



# Student Disciplinary Regulations

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## Contents

Introduction	3
Glossary	3
Scope of these Regulations	4
General Principles	5
Authorised Officers	6
Minor Misconduct	6
Major Misconduct	8
Student Disciplinary Appeal Committee	8
Adjudication of College Decisions	10
Records of Disciplinary Activity	11
Book of Precedents	11
Associated policies	11
Appendix 1; types of misconduct	12
Appendix 2; Police Investigations and Temporary Suspension and Restriction	14
Appendix 3; Serious Emotional or Psychiatric Condition	16
Appendix 4; Formal Interdepartmental Meeting	17
Appendix 5; Discipline in Hall	18
Appendix 6; Discipline in the Local Community	20
Appendix 7; Hearing / Meeting Procedure	22

## Student Disciplinary Regulations (continued)

### Introduction

1. Students are members of the College community and as such are expected to behave responsibly, to respect people and property, and to comply with the College rules and regulations, whether on College premises or elsewhere. The behaviour of students should not interfere with the proper functioning or activities of the College, with those who work or study in the College, or otherwise damage the College.
2. Where there is reason to believe that a student has broken the College rules or regulations, or their behaviour does not meet the required standards, the College will take action as outlined in these regulations.
3. The College Council is responsible for the maintenance of discipline in the College, as specified in Statute 20(3)(a). These regulations outline where authority has been delegated to authorised disciplinary officers.

### Glossary

4. The table below explains the key terms used in these Disciplinary Regulations.

Authorised Officer	Members of staff authorised by Council and / or the Secretary and Registrar to deal with actual or allegations of misconduct, and to impose penalties.
Appeal	A request for the decision to be changed. This will only be considered where the student can prove that the specified reasons, called grounds, are satisfied.
Campus Restriction Order (CRO)	Places conditions or restrictions on students that they must meet to continue attendance at the College or residence in College accommodation. Often access to named 'venues' or activities are prohibited, for example, no access to licensed premises. CRO's may be effective for the remainder of a student's registration at the College or for a shorter period. They may only be placed or revoked by the Student Disciplinary Officer (or nominee). If a student breaches the conditions of a CRO they will be subject to further disciplinary action.
Completion of Procedures letter	A letter which confirms that the College's procedures have been completed. It summarises the decisions and the reasons for it, and confirms the submission deadline for reviews by the Office of the Independent Adjudicator (OIA).
Hearing	A formal meeting where the disciplinary matter is discussed. Normally a member of College staff will present, or explain, the recommendation to a panel or individual, and the student will be given an opportunity to respond. This response may include an explanation for the behaviour and / or demonstrate regret or understanding of the impact of any misconduct. See Appendix 7 for hearing procedures

## Student Disciplinary Regulations (continued)

Misconduct	These regulations divide offences into minor and major misconduct. The Student Disciplinary Officer (or nominee) will decide which one is which. Examples of the types of behaviour which would constitute misconduct are listed in <a href="#">Appendix 1</a> .
	Minor - behaviour which is unacceptable and breaks College Regulations, but isn't judged to be so severe by the appropriate Authorised Officer as to require a review of the student's registration at the College.
	Major - either minor misconduct which is repeated, despite warnings or minor offence procedures, or misconduct judged to be so severe by the Student Disciplinary Officer to require a review of the student's registration at the College.
Nominee	Where the College Officer named in these Regulations is unavailable and likely to remain so, they may nominate another Officer to act in their absence. Alternatively the Principal may nominate another officer.
Panel	A group of senior College staff who consider major misconduct cases during a hearing and agree whether a penalty is appropriate and what it should be. The panel is led by a Chair. The composition of the Student Disciplinary Appeal Committee is explained in the Terms of Reference document included in the Committees Handbook.
Represent	A term used to identify who will explain a specified person's case to the panel at a hearing, i.e. the student will represent themselves = the student will explain his own case.
Required interruption of studies	Require the student to interrupt their studies at the College for a period of up to 1 academic year.
Student Disciplinary Officer	The Head of Student Support and Advisory Services is the designated College Student Disciplinary Officer who leads student misconduct investigations and processes.
Student Fees	Tuition and accommodation fees. Non-payment of these and other payments as set out in the Student Fee Regulations will result in disciplinary action in accordance with these regulations.
SURHUL	Students' Union Royal Holloway University of London
Suspended Termination	Set specific conditions for the student to meet in order to continue studying at the College. If the conditions are broken the student will be required to leave College immediately.
Termination of Registration	Require the student to leave the College.

### Scope of these Regulations

5. These regulations apply to all students registered at Royal Holloway, University of London (the College).
6. These regulations do not apply to:
  - a. offences committed on SURHUL premises, although serious offences may be referred to these

## Student Disciplinary Regulations (continued)

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Regulations at the discretion of the Head of Support and Advisory Services.

- b. offences included in the Academic Regulations and associated documents.
  - c. non-payment of student fees, which are included in the Student Fee Regulations. However, appeals against the decision of the Fees Sub-Group will be considered by the Student Disciplinary Committee.
7. Academic departments, the computer centre and the libraries may have their own disciplinary procedures and regulations, although serious misconduct or repeated behaviour will be referred to these Regulations at the discretion of the Head of Support and Advisory Services.
  8. The College may also take such action under these Regulations, against Royal Holloway students who contravene the rules, regulations or equivalent of other Universities and Colleges while on their premises, or who commit an offence that would be a breach of our regulations were it committed on Royal Holloway premises.
  9. When misconduct also constitutes a criminal offence, or vice versa, the College will liaise with the Police and / or appropriate authorities. See [Appendix 2](#).

### General Principles

10. Any hearing held under the scope of these Regulations is an internal procedure, and is not a legal proceeding. Hearings will be handled in accordance with the Procedures in [Appendix 7](#).
11. It will be adequate for action under these Regulations for it to be established that on the balance of probability misconduct did occur. The principles of natural justice<sup>1</sup> will be applied at all times.
12. College will endeavour to act as swiftly as possible at all times, whilst ensuring that students have time to respond to claims made against them. Where other regulations and / or processes are ongoing which interfere with these Regulations the College will ensure that the reason for any delays in the process are communicated to the student.
13. Communication with students who are subject to action in accordance with these Regulations will be via College email or as agreed with the student.
14. Students are expected to be aware of these and other College regulations. Claims that students were not aware of College regulations to which they have agreed during the enrolment process will not be

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<sup>1</sup> This means that all students subject to these Regulations will be treated without bias; will be presumed innocent of misconduct until the case is proven; will be given an opportunity to respond to any complaints against them as laid out in these Regulations and will have access to an appeal procedure.

## Student Disciplinary Regulations (continued)

considered valid reasons for lenient penalties or appeal.

15. Where appropriate other departments will be informed of action taken under these Regulations. If it is noted that a student has significant difficulties in a number of areas of their College life they may be addressed together, see [Appendix 4](#).

### Authorised Officers

16. The Council has authorised the following staff to investigate and apply penalties for minor misconduct (see [section 7](#)):

Misconduct...	Authorised Officer
Related to the use of cars and parking	Head of Security (or nominee)
Related to behaviour in academic departments and associated buildings	Head of Department (or nominee)
Related to the use of the libraries	Director of Library Services (or nominee)
Related to the use of computing facilities	Director of Academic Services and CIO (or nominee)
Related to behaviour in halls of residence (see <a href="#">Appendix 5</a> )	Student Life Support Manager (or nominee)
Related to behaviour in the local community (see <a href="#">Appendix 6</a> )	Senior Student Wellbeing Officer (or nominee)
All misconduct	Head of Support and Advisory Services (or nominee)

17. At any point the Authorised Officers may refer the case to the Head of Support and Advisory Services, who is the College Student Disciplinary Officer.

### Minor Misconduct

18. Where it is believed that minor misconduct has occurred the appropriate Authorised Officer will be informed.
19. The Authorised Officer will carry out a fair and reasonable enquiry. The student will be given the

## Student Disciplinary Regulations (continued)

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- opportunity to hear details of the complaint or allegations made against them and to speak or write in their own defence. Where there are specific Regulations for the misconduct the Authorised Officer will act within those Regulations, including the award of an appropriate penalty.
20. If the student admits the misconduct, the Authorised Officer may impose the appropriate penalty without conducting an enquiry.
  21. The Authorised Officer is free at any point during the enquiry to refer the matter to Student Disciplinary Officer who will decide how to proceed within these Regulations. The Student Disciplinary Officer may decide that the misconduct merits greater penalties and refer the matter to a Vice-Principal.
  22. The Student Disciplinary Officer may impose one or more of the following penalties, which will be considered to be proportionate and relevant to the misconduct. The student's previous disciplinary records can be considered in this context.
    - a. a reprimand;
    - b. a fine not exceeding £1000;
    - c. an order to pay compensation for damage to property or equipment
    - d. a condition that further attendance at the College or residence in College accommodation depends upon certain conditions or certain restrictions being met by the student;
    - e. a requirement to leave Halls of Residence or other College managed residence and / or denial of permission to reside in such residence for the remainder of a student's course of study;
    - f. an alternative reasonable sanction agreeable to both parties.
  23. Students will be informed of the outcome in writing.
  24. A student who has received one of the above penalties may appeal to a Vice-Principal to have the decision reviewed. To exercise the right to appeal the student will complete a Disciplinary Appeal form [Disciplinary Appeal Form](#) and will submit it to the Student Disciplinary Officer within seven days of the date of the letter notifying the penalties.
  25. The Vice-Principal (or nominee) will review the papers, but will not interview the student or any other party. The Vice-Principal may take the following action:
    - a. uphold the original decision
    - b. reduce the penalty
    - c. remove the penalty
  26. Unless informed otherwise the student will be notified of the decision within fifteen working days of the

## Student Disciplinary Regulations (continued)

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receipt of the letter requesting the right to appeal. The Vice-Principal's decision is final.

### Major Misconduct

27. If the Student Disciplinary Officer feels that an offence is of such severity as to merit review of the student's registration at the College they will refer the case to the Deputy Principal (or nominee).
28. The Deputy Principal may take the following action:
  - a. refer the matter back for local determination
  - b. agree with the recommendation and proceed with a hearing.
29. If agreement is given to proceed with a Major Misconduct hearing the student will be notified in writing that a hearing is to take place and that it could result in the termination of their registration.
30. The hearing will be organised by the College Secretary's Office and a secretary to the panel will be appointed.
31. A Vice-Principal (or their nominee) and another senior academic or non-academic member of College staff. An elected member of the SURHUL executive will be invited to join the panel, which only requires two members to proceed. The hearing will proceed in accordance with [Appendix 7](#).
32. The Vice-Principal's panel will hear the matter and will take one or more of the following actions:
  - a. Terminate the student's registration.
  - b. Impose a suspended termination; delegating the authority to terminate the student to a specified member of staff should the student break conditions set.
  - c. Require the student to interrupt their studies and leave the College for a fixed period.
  - d. Impose another lesser penalty as described for use by the Student Disciplinary Officer (see section 22).
  - e. Dismiss the case with no penalty.
33. The decision will be communicated to the student in writing, including the reasons for the decision and a reminder of their right of appeal to the Student Disciplinary Appeal Committee.

### Student Disciplinary Appeal Committee



## Student Disciplinary Regulations (continued)

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34. To exercise the right to appeal the student will complete a [Disciplinary Appeal form](#) and will submit it to the College Secretary's Office within seven days of the date of the letter notifying the penalties. The form requires students to clearly explain the reasons for appeal which may only be on one or more of the following grounds:
- a. that the finding was against the weight of the evidence. The student should indicate clearly the areas in which they feel this to be the case
  - b. that the penalty is too severe or otherwise inappropriate. The student should indicate why they believe this to be the case
  - c. that the process was not in accordance with the principles and procedures set out in these regulations, or were contrary to natural justice. The student should indicate clearly the areas in which they feel this to be the case
  - d. that fresh evidence can be presented, which was not available, or could not reasonably have been made available, to the Vice-Principal. A summary of the fresh evidence should be provided to the College Secretary and it should be indicated why the student could not present this at the original hearing and how s they feel this would have influenced the decision.
35. If a Disciplinary Appeal Form is not received within seven days the penalty will be considered to have been accepted.
- a. Where the decision was that the student's registration should be terminated or a suspended termination was imposed a report summarising the relevant grounds and conclusion of the panel will be provided to the Principal and then to the Chair of the Student Disciplinary Committee (Appeals) for confirmation of the decision. The penalty will be confirmed to the student in writing with immediate effect.
  - b. All other outcomes will take immediate effect.
36. If a Disciplinary Appeal Form is received within the deadline the Chair of Council will decide if an appeal is allowable, and if so will instruct the Secretary of the Student Disciplinary Appeal Committee to convene a Panel comprising College staff and a student representative.<sup>2</sup> If an appeal is not allowed the Completion of Procedures letter will be issued as required by section 34 above.
37. The Chair's decision will be communicated to the student in writing.
38. The Secretary to the Appeal Committee will supply the panel and the student making an appeal with a copy of the following documents at least seven days before the hearing:

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<sup>2</sup> Membership of the Student Discipline Appeal Committee is set out in the Committee Handbook.

## Student Disciplinary Regulations (continued)

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- (a) a copy of all documents available to both sides at the Vice Principal's hearing
  - (b) notes recording the proceedings of the Vice-Principal's hearing (not in transcript form) produced by the Secretary to the panel
  - (c) the written notice of appeal together with any other fresh supporting documents submitted by or on behalf of the student.
  - (d) any fresh written responses from the College.
39. The College representative (normally the Vice Principal or the Student Disciplinary Officer) will present the College's case and the student, or their representative, will have a right of reply.
40. The Panel will try to reach a decision on the day of the hearing. The decision of the Panel will be on a simple majority, with a second and casting vote to the Chair in the event of a tie. There will not be any record of, or disclosure of information, regarding the way in which any member has voted or on whether the decision was arrived at unanimously or by a majority vote.
41. The Panel may take the following action:
- (a) confirm the penalty imposed by the Vice-Principal
  - (b) amend the penalty imposed by the Vice-Principal, e.g. to suspend termination of registration where termination was awarded, or to increase suspended termination to immediate termination of registration
  - (c) award an alternative penalty. The Panel may need to seek confirmation from Professional Services before an alternative penalty can be confirmed.
42. The decision and the reasons will be communicated to the student in writing.
43. The decision of the Student Disciplinary Appeal Committee Panel represents the final part of the College procedure and is final, subject to the provision of paragraph 48 below. The decision will be reported to the College Council at the subsequent meeting.

## Adjudication of College Decisions

44. When a student has exhausted College procedures they are entitled to apply to the Office of the Independent Adjudicator for Higher Education to request a review of the College's decision. Students will require a Completion of Procedures letter which can be provided by the College Secretary's office on request. Further information on the process involved can be obtained by referring to the Office's website at [www.oiahe.org.uk](http://www.oiahe.org.uk).

## Student Disciplinary Regulations (continued)

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### Records of Disciplinary Activity

45. Records of incidents of minor misconduct will be maintained in the Support and Advisory Service Office. The Student Disciplinary Officer (or nominee) may inform other departments or services about the incident and subsequent penalties if they believe it to be appropriate.
46. Records of incidents of major misconduct will be maintained by the College Secretary. Outcome letters will be circulated to relevant departments, including student records, to be kept on the student file.
47. Notes will be taken at major misconduct disciplinary hearings and will be retained for College use. The notes will not be verbatim or agreed with the student(s).
48. All disciplinary records will be stored securely and retained in accordance with the College Records Retention Policy.

### Book of Precedents

49. The College Secretary's Office will maintain a book of precedents of outcomes of major misconduct hearings. Entries will be anonymised. The book will be used as a reference resource to ensure consistency in decision making when faced with similar facts and cases.

### Associated policies

Code of Practice on Personal Harassment

Student Fee Regulations

Computer centre regulations

Library Service regulations

General College regulations

## Appendix 1

### Types of Misconduct

The following list is indicative (but not exhaustive) of the type of offences which would constitute misconduct:

- (a) disruption of, or improper interference with, the academic, administrative, sporting, social, or other activities of the College, whether on College property or elsewhere;
- (b) obstruction of, or improper interference with, the functions, duties or activities of any Student, member of staff of the College or any authorised visitor to the College;
- (c) violent, indecent, disorderly, threatening, aggressive or offensive behaviour or language, however expressed, whilst on College property or engaged in any College activity;<sup>3</sup>
- (d) behaviour, action or inaction which, even if self directed, could reasonably be seen to cause distress to other students or members of staff or could reasonably be seen to cause other students or members of staff to fear for their safety or wellbeing;
- (e) behaviour, action or inaction that requires staff repeatedly to act beyond their normal roles and duties or interferes significantly with the normal operation of the College or with members of staff in the normal execution of their duties.
- (f) distributing or publishing a poster, notice, sign, posting or any publication, in any format, either on College premises or networks elsewhere, which is offensive, intimidating, threatening, indecent or illegal, or is likely to make others fearful, anxious or apprehensive or which could reasonably be expected to significantly and unfairly harm the standing or reputation or welfare of any student, member of staff or associate of the College;
- (g) any breach of the provisions of the College Code of Practice on Freedom of Speech;
- (h) fraud, deceit, deception or dishonesty in relation to the College or its staff, or in connection with the holding of any office in the College, in relation to being a student of the College or against any member of College. This includes the submission of false documents in order to gain an academic or non-academic advantage;
- (i) misuse or unauthorised use of College premises or items of property, including computer misuse; damage to, or defacement of, College property or the property of other students or staff, caused intentionally or recklessly, or the misappropriation of any such property;
- (j) any action likely to cause injury or impair safety on College premises or to College members in other locations;
- (k) behaviour or actions which bring the College into disrepute or otherwise prejudice the legitimate academic and business aims of the College;

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<sup>3</sup> Includes behaviour noted as unacceptable in the code on personal harassment, or which is unlawfully discriminatory or could be deemed as harassing or bullying particular groups or individuals in the College;

## Student Disciplinary Regulations (continued)

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- (l) conduct which constitutes a criminal offence when that conduct took place on College premises, or in the course of College activities or against any member of the College; conviction of a criminal offence, irrespective of where committed, where the consequences of the offence could impact on College staff, students or property;
- (m) failure to properly enrol as required by the appropriate Regulations;
- (n) failure to pay fees or other debts to the College as set out in the Fees Regulations;
- (o) any breach of the Code of Practice on Misconduct in relation to Academic, Research and Scientific Activities;
- (p) failure to comply with a previously imposed penalty under these rules;
- (q) failure to disclose name and other personal details to an officer or employee of the College in circumstances when it is reasonable to require that such information be given;
- (r) obstructing or failing to help College officers investigating a breach of College procedures;
- (s) interfering with or intimidating witnesses in Disciplinary proceedings;
- (t) possessing or using firearms (including imitation), offensive weapon, lasers and similar equipment on College property;
- (u) obstructing or impeding the flow of traffic on College roads
- (v) conduct in the local community that might cause nuisance, annoyance, give offence or lead to statutory action
- (w) breach of the College Code of Practice on Drug, Alcohol & Substance abuse
- (x) any other breach of College regulations, including College General Regulations, or Regulations, Codes of Conduct, Instructions and suchlike governing particular activities or defining behaviour in specific parts of College.

Any of the above types of offence could be considered to be minor or major misconduct, depending on the severity, extent and whether the offence is an isolated incident or repeated misconduct. The Student Disciplinary Officer will decide if an offence would be considered to be major or minor misconduct.

## Appendix 2

### Police Investigations and Temporary Suspension and Restriction

- (a) Where the College considers that a criminal offence has been committed, it may refer the case to the Police. Normally College will wait for the outcome of the Police investigation and consider the Police findings in its own procedures. However, when considered appropriate by the Student Disciplinary Officer the College may proceed immediately with these Regulations.
- (b) On occasions the Police or other authority may legitimately inform the College that an offence has been committed. The Student Disciplinary Officer will decide whether to proceed with these Regulations.
- (c) When criminal conduct is alleged and College also proceeds with these regulations the alleged victim and perpetrator will be clearly advised that the College is conducting internal proceedings in relation to the related offences only, and is not seeking to make a decision about whether a criminal offence was committed.
- (d) As a general principle, College is not bound by the outcome of any Police investigation or trial in deciding whether an offence has been committed under these Regulations, and it is possible that a student may be in breach of these Regulations even if there is no criminal conviction. A conviction shall constitute conclusive evidence that the student was guilty of the criminal offence identified.
- (e) Where a student is a victim of crime or a complainant about a crime but is not willing to make a report to the Police, the College will only invoke these Regulations at the discretion of the Student Disciplinary Officer.

### Temporary Suspension and Restriction

- (f) On occasions it may be appropriate to temporarily suspend a student's registration or place restrictions on a student's use of College facilities which may last until enquiries and / or Police and / or court proceedings are concluded. Temporary suspension or restriction may also be applied at the discretion of the Principal, a Vice-Principal, or the Student Disciplinary Officer where a student's behaviour is so uncontrolled that they pose a significant risk to themselves or to others or is significantly impeding the normal functioning of the College. In exercising the power to temporarily suspend or restrict, particular attention will be paid not only to the welfare and interests of the individual student, but also to the interests of fellow students and of the College itself. The impact on the academic progress and other circumstances of the student will be considered; however College accepts no liability for disadvantage arising from a suspension or restriction reasonably applied whether or not the student is subsequently found to be at fault.
- (g) If police and / or court action occurs in respect of the alleged offence, the temporary suspension or restriction may last until the completion or abandonment of the police and / or court proceedings. It is the responsibility of the student to keep College aware of the progress and the outcome of the proceedings and to furnish the College with any reports, recommendations and judgements that have been made. The student may remain temporarily suspended or restricted until a disciplinary hearing under the College rules has been held.

## Student Disciplinary Regulations (continued)

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- (h) If a temporary suspension or restriction lasts over fourteen days or is extended beyond fourteen days, the student may appeal against the decision. If the decision was taken by the Student Disciplinary Officer, it will be reviewed at appeal by a Vice-Principal; if taken by a Vice-Principal, the Principal will review it and, if taken by the Principal the Chair of Council. If a temporary suspension or restriction is renewed or extended, or otherwise continued so it remains in force for more than a year after an appeal a further right of appeal will be granted. All decisions of such appeals will be final, although the student may appeal to the Office of the Independent Adjudicator.

## Related policies

Disclosing Criminal Convictions Policy

## Appendix 3

### Serious Emotional or Psychiatric Condition

A student whose behaviour is in serious breach of the College Regulations may be subject to these Regulations even if it can be shown that the breach is due to reasons of incapacity such as a serious emotional or psychiatric condition. In such cases the College will be mindful of its duty to make reasonable adjustments in order to mitigate the effects of any impairment. Where such a student's behaviour is causing significant distress or disruption to others students or members of staff or preventing the normal functioning of the College, the Student Disciplinary Officer may direct that the disciplinary proceedings be modified in the following way:

- (a) A formal written warning letter will be issued by the Student Disciplinary Officer and substituted for a sanction applied by an Authorised Officer or the Student Disciplinary Officer. This letter will outline the behaviour that must be avoided, the improvement required and the supportive resources available to help the student achieve this. This may be followed by a second warning letter from the Student Disciplinary Officer, if required. A copy of all warning letters will be sent to the College Secretary's Office. Students may appeal against this letter in the same way as they can appeal a minor misconduct sanction.
- (b) If no improvement in behaviour is achieved, or if an incident is of such severity as to merit consideration of the interruption or termination of the student's registration, the case will be referred to a Vice-Principal's Hearing in the normal way, following the procedure for major misconduct.
- (c) Where a student's registration is terminated or interrupted, it may be referred to as "an administrative withdrawal" to indicate that the student has been deemed unable to continue but has not been held culpable of a deliberate breach of the College regulations. The College may offer to lessen the formality of the proceedings where possible to reduce any adverse psychological impact on the student and modify the terminology used to indicate that the student's behaviour is not deliberately in breach of Regulations.
- (d) No step taken under this clause shall disadvantage the student or lessen the rights that they would have had under the normal disciplinary proceedings. A student may make a request *before the hearing* that their behaviour be dealt with under this modified procedure and that the Vice-Principal may decide to adopt this procedure if evidence of incapacity arises, but a student may not request that this procedure be applied retrospectively once culpability has been decided.



## Appendix 4

### Formal Interdepartmental Meeting

- (a) If it is noted that a student has significant difficulties in a number of areas of their College life the Student Disciplinary Officer may agree that the problems need to be addressed holistically rather than in separate areas alone. Problems include:
- Recurrent welfare problems
  - Recurrent College non-academic discipline problems
  - Discipline issues within the SU
  - Problems with reported criminal or other illegal behaviour on campus or in local area
  - Failure to agree a support package for special needs or failure to use the agreed package
  - Failure to complete adequate coursework or attend adequately to give a good chance of progression (whether formal warnings have been issued or not)
  - Recurrent financial problems
  - Consistent failure to engage with or respond to College contacts
- (b) When at least two of the above difficulties are present to a serious extent and the difficulties affect more than one of the following four discrete areas:
- i) academic performance
  - ii) behaviour on or around campus
  - iii) welfare of students
  - iv) fees management,

College may convene a Formal Interdepartmental Meeting.

- (c) The Support and Advisory Services will call the meeting, either due to being aware of the student's situation themselves or having been made aware by other College Department(s). The meeting will be chaired by the Student Disciplinary Officer, and will include other Departmental staff as appropriate.
- (d) The student will be made aware of the meeting and the causes for concern one week in advance and will be invited to attend. They may be accompanied by a student or staff member of the College. If the student wishes to be accompanied by an individual who is not a member of the College they should notify the Student Disciplinary Officer as soon as possible (whose decision on this matter will be final).
- (e) If the student does not attend, the meeting may proceed in their absence at the discretion of the Student Disciplinary Officer, unless the student is able to provide a reasonable explanation, in which case the meeting may be reconvened.
- (f) The meeting will not be empowered to take any independent or additional disciplinary action, or to issue a formal warning or equivalent, but will take an overview of the student's situation and will advise the student of the options available for support, the improvements needed and the likely outcome of a failure to address the issues promptly with the different College Departments, including a summary of the likely formal processes and possible sanction that will follow.
- (g) The recommendations of the meeting will be confirmed in writing and copied to the Departments involved.

## Appendix 5

### Discipline in Hall

Discipline in hall refers to misconduct where College regulations or the rules of the hall have been broken in an incident occurring in a College Hall of Residence. These regulations may also apply to students who are not residents of hall.

- (a) When the Student Life & Support Manager (or nominee) is aware that the rules of the hall have been broken they may take the following action, regardless of whether the student is a resident in that Hall
  - a. reprimand the student
  - b. fine the student up to £100, or in the specific instance of tampering with or misusing fire-safety equipment the fine may be increased to £500
  - c. require the student to pay compensation for damage to College property.
  - d. require a resident student to cease living in Hall
  - e. recommend that the student does not return to living in any College Halls during their course of study.
  - f. may nominate a panel chaired by a relevant member of staff with a Support and Advisory Services Officer and a student representative to consider which actions(s) should apply,
- (b) In the case of serious misbehaviour in the Hall, the issue may be referred immediately to the Student Disciplinary Officer to be treated as misconduct in accordance with these Regulations.
- (c) A student disciplined by the Student Life & Support Manager (or nominee) has a right of appeal. An appeal against the sanctions applied above must be submitted on the appropriate form to the Student Disciplinary Officer within seven days of the imposition of the disciplinary measure. College may nominate an alternative officer if appropriate. The appeal may only be on one or more of the following grounds:
  - a. that the finding was against the weight of the evidence. The student should indicate clearly the areas in which they feel this to be the case
  - b. that the penalty is too severe or is otherwise inappropriate; The student should indicate why they believe this to be the case
  - c. that the process was not in accordance with the principles and procedures set out in college regulations, or was contrary to natural justice; The student should indicate clearly the areas in which they feel this to be the case
  - d. that fresh evidence can be presented, which was not available and could not reasonably have been made available to the Student Life & Support Manager. A summary of the fresh evidence should be provided and it should be indicated why the student could not present this at the original hearing and how they feel this would have influenced the decision.
- (d) The Student Disciplinary Officer will decide if an appeal is allowable. The student Disciplinary officer may initially require the student to meet the Student Life & Support Manager (or nominee) to discuss the issue again in order to see if agreement can be reached.

## Student Disciplinary Regulations (continued)

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- (e) An appeal will normally be heard by the Student Disciplinary Officer alone. The Student Life & Support Manager may, at the discretion of the Student Disciplinary Officer, present fresh evidence and call witnesses to attend the appeal. Such evidence will be made available to the student or his/ her representative at least three days before the appeal.
- (f) The Student Disciplinary Officer may take the following action(s):
- a. confirm the original decision
  - b. reverse the original decision
  - c. place an alternative sanction
- (g) All decisions of the Student Disciplinary Officer in relation to such an appeal will be final. The student may have a right of appeal to the Office of the Independent Adjudicator.

## Appendix 6

### Discipline in the Local Community

Discipline in the local community refers to misconduct where College regulations<sup>4</sup> have been broken in an incident occurring off College premises, in accordance with section 1 of these Regulations.

- (a) When misconduct is identified in the community the Senior Student Wellbeing Officer (or an alternative officer nominated by the College) may take the following action(s):
  - a. reprimand the student
  - b. fine the student, whether resident in the local area or not, up to £100
  - c. require the student to pay compensation to local residents, assuming the total sums in fine and compensation together does not exceed £100.
  - d. refer the matter immediately to the Student Disciplinary Officer to be dealt with as major misconduct.
- (b) A student disciplined by the Senior Student Wellbeing Officer has the right of appeal. An appeal against the sanctions applied above must be submitted on the appropriate form to the Student Disciplinary Officer within seven days of the imposition of the disciplinary measure. College may nominate an alternative officer if appropriate. The appeal may only be on one or more of the following grounds:
  - a. that the finding was against the weight of the evidence. The student should indicate clearly the areas in which they feel this to be the case
  - b. that the penalty is too severe or is otherwise inappropriate; The student should indicate why they believe this to be the case
  - c. that the process was not in accordance with the principles and procedures set out in college regulations, or was contrary to natural justice; The student should indicate clearly the areas in which they feel this to be the case
  - d. that fresh evidence can be presented, which was not available and could not reasonably have been made available to the Senior Student Wellbeing Officer . A summary of the fresh evidence should be provided and it should be indicated why the student could not present this at the original hearing and how they feel this would have influenced the decision.
- (c) The Student Disciplinary Officer will decide if an appeal is allowable. The student Disciplinary officer may initially require the student to meet the Senior Student Wellbeing Officer to discuss the issue again in order to see if agreement can be reached.
- (d) An appeal will normally be heard by the Student Disciplinary Officer alone. The Senior Student Wellbeing Officer may, at the discretion of the Student Disciplinary Officer present fresh evidence and

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<sup>4</sup> Particularly, but not limited to, General Regulation 1.2 (Student Responsibility off campus) and Student Disciplinary Regulations Appendix 1 (k) (bring College into disrepute).

## Student Disciplinary Regulations (continued)

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call witnesses to attend the appeal. Such evidence will be made available to the student or their representative at least three days before the appeal.

- (e) The Student Disciplinary Officer may take the following action(s):
  - a. confirm the original decision
  - b. reverse the original decision
  - c. place an alternative sanction
  
- (f) All decisions of the Student Disciplinary Officer in relation to such an appeal will be final. The student may have a right of appeal to the Office of the Independent Adjudicator.

## Appendix 7

### Hearing / Meeting Procedure

- (a) Students who are required to attend a hearing will be notified in writing. Where possible a date will be agreed with the student.

#### Minor misconduct

- (b) For minor misconduct hearings or meetings at least three days written notice will be given in term-time, or one week outside term dates. The notice will include a brief description of the misconduct.
- (c) If a student fails to attend a hearing or meeting with no notice the Authorised Officer may apply a sanction, which will be notified to the student in writing. Where the student is reasonably unable to attend, the hearing or meeting may be adjourned and another date set. If the Authorised Officer considers that the student is being deliberately uncooperative about their attendance a date will be set and in the absence of the student the Authorised Officer may proceed with the hearing or meeting and apply a sanction, which will be notified to the student in writing.
- (d) Students are expected to represent themselves at hearings. Another College member or Students' Union officer may accompany the student. The accompanying member should not be significantly involved in the case or subject to misconduct proceedings.
- (e) If the matter involves other students or staff who are required to be at the hearing or meeting, they may be accompanied by another College member or Students' Union officer. The accompanying friend should not be subject to misconduct proceedings.
- (f) The Authorised Officer may ask a friend to leave a meeting or hearing if they feel that they are not suitable or are preventing a fair hearing of the case.

#### Major misconduct

- (g) Students who are subject to a major misconduct disciplinary hearing are expected to represent themselves, although they may be accompanied by someone who is not involved in the case or subject to College misconduct proceedings. In hearings before a panel of the Student Disciplinary Appeal Committee students may choose to be accompanied or represented by non-College members. The student or their friend will notify the College Secretary's Office when outside representation is to be used, giving the name and contact details of the friend at least one week in advance for College to engage and brief similar representation if they so wish. Please note this is an internal process and it is unusual for students to appoint a legal professional to represent them. Previous cases have shown that there is no advantage gained when legal representation has been sought.
- (h) Reasonable steps will be taken to hold the hearing on a date which the student or their friend is able to attend. Exceptionally, if this proves impossible or if the Vice-Principal or Chair considers that the

## Student Disciplinary Regulations (continued)

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student is being deliberately uncooperative about their attendance a date may be decided and if the student does not appear, the hearing may proceed in their absence.

- (i) Where a student is not able to attend a hearing at the College, particularly international students, they should notify the Secretary and alternative arrangements may be made. These arrangements may include attendance via telephone or Skype. It is not allowable for the friend to dial into a meeting if the student is attending in person.
- (j) The student will be given written notice of the date of the hearing at least one week in advance.
- (k) Where a student fails to appear for a meeting or hearing notified as above the hearing may proceed as planned. Where the student is reasonably unable to attend, the meeting or hearing may be adjourned and another date set.
- (l) The student, their friend (if the student chooses to be represented or accompanied before a panel of the Student Disciplinary Appeal Committee) and the College representative(s) will be entitled to be present throughout the whole of the proceedings except where the Panel wishes to retire for private discussions. In every case the student will be given a proper opportunity to be heard fully in their own defence.
- (m) The Vice-Principal or Chair may ask a friend to leave a meeting or hearing if they feel that they are not suitable or are harming the case. The presence of any other individuals is at the discretion of the Vice-Principal or Chair, who may ask them to withdraw at any time.
- (n) The panel is not required to conduct an independent investigation into the complaints presented but will exercise care to ensure that the facts upon which its decision is based are accurate.
- (o) The student, Panel or College may request an adjournment if more time is reasonably required.
- (p) At their discretion and such terms as they think fit, those chairing hearings will allow either side reasonable time for private consultation or reflection during hearings if they so request.
- (q) If a student exercises their right to appeal to the Student Disciplinary Appeal Committee, the College representative may, at the discretion of the Chair present fresh evidence and call witnesses to attend the meeting. Such evidence or a summary of it will be forwarded to the Secretary of the Committee not less than seven days before the hearing of the Committee and will be made available to the student or their representative within the same period.