



Procedure for Student Discipline

General Regulations

1. Students must observe all regulations that govern the effective organisation and management of specific areas of activity within the University, including those relating to enrolment, registration and financial requirements, attendance, health and safety, the use of learning and teaching materials, computers, childcare, refreshments, sport and recreational facilities, professional codes of practice pertaining to any element of the students' programme and residential accommodation. The same applies to field work, placements and other external engagements associated with their studies.

Student Conduct

2. Students must not whilst engaged in any University activities or within a context which could be perceived to be related to University activities, on or off campus:
 - a) commit physical assault, behave threateningly or engage in oral or written abuse including via social media to other students, staff or visitors to the University;
 - b) make malicious allegations against other members of the University via any means of communication including social media;
 - c) damage University property or property of other students, staff or visitors;
 - d) misappropriate any University property, funds or assets;
 - e) misuse the University's computer network and/or internet services;
 - f) act in any way which is likely to cause injury to any other person within the University community, including impairing the safety of premises, or equipment and interfering with anything provided in the interests of Health and Safety at Work;
 - g) commit any criminal act, including the supply and/or use of illegal drugs, whilst upon University premises or engaged in University activities;
 - h) engage in any activity or behaviour that contravenes the University's Equal Opportunity or Harassment policies or those of a placement organisation;
 - i) behave in any way which unreasonably interferes with the legitimate freedoms of any other student, member of staff, or visitor, or which disrupts or interferes with activities properly carried out by the University.
3. Students must not behave in the community in such a way as may be reasonably deemed to harm the reputation of the University or its relationship with the local or wider community.

4. This list is not exhaustive. Any behaviour that is considered to be unacceptable and/or inappropriate and which may bring the University into disrepute will be regarded as a breach of general regulations, and will be subject to appropriate disciplinary action.

Academic Requirements

5. Students must ensure that they satisfy programme and module attendance requirements (which, in the case of international students from outside the European Union, including visa or UKBA requirements) and should bear in mind that it is the University's responsibility to report unsatisfactory attendance to authorities providing financial support, and where appropriate, to employers or other sponsors.
6. Students are responsible for notifying the Dean of Faculty or his/her nominee, without delay, of any prolonged absence through illness or other unavoidable cause and should provide any necessary documentary support for such absence.
7. Students must not attempt to secure an unfair advantage over others in assessment, as covered by the University's procedures for dealing with unfair practice in assessment.
8. Students are required to enrol during the official enrolment periods which are determined by the University.
9. Students must ensure that they are aware of and abide by the University's Regulations pertaining to intellectual property rights.

Financial Requirements

10. All registration fees are payable in full upon enrolment.
11. Tuition fees are, normally, charged annually. If fees are paid by a Local Education Authority or the Student Loan Company or sponsor, then students should produce documentary evidence of fee aid/sponsorship when enrolling. Students may pay their tuition fee contribution in two equal instalments.
12. In the event of a student discontinuing the programme, tuition fees will be charged in full, up to and including, the end of term/semester in which the student withdraws.
13. Accommodation charges are payable termly, in full, during the first ten days of each term.
14. Students who cause damage to, or loss, of University property, assets or funds may be required to pay for such damage or loss.
15. Students should ensure that sufficient funds are available to honour any personal cheques presented as payment to the University.

Change of Address

16. Students must inform the Registry and the relevant Faculty administrator of any change of term-time and/or home address.

Health and Safety

17. Students must read and comply with all health, fire, and safety regulations, and co-operate with all activities in respect of such regulations. Students must also abide by all relevant regulations of placement providers, work-based learning providers or any other regulations governing external activities undertaken under the aegis of the University.
18. Smoking is permitted only in designated areas.
19. Accidents must be notified promptly to the Dean of Faculty who will ensure that the necessary documents are completed.
20. Where parking is allowed on campus, students' vehicles, motor cycles and cycles must be parked in designated areas.
21. The speed limits on all campuses must be observed.

University Liability for Loss/Damage

22. The University is not liable for loss or damage to personal property brought on to or left on campus or when students are engaged in University activities.

Student Debt

23. Any student who is in debt to the University may be excluded from any or all University services and may be refused permission to re-enrol or progress within the University until the debt is paid. Assessment results may be withheld and certificates will not normally be issued until the debt is paid. The University may take appropriate steps to recover any outstanding debt or recover/replace any University property.

Student Disciplinary Regulations

Basis of Jurisdiction

24. All students of the University are subject to the jurisdiction of the Vice Chancellor or his/her nominees and the University Council, in respect both of their studies and their conduct. These regulations deal with student misconduct which is defined as improper interference in the broadest sense with the proper functioning or activities of the University, or with those who work or study in the University, or action which otherwise damages the University whether on its premises or elsewhere.
25. In these regulations:
 - (a) "friend" shall be understood as meaning a member of academic staff of the University or a registered student of the University or a Sabbatical Officer of the Students' Union. Legal representation will not be allowed.
 - (b) "Student" shall mean any student studying or registered at the University and for the avoidance of doubt this shall include all postgraduate students registered solely for the purpose of writing up and all graduands.

- (c) "Academic Office" shall mean those offices with central oversight of quality, student support or any other nominated individuals.

Minor Offences: Jurisdiction

26. The Senior Directorate will nominate appropriate officers to deal with minor offences at the various geographical locations.
27. A minor offence is defined as anti-social conduct, including causing a public nuisance by drunkenness or disorderly conduct. Where a student admits to such an offence, the nominated officer shall impose a maximum fine of £100. Where appropriate, the officer may also require an individual to make and attend an appointment for counselling or medical treatment, to undertake community service, or may issue a reprimand or suspension of privileges for a period not exceeding one term, or a requirement to make good the cost in whole or in part of any damage caused and/or repay/make good any financial loss to the University, or any or all of these. The limits of these penalties may be reviewed periodically by authority of the University Council.
28. Where a student does not admit to the alleged offence or disputes the penalty, the matter shall be referred to the Discipline Panel.
29. In the event of repeated minor offences (that is two or more as proven under this procedure) the nominated officers above have the discretion to refer the student concerned to the Discipline Panel.

Minor Offences: Procedure

30. In all cases, the individuals concerned are to be specifically informed of the details of the alleged offence in writing (to be served personally and/or by Special Delivery or equivalent secure service to the address held by the University) and given the opportunity of defending themselves in writing, in person or by video-conferencing and shall, if they so desire, be accompanied by a friend. Legal representation is not allowed. Where a student does not appear on the date appointed and the nominated officer is satisfied that he/she has been properly served with notice to appear, the nominated officer may proceed to deal with the charge and if necessary, impose an appropriate penalty in the absence of the student. The nominated officer also has the power to postpone, continue or adjourn the case on cause shown at his/her discretion.
31. When the offence is admitted, a record of the offence and of the penalty will be filed, by the officer concerned, in the Academic Office.
32. When responsibility is denied, and/or if the student is not prepared to accept the penalty imposed by the nominated officer, the matter shall be referred to the Discipline Panel.

Major Offences: Jurisdiction

33. In all cases where in his/her opinion the gravity of the offence appears to warrant it or the appropriate penalty might be beyond the limit fixed for a minor offence, the officer to whom the case has been reported is obliged to report the case to the Vice-Chancellor. It shall be the responsibility of the Vice-Chancellor or his/her nominee to

determine whether the case shall be considered under the Major Offences procedure.

34. For illustrative purposes, examples of what would normally be regarded as major offences are:
- (i) offences in connection with degree, diploma or certificate examinations;
 - (ii) falsification or serious misuse of University records, including degree or diploma certificates;
 - (iii) false pretences or impersonation of others, within or without the University, in connection with academic attainments or financial awards;
 - (iv) theft, fraud, misapplication of or gross negligence in connection with funds or property of any kind;
 - (v) riotous or disorderly conduct causing serious damage to or on the University's property or premises or seriously affecting good order within or outside of the University's property;
 - (vi) offences against the criminal law, where these offences involve other students or directly affect the interests of the University;
 - (vii) conduct, which, by whatever means, seriously disrupts or prejudices the work or wellbeing of other members or employees of the University or the carrying out of the University's business;
 - (viii) the possession, storage, sale, use or misuse of a controlled drug as defined by the Misuse of Drugs Act 1971 (as amended from time to time), or other harmful substances as defined by the University, on the University's property.
 - (ix) similar behaviour whilst engaged in placements, work-based learning or any other external activities undertaken under the aegis of the University would also be classified as major offences.
35. The penalties which may be imposed in respect of major offences are stated in paragraph 57 below. The most serious offences, such as assaulting University staff in the course of their duties, shall normally warrant the most severe of penalties, i.e. expulsion from the University.

Major Offences: Procedure

36. A student who is alleged to have committed a major offence may be suspended from classes, precincts or the University as a whole, at the Vice Chancellor's discretion or that of his/her nominee, pending a disciplinary hearing, police investigation or criminal trial. This suspension is not a sanction, but may be used to protect the University community or the reputation of a particular member or members of the University. The reasons for the suspension will be put in writing and will be subject to periodic review.

If a student is, or is likely to be violent, the nominated officer or his/her nominee has the discretion to suspend the student instantly pending investigation. The suspension must be reviewed within 48 hours by the Vice-Chancellor or nominee.

37. A student charged with a major offence will receive a written summons (served personally and/or by Special Delivery or equivalent secure service to the address held by the University) giving a brief but clear specification of the charge and calling upon him/her on at least ten working days' notice to appear before the Discipline Panel. If for reasons of distance or other good reason, physical attendance in person is not possible, the complainant shall be invited to contribute via video link, audio link or to make an additional written submission. If the student does not appear on the

date appointed and the Discipline Panel is satisfied that he/she has been properly served with notice to appear, the Panel may proceed to deal with the charge and, if necessary, impose the appropriate penalty in his/her absence.

The Discipline Panel

38. The Discipline Panel deals with major offences and minor offences where a student does not admit to the alleged offence and/or does not accept the penalty that has been imposed.

39. The membership of the Discipline Panel is as set out below. The quorum of the Panel is the Chair, one member of staff and one student:

Chair – normally a Dean or Assistant Dean not from the Faculty within which the student is studying (appointed by the Vice-Chancellor);

Two members of staff (appointed by the Vice-Chancellor);

Two student members (normally a sabbatical officer of the Students' Union and one other student whose names shall be communicated to the Academic Office by the President of the Students' Union).

Secretary: central appointment

40. The Vice-Chancellor is not a member of the Discipline Panel and no member of the Discipline Panel shall have had previous involvement with a particular case or any association with the student concerned.

Terms of Reference

41. The Discipline Panel's terms of reference are as follows:

- (i) To consider the evidence submitted in relation to the offence;
- (ii) To consider reports from the University representative;
- (iii) To decide whether the student has contravened the regulations;
- (iv) To determine any penalty to be imposed, if appropriate;
- (v) To inform the student of its decision, normally within five clear working days of making the decision.

Procedure

42. Together with the written summons, the student will be notified that:

- (i) unless he/she expresses a wish to the contrary before the date of the hearing, the Discipline Panel will include student members;
- (ii) if he/she wishes to lodge an objection to any member of the Discipline Panel (whose names will be communicated to him/her) he/she must lodge the objection with the

Academic Office not less than two clear working days before the hearing, with an explanation of the grounds for objection;

- (iii) he/she may call such witnesses in defence as he/she may think fit, and shall inform the Academic Office in advance of the date of hearing of the names of his/her witnesses;
 - (iv) he/she may be accompanied by a friend but not legally represented;
 - (v) he/she may approach the President of the Students' Union for assistance and support.
43. The Chair will decide on any objections to its members lodged by student charged.
 44. In the event of the student wishing to admit the charge, he/she may do so in writing to the Academic Office on receipt of the summons. He/she shall be heard in mitigation by the Discipline Panel before any penalty is determined.
 45. If the student wishes to challenge the charge, he/she shall do so in writing to the Academic Office at least three clear working days before the date fixed for the hearing and the question shall be decided by the Discipline Panel at that date. If the charge is found to be properly brought, the Discipline Panel shall proceed directly to hear the charge.
 46. In the event of the student denying the charge, the University's case will be presented by a representative, normally a member of staff from the Academic Office. Witnesses may be called in support of the case and their names shall be made available to the student prior to the hearing.
 47. The evidence on behalf of the student (should he/she wish to give evidence) will then be heard. The friend will not act as advocate for the student, and normally should the student wish the friend to speak on their behalf this must be approved by the Chair. No person will be allowed to act as a friend where it can be demonstrated that they have the potential to gain personal advantage through their attendance (for example they are subject to the same or a related breach of the University regulations).
 48. Witnesses may be cross-examined and re-examined.
 49. Both the student and the University representative shall be allowed to make a final address, the student having the last word.
 50. The student and friend and the University representative will withdraw while the Discipline Panel considers its decision, and return to hear it delivered.
 51. If the Discipline Panel finds the charge proven, the student shall be heard in mitigation before any penalty is determined. In determining the penalty, the Discipline Panel shall take into account any record of previous misconduct.
 52. The student may admit the charge or part of it at any stage of the proceedings.
 53. In the event that it is decided that the alleged offence has not been established and there be no case to answer, the University will ensure so far as possible that the student has not been disadvantaged.

54. The Discipline Panel shall have power to adjourn, continue or postpone a hearing on good cause or in its discretion.
55. In all cases, a Minute of the proceedings will be kept and where appropriate, a précis of the statements of witnesses.
56. In the event of a Discipline Panel being convened to consider an offence involving more than one student, the students in question may elect to be seen separately or as a group, provided this is considered appropriate by the Discipline Panel.

Possible Penalties

57. The Discipline Panel is empowered to issue a written warning, set a fine, demand compensation, suggest that a student attends counselling sessions, be excluded from a particular service, suspended or expelled, or any combination of these penalties. The Discipline Panel is also authorised to exercise its discretion in identifying an appropriate alternative penalty. In all cases, the Discipline Panel will ensure that penalties are proportionate to the offence committed and that there is consistency in the level of penalties applied.

(i) Advice and Guidance

Advice or guidance may be carried out in an informal manner by a member of the University's staff, and repeated as necessary.

(ii) Compensation

The Discipline Panel may require the student to pay compensation to the University, to the owner or possessor of property damaged or to the person injured. The Discipline Panel may allow time for the student to pay the compensation or order the sum to be paid in prescribed instalments. In addition to compensation the Discipline Panel may require students to repair (to an appropriate standard) or otherwise make good any damage that may have resulted from their action or inaction.

(iii) Fines

The Discipline Panel may require the student to pay a fine to the University and may allow time for the student to pay the fine or order the sum to be paid in prescribed instalments.

(iv) Written warning

The Discipline Panel may issue a written warning. Written warnings will remain on record for a specified period, normally three years, and during this period, will form part of the evidence presented in any subsequent disciplinary meetings. Written warnings may be noted on the student's University reference. Should the student be subject to further disciplinary proceedings at a later date, the student's record will be made available to the Discipline Panel after it has reached its judgement on whether or not the allegation against the student is upheld.

(v) Disciplinary Suspension

The Discipline Panel has the authority to suspend a student from any or all of the services of the University on disciplinary grounds. Such suspension shall be notified to the student in writing by first-class post at the address held by the University and shall include a copy of these procedures. Suspension shall normally be interpreted as exclusion from all University services, including residential accommodation (unless otherwise indicated).

(vi) Expulsion

The Discipline Panel has the authority to expel a student. Such expulsion shall be notified promptly to the Chair and to the Clerk of the University Council.

Appeals

58. After the decision of the Discipline Panel has been made, the student will be allowed ten working days in which to make an appeal in writing, to the Clerk of the University Council ("the Clerk") for a hearing by the Appeals Panel of the Board of Governors (the "Appeals Panel"). The appeal may be either against the decision of the Discipline Panel or against the penalty and should state briefly the grounds on which it is made. If the Clerk considers the grounds for appeal to be inadequate he may decide not to proceed with the appeal.
59. The membership of the Appeals Panel will be three members of the Board of Governors of whom at least one should be an independent/co-opted governor. The Chair of the Appeals Panel will be appointed annually by the Board of Governors.
60. When an appeal has been notified, the Appeals Panel (through the Clerk) will summon the appellant to a hearing allowing at least ten working days for preparation of his/her case. At the same time, the appellant will again be informed that he/she is entitled to be accompanied by a friend.
61. The appellant will be provided with a copy of the Minutes of the proceedings of the Discipline Panel. The Discipline Panel may prepare its own report to the Appeals Panel in addition to the Minute of proceedings, with such comments as it may wish to make on the reliability of evidence. This report will also be made available to the appellant.
62. The Appeals Panel has power on cause shown to permit the appellant to call or present additional evidence in which event the University representative may be permitted to call or present further evidence to meet any new or additional issues raised by the appellant.
63. At the hearing, the appellant will be the first party to address the Appeals Panel. The University representative will then address the Appeals Panel.
64. If additional witnesses are permitted to be called on behalf of the appellant, they will be liable to cross-examination. Any additional witness called by the University representative will also be liable to cross-examination. Additional witnesses will also be subject to re-examination.
65. The appellant and friend and the University representative will withdraw while the Appeals Panel considers its decision, and return to hear it delivered.
66. In the case of an adverse decision (except in appeals solely against penalty) the appellant may make a plea in mitigation of penalty.
67. The Appeals Panel has power to confirm, set aside or vary a finding or decision of the Discipline Panel or to set aside or vary any penalty imposed by the Discipline Panel.

68. The decision of the Appeals Panel is final. The student shall be issued with a Completion of Procedures letter, normally within ten working days of the meeting of the Appeals Panel, which sets out the decision with explanation. The letter shall also confirm the student's right to apply to the Office of the Independent Adjudicator for Higher Education (the OIA) for an independent review in the event that s/he remains dissatisfied with the outcome.
69. Complaints to the OIA must be made within three months of the date of the Completion of Procedures letter. Full details of the procedure are available from the OIA website: www.oiahe.org.uk.

Criminal Proceedings

70. In cases where it is thought that a student may be involved in criminal conduct, it is the duty of any member of the University to whose attention the matter is drawn to report it to the Vice-Chancellor. The fact that criminal proceedings have been external to the University does not preclude the University from taking its own disciplinary action at the appropriate time, if it is thought fitting or necessary to do so. In addition, the fact that the Police are unable or unwilling to proceed does not preclude the University from taking its own disciplinary action.