



## **Student Code of Conduct and Disciplinary Procedure**

Owner:	University Secretary
Reviewed by:	Senate
Approved by:	Senate 24 September 2025
Review due date:	February 2027
Update history:	

## Table of Contents

<b>1. Introduction.....</b>	<b>2</b>
<b>2. Scope of Policy .....</b>	<b>2</b>
<b>3. Responsibilities .....</b>	<b>3</b>
<b>4. General Principles .....</b>	<b>3</b>
<b>5. Code of Conduct - student Pledges.....</b>	<b>4</b>
<b>6. Code of Conduct – types of academic misconduct.....</b>	<b>5</b>
<b>7. Code of Conduct – types of non-academic misconduct .....</b>	<b>6</b>
<b>8. Allegations of misconduct .....</b>	<b>7</b>
<b>9. Allegations involving the police .....</b>	<b>7</b>
<b>10. Precautionary action .....</b>	<b>8</b>
<b>11. Confidentiality and information sharing.....</b>	<b>9</b>
<b>12. Support, information and advice .....</b>	<b>10</b>
<b>13. Attendance at meetings.....</b>	<b>10</b>
<b>14. Investigations .....</b>	<b>11</b>
<b>15. Conduct of panel hearings.....</b>	<b>11</b>
<b>16. Sanctions .....</b>	<b>12</b>
<b>17. Timescales .....</b>	<b>13</b>
<b>18. The Office of the Independent Adjudicator .....</b>	<b>13</b>
<b>19. Annual reporting .....</b>	<b>13</b>
<b>Appendix 1: non-academic misconduct procedure .....</b>	<b>14</b>
<b>Appendix 2: academic misconduct procedure.....</b>	<b>18</b>
<b>Appendix 3: appeals process .....</b>	<b>23</b>
<b>Appendix 4: delegated authority for precautionary action .....</b>	<b>25</b>

## **1. Introduction**

- 1.1 Every student at Roehampton is expected to contribute to a community in which everyone can enjoy their university experience and reach their potential, whoever they are, wherever they are from and whatever their personal beliefs; a community in which everyone feels safe, accepted and valued, and where hard work and commitment are rewarded.
- 1.2 The Student Code of Conduct and Disciplinary Procedure set out the University's expectations for student conduct and set out the procedures which will be followed in the event of allegations of misconduct.

## **2. Scope of Policy**

- 2.1 This Procedure applies to all students, including research students, from the point of registration with the University. They apply at all times, and are not restricted to conduct during term time, on university premises, or in respect of university or university-related activities. They also apply to students while they are living in or visiting University accommodation.
- 2.2 The Procedure may be applied to any breaches where either the individual is a student at the University, or where on receipt or notification of the allegation, the student is no longer registered at the University, for example where the student's registration has been terminated or where the student has graduated.
- 2.3 The University may refuse admission to any programme of the University, or the provision of any other service or facility, to a student until consideration of an allegation under this procedure is concluded.
- 2.4 The University has the authority to act in cases of misconduct not explicitly referred to in this Procedure, but which contravene the expectations set out in Paragraph 5. Furthermore, there may be actions regarded as poor behaviour that the University may wish to address in ways other than through this Procedure, including but not limited to the Fitness to Practice and Fitness to Study Procedures.
- 2.5 In exceptional cases the University reserves the right at any stage to vary the procedures and the delegation of staff who are empowered to exercise authority set out in this Procedure in the interests of fairness and/or health and safety.
- 2.6 This Procedure is not intended to resolve disputes between individuals, but rather to address allegations that a student has breached their contractual obligation to comply with the Student Code of Conduct. The University will provide general information to all parties involved in the disciplinary procedures in order to manage their expectations of what may happen once an allegation has been received.
- 2.7 In the event that there is a conflict between this Procedure and any other University regulations, policy or procedure in respect of student conduct, this Procedure will take

precedence.

- 2.8 The University reserves the right to revoke an award conferred on a student under the terms of this Procedure but will normally only do so in cases of proven serious academic misconduct.
- 2.9 The University may withhold the award of a student who is subject to ongoing consideration under this Procedure.
- 2.10 Where appropriate, the University reserves the right to refer a concern raised under this Procedure for consideration either separately or simultaneously under any other relevant University regulation, policy or procedure at any time.
- 2.11 Any variations to this Procedure for students studying with partner institutions will be set out in the relevant student contract and guidance to students. Otherwise, this Procedure applies in its entirety.

### **3. Responsibilities**

- 3.1 The University Council has delegated its authority to govern student conduct to Senate. Senate is responsible for reviewing and approving this Procedure.
- 3.2 The University Secretary and Registrar will oversee the implementation and management of this Procedure and advise on its interpretation.
- 3.3 The allocation of Disciplinary Officers, Panel members and Chairs of Panels will be made by the University Secretary.
- 3.4 Authority to take precautionary action is delegated by Council to the University Executive Board. The types of precautionary action that can be taken, and the staff who are authorised to take it, are specified below.
- 3.5 Any reference in this Procedure to a post-holder or office-holder shall include their designated nominee, to whom authority may be delegated for the purposes of discharging the relevant function under this Procedure.

### **4. General Principles**

- 4.1 The following principles apply to all disciplinary matters:
  - 4.1.2 Fairness: The disciplinary procedures will be conducted in accordance with the general principles of fairness and all parties concerned in an allegation will be provided appropriate support.
  - 4.1.3 Standard of proof: The standard of proof required for all decisions taken under this Procedure is the balance of probabilities. The balance of probabilities means that, based on the evidence, it is more likely than not (ie a greater than 50% likelihood) that the allegation is true.

- 4.1.4 Records and confidentiality: The University will process personal data under this Procedure because it is necessary for the performance of the contract between the University and the student. Records of disciplinary proceedings will be held in accordance with the University's Data Protection Policy, the UK GDPR, and the Data Protection Act 2018. Records of disciplinary proceedings will normally be held for a period of 6 years after the last action, in line with the University's Record Retention Schedule.
- 4.1.5 Impartiality: The University will take appropriate steps to ensure that any investigators and decision-makers under this Procedure are impartial.
- 4.1.6 Evidence: Evidence which has been obtained in good faith and by reasonable means will be able to be used in any considerations.
- 4.1.7 Questions of procedure: All questions of procedure and evidence which may arise during a hearing, including any challenge to procedures predating a hearing, will be determined by the Chair of the Panel. A ruling that a process contained in this Procedure has not been followed will not necessarily result in the annulment of the proceedings if the Chair deems the error did not cause prejudice to the student, or any prejudice that did result can be remedied without causing undue delay in the proceedings.

## **5. Code of Conduct Student Pledges**

We expect members of our community to adhere to the standards of behaviour set out in the pledges below:

### **5.1 I will act with honesty and integrity in my studies.**

I'll take pride in doing my own work, avoid plagiarism or cheating, and use AI tools responsibly, always following the guidance of my tutors.

### **5.2 I will help create a respectful and focused learning environment.**

I'll arrive on time, avoid distractions like chatting or phone use, and contribute positively to classes and lectures so everyone can get the most out of them.

### **5.3 I will treat everyone with dignity and kindness.**

I'll be courteous to fellow students, staff, and visitors, and stand against any form of harassment, discrimination, or bullying.

### **5.4 I will use social media and online platforms thoughtfully.**

I'll communicate respectfully and avoid sharing anything that could harm others or the university's reputation.

### **5.5 I will respect consent and protect privacy.**

I'll make sure I understand what consent means in all contexts, and I won't record, share, or alter images, videos, or audio of others without their clear permission.

**5.6 I will take care of shared spaces.**

I'll help keep communal areas like the library, classrooms, and accommodation clean, safe, and welcoming for everyone.

**5.7 I will follow safety rules to protect myself and others.**

I'll respect fire safety equipment, follow evacuation procedures, and avoid any behaviour that could put people at risk.

**5.8 I will communicate in a professional and constructive way.**

Whether I'm sending an email or raising a concern, I'll use respectful language and aim to build understanding.

**5.9 I will identify myself when asked by university staff.**

I understand that sharing my name and ID when reasonably requested helps keep our community safe and accountable.

**5.10 I will uphold university policies and values.**

I'll stay informed about university regulations and do my part to build a community where everyone feels safe, accepted, and able to thrive.

**6. Code of Conduct - Types of Academic Misconduct**

6.1 Academic misconduct is defined as an attempt to obtain, obtaining, or assisting another person in obtaining an unfair advantage in an academic assessment. An offence may occur in relation to any form or component of assessment, including but not limited to coursework, examinations, research proposals and reports, presentations, posters and digital media works.

6.2 Academic misconduct includes, but is not limited to:

- a. Plagiarism: presenting another person's published or unpublished work in any quantity without adequately identifying it and citing its source;
- b. Duplication: resubmitting work in any quantity without acknowledgement or without adequate redevelopment to make it novel and appropriate to the assessment, including the resubmission of work which was previously submitted at another institution;
- c. Falsification: inventing or altering facts, data, quotations or references without acknowledgement;
- d. Collusion: assisting another student, or being assisted by another person, in gaining an unfair advantage in an academic assessment;
- e. Failing to comply with ethical guidelines or requirements, including those set out by the University and any relevant external bodies;
- f. Cheating: engaging in conduct that sets out to undermine the security, integrity or fairness of an assessment; this includes obtaining, introducing, using or sharing information or materials without permission.
- g. Contract cheating: contracting with another individual or body to receive or provide work in exchange for compensation of any kind, including payment.

- h. Improper use of AI: Students shall not claim work or ideas that have been generated through Artificial Intelligence as their own; where AI usage is permitted under the guidelines of the relevant assessment, its usage must be fully cited in accordance with academic best practice on referencing.

6.3 Academic misconduct may be distinguished from poor academic practice, which is the result of inexperience or a lack of knowledge. The University considers this distinction to be one of academic judgement. Students who are found to have demonstrated poor academic practice will generally be provided with appropriate advice and guidance.

## **7. Code of Conduct - Types of Non-academic Misconduct**

7.1 Non-academic misconduct includes, but is not limited to:

- a. Disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University;
- b. Obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff or other employee of the University or any visitor to the University;
- c. Breaking the law;
- d. Behaviour that brings the University into disrepute;
- e. Accusations against other students or staff that are not substantiated and where there are reasonable grounds to believe the accusations are vexatious or have been made in bad faith;
- f. Violent, indecent, disorderly, threatening or offensive or inappropriate behaviour or language, including behaviour or language on social media;
- g. Harassment or bullying as defined in the Dignity and Respect Policy;
- h. Discrimination of any form, including racism, sexism, homophobia, transphobia and others;
- i. Sexual misconduct;
- j. Breaches of the University's Use of Illegal Drugs Policy
- k. Interfering or obstructing with the lawful freedom of speech or expression of another person or body;
- l. Possession of an offensive weapon or using another object to cause harm or damage;
- m. Action likely to cause injury or impair health or safety of others;
- n. Fraud, deceit, deception or dishonesty in relation to the University, or its staff or in connection with holding any office in the University, or in relation to being a student of the University;
- o. Breach of the provisions of University regulations, policies or procedures;
- p. Theft, damage to, or defacement of, University property or the property of other individuals caused intentionally or recklessly or the misappropriation of such property;
- q. Misuse or unauthorised use of University premises or items of property, including computer misuse;

- r. Inappropriate use, including taking, manipulating and sharing of video or photographic recordings of individuals;
- s. Failure to disclose name and other relevant details to an officer or employee of the University in circumstances when it is reasonable to require that such information be given;
- t. Using or allowing others to use a University identity card for purposes other than identification or access by the person named on the card, or misusing the card in any other way;
- u. Failure to comply with a previously-imposed penalty under the Student Disciplinary Procedure.

## **8. Allegations of misconduct**

- 8.1 An allegation that a student has breached this Procedure can be made to any member of staff, including a student's Tutor, the Chaplaincy and Student Wellbeing Officers.
- 8.2 Before an allegation of a breach of the Procedure can be investigated, a report should be made in writing to:
  - a. The Governance and Legal Office for allegations of non-academic misconduct; or
  - b. The relevant Programme Leader or Research Degrees Convenor for allegations of academic misconduct.
- 8.3 An allegation against a student can be made by any individual regardless of their relationship to the University, but the extent to which information about the University's handling of an allegation can be shared with be determined in line with Paragraph 6.4.2 of this Procedure.
- 8.4 Any allegation should include the following information:
  - a. Identification of the student(s); and
  - b. A summary statement of the allegations, including the names of any witnesses.
- 8.5 Allegations of non-academic misconduct will be considered in line with the Non-Academic Misconduct Procedure set out in Appendix 1.
- 8.6 Allegations of academic misconduct will be considered in line with the Academic Misconduct Procedure set out in Appendix 2.
- 8.7 The University may suspend or dispense with any further consideration of an allegation under this Procedure if it is satisfied that:
  - a. The act or acts allegedly committed by the student do not constitute a breach of any provision of the Procedure or Regulations;
  - b. The available evidence is insufficient to conclude on the balance of probabilities that an allegation is proven;
  - c. The allegation is such that it should be referred for consideration under a different University regulation, policy or procedure; or
  - d. The allegation is of such a nature that no further proceedings are appropriate.



## **9. Allegations involving the police**

- 9.1 The University may report an allegation of misconduct to the police, and in doing so will consider the risk the allegation represents to the University community, the impact of reporting on any individuals, any data protection issues and other statutory responsibilities it has, amongst other factors.
- 9.2 The University will cooperate as far as is reasonably practicable with any criminal proceedings and will make all reasonable efforts to avoid taking any action which may impede or jeopardise these proceedings.
- 9.3 Where a police or other external investigation or criminal proceedings have been, or may be, initiated in connection with an alleged act of misconduct, the University acknowledges that participation in its disciplinary processes may pose a risk of self-incrimination for the individuals involved. Accordingly, the University may, at any stage, suspend its consideration of the matter under this Procedure or any other applicable regulations until such external investigations and/or proceedings have been concluded. The University reserves the right to resume its consideration of the matter at any stage, should it deem this appropriate in the circumstances.
- 9.4 The University may take action in respect of a student under this Procedure notwithstanding the student's conviction or acquittal in criminal proceedings. The University is not bound by the outcome of any criminal prosecution although the University may in its discretion take any penalty imposed by a criminal court or other official authority into consideration in determining any outcome to be imposed under this Procedure.

## **10. Precautionary action**

- 10.1 Where an allegation arises that a student has breached this Procedure or the Regulations, the University has the power to take immediate precautionary action pending consideration of the allegation under this Procedure or any other relevant University regulations, policy or procedure. Precautionary action may also be taken by the University pending consideration of an allegation by a third party such as the police, CPS, professional statutory and regulatory bodies (PSRBs) or other official authority.
- 10.2 Precautionary action is a neutral act. It is not a penalty or sanction and will not be used as evidence that a student has breached the University's rules. Any precautionary action taken will be for a specified period, but the University reserves the right to extend this period following a review of the circumstances with respect to the criteria outlined in Paragraph 6.2.3.
- 10.3 Precautionary action may be taken if the University is satisfied that one or more of the following apply:
- a. The nature of the allegation is of such a nature that immediate action is required;
  - b. The individuals concerned in the allegation are a risk to themselves or others;

- c. The allegation represents a potential or actual threat to the safety, security, health, wellbeing, good order, or reputation of the University, its members, an external organisation or placement provider, or members of the public; or
- d. Any delay in taking action may result in a further breach of this Procedure.

10.4 Any precautionary action taken should be both reasonable and proportionate and, as far as is reasonably practicable, balance the rights of all parties involved including the University. Where possible, mitigating steps will be taken to minimise the impact of the precautionary action on all students affected.

10.5 A student subject to precautionary action will be given the opportunity to request a review of the decision as specified in Appendix 4.

10.6 Where precautionary action is taken, the student may be notified in person or in writing (via email). Where originally notified in person, the student should also be informed in writing normally within 48 hours.

10.7 In all cases, the student should be informed in writing of the type of action that has been taken and the reasons, how long the conditions will be in place for and whether they may be extended, how they can request a review of the decision, and the support services that are available to them.

10.8 The member of staff who has taken precautionary action should contact the Governance and Legal Office immediately and not more than 24 hours after the precautionary action has been taken. Where possible, the Governance and Legal Office should be contacted for advice prior to any precautionary action being taken and co-ordinate the institutional response and relevant internal and external communications.

10.9 In all circumstances where precautionary action is taken, the original decision-maker should continue to review the conditions in place on an on-going basis.

## **11. Confidentiality and information sharing**

11.1 The University may share information about disciplinary proceedings with third parties, including but not limited to employers, placement providers, sponsors, grant providers, research funding bodies, professional statutory and regulatory bodies (PSRBs) and Roehampton Students' Union.

11.2 The University considers that, depending on the facts of a particular case, it may have a legitimate interest in sharing information about a disciplinary case with the individual who has reported the allegation or experienced/witnessed the misconduct. This may include sharing the following information:

- a. Details of any precautionary action taken;
- b. The process of investigation;
- c. The decision made in respect of the allegation;

d. Any penalties applied.

11.3 In deciding whether or not to make such a disclosure, the University will take the following non-exhaustive list of factors into account:

- a. Whether the disclosure is necessary to ensure the safety, security, health, wellbeing, good order, or reputation of the University, its members, an external organisation or placement provider, or members of the public;
- b. Whether this objective could be achieved without disclosing the information or by disclosing less information; and
- c. The impact of the disclosure on the student who has been accused of misconduct.

11.4 The student who has been accused of misconduct will be informed if a disclosure is to be made the person who has made the allegation or experienced the misconduct.

## **12. Support, information and advice**

12.1 A student is entitled to have a supporter present at any stage of the disciplinary procedures outlined in this Procedure. The supporter must be a current registered student of the University, an elected officer or employee of Roehampton Students' Union, a member of the University Chaplaincy or a University Wellbeing Officer.

12.2 The role of the supporter is to provide advice and emotional support but is not normally an advocacy role. A supporter cannot act both as a witness and supporter. Neither the University nor the student will normally be permitted to be represented by a legal practitioner at meetings or hearings held under this Procedure. In the case of a request for legal representation, the University's Legal Representation Process will be implemented.

12.3 Further advice is available to all parties through the Governance and Legal Office, Roehampton Students' Union, Student Wellbeing Officers and other relevant areas of the University including, where applicable, Disability Services.

12.4 In operating this Procedure, the University will remain mindful of its legal obligations including its duty of care its obligations to make reasonable adjustments under the Equality Act 2010.

## **13. Attendance at meetings**

13.1 If a student fails without adequate reason to attend any meeting held under this Procedure, the Chair of the Panel or Disciplinary Officer may proceed with the hearing or meeting in the student's absence or, at their discretion, postpone the start of the hearing or meeting.

13.2 Any party to a meeting or hearing convened under this Procedure may participate remotely, via secure video conferencing.

13.3 Where a student fails to exercise their right to attend a meeting, the Disciplinary Officer or

Chair of the Panel may at their discretion offer the student an opportunity to make representations in writing.

#### **14. Investigations**

- 14.1 Allegations of misconduct will normally be investigated by a designated Disciplinary Officer or their formally nominated delegate.
- 14.2 Students must be given at least three calendar days' written notice of any stage 2 or stage 3 investigation meeting. The notice must include:
- a. details of the allegation(s);
  - b. any supporting documentation available at that stage;
  - c. the student's right to be accompanied by a supporter (see Section 6.4 – Representation at Hearings);
  - d. the names of those expected to attend.
- 14.3 The student will be invited to one or more meetings to provide their account.
- 14.4 Where appropriate, a viva voce (oral) examination may be used as part of an academic misconduct investigation.
- 14.5 The Disciplinary Officer may gather additional evidence, including statements from staff, students, or external parties. A written record of meetings and evidence must be kept.
- 14.6 Students may submit a written statement and supporting evidence in advance of or following an investigation meeting.
- 14.7 Outcomes of investigations will normally be communicated to the student within seven calendar days of the final meeting. Any delay must be explained to the student, and a revised timescale provided.
- 14.8 At the conclusion of the investigation, the Disciplinary Officer may:
- a. dismiss the case with no further action;
  - b. determine the case using their Level 2 authority (see Appendix 1 or 2 as applicable); or
  - c. refer the case to a Panel Hearing for determination at Level 3.

#### **15. Conduct of Panel Hearings**

- 15.1 Where a case is referred to a Panel (level 3 Non-Academic Misconduct, level 3 Academic Misconduct, or Appeal), the procedures in this section shall apply, subject to the specific sanctions available in the relevant appendix.
- 15.2 The Panel will normally be made up of:
- a. A Dean, Deputy Dean, Director or Head of Department or Head of College as Chair of the Panel; and

- b. Two other individuals empowered to act with authority under this Procedure (one member of staff and one student).

All panel members must be impartial and have had no prior involvement in the case.

15.3 A member of the Student Casework team will also be present to provide administrative support and act as Clerk to the Panel.

15.4 Decisions of the Panel will be by a simple majority. Each member of the Panel will have a vote.

15.5 The student will be provided with a copy of all the information and evidence to be considered by the Panel at least 7 days in advance of the hearing. The student will be invited to provide a written statement in advance of the hearing. A copy of the statement will be provided to the Panel and the Disciplinary Officer.

15.6 Panel Hearings will ordinarily be conducted as remote proceedings via secure video conferencing. In the interest of transparency and fairness, these meetings will be recorded up to the point at which the panel begins its private deliberations.

15.7 The order of proceedings at a hearing will normally be as follows:

- a. The Chair will introduce the panel members, explain the procedure, and outline the allegations.
- b. The case will be presented by the University (for level 3 hearings) or the student (for Appeal hearings), followed by the other party's response.
- c. Witnesses may be called by either party and questioned by the panel; cross-examination between the student and the University is not permitted.
- d. The student (or their representative) will have the opportunity to make a final statement.
- e. The panel will deliberate in private, supported by the Clerk.

15.8 The student accused of misconduct will not be able to ask questions of any witnesses directly but may do so via the Chair of the Panel, who may at their discretion rephrase a question or decline to put it to the witness.

15.9 The Panel may at the discretion of the Chair require the student alleged to have committed misconduct to observe any witness testimony from a separate room. The accused student will be able to see and hear the witness via secure video conferencing and provide questions in writing which will be read to the witness via the Chair of the Panel, who may at their discretion rephrase a question or decline to put it to the witness.

15.10 The Panel may at the discretion of the Chair adjourn a hearing and request additional evidence from either party. The Panel will normally reconvene within 7 days, and the parties will be given at least 2 days' notice of the time and date of the reconvened hearing.

## **16. Sanctions**

- 16.1 In general, academic sanctions will not be imposed for non-academic offences. Inevitably, however, there may be sanctions imposed for non-academic misconduct which have a direct or indirect impact on academic study. The relevant Disciplinary Officer or Panel will consider the impact of any non-academic sanctions to be applied on a student's academic study when making their decision.
- 16.2 Failure to comply with a sanction imposed under this Procedure is in itself a breach of this Procedure and may be subject to further consideration under this Procedure.
- 16.3 Expulsion from the University will not relieve the student from the payment of any debts due to the University.

## **17. Timescales**

- 17.1 The disciplinary procedures will be carried out in as quick and timely manner as possible; the University aims to complete the disciplinary procedure within 90 days of an allegation being received by the University, although this may need to be extended on a case-by-case basis. Where an allegation is being considered by the police, the CPS or another official authority, it is likely that University's consideration of an allegation will take longer than 90 days to complete.
- 17.2 At each stage in the disciplinary procedures, students will be provided with information about the relevant timescales to which both they and the University will normally be expected to comply.

## **18. The Office of the Independent Adjudicator**

- 18.1 Decisions taken under this Procedure may be eligible for review by the Office of the Independent Adjudicator for Higher Education (OIA), which is an independent body set up to review student complaints and appeals. More information about the OIA can be accessed at <http://www.oiahe.org.uk/>. The OIA can be contacted at [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk).
- 18.2 Where applicable, students will be provided with a Completion of Procedures Letter and information about how to apply to the OIA for a review of a decision taken under this Procedure.

## **19. Annual reporting**

- 19.1 The University Secretary shall prepare an annual report to Senate summarising the operation of the Student Code of Conduct and Disciplinary Procedure during the preceding academic year.

## **Appendix 1: Non-Academic Misconduct Procedure**

### **1. Introduction**

- 1.1 Suspected non-academic misconduct should in the first instance be reported to the Student Casework team.
- 1.2 Upon receipt of an allegation, or at any other time, consideration will be given by an appropriate decision-maker as to whether precautionary action should be taken.
- 1.3 The Student Casework team will take one of the following actions:
  - a. Determine that the allegation does not constitute non-academic misconduct, or that there is no case to answer, and take no further action. In this case, no entry regarding the matter will be entered on the student's record;
  - b. Refer the allegation for consideration under Level 1, 2, 3 of this procedure; or
  - c. Refer the allegation for consideration under a different University regulation, policy or procedure.

### **2. Classification of Non-Academic Misconduct**

- 2.1. This paragraph contains a non-exhaustive list of examples of non-academic misconduct that will normally be considered at each level of the Academic Misconduct Procedure. It should be noted that every case is different, and depending on the nature of an allegation it may be appropriate to deal with a concern at a higher or lower level than is indicated below.
- 2.2. Examples of Level 1 misconduct include but are not limited to:
  - a. Low-level anti-social behaviour;
  - b. Refusing to provide ID on request;
  - c. Smoking tobacco in non-designated outdoor areas (first offence);
  - d. Low-level inappropriate behaviour caused by intoxication through alcohol.

Level 1 may be appropriate where the allegation is very minor, the student has no previous history of misconduct or their involvement in an incident is not clearly established. Level 1 may also be appropriate where a student has committed an act of misconduct normally considered at Level 2, but which they have admitted and demonstrated remorse for.

- 2.3. Examples of Level 2 misconduct include but are not limited to:
  - a. Moderate or sustained low-level anti-social behaviour;
  - b. Moderate threatening, offensive or indecent behaviour or language that causes distress to others;
  - c. Multiple instances of refusing to provide ID on request;
  - d. Smoking tobacco in non-designated outdoor areas (second offence);
  - e. Illegal drug use or misuse of legal drugs (first offence);
  - f. Breaches of Health and Safety of Fire Safety Policies including unauthorised use of candles or naked flames, smoking indoors, tampering with fire prevention/detection equipment and/or refusing access to University property by staff;

- g. Moderate damage to property;
- h. Theft of property of a low value;
- i. Moderate inappropriate behaviour caused by intoxication through alcohol.

2.4. Examples of Level 3 misconduct include but are not limited to:

- a. Possession of an offensive weapon;
- b. Causing or attempting physical harm to others;
- c. Severe threatening, offensive or indecent behaviour or language that causes distress to others;
- d. Illegal drug use or misuse of illegal drugs (second offence);
- e. Sexual misconduct;
- f. The distribution, supply, or provision of illegal drugs or legal highs;
- g. Harassment, bullying or discrimination, including racism, sexism, transphobia, homophobia and others;
- h. Severe breaches of Health and Safety or Fire Safety Policies, including deliberately starting or attempting to start a fire, or repeated instances of relevant Level 2 misconduct;
- i. Significant damage to property;
- j. Theft of property of a high value;
- k. Severe inappropriate behaviour caused by intoxication through alcohol.

### 3. Level 1 – Informal Consideration

3.1 Consideration of an allegation at Level 1 may be conducted by the relevant Director or Head of Department, Head of College, College Life Development Officer or Senior Warden. The member of staff will normally invite the student to an informal meeting. The invitation should include the following information:

- a. Details of the allegation that has been received;
- b. That the allegation is being considered at Level 1 of this procedure;
- c. That the student is entitled to bring a supporter in line with this Procedure; and
- d. The names of any attendees at the meeting.

3.2 In the meeting, the member of staff should discuss the allegation of non-academic misconduct with the student and give them an opportunity to respond. The member of staff should consider exploring the following non-exhaustive list of factors with the student:

- a. The student's understanding of the definitions of non-academic misconduct and the reasons why certain behaviour is not acceptable to the University;
- b. The presence of any mitigating factors or other circumstances that may have affected the student's conduct; and, if relevant,
- c. Whether the student has completed any training relating to non-academic misconduct (e.g. Health and Safety, harassment/sexual misconduct).

3.3 Having discussed the allegation, the member of staff will:

- a. Take no further action;
- b. Give the student a verbal warning about their future behaviour; or



- c. Refer the allegation for consideration at Level 2 or Level 3 of the Non-Academic Misconduct Procedure.

3.4 The member of staff will make a brief record of the meeting and their decision in line with Paragraphs 2.2 and 2.3.

3.5 Consideration of an allegation at Level 1 of the procedure will normally be concluded within 21 days.

#### **4. Level 2 - Determination by a Disciplinary Officer**

4.1 The investigation and determination of an allegation at Level 2 should be conducted by a Disciplinary Officer. Investigations will be conducted in accordance with paragraph 14.

4.2 The sanctions that can be imposed by a Disciplinary Officer are as follows:

- a. Formal Warning;
- b. Any sanction available to a Disciplinary Officer under the student's Accommodation Agreement;
- c. Exclude the student from any parts of the University including accommodation, events, activities or areas of campus for a limited period of time;
- d. Require the costs in full of any damage to be met;
- e. Request a student to write a letter of apology to the affected party;
- f. Require a student to engage in voluntary activity for the benefit of the local community;
- g. Require the student to participate in an educational programme, including group programmes; and
- h. Require the student to attend a prescribed number of meetings, including group meetings, with a relevant member of staff for purposes as defined by the Disciplinary Officer.
- i. Apply a fine in line with a scheme approved by the University Secretary
- j. Exclude the student from their University accommodation, either permanently or for a limited period of time, subject to ratification by both the University Secretary (or nominee).
- k. Exclude the student from parts of the campus, including but not limited to the Library and University accommodation other than their own, for a limited period of time.

4.3 In applying a sanction, the Disciplinary Officer should consider the penalties applied in previous similar cases, the impact on the student, any mitigating circumstances, admission of guilt or responsibility and the level of understanding shown, previous history of misconduct, the level of co-operation from the student, and any evidence of provocation, amongst other factors.

4.4 The student should be provided with a copy of the written record of the meeting and should be informed of their right to appeal under the Appeals Procedure set out in this Procedure.

4.5 The Disciplinary Officer should send a copy of the decision letter to the Student Casework

team.

- 4.6 Determination of an allegation at Level 2 of the procedure will normally be concluded within 21 days.

## **5. Level 3 – Determination by a Panel Hearing**

- 5.1 The investigation of an allegation at Level 3 should be conducted by a Disciplinary Officer. Investigations will be conducted in accordance with paragraph 14.

- 5.2 Level 3 cases will be determined by a Panel in accordance with paragraph 15.

- 5.3 The Panel will determine one of the following:

- a. That there is insufficient evidence to conclude that a breach of this Procedure has occurred, in which case the allegation will be dismissed; or
- b. That there is sufficient evidence to conclude that a breach of this Procedure has occurred, in which case one or more sanctions as set out below may be applied.

- 5.4 The sanctions that can be imposed by the Panel are as follows:

- a. Any sanction available to a Disciplinary Officer under Paragraph 4.2 above;
- b. Any sanction available under the student's Accommodation Agreement;
- c. Suspend the student's registration at the University for a limited period of time;
- d. Exclude the student from any parts of the University including accommodation, events, activities or areas of campus, either permanently or for a limited period of time;
- e. Expel the student, either permanently or for a limited period of time; or
- f. Impose specified consequences, including suspension or expulsion, to apply in the event of further proven cases of misconduct. Where further misconduct is admitted, the sanction may be applied without the need for another hearing, but the student will be given an opportunity to provide evidence of any mitigating circumstances.

- 5.5 In applying a sanction, the Panel should consider the penalties applied in previous similar cases, the impact on the student, any mitigating circumstances, admission of guilt or responsibility and the level of understanding shown, previous history of misconduct, the level of co-operation from the student, and any evidence of provocation, amongst other factors.

- 5.6 The Clerk to the Panel will inform the student in writing of the Panel's decision, giving reasons and details of any penalties to be applied, normally within 2 weeks. The student will be informed of their right to appeal under the Appeals Procedure set out in this Procedure. Determination of an allegation at Level 3 of the procedure will normally be concluded within 48 days.

## **Appendix 2 – Academic Misconduct Procedure**

### **1. Introduction**

- 1.1. Suspected academic misconduct should in the first instance be referred to the relevant Programme Leader, or in the case of a research student, the Research Degrees Convenor.
- 1.2. Upon receipt of an allegation, or at any other time, consideration will be given by an appropriate decision-maker as to whether precautionary action should be taken.
- 1.3. The Programme Leader or Research Degrees Convenor will take one of the following actions:
  - a. Determine that the allegation does not constitute academic misconduct, or that there is no case to answer, and take no further action. In this case, no entry regarding the matter will be entered on the student's record;
  - b. Where the allegation is very minor or is clearly the result of a lack of knowledge or understanding, refer the allegation for consideration under Level 1 of the procedure;
  - c. Refer the allegation for consideration under Level 2 or Level 3 of this procedure; or
  - d. Refer the allegation for consideration under a different University regulation, policy or procedure.
- 1.4. If the Programme Leader or Research Degrees Convenor is unclear about which option under Paragraph 1.3 is most appropriate, advice and guidance can be sought from the Student Casework team.
- 1.5. Paragraph 5 provides an indication of the types of allegation that would normally be considered at Level 2 and Level 3 of the procedure respectively.

### **2. Level 1 – Informal consideration**

- 2.1. Consideration of an allegation at Level 1 should normally be conducted by the student's Tutor or Supervisor. The Tutor or Supervisor should invite the student to an informal meeting. The invitation should include the following information:
  - a. Details of the allegation that has been received, including the module and assignment details;
  - b. That the allegation is being considered at Level 1 of this procedure;
  - c. That the student is entitled to bring a supporter in line with this Procedure;
  - d. The names of any attendees at the meeting.
- 2.2. In the meeting, the Tutor or Supervisor should discuss the allegation of academic misconduct with the student and give them an opportunity to respond. The Tutor or Supervisor should consider exploring the following non-exhaustive list of factors with the student:
  - a. The student's understanding of the definitions of academic misconduct;
  - b. Whether the student has completed any training regarding academic misconduct; and
  - c. The presence of any mitigating factors or other circumstances that may have affected the student's performance in the work.

- 2.3. Having discussed the allegation, the Tutor or Supervisor will:
- Take no further action and refer the student to the Student Engagement Team for support;
  - Give the student a verbal warning about their future behaviour; or
  - Refer the allegation for consideration at Level 2 or Level 3 of the Academic Misconduct Procedure.
- 2.4. The Tutor or Supervisor will make a brief record of the meeting and their decision under Paragraph 2.2 and 2.3.
- 2.5. Consideration of an allegation at Level 1 of the procedure will normally be concluded within 21 days.

### **3. Level 2 – Determination by a Disciplinary Officer**

- 3.1. The investigation and determination of an allegation at Level 2 should be conducted by the Departmental Disciplinary Officer. The investigation will be conducted in accordance with paragraph 14.
- 3.2. In determining whether or not academic misconduct has occurred, it may be necessary to conduct a viva voce examination. A viva should be proportionate to the assignment in question. The student should be informed in advance if a viva is to take place in the disciplinary meeting, and a second member of staff should be present to keep a record of the questions asked and the student's responses.
- 3.3. The sanctions that can be imposed by a Disciplinary Officer are as follows:
- Require the student to remedy the elements of the work that were produced through misconduct and then resubmit for a capped or uncapped mark;
  - Award the student a mark of 0 for the work and require the work to be resubmitted for an uncapped mark;
  - Award the student a mark of 0 for the work and require the work to be resubmitted for a mark capped at the minimum pass mark;
  - Award the student a mark of 0 for the work and require the work to be resubmitted, with the module result capped at the minimum pass mark;
- 3.4. In applying a sanction, the Disciplinary Officer should consider the penalties applied in previous similar cases, the impact on the student, any mitigating circumstances, admission of guilt or responsibility and the level of understanding shown, previous history of misconduct, the level of co-operation from the student, and any evidence of provocation, amongst other factors.
- 3.5. The Disciplinary Officer should make a written record of the meeting.
- 3.6. The Disciplinary Officer should inform the student in writing of their decision, giving reasons

and details of any penalties to be applied, normally within 7 days. The student should be provided with a copy of the written record of the meeting and should be informed of their right to appeal under the Appeals Procedure set out in this Procedure.

- 3.7. The Disciplinary Officer should send a copy of the decision letter to Academic Services.
- 3.8. Determination of an allegation at Level 2 of the procedure will normally be concluded within 21 days.
- 3.9. In all cases where a Disciplinary Officer finds academic misconduct to have occurred, students should be referred to the Student Engagement Team.

#### **4. Level 3 – Determination by a Panel Hearing**

- 4.1. The investigation of an allegation at Level 3 should be conducted by the Departmental Disciplinary Officer. The investigation will be conducted in accordance with paragraph 14.
- 4.2. Whilst investigating an allegation of academic misconduct, it may be necessary to conduct a viva voce examination. A viva should be proportionate to the assignment in question. The student should be informed in advance if a viva is to take place in the disciplinary meeting, and a second member of staff should be present to keep a record of the questions asked and the student's responses.
- 4.3. Level 3 cases will be determined by a Panel in accordance with paragraph 14.
- 4.4. The Panel will determine one of the following:
  - a. That there is insufficient evidence to conclude that a breach of this Procedure has occurred, in which case the allegation will be dismissed; or
  - b. That there is sufficient evidence to conclude that a breach of this Procedure has occurred, in which case one or more sanctions as set out in Paragraph 4.5 may be applied.
- 4.5. The sanctions that can be imposed by a Panel are as follows:
  - a. Any sanction available to a Disciplinary Officer;
  - b. Award the student a mark of 0 for the work and require a retake of the same or a different module; or
  - c. Award the student a mark of 0 for the work with no opportunity to resit or retake the
  - d. same or a different module; or
  - e. Expel the student, either permanently or for a limited period.
- 4.6. The Clerk to the Panel will inform the student in writing of the Panel's decision, giving reasons and details of any penalties to be applied, normally within 14 days. The student will be informed of their right to appeal under the Appeals Procedure set out in this Procedure. Determination of an allegation at Level 3 of the procedure will normally be concluded within 48 days.

## 5. Levels and Sanctions for Academic Misconduct

- 5.1. The table at paragraph 5.5 sets out the range of penalties that will normally be applied where a student is found to have committed academic misconduct.
- 5.2. In applying a sanction, the Disciplinary Officer or Panel should consider the penalties applied in previous similar cases, the impact on the student, any mitigating circumstances, admission of guilt or responsibility and the level of understanding shown, previous history of misconduct, the level of co-operation from the student, and any evidence of provocation, amongst other factors.
- 5.3. The number of previous offences relates to offences that have received separate consideration under this Procedure. If a student is found to have committed academic misconduct in more than one piece of work, but the finding has resulted from a single investigation, this should generally be treated as a single previous offence.
- 5.4. Where a student who has already been awarded is found to have committed academic misconduct, the award will normally be rescinded by Senate and a sanction will be applied in accordance with the below scheme.
- 5.5. Table:

Level of study	Type of misconduct	No. of previous offences	Level	Suggested sanction (upper limit)	Suggested sanction (lower limit)
UG and PG Taught	Plagiarism, duplication, falsification, collusion, cheating, misuse of AI	0	2	Mark of 0 for work, resit required for work to be capped at pass	Mark of 0 for work, uncapped resit required
		1	2	Mark of 0 for work, resit required with module to be capped at pass	Mark of 0 for work, resit required for work to be capped at pass
		2	3	Permanent expulsion	Mark of 0 for work, required to retake same or different module capped at pass
	Failing to comply with ethical requirements	0	2	Mark of 0 for work, resit required with module to be capped at pass	Mark of 0 for work, resit required for work to be capped at pass
		1	3	Permanent expulsion	Mark of 0 for work, required to retake same

					or different module capped at pass
	Contract Cheating	0	3	Permanent expulsion	Mark of 0 for work, resit required with module to be capped at pass
PG Research	Plagiarism, duplication, falsification, collusion, cheating, misuse of AI	0	3	Permanent expulsion	Student required to remedy elements of work produced through misconduct
	Failing to comply with ethical requirements	0	3	Permanent expulsion	Student required to remedy elements of work produced through misconduct
	Contract Cheating	0	3	Permanent expulsion	Student required to remedy elements of work produced through misconduct

## **Appendix 3 - Appeals Procedure**

### **1. Right of appeal**

- 1.1. A student may request an appeal against the following decisions made under this Procedure:
  - a. The decision of a Disciplinary Officer or Panel under the Non-Academic Misconduct Procedure set out in this Procedure; or
  - b. The decision of a Disciplinary Officer or Panel under the Academic Misconduct Procedure set out in this Procedure.
- 1.2. The appeal may be made against the decision, the sanction/sanctions or both, but must be based on one or more of the following grounds:
  - a. There is relevant new material which was not reasonably available at the time of the original decision;
  - b. There has been a failure of due process; or
  - c. That the decision was unreasonable and/or a disproportionate sanction has been allocated.
- 1.3. A student wishing to request an appeal must notify the Student Casework team in writing within 14 days of the date of the official notification of a decision. The notice of appeal must be accompanied by a written statement that identifies precisely the grounds upon which the appeal is based and any supporting evidence.

### **2. Determining if grounds for an appeal have been disclosed**

- 2.1. The University Secretary will determine whether an appeal request has met the requirements identified in Paragraph 1.2. If the University Secretary decides that grounds for an appeal have been disclosed, they will take one of the following actions:
  - 2.1.1. In the case of decisions by a Disciplinary Officer:
    - a. Set aside the decision and require the original decision-maker to reconsider the matter in light of any comments from University Secretary as appropriate in the circumstances;
    - b. Set aside the decision and require the allegation of misconduct to be considered afresh;
    - c. Set aside the decision and inform the student that no further action will be taken; or
    - d. Uphold the decision, but substitute the original sanction for a less severe sanction.
  - 2.1.2. In the case of decisions by a level 3 Panel, refer the appeal for consideration by a Disciplinary Appeals Panel.



- 2.2 If the University Secretary decides that no grounds for an appeal have been disclosed, the appeal will be dismissed and a Completion of Procedures Letter will be issued.

### **3. Rights pending appeal**

- 3.1. Where grounds for appeal are disclosed, the University Secretary may at their discretion determine that any sanctions imposed by the original decision-maker should be temporarily withdrawn pending further consideration of the allegation.
- 3.2. Where a sanction is temporarily withdrawn, the University Secretary may nevertheless determine that precautionary action should be taken pending further consideration of the allegation.

### **4. Hearing by a Disciplinary Appeals Panel**

- 4.1. Where a case is referred to a Disciplinary Appeals Panel, it will be determined by the Panel in accordance with paragraph 14 of this Procedure.
- 4.2. The Disciplinary Appeals Panel will take one of the following actions:
- Determine that the decision of the Student Disciplinary Panel will remain unchanged;
  - Set aside the decision and require the original decision-maker to reconsider the matter in light of any comments from the Disciplinary Appeals Panel as appropriate in the circumstances;
  - Set aside the decision and require the allegation of misconduct to be considered afresh;
  - Set aside the decision and inform the student that no further action will be taken; or
  - Uphold the decision, but substitute the original sanction for a less severe sanction;
- 4.3. In applying a sanction, the Disciplinary Appeals Panel should consider the penalties applied in previous similar cases, the impact on the student, any mitigating circumstances, admission of guilt or responsibility and the level of understanding shown, previous history of misconduct, the level of co-operation from the student, and any evidence of provocation, amongst other factors.
- 4.4. In all cases, the Disciplinary Appeals Panel will confirm whether and when any sanctions withdrawn under Paragraph 3.1 will become effective.
- 4.5. The Clerk to the Panel will notify the student in writing of the decision of the Panel within 7 days of the hearing and will issue a Completion of Procedures Letter. The decision of the Disciplinary Appeals Panel is final.
- 4.6. Determination of an appeal will normally be concluded within 28 days.

## Appendix 4 – Delegated Authority for Precautionary Action

The following list is non-exhaustive and may be varied in the circumstances of a particular case.

<b>Type of action</b>	<b>Can be taken by</b>	<b>Can be reviewed by</b>
Exclude a student from the University	University Secretary, Academic Registrar, Deputy Vice Chancellor or Pro Vice Chancellor	Vice Chancellor, Pro Vice Chancellor (Education) or Chief Operating Officer
Suspend a student's registration	University Secretary, Academic Registrar, Deputy Vice Chancellor or Pro Vice Chancellor	Vice Chancellor, Pro Vice Chancellor (Education) or Chief Operating Officer
Exclude a student from academic University spaces (including lecture halls and the Library)	University Secretary, Academic Registrar, Deputy Vice Chancellor or Pro Vice Chancellor	Vice Chancellor, Pro Vice Chancellor (Education) or Chief Operating Officer
Exclude a student from University accommodation	University Secretary, Academic Registrar, Deputy Vice Chancellor, Pro Vice Chancellor or Director of Estates	Vice Chancellor, Pro Vice Chancellor (Education) or Chief Operating Officer
Require a student to move University accommodation	University Secretary, Academic Registrar, Deputy Vice Chancellor, Pro Vice Chancellor, Director of Estates, Head of Accommodation, Heads of Colleges	Vice Chancellor, Pro Vice Chancellor (Education) or Chief Operating Officer
Exclude a student from non-academic University spaces (except accommodation), including imposing a curfew on access	University Secretary, Academic Registrar, Deputy Vice Chancellor, Pro Vice Chancellor, Director of Estates, Heads of Colleges, Head of Campus Safety and Security, Senior College Wardens	Vice Chancellor, Pro Vice Chancellor (Education) or Chief Operating Officer
Exclude a student from University and College events/social spaces, including the University gym	University Secretary, Academic Registrar, Deputy Vice Chancellor, Pro Vice Chancellor or Director of Estates, Head of Accommodation, Heads of	Vice Chancellor, Pro Vice Chancellor (Education) or Chief Operating Officer

	Colleges, Head of Campus Safety and Security, Senior College Wardens	
Require a student to sign in and out of campus	University Secretary, Academic Registrar, Deputy Vice Chancellor, Pro Vice Chancellor, Director of Estates, Heads of Colleges, Head of Campus Safety and Security, Senior College Wardens	Vice Chancellor, Pro Vice Chancellor (Education) or Chief Operating Officer
Require a student not to contact another student	University Secretary, Academic Registrar, Deputy Vice Chancellor, Pro Vice Chancellor, Director of Estates, Heads of Colleges, Head of Campus Safety and Security, Senior College Wardens	Vice Chancellor, Pro Vice Chancellor (Education) or Chief Operating Officer
Require a student to change seminar/lecture groups	University Secretary, Academic Registrar, Deputy Vice Chancellor, Pro Vice Chancellor, Deans, Deputy Deans	Vice Chancellor, Pro Vice Chancellor (Education) or Chief Operating Officer
Exclude a student from RSU events	RSU	RSU

