

## **Student Disciplinary Policy**

### **1.0 Introduction**

- 1.1 As a supportive community, the University of Northampton expects its students to adhere to University rules and regulations, to show respect for persons and property, and to behave in a way that does not interfere with normal operations of the University.
- 1.2 This Policy is designed to manage situations where there is reason to believe that rules and regulations have been broken, and/or when the behaviour of a student falls below the standards expected.
- 1.3 In accepting a place of study at the University, students agree to abide by all the relevant policies and regulations of the University to ensure a fair and equitable experience for all.
- 1.4 Under the University's Articles of Governance, and within the rules established by the Council following consultation with Senate and student representatives, the Vice Chancellor is responsible for the maintenance of student discipline and for the suspension or expulsion of students on disciplinary grounds. The Vice Chancellor may delegate their authority to University Officers with a level of seniority and experience appropriate to the circumstances of each particular situation (see Authorised Officers).
- 1.5 The University reserves the right to amend or update the General Student Regulations & Student Code of Conduct or any of the specific Codes of Conduct and other Policies to take account of changing circumstances, including developments in the law, to provide clarification or to rectify errors.

### **2.0 Purpose and Scope**

- 2.1 The purpose of this policy is to set out how to address allegations of breaches of any of the University's policies. This includes an outline of the processes involved and where students can access support.
- 2.2 Disciplinary breaches are likely to fall into one of the categories below (see 9.1 and 9.2 for more detail):
  - Actions which cause actual or potential distress or harm to oneself or others;
  - Actions which cause actual or potential damage to the property of others;

- Actions which may cause reputational damage to the University, particularly instances where this may prevent or disrupt the normal functioning of the University;
  - Actions which impede or interfere with the work or study of University members, or impact on normal operations of the University.
- 2.3 The policy does not apply to allegations of academic misconduct (for example, plagiarism). It also does not apply to cases of unacceptable or dangerous behaviours, bullying, sexual harassment, racial or gender discrimination, and issues related to fitness to practice or study. The University has separate policies to cover these:
- Fitness to Practise Policy.
  - Health, Wellbeing and Fitness to Study Policy.
  - Misconduct Policy
  - Academic Integrity and Misconduct Policy.
  - Campus Security Policy
  - Access and ID Card Policy
- 2.4 The Academic Registrar (or nominee) will have the ultimate decision on which is the most appropriate policy to use in cases of alleged misconduct or a breach of the University's General Student Regulations & Student Code of Conduct or one of the specific Codes of Conduct.
- 2.5 The scope of this policy covers all enrolled students (undergraduate, postgraduate taught, postgraduate research and apprentices) who are required to act in accordance with the General Student Regulations & Student Code of Conduct and all other codes of conduct, including those for Accommodation, Residential Life, Library and Learning Services and IT.
- 2.6 The General Student Regulations & Student Code of Conduct applies to students studying at one of our Partner organisations along with other policies and procedures governing acceptable behaviour that are in place at the Partner organisation. Students studying on University courses at a Partner are normally required to follow the partner's disciplinary policy in the first instance.
- 2.7 This Policy applies to students undertaking a placement or work-based learning with approved placement providers. Such students will additionally be subject to codes of conduct and disciplinary regulations in force at the placement provider.
- 2.8 This Policy applies to any activities engaged in, or services and facilities used, as a student of the University, or in the vicinity of any premises owned, leased or managed by the University. Disciplinary action may also be taken against a student in respect of any alleged misconduct wherever and whenever it may have taken place when it is deemed necessary to protect the safety of its members and the interests and reputation of the University.

### **3.0 Student Support and Advice**

- 3.1 We understand that students involved in the disciplinary process may feel anxious or worried. A number of specialist teams are available to support students through this process.
- 3.2 The Students' Union are able to give confidential and independent advice and always ensure a non-judgemental approach. They also provide members of their team to accompany students to meetings and panels if needed. They can be contacted directly at [su.advice@northampton.ac.uk](mailto:su.advice@northampton.ac.uk)
- 3.3 Students are also encouraged to contact the Student Support and Advice Team on [studentsupportofficers@northampton.ac.uk](mailto:studentsupportofficers@northampton.ac.uk) where colleagues are available to offer support and signpost any other help that may prove useful e.g. wellbeing services, disability services.
- 3.4 The University's Student Conduct, Complaints and Appeals team are also able to help students on any aspect of this policy and related procedures [scca@northampton.ac.uk](mailto:scca@northampton.ac.uk)
- 3.5 Students are also encouraged to seek support from external service providers as relevant to the student e.g. mental health services and GPs.
- 3.6 At both Level 1 and Level 2 (see 6.3 and 6.14) of the Disciplinary process students may choose to have an SU representative (3.2 above) and/or companion accompany them to the meetings.
- 3.7 A companion may be a friend on their course or a friend from outside of the University or a relative. The companion's role is to provide moral support for the student. The companion and/or SU representative cannot answer questions on behalf of the student but can ask the panel questions on behalf of the student. The student can confer with their SU representative and/or companion during the course of the hearing or meeting, for example, before responding to any question from the panel .
- 3.8 As this policy is part of University's internal arrangements, formal legal representation is not normally either helpful or appropriate.
- 3.9 Students returning to studies following a period of suspension with either full or partial withdrawal of privileges will be encouraged to work closely with their Personal Academic Tutor and/or the Student Support and Advice Team on [studentsupportofficers@northampton.ac.uk](mailto:studentsupportofficers@northampton.ac.uk) to ensure they are signposted to the most appropriate help. This may include academic, accommodation or health and wellbeing support.

## **4.0 Key Principles**

- 4.1 The entire University community can expect to study and work in a safe and secure environment. Any actions or behaviours that undermine or put this at risk will be investigated in accordance with this policy.
- 4.2 Any person who has reason to believe that a student has breached the General Student Regulations & Student Code of Conduct or a specific Code of Conduct should notify the Academic Registrar [Academic.Registrar@northampton.ac.uk](mailto:Academic.Registrar@northampton.ac.uk) or the owner of the relevant Code of Conduct.
- 4.3 All cases will be handled fairly and equitably with due regard and sensitivity to the individual circumstances of each case. Risk management is a key component of the Disciplinary Policy. Where a breach of discipline has occurred, the intention will be to focus on a corrective response rather than one which is solely punitive, with support for all parties concerned. (See section 3).
- 4.4 All cases will be addressed as promptly and efficiently as possible and at the level appropriate to the nature of the breach. Wherever possible unacceptable conduct issues will be resolved at a local level. Where this is not possible, from the start of the formal process the University aims to conclude matters within 90 working days. This timeframe assumes all parties have cooperated (attended meetings, submitted material etc). Occasionally there will be cases that exceed 90 working days due to complexities of the case. In this case, all parties concerned will be kept informed of the reason for the delay and the extra time needed.
- 4.5 The principles of natural justice will apply. Where the University presents evidence of any student alleged to have committed a breach, the burden of proof rests with the University; where the student presents evidence the burden of proof rests with the student.
- 4.6 Decisions will be based on matters of fact to the standard of proof of 'on the balance of probabilities'.
- 4.7 In determining whether a student is responsible for a breach of this policy, the panel shall have due regard to the student's actions, their understanding of the importance of these actions and any steps they have subsequently taken to redress the situation.
- 4.8 The University operates a zero-tolerance policy towards the dealing of illegal substances and/or the possession of weapons. Any student caught dealing drugs or found with a weapon or anything deemed to be a potential weapon on their person, in their accommodation or vehicle will be immediately suspended from studies and taken through the University's disciplinary process. They may then face termination from the institution. Any such behaviour will also be reported immediately to the police and as an institution, we will assist them with any investigations.

## 5.0 **Policy:**

- 5.1 The University reserves the right not to proceed with any investigation into an alleged breach if it is considered that there are insufficient grounds or evidence to do so.
- 5.2 During the application of this Policy, the University reserves the right to adjourn an investigation or meeting and reconvene at a later date when it is necessary to do so to ensure the appropriate application of this Policy.
- 5.3 At any time during this process, a student may choose to accept the allegation of misconduct and be offered an earlier outcome by the University.
- 5.4 Where a disciplinary case has been brought against a student as the result of a complaint from another student, the reporting student may be informed of the outcome of the disciplinary process where reasonable and appropriate to do so.

### Criminal Offences

- 5.5 Where a disciplinary breach is also subject to a criminal investigation, the University may suspend the disciplinary process until the criminal investigation and legal proceedings have concluded. However, the fact that the police are unable, unwilling or not yet able to proceed does not automatically preclude the University from progressing its own disciplinary action. The University may also continue its own investigations alongside police investigations where it is determined that it can do so without prejudicing those investigations.
- 5.6 Where the University has suspended its disciplinary process as a result of a criminal investigation, the student should be reminded that, whilst criminal investigations are underway, they will be obliged to keep the University informed of any progress and/or change in status regarding his/her case. The Student Conduct, Complaints and Appeals Team will review the case on a monthly basis and will make recommendations to the Academic Registrar if any action is required during this review period.
- 5.7 Where the University has suspended its investigations as a result of a criminal investigation and once those proceedings have concluded the Academic Registrar will review the case and determine next steps:
  - Where the student has been convicted of a criminal offence, the conviction shall be taken as conclusive evidence that the offence for which the student was convicted has occurred; no further investigation into that offence shall be required by the University. The University will then use this Policy to determine the impact of that conviction on the convicted student. The full range of penalties as set out below (see 6.8 & 6.30) will be available.

- If there are matters of concern not addressed through criminal proceedings, the University may investigate these under this Policy.
- Where the student has been acquitted, the University will take into account the decision of the court. This does not prevent the University from undertaking its own investigation under this Policy if there are grounds to do so. The same is true where the police decide to take no further action in a case.

#### Health and Disability Issues

- 5.8 In addressing cases of student discipline it is accepted that issues relating to the pastoral care and welfare of students may arise and these will be handled with sensitivity.
- 5.9 If any student involved with the operation of this Policy has a disability or other additional needs, care will be taken to ensure that these needs are met and, if necessary, that reasonable adjustments are made to ensure participation in this Policy is not unfairly obstructed. If any costs are incurred these will normally be met by the University. It is the responsibility of any person who has a disability or other additional needs to make these known beforehand, so that the University is enabled to meet individual needs or to make reasonable adjustments.
- 5.10 Where an investigation under this Policy raises concerns for the welfare of a student, the Academic Registrar will, when it is appropriate to do so and when the consent of the student has been given, liaise with relevant Student Services.
- 5.11 All investigations will consider whether there is any evidence that a student being considered under this Policy is subject to pressure, coercion or exploitation that may result in them being radicalised. If there is any evidence that this may be the case, the Authorised Officer, following discussions with the Academic Registrar, will follow the requirements of the Prevent duty guidelines. Any consideration under the Prevent duty guidelines will be undertaken in parallel with this policy.

#### Precautionary action

- 5.12 Where the nature of the alleged disciplinary breach suggests that there may be a sufficiently serious risk to the personal safety of student accused of the breach and/or to the safety of others the following actions may be taken by the Academic Registrar:
- They may require the student to comply with specific conditions, for example agreeing not to contact another student or students. The consequence of any breach of these conditions may result in escalation to the steps outlined below.
  - The student may be suspended from halls of residence.

- The student may be suspended from academic activities (either partially or fully, and potentially including offsite academic activities) and/or excluded from any or all of the University's facilities, grounds and premises, until such a time as any criminal proceedings and/or University disciplinary proceedings have concluded.
- 5.13 A precautionary suspension or exclusion does not indicate that the student is presumed guilty of any breach.
- 5.14 Where a precautionary suspension or exclusion has taken place, due regard must be given to the possible effect on the student's ability to progress academically, and any negative effects mitigated where it is possible to do so.
- 5.15 The decision to approve a precautionary suspension or exclusion, and the reasons why this action is being taken, may be communicated verbally in the first instance. Where this is the case, written confirmation outlining the reasons for this decision should be provided within five working days. A copy of this Policy must be included with the written confirmation.
- 5.16 The suspension will be reviewed by the Academic Registrar at a maximum of monthly intervals and a Disciplinary Panel convened as soon as practically possible.

*Record keeping and monitoring*

- 5.17 Records will be kept of the nature and outcome of cases, as well as the protected characteristics of students, so that recurring issues or issues related to equality and diversity are identified and addressed. All records will be managed in line with current data protection legislation.
- 5.18 Monitoring will ensure that appropriate support mechanisms are in place for students, that staff are adequately trained and supported, that staff and students understand the Policy and that the Policy meets its aims.
- 5.19 Authorised Officers (see 6.2) are required to retain records of the cases considered at Level 1 and to provide summary information on this for inclusion in the Student Conduct, Complaints and Appeals annual report as required.
- 5.20 The Student Conduct, Complaints and Appeals team will compile an anonymised annual report for Senate of cases considered under this Policy.

## **6.0 Key responsibilities and procedure**

- 6.1 When it is alleged that a breach of the Student Code of Conduct and General Student Regulations or a specific Code of Conduct has taken place, an appropriately trained Authorised Officer must decide, (where appropriate, in consultation with the Academic Registrar) whether the alleged breach should be considered at Level 1 or whether they wish to recommend immediate consideration at Level 2.
- 6.2 Appropriately trained Authorised Officers will include senior members of the University:
- Deans, Deputy Deans and Associate Deans
  - Departmental Directors and Deputy Directors
  - Academic Registrar
  - Director of Library, Learning & Student Services
  - Head of Student Services

### Level 1 Disciplinary Procedure

- 6.3 Allegations of lesser breaches will be dealt with by an appropriately trained Authorised Officer. This will normally be the person within whose area of responsibility the alleged breach has occurred.
- 6.4 Level 1 cases can be dealt with immediately based on the evidence provided or via a meeting. An Authorised Officer may deal with breaches immediately, provided that:
- They are satisfied that sufficient evidence is available to determine whether or not the allegation is proven.
  - The circumstances justify the matter being dealt with immediately, without recourse to a meeting.
- 6.5 If the Authorised Officer decides not to deal with the alleged breach immediately, they will organise a meeting to consider the allegation as set out below.
- 6.5.1 An urgent meeting date will be agreed with the student accused of the breach, who will be given at least five working days' notice of the meeting. The student will be entitled to be accompanied at the meeting by a companion and/or SU representative (see 3.6-3.8).
- 6.5.2 Before the meeting, the Authorised Officer will write to the student accused of the breach, outlining the alleged breach and providing copies of any available evidence in relation to the allegation. If the Authorised Officer or the student intends to call witnesses, or to use witness statements at the meeting, then this intention must be shared with the other party(s) at least 48 hours before the meeting.



- 6.5.3 The Authorised Officer may ask questions of the student, and both parties will be given the opportunity to question any witnesses for the clarification of matters of fact. The student will have a full opportunity to make representations.
- 6.5.4 The meeting will normally be online, unless the student has requested an in-person meeting to the Authorised Officer.
- 6.6 At meetings and panels the student may not be represented in their absence by a third party. In such cases, matters will normally consider the case in their absence. Where, through reasons of disability, the student is unable to represent themselves, appropriate adjustments will be made by the Academic Registrar (or nominee).
- 6.7 Once the meeting has been concluded, the Authorised Officer will make one of the following decisions:
- Where there are reasonable grounds for doing so (such as to seek further evidence, advice or clarification), that the outcome should be postponed.
  - The allegation has not been proven. In this case no further action will be taken.
  - The allegation has been proven. In this case the Authorised Officer may impose one or more of the outcomes below (see 6.8).
  - The allegation has been proven and, in the opinion of the Authorised Officer, it is serious enough to warrant referral to Level 2 of this Policy (see 6.14).
- 6.8 The Authorised Officer may impose one or more of the outcomes set out below. Outcomes must be reasonable and fair in relation to the breach that has been committed.
- A formal written warning will be issued, which will be kept on file until the end of the student's studies at the University. This outcome will be appropriate in cases which can be resolved immediately, where the student has admitted the breach and expressed regret.
  - A requirement that the student makes an apology to any named person or persons (usually the complainant). This may be in writing or verbally, depending on the circumstances of the case. The wording of the apology should be approved by the Authorised Officer.
  - Suspension of rights of access to a relevant service or area of the University (e.g. the Library or a restaurant) for a specific period of time. The suspension period should not normally exceed one term, except in the case of a suspension from Halls of Residence, where the period should not normally exceed two weeks.
  - A cost of repair not exceeding £300 towards repair of property or equipment damaged.

- Engagement programme or workshops.
- Oral reprimand advising on general future conduct.
- Referral to a Fitness to Practise Panel to consider suitability for a professional practise in line with the Fitness to Practise Policy.
- Referral to a Fitness to Study Panel in line with the Health, Wellbeing and Fitness to Study Policy.

6.9 If the student alleged to have committed a breach fails to engage with the Level 1 process, and/or fails to attend the meeting, the Authorised Officer may deal with the case in their absence. Having considered all the available evidence, the Authorised Officer will advise the outcome in writing within five working days of making the decision.

6.10 The Authorised Officer will be responsible for: sending a written record of both the incident and the outcome to SCCA; formally notifying the student of the outcome; notifying the Finance Department of the need to invoice any cost of repairs.

#### Level 1 Appeal

6.11 Any student who has been subject to the Level 1 disciplinary procedure has the right to appeal. Such appeals must be made in writing, within ten working days of the date of the decision notification, to SCCA. The grounds for appeal are:

- Procedural irregularity.
- That new evidence which could not reasonably have been expected to have been submitted for consideration at the time of the original investigation/meeting has come to light since the meeting which the appellants believes might have a material impact on the outcome.

6.12 On receipt of an appeal the SCCA will triage the matter to ensure it fits the above criteria and make a recommendation to the Academic Registrar, one of the following conclusions:

- There are no legitimate grounds for appeal and therefore the previous outcome should stand; OR
- There are reasonable grounds for the decision to be reviewed by an Authorised Officer independent of the original decision.

6.13 Where there are reasonable grounds for the decision to be reviewed, three Authorised Officers independent of the original decision will undertake a review of the papers, but will not rehear the case or interview the student. They may then decide to take action as follows:

- Uphold the original decision.
- Uphold the original decision but reduce the penalty.
- Overturn the original decision and remove the penalty.

### Level 2 Disciplinary Breaches

- 6.14 Level 2 breaches are serious breaches which significantly impact upon students, staff and/or the reputation of the University. Such allegations will be heard by a Disciplinary Panel, once they have been triaged and approved by the Academic Registrar or nominee.
- 6.15 The Authorised Officer must carry out a thorough investigation of the allegations and be prepared to present a written report on the facts to the Disciplinary Panel (see below).

### Disciplinary Panel

- 6.16 The Disciplinary Panel may have up to five members:
- A fully trained independent Chair nominated by the Academic Registrar.
  - Two appropriately trained members of University staff.
  - Where appropriate, a member of staff trained in equality and diversity matters.

All members will be independent of the matter in hand.

- 6.17 The composition of the panel will, so far as practicable, reflect a balance of gender, race or disability appropriate to the case.
- 6.18 There may be extremely rare situations where there are reasonable grounds to believe that the safety of the student could be called into question through their attendance at the meeting. In such a situation the Chair and Academic Registrar may authorise such amendments to the procedure as they believe necessary to protect the safety of the student attending the panel. In these circumstances the Chair and Academic Registrar are also responsible for ensuring that any such amendments respect the principles of natural justice and do not compromise the overall fairness of the hearing.
- 6.19 The Chair will convene a pre-meeting of Panel members a few days before the actual Disciplinary Panel to ensure all documentation is in order and Panel members are fully cognisant of the issue/s.
- 6.20 The Disciplinary Panel will conduct a formal hearing. All parties required to attend will be given reasonable notice of the hearing, normally at least ten working days. Where the Chair deems that there are special circumstances which require a shorter period of notice to be given, the reasons for this will be explained to the student.
- 6.21 All parties will be supplied with all the papers relevant to the hearing, including:
- A full agenda to include the date, time and location of the meeting.

- Details of the precise nature of the allegations to be examined.
  - All documentary information which will be made available to the Panel (including the Authorised Officer's Report).
  - An outline of the process of the meeting.
  - Notification that the student is entitled to be accompanied by a companion and/or SU colleague (see 3.6-3.8).
  - A copy of this Policy.
- 6.22 If the student is unavailable at the time of the hearing, they may submit a written statement. The Panel will then decide whether it is able to reach a determination or whether further consideration is necessary. The Panel will decide on future action and the mechanisms for reaching an outcome.
- 6.23 The student may be accompanied at the hearing by a companion (friend or relative) and or member of the SU. (see 3.6-3.8)
- 6.24 The Panel will usually convene online, unless the student has requested an in-person Panel. All parties are required to have cameras switched on during the Panel.
- 6.25 Electronic recording of the hearing is not permitted.
- 6.26 All parties required to attend are required to confirm their attendance to the Student Conduct, Complaints and Appeals team ( SCCA). The student must provide notification at least three days before the hearing if they intend to bring a companion.
- 6.27 The hearing shall be conducted in a sensitive manner and in a way appropriate to the particular case.
- 6.28 The Authorised Officer will present the Report to the panel.
- 6.29 The student will have the opportunity to put their case to the hearing and will be given a further opportunity to address the Panel at the conclusion of all evidence.
- 6.30 The Panel need not conclude the matter at this meeting and may seek additional information, particularly if matters of fact cannot be determined on the evidence presented. The Panel may also call on further professional advice (e.g. on mental health issues, legal matters) if this is permissible under relevant data protection legislation. Any additional information which is considered after the hearing has concluded will be shared with the student, who must be given an opportunity to respond.
- 6.31 The Panel will provide a report and recommended outcome to the Academic Registrar. The outcome shall be that:
- There is no case to answer.
  - A formal written warning will be issued, which will be kept on file until the end of the student's studies at the University. This outcome will be appropriate in cases which can be resolved immediately where the student has admitted the breach and expressed regret.

- A requirement that the student makes an apology to any named person or persons (usually the complainant). This may be in writing or verbally, depending on the circumstances of the case. The wording to be approved by the Chair of the Panel.
- A requirement the student undertakes any programme(s) of support suggested and offered by the University to address underlying issues.
- Repair costs for the property or equipment damaged up to £500. This will be deemed a debt to the University, and therefore subject to the University's normal debt collection procedures.
- The student is referred to a Health, Wellbeing and Fitness to Study Panel to consider the student's ability to continue and, if appropriate, additional support needed.
- The student is referred to a Fitness to Practice Panel to consider student's suitability for professional practice.
- The student is required to transfer to an alternative programme.
- The student is suspended for a given time-period without any access privileges.
- The student is suspended for a given time-period from the University and/or Halls of Residence but has full online access to submit assessments.
- The student is expelled from the University and/or Halls of Residence and awarded the credits achieved so far.
- The student is expelled and a recommendation to the Award & Status Board to withhold, delay or rescind the award of a degree or other qualification where there has been fraud or misrepresentation.
- Another outcome deemed appropriate by the Panel and in accordance with the spirit and level of these sanctions.

6.32 Except where the panel determines that further investigation is required, the Academic Registrar will send formal notification of the outcome of the hearing to the student within five working days of the meeting. This will include a summary of the main points which led to the outcome.

6.33 It should be noted that under Academic Regulation 3.5.3, a student may be withdrawn from their programme of study if they have been found culpable of a Stage 2 disciplinary offence through this Policy and have no or minimal levels of engagement with their programme of study. Engagement will be evidenced through consideration of data from NILE, attendance at taught sessions and data on submission of taught work.

### Level 2 Appeals

6.34 Any student who has been subject to the Level 2 disciplinary procedure has the right to appeal. Such appeals must be made in writing, within ten working days of the date of the decision notification, to SCCA (SCCA@northampton.ac.uk). Grounds for appeal are:

- Procedural irregularity.
- That new evidence which could not reasonably have been expected to have been submitted for consideration at the time of the original investigation or Panel hearing has come to light which the student believes might have a material impact on the outcome.

- 6.35 On receipt of an appeal, the Academic Registrar will review the matter and come to one of the following conclusions:
- There are no legitimate grounds for appeal and therefore the previous outcome should stand. A 'Completion of Procedure' notification be issued as per 6.40 below; OR
  - There are reasonable grounds for the decision to be reviewed by a Disciplinary Appeal Panel (see 6.36-6.39).

*Disciplinary Appeal Panel*

- 6.36 The composition of the Disciplinary Appeal Panel will be in line with that of the Disciplinary Panel. All members will be independent of the case and will have had no previous involvement.
- 6.37 In the event of an appeal being considered by the Disciplinary Appeal Panel, the previous decision will not be implemented until the appeal is concluded. This does not affect the right of the Academic Registrar to suspend a student where appropriate.
- 6.38 Where the appeal is against any sanction except permanent expulsion from the University, the Disciplinary Appeal Panel will undertake a review of the papers, but will not rehear the case or interview the student. The panel may then decide to take action as follows:
- Uphold the original decision.
  - Uphold the original decision but reduce the penalty.
  - Overturn the original decision and remove the penalty.
  - Where new information has been presented at the appeal stage that causes the Disciplinary Appeal Panel to conclude that the breach is more serious than was originally considered, the Panel is empowered to impose a different outcome from the list in 6.31 above.
- 6.39 Where the appeal is against permanent expulsion from the University, the student will be entitled to attend the meeting of the Disciplinary Appeal Panel. However, the remit of the Disciplinary Appeal Panel will still be to review the previous decision and not to rehear the case. As above, the options open to the Panel are:
- Uphold the original decision.
  - Uphold the original decision but reduce the penalty.
  - Overturn the original decision and remove the penalty.
- 6.40 The outcome of the appeal, together with reasons, will be notified to the student in writing within seven working days of determination of the appeal. This decision is final and will conclude this Procedure. A "Completion of Procedures" letter will be issued to the student. Further information on procedures for external and independent review can be obtained from the Office of the Independent Adjudicator for Higher Education [oiahe.org.uk](http://oiahe.org.uk). This is a free service offered to students by an independent body set up to review student complaints about Universities.

The OIA will usually ask for a Completion of Procedures letter to prove all internal processes have been exhausted.

## **7.0 Links to related University Policies**

- 7.1 Fitness to Practise Policy.  
Health, Wellbeing and Fitness to Study Policy.  
Misconduct Policy  
Academic Integrity and Misconduct Policy.  
Campus Security Policy  
Access and ID Card Policy  
Records Management Policy  
Privacy Policy

## **8.0 Links to related external documents**

- 8.1 [UK Quality Code, Advice and Guidance](#)

## **9.0 Non-exhaustive lists of breaches**

### **9.1 *Potential Level 1 breaches***

The following list provides examples of alleged breaches which may be classified as Level 1. This list is intended to be illustrative and is not exhaustive:

- Verbal abuse or intimidation.
- Failure to comply with explicit rules or regulations; for example unauthorised parties in residences, smoking in non-designated areas.
- Infringement of University Health and Safety rules: for example, failure to vacate during fire alarms, lighting fires or barbecues in unauthorised areas or tampering with safety equipment (including Smoke Detectors or Fire Alarms).
- Refusal to respond to reasonable requests by relevant University staff, for example: refusing to confirm identity when requested during the normal course of their duties, failure to attend a disciplinary meeting without good reason.
- Causing distress to others through excessive and unacceptable levels of noise.
- Causing minor damage to property.
- Anti-social behaviour which causes distress to others and/or reputational harm and/or damage to the University's relationship with the local community.
- Poor conduct in the classroom.

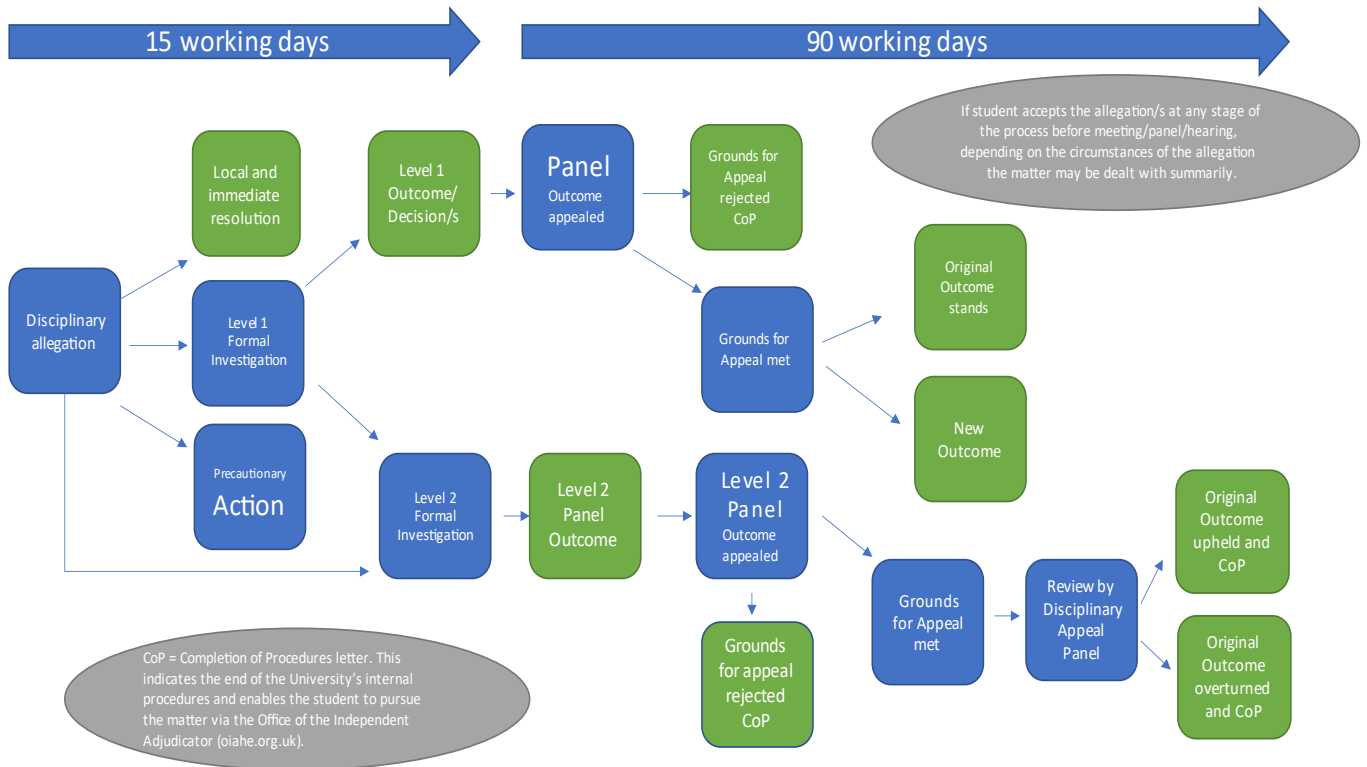
### **9.2 *Potential Level 2 breaches***

The following list provides examples of alleged breaches which may be classified as Level 2. This list is intended to be illustrative and is not exhaustive:

- Assault or causing physical harm.
- Threatening, offensive or indecent behaviour.
- Serious infringement of University Health and Safety rules.
- Theft, fraud, or deliberate falsification of records.
- Causing serious and deliberate damage to property.
- Possession and/or intent to supply controlled drugs.
- Possession of an offensive weapon/firearm/knife including imitation or replica products.
- Actions which are likely to bring the University into disrepute and/or cause interference to the normal operations of the University, particularly when the student is acting in connection with University business.
- Multiple or repeated Level 1 breaches.
- The accumulation of excessive debt to the institution.
- Persistent refusal to pay a fine or observe another penalty imposed following a previous disciplinary meeting.
- Inappropriate behaviour associated with the river running through the campus, including, but not limited to: jumping in; pushing another in; encouraging another to jump in.



## 10.0 Flowchart summarising the Disciplinary process.



## 11.0 Policy Governance

The table shows who is responsible in the University for keeping this policy updated and the timeline for ensuring this work is completed.

Policy Owner	Academic Registrar
Principal Contact	Academic Registrar
Date of initial committee approval	SEC (date unknown)
Date of Senate approval	9 <sup>th</sup> August 2023
Date of last annual update	June 2022
<b>Date of next annual update</b>	<b>June 2023</b>
Date of last full review	June 2020
<b>Proposed date of next full review</b>	<b>June 2025</b>
Version number and date	5.0 March 2023