in an official capacity. If a member of the public wishes to raise a concern they are advised to contact the University in the first instance, please email the Vice Chancellor’s Office at vco@londonmet.ac.uk.
	7. Reports that are submitted without serious purpose (including where it has been made with the intention of causing harm; is being pursued, regardless of its merits, to harass, annoy or subdue somebody; or lacks any serious purpose or value)
3. This policy applies to students and their relationship and interactions with:
	1. The University.
	2. Students and applicants.
	3. Staff of the University.
	4. Visitors to the University, events or activities; and
	5. Members of the public should there be a relationship or relevance to the University, the safety of its community, and/or activities or operations. For example, where a Relevant Offence has occurred that may affect the safety of those on campus beyond the immediate safety of the third party raising the concern.
4. This policy applies to all conduct of students:
	1. during university activities, wherever they take place, including those off-site or online.
	2. whilst using electronics or technology, including social media, messaging services, email and digital platforms.
	3. during work-based learning, placements, course trips, volunteering or taking part in Students’ Union activities; and
	4. has a tangible link and real impact to the University’s interests, duties, or reputation
5. This policy applies to all conduct of students that:
	1. affects the University or its property; or
	2. affects the person or property of its students, staff, visitors, or external organisations the University works with to provide services, activities or teaching provision;
	3. incidents occurred during or arises out of university activities (including placements or field work or trips) or use of university facilities or premises; or
	4. conduct that brings the University, staff, students, or wider University community into disrepute. For example, conduct that may have a proven, or the actual, potential to affect the University’s ability to operate or jeopardise relationships with external partners or placement providers.
6. Students at a collaborative/partner institution are subject to that institution’s code of Student Conduct or disciplinary policy. An appeal of the partner institution’s decision may only be accepted at the University’s appeal stage where students have reached the end of their collaborative/partner institutions internal procedures. The University will consider the Review stage to ensure that cases are congruent with UK regulatory compliance and UK legislation regardless of the local laws of the host country.
7. 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 may be dealt with in accordance with the University’s Fitness to Study Policy. This can be done at any stage of the procedure where issues giving cause for concern may come to light and with the advice and guidance of Student Services. In these instances, an investigation may be paused or resolved early in the process.
8. Where a student is enrolled on a course that is regulated by a Professional, Statutory or Regulated Body (PSRB) and under the provisions of this Policy, if the misconduct is substantiated, the University may, depending on the nature of the misconduct, be obliged to report that fact to the PSRB and take separate action (in addition to any action under this Policy) under its Fitness to Practise Policy, Academic Regulations or course regulations. The University may use any evidence compiled according to this policy in any Fitness to Practise proceedings or vice versa.

## Guiding Principles

1. In all cases, the University aims to provide all parties with a resolution at the earliest opportunity, and where measures or sanctions occur that they are measured, proportionate and based on evidence.
2. The University will seek to minimise and mitigate and consider any detriment or negative impact the investigation may have on either the Reporting or Responding Party. This includes, where appropriate, offering alternative assessments and ensuring that any precautionary actions are carefully risk-assessed with consideration for both parties’ safety, well-being and academic progress.
3. The Responding Party will be informed of the report against them, be provided with any evidence, and given the opportunity respond to any allegation before any final decisions.
4. The Responding Party will not usually be suspended or expelled under this procedure for a first breach of the Student Conduct policy, except in the case of Major misconduct.
5. The Responding Party has the right to appeal against any disciplinary or sanction and, in addition, they may request a review of any interim or precautionary measures.
6. The outcome of the Student Conduct process will normally be confidential to the Responding Party, although they may consent to information being shared with the student who made the complaint. In any case, the student making the report should be given some resolution.
7. The Reporting Party has the right to complain through the Student Complaints procedure should they be dissatisfied with an outcome or handling of an investigation under these procedures. However, where possible we will aim to offer a remedy for any impact separately to any sanction at the end of the Conduct process depending on the nature of the concern, the University’s liability, the impact on the student and what the student is seeking.
8. When long-term health conditions or disability are disclosed, reasonable adjustments to this policy and its procedures will be considered. A student’s self-report may be accepted as evidence where appropriate, though the University may request further information from relevant professionals or Student Services to ensure consistency, fairness, and parity.
9. It is our aim to investigate cases fairly, and impartially, ensuring that both the Reporting and Responding Party’s are signposted to support and guidance. The Students’ Union can support either party throughout the process and specialist services are available through Student Services.
10. To ensure the safety of our community, it is acknowledged that the University may act, by pursuing informal interventions, interim measures, or sanctions if a Responding Party’s behaviour or conduct unduly interferes with the activities, safety or reputation of the University. This includes conduct on social media and online.
11. All parties will be treated with dignity and in good faith throughout the process. The Responding Party will be presumed not in breach of this policy unless and until a determination is made.
12. Anonymous reports of misconduct, or reports where the Reporting Party has refused consent to share their personal information, will be considered based upon the seriousness of the issues raised, the credibility of the concern, how the information was obtained and and likelihood that the issue can be reasonably investigated.
13. For the avoidance of doubt, no academic sanctions will apply, or sanctions that contravene the rights of any individuals under the Consumer Rights Act, such as lowering or revoking a degree classification or award should academic requirements be met. Academic sanctions can only be applied through the Academic Misconduct Policy. Honorary degrees are not covered by either policy.

## Compliance

1. This policy should be considered within the wider framework of both internal and external regulations, including, but not limited to:
2. The Office of the Independent Adjudicator for Higher Education (the OIA) independent scheme for the review of student complaints whereby. Once a student has exhausted the University’s internal procedures, if they remain dissatisfied, the student can ask the OIA to review the matter. The University can provide you with a ‘Completion of Procedures Letter’ when you have reached the end of the Student Conduct process. Please note that the OIA does not review complaints concerning admission to the University or applicant complaints.
3. Related University documents, such as the Sexual Misconduct Policy and Procedure and the [Freedom of Speech Code of Practice](https://www.londonmet.ac.uk/about/policies/freedom-of-speech/), should be read alongside this policy. In particular, reference should be made to the University’s [Single Source of Comprehensive Information](https://www.londonmet.ac.uk/about/centre-for-equity-and-inclusion/harassment-hate-crimes-and-sexual-misconduct/condition-e6-student-harassment-and-sexual-misconduct/#:~:text=At%20London%20Metropolitan%20University%2C%20we,support%2C%20training%2C%20and%20investigation%20procedures) regarding Sexual Violence and Misconduct. This Student Conduct Policy is reviewed annually to ensure alignment with broader University policies. However, in the event of any conflict or inconsistency, the University’s primary policy source on Sexual Misconduct and Harassment will take precedence. This document does not override any existing University policy or legal requirement.
4. Although this is not a legal or court process, the University operates within a wider regulatory and legal framework. Therefore, to ensure the rights and dignities of our community are considered (including that of the Responding Party) the Policy may apply the tests, definitions of, or refer to, the Equality Act 2010, the Protection from Harassment Act 1997, Rehabilitation of Offenders Act 1974 and Public Order Act 1986.
5. Under the Counter-Terrorism and Security Act 2015, the University has a duty to prevent students from being radicalised or drawn into extremism and/or terrorism, and to ensure that appropriate support is provided. If concerns that fall under Prevent duty arise during an investigation, a Safeguarding Report will be completed and the Lead Safeguarding Officer informed.
6. When an alleged incident takes place on licensed premises (whether on university premises or elsewhere) that incident may give rise to both proceedings under this Policy and exclusion, barring or suspension of access to the licensed premises by the licensee in accordance with the general law. Proceedings under this Policy are separate from and additional to any decision of a licensee regarding exclusion, barring or suspension of access to licensed premises. A Responding Party is not exempt from proceedings under this Policy simply because of a licensee’s decision based on the same set of facts and no defence of double jeopardy can be claimed. No decision under this Policy may overrule, reverse, or amend any decision of a licensee regarding licensed premises.

## Confidentiality and Data Handling

1. The University will process all information in accordance with its Student Privacy Notice and the principles of the General Data Protection Regulation (GDPR). Student Conduct will be handled with an appropriate level of confidentiality and by trained staff. With information released only to those who need it for the purposes of investigating, responding to the appeal, or panel hearings. No third party should be told any more about the appeal than is necessary to obtain the information required from them. Before any internal departments, witnesses, emergency services, police, external investigator, reporting and Responding Party etc. are provided with information about the case, the University would determine whether there is reliable lawful basis to do so.
2. The outcomes and recommendations from Student Conduct cases may be shared across the University for institutional learning and reporting purposes, for instance to Academic Board and Board of Governors. Any personal information will be removed and handled in accordance with the University’s Privacy Notice.

## Standard of Conduct

1. All students and applicants of London Metropolitan community are expected to:
	1. act safely with regards to the safety and well-being of others and in use of the University’s teaching, services, and premise.
	2. act in accordance with university policies, rules and regulations, and relevant legislation and external compliance.
	3. be respectful of others’ rights and dignity by treating all individuals fairly and with consideration.
	4. act within the law, and not take part in activities or actions that are reasonably likely to negatively affect the reputation of the University; and
	5. be honest, act reasonably, with integrity and take accountability for how their actions may affect others.
2. By accepting an offer at the University, students agree to conduct themselves in such manner, whether that be to other students, members of staff, visitors to the University or members of the local community as outlined by the Scope of the policy in paragraph 12.

## Burden of Proof

1. The Reporting Party is asked to provide all the evidence they wish to rely on, and once the University initiates formal proceedings where a sanction may be applied, it becomes the University's responsibility to demonstrate, on the balance of probabilities, that the conduct occurred. If a Reporting Party does not provide consent, information requested, or credible evidence, this may limit the University’s ability to prove a case. At the appeal stage, the Responding Party has the burden of proving that it is more likely than not that there has been a procedural irregularity or disproportionate outcome.

## Standard of Proof

1. The standard of proof to be adopted during the application of this Policy will be on the balance of probabilities, that is, if it is found that it is more likely than not that the misconduct occurred. The Reporting Party (whether the University or a 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.

## Criminal Offences

1. The University welcomes students from a variety of backgrounds and recognises that some applicants or students may: have criminal convictions; be charged with, or convicted of, a crime during their course and/or apply for a course that requires or contains activities that require a Disclosure and Barring Service (DBS) check. 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.
2. A positive approach is taken to supporting students and disclosure of a conviction does not automatically result in the withdrawal of an offer, an investigation or sanction under these procedures. The Criminal Convictions policy outlines what needs to be declared, relevant offences and/or relevant courses where disclosure is necessary.
3. Where alleged misconduct is or could also be a criminal offence, the Student Conduct Officer may confer with Legal Services, Student Services, Security, Health and Safety and/or signpost to Fitness to Practise processes and the University may:
	1. report the matter to the police or other relevant authority. This does not affect the right of any person affected by the alleged misconduct to report it to the police independently;
	2. defer internal proceedings until the police, Crown Prosecution Service and courts have dealt with the matter; or
	3. continue with its investigation, where it is confident that the University’s investigation will not compromise the police investigation or criminal proceedings.
4. Where a matter has been deferred according to paragraph 45, any procedural timeframes will pause until formal notification has been received that the external process has concluded, and the University has been notified of this.
5. 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. The University will consider any caution accepted or sentence imposed when deciding the appropriate penalty.
6. Save for, the provisions in paragraph 47, proceedings under this Policy are separate from and additional to the criminal law. The Responding Party is not exempt from proceedings under this Policy 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, the Responding Party is not exempt from proceedings under this Policy 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.
7. This Policy and its procedures do not impact individuals’ right to report matters to the police or external authorities.

# Part 2 Handling Misconduct Case

## Interim Measures

1. Where a student (the Responding Party) is suspected of serious misconduct, a Student Conduct Officer may, following consultation with the Head of Casework or Senior Management or Leadership Team, impose a temporary, or indefinite, suspension, or other precautionary measures, where appropriate, including but not limited to cases where:
	1. A criminal charge is pending against the Responding Party; or
	2. They consider that the Responding Party’s presence on university premises or platforms, including social media platforms, would:
		1. Breach the University’s duty of care to the students or others; or
		2. Cause the University to be in breach of its wider obligations (including, but not cause limited to, obligations under the UK immigration regulations); or
		3. Impede an investigation into the allegation.
2. In the absence of the Student Conduct Officer, the Head of Casework or a member of the Senior Leadership Team may suspend the Responding Party in the circumstances set out in paragraph 52 in the absence of the Student Conduct Officer.
3. Suspension means that the Responding Party shall be excluded from all University premises. The Responding Party may seek independent advice from the Students’ Union, but this must be by appointment. A suspended student who has not made an appointment will not be admitted to the University’s premises.
4. Where a Responding Party is suspected of misconduct, a Student Conduct Officer may, with the consent of a member of Senior Leadership, impose interim measures on the Responding Party for a period of time or indefinitely, whether in addition to a suspension or not, to ensure that the Responding Party does not cause the University to be in breach of its:

55.1 wider obligations (including, but not limited to, obligations under the immigration regulations);

* 1. duty of care to the student or others; or

55.3 the Responding Party does not impede an investigation into the allegation.

1. A member of Senior Management or Leadership may impose conditions on a Responding Party in the circumstances set out in paragraph 55 in the absence of the Student Conduct Officer.
2. A Responding Party who has been suspended or had interim measures or precautionary conditions imposed may:
	1. ask the Student Conduct Officer or Head of Student Casework (or nominee) 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; or
	2. ask the Student Conduct Officer or Head of Student Casework (or nominee) 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 made in writing.
3. Suspensions or conditions under paragraphs 54 and 55 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 conduct proceedings.

## Initial Formal Interventions

1. Initial formal interventions normally involve interventions by a School or Professional Service staff member at an early stage where an incident occurs or arises which is relatively contained, minor or, a potential and/or actual breach of regulations or policies by students occurring in any part of the University. This may include giving the student a verbal 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.
2. Where it is reasonably believed that a student is not following the standard of conduct set out in this Policy, an Estates and Facilities Manager may, or on the report of a member of staff, ban the student from the University’s premises for 24 hours, or until the end of the following working day, where necessary. As it is a short-term measure, there is no right of appeal against an Estates and Facilities Manager decision.
3. Where a staff member has put in place an initial formal intervention, they should submit a report or inform the Student Conduct Officer for the Conduct team to determine next steps, or if further interventions may be required. The aim is to ensure consistency, oversight, and the student’s access to appropriate guidance.
4. In cases where there are serious concerns of safety the Head of Student Casework, or Senior member of staff, may request as an interim measure that the ban on the card exceeds the timeframe set in paragraph 42, up to 72 hours. After 24 hours, or the end or the next working day, the Responding Party can request that this is reviewed.

## Reporting Misconduct Incidents

1. Disclosures can arise through a variety of avenues, for example, but not limited to; staff reports, students informing staff verbally or through correspondence; Health and Safety Incident reports; Security Incident reports; directly to the Conduct team; Safeguarding reports, Report and Support. In all instances, the student or member of staff will be invited to Report and advised how to do so.
2. Where a Disclosure has been made, the student or staff member can choose to report the matter to the Student Conduct Team. Allegations of misconduct by the Reporting Party and any supporting evidence should be reported by completing a Misconduct Incident Report Form. Where needed someone else can complete the form on behalf of the Reporting Party, however consent will need to be sought from them before proceeding.
3. Any submission that does not use the official form will be treated as a Disclosure, not a formal Report, and will only be acted on in accordance with the student’s consent and agency. While anonymous reports may be reviewed on a case-by-case basis (see paragraph 31), they may limit the University’s ability to take meaningful action without identifiable information. Nevertheless, support options, such as access to Student Services or safeguarding referrals, remain available in all circumstances.
4. To ensure fairness and consistency, Student Conduct Officer should not investigate allegations where:
	1. they have a close connection with the Responding Party or Reporting Party;
	2. they have previously advised the Responding Party or Reporting Party regarding the allegation under the provision of another Policy; or
	3. a reasonable independent third party would conclude there was a real possibility that they would not be impartial.
5. 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 Student Casework’s confirmation of the Student Conduct Officer’s authority shall be final.
6. Timeframes for completing each stage of the procedure may be extended:
	1. at the request of the Responding Party (including, but not limited to, a request to reschedule an interview or hearing);
	2. at the request of the Responding Party (including, but not limited to, a request to reschedule an interview or hearing); and
	3. at the request of the Responding Party (including, but not limited to, a request to reschedule an interview or hearing):
		1. with the agreement of the Responding Party; and
		2. with the agreement of the Head of Student Casework (or suitably trained nominee) in the event of matters outside the University’s control, or where the complexity of the matter so requires.
7. Any time frame stipulated for the completion of any stage of the procedure, by the Responding Party may be extended with the agreement of the Student Conduct Officer or the Head of Student Casework. Such agreement shall usually only be given in the event of matters outside the Responding Party’s control or where the complexity of the matter so requires.
8. The Reporting Party will be kept informed of the progress of their case at each stage of the procedure within the confines of data protection legislation.

## Stage 1 Preliminary Investigation

1. Where a Student Conduct Officer receives an allegation of misconduct, they shall investigate matters relevant to the alleged misconduct to determine whether misconduct has taken place. If the allegation is for a Minor misconduct allegation, investigation will usually be completed within 20 working days of the receipt of the Misconduct Incident Report Form. In cases that are Major, investigations can take up to 45 working days.
2. These timeframes exclude any pauses required to await information from external parties (e.g. police or complaint investigators), or where there is a delay caused by either the Reporting or Responding Party (e.g. rescheduling interviews). These pauses will not be counted towards the University's internal timeframe. The Conduct Team will keep all parties updated on any delays and provide revised timelines where appropriate.
3. Any misconduct as either part of the investigation, such as abusive or intimidating behaviour towards the Student Conduct Officer, witnesses, or the Responding Party may be considered as an additional breach of this policy. This may lead to more serious sanction.
4. Where necessary, in exceptional circumstances, such as where there is significant risk to the Student Conduct team, at the discretion of the University, procedures may be adjusted to mitigate any risk to staff or the Reporting Party. Due consideration would be given as to whether reasonable opportunity has been given to the Responding Party to address any reports and challenge the allegation.
5. The nature of preliminary investigation will depend on the nature and complexity of the allegation, but the investigation:
	1. may include information gathered from varying Disclosure mechanisms such as the Report and Support portal;
	2. may include an interview with the Reporting Party that alleged the misconduct;
	3. may include collating information and evidence from witnesses;
	4. any statements or admission from the Responding Party; and
	5. may include enquiries with the University’s Disability and Dyslexia Service and where relevant to the allegation, members of staff in Schools and/or Professional Service Departments.
6. After considering the evidence in paragraph 75, where local resolution is not appropriate or possible and a formal investigation is needed, the student should be told what will happen next.
7. The Reporting Party should be informed if the Report will not progress to Formal Investigation.
8. It is good practice to tell the Responding Party that concerns have been raised about their behaviour even if the University decides to take no disciplinary action or progress to Formal Investigation. In these instances, where there is Minor misconduct, for example, where a student failed to show their ID card on request but later complied, no further investigation needed, it may be sufficient at this stage to issue:
	1. A Warning, with no further action, where the Responding Party was not aware of a particular policy or expected conduct and it is their first breach of the Standard of Conduct, and a Warning is sufficient to prevent repeating the behaviour. The Warning will be noted on their student record.
	2. A Warning, with no further action, where the Responding Party was aware of a particular policy or expected conduct, but it is their first breach of the Standard of Conduct, and they have demonstrated that the conduct is unlikely to be repeated or unlikely to escalate to Major misconduct. The Warning will be noted on their student record.
9. If a Warning is issued as in paragraph 78, the Responding party can appeal the decision.

## Formal Investigation

1. In accordance with the University’s appeal procedures, a formal investigation, should usually include an interview with the Responding Student.
2. Where there is risk to the Student Conduct Officer to meet with a Responding Party, the Responding Party is invited to provide written representations of their case without detriment.
3. Both Reporting and Responding Party’s statements will be considered as evidence, as in some cases, these differing accounts will be the only evidence available of an alleged incident. The credibility of both accounts will be considered under the Standard of Proof. The absence of further corroborating evidence does not preclude the Student Conduct Officer or Panel from deciding an outcome.
4. Where the Student Conduct Officer is satisfied that there is sufficient evidence to proceed with an investigation, they shall inform the Reporting Party. The Responding Party will be given 5 clear working days’ notice of an interview. Notification to the Responding Party will be sent via email to the Responding Party’s University email account and will include:
	1. an invitation letter to attend an interview in person or via Microsoft (MS) Teams;
	2. a copy of the Misconduct Incident Report Form

any evidence in support of the allegation; and a copy of this Policy.

1. At interview the Responding Party will have the opportunity to respond to the allegation and see any evidence in support of it. They will have the opportunity to ask questions to clarify the allegations and facts that are being alleged, and/or offer information or explain their behaviour. They will be asked to confirm they agree with their statement as a true account.
2. Any student invited for interview can be accompanied by a Friend who shall normally be a member of staff, student at the University, or Students’ Union advisor. The Friend cannot cross-examine witnesses or speak on the Responding Party’s behalf. If the Friend wishes to speak, they may need to seek permission from the Student Conduct Officer, during an interview, but will be reminded that their role is limited to moral support, and/or to quietly give advice. The Friend’s role at the meeting is one of a silent observer. The Student Conduct Officer may permit the Friend to speak on behalf of the Responding Party if it would assist the investigation. The Friend should not be someone who has provided a witness account as part of the investigation, as this could be seen as a conflict of interest. The Responding Party is responsible for arranging the Friend’s attendance at the interview.
3. As the Student Conduct process is not a legal proceeding, legal representation will be not usually be required at interviews or hearings. However, where the allegation may be serious, or have significant impact, if it is a determined that a legal representative is required for fairness, this can be determined on a case-by case basis. Responding Party should inform the Student Conduct team of the scope of their legal instruction. The Student Conduct team will confer with Legal Services in such instances.

87. The Responding Party will also be invited to inform the University of any reasonable adjustments they might require accessing the interview. This extends to the support they bring as outlined in this policy. The Disability and Dyslexia Service may be contacted to confirm any support needed.

 88. Recording other than for a reasonable adjustment, is not permitted.

Reasonable adjustments such as the video or audio recordings of the Conduct interview Formal Exploratory Meeting will only be permitted by the Student Conduct Officer having been agreed permitted by the Head of Student Casework (or nominee) in advance:

88.1 where a written record is insufficient as part of a support need; and/or

88.2 only where it is in the legitimate interests of the University, and when there is explicit consent from those whose personal data is being collected through the recording.

1. A Responding Party who refuses, or fails to attend 2 interviews without good reason, shall be deemed to have declined the opportunity to be interviewed. The Student Conduct Officer shall proceed with the investigation based on the evidence available to them.
2. If the Responding Party has good reason to not to attend either one, or both interviews, they can submit written representations. This will be considered instead of an interview. The Responding Party would be required to submit this no later than two days before the date of the scheduled interview. They may ask for more time to provide representations at the discretion of the Student Conduct Officer.
3. When the investigation is complete, the Student Conduct Officer shall decide whether misconduct has taken place and if there is sufficient evidence to proceed. The Student Conduct Officer will provide the Misconduct Incident Report Form, notes from the Conduct interview and evidence to the Head of Student Casework (or nominee), including the Responding Party’s response to the allegation if provided, and their recommendation as to how the case should proceed. Following consideration and/or guidance from the Head of Student Casework (or nominee) the Student Conduct Officer will determine either:
	1. that the allegation is unsubstantiated, in which case the case will be dismissed, and a record of the allegation will be kept on the Responding Party’s file; or
	2. that the misconduct is substantiated, that is, it is more likely than not that the Responding Party has committed the misconduct. In which case, the Student Conduct Officer will deal with the case as Minor misconduct, or Major misconduct, based on factors such as:
		1. the type of misconduct. For example, harassment, or physical violence would be considered as Major misconduct;
		2. whether a Warning or Reprimand would not deter or prevent the misconduct from reoccurring; or
		3. the impact or intention of the misconduct is such that further limitations may need to take effect, such as suspension, or expulsion to ensure safety on campus.

92. In some cases, and in the interest of all parties, it is suitable for Minor misconduct to be dealt with either through Warning, or a Reprimand, if in doing so the outcome does not unreasonably affect the Responding Party’s access to activities, services or teaching provision. Examples of this could be, but not limited to:

92.1. Warning, with no further action, where the Responding Party was not aware of a particular policy or expected conduct and it is their first breach of the Standard of Conduct and a Warning is sufficient to prevent repeating the behaviour.

92.2. Warning, with no further action, where the Responding Party was aware of a particular policy or expected conduct, but it is their first breach of the Standard of Conduct and they have demonstrated that the conduct is unlikely to be repeated or unlikely to escalate to Major misconduct.

* 1. A Reprimand with no further action, where the Responding Party has not admitted or shown remorse for the misconduct, but the incident itself is Minor, under the understanding that if repeated, it may lead to a Major misconduct case.

92.4 A Reprimand, if the Responding Party has admitted to the misconduct, shown remorse and/or the Responding Party agrees to a Resolution Agreement so that the case does not progress to a Major misconduct Panel. In these instances, it may be appropriate for an Apology Requirement to be agreed, reparative actions, or another appropriate action such as agreeing no further contact or communication with the Reporting Party.

92.5. A Resolution Agreement is defined as a a written agreement that sets out an agreement between the Student Conduct Office and the Responding Party. The agreement may consider the views or circumstances presented by the Reporting Party, and the Student Conduct Officer may consider it appropriate to consult with them to ensure the agreement is workable. However, this consultation must not allow the Reporting Party to unduly influence the outcome of the investigation.

1. If a Resolution Agreement becomes unworkable, or in actioning is disproportionate, it can be reviewed with the agreement of the Student Conduct Officer.I a suitable agreement cannot be made, the Responding Party will be invited to appeal and unless the appeal is upheld, a breach of the Resolution Agreement will be considered further misconduct.
2. The Responding Party has 10 working days to meet the conditions, as agreed in paragraph 92.5. such as submitting an Apology. Unless there are good reasons for the delay, or if they do not uphold their part of the agreement, this could be considered a further breach of the Standard of Conduct.
3. Once an outcome for an incident of Minor misconduct has been decided, the Reporting Party and Responding Party will receive an outcome within 5 working days.
4. If the Responding Party wishes to Appeal the decision, they can do so as set out, in the Appeal section of this document.

## Misconduct Panel Hearing

1. If, following the formal exploratory investigation, it is determined that the misconduct more likely than not occurred and is considered Major, or that the case cannot reasonably be resolved through Minor sanctions, the Student Conduct Officer will, within 5 working days, request that the Student Casework Office assign a Clerk to arrange a Non-Academic Misconduct Panel.
2. The Clerk will be a member of the Student Casework Office, and their role will be to:
	1. Advise the Chair.
	2. Ensure the panel takes place in accordance with the policy and provide procedural guidance.
	3. keep a written record of the hearing and the panel discussions and decision-making;
	4. check the papers required to support the Panel meeting have been distributed in advance of the meeting; and
	5. Provide the Responding Party with a copy of the outcome and an accompanying written record of the closed session.
3. Misconduct panels are agreed when other interventions or resolutions are either not proportionate to the misconduct that has occurred, but also where Minor resolutions such as an Apology Requirement may exacerbate the impact on the Responding Party, such as in cases of harassment, or intimidation.

Cases that should be dealt with through a Misconduct Panel are where cases are considered Major, and/or where the Responding Party:

* 1. Attempts to influence or victimise the reporting staff member or student(s) or witnesses involved with any proceedings under this Policy or criminal proceedings. This includes deflecting, threatening, bribing, or putting undue pressure on the Student Conduct Officer during the investigation.
	2. Alleged misconduct significantly affects or interferes with the day-to-day functions of the University or maintaining safety on campus.
	3. Is alleged to have submitted falsified documents to the University (including documents providing 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).
	4. A Relevant criminal offence, as defined by the Criminal Convictions policy, where a custodial sentence (immediate or suspended) has been given.
1. At any time before a decision has been made regarding the outcome of a case, the Student Conduct Officer may not progress to a Major misconduct panel, on the basis that:
	1. the Responding Party admits the misconduct;
	2. the Responding Party, decides to agree and abides by the conditions of a Resolution Agreement;
	3. the Head of Student Casework agrees, for example, in cases where it is determined that it may be better dealt with under another process as information comes to light, such as Fitness to Practise;
	4. evidence or context comes to light, that increases the likelihood that the misconduct is not substantiated or should be considered as a Minor misconduct incident;
	5. If the Responding Party breaches the conditions of the agreement, the University may proceed with the original misconduct (together with any subsequent misconduct) based on the admission and a sanction may be imposed by the Student Conduct Officer and/or the formal misconduct panel for all instances of misconduct (considering any partial compliance with the conditions of the agreement;
	6. The Responding Party shall not be subject to any detriment and be treated fairly (other than a continuation of proceedings under this Policy) for declining to a Resolution Agreement according to paragraph 92. The fact that such an agreement has been declined shall be disregarded when considering the matter.

101. Where the Student Conduct Officer has referred the misconduct to the Student Casework Office, the Student Casework Office shall inform the Responding Party that a formal misconduct panel hearing will be convened. Notification to the Responding Party shall include:

101.1. an invitation letter to attend a panel hearing in person or via Microsoft (MS) Teams. The Responding Party should be given the proposed date of the panel hearing) and the names and/or the job titles of the Panel members, including the Chair and whether there will be witnesses, such as the Reporting Party present.

101.2. A copy of the Misconduct Incident Report Form and any evidence in support of it.

101.3. A copy of this policy.

In respect of any oral hearing (in person or via MS Teams) before a Panel:

102.1. The student shall be given at least 10 working days’ notice of the hearing, which will include a list of witnesses that the Student Conduct Officer intends to call

* 1. The Responding Party can submit to the Student Casework Office no later than 3 working days before the hearing, a list of witnesses whom they intend to call. It is the student’s responsibility to arrange for these witnesses to attend the hearing. The Panel may decline to hear a witness if their evidence is not relevant.
	2. The Responding Party can be accompanied by a “Friend” who shall normally be a member of staff, student at the University or Students’ Union advisor by way of support and not usually by way of legal representation such as a solicitor or barrister as it is not a legal process. The accompanying person’s capacity at the meeting is one of a silent observer. The Chair may permit the “Friend” to speak on behalf of the student if it would assist the investigation. The student is responsible for arranging the “Friend’s” attendance at the hearing. The friend should not be someone who has provided a witness account as part of the investigation, as this could be seen as a conflict of interest.
	3. The Responding Party will not normally need to seek legal representation at the Panel or Appeal Stage, although it may be permitted where necessary for fairness. For instance, in misconduct cases where the consequences for the Responding Party are potentially very serious, where it prevents the Responding Party practising the relevant profession, or it could involve matters under criminal law.
	4. The Responding Party will also be invited to inform of any reasonable adjustments they might require accessing the hearing. Reasonable adjustments such as the video or audio recordings of panel hearings will only be permitted by the Chair in advance: where a written record is insufficient, as part of a support need; only where it is in the legitimate interests of the University, and where there is explicit consent from those whose personal data is being collected through the recording. Recording other than as a reasonable adjustment, is not permitted.
	5. It is acknowledged that it is easier to make covert recordings or recordings of meetings or conversations without the consent or awareness of those present. Where recordings are made covertly, this can be in breach of external legislation and data protection regulations. Therefore, at all stages of the investigation the Reporting Party or Responding Party will be advised that the Data Protection Officer will be approached for advice and guidance and may not be used in all circumstances
	6. The Responding Party will have the opportunity to respond to the allegation and review any supporting evidence. They may also, via the Chair of the Panel, ask questions of witnesses or the Student Conduct Officer presenting the case on behalf of the University. This includes seeking clarification on the allegations and facts presented, providing information, explaining their behaviour, and submitting any mitigating circumstances for the Panel’s consideration.
	7. The Responding Party may attend either in person or by via MS Teams agreed by the Chair of the Panel in which all participating in the meeting may communicate with all the other participants. The Responding Party does not need to attend the hearing, the Panel can however, decide in the Responding Party’s absence, provided that the Panel is satisfied the Responding Party was informed of the date of the hearing and has not provided a reasonable excuse (supported by evidence) for absence. An oral hearing will only be postponed more than once in exceptional circumstances. The Student Casework Office shall refer the allegation to a panel unless they consider:
		1. that there is insufficient evidence to substantiate the allegation, the Student Casework Office can decline to refer the matter to the Panel and may refer the matter to the Student Conduct Officer for further investigation (and subsequent referral).
		2. there is a real risk that proceeding will adversely affect the Responding Party’s health or safeguarding of the welfare of another person; or
		3. that it is not in the University’s interests for the matter to proceed.
1. A Panel shall consider all allegations of misconduct referred to it by the Student Casework Office. Where the misconduct has been admitted or is deemed to have been admitted by the Responding Party, the Panel shall only consider the question of the appropriate sanction.
2. A hearing, in front of a Panel, shall usually take place within 20 working days of receipt of the Student Conduct Officer’s referral by the Student Casework Office.

105. The composition of the Panel should consist of:

* 1. a Senior Member of academic or professional service staff (as Chair);
	2. a member of academic or professional service staff from a subject area other than that in which the Responding Party course of study is located and a service with no prior involvement in the matter; and
	3. a nominee from the Students Union, or if unavailable a member of staff with duties related to student support.
1. All members outlined on paragraph 105. shall be independent of the cases and shall not be a member of a Panel if they:
	1. are a member of the same Subject Area as the Responding Party or have a close connection with the Responding Party or Reported Party; or,
	2. have been previously involved in a review of an allegation involving the same the Responding Party or Reported Party or
	3. have previously advised the Responding Party or Reported Party regarding the allegation; or
	4. a reasonable independent third party would conclude there was a real possibility that they would not be impartial.
2. The Panel 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:
	1. hearing of related allegations against two or more Responding Parties at the same hearing; or
	2. requiring the provision of written witness statements or summaries of the witnesses’ evidence before the hearing; or
	3. the way any witnesses’ evidence will be taken (for example, in person or by suitable electronic means); or
	4. imposing time limits on submissions; or
	5. adjourning the hearing to another time or place.
3. The Chair will state the process to be followed and inform parties of the purpose and objective of the hearing:
	1. the Student Conduct Officer (or nominee, if unavailable, in which case this would be a member of the Casework team, or Head of Student Casework) will present the alleged misconduct;
	2. the Panel will ask questions of the Student Conduct Officer and all witnesses through the Chair;

108.3. the Responding Party will present their case and any mitigation;

108.4. the Panel will ask questions of the Responding Party and all witnesses through the Chair;

108.5. the Responding Party will have the opportunity, through the Chair, to ask questions of the witnesses and to make a final presentation to the Panel;

* 1. the Chair may eject the Responding Party from the panel if their presence is unduly disruptive to proceedings, or if they use the hearing as an opportunity to intimidate or harass those present. In such cases, the Chair is advised where appropriate to give an oral warning to cooperate with procedures, or leave the meeting;
	2. may take advice from the clerk, a legal advisor, or other advisors;

the Panel will deliberate in private and reach its decision by majority vote.

* 1. In the event of a tie, the Chair of the Panel shall have a second or casting vote.
	2. the Panel shall be conducted in private, except that members of staff may attend for training purposes, with the agreement of the Responding Party.
	3. Once the Hearing is concluded and all evidence has been considered, the Panel will determine either:
		1. that the Student Conduct Officers investigation and findings are in likelihood not substantiated, in which case the case will be dismissed, and a record of the allegation will be kept on the Responding Party’s file and no further sanction or condition can be set; or
		2. that the misconduct is substantiated or partially substantiated, that is, it is more likely than not that the Responding Party has committed the misconduct. In which case, the Panel can apply one or more of the sanctions set out in the list of Sanctions.
1. The Responding Party may wish to provide an Apology as part of their representations for the Panel to consider ahead or offer to apologise during the hearing as part of proceedings. However, once the case has reached the Major proceedings, an Apology cannot be imposed. Panels can consider:
	1. whether an Apology given in representations could have been made at an earlier stage in the process;
	2. the Responding Party's willingness to apologise, to make amends or remorse can be considered when determining a Sanction and the Responding Party can apologise at any point in the procedure;
	3. The Chair can consider whether it would be suitable to share the Apology with the persons affected, or if it meets the standards of an Apology;
	4. the remorse is genuine, centred on the persons affected, not making excuses for the conduct, or a reasonable person could believe it is being used to directly or indirectly harass or annoy those that would be the recipient of the Apology.
	5. the Panel shall not be made aware of any previous misconduct by the Responding Party, except where the previous misconduct is relevant to the current allegation. This information may be provided when the Panel is considering the appropriate sanctions.
2. The Panel is not being asked to consider the case afresh or separately from that of the Student Conduct Officer’s investigation and are advised to rely on the facts established. Panel members are expected to be aware of the contents of the case file they are deciding ahead of time and can ask clarifying questions of the University’s case.
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 Responding Party. Recordings of the meeting will not usually be shared with the Reporting Party.
4. The Clerk to the hearing shall notify the Responding Party and the Student Conduct Officer of the Panel decision in writing, normally within 10 working days of the Hearing, and shall record the decision on the Responding Party’s file.
5. The Student Conduct Officer shall inform the Reporting Party of the outcome. This will be limited to whether the case is upheld, partially upheld or unsubstantiated, as well as any necessary actions or guidance within the bounds of confidentiality. The specifics of the sanction(s) given to the Responding Party would not be shared.

## Appeal

1. A Responding Party who has received a sanction according to this Policy (whether given by a Student Conduct Officer or by a Panel) may appeal the decision and/or the sanction.
2. The appeal must be submitted on the prescribed Appeal Form within 10 working days after the Responding Party was notified of the decision being appealed.
3. An appeal may only be made on the grounds that:
	1. The Responding Party was unable to respond to the allegation within the timeframes provided in this Policy for valid reasons beyond the Responding Party’s control; or
	2. there has been a material procedural defect, other than one for which the student is responsible, resulting in substantial unfairness to the Responding Party; or
	3. the evidence of alleged misconduct was insufficient to substantiate the allegation; or
	4. new evidence has become available which was not, and which could not reasonably have been provided during the time the case was considered. Other than this, no new evidence shall be considered;
	5. or the sanction imposed was disproportionate to the misconduct.
4. The grounds for appeal must be made clear in the Appeal Form to the Associate Pro Vice Chancellor (Student Success), or nominee.
5. The Student Casework Office shall determine whether the grounds(s) listed in paragraph 83 have been clearly demonstrated and whether it is reasonable to consider the appeal.
6. Where the appeal is for the purposes of annoyance, undue inference, lacking any serious purpose or value and/or have unrealistic expectations and/or unreasonable outcomes, the appeal may be dismissed, or conditions imposed on how the Responding Party can conduct the appeal.
7. The Student Casework Office may reject an appeal that:
	1. is received late and there is no reasonable explanation why it could not be brought in time;
	2. does not clearly state the grounds on which the appeal is being made; or
	3. does not disclose any reasonable grounds of appeal; or
	4. is entirely without merit.
	5. unless the appeal is rejected in accordance with paragraph 110, the Student Casework Office shall refer the appeal to the Associate Pro Vice Chancellor (Student Success) or their nominee within 10 working days of receiving the Responding Party’s completed Appeal Form.
8. The Associate Pro Vice Chancellor (Student Success), Dean of Students, or their nominee will normally consider the appeal based on the submitted written materials. However, where it is deemed that an oral hearing would support a fair and thorough consideration, a hearing may be convened. A decision, whether to proceed on the basis of the written papers or to hold a hearing, will typically be made within 25 working days of the Student Casework Office receiving the completed Appeal Form.
9. After reviewing the decision and the appeal, the Associate Pro Vice Chancellor (Student Success) or nominee may:
	1. reject the appeal and uphold the original decision and sanction;
	2. uphold or partially uphold the appeal and substitute such other decision as the Associate Pro Vice Chancellor (Student Success) (or nominee) considers fit;

that the allegation is unsubstantiated, in which case the case will be dismissed, and a record of the allegation will be kept on the Responding Party’s file;

* 1. that the allegation is substantiated, that is, it is more likely than not that the Responding Party has committed the misconduct and apply one or sanctions.

The Associate Pro Vice Chancellor (Student Success) or nominee may not impose a penalty more severe than that originally invoked.

* 1. The Associate Pro Vice Chancellor (Student Success) or nominee may refer the matter, in whole or in part, back to the Misconduct Panel for further consideration, along with any guidance they deem appropriate. The decision of the Associate Pro Vice Chancellor (Student Success) or nominee shall be final. Associate Pro Vice Chancellor (Student Success) or nominee shall within 10 working days of their decision notify the Responding Party and the Student Casework Office.
	2. At this point the Responding Party has completed the University’s internal procedures. If the Responding Party remains dissatisfied with the outcome have the right to submit a complaint to the Office of the Independent Adjudicator (OIA) for Higher Education. A complaint must be submitted to the OIA within 12 months of the University’s final decision.
1. Conduct matters that do not proceed to an Appeal within 10 working days after the Responding Party student was notified of the decision being appealed will be considered as closed. A Completion of Procedures letter can be provided upon request, although students should be aware that the University’s internal procedures are not complete at this stage.

## Schedule 1: Examples of Misconduct

This Schedule sets out examples of misconduct; however, the list is not exhaustive. Minor misconduct may include, for example, being disruptive in designated quiet areas of the Learning Resources Centre or smoking/vaping outside of permitted areas (where the risk of harm is minimal). Examples of Major misconduct include breaches of previously imposed sanctions under these procedures, harassment, violent behaviour, or any conduct that causes someone to reasonably feel unsafe or be placed at risk.

1. Failure to comply with any reasonable requests or demands from staff, such as not showing student ID, when asked, at the first opportunity.
2. Accessing or sharing University premises, unauthorised areas, systems, data without permission or relevant ID. This includes facilitating unauthorised entry for another person.
3. Disruption or obstruction of, or improper interference with the activities of the University, including academic activities, service provision, social events, talks and visits.
4. Damage or defacement of university property or property belonging to others.
5. Misappropriation, unauthorised use, or misuse, or possession of university property, services, equipment or resources or property belonging to others.

6. Deception, dishonesty or misrepresentation.

1. Action likely to cause injury or to impair safety on University premises/or as part of university activities.
2. Providing, advertising or facilitating writing or assessment services with the intent of personal or third-party financial gain or unfair advantage. This includes impersonation at an exam.
3. Action that unlawfully restricts or interferes with the rights of others to freedom of thought, conscience, religion or belief, or their lawful freedom of protected speech and expression. This includes any behaviour that impinges upon these rights within the bounds of the law.
4. Sending or delivering, electronic communications, written communications, or imagery with the intention of causing distress or anxiety.
5. Using threatening, abusive, or insulting words or behaviour, or displaying threatening or abusive writing or signs, if likely to cause harassment, alarm, or distress.
6. Failure to disclose personal details, including relevant criminal convictions, when required (whether by university policy or otherwise), to a member of staff at the earliest opportunity.
7. Any conduct that has resulted in a Relevant conviction by a criminal court or for which a caution has been accepted.
8. Breach of the provisions of any University code, policy, rule or regulation., including failure to comply with a sanction or condition imposed under this Policy.
9. Any conduct that has the actual potential to or negatively impacts the reputation of the University or members of the community.
10. Agreeing to, attempting or persuading another member of the University to participate in actions that would breach this Policy.
11. Falsifying, altering, fabricating, simulating, or tampering with documents, evidence, or communications with the intention to mislead the University, a member of its community, or in connection with university-related activities
12. Victimisation.
13. Compromising the safety of and/or wellbeing of staff, other students, or visitors
14. Hate and/or incitement or actions with the intent, or real effect of stirring up hatred based on age; disability; gender reassignment; race; religion or belief; sex; and sexual orientation.
15. Carrying an offensive weapon without lawful authority or reasonable excuse whilst on the premises or during university activities.
16. Bullying, by an individual or as part of a group.
17. Harassment.
18. Sexual Misconduct
19. Physical violence, intimidation, physical threats, or serious expression of intent to commit acts of violence.

## Schedule 2. Misconduct Sanctions

Provides an indication of the Panel sanctions likely to apply in different circumstances depending on the types of misconduct offences and its seriousness. In respect of misconduct a Panel may impose one or more of the following sanctions:

| **Sanctions** | **Description** |
| --- | --- |
| Warning | The Responding Party is informed of the expected standard of conduct, particularly where there is evidence, they were unaware of it or where mitigating factors may apply. For example, this may include situations where a student did not intend harm, their actions were unlikely to cause harm, or where they failed to seek appropriate support that might have prevented the misconduct. A warning is issued, advising the student not to repeat behaviour that may breach this Policy. As this step is typically considered earlier in the process by the Student Conduct Officer, it is not appropriate in cases of Major misconduct. A note will be placed on the Responding Party’s file, but no further action or conditions will be imposed. |
| Conditional reprimand | This outcome confirms that the misconduct has been substantiated. The Responding Party will be required to comply with conditions outlined either in a Resolution Agreement or as imposed by the Panel. These conditions may include making reparation (financial or otherwise), undertaking behavioural measures, and/or engaging in corrective actions to prevent further misconduct. Failure to comply may result in the imposition of additional sanctions, both in relation to the original misconduct and the breach of conditions. This sanction may also be applied alongside others, such as a Restriction. |
| 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. For example, if the Responding Party does not meet a condition set by the Panel, the Panel can choose to apply a further sanction such as Expulsion, or Exclusion from campus until the condition is met.  |
| Compensation Requirement | Require the Responding Party student to pay a 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. This will be no more than five hundred pounds. This requirement should not create difficultly for the Reporting Party if they have experienced loss and be reasonably practical to enforce. The Panel should consider that the University cover the loss to the Responding Party and invoice the student to recover the costs.  |
| Restriction | Restrict the Responding Party from contacting a specified person or person; and/or restrict the Responding Party from accessing specified facilities or premises of the University. Such a restriction shall be for a fixed period. Notwithstanding the time limit for appeals, the Responding Party may ask the Head of Casework to review a restriction at any time while the restriction is effective on the ground that the restrictions is seriously impeding the Responding Party’s academic progress.  |
| Exclusion | Exclude the Responding Party from the University for a fixed period. While excluded, the Responding Party is not permitted to access the University’s premises or its facilities, or to participate in its activities.  |
| Transfer | The Responding Party may be transferred or move to a different seminar group, module or course at the request and discretion of the Panel (subject to the programme of study, to be confirmed before imposing this sanction). |
| Termination of Enrolment and/or Expulsion | Termination of the Responding Party’s enrolment on their current course and/or expel the Responding Party from the University. The Responding Party ceases to be a member of the University and loses all rights and privileges of membership.  |