



UNIVERSITY OF
WINCHESTER

DISCIPLINARY PROCEDURES FOR STUDENTS



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<p>Summary:</p> <p>These Procedures detail the actions that may be taken by the University in cases where students are alleged to have failed to comply with the standards of conduct laid out in the Conduct Policy for Students.</p> <p>Those considering submitting a complaint under these Procedures may wish to seek advice from the Student Conduct Officer in Registry in the first instance. Advice may also be sought from the Student Union.</p>	

DISCIPLINARY PROCEDURES FOR STUDENTS

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1. GENERAL

- 1.1 Students are members of the University community and their actions may have an impact on the safety and operation of that community. These student disciplinary procedures address situations where a student's behavior is alleged to have fallen below acceptable standards. These procedures are not intended to be used to resolve disputes and disagreements between students (but see 6.1.b).
- 1.2 These Disciplinary Procedures shall not apply to allegations of academic misconduct, e.g. plagiarism, cheating in examinations etc. Procedures for such matters shall be considered under the University's Academic Misconduct Policy which can be accessed [here](#).
- 1.3 Students registered for a University of Winchester award but studying at a partner institution shall normally be subject to the student conduct and disciplinary procedures of that institution or as otherwise set out in the Memorandum of Agreement between it and the University of Winchester.
- 1.4 Students who are the subject of an allegation of misconduct in a placement or workplace setting as part of their programme of study, may, in the first instance, be subject to the disciplinary procedures of the employer. However, the University reserves the right to also take action under these or other relevant University policies as it considers appropriate to do so.
- 1.5 There is a range of other policies and procedures which may offer a more effective means of managing student conduct that may be used instead of these Disciplinary Procedures. These include:
 - Complaints Policy [accessed here](#)
 - Data Protection Policy [accessed here](#)
 - Drugs and Alcohol Policy (Students) [accessed here](#)
 - ICT Acceptable Use Policy [accessed here](#)
 - Social Media Policy for Students (available from website)
 - Supported Study Approved Procedures [accessed here](#)
- 1.6 The examples of misconduct detailed in these Procedures are indicative only and the University reserves the right to determine the action to be taken in accordance with the perceived risk and severity of the alleged misconduct.
- 1.7 These Procedures are not intended to be used to resolve disputes and disagreements between students (but see 6.1b below).
- 1.7 The Vice-Chancellor has responsibility for student discipline but may delegate the exercise of any or all of the related powers and duties.
- 1.8 The Vice-Chancellor shall normally delegate day-to-day responsibility for student discipline to the Academic Registrar (or to another senior officer of the University as appropriate).
- 1.9 Complaints may be brought by students of the University, staff of the University and the general public. Complainants will normally be informed of the outcome of their complaint but not the sanctions applied. They must keep the information confidential.
- 1.10 Anonymous complaints will not normally be considered under these Procedures. If the University does decide to consider an anonymous complaint the complainant will be the University.
- 1.11 The University may decide to consider a complaint based on information brought to its attention by a complainant who later decides to withdraw their complaint.

- 1.12 All those involved in the Disciplinary Procedures for Students, including the complainant and the student who is alleged to have committed the misconduct, are advised to remember that the University's Conduct Policy for Students expects all those in the University community to treat each other with respect.
- 1.13 Unless agreed otherwise, or as stated at sections 9.8 and 9.9 below, all communication with students is via their unimail address.

2. CRIMINAL OFFENCES AND LEGAL PROCEEDINGS

- 2.1 In cases where the alleged misconduct might also constitute a criminal offence or where police, criminal or other legal investigation or proceedings are likely, the University may defer further action until any criminal procedures have been concluded. However, there may be circumstances in which the processes run concurrently or consecutively particularly where there is an immediate issue of risk to people or property. The University may consult with the relevant external agencies before determining how to proceed.
- 2.2 Where a matter is also being considered by the police or other external body it is not appropriate for their staff to form a judgement on or to offer advice or an opinion about how the University investigates and determines cases under the Disciplinary Procedures for Students. These processes operate independently.
- 2.3 In such cases, a Deputy Vice-Chancellor may apply a suspension to the student under these procedures pending the outcome of any police, criminal or other legal proceedings.
- 2.4 In cases where a student is convicted of an offence and given a sentence (custodial or non-custodial), the matter must be reported to the Academic Registrar as soon as possible.
- 2.5 The Academic Registrar shall refer the matter to a Deputy Vice-Chancellor who will determine:
 - a) whether to invoke or defer the University's Disciplinary Procedures
 - b) the student's registration status, i.e. whether the student is withdrawn temporarily or their registration terminated.
- 2.6 Such matters shall be decided on a case by case basis taking into account the alleged crime or offence committed.
- 2.7 In reaching their decision, the Deputy Vice-Chancellor may take advice from University staff, as appropriate.
- 2.8 The student shall be notified in writing of the decision of the University and whether and how the student may be able to apply for readmission.
- 2.9 A student or former student who has served a custodial sentence or period of remand may wish to return to the University to complete their studies. They are required to formally request re-admittance in writing to the Academic Registrar and provide as much information as possible about the conviction and terms of release. The Academic Registrar shall gather such information as necessary, including the student's previous academic position and any external advice regarding risks.
- 2.10 The Academic Registrar shall consult with University staff as appropriate.
- 2.11 The Academic Registrar shall consider the nature of the offence, any particular circumstances, potential risks to the University and any other pertinent issues and shall decide on re-admission, the timing of it and any conditions attached to such re-admission.

3. PRINCIPLES

- 3.1 The following principles shall apply when implementing these procedures to help ensure that students are treated fairly, consistently, appropriately and transparently and that matters are dealt with effectively and efficiently in the best interests of all.

- a) The standard of proof applied at every level is the balance of probabilities;
- b) The University will not normally act on allegations of misconduct which it considers to be solely vexatious, spurious or malicious;
- c) These procedures will be conducted in a timely, objective and thorough manner, and any judgement made will be on the balance of probabilities based on the evidence available;
- d) A written record shall be kept of all meetings and telephone calls and retained in a confidential file;
- e) A student who is alleged to have committed an act of misconduct shall have the right to be informed of and to respond to the allegations;
- f) The University shall ensure that a student who is alleged to have committed an act of misconduct has access to all of the evidence the University has in respect of the case;
- g) Sanctions imposed under these procedures shall be reasonable, proportionate and consistent;
- h) Students who are subject to a disciplinary complaint shall have the right of appeal as detailed in these procedures;
- i) Students who are dealt with under these Procedures are entitled to be accompanied by a fellow student or representative of the Student Union or a member of staff to any meeting or disciplinary hearing;
- j) Students who submit allegations under these Procedures (the complainant) are entitled to be accompanied by a fellow student or representative of the Student Union or a member of staff to any meeting or disciplinary hearing;
- k) Students will not normally be entitled to be accompanied by someone who is not a member of the University community.
- l) Staff would not normally be accompanied at any meetings or disciplinary hearings but requests will be considered by the Academic Registrar as appropriate.

4. TEMPORARY SUSPENSION OF A STUDENT TO MITIGATE RISK

4.1 Where the Academic Registrar believes that a student subject to an allegation of misconduct poses a risk to one or more of the following:

- a) their own health, safety and/or that of others;
- b) University property;
- c) the reputation of the University and its proper functioning;

they may make a recommendation to a Deputy Vice-Chancellor that the student be temporarily suspended. The Deputy Vice-Chancellor, acting under delegated authority from the Vice-Chancellor, may, pending the outcome of action taken under these procedures:

- a) suspend the student for a specified time;
- b) exclude the student from University premises and/or University managed accommodation for a specified period of time

4.2 The student shall be notified in writing of the Deputy Vice-Chancellor's decision, with reasons, normally within three working days of the date of the decision.

4.3 As part of their determinations, the Academic Registrar and the Deputy Vice-Chancellor shall consider whether specific arrangements can be put in place for the student to minimise the impact of the outcome on their studies.

- 4.4 A student may, within twenty working days of the date of the written notification of the decision, appeal against the decision under the Procedure set out in Section 9 below, on the grounds that the University has not followed its own procedures or the decision was unreasonable and/or disproportionate.
- 4.5 Where a student has been temporarily suspended or excluded in accordance with this section, the Deputy Vice-Chancellor shall review at regular two-weekly intervals whether it is reasonable for the suspension/exclusion to continue.

5. ADVICE AND SUPPORT

- 5.1 Any student who is involved at any stage of these Disciplinary Procedures may seek advice and support from the Student Union who are able to offer independent advice and, if necessary, representation throughout the procedure.
- 5.2 In addition, Student Services is able to offer a range of support services in relation to health, wellbeing, immigration issues, financial advice and liaison with the student's faculty and programme of study.
- 5.3 Student Services is also able to provide practical advice and assistance to students who may require reasonable adjustments to these Procedures as a result of a disability.
- 5.4 Normally the investigation of a complaint will not begin during vacation periods.

DISCIPLINARY ACTION:

6. LEVEL ONE

Level One normally involves intervention by faculty or professional services when an incident occurs which is relatively contained and minor. The aim is to address it quickly and close to the source.

- 6.1. Examples of minor misconduct include, but are not limited to:
 - a) student conduct issues within the classroom or connected to academic activity, such as behaviour which disrupts learning activities;
 - b) incidents between students or students and staff which show a lack of respect or courtesy or where informal attempts to deal with the behavior have failed;
 - c) minor misuse of social media;
 - d) minor misuse or unauthorised use of University property;
 - e) minor damage to University property, or the property of staff, students, visitors, or neighbours of the University
- 6.2 Complaints or allegations about misconduct at Level One may also fall within the scope of other University policies or procedures such as those listed in 1.5 above. In such cases, it may be more appropriate for an alternative procedure to be used.

Level One Procedure

- 6.3 Allegations of misconduct at Level One shall be submitted in writing to the Dean of Faculty or Director of Professional Service responsible for the area where the misconduct is alleged to have taken place.
- 6.4 The Dean of Faculty (or their nominee) or Director of Professional Service (on their nominee) may wish to obtain further information before deciding whether to consider the complaint under the Disciplinary Procedures for Students.

- 6.4 The Dean of Faculty (or their nominee) or Director of Professional Service (or their nominee) shall normally notify the student of the allegation within five working days of deciding to consider the complaint under the Disciplinary Procedures, issue them with the Disciplinary Procedures for Students and invite them to respond normally within ten working days. The student will be advised that they should not discuss the case with the complainant or anyone else involved.
- 6.5 The Dean of Faculty (or their nominee) or Director of Professional Service (or their nominee) shall consider the allegation of misconduct, may meet with the student who is subject to the allegation of misconduct, review the evidence and discuss with others involved as appropriate.
- 6.6 Following the conclusion of the Procedure outlined above, the Dean of Faculty (or their nominee) or Director of Professional Service (or their nominee) will determine the outcome as follows:
- a) Dismiss the allegation;
 - b) Uphold the allegation, but take no further action;
 - c) Uphold the allegation and impose an appropriate sanction;
 - d) Conclude that the alleged misconduct is such that it should be considered under Level Two or Three of these procedures.

Sanctions

- 6.7 Possible sanctions may include, but are not limited to:
- a) A written warning;
 - b) Requirement for a formal apology;
 - c) Reparation in respect of loss caused by the misconduct;
 - d) Temporary restriction of access to specified facilities for a stated period and not normally for longer than two weeks;
 - e) Requirement to undertake some action aimed at changing behavior or understanding the effects of the misconduct.
- 6.8 The student shall normally be notified in writing of the outcome within fifteen working days of their response to the allegation or their meeting with the Dean of Faculty/Director of Professional Service (or nominee) (whichever is later). The student will be informed of their right to appeal the decision which must be submitted within ten working days as per section 9 of these Procedures.

7. LEVEL TWO

This level is for cases where action at Level One has failed to resolve the issue or for allegations which are considered to be too serious to be dealt with at Level One. Level Two may also be used where a student has failed to comply with sanctions imposed at Level One or where alternative procedures have failed to resolve the matter.

- 7.1 The Academic Registrar (or nominee) shall manage action under this Level.
- 7.2 Examples of alleged misconduct which may be considered at Level Two include, but are not limited to:
- a) Bullying, harassment or discrimination against another person;
 - b) Physical, written or verbal abuse or intimidation against another person;
 - c) Actions which bring or threaten to bring the University's reputation into disrepute;
 - d) Fraud or impersonation;

- e) Disruption of or interference with academic, administrative, sporting, social or other activities of the University;
 - f) Misuse of alcohol, drugs and legal highs;
 - g) Misuse of social media;
 - h) Malicious allegations against other students, staff or members of the public.
- 7.3 If the alleged misconduct is such that it may be more appropriate for it to be considered under another University policy or procedure, the Academic Registrar shall refer the allegation as appropriate.
- 7.4 If the alleged misconduct is such that it should be considered gross misconduct, the Academic Registrar shall immediately follow the procedures in Level Three.

Level Two Procedure

- 7.5 Allegations of misconduct shall be submitted in writing to the Academic Registrar. The Academic Registrar will normally request a meeting with the complainant to clarify the details of the complaint.
- 7.6 The student will be notified in writing of the allegation normally within five working days of receipt of the allegation or the clarification meeting with the complainant (whichever is later), issue them with the Disciplinary Procedure for Students and invite them to respond within ten working days. The student will be advised that they should not discuss the case with the complainant or anyone else involved.
- 7.7 Where applicable, the Academic Registrar shall review any evidence from Level One and the process followed. If required, further investigation will be carried out before taking further action.
- 7.8 For cases requiring investigation, the Academic Registrar may appoint an Investigating Officer who will provide a written report and any evidence. The Investigating Officer may meet with the complainant, the student and any witnesses as appropriate.
- 7.9 The Academic Registrar shall consider the evidence (and Investigating Officer's report where appropriate), including the student's response to the allegation. They may also meet with the student to discuss the allegation and seek advice from others, as appropriate.
- 7.10 The Academic Registrar shall determine the outcome and decide upon one of the following:
- a) Dismiss the allegation;
 - b) Uphold the allegation, but take no further action;
 - c) Uphold the allegation and issue a (further) written warning to the student;
 - d) Uphold the allegation and impose an appropriate sanction;
 - e) Conclude that the alleged misconduct is such that it should be considered gross misconduct and refer the matter to Level Three.

Sanctions

- 7.11 Possible sanctions at Level Two include, but are not limited to:
- a) A written warning;
 - b) Requirement for a formal apology;
 - c) Reparation in respect of loss caused by the misconduct;
 - d) Temporary restriction of access to specified facilities for a stated period and not normally for longer than two weeks;

- e) Requirement to undertake some action aimed at changing behavior or understanding the effects of the misconduct;
 - f) Requirement to undertake specified actions which benefit the University or wider community.
- 7.12 The student shall normally be notified in writing of the outcome within fifteen working days of the student response to the allegation or any meeting with the Academic Registrar or the Investigation Officer (whichever is later). The student will be informed of their right to appeal the decision which must be submitted within 10 working days as per section 9 of these procedures.

8. LEVEL THREE

- 8.1 An allegation of gross misconduct will be referred by the Academic Registrar to a member of the Senior Management Team not previously involved in the case. This member of SMT will decide whether the allegation should proceed at Level Three and a Disciplinary Panel convened. They may decide that the allegation should be considered at Level One or Two or be addressed via an alternative policy or procedure.
- 8.2 Examples of what might constitute gross misconduct include, but are not limited to, the following:
- a) Criminal activities that affect the student's participation in their programme of study or pose a risk to others or the reputation of the University or its functioning;
 - b) Violence, including sexual violence; assault (not necessarily violent);
 - c) Harassment and bullying including sexual harassment;
 - d) Incidents involving weapons;
 - e) Repeated misconduct;
 - f) Failure to respond to or comply with disciplinary sanctions imposed under these or other University procedures or policies;
 - g) Vexatious or malicious allegations against other students, staff or members of the public;
 - h) Any serious breach of standards of conduct and behavior that has, or may have, an adverse effect on the University, its students, staff or members of the public.

Level Three Procedure

- 8.3 Allegations of gross misconduct shall be submitted in writing to the Academic Registrar. If, as described at 8.1 above, it is decided to proceed at Level Three of these Procedures, the Academic Registrar will notify the student who is the subject of the allegation within five working days of receipt of Senior Management Team's decision. The student will be issued with the Disciplinary Procedures for Students and invited to make an initial response normally within ten working days. The student will be advised that they should not discuss the case with the complainant or anyone else involved.
- 8.4 In cases where an investigation has not previously been undertaken, an Investigating Officer shall be appointed by the Academic Registrar and the Investigating Officer shall normally present their report and evidence at a Disciplinary Hearing.
- 8.5 A Disciplinary Panel shall be convened and its members shall be appointed by a Deputy Vice-Chancellor on the recommendation of the Academic Registrar. It shall comprise three members, two staff and one representative of the student body. The representative of the student body will normally be a sabbatical officer of the Student Union. One of the staff members will be appointed as Chair by the Deputy Vice-Chancellor. No member of the Panel will have been

previously involved in the case and normally the staff members will not be members of staff from the student's faculty.

- 8.6 The Academic Registrar shall appoint a Clerk to the Disciplinary Panel who shall be responsible for organising the Disciplinary Hearing and dealing with queries on procedure from the student or Panel members. The Clerk shall also ensure that information and paperwork is shared with all parties and that a record of the Hearing is taken.
- 8.7 The Investigating Officer shall normally invite the complainant to a meeting in order to gather information about the alleged misconduct. The complainant shall be given at least three working days' notice of the meeting; student complainants have the right to be accompanied (see 3.1j above; staff complaints will not normally be accompanied at meetings with the Investigating Officer (see 3.1l above). The complainant may identify witnesses to be interviewed as part of the investigation.
- 8.8 The Investigating Officer shall normally invite the student alleged to have committed the act of gross misconduct to a meeting in order to gather information about the alleged misconduct. The student shall be given at least three working days' notice of the meeting and has the right to be accompanied by a member of the University community (see 3.1i above).
- 8.9 The student shall have the right to respond to the allegation and provide any evidence in support of their case, either in writing or at the meeting with the Investigating Officer. The student may also suggest witnesses to be interviewed as part of the investigation or at the Hearing.
- 8.10 If the student does not co-operate with the investigation, the procedures will still go ahead and the student shall be informed that this will happen.
- 8.11 The Investigating Officer will decide how best and in which order to meet with the complainant and the student who is subject to the allegation and may wish to meet with individuals on more than one occasion. The investigation will be conducted as quickly as practicable but it is important that all relevant information is gathered to inform the Investigating Officer's report.
- 8.12 Once the investigation is complete, the date for the Disciplinary Hearing shall be determined and the Clerk shall inform the student. The complainant and the student shall normally be given at least five working days' written notice of the date, time and place of the Hearing. The written notice shall be accompanied by:
 - a) A copy of the Investigating Officers report together with any supporting documentation;
 - b) A copy of the student's initial statement in response to the allegation, together with any supporting documentation;
 - c) A list of the names and status of all witnesses to appear before the Panel;
 - d) A copy of the Disciplinary Procedures for Students;
 - e) A copy of any other relevant documents.
- 8.13 The student has the right to be accompanied at the Hearing as set out in paragraph 3.1i above.
- 8.14 Where the student is unable to attend, the Hearing may be postponed once on receipt of appropriate evidence to substantiate acceptable reasons for absence. It should be noted that Hearings may take place outside of standard term time dates and this, in itself, will not be accepted as a reason for absence. If the student is unable to attend a second time, the Panel will be held in their absence.
- 8.15 Where the student who is the subject of the allegation, does not appear at the Hearing and/or has not provided appropriate evidence for their absence, the Panel may proceed to deal with the allegation in their absence provided the Chair is satisfied that the Clerk has properly notified the student of the sitting of the Panel.

- 8.16 Any witnesses invited to attend the Hearing shall also be given at least five working days' notice.
- 8.17 Staff who are the complainant or who are called as witnesses are normally required to attend the meeting; students who are the complainant or who are called as witnesses are expected to attend but are not required to do so. The Panel shall normally proceed to deal with the allegation in the absence of the complainant or the witnesses provided the Chair is satisfied that the Clerk has properly notified them of the sitting of the Panel.
- 8.18 The proceedings at the Hearing, supporting documentation and outcome are confidential to those involved. Any breach of confidentiality by students may be dealt with under these Procedures. Staff are required to comply with University policies.

Procedure for the conduct of the Disciplinary Panel Hearing

- 8.19 The Clerk to the Panel shall meet the student outside the meeting before the Hearing and shall offer to explain the procedure, check that the student has copies of the documents circulated to members of the Panel and, if not, provide a set. If the student is participating via video conferencing, or similar, the Clerk shall liaise with the student in advance to confirm the procedure and that copies of all documents have been received by the student.
- 8.20 This section defines the steps which should be followed during the Hearing itself. The Chair has discretion to vary the practicalities of these arrangements as they see fit provided any changes do not contravene the basic principles.
- a) Before seeing any of the parties involved, the Panel shall review the documentation relating to the case and have a preliminary discussion;
 - b) If there are any witnesses (in addition to the student, their friend and the Investigating Officer), the Chair shall decide if they shall attend throughout the proceedings until all parties withdraw, or whether they shall attend the meeting only while required to provide information and answer questions;
 - c) The Clerk shall escort the student, the friend and the Investigating Officer into the meeting;
 - d) The Chair shall invite everyone present to introduce themselves by name and explain their role;
 - e) The Chair shall explain the role and powers of the Panel, as set out in these Procedures, confirm that all questions should be asked through the Chair and detail the possible outcomes of the meeting.
 - f) The Chair shall then invite the Investigating Officer to present the case against the student;
 - g) The student and/or friend, and then Panel members will then be able to question the Investigating Officer;
 - h) Any witnesses called by the Investigating Officer shall then be asked to give their evidence and then may be questioned by the Investigating Officer, the student and/or friend and Panel members;
 - i) The student and/or friend shall then present their case. If the friend presents the case, the Chair shall ask the student if they wish to add anything. The Chair shall then explain that the Disciplinary Panel wishes to hear directly from the student in their own words, and that they shall be expected to answer questions. The Investigating Officer and Panel members shall then be able to question the student;
 - j) Any witnesses called by the student, shall then be asked to give their comments and then questioned by the Investigating Officer, the student and/or friend and Panel members;
 - k) The Investigating Officer shall then be invited to make a concluding statement;

- l) The student and/or friend shall be invited to make a concluding statement, including any mitigation with respect to the sanction to be applied in the event that the Panel should decide that the allegation of gross misconduct is founded and to impose an appropriate sanction;
- m) The Chair shall ask the Investigating Officer and the student and/or friend if they are satisfied they have had a full opportunity to explain their case to the Panel;
- n) The Chair shall ask everyone except members of the Panel to leave the meeting, and shall ask them to wait, pending the Panel's decision.
- o) The Panel shall discuss the case in private. The discussion and minutes of the meeting of the Panel are confidential to its members;
- p) If, for any reason during its discussion, the Panel requires clarification of any aspect of the case, by further questioning either the student or Investigating officer, they shall normally all be invited back into the meeting while the questioning takes place. They shall then all leave the meeting again;
- q) If, for any reason during its discussion, the Panel decides that further evidence is required, they may adjourn the Hearing for this purpose;
- r) The Panel shall make its decision;
- s) The student and/or friend and Investigating Officer shall normally be invited to rejoin the Hearing to be advised verbally of the decision. The Disciplinary Hearing shall then be concluded.
- t) Complainants will normally be informed of the outcome of their complaint The Chair shall confirm to the Clerk whether anyone in addition to the complainant are to be informed of the decision of the Panel. All are required to keep the decision confidential.

The Decision of the Panel

8.21 The Panel shall make one of the following decisions:

- a) The allegation of gross misconduct is not proven ;
- b) The allegation of gross misconduct is proven but take no further action;
- c) The allegation of gross misconduct is proven and to impose appropriate sanctions;

Sanctions

8.22 Possible sanctions at Level Three include, but are not limited to:

- a) Written warning;
- b) Requirement for a formal apology;
- c) Reparation in respect of loss caused by the misconduct;
- d) Removal of access to a service provided by the University or to the use of specified facilities from any part of the University for a given period;
- e) Requirement to undertake some action aimed at changing behavior or understanding the effects of the misconduct;
- f) Requirement to undertake specified actions which benefit the University or wider community;
- g) A recommendation for a suspension from studies or exclusion from University premises for a specified period of time;
- h) A recommendation for a termination of studies, with or without an exit award.

- 8.23 For a decision other than a recommendation for suspension from studies, exclusion or termination of studies, the Clerk to the Panel shall write to the student confirming the Panel's decision, normally within five working days of the Hearing. The student shall also be informed of their right of appeal against the decision and the name of the Deputy Vice-Chancellor to whom an appeal should be sent. An appeal must be received within ten working days of the date of the Clerk's letter.
- 8.24 The Chair shall confirm to the Clerk whether anyone in addition to the complainant are to be informed of the decision of the Panel. Anyone other than the complainant so informed must keep the information confidential.

Suspension, Exclusion and Termination of Studies

- 8.25 If the Disciplinary Panel recommends that a student be subject to suspension from studies, exclusion from University premises or termination of studies, the matter will be referred to a Deputy Vice-Chancellor, acting under delegated authority from the Vice-Chancellor.
- 8.26 If the Deputy Vice-Chancellor decides to suspend or exclude the student for a period of time, the student shall be informed by the Deputy Vice-Chancellor in writing to the student's unimail address normally within five working days of the date of the decision. The Dean of Faculty and Academic Registrar shall be informed of the details of the suspension and/or exclusion. The Dean of Faculty will work with the Head of the Academic Department to devise a plan to support the student's study where possible and appropriate.
- 8.27 If the Deputy Vice-Chancellor decides that the student's studies should be terminated, the student will be informed of this in writing to the student's unimail address normally within five working days of the date of the decision. The student will also be notified whether they are eligible for an exit award. The relevant Dean of Faculty and /or Director of Professional Service shall also be notified of the decision.
- 8.28 If the Deputy Vice-Chancellor does not agree with a recommendation to suspend, exclude or terminate the student's studies it may be necessary for the Panel to reconvene to review the sanctions imposed.

9. STUDENT APPEAL AGAINST THE DECISION

- 9.1 Students may appeal in writing against the decision of the Panel (or the Deputy Vice-Chancellor with respect to 8.26 and 8.27 above) within ten working days of the issue of notification confirming the decision. The grounds for appeal are limited to:
- a) The University has failed to follow the procedures detailed herewith;
 - b) The decision was unreasonable and/or a disproportionate sanction was imposed.
- 9.2 The Appeal is not an opportunity to have the case re-heard. No new evidence relating to the misconduct is permitted.

Appeal against a sanction other than suspension, exclusion or termination of studies

- 9.3 The appellant must submit their appeal in writing to a Deputy Vice-Chancellor not previously involved in the case. The appellant must clearly identify the grounds against which they are appealing and must provide evidence to support their appeal.
- 9.4 If the Deputy Vice-Chancellor upholds the appeal in whole or part, they shall inform the appellant in writing to the student's unimail address, normally within fifteen working of its receipt and refer the matter back to an earlier Stage of the Procedures for a review of the decision.

- 9.5 If the Deputy Vice-Chancellor does not uphold the appeal, the appellant shall be informed in writing to the student's unimail address, normally within fifteen working days of its receipt. The Academic Registrar shall be informed and they will issue a Completion of Procedures Letter.
- 9.6 The decision of the Deputy Vice-Chancellor shall be final and will conclude the internal procedures of the University. There is no internal appeal against the decision of the Deputy Vice-Chancellor but see 10 below.

Appeal against suspension, exclusion or termination of studies

- 9.7 The appellant must submit their appeal in writing to the Vice-Chancellor. The appellant must clearly identify the grounds against which they are appealing and must provide evidence to support their appeal.
- 9.8 If the Vice-Chancellor upholds the appeal in whole or part, they shall inform the appellant in writing to the student's contact address as recorded on the University's student records system, normally within fifteen working days of its receipt, and refer the matter back to an earlier Stage of the Procedures for a review of the decision.
- 9.9 If the Vice-Chancellor does not uphold the appeal, the appellant shall be informed in writing to the student's contact address as recorded on the University's student records system, normally within fifteen working days of its receipt. The Academic Registrar shall be informed and they will issue a Completion of Procedures Letter.
- 9.10 The decision of the Vice-Chancellor shall be final and will conclude the internal procedures of the University. There is no appeal against the decision of the Vice-Chancellor but see 10 below.

10. OFFICE OF THE INDEPENDENT ADJUDICATOR (OIA)

- 10.1 A student who is dissatisfied with the outcome has the right to submit an application to the Office of the Independent Adjudicator (OIA), an independent review body, for the outcome to be reviewed independently of the University.
- 10.2 This right may only be exercised once the University's internal processes have been exhausted.
- 10.3 The student must first get a Completion of Procedures letter from the Academic Registrar. The letter and an OIA Scheme Application Form must be completed in order to make a submission to the OIA and this must be received within 12 months of the date of the Completion of Procedures letter.
- 10.4 Guidance on making an application to the OIA can be found on its website at <http://www.oiahe.org.uk/making-a-complaint-to-the-oia.aspx>.
The OIA's leaflet *An introduction to the OIA for students* can be downloaded from http://oiahe.org.uk/media/42715/oia_intro_leaflet_16pp.pdf

Students may also wish to seek advice from the Student Union about making a submission to the OIA