

Student Disciplinary Policy and Procedures

1. Scope and purpose

- 1.1 This policy and its procedures are part of the Student Conduct Policy Framework.
- 1.2 This Policy uses the term 'student' or 'students' throughout. This refers to all learners at the university, including undergraduate and postgraduate students and apprentices. Where separate arrangements or rules apply, the target group or groups are named in the paragraph.
- 1.3 The policy and procedure are for use in student disciplinary matters that lie outside the scope of either the University's Academic Offences, Fitness to Practise or Support to Study Policy and Procedures, with the exception of allegations relating to sexual violence and misconduct which are dealt with through the Sexual Misconduct Policy and Procedure.
- 1.4 This policy and its procedures apply to all current students enrolled at the University and completing courses and units which lead to an award or the award of academic credit.

2. Key responsibilities

- 2.1 Under the University's Articles of Association, responsibility is delegated by the Board of Governors to the Vice-Chancellor for the maintenance of student discipline.
- 2.2 Responsibility for the management and implementation of this policy and its procedures lies with the Academic Registrar. Where this policy and procedure refers to the 'Student Governance team' this is under the management of the Academic Registrar. Where this policy and procedure refers specifically to the role of the Academic Registrar, this responsibility may be delegated to an appointed deputy if the Academic Registrar is unavailable.
- 2.3 An appropriate senior member of staff, who has been given the opportunity to undertake the relevant training, is appointed to conduct the preliminary investigation.
- 2.4 The University Appeals Panel for Disciplinary matters is chaired by the Deputy Vice-Chancellor.
- 2.5 The Students' Union supports and represents students reporting an incident or accused of an incident, if desired.
- 2.6 Academic Standards and Quality Committee considers the effectiveness of the student disciplinary procedures and recommends changes to current policy to Academic Board.
- 2.7 Academic Board approves new policies or amendments to existing policies relating to student disciplinary procedures.
- 2.8 Under this policy and associated procedures any University role or officeholder or officer of the Students' Union may act through her or his appointed nominee.

3. Introduction and context

- 3.1 The Student Disciplinary Policy and Procedure is intended to provide a clearly formulated and impartial process for dealing with concerns relating to student discipline or behaviour within a reasonable timescale and having due regard to the spirit of natural justice.
- 3.2 The University is committed to the fair and equal treatment of all individuals regardless of gender identity, age, disability, colour, race, ethnic or national origin, socio- economic group, sexual orientation, marital status, family responsibilities, religious or political beliefs. The University will seek to ensure that the consideration of disciplinary matters under these procedures is conducted transparently and in a

way which is fair to all parties concerned. All cases will be considered in accordance with the Dignity Diversity and Equality Policy. Where a student or staff member working with this policy has specific protected characteristics under the Equality Act 2010, all endeavours will be made to ensure that information is available in appropriate formats and reasonable adjustments are made to the proceedings and facilities to accommodate their needs.

- 3.3 Students must recognise that they are independent adults with legal and social responsibilities and are therefore personally accountable for their actions and behaviour. The University aims to foster a community which has an atmosphere of trust and respect. Students are expected to conduct themselves in accordance with these principles, and with the University's commitment to access and diversity. As members of the University community all students are expected to conduct themselves with due regard for the good name and reputation of the University. They are required to comply with the University's current Rules, Regulations, Policies and Procedures at all times including those relating to Learning Services and the Students' Union.
- 3.4 The Student Disciplinary Policy and Procedure does not provide for decisions relating to the academic profile, including the decision to withdraw students for reasons of academic failure. Such issues shall be dealt with by Assessment Boards and appeals against the decisions of Assessment Boards shall be dealt with using the appropriate Academic Appeals Procedures.
- 3.5 Students enrolled on courses leading to professional registration are subject to the University's standard policy and procedures in relation to academic assessment/progress and conduct, in addition to Fitness to Practise procedures. Students who have been found to have broken conduct rules under this policy will be referred for consideration under the Fitness to Practise Policy where applicable.
- 3.6 Where apprentices have been found guilty of non-major or major misconduct under this policy the University will inform the employer of the outcome and the penalty applied.
- 3.7 Where disciplinary proceedings have been instigated by a student ('reporting student') in relation to another student ('accused student'), the University has a duty of care to both students and will take all necessary steps to protect both students from harm and to continue to provide education to both students. Student Services will support both parties.
- 3.8 The University will not act on allegations of misconduct which it considers to be vexatious, spurious or malicious.
- 3.9 The University shall normally consider giving advice and guidance to improve conduct and behaviour before initiating the Student Disciplinary Policy and Procedure.
- 3.10 Minor breaches of student discipline should, where appropriate, be dealt with by means of an informal oral warning issued by any member of University staff.
- 3.11 The University student disciplinary policy and procedure is an internal policy and procedure and not a legal process. The University does not normally use legal professionals in the handling of cases, and therefore it is not expected that students would need to do so either. As such the engagement of legal professionals by students in relation to disciplinary procedures is not normally permitted, and would be allowed only in exceptional circumstances, in discussion with the Academic Registrar and the Disciplinary Panel Chair.
- 3.12 Students may be accompanied and supported at all stages of this procedure by a friend or representative, or their employer, not acting in a legal capacity.

4. Misconduct

- 4.1 Any student studying or registered at the University shall be subject to disciplinary measures if they are found to be guilty of misconduct. The essence of misconduct under these regulations is:
 - a) improper interference with the functioning or activities of the University, or of those who work in or study at or visit the University
 - b) action which otherwise damages the University or its reputation.
- 4.2 Misconduct will be considered as either major or non-major and possible sanctions will fit these categories.

4.3 In particular, the following examples shall constitute misconduct, whether occurring on University premises or elsewhere:

Misconduct	Non-Major	Major
a) any conduct that constitutes a criminal offence;	✗	✓
b) disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University;	✓	✓
c) obstruction of, or improper interference with, the functions, duties or activities of any student or member of staff of the University, or any visitor to the University;	✓	✓
d) violent, indecent, disorderly, threatening, intimidating, defamatory, derogatory or offensive behaviour or language, drunken or otherwise;	✓	✓
e) harassment, bullying or victimisation of any kind to any student or member of staff of the University, or any visitor to the University via any means, including phone, text/messaging, apps, forums, blogs, social media which includes publishing and sharing offensive material(s) about an individual;	✓	✓
f) any sexual misconduct/sexual impropriety, including, but not limited to, non-consensual sexual activity, sexual violence, assault, harassment, and stalking*	✓	✓
g) possession, use, sale or other trafficking of illegal drugs or controlled substances;	✗	✓
h) fraud, deceit, deception or dishonesty in relation to the University or its staff, students or visitors;	✓	✓
i) theft, misappropriation or misuse or damage of University property, or the property of the University's staff, students or visitors, caused intentionally or recklessly;	✓	✓
j) misuse or unauthorised use of University premises;	✓	✓
k) action likely to cause injury or impair safety on University premises;	✓	✓
l) failure to respect the rights of others to freedom of belief and freedom of speech;	✓	✓
m) breach of the provisions of any University rule, regulation, policy, procedure or code of practice;	✓	✓
n) failure to disclose personal details to a member of staff of the University in circumstances in which it is reasonable to require that such information be given;	✓	✓
o) failure to leave University premises when reasonably required to do so;	✓	✓
p) failure to comply with previously imposed sanction(s) under this Policy;	✗	✓
q) repetition of non-major misconduct offences;	✗	✓
r) failure to comply with any reasonable instruction(s) relating to discipline issues.	✗	✓

* Any allegations of this nature will be dealt with under the Sexual Misconduct Policy.

5. Misconduct that is also a criminal offence

- 5.1 Students are required to keep the University informed of any criminal investigations, charges or convictions in order that a risk assessment may be made as to the suitability of their continued enrolment at the University.
- 5.2 The following procedures apply where the alleged misconduct is reported to the Academic Registrar, and the misconduct, if proved, would also constitute an offence under UK criminal law.
- 5.3 If a matter referred under this Policy Procedure could be a criminal offence, the Academic Registrar will consult with senior colleagues before taking any action.
- 5.4 If the offence is reported to the police, the Academic Registrar will defer action until the police and courts have dealt with the matter to allow the criminal proceedings to take priority. However, the University may still take precautionary measures as outlined in section 6.

The University respects the rights of the reporting individual to determine if they will report the matter to the police and will support their decision. The University may, in exceptional circumstances, report the

alleged crime to the police contrary to the wishes of the reporting individual, if justified on grounds of protecting the reporting individual (or others) from harm.

- 5.5 If the matter is reported to the police no internal action other than taking precautionary measures shall normally be taken, until any subsequent criminal proceedings have been completed or that the police advise that they do not object to the University dealing with the matter.
- 5.6 Where a finding of misconduct has been made under these regulations, and a student has also been sentenced by a criminal court in respect of the misconduct, the penalty imposed by the criminal court shall be taken into consideration in determining the penalty under these regulations.

6. Precautionary measures pending a hearing

- 6.1 A student who is the subject of a complaint of misconduct or criminal proceedings may be subject to precautionary action by the Academic Registrar pending a disciplinary hearing and/or conclusion of the criminal proceedings. Any decision will be taken after a risk assessment on a case-by-case basis in consultation with senior colleagues. Any such measures shall be reported to the Student Governance team, the relevant Course Leader and the Manager of the Students' Union. If deemed necessary, an apprentice's employer will also be consulted and informed of any precautionary measures applied.
- 6.2 Precautionary measures pending a disciplinary hearing and/or criminal proceedings are to be used only where necessary to protect the University community, or the property of the University community or to facilitate an investigation into the facts. Written reasons for the decision shall be recorded and made available to the student. Any action taken as a precautionary measure is not a penalty or sanction and does not indicate that the University has concluded that the accused student has breached the conduct rules or committed a criminal offence.
- 6.3 Precautionary measures will be reasonable and proportionate and may include:
- a) Imposing conditions on the accused student, such as not contacting the reporting student or witnesses, keeping the details of the accusation confidential
 - b) Suspending the accused student
 - c) Excluding the accused student from, for example, taking part in University activities, using specific facilities and/or entering University grounds/premises.
- 6.4 A student who is suspended may be wholly or partly forbidden from entering University premises and from participating in University activities including exercising their functions or duties of any office or committee membership in the University or the Students' Union. Suspension may be subject to qualification, such as permission to take an assessment. The terms of the suspension shall be notified in writing to the student. This will also involve the employer and apprentice where the suspension creates a Break in Learning
- 6.5 Normally no student shall be suspended unless they have been given the opportunity to make representations to the Academic Registrar either in person or in writing, as the student chooses. Such representations may be put forward by the student or by their accompanying friend or representative (not acting in a legal capacity).
- 6.6 In cases deemed to be urgent, particularly if the safety of others is at risk based on a risk assessment, a student may be suspended with immediate effect and before being given the opportunity to make representations. In this instance the student or their representative shall be permitted to put forward representations at the earliest possible opportunity thereafter.
- 6.7 In any event any decision to suspend a student shall be subject to review after 20 working days. Such a review shall not involve a hearing but the student, either personally or through his or her friend or representative shall be entitled to submit written representations. The review shall be conducted by the Academic Registrar in consultation with senior colleagues
- 6.8 In addition to the initial review, the Academic Registrar shall review the suspension or exclusion on receipt of evidence of altered circumstances, which might affect the decision.

7. Initiation of disciplinary procedure

- 7.1 The Disciplinary Procedure shall be initiated by any person reporting an allegation of misconduct to the Student Governance team. If the allegation arises from within the University the Student Governance team shall notify the student of the general nature of the alleged misconduct and that it has been reported to him/her under this procedure. If the allegation arises from the investigations of an Academic Misconduct Panel, it shall be the responsibility of the Chair of the Panel to notify the student that the alleged offence is being reported to the Student Governance team as a disciplinary issue.
- 7.2 The University reserves the right to take action under these disciplinary procedures against an accused student if the reporting student does not wish to make a formal complaint.

8. Investigation

The Academic Registrar shall ensure that the member of staff conducting the investigation ('the investigating officer') has been supplied with all necessary information to commence the investigation. This may include a preliminary investigative interview with the relevant parties to determine whether any further action should be taken, at which the Academic Registrar (or their representative) may be in attendance. The investigating officer will determine the format of the investigation, which may involve subsequent interviews with all relevant parties. Students who are party to the complaint are entitled to be accompanied by a friend or representative, not acting in a legal capacity. The initiation of the investigation shall normally take place within 5 working days of the alleged misconduct being reported.

- 8.1 Following the interview, the investigating officer may determine one of the following outcomes:
- To dismiss the allegations immediately if they believe that there is no case for the student to answer
 - To refer the allegations to the University Fitness to Practise procedure in accordance with paragraph 1.6 above, where they have reason to believe misconduct relating to professional practice has occurred.
 - To determine that the alleged misconduct is considered either major or non-major as outlined in 4.3 above. The alleged misconduct can only be dealt with summarily if it is considered non-major and all allegations deemed by the investigating officer to be major misconduct must be heard by the Disciplinary Panel.
- 8.2 The investigating officer may determine it necessary to suspend the accused student during the investigation stage from some or all of their university activities pending further investigation either by the University or the Police as outlined above. In this instance, the investigating officer will refer the matter back to the Academic Registrar who will follow the procedure in section 6.

9. Summary procedure

- 9.1 In cases of non-major misconduct, if the investigating officer considers it appropriate to do so, and if the accused student agrees, the matter may be dealt with summarily without calling a Disciplinary Panel. The investigating officer will normally decide to deal with a case on a summarily basis only where there is an admission of guilt from the student. The student is entitled to be accompanied by a friend or representative, not acting in a legal capacity. A member of the Student Governance team will be present to record proceedings.
- 9.2 If the matter is dealt with summarily, the investigating officer shall consider written or oral evidence as they think fit. The investigating officer may impose any of the penalties set out at Section 10 of this Procedure other than expulsion from the University.
- 9.3 At the close of the proceedings, the student will receive a written report setting out the alleged misconduct, a brief summary of evidence received, the grounds for finding guilt, the penalty imposed, and the factors considered in deciding the penalty. A copy of the report shall be placed on the student's file.
- 9.4 There is a right of appeal against both a finding of guilt and any penalty imposed under the summary procedure as set out in Section 12.

- 9.5 If the investigating officer does not consider it appropriate to deal with the matter summarily, or if the student does not agree to it being dealt with in that way, then the matter shall be referred to a Disciplinary Panel under the procedure set out below.

10. The Disciplinary Panel

- 10.1 If a matter is to be referred to the Disciplinary Panel, the Student Governance team shall convene the Panel and shall notify the accused student in writing of the alleged misconduct and of the arrangements for further consideration of the student's case. If there is a series of related alleged misconducts the Panel may, at its discretion, deal with all allegations at one hearing.
- 10.2 The Disciplinary Panel shall be arranged as soon as is practicable after the preliminary interview between the student and the investigating officer and normally within 20 working days. The student shall be given a minimum of 10 working days' notice before the meeting of the Disciplinary Panel except where they have agreed in writing that shorter notice is acceptable.
- 10.3 Membership of the Disciplinary Panel normally shall consist of:
- Head of School (that the accused student is not studying in) as Chair,
 - the Course Leader of the course on which the student is enrolled,
 - two senior members of academic staff and
 - a representative of the Students' Union Executive (other than the President)

Members of the disciplinary panel must remain, and be seen to remain, impartial at all times. The Academic Registrar (or their representative) shall act as Secretary to the panel but is not a decision-making member.

- 10.4 The student may be accompanied by a friend or representative, or their employer, not acting in a legal capacity. The person who originally reported the allegations shall normally attend to present the case. That person may also be accompanied by a friend or representative not acting in a legal capacity. By agreement with the Chair, the case may be presented by the friend or representative on behalf of the case presenter. Where deemed appropriate by the Chair and Secretary, the investigating officer may present the University case.
- 10.5 The case presenter is required to set out the allegation(s) in full, in writing, in advance of the hearing. A copy shall be sent to the student at least 10 working days before the Hearing.
- 10.6 The case presenter and the accused student may call witnesses. Requests for witnesses to attend must be submitted to the Student Governance team at least 5 working days in advance of the Hearing.
- 10.7 The Secretary or the Chair may also call for witness statements in support of the allegation in advance of the Hearing. If such statements are requested they are required to be submitted to the Student Governance team at least 5 working days before the allegation is heard. Such statements shall be circulated to all parties in advance of the hearing. The Secretary or the Chair may also request that witnesses attend the Hearing.
- 10.8 Witnesses shall normally be required to attend to give evidence in person. The Panel may accept a witness's written statement in evidence where the parties agree that the witness need not attend, or where it is impracticable for the witness to attend, or where in the opinion of the Panel it is for some other reason in the interest of justice to do so. Only witness statements that are signed and dated by the witness, and include the witness's contact details, will be accepted.
- 10.9 All documentation to be considered at the Hearing will be circulated to all parties, by the Hearing Secretary, **5 working days** before the Hearing.
- 10.10 The agenda for the Hearing shall normally be as follows:
- a) Introduction of those present;
 - b) The allegations of misconduct shall be set out by the case presenter;
 - c) The student, or their representative, shall respond to the allegations;
 - d) The Panel shall have the opportunity to question both the case presenter and the student;

- e) Either party may call witnesses who shall attend only to present their evidence and to answer any questions that the Panel or the other party may put to them through the Chair. Once their evidence has been heard and there are no more questions, witnesses shall be required to withdraw;
- f) The case presenter shall sum up the allegations. New evidence is not admissible at this time;
- g) The student shall sum up. New evidence is not admissible at this time;
- h) The case presenter and the student shall withdraw whilst the Panel reach their decision in private.

10.11 The agenda for the Hearing may be varied at the discretion of the Chair

10.12 The Panel may impose time limits on oral addresses and submissions.

10.13 The Panel shall rely only on evidence presented at the Hearing, or in written format beforehand.

10.14 The Panel may ask for additional enquiries to be undertaken and may call for additional witnesses to attend. If two or more students are involved in related allegations of misconduct, the Panel may at its discretion deal with their cases together.

10.15 At the discretion of the Panel, proceedings may be adjourned for a period not exceeding 20 working days in the first instance, and its findings or decision deferred accordingly.

10.16 The Panel shall find a student guilty of misconduct only if, on the evidence before it, it is satisfied on the balance of probability that misconduct occurred. If the members of the Panel cannot agree, the verdict of the Panel shall be that of the majority of its members.

10.17 The decision of the Disciplinary Panel shall be communicated in writing to all parties, normally within 5 working days.

10.18 Except with the authority of the student the proceedings of the Panel shall remain confidential, with the exception of its decision.

10.19 For students studying courses with a PSRB, outcomes will be communicated in annual monitoring reports.

10.20 For Students enrolled on courses leading to professional registration, if the Panel find misconduct to have occurred under 10.16, the outcome will be referred for consideration under the Fitness to Practise Policy.

11. Penalties

11.1 If a student is found guilty of an allegation of misconduct, penalties may be imposed by the investigating officer in matters dealt with summarily, or by the Disciplinary Panel in other cases. The penalties are set out below. A student may not be expelled following an allegation heard under the summary procedure. The student or their representative shall be entitled to make representations in mitigation before the penalty is decided, either to the investigating officer or at the Panel hearing.

11.2 When determining penalties, consideration shall be given to the seriousness of the misconduct and whether it is considered major or non-major misconduct, the circumstances of the misconduct, if there are any mitigating, aggravating or compounding factors and the means and general personal circumstances of the student.

11.3 If the Panel finds that there is no case to answer, or it is not possible to determine if misconduct occurred, the Panel cannot impose sanctions. However, in exercising its duty of care to the reporting and accused students, the University may decide that it is appropriate to put in place arrangements to support the ongoing interactions between parties. This may take the form of mediation, non-contact or other arrangements.

11.4 It may be that the Panel finds there is a case to answer but that it is more appropriate to offer advice and guidance rather than impose a penalty. In this circumstance the details of the case will be kept on the student's file and may be referred to in the event of any subsequent disciplinary actions.

11.5 The penalties that may be imposed are one, or a combination of, the following:

Sanctions	Non-major	Major
a) <u>A First Written Warning</u> . This shall give details of the complaint, the outcome of the Hearing, the improvement required and the timescale. It shall warn that further disciplinary action will be considered if there is no satisfactory improvement. It shall also advise of the right of appeal. A copy of the written warning shall be placed on the student's file, but will be removed from the file and disregarded for disciplinary purposes after a period of 12 months, or for a lesser period as specified by the Panel, subject to satisfactory conduct and performance within that period.	✓	✗
b) <u>A Final Written Warning</u> . This shall be issued if there is a failure to improve and conduct remains unsatisfactory, or if the misconduct is sufficiently serious but does not justify expulsion. A Final Written Warning shall give details of the complaint, shall warn that expulsion is likely to result if there is insufficient improvement and shall advise of the right to appeal. A copy of this Final Written Warning shall be placed on the student's file. Final Written Warnings shall be removed from the file and disregarded for disciplinary purposes after a period of 24 months, subject to satisfactory conduct and performance within that period.	✗	✓
c) <u>Written apology</u> . Instruct the student to provide a written apology inclusive of a reflection on behaviour(s) and action(s) to the aggrieved party/parties.	✓	✓
d) <u>Non-contact order</u> with specified person/persons for a defined period.	✓	✓
e) <u>A Fine</u> of up to a maximum of £500 (amount subject to periodic review by the University's senior management team).	✓	✓
f) <u>Compensation</u> of a reasonable sum in respect of identified and quantified loss.	✓	✓
g) <u>The Performance of Unpaid Services</u> for the University community to a maximum of 40 hours.	✓	✓
h) <u>Suspension</u> from the University for a fixed period of time, up to a maximum of twelve months. A student who is suspended is prohibited from entering University premises, and from participating in University activities. Suspension may be subject to qualification, such as permission to take an assessment. The terms of the suspension shall be notified to the student in writing. An order of suspension may include a requirement that the student shall have no contact with a named person or persons. In the event of ongoing criminal proceedings relating to the same matter, the University may extend the period of suspension until proceedings concluded.	✗	✓
i) <u>Exclusion order to prohibit access to services/facilities</u> for a defined period.	✓	✓
j) <u>Expulsion from the University</u> , which means that the student ceases to be a member of the University, and loses all rights and privileges of membership. The Panel should also determine to withhold or withdraw any award, final or interim, from the University.	✗	✓

11.6 Apprentices suspended as a result of this policy must also undertake a Break in Learning

12. III Health

12.1 If it appears to those considering an allegation of misconduct that the student in question is suffering from illness the proceedings may be adjourned for the preparation of a medical report.

12.2 If there is medical evidence that the student is suffering from illness, those dealing with the case may suspend or terminate the proceedings, if it is felt appropriate to do so. It may be made a condition of suspension or termination of the proceedings that the student seeks appropriate support and/or treatment.

13. Appeals stage

13.1 An accused student may appeal against a finding of guilt or a penalty imposed following a finding of guilt. The appeal must be made in writing to the Student Governance team within 10 working days of receipt of the written confirmation of the Disciplinary Panel's decision and must specify the grounds on which it is based. An appeal may be made on the following grounds if the student has evidence that:

- the procedures outlined in this document were not followed
- new material evidence has become available which was, for a valid reason, not available at the time of the Disciplinary Hearing (appeals based on evidence that was available but not presented at the time will not normally be accepted)
- the penalty is disproportionate in the circumstances of the case

Disagreement with the decision of the Disciplinary Panel is not grounds for appeal and appeals made solely on this basis will be dismissed.

13.2 The Appeals Panel shall comprise a Deputy Vice-Chancellor, one senior member of academic staff (not previously involved with the case) and the Students' Union President. The Academic Registrar shall act as Secretary but will not be a decision-making member. Any person who was a member of the original Disciplinary Panel shall take no part in the meeting of the Appeals Panel except for the purposes of presenting a report.

13.3 There shall be no entitlement to a rehearing of a case. The Panel hearing the appeal may overturn the finding of guilt where they consider it just to do so. In particular a finding may be overturned if:

- New material evidence is presented which suggests the finding of guilt may be unreasonable; the original hearing was not conducted fairly;

The student may present the appeal in person or in writing as they choose and may be accompanied by a friend, representative, or their employer, not acting in a legal capacity.

13.4 The Chair of the Disciplinary Panel shall also be entitled to make written submissions or oral representations to the Appeals Panel.

13.5 The Panel hearing an appeal against a penalty, may impose a lesser or greater penalty, having considered whether the original penalty imposed was fair and reasonable in the light of all the circumstances of the case and the student's means and general personal circumstances, may determine there is no case to answer or that there is a case to answer but that the student should be given advice and guidance instead of a penalty.

13.6 Where an appeal is pending against a decision of the Disciplinary Panel to suspend or expel a student, the Chair of the Disciplinary Panel will be provided the details of the appeal and will be asked to confirm if it is appropriate to defer the operation of the suspension or expulsion pending the appeal, considering the specific circumstances of the case.

13.7 The proceedings of the panel will be determined by the panel members and will take account of the grounds for the appeal.

13.8 The Appeals Panel shall have power to call witnesses and examine any evidence relevant to the subject of the appeal and may adjourn its proceedings or defer its decision for that or any other purpose. The Appeals Panel shall consider its decision in private and shall notify the student of the outcome in writing (normally within 5 working days of proceedings concluding). The decision of the Appeals Panel shall be final and no further appeal may be permitted within the University. The student will be issued a Completion of Procedures letter.

14. Further action: Referral to the Office of the Independent Adjudicator

14.1 If, after exhausting internal procedures the student remains dissatisfied, they may refer their case to the Office of the Independent Adjudicator (OIA). Students wishing to make a case to the OIA must do so within 12 months of the date of the Completion of Procedures letter using the OIA complaint form. Further information is available from the OIA website <http://oiahe.org.uk/making-a-complaint-to-the-oia/how-to-make-a-complaint.aspx>. Students may also contact the OIA and request to be sent a form. The OIA will determine whether the student's case is eligible for consideration under its rules.

Contact details for the Independent Adjudicator are:

[How to complain to us - OIAHE](#)

Office of the Independent Adjudicator
2nd Floor
Abbey Wharf
57-75 Kings Road
Reading
RG1 1LX
Tel: 0118 959 9813

Email: enquiries@oiahe.org.uk

15. Monitoring and review of student disciplinary cases

- 15.1 The Student Governance team will prepare an annual review of student disciplinary cases across all awards. This annual review will be considered by Academic Standards and Quality Committee and Academic Board, with a view to identifying any trends and whether there is a need to revise any policy or practices. This report will not refer to any individuals by name.

16. How we collect and process personal data under this policy

- 16.1 The nature of matters dealt with under this policy will often require the collection and processing of sensitive personal information. This information will be used for the purposes of implementing this policy only and will be kept in accordance with the University Records Retention Policy which requires records to be kept for 6 years after the last action on the case.

Version:	2.2
Approved by:	Academic Board
Originator/Author	Academic Registrar
Policy Owner	Academic Registrar
Reference/ source	Internal and BU; UUK report "Changing the Culture"; UUK/Pinsent Masons Guidance for HEI "How to Handle Alleged Student Misconduct Which May Also Constitute a Criminal Offence"
Date approved	26 July 2024
Effective from	August 2024
Review date	2025/26 Review period extension approved by ASQC in July 2025
Target	All staff and all students and apprentices enrolled on University awards
Policy location	Public Website/ Internal
Equality analysis	No direct impact. The policy provides for reasonable adjustments to be made, where appropriate, for students with specific protected characteristics under the Equality Act 2010. Monitoring will be undertaken to assess whether there is any differential impact in the handling of cases
Minor amendment	