1. **GENERAL PROVISIONS**

1.1 The central activities of the University are teaching, learning and research. The primary function of this Regulation is to protect these essential activities and the administrative structure on which they depend from disruption.

1.2 Students are expected to conduct themselves at all times in a manner which demonstrates respect for the University, its staff, fellow students and the wider community.

1.3 Students shall maintain a standard of conduct which does not (1) cause actual or potential distress or harm to others; (2) cause actual or potential damage to the property of the University or others; (3) disrupt the normal functioning or operation of the University; or (4) impede or interfere with the pursuance of work or study of those working or studying at the University.

1.4 Students shall be responsible for making themselves aware of all provisions affecting them which are contained in the Charter and the Statutes, the Regulations of the University, and in such other codes of practice, policies, handbooks and similar documents as Senate and/or Council shall approve from time to time and shall at the time of first registration undertake to comply at all times with the same.

1.5 Advice and support is available to students through the University's student support services and the Students' Union.

1.6 The University will send all communications which are referred to in this Regulation to the student's University email address and to the student's postal address which is held on the student's record.

1.7 The following may nominate another to undertake his/her role under this Regulation:

   1.7.1 Vice-Chancellor may nominate a Deputy Vice-Chancellor or Pro-Vice-Chancellor;

   1.7.2 Pro-Vice-Chancellor may nominate another member of staff of the University;

   1.7.3 Registrar and Secretary may nominate another member of staff of the University;

   1.7.4 the Director of Planning, Governance and Compliance may nominate another member of staff of the University.

1.8 Any person involved in the investigation or determination of a disciplinary case shall declare any matter which raises or may raise a conflict with their duties under this Regulation.

1.9 A suspension means that the student is prohibited from participating in the academic activities of the University and the student's registration on his/her course of studies is put on hold. Exclusion means that the student is prohibited from using University facilities and/or entering University grounds or premises. A partial or qualified suspension and/or exclusion may be put in place where appropriate.

1.10 If a student permanently withdraws from the University during the disciplinary process, the University may continue to pursue disciplinary action and impose a sanction on the (former) student.

1.11 This Regulation does not apply to incidents of alleged academic misconduct. The Examination and Assessment Regulations Handbook, published each year, applies to any such incidents.

1.12 Where a student is registered for a programme which is subject to a Fitness to Practise procedure, the University may apply the Fitness to Practise procedure when investigating and dealing with allegations of misconduct in relation to that student.

1.13 Amendments or additions to this Regulation by Council shall (unless otherwise stipulated by Council) be of immediate effect.
2. **REPORTING AN INCIDENT**

2.1 Where someone studying or working at the University observes or is informed of conduct by a student which may constitute disciplinary misconduct (the "Incident"), that person (or someone acting on that person's behalf) shall report such conduct to the Director of Planning, Governance and Compliance.

2.2 Incidents which occur outside the University or via a non-University mechanism (such as social media) may be dealt with under this Regulation.

2.3 The Director of Planning, Governance and Compliance may check the University records in order to ascertain whether the student has committed any previous acts of disciplinary misconduct and may provide that information to those involved in the disciplinary process if appropriate. The information may not be relied upon as evidence that the student has committed the alleged act of misconduct currently being considered under this Regulation but it may be taken into account when considering whether it is necessary to impose precautionary action, when considering which disciplinary route to follow and when considering sanctions.

3. **PRECAUTIONARY ACTION**

3.1 The Director of Planning, Governance and Compliance may impose immediate conditions on the student to ensure that a full and proper investigation can be carried out and/or to safeguard the student or others whilst the Incident is being considered under this Regulation. For example, a student may be required not to contact certain witnesses to the Incident. Those conditions will not include the suspension or exclusion of a student.

3.2 A decision by the Director of Planning, Governance and Compliance to impose conditions on the student together with the reasons for the decision will be communicated to the student in writing as soon as reasonably practicable ("Conditions Notice"). The student will be given an opportunity to make representations to the Director of Planning, Governance and Compliance about the imposition of conditions within 5 working days of the date of the Conditions Notice and the student may request that the Director of Planning, Governance and Compliance review the conditions and either maintain the conditions, change the conditions or remove the conditions. The Director of Planning, Governance and Compliance will inform the student in writing of the outcome of any review together with the reasons for his/her decision within 5 working days of the decision being made.

3.3 If the nature of the Incident suggests that there may be a risk to the health, safety or well-being of the student or others, or if a student fails to abide by conditions that are imposed by the Director of Planning, Governance and Compliance under paragraph 3.1, the Vice-Chancellor may exercise his/her power under Regulation 7 to suspend and/or exclude the student for a specific period of time or until the conclusion of criminal proceedings or until the conclusion of disciplinary proceedings.

3.4 The imposition of conditions and/or a suspension or exclusion at this stage are precautionary in nature; they are not a penalty and do not indicate that the University has concluded that the student has committed a disciplinary offence.

3.5 The student will be given an opportunity to make representations to the Vice-Chancellor before the Vice-Chancellor considers whether to exercise his/her power to suspend and/or exclude a student as a precautionary action unless that is not possible or appropriate due to the urgent or sensitive nature of the matter.

3.6 If the student has had an opportunity to make representations to the Vice-Chancellor, a decision to suspend and/or exclude the student as a precautionary action together with the reasons for the decision and notification of the right to appeal will be communicated to the student in writing as soon as possible ("Suspension/Exclusion Notice").

3.7 If the student did not have an opportunity to make representations to the Vice-Chancellor before a decision to suspend and/or exclude him/her as a precautionary action was made, he/she will be
given an opportunity to make representations as soon as possible thereafter. The student will be informed of the decision to suspend and/or exclude together with the reasons for the decision in writing and notified of the right to make representations as soon as possible ("Preliminary Suspension/Exclusion Notice"). The student may submit representations to the Director of Planning, Governance and Compliance within 5 working days of the date of the Preliminary Suspension/Exclusion Notice and the Vice-Chancellor will review his/her decision taking the representations into account. The student will be informed of the outcome of the review in writing as soon as possible. If the Vice-Chancellor decides to continue with or impose any new suspension and/or exclusion as a precautionary action following the review, the student will be provided with a Suspension/Exclusion Notice.

3.8 The precautionary suspension and/or exclusion will be reported to the next meetings of Senate and Council.

3.9 The Vice-Chancellor may delegate his/her powers of suspension and exclusion to the Deputy Vice-Chancellor or one of the Pro-Vice-Chancellors. Where the powers are delegated, the Vice-Chancellor shall receive a full written report of any decision to suspend and/or exclude a student and shall be kept informed of the matter.

3.10 The student may appeal against the Vice-Chancellor's decision to suspend and/or exclude him/her as a precautionary action by writing to the Director of Planning, Governance and Compliance within 5 working days of the date of the Suspension/Exclusion Notice setting out the reasons for the appeal. The student may not appeal if he/she has received a Preliminary Suspension/Exclusion Notice but has failed to submit representations to the Director of Planning Governance and Compliance in accordance with paragraph 3.7 above.

3.11 The Chair of Council or one of the Vice-Chairs of Council will consider the appeal and may:

3.11.1 uphold the Vice-Chancellor's decision;

3.11.2 change the scope of the precautionary suspension and/or exclusion (the scope may be increased or decreased); or

3.11.3 remove the precautionary suspension and/or exclusion.

3.12 The Chair of Council/Vice-Chair of Council will inform the student in writing of his/her decision together with the reasons for that decision within 5 working days of receipt of the appeal.

3.13 The precautionary suspension and/or exclusion will be reviewed by the Vice-Chancellor within one month of the date of the latter of the Suspension/Exclusion Notice or the Preliminary Suspension/Exclusion Notice ("Initial Review") and then at regular intervals as determined by the Vice-Chancellor when undertaking the Initial Review.

3.14 The student may request that the Vice-Chancellor review the precautionary suspension and/or exclusion at any stage if there is a material change in circumstances. Such a request must be sent in writing to the Director of Planning, Governance and Compliance. The request will be provided to the Vice-Chancellor who will review the precautionary suspension and/or exclusion.

3.15 At each review, the Vice-Chancellor may:

3.15.1 maintain the precautionary suspension and/or exclusion;

3.15.2 change the scope of the precautionary suspension and/or exclusion (the scope may be increased or decreased); or

3.15.3 remove the precautionary suspension and/or exclusion.

3.16 The Vice-Chancellor will inform the student in writing of the outcome of the Initial Review and any subsequent reviews together with the reasons for his/her decision within 5 working days of the decision being made.
4. **INITIAL INVESTIGATION AND CHOICE OF DISCIPLINARY ROUTE**

4.1 The Director of Planning, Governance and Compliance shall appoint a person to investigate the Incident ("Investigating Officer"). The Investigating Officer shall be drawn from a pool of senior managers and academic staff nominated by the Vice-Chancellor and set out on a list maintained by the Director of Planning, Governance and Compliance which is reviewed and amended from time to time by the Vice-Chancellor ("Approved Persons List").

4.2 The Investigating Officer may make whatever initial enquiries he/she believes to be necessary and will produce a record setting out details of the Incident and a summary of the information gathered in response to the enquiries made.

4.3 If the Investigating Officer determines that further action is required under this Regulation, the Investigating Officer shall decide whether the minor disciplinary route or major disciplinary route shall be followed.

4.4 The Investigating Officer will provide the following information to the student in writing usually within 10 working days of receipt of the report of the Incident ("Letter of Notification"):  
   4.4.1 details of the Incident, notification of the allegations being considering and a summary of the information gathered by the Investigating Officer;  
   4.4.2 notification of which disciplinary route is to be taken; and  
   4.4.3 details of the next steps.

Where the Investigating Officer is unable to provide all of the above information, for example, because of the nature of further enquiries, the Investigating Officer will provide the student with the information that is available and then provide further information when it becomes available.

4.5 The student will be notified in writing as soon as reasonably practicable if there is any variation of the allegation/s at any stage.

5. **MINOR DISCIPLINARY ROUTE**

5.1 **Examples of minor misconduct**

5.1.1 The circumstances and context of each case will be taken into account when determining which disciplinary route will be taken. The following list provides examples of Incidents which may be classified as minor misconduct. The list is illustrative and is not exhaustive:

   (a) use of inappropriate language;  
   (b) a minor failure to comply with rules or regulations; for example, causing a disturbance in a lecture or smoking in non-designated areas;  
   (c) refusal to respond to a reasonable request by relevant University staff; for example refusing to confirm identity when requested;  
   (d) causing distress to others through excessive and unacceptable levels of noise; or  
   (e) causing minor damage to property.

5.2 **Procedure**

5.2.1 The Investigating Officer will invite the student either to admit the alleged misconduct (and make any representations about the action that the University should take) or to deny the alleged misconduct.
5.2.2 The student will be given an opportunity to provide any evidence in support of his/her case in writing within 5 working days of the provision of the information referred to paragraph 4.4 above.

5.2.3 The student will be given an opportunity to meet with the Investigating Officer. The student may be accompanied by another student or a member of staff but the student is expected to make his/her own representations. Due to the nature of the Incidents that will be dealt with under the minor disciplinary route, the student will not be permitted legal representation at the meeting.

5.2.4 If the alleged misconduct is admitted in full by the student, the Investigating Officer will determine whether it is appropriate to impose a sanction/s on the student and, if so, decide which sanction/s should be imposed.

5.2.5 If the alleged misconduct is not admitted by the student, the Investigating Officer will decide if there is sufficient evidence to establish on the balance of probabilities (it is more likely than not) that misconduct has occurred and will determine whether it is appropriate to impose a sanction/s on the student and, if so, decide which sanction/s should be imposed.

5.2.6 The student will be notified in writing of the Investigating Officer's decision together with the reasons for the decision and of the right to appeal that decision within 5 working days of the decision being made ("Outcome Letter").

5.2.7 The Investigating Officer may at any stage decide that the Incident should be reclassified as major misconduct. In such circumstances, he/she will stop the minor disciplinary route and the case will then follow the major disciplinary route. The student will be notified in writing as soon as reasonably practicable by the Investigating Officer of any change in the disciplinary route.

5.2.8 The Investigating Officer has discretion to vary the procedure set out above if he/she decides that it is fair to do so.

5.3 Sanctions

5.3.1 The circumstances and context of each case will be taken into account when determining whether a sanction/s should be imposed and if so, which sanction/s should be imposed and, where relevant, the timeframe for compliance. The following list provides examples of sanctions which may be imposed by the Investigating Officer for minor misconduct. The list is illustrative and is not exhaustive:-

(a) the provision of a formal written warning to the student setting out the consequences of any further acts of misconduct;

(b) the payment of a fine not exceeding £250;

(c) a requirement for the student to make good, at his/her expense, in whole or part, any damage caused by him/her whether alone or with others;

(d) a written apology to any person or persons affected by the Incident; and/or

(e) compulsory attendance at an appropriate workshop, course and/or counselling sessions.

5.3.2 The Investigating Officer may take previous acts of misconduct by the student into account when determining which sanction is most appropriate.
5.4 **Appeal**

5.4.1 The following are the only grounds of appeal which will be considered:

(a) that there was a material procedural irregularity which may have affected the outcome;

(b) that there is evidence which was not considered by the Investigating Officer which may have affected the outcome and which the student could not reasonably have been expected to have submitted at the time; or

(c) that the decision is not one which, given the evidence, could be reasonably sustained.

5.4.2 If the student wishes to appeal the decision of the Investigating Officer he/she must notify the Director of Planning, Governance and Compliance in writing within 5 working days of the date of the Outcome Letter and set out the grounds for the appeal.

5.4.3 The Investigating Officer shall be provided with a copy of the student's appeal and given an opportunity to respond (which may include the provision of documents). A copy of the Investigating Officer's response (if any) will be provided to the student by the Director of Planning, Governance and Compliance.

5.4.4 The student's appeal and the Investigating Officer's response (if any) will be considered by a Pro-Vice-Chancellor and his/her decision will be based upon the papers. The Pro-Vice-Chancellor may:

(a) uphold the decision of the Investigating Officer; or

(b) set aside the decision of the Investigating Officer and substitute his/her own decision.

The Pro-Vice-Chancellor has the discretion to make a decision and/or impose a sanction which is more or less serious than that imposed by the Investigating Officer. The Pro-Vice-Chancellor's decision is final.

5.4.5 The student will be notified in writing of the Pro-Vice-Chancellor's decision together with the reasons for his/her decision within 5 working days of the decision being made.

6. **MAJOR DISCIPLINARY ROUTE**

6.1 **Examples of major misconduct**

6.1.1 The circumstances and context of each case will be taken into account when determining which disciplinary route will be taken. The following list provides examples of Incidents which may be classified as major misconduct. The list is illustrative and is not exhaustive:

(a) causing significant damage to property;

(b) violent conduct including sexual violence;

(c) sexual harassment;

(d) threatening, offensive, indecent, intimidating, bullying, harassing, abusive conduct, or conduct otherwise detrimental to the wellbeing of a student, employee, or others working, visiting or studying at the University;

(e) threatening, offensive, indecent, intimidating, bullying, harassing, abusive conduct or conduct otherwise detrimental to the wellbeing of any person, where such conduct is detrimental to the good order of the University;

(f) conduct of a kind which contravenes the principles set out in the University's health and safety and wellbeing policies, including showing disregard for one's own health.
(g) conduct causing significant injury to the academic or administrative activities of the University; for example, disruption of teaching, of research, of examinations, of the working of staff or other campus services;

(h) behaviour that would compromise the integrity of the University's activities by offering, promising, giving, receiving or soliciting a financial, academic or other advantage or favour as a means to influencing the actions of others, or otherwise securing a particular end;

(i) conduct which causes a nuisance (whether or not causing damage) and is detrimental to the good order or reputation of the University; for example unreasonable or inappropriate behaviour when acting as a member of a club or society, unreasonable or inappropriate behaviour when participating in a field trip;

(j) theft, fraud or deliberate falsification or misuse of records, including Degree, Diploma, or Certificate parchments;

(k) false pretences or impersonation of others in connection with academic attainments or financial awards;

(l) failure to disclose a criminal conviction when required to do so by the University or course accrediting body or regulator; for example, at application stage;

(m) conduct of a kind which may lead to or has led to conviction under the criminal law;

(n) possession or supply of controlled drugs;

(o) multiple or repeated incidents of minor misconduct; or

(p) persistent refusal to comply with a sanction imposed in relation to an act of misconduct.

6.2 Procedure

6.2.1 Where the Investigating Officer decides that the case should be dealt with under the major disciplinary route, the Investigating Officer shall provide the Letter of Notification to the Registrar and Secretary.

6.2.2 The Registrar and Secretary shall examine the evidence obtained by the Investigating Officer and may make whatever further enquiries he/she believes to be necessary.

6.2.3 If any further enquiries are made, the Registrar and Secretary will produce a record summarising the outcome of those enquiries ("Registrar and Secretary Report").

6.2.4 The Registrar and Secretary will invite the student either to admit the alleged misconduct (and make any representations about the action that the University should take) or to deny the alleged misconduct.

6.2.5 The student will be given an opportunity to provide any evidence in support of his or her case within 5 working days of the date of the request.

6.2.6 The student will be given an opportunity to meet with the Registrar and Secretary to put forward his or her case. The student may be accompanied by one other person. If the student is accompanied by a legal adviser then the Registrar and Secretary may decide to have his/her own legal adviser present and the meeting may need to be re-arranged to facilitate this.
6.2.7 The Registrar and Secretary may instruct the Investigating Officer to undertake the further
enquiries and / or further investigation as referred to in paragraphs 6.2.2 to 6.2.6 on his/her behalf.

6.2.8 The student will be notified in writing as soon as reasonably practicable if there is any
variation of the allegation/s at any stage.

6.2.9 The Registrar and Secretary may decide that no further action is required.

6.2.10 The Registrar and Secretary may decide that the matter is minor and should be dealt with
through the minor disciplinary route. The matter will then be referred back to the
Investigating Officer for determination. The student will be notified of any change in the
disciplinary route as soon as reasonably practicable.

6.2.11 The Registrar and Secretary may decide that further action is required under this
Regulation. If so, the case will be referred to a Student Disciplinary Panel for determination.

6.2.12 The student will be notified in writing within 5 working days of the Registrar and Secretary's
decision together with the reasons for the decision.

6.2.13 If the matter is referred to the Student Disciplinary Panel then the student will also be
provided with a copy of the Registrar and Secretary's Report and details of the next steps.

6.3 Student Disciplinary Panel

6.3.1 The Student Disciplinary Panel shall consist of one member from each of the following three
groups who has not previously been involved in the disciplinary process:

(a) a member of the Senior Management Group (as Chair);

(b) one senior member of staff (drawn from the Approved Persons List); and

(c) an elected full-time officer of the Students’ Union (nominated by the President of the
Students' Union).

6.3.2 The Director of Planning, Governance and Compliance will appoint a person to act as
secretary to the Student Disciplinary Panel. The secretary will make a note of the hearing.

6.3.3 The Student Disciplinary Panel shall be convened and the student shall be notified in writing
of the arrangements for the Panel hearing not less than 10 working days before the date of
the hearing. The Student Disciplinary Panel shall meet within 28 days of referral or as soon
as is reasonably practicable.

6.3.4 The University will endeavour to take account of a student's personal circumstances in
fixing a date and time for the Student Disciplinary Panel hearing. However a student will be
expected to make themselves available to attend the hearing on any day and at any time at
which he/she might reasonably have been expected to be in attendance at the University.

6.3.5 The Student Disciplinary Panel may proceed with the hearing and make a determination in
the absence of the student if it is satisfied that the student has been properly notified of the
date and time of the hearing or in cases where criminal proceedings against the student do
not allow the student to attend in person.

6.3.6 The Registrar and Secretary will appoint a person drawn from the Approved Persons List to
present the case on behalf of the University (the "Presenter"). If appropriate, the
Investigating Officer may be appointed to act as the Presenter. The Presenter may make
whatever further enquiries he/she believes to be necessary.

6.3.7 The student may be accompanied by one other person. The student must inform the
Director of Planning, Governance and Compliance of the identity of any such person not
less than 5 working days before the hearing.
6.3.8 If the student is accompanied by a legal adviser then the Presenter may be accompanied by a legal adviser and the Student Disciplinary Panel may be provided with a legal adviser.

6.3.9 Not less than 10 working days before the hearing, the student shall be provided with a copy of all documentation that the Presenter intends to rely upon at the hearing and shall be informed of the name of any witnesses that the Presenter has arranged to give evidence at the hearing.

6.3.10 Not less than 5 working days before the hearing, the student shall provide the Director of Planning, Governance and Compliance with a copy of all documentation that he/she intends to rely upon at the hearing and shall inform the Director of Planning, Governance and Compliance of the name of any witnesses that he/she has arranged to give evidence at the hearing. The student is responsible for contacting any witnesses he/she wishes to give evidence on his/her behalf and for making arrangements for those witnesses to attend the hearing.

6.3.11 Where the Chair deems that there are special circumstances which require a shorter or longer timescales than those set out in this paragraph 6.3, the Chair may vary the timescale and explain the reasons for the variation to the student and the Presenter in writing as soon as reasonably practicable.

6.3.12 Neither the University nor the student may compel or put a witness under duress to provide a statement or attend the hearing.

6.3.13 The Student Disciplinary Panel may identify witnesses that it would like to hear from and/or documentation that it would like to see. If the Presenter and/or student have not arranged for those witnesses to attend the hearing and/or provided the required documentation then the Student Disciplinary Panel may ask one or both of the parties to provide certain information and/or evidence or may seek to obtain that information and/or evidence itself. Any additional information or evidence obtained by the Student Disciplinary Panel shall be disclosed to the student and the Presenter as soon as reasonably practicable.

6.3.14 The Chair of the Student Disciplinary Panel has the discretion to adjourn, postpone or halt a hearing.

6.3.15 The hearing shall be held in private.

6.3.16 The hearing will usually proceed as follows:

(a) The Student Disciplinary Panel and secretary will meet without either party being present to discuss matters of process.

(b) The student and Presenter will join the hearing.

(c) The Presenter will outline the University's case. The student and the Student Disciplinary Panel will be given an opportunity to ask the Presenter questions.

(d) The student will respond to the University's case. The Presenter and the Student Disciplinary Panel will be given an opportunity to ask the student questions.

(e) The Presenter will be asked to call any witnesses that the University wishes to rely upon and may ask each witness questions. The student and the Student Disciplinary Panel will be given an opportunity to ask each witness questions.

(f) The student will be asked to call any witnesses that he/she wishes to rely upon and may ask each witness questions. The Presenter and the Student Disciplinary Panel will be given an opportunity to ask each witness questions.

(g) Both parties and all witnesses shall withdraw whilst the Student Disciplinary Panel considers the evidence.
Both parties will be invited to return to respond to any final questions from the Student Disciplinary Panel, then the Presenter will be invited to make a closing statement and the student will be invited to make a closing statement.

The Student Disciplinary Panel will decide if there is sufficient evidence to establish on the balance of probabilities (it is more likely than not) that misconduct occurred and will determine whether it is appropriate to impose a sanction/s on the student and, if so, decide which sanction/s should be imposed.

Decisions of the Student Disciplinary Panel shall be reached by a simple majority vote of the members.

The student will be notified in writing of the Student Disciplinary Panel’s decision together with the reasons for the decision and of the right to appeal within 10 working days of the hearing.

If the student wishes to appeal the decision, he/she has the right to appeal to the Student Disciplinary Appeals Committee in accordance with paragraph 6.5 below.

The Chair of the Student Disciplinary Panel has discretion to determine how the hearing shall be conducted and so the procedure set out above may be varied if he/she decides that it is fair to do so. Any individual involved in the process may request a variation of the procedure by writing to the Chair setting out the variation sought and the reasons why the variation is required. The Chair will decide whether any such variation will be permitted and provide a written response as soon as practicable.

### 6.4 Sanctions

6.4.1 The circumstances and context of each case will be taken into account when determining whether a sanction/s should be imposed and if so, which sanction/s should be imposed and, where relevant, the timeframe for compliance. Examples of sanctions that may be imposed by the Student Disciplinary Panel for major misconduct are as follows (or the Student Disciplinary Panel may impose a sanction/s set out in paragraph 5.3 if it decides that the misconduct is minor). The list is illustrative and is not exhaustive:

- a recommendation to the Vice-Chancellor that he/she exercise his/her power under Regulation 7 to permanently exclude the student from the University;
- a recommendation to the Vice-Chancellor that he/she exercise his/her power under Regulation 7 to suspend and/or exclude the student for a specified period of time from academic activities and/or his/her course of studies and/or from all or parts of the University facilities, grounds or premises;
- the provision of a formal written warning to the student setting out the consequences of any further acts of misconduct;
- the payment of a fine; such a fine will not normally exceed £1,000;
- a requirement for the student to make good, at his/her expense, in whole or part, any damage to property caused by him or her whether alone or with others;
- a written apology to any person or persons affected by the Incident;
- compulsory attendance at an appropriate workshop, course and/or counselling session; and/or
- a decision to take no further action in respect of the act of misconduct.

6.4.2 The Student Disciplinary Panel may take previous acts of misconduct by the student into account when determining which sanction/s is most appropriate.
6.4.3 The Student Disciplinary Panel may determine, at its discretion, that a sanction may be suspended against the student's future good behaviour for a period to be determined by the Student Disciplinary Panel (the "Good Behaviour Period"). If no further misconduct is committed during the Good Behaviour Period, the suspended sanction will not be brought into effect. If there is further misconduct, the Student Disciplinary Panel may impose an additional sanction/s for the subsequent misconduct as well as deciding that the suspended sanction is brought into effect.

6.4.4 If the student fails to comply in whole or in part with any decision of the Student Disciplinary Panel, the non-compliance may be referred back to a Student Disciplinary Panel and may be treated as a further incident of misconduct. The Student Disciplinary Panel is entitled to change the sanction/s that had been imposed on the student in a further hearing.

6.5 Appeal

6.5.1 The following are the only grounds of appeal which will be considered:

(a) that there was a material procedural irregularity which may have affected the outcome;

(b) that there is evidence which was not considered by the Student Disciplinary Panel which may have affected the outcome and which the student could not reasonably have been expected to have submitted at the time of the hearing; or

(c) that the decision is not one which, given the evidence, could be reasonably sustained.

6.5.2 If the student wishes to appeal the decision of the Student Disciplinary Panel he/she must notify the Director of Planning, Governance and Compliance in writing within 10 working days of the date of written notification of the Student Disciplinary Panel's decision and set out the grounds for the appeal together with any supporting evidence.

6.5.3 A member of the Vice-Chancellor's Executive Group who has not had any previous involvement with the case will review the appeal and decide if it has a real prospect of success or if there is some other compelling reason why the appeal should be considered. If the member of the Vice-Chancellor's Executive Group decides that the appeal has a real prospect of success or that there is some other compelling reason why the appeal should be considered then it shall be referred to a Student Disciplinary Appeal Committee. If not, then the decision of the Student Disciplinary Panel will stand. The student shall be notified in writing of the decision together with the reasons for the decision within 5 working days of the decision being made.

6.5.4 The Student Disciplinary Appeal Committee shall consist of one member from each of the following three groups who has not previously been involved in the disciplinary process:

(a) the Chair of Council or one of the Vice-Chairs of Council (as Chair);

(b) one senior member of staff (drawn from the Approved Persons List); and

(c) an elected full-time officer of the Students' Union (nominated by the President of the Students' Union).

6.5.5 The Director of Planning, Governance and Compliance will appoint a person to act as secretary to the Student Disciplinary Appeal Committee. The secretary will make a note of the meeting.

6.5.6 The Student Disciplinary Appeal Committee will meet within 28 days of the referral or as soon as is reasonably practicable.

6.5.7 The Presenter will be provided with a copy of the student's appeal and given an opportunity to respond (which may include the provision of documents).
6.5.8 Not less than 10 working days before the meeting of the Student Disciplinary Appeal Committee, the student will be provided with a copy of all documentation that the Presenter has submitted to the Student Disciplinary Appeal Committee.

6.5.9 Not less than 5 working days before the meeting of the Student Disciplinary Appeal Committee, the student will provide the Director of Planning, Governance and Compliance with a copy of any reply he/she wishes to make to the information and documentation provided by the Presenter.

6.5.10 Where the Chair deems that there are special circumstances which require a shorter or longer timescale than those set out in this paragraph 6.5, the Chair may vary the timescales and explain the reasons for the variation to the student and the Presenter in writing as soon as reasonably practicable.

6.5.11 The Student Disciplinary Appeal Committee will usually carry out a review of the case based on the papers and will not re-hear the case. However, the Chair of the Student Disciplinary Appeal Committee has the discretion to re-hear the case if he/she decides that a re-hearing is appropriate. If so, the Chair will determine how the hearing shall be conducted.

6.5.12 Decisions of the Student Disciplinary Appeal Committee shall be reached by a simple majority vote of the members.

6.5.13 The Student Disciplinary Appeal Committee may:

(a) confirm, set aside or vary any finding of misconduct by the Student Disciplinary Panel; and / or

(b) confirm, set aside, increase, decrease or vary any sanction imposed by the Student Disciplinary Panel.

6.5.14 The decision of the Student Disciplinary Appeal Committee together with the reasons for the decision will usually be communicated in writing to the student and Presenter by the Student Disciplinary Appeal Committee within 10 working days of the meeting and the decision shall be final.

7. CASES SUBJECT TO CRIMINAL INVESTIGATION

7.1 Where a criminal investigation is being undertaken in relation to the Incident, the University may suspend the disciplinary process (at any stage) until the criminal investigation and any legal proceedings have been concluded.

7.2 Where the student has been convicted of a criminal offence, the University may take action under this Regulation and/or may refer the case to its Committee on Criminal Convictions. A conviction in a criminal court will be taken as conclusive evidence that the offence has occurred and no further investigation shall be required by the University. The focus of any disciplinary process and/or review by the Committee on Criminal Convictions will therefore be on the impact and effect of the conviction and/or on the sanction/s (if any) to be applied.

7.3 Where a decision is taken by the police or crown prosecution service not to pursue a criminal case against the student or where the student has been acquitted of a criminal offence, the University may still take disciplinary action if there are outstanding matters of concern which have not been addressed through the criminal process.

8. REPORTING AND MONITORING

8.1 The Office of Planning, Governance and Compliance will produce an annual report on disciplinary cases for the Council. This will detail the number of cases, a summary of the outcomes and highlight any areas for improvement.
9. THE OFFICE OF THE INDEPENDENT ADJUDICATOR (OIA) FOR EDUCATION

9.1 Students who have exhausted the University's internal procedures will be issued with a completion of procedures letter and informed that they may make a complaint to the OIA. The OIA's website (www.oiahe.org.uk) contains full details of the scheme.

10. DISCLOSURE OF DISCIPLINARY CASES

10.1 The Director of Planning, Governance and Compliance will disclose information relating to disciplinary cases to the extent that is necessary to comply with legal obligations and he/she may provide any information that he/she believes is appropriate to any relevant accreditation, professional or regulatory body.

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