

London Metropolitan University

Student Disciplinary Regulations

2014-15

Table of Contents

1	Introduction	3
2	Definitions and Interpretations.....	3
3	Applicability.....	3
4	Disciplinary Offences	3
5	Misconduct.....	4
6	Criminal Offences	4
7	Licensed Premises.....	4
8	Fitness to Practise and professional or regulatory requirements	5
9	Authority to Check Disorder	5
10	Precautionary Suspension.....	5
11	Proctors.....	6
12	Minor Misconduct	6
13	Minor Misconduct Appeals.....	7
14	Major Misconduct	7
15	Disciplinary Board	8
16	Appeal from the decision of the Disciplinary Board.....	8
17	Binding Over	9
18	Changes to Procedure.....	9
	Schedule 1. Definitions and Interpretation	11
	Schedule 2. Misconduct	13
	Schedule 3. Major and minor misconduct.....	15
	Schedule 4. Sanctions.....	16
	Schedule 5. Safeguards	19
	Schedule 6. Physical or Mental Health Condition	21

Version control

Owned by:	University Secretary
First created on:	26 July 2013
Latest amendment on:	n/a
Approved by the Board of Governors:	24 July 2014
Coming into effect on:	25 July 2014
Review date:	April 2015

1 Introduction

- 1.1 These Student Disciplinary Regulations (“Regulations”) are made by the Board of Governors pursuant to the Articles of Association after consultation with representatives of the students and the Academic Board to provide for the discipline of students on the grounds of misconduct and for suspension and expulsion.
- 1.2 Nothing in these Regulations is intended to limit your freedom of expression within the law, or to prevent you from openly criticising, disagreeing with or peacefully protesting against the University.
- 1.3 The use of these Regulations against a student is a serious matter. Any student who is accused of misconduct is advised to seek assistance from the Students’ Union promptly.

2 Definitions and Interpretations

- 2.1 The definitions and interpretations in Schedule 1 apply to these regulations.

3 Applicability

- 3.1 These Regulations apply to general student misconduct. They do not apply to Academic Misconduct, which is dealt with under the Academic Regulations;
- 3.2 These Regulations apply to Students of the University. They also apply so far as is practicable to any person to whom an offer of a place has been made and who subsequently becomes a Student;
- 3.3 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.
- 3.4 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 Schedule 6.

4 Disciplinary Offences

- 4.1 If you are found on the balance of probabilities to have committed misconduct you are subject to disciplinary measures and sanction.
- 4.2 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 Misconduct

- 5.1 Misconduct is any act or omission which improperly interferes with the functioning or activities of the University, or of those who work or study in the University, or which improperly damages the University or its reputation.
- 5.2 It does not matter whether the alleged misconduct takes place on or off University premises.
- 5.3 It also does not matter whether or not the alleged misconduct arises out of your studies.
- 5.4 A non-exhaustive list of examples of misconduct is set out in Schedule 2;

6 Criminal Offences

- 6.1 Where alleged misconduct is or could also be a criminal offence, the Faculty Proctor shall confer with the University Secretary. The University may:
 - 6.1.1 Report the matter to the police or other relevant authority. Only the University Secretary may report an incident to the police on behalf of the University;
 - 6.1.2 Defer taking action until the police, Crown Prosecution Service and courts have dealt with the matter;
 - 6.1.3 Continue with its investigation, where it is confident that the University's investigation will not prejudice or hinder the police investigation or criminal proceedings;
- 6.2 The University is entitled to rely on the fact of a criminal conviction (whether on a guilty plea or otherwise) or caution accepted as proving that an offence was committed;
- 6.3 The University will take into account any caution accepted or sentence imposed when deciding the appropriate penalty;
- 6.4 Save as provided for by regulations 6.2 and 6.3, proceedings under these regulations are separate from and additional to the criminal law. A student is not exempt from 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.

7 Licensed Premises

- 7.1 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.
- 7.2 Proceedings under these regulations are separate from and additional to any decision of a licensee regarding exclusion, barring or suspension of access to the licensed premises. A student is not exempt from 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.

- 7.3 No decision under these regulations may overrule, reverse or amend any decision of a licensee regarding licensed premises.

8 Fitness to Practise and professional or regulatory requirements

- 8.1 Where allegations are made against a student on an Accredited Course, the University may:
- 8.1.1 Notify the relevant body of the matter;
 - 8.1.2 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.

9 Authority to Check Disorder

- 9.1 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 penalty, there is no right of appeal against a member of staff's decision.
- 9.2 Where a staff member has exercised the authority under this regulation 9, they must report the matter to the Proctor.
- 9.3 Where a student is reasonably believed to be causing disorder, a Building Manager may, on their own authority or on the report of a member of staff, ban the student from the University's premises until the end of that day. Because it is a short-term penalty, there is no right of appeal against a Building Manager's decision.

10 Precautionary Suspension

- 10.1 Where a student is suspected of misconduct, only a member of Senior Staff may suspend a student for a period of time or indefinitely if:
- 10.1.1 A criminal charge is pending against the student; or
 - 10.1.2 They consider that the student's presence on University premises would:
 - 10.1.2.1 breach the University's duty of care to the student or others; or
 - 10.1.2.2 Cause the University to be in breach of its wider obligations (including, but not limited to, obligations under the immigration regulations); or
 - 10.1.2.3 impede an investigation into the allegation;
- 10.2 Suspension means that the student shall be excluded from all University premises. The student may seek support from their Personal Academic Advisor, the Students'

Union or caseworker, but this must be by appointment. A student who has not made an appointment will not be admitted to the University's premises.

- 10.3 Suspension is precautionary and does not mean that the allegation has been judged or proven.
- 10.4 A student who has been suspended under this regulation 10 may:
 - 10.4.1 Ask to the University Secretary to review the suspension. Any such request must be in writing and made not more frequently than once a month.
 - 10.4.2 Ask the University Secretary for temporary permission to attend the University for examinations or for submission of coursework. Such request must be in writing.

11 Proctors

- 11.1 Where a Proctor learns of or identifies matters of actual or possible misconduct by a student under these Regulations, they shall make enquiries of any person who might know of the circumstances of or matter relevant to the alleged misconduct (which may include enquiries of the University's Disability and Dyslexia Service) to determine whether misconduct has taken place. Such enquiries shall usually be concluded within 20 days of the receipt of notice of the suspected misconduct ;
- 11.2 On conclusion of the enquiries pursuant to regulation 11.1 and if the Proctor determines that there is evidence of a case against the student, the Proctor shall arrange an interview with the student at which the allegation against them and evidence on which it is based is put to them. The interview shall usually take place within 10 days of the conclusion of the enquiries pursuant to regulation 11.1 and shall be conducted in accordance with Schedule 5;
- 11.3 The Proctor shall determine whether the misconduct is minor misconduct or major misconduct in light of the considerations set out in Schedule 3;

12 Minor Misconduct

- 12.1 Where the Proctor determines that the misconduct is minor misconduct and that on a balance of probabilities that the student has committed minor misconduct, they shall notify the student of the decision and invite the student to provide a written statement of mitigation within 5 days;
- 12.2 On receipt of the statement of mitigation or the expiry of the 5 day period the Proctor shall, having considered any statement of mitigation, apply one or more of the sanctions set out in Schedule 4;
- 12.3 The Proctor shall within 5 days notify the student, Dean of Faculty and the University Secretary of their decision under regulation 12.1 and the sanction imposed under regulation 12.2 and record the decision and sanction on the student's file;

13 Minor Misconduct Appeals

- 13.1 A student who has been sanctioned by the Proctor pursuant to regulation 12 may appeal against the decision or the sanction imposed within 10 days of the date the student was notified of the decision;
- 13.2 The appeal must be made in writing on the prescribed Appeal Form and sent to the University Secretary's Office;
- 13.3 An appeal may only be made on the Grounds of Appeal;
- 13.4 The University Secretary may dismiss an appeal that:
 - 13.4.1 is received late and there is no reasonable explanation why it could not be brought in time, or
 - 13.4.2 does not clearly state the grounds on which the appeal is being made;
 - 13.4.3 does not disclose any reasonable grounds of appeal; or
 - 13.4.4 is entirely without merit.
- 13.5 Unless the appeal is dismissed pursuant to regulation 13.4, the University Secretary shall refer the appeal to the Disciplinary Board within 10 days of receiving the student's duly completed Appeal Form.
- 13.6 The Disciplinary Board shall consider the appeal on the basis of the written appeal papers, unless it would assist the Board's deliberations or is otherwise in the interest of fairness to convene a hearing. 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 University Secretary's receipt of the duly completed Appeal Form.
- 13.7 After reviewing the decision of the Proctor and the student's appeal the Disciplinary Board may:
 - 13.7.1 affirm, set aside or vary any finding or decision reached (this may include increasing any sanction imposed);
 - 13.7.2 refer the matter, or any part of it or any decision to the Proctor for further consideration, with any such guidance as the Disciplinary Board thinks fit.
- 13.8 The clerk to the Disciplinary Board shall within 5 days of the Disciplinary Board's decision notify the student, the Proctor, the University Secretary and the Dean of Faculty of the decision of the Disciplinary Board and shall record the decision on the student's file.

14 Major Misconduct

- 14.1 Where the Proctor is satisfied that major misconduct has taken place, they shall within 5 days refer the matter to the University Secretary for referral to the Disciplinary Board;
- 14.2 The University Secretary may, within 10 days, decline to refer a matter to the Disciplinary Board if they consider:
 - 14.2.1 that there is insufficient evidence to substantiate the allegation against the student;

- 14.2.2 that the matter is not major misconduct;
 - 14.2.3 there is a real risk that proceeding will adversely affect the student's health; or
 - 14.2.4 that it is not in the University's interests for the matter to proceed.
- 14.3 Where the University Secretary declines to refer a matter to the Disciplinary Board pursuant to regulations 14.2.1 or 14.2.2, they may refer the matter to Proctor for further investigation (and subsequent referral) or consideration as minor misconduct.

15 Disciplinary Board

- 15.1 The Disciplinary Board shall consider all allegations of major misconduct referred to it by the University Secretary;
- 15.2 A hearing before the Disciplinary Board shall be convened by the University Secretary, who shall also appoint a clerk to the Disciplinary Board. Such hearing shall usually take place within 30 days of receipt of the Proctor's referral by the University Secretary ;
- 15.3 The preparation for the hearing shall be in accordance with Schedule 5;
- 15.4 The hearing shall be conducted in accordance with Schedule 5 and the Proctor (or their nominee) shall present the case against the student;
- 15.5 Where the Disciplinary Board determines that the student has committed major misconduct it shall apply one or more of the sanctions set out in Schedule 4;
- 15.6 The clerk to the Disciplinary Board shall notify the student, the Proctor, the University Secretary and the Dean of Faculty of the decision of the Disciplinary Board and shall record the decision on the student's file.

16 Appeal from the decision of the Disciplinary Board

- 16.1 A student who has been sanctioned by the Disciplinary Board pursuant to regulation 15 may appeal the decision or the sanction within 10 working days of the date the student was notified of the decision. This regulation 16.1 gives no right of appeal where the decision of the Disciplinary Board is to confirm or vary the decision of a Proctor on appeal pursuant to regulation 13.
- 16.2 The appeal must be made in writing on the prescribed Appeal Form and sent to the University Secretary's Office;
- 16.3 An appeal pursuant to regulation 16.1 may only be made on the Grounds of Appeal;
- 16.4 The University Secretary may dismiss an appeal that:
- 16.4.1 is received late and there is no reasonable explanation why it could not be brought in time, or
 - 16.4.2 does not clearly state the grounds on which the appeal is being made; or
 - 16.4.3 does not disclose any reasonable grounds of appeal; or
 - 16.4.4 is entirely without merit.

- 16.5 Unless the appeal is dismissed pursuant to regulation 16.4, the University Secretary shall refer the appeal to the Appeal Body within 10 days of receiving the student's duly completed Appeal Form;
- 16.6 The Appeal Body shall consider the appeal on the basis of the written appeal papers, unless it 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 University Secretary's receipt of the duly completed Appeal Form
- 16.7 After reviewing the decision of the Disciplinary Board the Appeal Body may:
- 16.7.1 affirm, set aside or vary any finding or decision reached;
 - 16.7.2 refer the matter, or any part of it or any decision to the Disciplinary Board for further consideration, with any such guidance as the Appeal Body thinks fit.
- 16.8 The Appeal Body shall within 5 days of its decision notify the student, the Proctor, the University Secretary, the Chair of the Disciplinary Board and the Dean of Faculty of the decision of the Appeal Body and shall record the decision on the student's file.

17 Binding Over

- 17.1 At any time before a decision has been made pursuant to regulations 12.1 and 15.5, the University may agree with the student not to proceed to a decision subject to agreed conditions, provided that:
- 17.1.1 The student admits the misconduct; and
 - 17.1.2 The student undertakes to abide by the conditions of the agreement; and
 - 17.1.3 The Dean of Students and the University Secretary consent to the agreement;
- 17.2 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.
- 17.3 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);
- 17.4 No student shall be required to conclude an agreement pursuant to regulation 17.1
- 17.5 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 17.1 and the fact that such an agreement has been declined shall be disregarded when considering the matter.

18 Times Scales and Changes to Procedure

- 18.1 Where a matter has been deferred pursuant to regulation 6.1.2, no time period of time stipulated under regulations 11 to 16 shall run until the police, Crown Prosecution

Service and courts have dealt with the matter and the University has been notified of the same;

18.2 Any period of time stipulated for completion of a step by the University may be extended:

18.2.1 At the request of the student (including, but not limited to, a request to reschedule an interview or hearing);

18.2.2 With the agreement of the student;

18.2.3 With the agreement of the Dean of Faculty (in respect of investigations under regulation 11, minor misconduct under regulation 12) or the University Secretary (in respect of minor misconduct appeals under regulation 13, major misconduct under regulations 14 and 15, and appeals from the decision of the Disciplinary Board under regulation 16) in the event of matters outside the University's control or where the complexity of the matter so requires;

18.3 Any period of time stipulated for completion of a step by the student may be extended:

18.3.1 With the agreement of the Proctor (in respect of investigations under regulation 11, minor misconduct under regulation 12);

18.3.2 With the agreement of the University Secretary (in respect of minor misconduct appeals under regulation 13, major misconduct under regulations 14 and 15, and appeals from the decision of the Disciplinary Board under regulation 16);

Such agreement shall usually only be given the event of matters outside the student's control

18.4 In the interest of fairness in a particular case, the University Secretary may

18.4.1 substitute any person of suitable seniority in the University for any person otherwise entitled or required to act under these regulations; and/or

18.4.2 alter the procedures prescribed by these regulations;

provided that the substitution or alteration is not to the material detriment of the student.

Schedule 1. Definitions and Interpretation

The following definitions and interpretations apply to these regulations and the schedules to these Regulations

Terms	Definition/Interpretation
Proctor	<p>A person nominated by a Dean to deal with actual and possible misconduct and who has the authority to impose sanctions where minor misconduct is shown to have taken place.</p> <p>Proctors may be nominated by the Dean of the Faculty to which the student belongs.</p> <p>In exceptional cases or in cases involving a sabbatical officer of the Students' Union a Proctor may be nominated by the University Secretary.</p> <p>At least one Proctor shall be nominated by each Dean. The same person may be nominated Proctor by more than one Dean. A special Proctor may be nominated by a Dean for a particular allegation of misconduct.</p> <p>A Proctor's authority to act may be confirmed retrospectively in cases where it has been called into question.</p> <p>Unless a Proctor is disqualified from acting for reasons of actual or apparent bias, the Dean or University Secretary's confirmation of the Proctor's authority shall be final.</p>
Disciplinary Board	<p>A Board comprised of the Dean of Students, an Alternate Dean and a representative of the Students' Union. The Board shall be chaired by the Dean of Students.</p> <p>The representative of the Students' Union shall be the President of the Students' Union. However, where the student against whom the allegation of misconduct has been made is a sabbatical officer or the President of the Students' Union is conflicted, the student representative shall be nominated by the Trustees of the Students' Union. In default of nomination by the Trustees of the Students' Union within 10 days, the University may nominate a student representative from another Higher Education Institution's Students' Union or from the National Union of Students.</p>
University Secretary	The University Secretary, their Deputy or other nominee
University	London Metropolitan University
Deputy Vice Chancellor	The Deputy Vice Chancellor or their nominee
Student	<p>(i) any person enrolled as a student of the University; and</p> <p>(ii) the sabbatical officers and other officers of the Students' Union</p>

Dean of Faculty	The Dean of the Faculty to which the student belongs
Alternate Dean	The Dean of a Faculty other than the Faculty to which the student belongs
Dean of Students	The Dean of Students or their nominee
days	Any period expressed a period of days shall mean clear working days and shall exclude the days by which the period is calculated. For example, a document to be sent at least 3 days before a hearing shall exclude the days on which the item was sent and the day of the hearing when counting the 3 days. A working day is a day on which the University is open.
file	A document is filed when it received by the recipient. A document is deemed to be received the day it is sent by email and 2 days after it is sent by first class post.
Friend	A friend or representative of the student (but not a qualified solicitor or barrister), provided such person is a Student, member of staff of the Students' Union or member of staff of the University.
Senior Staff	The Vice Chancellor, the Deputy Vice Chancellor, the Deputy Chief Executive and the University Secretary.
Grounds of Appeal	<ol style="list-style-type: none"> 1. There is evidence that was not available at the time the decision was made and that would have a material effect on the decision; and/or 2. There was a material procedural defect in the investigation or decision (which will include displays of bias or prejudice); and/or 3. That the sanction imposed is manifestly disproportionate to the misconduct that was found
Accredited Courses	Courses of study accredited or validated by one or more professional, statutory or regulatory bodies.
Academic Misconduct	All forms of cheating, plagiarism and collusion that are covered by the Academic Regulations.
Record on the student's file	Note the decision and the sanction imposed on the student in the University's Student Record database (SITS);
Appeal Body	<p>The person or panel appointed by the Articles of Association to hear appeals.</p> <p>In default of any specific appointment to hear appeals in the Articles of Association, the Deputy Vice Chancellor shall be the Appeal Body.</p>

Schedule 2. Misconduct

1. Misconduct includes, but is not limited to, the following:
 - 1.1. Any conduct that constitutes a criminal offence;
 - 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. Violent, indecent, disorderly, threatening, intimidating or offensive behaviour or language;
 - 1.6. 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.
 - 1.7. 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);
 - 1.8. Bribery, fraud, deceit, deception or dishonesty in relation to the University, its staff, students or visitors;
 - 1.9. Theft, misappropriation or misuse (including computer misuse) of University property, or the property of the University's staff, students or visitors;
 - 1.10. Misuse or unauthorised use of University premises;
 - 1.11. 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;
 - 1.12. Action likely to cause injury or to impair safety on University premises;
 - 1.13. Failure to respect the rights of others to freedom of belief and freedom of speech;
 - 1.14. Breach of the provisions of any University code, rule or regulation (including breaches of regulations governing the conduct of Students' Union elections);
 - 1.15. Breach of the Students' Union Memorandum and Articles or Bye Laws;
 - 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 your 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 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.

Schedule 3. Major and minor misconduct

1. When determining whether alleged misconduct is minor or major misconduct the following factors shall be taken into account:
 - 1.1. The damage caused by the alleged misconduct;
 - 1.2. The effect that the misconduct has had on any person (including the extent of any physical injury or emotional distress);
 - 1.3. Whether the misconduct, if proved, would justify a penalty that can only be imposed by the Disciplinary Board (for example, exclusion or expulsion);
2. Misconduct or alleged misconduct falling in the following categories shall always be considered major misconduct:
 - 2.1. Three incidents of disorder occurring within a 5 day period;
 - 2.2. Repeated or systematic minor misconduct;
 - 2.3. Attempts to influence or victimise complainants or witnesses involved with any proceedings under these regulations or by the police;
 - 2.4. Failure to comply with a sanction imposed under these regulations;
 - 2.5. Misconduct relating to examinations or assessments (insofar as it does not amount to academic misconduct);
 - 2.6. Submission of falsified documents to the University (including documents provided evidence in support of mitigating circumstances claims or academic appeals);
 - 2.7. Serious criminal offences (that is, an offence that is likely to attract an immediate custodial sentence if proved in a criminal court, or one that can only be tried as a criminal offence in the Crown Court (an indictable only offence));
3. Where it is disputed whether the alleged misconduct is minor or major misconduct, the University Secretary's decision is final.

Schedule 4. Sanctions

Under regulation 12.1 a Proctor may impose one or more of the following sanctions:

1. A reprimand	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.
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.
3. Suspended sanction	No sanction is imposed, provided that no further misconduct is committed in the next twelve months. If further misconduct is committed sanctions can be imposed for both incidents of misconduct.
4. A Fine	Pay a sum of up to a maximum of £100 within a specified period. This level will be reviewed at three-year intervals by the University Secretary and Dean of Students.
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 20 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 3 months. Notwithstanding the time limit for appeals provided for by regulation 13, the student may ask the Proctor or the Dean of Students to review a restriction at any time while the restriction is effective on the ground that the restriction is seriously impeding the student's academic progress.

Under regulation 15.5 a Disciplinary Board may impose one or more of the following sanctions:

1. A reprimand/discharge	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.
3. Suspended sanction	No sanction is imposed, provided that no further misconduct is committed in the next twelve months. If further misconduct is committed sanctions can be imposed for both incidents of misconduct.
4. Fine	Pay a sum of up to a maximum of £500 within a specified period. This level will be reviewed at three-year intervals by the University Secretary and Dean of Students.
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 provided for by regulation 16, the student may ask the Dean of Students 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.
9. Exclusion	Exclude the student from the University for a fixed period of time not exceeding 12 months. While excluded, the student is not permitted to access the University's premises or its facilities, or to participate in its activities. The student may apply to the Dean of Students for temporary permission to attend the University for

	examinations or submission of coursework. Such application should be sent to the University Secretary's Office.
10. 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.

Imposition of a financial sanction shall not prevent the University or any other person from seeking compensation from the student for the costs of repair to their property.

Schedule 5. Safeguards

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 in accordance with regulation 11.2:
 - 2.1. The Proctor must
 - 2.1.1. Give at least 3 days' notice of the interview;
 - 2.1.2. Provide a summary of the allegation made against the student at least 3 days before the interview;
 - 2.2. The student is entitled to:
 - 2.2.1. Attend with a Friend. The Proctor may permit the Friend to speak on behalf of the student if it would assist the investigation;
 - 2.2.2. See any documents upon which a decision may be based;
 - 2.2.3. Ask questions to clarify the allegations and the facts that are being alleged;
3. In respect of any hearing before the Disciplinary Board arranged in accordance with regulation 15.2:
 - 3.1. The student shall be given at least 15 days' notice of the hearing;
 - 3.2. No later than 10 days before the hearing, the Proctor shall file with the University Secretary and the student:
 - 3.2.1. any documents on which they intend to rely;
 - 3.2.2. a list of witnesses whom they intend to call. It is the Proctor's responsibility to arrange for these witnesses to attend the hearing;
 - 3.3. No later than 5 days before the hearing, the student shall file with the University Secretary and the Proctor:
 - 3.3.1. any documents on which they intend to rely;
 - 3.3.2. 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 hearing before the Disciplinary Board arranged in accordance with regulation 15.2,

4.1. the student may:

- 4.1.1. Attend the hearing. The student does not need to attend the hearing and the Board may make a decision in the student's absence, provided that the Board is satisfied the student was informed of the date of the hearing and has not given a reasonable excuse (supported by evidence) for absence;
- 4.1.2. Be assisted by a Friend at the hearing. The Chair of the Board may permit the Friend to speak on behalf of the student if it would assist the conduct 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 Board has seen (whether or not the Proctor 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 Board may decline to hear a witness if their evidence is not relevant;
- 4.1.6. Ask (via the Chair of the Board) questions of witnesses or the Proctor;
- 4.1.7. Make representations to the Disciplinary Board;

4.2. The Board shall

- 4.2.1. Be conducted in accordance with the directions (whether given at the hearing or beforehand) of the Chair of the Board, who may 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. Imposing time limits on submissions;
 - 4.2.1.4. Adjourning the hearing to another time or place;
- 4.2.2. reach its decision by majority vote. In the event of a tie, the Chair of the Board shall have a second or casting vote.

Schedule 6. Physical or Mental Health Condition

1. Where a Proctor, the University Secretary, the Dean of Students or the Chair of the Board has reason to believe that the incident underlying an allegation of misconduct has occurred, but that it appears that the incident may arise from the student's physical or mental health condition or failure to take prescribed medication, they shall seek the student's written consent to deal with the matter under the University's Fitness to Study regulations.
2. Where the student consents, the matter shall be referred to the University Secretary to be dealt with under the University's Fitness to Study regulations.
3. Where the student does not consent, the matter shall continue to be dealt with under the University's Disciplinary Regulations, but the Proctor, the University Secretary, the Dean of Students or Chair of the Board shall notify the University Secretary and the University's Disability and Dyslexia Service.