

Disciplinary Procedures for Students (Non-academic)

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1. Purpose

1.1 These Student Disciplinary Procedures are intended to provide a clearly formulated and impartial process for dealing with allegations relating to student discipline or behaviour within a reasonable timescale having due regard to the spirit of natural justice.

2. Background

2.1 We are a community where staff and students must adhere to University and statutory rules and regulations, to show respect for persons and property, and in general conform to a reasonable standard of behaviour that does not interfere with the central activities - that of teaching, learning, research, scholarship and creative practice. The University aims to provide all of its students with the support and guidance they need to achieve success in these areas.

2.2 The [Student Code of Conduct](#) sets out the standard of conduct the University expects of its students so that everyone can undertake their studies with dignity, in a kind, supportive and non-threatening environment. These non-academic Disciplinary Procedures for Students set out how breaches of that Code are managed, that is to recognise the need to disapprove of, formally record and deal fairly with misconduct when necessary. These procedures support the rights of students to be able to learn in a safe, secure and respectful environment on and off campus and as a responsible employer, to provide staff members with a safe and considerate environment in which to work.

3. Scope

3.1 In accordance with the Terms and Conditions of becoming a student at Arts University Plymouth, the Code of Conduct applies to all students registered on higher education or pre degree courses within the University. It applies to all students from the time of enrolment through the actual conferral of a qualification (undergraduate or postgraduate degree / extended diploma / foundation diploma) including any period between terms of enrolment.

3.2 The Student Code of Conduct is included in student handbooks and is also found at Appendix A together with examples, amended from University UK's model, of proposed sanctions for certain types of misconduct¹.

4. Misconduct covered by the Procedures

4.1 The University may take disciplinary action against students in connection with its facilities or services, or when behaviour affects the University community or the University's reputation.

Misconduct can occur on or off campus, in student accommodation and online

¹ UUK/Pinsent Masons Guide for HEIs - How to handle alleged student misconduct dated October 2016.

4.2 Disciplinary action is permissible in response to misconduct which happens off-campus such as in placements, accommodation, on field trips or through electronic communications such as social media posts, chat messaging or email. This may also extend to periods of the University being closed to students such as over a summer period.

4.3 It is emphasised that we place great importance on our relationship with the local community in which students live and socialise and we encourage students to engage and participate in community life, and in doing so to develop an ethos of personal and social responsibility.

4.4 We expect students residing in the local community to behave in a way that is respectful and courteous and not to engage in antisocial behaviour that may cause distress or harm, for example excessive or unreasonable levels of noise, at any time of the day or night. While antisocial behaviour matters should ordinarily be resolved through partners such as tenancy managers, the Police or Plymouth City Council, persistent cases may be referred for disciplinary action at the University.

5. Misconduct not covered by the Procedures

5.1 We take any instances of academic misconduct very seriously and expect all of our students to behave in a manner which upholds the principles of academic honesty and integrity which are fundamental to the values promoted by us. However, **these procedures do not deal with academic misconduct** which is addressed in the [Academic Misconduct Policy](#), part of the wider Academic Regulations (for HE students) or the [Academic Honesty Policy](#) for Pre Degree students.

5.2 These procedures do not cover misconduct by staff towards students which are dealt with in Staff Disciplinary Procedures.

5.3 With any instances such as disputes with other students or staff members students are advised to initially speak to the Students' Union or with academic course staff to try and resolve at the lowest informal level.

6. Policies relevant to the Code of Conduct

6.1 There are various other University policies and regulations that apply to staff and students and if breached may be dealt with as breaches of the relevant codes of conduct. These regulations and policies include (but are not limited to):

[Data Protection Policy](#) - under obligations to the Data Protection Act 2018

[Equality, Diversity & Inclusion Policy](#) - under obligations to the Equality Act 2010

[Harassment & Sexual Misconduct Policy](#) - under obligations to a range of Acts and Office for Students Condition of Registration E6

[Health and Safety Policies](#) - under obligations to the Health and Safety at Work Act 1974

[ICT Acceptable Use Policy](#) - under obligations to the Data Protection Act 2018 and Counter Terrorism and Security Act 2015 (Prevent) plus other Acts

7. Health, Wellbeing Support to Study Policy & Procedure

7.1 Where a student is deemed to be in a state of mind or health which is perceived to pose a threat to or affect the welfare of our staff and/or students, or is disruptive of the learning and teaching process, we may refer that student under the [Health, Wellbeing Support to Study Procedure](#) (HWSS).

7.2 The HWSS Policy, managed by the Head of Student Support (HoSS), is considered when a student's health is a cause for concern and may be the cause of misconduct, with examples including (but not restricted to) the following:

- behaviour which would usually be dealt with as a disciplinary matter, which may be the result of an underlying physical or mental health difficulty
- a student's health difficulties are adversely affecting the health, safety or well-being of themselves or others
- the student's academic performance or personal conduct is not acceptable and may be the result of an underlying physical or mental health problem.

7.3 Where there is concern that mental health, illness or disability may have directly impacted on behaviour and/or conduct the precise circumstances will dictate whether such procedures should be followed either as an alternative or in addition to disciplinary action.

7.4 Generally an investigation will have taken place to ascertain the level and type of misconduct. In these instances the HoSS and Head of Compliance & Quality Systems (HoCQS) should be consulted with a view to setting up a meeting to decide on the most appropriate action to take. The HWSS Procedure will not override or replace the University's Disciplinary Procedures.

7.5 It should be noted that for the HWSS Procedure to apply evidence of a physical or mental health issue this would need to be provided by a [Health and Care Professions Council \(HCPC\)](#) professional person.

8. Disciplinary Officers / Investigating Officers

Higher Education Students

8.1 **Course leaders are the default Disciplinary Officers on higher education courses.** However, if a Course Leader has been involved in an alleged misconduct, either as a witness or a victim they **must not investigate and carry out disciplinary meetings** or be **part of a disciplinary panel, except as a witness.**

8.2 In these situations another member of staff will be appointed to investigate and act as the Disciplinary Officer, in the first instance the Assistant Dean or a course leader from another course.

8.3 **The HoCQS is not a disciplinary officer** for the reason that they may be involved in appeals, complaints or as an SVLO related to a case. However, in most cases they can carry out preliminary investigations, particularly if there is ambiguity over whether a case may merit more serious disciplinary action such as referral to the Deputy Vice-Chancellor (DVC) for a potential disciplinary panel.

8.4 In most cases a delegated investigating officer will work alongside a delegated investigating officer. **Disciplinary Officers are however recommended** to seek advice from the HoCQS (or DVC in their absence) if unsure how to proceed.

Pre Degree students

8.5 Pre Degree students will be subject to the **Intervention Process** at Appendix H. Disciplinary investigations may still be undertaken in some cases, with HoCQS usually leading on these with support from Pre Degree staff. Disciplinary Officers are as follows:

- Head of Pre Degree
- Assistant Head of Pre Degree
- Curriculum Managers
- Course Managers / Subject Leaders

8.6 In most cases of minor indiscipline, early intervention will be sufficient where a student simply needs to be informed that a particular action or type of behaviour is not appropriate, particularly if aged under 18. **In these cases it is expected that lecturers will deal with the misconduct.** They may seek advice from the HoCQS (or DVC in their absence) if unsure how to proceed.

8.7 The HoCQS will usually be in the capacity of intermediary between the reporting and reported people and must remain impartial, while offering advice and support to the disciplinary officers and ensuring that procedures are followed and that all proceedings are carried out fairly.

8.8 This role is important as they may be required to investigate a potential complaint or appeal as a result of disciplinary findings. If they feel compromised in this event, an alternative complaint investigating officer will be delegated.

9. The Procedures (Higher Education students) - for Pre Degree students see Intervention Process for Pre Degree students

9.1 Where it is alleged that a student has breached the Student Code of Conduct, the matter shall be dealt with in accordance with one of the procedures set out below.

9.2 Low level action

9.2.1 The general principle is that disciplinary misconduct is dealt with at the lowest level possible to ensure that accused students are aware that their behaviour has fallen short

of that expected but be given the opportunity to demonstrate they are remorseful and will not repeat the misconduct.

9.2.2 It may be that no further action is required as an outcome of an early intervention. It may be appropriate to issue a letter from the relevant Assistant Dean or give a verbal warning about the possible consequences of any further breach of the Student Code of Conduct.

9.2.3 These options must be recorded locally and not in the Student Record; they form an audit trail if the misconduct escalates at a later date.

9.2.4 To clarify, for Pre Degree students the intervention process is used (see Appendix H).

9.3 Initial investigation

9.3.1 When an accusation is deemed more serious than for low level action a formal investigation must commence. The Investigating Officer, a relevant Disciplinary Officer if not implicated, supported by HoCQS, must gather information such as signed witness statements and if it appears there is a disciplinary matter to resolve, in all cases, the student must be told in writing (such as via email) about the allegations against them and how their behaviour may have breached expected standards such as the Student Code of Conduct.

9.3.2 The accused student should be invited to an Investigation Meeting. The invitation should be made in writing / email and the student should be given at least **24 hours' notice**.

9.3.3 To clarify, for Pre Degree students the intervention process is used (see Appendix H).

9.4 Investigation meeting

9.4.1 The Investigation Meeting is an interview arranged by the Disciplinary Officer to provide an opportunity for the responding student to respond to the allegation(s). They will also be reminded of this disciplinary procedure and the relevant breaches of the Student Code of Conduct. At the end of the meeting the Disciplinary Officer must make a decision with the following options:

- no further action
- informal action (such as a letter from the Course Leader (or exceptionally Dean or Assistant Dean / verbal warning (recorded))
- formal action (Disciplinary Meeting or referred to the DVC for a potential Disciplinary Panel)

9.4.2 If the accused admits the allegation in full, the Disciplinary Officer may move directly to consider appropriate sanctions but only if the student is content to proceed, otherwise they will be entitled to a Disciplinary Meeting with requisite time to prepare.

9.4.3 Within two working days of an Investigation Meeting the Disciplinary Officer must advise the accused student whether they consider there is a case to merit disciplinary action, and whether the misconduct is considered to be dealt with as a Disciplinary Meeting or referred to the DVC for a Disciplinary Panel.

9.4.4 Care should be taken to ensure that students who have disabilities or other health issues (including relating to their mental health) have **reasonable adjustments** discussed with them in relation to the disciplinary process in advance of the meeting and put in place if reasonable in the timescale.

Inform student → 24 hours → Investigation Meeting → Explain allegation/listen to student version → 48 hours to decide if no further action (or verbal warning) or whether escalating to Disciplinary Meeting / Panel

9.4.5 To clarify, for Pre Degree students the intervention process is used (see Appendix H).

9.5 Disciplinary Meeting

9.5.1 If following the Investigation Meeting the Disciplinary Officer / HoCQS decides the misconduct should be considered for a Disciplinary Meeting then this should take place with the responding student being given at least **five working days to prepare** and be informed in writing/email. If the student wishes to have the meeting before the five days, then this may be agreed by the Disciplinary Officer but this agreement must be recorded (such as via email) and there must be enough time to provide the responding student with all necessary information..

9.5.2 Prior to the Disciplinary Meeting the Disciplinary Officer or HoCQS should advise the student in writing of the allegation with all information and evidence to be disclosed with copies of evidence against them provided such as witness statements. They should inform the student of who else will be attending the meeting and inform the student of who they may invite to support them.

9.5.3 It is recommended that the HoCQS is involved in this process to ensure due process is followed.

9.5.4 At the Disciplinary Meeting the evidence should be considered and any defence or mitigation heard from the student with witnesses brought in if required so that they may be asked questions by the Disciplinary Officer and the responding student. At the end of the meeting the Disciplinary Officer must decide if the case is proven or not proven and decide on any sanctions.

9.5.5 It is recommended that there is a pause between the end of the meeting and deciding whether the case is proven and sanctions awarded, however, the responding student must be informed of the outcome within **24 hours** (or the following working day if prior to the weekend).

9.5.6 If the student decides not to attend, the Disciplinary Meeting may go ahead in their absence.

9.5.7 Care should be taken to ensure that students who have disabilities or other health issues (including relating to their mental health) have **reasonable adjustments** discussed with them in relation to the disciplinary process in advance of the meeting and put in place if reasonable.

9.5.8 To clarify, for Pre Degree students the intervention process is used (see Appendix H).

9.6 Disciplinary Meeting Outcomes

9.6.1 **Mitigation** - The student's mitigation must be taken into account prior to awarding a sanction or penalty. **It is important to consider that mitigation is not a defence.** Examples are as follows:

- the misconduct is a minor example of a more serious misconduct, for example, minor damage to property
- it is a first recorded case of misconduct
- the student admitted the misconduct at the earliest opportunity
- the student has expressed genuine remorse (including making apologies to those affected at the earliest opportunity)
- the student has compelling personal circumstances that affected their judgement.

9.6.2 **Resulting Action** - sanctions may be as follows:

- no further action
- formal warning (to be recorded on the student's record on SoMIS / MyData and warning held by HoCQS in the Registry)
- behavioural contract (to be recorded on student record on SoMIS / copied to HoCQS in the Registry)
- attendance at an appropriate workshop (e.g. disability / social / racial awareness)
- restitution of damage (restore something lost or stolen or compensate for something lost or stolen)
- restorative justice (personalising the misconduct - victims and offenders mediate a restitution agreement to the satisfaction of each, can also involve the community)
- temporary restriction from the use of a specific part of University facilities or services (more likely a sanction for a Disciplinary Panel but can be applied for example when transgressing rules when loaning equipment from ERC or repeat minor misconducts that do not merit going to a full Disciplinary Panel. (Note: suspensions must be authorised by the DVC or VCE member in their absence)
- reclassification of the misconduct if new evidence emerges and referred to a Disciplinary Panel

**Inform student → 5 days → Disciplinary Meeting → Hear mitigation/witness statements
→ Proven/Not Proven → 24 hours - Sanction**

9.6.3 If the outcome is a **formal warning**, the letter and form at **Appendices E and F** should be completed after the Disciplinary Meeting. This requires a signature by the student and Disciplinary Officer and others attending the meeting either in support of the student or a member of staff observing who can witness the accuracy of details completed in the form. A copy should be handed to the student or provided as soon as possible after the meeting with the original being retained in the Registry.

9.6.4 If the outcome is a **behavioural contract**, the letter and template at **Appendices E and G** should be completed after the Disciplinary Meeting. This requires a signature by the student and Disciplinary Officer and anyone else attending the meeting either in support of the student or a member of staff observing who can witness the accuracy of details completed in the form. A copy should be handed to the student. A period of time should be set from between three months and a year with the contract reviewed at set agreed intervals (usually monthly) to check progress and whether the contract should be extended, reviewed or discontinued, for example if expected levels of behaviour have been maintained.

9.6.5 For other sanctions, such as restitution, the Disciplinary Officer should confirm the decision made formally in writing to the student within **five working days** with details of actions required. In all cases, the student should be reminded of the right to appeal and advised on the procedure to do so and timings involved in accordance with the information below.

9.6.6 To clarify, for Pre Degree students the intervention process is used (see Appendix H).

9.7 Disciplinary Meeting Right of Appeal

9.7.1 A student may exercise the right to appeal against the outcome of a Disciplinary Meeting by completing an Appeal Form (**Appendix G**) and submitting it to the DVC within **ten working / business days** of the date of the Disciplinary Meeting. The request for the right to appeal will be considered by the DVC and will only be granted if there is, based on the first impression; evidence of the following:

- procedural irregularity
- bias, or failure to reach a reasonable decision in handling the process
- evidence of further material circumstances which could not reasonably have been expected to have been submitted for consideration at the time of the investigation/meeting
- the sanction imposed was disproportionate to the misconduct.

9.7.2 If there are evident grounds for appeal, the Registrar will undertake a review of the papers, but will not re-hear the case or interview the student. Action may then be taken as follows:

- uphold the original decision
- uphold the original decision but reduce the sanction
- overturn the original decision and remove the sanction.

9.7.3 The student will be notified of the decision within **ten working days** of the receipt of the appeal.

9.7.4 While a similar process for appeal is in place for Pre Degree students the intervention process is used (see **Appendix H**).

9.8 Disciplinary Panel

9.8.1 If following an initial investigation or on completion of an Investigation Meeting the Disciplinary Officer decides the misconduct is of a serious nature and should be considered for a Disciplinary Panel the Disciplinary Officer should refer the case to the DVC. This should be in the form of a detailed written report of the nature of the misconduct, action taken to date, background information and any evidence already obtained.

9.8.2 The request to convene a Disciplinary Panel should include the alleged misconduct, who was involved and why it is believed to merit more serious action. Examples of the types of misconduct that may cause the Disciplinary Officer to consider this are as follows but this is illustrative and not exhaustive:

- assault or causing physical harm including sexual violence (see Harassment & Sexual Misconduct Policy)
- possession of an offensive weapon (e.g. knives, blades and corrosive substances) without reason
- possession of a prohibited weapon (e.g. firearms, including imitation firearms)
- threatening, offensive or indecent behaviour, including of a sexual nature
- serious or persistent acts of bullying, harassment or intimidation (if against someone's protected characteristics will be an aggravating factor)
- serious infringement of University Health and Safety Regulations
- theft, fraud, or deliberate falsification of records
- causing serious and deliberate damage to property
- possession of and/or intent to supply prescription, controlled or class A/B drugs
- multiple or repeated minor levels of misconduct
- persistent refusal to observe any agreement or penalty previously imposed (for example a sanction awarded at a previous Disciplinary Meeting).

9.8.3 The DVC will consider the nature of the alleged misconduct, the potential implications and whether to refer the matter to a Disciplinary Panel, otherwise referring it back to the Disciplinary Officer for other action. The DVC may need to interview staff and/or students to clarify any details and if so will provide due notice as previously outlined.

9.8.4 If a Disciplinary Panel is agreed, it will be convened by the DVC with membership as shown below. Membership will be designed to avoid inclusion of any person with prior involvement with the case:

- Deputy Vice-Chancellor (Chair)
- Dean of Arts, Design & Media
- Vice-Chancellor Executive (VCE) member
- An officer of the Students' Union (President or an SU Executive / Executive Officer)
- Staff member to act as Secretary (for accurate note taking)
- HoCQS and / or Disciplinary Officer if required

9.8.5 Proceedings will be recorded by a person acting as Secretary to the Disciplinary Panel.

9.8.6 The student will be advised in writing of the nature of the alleged misconduct and the date of the Panel meeting. This written notification will usually be provided at least **ten working days** in advance of the meeting. Where the DVC deems there are special circumstances which require a shorter period of notice to be given, the reasons for this will be explained to the student. The DVC or the student may wish to invite witnesses or others to provide written statements. If this is the case the student should advise the DVC as soon as possible to allow them to advise those concerned, collect statements, and circulate to the Panel and to the student. The statements and other documentation will be circulated to the Panel members and the student **no less than five working days** in advance of the meeting, although later circulation may be allowed at the discretion of the DVC. If the student does not attend the Disciplinary Panel, the Panel may decide to proceed in their absence.

9.8.7 Care should be taken to ensure that students who have disabilities or other health issues (including relating to their mental health) have **reasonable adjustments** discussed with them in relation to the disciplinary process in advance of the meeting and put in place if reasonable.

9.8.8 The procedure of the meeting will normally be as follows:

Panel members meet without the student present to consider matters of process but not the case



The student and accompanying person(s) will join the meeting to have case and process outlined



The Disciplinary Officer or HoCQS will join the meeting to outline the case including any witness or supporting statements



The responding student will be asked to make a statement in response to the alleged misconduct (there is no obligation for them to do so) and draw attention to any supporting witness statements and provide any mitigation if they so wish



The Panel will ask relevant questions of the responding student



Witnesses may be called by the Disciplinary Officer / HoCQS and/or the responding student. If so, in each case the witnesses will be asked to make a statement, and may be questioned by the Panel and the responding student



The responding student will be asked for any further statements and concluding remarks



The Panel will hear any further statements and concluding remarks from the Chair and / or Disciplinary Officer / HoCQS



The responding student (and accompanying person(s)) will be asked to withdraw from the meeting to allow the Panel to consider its decision.

9.9 Disciplinary Panel Outcomes

9.9.1 Following the end of the Panel the responding student may be called back in to be provided with the Panel decision immediately, or more likely, have it explained to them that they will be notified of the outcome in writing within **five working days** of the Panel, confirming the imposition of one or more of the following sanctions:

- no further action
- formal warning
- compulsory attendance at an appropriate workshop (such as anti-racism)
- restitution of damage (restore something lost or stolen or compensate for something lost or stolen)
- restorative justice (personalising the misconduct - victims and offenders mediate a restitution agreement to the satisfaction of each, can also involve the community)
- behavioural contract
- permanent or temporary exclusion of the use of specific University facilities or services
- recommendation to the Vice-Chancellor for temporary or permanent exclusion

9.3.3 For Pre Degree students the intervention process is used (see Appendix H).

9.10 Disciplinary Panel Right of Appeal (not for Exclusion)

9.10.1 A student may exercise the right to appeal against the outcome of a Disciplinary Panel by completing an appeal form (**Appendix G**) and submitting it to the Vice-Chancellor within **ten working days** of the date of the letter notifying the outcome of the Disciplinary Panel. The request for the right to appeal will be considered by the Vice-Chancellor or delegated representative who will respond to the request within **ten working days** of receipt of the appeal.

9.10.2 The request for the right to appeal will be considered by the Vice-Chancellor, and will only be granted if there is, based on the first impression; evidence of the following:

- procedural irregularity
- bias, or failure to reach a reasonable decision in handling the process
- evidence of further material circumstances which could not reasonably have been expected to have been submitted for consideration by the Disciplinary Panel.
- the sanction imposed is disproportionate to the misconduct.

9.10.3 If the Vice-Chancellor considers that an appeal may be considered, a Disciplinary Appeal Panel will be convened, the membership of which shall comprise:

- the Vice-Chancellor or delegated representative (for example a VCE member not already involved) as Chair
- a member of VCE not previously involved with the case
- an Officer of the Student Union who has not previously been involved with the case (exceptionally the Student Union Manager)
- staff member acting as Secretary
- Deputy Vice-Chancellor or HoCQS (to manage proceedings)

9.10.4 The Appeal Board shall have the authority to:

- uphold the original decision and sanction imposed
- uphold the original decision but reduce the sanction imposed
- overturn the original decision and remove any sanction imposed.

9.10.5 In instances where new information which is presented at the appeal stage causes the Appeal Board to conclude that the case is more serious than was originally considered, only then is the Board empowered to impose a greater sanction.

9.10.6 To clarify, for Pre Degree students the intervention process is used (see Appendix H).

9.11 Appeals in the event of Exclusion

9.11.1 In cases where the decision of the Disciplinary Panel is to recommend permanent exclusion, and this is supported in a letter to the responding student by the Vice-Chancellor, the student may request a final appeal against this decision.

9.11.2 Following the decision of the Vice-Chancellor, the student may make a further appeal within **ten working days** of the decision to exclude. The appeal should be addressed in writing to the **Chair of the Board of Governors** who will convene an Appeal Panel **within ten days** to consider the case.

9.11.3 The Appeal Panel will consist of three members of the governing body and a Secretary to run proceedings. If the Chair of the Appeal Board considers that there are evident grounds for an appeal, the Appeal Board will conduct a review of the papers and will invite the responding student (plus advocate / person to assist) to attend an appeal hearing in person to present their case.

9.11.4 A member of the original Disciplinary Panel will also be invited in order to respond to the appeal.

9.11.5 In all cases of appeal the student will be notified of the decision within **ten working days** of the date of the hearing.

9.11.6 Following the Appeal Panel hearing the panel may take action as follows:

- uphold the original decision and confirm the terms of the exclusion
- uphold the original decision but reduce or restrict the terms of the exclusion (for example not make it permanent)
- overturn the original decision and remove the exclusion.

9.11.7 For Pre Degree students the intervention process is used (see Appendix H).

9.12 External appeals

9.12.1 Following the internal appeal process the student may make a further appeal in the form of a complaint to the **Office of the Independent Adjudicator (OIA)** as appropriate.

9.12.2 The DVC or a delegated officer will provide advice.

9.12.3 The OIA will consider whether or not the University properly applied its regulations and followed its procedures and whether or not a decision made by the University was reasonable in all the circumstances. If the complaint is 'justified' (or 'partly justified') the OIA may recommend that the University do something or refrain from doing something².

9.12.4 The OIA runs an independent scheme to review student complaints and AUP is a member of this scheme, in accordance with Conditions of Registration with the Office for Students. If a student is unhappy with the outcome they may be able to ask the OIA to review the complaint / appeal / disciplinary case etc.

² See Rules of the Student Complaints Scheme at www.oiahe.org.uk

You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right here:

<https://www.oiahe.org.uk/students>.

9.12.5 A student will usually need to have completed the University's own procedures before the OIA will consider the case. A letter known as a "**Completion of Procedures Letter**" will be provided at the end of AUP's processes and when there are no further steps a student can take internally. If the complaint / appeal etc. is not upheld, a Completion of Procedures Letter will be issued automatically.

9.12.6 If your complaint or appeal is upheld (justified) or partly upheld (partly justified) a Completion of Procedures Letter may still be requested.

More information about Completion of Procedures Letters is found here:

<https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.

9.12.7 The OIA provides [case summaries](#) of non-academic cases brought to them.

9.12.8 For Pre Degree students the intervention process is used (see Appendix H) and external appeals will normally be made to the Education & Skills Funding Agency (ESFA).

10. Support during disciplinary procedures

10.1 All parties, including witnesses, have the right to be accompanied at any time and at any part of the procedure, by a friend, member of staff or other representative. While either party may be represented by a legal professional it is requested that the DVC be made aware beforehand so that the University may take any necessary steps to protect its own legal position.

10.2 In cases involving students under 18 years old (usually through the Intervention Process) the additional time may be required to inform parent(s) or legal guardian(s) of the need for a disciplinary investigation meeting and to request their attendance.

11. Risk and Precautionary Measures

11.1 With a duty of care to staff and students, Disciplinary / Investigating Officers should be mindful of any ongoing risk posed to students and staff relating to alleged misconduct.

11.2 In cases where this may be the case, advice from the HoSS should be sought regarding whether HWSS Procedures should be considered instead of or in addition to disciplinary procedures.

11.3 It is unlikely that any minor levels of misconduct would require precautionary measures but may be appropriate if there is a risk to others or to the student themselves. Examples are as follows:

- Suspension / temporary exclusion from the University
- Suspension from certain areas or facilities (such as Library, classrooms or only allowed to access certain areas)
- Temporary removal of certain resources such as the VLE, email etc.

11.4 Some disciplinary matters may need the University to take particularly swift action. These may include, but are not limited to:

- safeguarding issues - cases involving a threat of serious harm to the student and/or others
- cases where the student's mental health is at risk or where the student displays significant distress
- issues of a highly sensitive nature
- cases involving an ongoing threat of serious disruption to other students or to the University's activities
- pending a criminal investigation.

Suspension

11.5 **Suspension is a last resort** when the risk of harm to others or to the responding student themselves outweighs the potential disadvantage to the student. Taking this sort of action does not indicate that the University has concluded the responding student has had the case proven, rather it is a '**precautionary measure**' during an investigation.

11.6 The University will consider other steps that it might take so that the student's studies are not disrupted unnecessarily - for example allowing access to certain areas (for example, preventing access to all campus areas other than the Library). Restricted access will be made clear in the letter of suspension.

11.7 The University will consider the effects of a suspension on a student approaching assessments, or where time limits apply to their course of study or visa arrangements. It should be made clear that any such action is a **precautionary measure only** and not a sanction or punitive matter and does not indicate that the University has concluded that the responding student has committed a breach of discipline or a potential criminal offence.

11.8 Precautionary action must be reasonable and proportionate. It will be explained to the responding student why they are being suspended, and for how long and how they are able to appeal that decision. Any suspension will be reviewed periodically, even if the suspended student does not challenge it or make an appeal.

11.9 A Letter of Suspension will be issued to the responding student immediately if possible, stating the nature of the incident and the duration of the suspension.

11.10 All suspensions will be the decision of the DVC (or other VCE member in their absence) based on recommendations from meetings/boards and/or evidence provided.

Exclusion

11.11 In certain cases the University reserves the right to **exclude students immediately without any hearing**. In these very uncommon cases students may still have recourse to the appeals process made to the Vice-Chancellor or Chair of the Board described in Sections 9.10 and 9.11 above.

11.12 A Letter of Exclusion will be issued to the student within **five working days** stating the nature of the misconduct and will also contain information on a student's right of appeal. The governing body will be informed of any exclusion but will not be provided with detailed information so as not to influence any potential appeal.

11.13 Any precautionary measures that are put in place should be those which will best protect the investigation and/or the reporting student / alleged victims from harm whilst having the minimum possible impact on the reported student.

11.14 In cases where one student has made an allegation against another student, the University will take into account the interests and welfare of both students and endeavour to treat them fairly and equally.

12. Burden of Proof

12.1 The “**burden of proof**” determines whose responsibility it is to prove an issue. In a disciplinary case the burden of proof is on the University to prove that the respondent has done what they are accused of doing. The responding student should not have to disprove the allegation.

For example, if a student is accused of taking a mobile phone into an examination, it will be for the University to prove that they had the phone with them during the examination and not for the student to prove they didn't have the phone.

12.2 However, students will need to provide proof to support certain mitigating factors that they may rely on when the University considers the penalty such as medical notes if they are citing a medical condition for their actions.

13. Standard of Proof

13.1 The **standard of proof** that shall be used in all cases that are dealt with under this procedure shall be the ‘**balance of probabilities**’, which is the standard of proof that is used in Civil Law. This means that a disciplinary panel will be satisfied that an event occurred if the disciplinary panel considers that, on the evidence available, the occurrence of the event was more likely than not. The standard of proof shall not be varied according to the perceived seriousness of an allegation.

14. Disciplinary Misconduct also subject to Criminal Investigation

14.1 The Zellick Report and Universities UK Review is detailed below.

Zellick Report and Universities UK Review

In 1994, the Council of Vice-Chancellors and Principals (CVCP), now Universities UK (UUK), published the *Final Report of the Task Force on Student Disciplinary Procedures* commonly referred to as the Zellick Report.

These non-statutory guidelines provided advice to HEIs on handling circumstances where a student's alleged misconduct may also constitute a criminal offence and was indeed adopted by the University.

In 2016 a task force which was established by UUK to examine violence against women, harassment and hate crime, received evidence from the NUS, universities and colleges highlighting concerns about the Zellick guidelines. There had been substantial and important developments and changes in the sector and in the law (for example, the coming into force of the Human Rights Act 1998 and the Equality Act 2010). As a consequence, there were concerns that the guidelines did not adequately reflect the various duties and obligations that HE providers have in relation to their students or assist universities in handling the most complex and sensitive incidents, particularly those involving sexual violence.

The task force therefore initiated a review of the Zellick Report with Pinsent Masons LLP. The [guidance for the sector](#) on how to handle student disciplinary issues where the alleged misconduct may also constitute a criminal offence has been incorporated into these procedures where the student misconduct which may constitute a criminal offence and provides additional specific recommendations in relation to sexual misconduct (section 15).

14.2 The management of cases where an alleged act of student misconduct may also constitute a criminal offence is complex and the outcome will be entirely dependent upon the circumstances of the case. As a consequence, it is not possible to produce guidance about what the outcome will be but this guidance does make recommendations about the process that can be followed and the factors that should be taken into account.

Criminal investigation / prosecution

14.3 The welfare of students is of paramount importance. The University must recognise that any allegation of misconduct which may constitute a criminal offence is likely to have an adverse impact on all students involved (whether the incident is dealt with through a disciplinary process or a criminal process).

14.4 Therefore, as a priority, all students involved in any such incidents, particularly the reporting student and the responding student, must have access to support, advice and assistance. The nature and scope of an internal disciplinary process and the nature and scope of a criminal process are fundamentally different. It is therefore important to maintain a clear distinction between them.

The **internal disciplinary process** is a **civil matter**, based upon an allegation that a student has breached the University's **Student Code of Conduct**. The allegation has to be proven on the **balance of probabilities** and the most serious sanction that can be applied is permanent exclusion from the University.

In contrast, **the criminal process** is an **external procedure**, which deals with allegations that a student has committed a **criminal act**. The allegation has to be proven '**beyond reasonable doubt**' and the most serious sanction that can be applied is imprisonment with a criminal record even for lesser offences.

14.5 Taking the above differences into account, the University should follow **two key principles** when dealing with disciplinary matters which may constitute criminal offences.

First, **the criminal process must take priority**. There should be no duplication of that process and no other process should operate at the same time. Consequently, if the matter is being dealt with under the criminal process, then save for taking any necessary 'precautionary measures' (see Section 11), the internal disciplinary process should be suspended until the criminal process is at an end. The reasons for this are:

- a. Any immediate threats or dangers can be dealt with by way of precautionary measures.
- b. There is a substantial risk that an internal investigation could interfere with / prejudice a criminal investigation (for example, in relation to witness evidence, an internal investigation may involve an element of "rehearsal" of evidence prior to a criminal trial with the potential for memories to be tainted or, in some cases, the alteration of accounts because of what has been said, heard or disclosed during the process). This should be avoided as it could result in a situation where, at best, there is negative judicial comment, and at worst, may mean that the criminal proceedings have to be halted or abandoned entirely.
- c. The prosecutor has to prove its case and defence lawyers will insist on seeing the evidence before advising the accused student on how to proceed. If the accused student engages with an internal disciplinary process, that could impact upon his/her defence in the criminal proceedings. As a consequence, the accused student will generally be advised by lawyers representing him/her in a police inquiry not to cooperate with an internal disciplinary process until the criminal process is at an end. In these circumstances, it could well be argued that if the University goes ahead with an internal investigation in any event then, due to the constraints on the accused student by virtue of the criminal process, that student will be denied a right to a fair hearing and that would provide a ground for challenge.
- d. Usually neither the reporting student nor the accused student want the University to undertake an internal investigation before the criminal process has reached a conclusion because the accused student will be concerned that such an investigation may prejudice their defence and the reporting student will wish to ensure that the prosecution can proceed.

Second, **if the matter is not being dealt with under the criminal process or where the criminal process has concluded, then the University should consider whether a breach of**

discipline appears to have occurred and, if so, refer the matter for consideration under these Disciplinary Procedures.

By way of example, taking a library book without permission and drawing graffiti on a University building may constitute the criminal offences of theft and criminal damage and disciplinary misconduct of taking property belonging to the University without permission and causing damage to University property.

14.6 In contrast to paragraph 14.5 above, the University can take action under its disciplinary process at the same time as a criminal process is underway **if the disciplinary case is based upon facts and matters which are different to those being dealt with under the criminal process.**

For example, in a case where a student acted abusively to another student after taking drugs, the police may be prosecuting the student for the supply of drugs but not the abusive behaviour.

In that situation, the University could undertake disciplinary proceedings in relation to the abusive behaviour but any action other than precautionary measures in relation to the drug use would have to be suspended until the outcome of the criminal process was known.

Record keeping

14.7 All involved in dealing with alleged student misconduct which may also constitute a criminal offence should be aware that **any notes that are made or documents that are created could be requested by the police as part of a criminal investigation and individuals could be called to give evidence.** Consequently every effort should be made to ensure that written records are clear, accurate and appropriate.

14.8 The DVC must be informed immediately in the event of criminal investigations / proceedings and will manage a clear process to ensure all actions and decision-making made by the University from the day when the report of the incident is received up until any criminal and/or disciplinary proceedings have been concluded are recorded.

Fairness for students

14.9 Where one student has made an allegation against another student, the University should treat the reporting student and the responding student equally and fairly and not make any presumptions about either of them.

Staff awareness

14.10 Previous examples in the sector reveal that many students will make disclosures to the academic or technical support staff who they come into contact with on a daily basis - it is important that these staff have a basic understanding of what actions to take in these circumstances.

Support and Advice

14.11 Support and advice in sexual misconduct cases are in Section 15.

14.12 The University should assist the reporting student to understand the various options available to them and provide the student with support in making a decision about the way forward such as whether they wish to inform police about an incident.

14.13 When outlining the options available, the University should ensure that the reporting student understands the process related to each option and, in particular, understands the difference between criminal investigations / proceedings and the University's disciplinary investigations / proceedings. A number of the key differences are set out below to assist with this:

14.14 Under the criminal process, the allegations will be treated as a potential criminal offence / breach of law, whereas under the disciplinary process, the allegations will be treated as a potential breach of discipline.

14.15 A disciplinary investigation will be more limited than a criminal investigation because forensic analysis and medical examinations are not available to the University and it has no power to compel witnesses to give evidence.

14.16 Under the criminal process, a magistrate or judge can impose a wide range of sanctions on an individual who is found to have committed a criminal offence (including imprisonment) and can put conditions / restrictions on that person which apply nationwide for significant periods of time.

14.17 Under the disciplinary process, the most serious sanction that can be imposed on a student who is found to have committed a breach of discipline is permanent exclusion and, once the individual has left, any restrictions / conditions placed on them will no longer be applicable. In addition, the reporting student should understand that following a disciplinary process, there will be very limited circumstances in which the University can disclose any information about the misconduct to any third parties³.

No pressure should be put on the reporting student to take any particular course of action.

Referral to the Police

14.18 There are three basic principles to consider in relation to the reporting of a matter to the police. They are, in summary:

- anyone can make a report to the police
- no-one may prevent anyone else from reporting or referring a matter to the police
- there is generally no legal requirement to report alleged or suspected crimes to the police⁴.

³ The University has a general obligation to keep the information confidential and, subject to certain exemptions, specific obligations not to disclose the information to third parties under the Data Protection Act 2018.

⁴ There are some exceptions. For example, in relation to suspected money laundering and terrorist activity or within safeguarding practices if it is believed female genital mutilation has taken place or is going to take place.

14.19 Usually the reporting of a crime is made by the reporting student and often the evidence of the reporting student is crucial in securing a conviction.

14.20 Where a potential criminal offence is committed against the University, for example, a student taking without permission a Sony mirrorless camera belonging to the University, the decision about whether to report the incident to the police will be dependent upon the facts of the matter and is therefore a matter for the University to determine on a case-by-case basis (for example, there should not be a general rule that “serious” offences should be reported and “non-serious” offences should not be reported).

14.21 There will be a number of factors that will have to be taken into account when assessing whether to report the matter to the police. These will include the nature and seriousness of the case and whether there is any risk to the health, safety and well-being of the reporting student or others.

14.22 The University recognises that being involved in a criminal process would result in the reported student suffering a significant amount of distress and may result in them having a criminal record. In such circumstances, if the University (as the victim) decides that dealing with the allegation as a breach of discipline under the Disciplinary Procedures is more appropriate than that would be a reasonable and proportionate approach to take and one usually supported by the police.

14.23 If the victim is not in the University (member of the public) they should usually be allowed to decide whether or not to report the matter to the police without University support. Where the victim is a member of the University community and they wish to make a report to the police then the University should support them to do that. If they do not wish to make a report to the police then, subject to the points made in the paragraph below, the University should comply with that decision.

The University will only in exceptional circumstances report an alleged crime to the police, when the victim does not wish to do so.

14.24 The circumstances in which a report to the police by the University may be justified is if disclosure of the information is necessary to protect the reporting student (or others) from harm or to prevent a further crime taking place⁵ but, in deciding whether to make such a disclosure and in deciding what information to disclose (in order to prevent a further crime taking place, it may be sufficient to disclose details of the incident without disclosing the name of the reporting student), the University must take into account any potential harm that the unauthorised disclosure may cause to the reporting student. This assessment will have to be undertaken on a case-by-case basis as much will depend on the circumstances of the matter.

14.25 It is noted that disclosing information to the police without the reporting student’s consent could undermine the relationship of trust and confidence between the University and the reporting student and potentially result in the individual declining any further support or assistance from the University, making the reporting student more vulnerable.

⁵ Under UK GDPR / the Data Protection Act 2018, the University will need to be able to justify the disclosure of information about a victim that is made to the police without their consent.

14.26 Any cases arising which involve police action, criminal proceedings and/or civil proceedings against a student of the University must be passed to the DVC at the earliest opportunity. They will ensure that appropriate members of staff are identified to act as key contacts for students involved.

Precautionary action (in addition to section 11)

14.27 Precautionary measures may be imposed on a student who is alleged to have committed a criminal offence or a breach of discipline at an early stage pending the outcome of criminal / disciplinary proceedings.

14.28 It should be made clear that any such action is a precautionary measure only, it is not a sanction and does not indicate that the University has concluded that the accused student has committed a breach of discipline or a criminal offence.

Outcome of criminal proceedings

14.29 If a student is convicted of a criminal offence then that conduct or behaviour can be relied upon to establish disciplinary misconduct with the focus of any disciplinary process by the University considering the impact and effect of the criminal offence in order to determine the proposed sanction/s (if any) to be applied.

14.30 If a student is acquitted of a criminal offence the University can still take disciplinary action against the accused student if there is sufficient evidence that unacceptable behaviour which constitutes a breach of the Code of Conduct occurred. This is because in a disciplinary process, the alleged "offence" (misconduct) will be different, the evidence that can be taken into account may be different, the burden of proof will be different and the sanctions available will be different.

14.31 The fact that the student has been acquitted of a criminal offence after a full trial is a relevant consideration and the weight attached to it will depend upon the circumstances of the case.

14.32 Where a student is **acquitted of a criminal offence and no disciplinary action is taken against the accused student**, the University should be aware that the reported student and a reporting student (if the case) are likely to continue to require assistance and support. The measures that are necessary will have to be assessed on a case-by-case basis and with the University being a small institution in some cases with just a few students on a course or programme, this will need careful consideration.

14.33 Adaptations could be made to academic arrangements with steps taken to ensure that the reporting student and accused student do not come into contact with each other (for example, ensuring that the students are put into different tutorial groups if they are studying on the same course or programme). Any such action would be taken in order to protect the welfare and wellbeing of both students and not as part of a disciplinary process.

14.34 As the University does not have its own accommodation, some liaison may be required with accommodation providers / letting agents if there is a potential concern. However, this is

dependent on the goodwill of the provider / agent and the University will not be able to intervene if the provider / agent does not take any action.

14.35 If a student is convicted of a criminal offence and no misconduct occurred on campus or involving the University, then the University may still conduct a disciplinary process to establish whether any further administrative action needs to be taken. The outcomes of either a Disciplinary Meeting or Disciplinary Panel will be the same as for misconduct cases but the University will not necessarily need to conduct an investigation, liaising with police / probation officers to obtain necessary court records.

Custodial sentences

14.36 When a student has been convicted and a custodial sentence (not suspended) has been imposed in the UK the Course Leader may submit an application to withdraw that student's registration, notifying the Academic Registrar / Registry.

14.37 The DVC will receive these applications and forward a recommendation to the Vice-Chancellor for action. As a guide where a sentence is a year or more then withdrawal would be expected, but the final decision rests with the Vice-Chancellor on the advice of the DVC.

15. Harassment and sexual misconduct

15.1 Following an [investigation and analysis by Universities UK](#)⁶ in 2018 and since by the Office for Students in 2021 it has since evolved into a Condition of Registration for harassment and sexual misconduct. Recommendations made have now become mandatory as Condition E6.

15.2 All HE providers must maintain a comprehensive single source of information. This details the reasonable steps being taken to prevent harassment and sexual misconduct. More information is in the Harassment & Sexual Misconduct Policy.

15.3 Reports of harassment and / or sexual misconduct may, on the wishes of the student, be reported to police as a potentially criminal offence or to the University as misconduct in breach of the Student Code of Conduct or equivalent staff version.

15.4 The University may now investigate potentially criminal sexual misconduct offences under its own disciplinary proceedings in the following cases:

- where the victim/survivor does not wish to report the incident to the police and agrees to a University investigation
- when criminal proceedings have concluded.

15.5 In order to ensure that students are provided with all appropriate information and support they should be referred to Student Support in the first instance. Student Support staff, when dealing with cases of this nature, will refer students to the appropriate specialist agency or the University's Sexual Violence Liaison Officer (SVLO).

⁶ UUK Changing the Culture - Report of the Universities UK Taskforce examining violence against women, harassment and hate crime affecting university students

15.6 Staff should seek guidance from Student Support, DVC or the HoCQS if they are unsure how to proceed with **doing nothing not being an option**.

15.7 The University should assist the reporting student to understand the various options available to them and provide the student with support in making a decision about the way forward. The key options for the reporting student / complainant will usually be as follows:

- make a report to the police
- take some time to consider the options (in this situation, where appropriate, the University should provide advice about how attendance at the nearest sexual assault referral centre (SARC) can enable forensic evidence to be collected whilst a decision is being made about whether or not to make a report to the police)
- not report the matter to the police but request that the University consider the case under these procedures (or other internal process)
- take no further action.

(all of these may be discussed with the SVLO should the student wish to do so)

15.8 When outlining the options available, the University should ensure that the reporting student understands the process related to each option and, in particular, understands the difference between criminal investigations / proceedings and the University's disciplinary investigations / proceedings. A number of the key differences are set out below to assist with this:

15.9 Under the criminal process, the allegations will be treated as a potential criminal offence / breach of law, whereas under the disciplinary process, the allegations will be treated as a potential breach of discipline.

For example, a judge/jury will deal with allegations of and make findings about rape and the University will deal with allegations of and make findings about sexual misconduct.

15.10 A disciplinary investigation will be more limited than a criminal investigation because forensic analysis and medical examinations are not available to the University and it has no power to compel witnesses to give evidence.

15.11 Under the criminal process, a magistrate or judge can impose a wide range of sanctions on an individual who is found to have committed a criminal offence (including imprisonment) and can put conditions / restrictions on that person which apply nationwide for significant periods of time.

15.12 Under the disciplinary process, the most serious sanction that can be imposed on a student who is found to have committed a breach of discipline is permanent exclusion from the institution and, once the individual has left, any restrictions / conditions placed on them will no longer be applicable. In addition, the reporting student should understand that following a disciplinary process, there will be very limited circumstances in which the University can disclose any information about the misconduct to any third parties⁷.

⁷ The University has a general obligation to keep the information confidential and, subject to certain exemptions, specific obligations not to disclose the information to third parties under the Data Protection Act 2018.

No pressure should be put on the reporting student to take any particular course of action.

16. Restraint, Search and Use of Force

16.1 The University does not have a policy for physical restraint. However, it is accepted that circumstances may arise where for the safety of staff and / or students physical intervention may be required.

16.2 Members of University staff have in general no further powers to search people, or to search premises outside the University, than any other ordinary person. Police officers have the powers given to them by statute. Accordingly, if staff consider it is necessary to search a student they will either need the student's agreement or to call the police so that they can use their powers.

16.3 The [Education and Inspections Act 2006 \[section 165\]](#) gives further education colleges the same powers as school staff to use reasonable force to restrain students for the purposes of defending themselves or others.

In practice this actually gives University staff no more power than they have under the common law defence of self-defence.

16.4 Additionally there is a power of arrest for persons other than the Police if a person is engaged in committing an offence or has committed an offence which is indictable, meaning the offence could be heard in either a Magistrates Court or Crown Court. This would include offences of possessing an offensive weapon, drugs offences or affray. It must be reasonably necessary for a staff member to arrest the individual (e.g. to prevent escape) and must also not be reasonable to wait for the attendance of a police officer.

16.5 In all cases where any form of restraint to protect another person or property is required **“reasonable force”** may be used. For the purposes of the common law **the amount of force used must not be disproportionate in the circumstances.**

16.6 If staff act lawfully and any force used is reasonable there will be a robust defence against any accusations that may follow. However, staff and students should avoid trying to resolve situations themselves where substantial force may be needed and should instead make an urgent call to the police on 999 and wait for their response.

17. Procedural Fairness

17.1 Taken from the OIA Good Practice Framework, ‘fair procedures’ must follow the principles of “natural justice”:

- “No one should be a judge in their own cause” – decision makers must come to matters without bias or a reasonable perception of bias
- “Hear the other side” – each party must have a fair hearing
- “Justice delayed is justice denied” – the process must be completed without delay.

17.2 In addition, decision-makers must make reasonable decisions, and give reasons for their decisions. In disciplinary procedures, this means that:

- students understand any allegation against them
- the reported student and the person bringing the allegation (reporting student) have a fair opportunity to present their case and to hear and respond to what the other has said
 - reported students should have opportunities to see the evidence to respond to it.
- students are given reasonable notice of any hearing and are given in advance copies of all information to be considered by the decision maker
- the burden and standard of proof are clearly explained - the burden being on the University to prove misconduct
- decision makers should be free from bias or any reasonable perception of bias
- reasons should be given for decisions reached and any penalty imposed
- there should be a route of appeal
- the investigation, any hearing, and any appeal should be carried out as quickly as possible, consistent with fairness
- the reporting student must be kept informed and given the option to have their case treated as a formal complaint to run alongside the disciplinary investigation.

18. General Principles of disciplinary processes

- The University has a duty under the Equality Act 2010 to make reasonable adjustments for disabled students. If the student says the behaviour giving rise to the disciplinary concern is related to their disability, the University shall consider carefully whether to proceed with disciplinary action, or to refer the student to the Support for Study procedures. However, disabilities are not an excuse for poor discipline.
- Reasonable adjustments will be made to ensure that any University procedures can be made available to students in accessible formats on request. The University will consider in each case whether to make reasonable adjustments to procedures to take account of the individual needs of students such as extending the time for a student to respond to allegations.
- The University may also take into account a student's disability when agreeing to sanctions. For example, if the student's conduct was linked to an underlying mental health condition, that might mitigate the seriousness of the offence. In some cases it might be more appropriate to refer the student to the HWSS Procedures than to apply a disciplinary penalty.
- Students who have mental health difficulties will be informed about the specific support services available to them, for example counselling services and, where appropriate, services external to the University. If a student appears unable to engage effectively with the disciplinary process, they may be advised to appoint a representative. It may be appropriate to suspend the disciplinary process until the student has accessed appropriate support.

- As the University is not a court of law all cases will be dealt with as a potential breach of discipline and not as a criminal offence, and as such, no criminal offences are referred to in defining unacceptable behaviour in the Code (see Appendices A and B).

For this reason the term '**misconduct**' is used throughout these procedures and **not** "crime" or "offence" and is the term that should be used in general parlance. Likewise the terms '**guilty**' or '**not guilty**' should **not** be used with 'proven' or 'unproven' being more appropriate.

'Reported student' is the preferred term as opposed to the criminal term of 'accused'.

- Wherever possible, the University will seek to adhere to the time limits outlined within the disciplinary procedures, but cases will arise where specific circumstances dictate variance from usual timings. On such occasions, students will be advised clearly of the revised timescales and the reasons for variance from standard practice by the senior person handling the case.
- Students will be given the opportunity to attend disciplinary meetings to present their views in person. However, the University reserves the right to proceed with any investigation or disciplinary meeting in the absence of a student, subject to the student having been properly notified of the date and time, or in cases where criminal proceedings do not allow the student to attend in person.
- During the application of these disciplinary procedures the University reserves the right to postpone any disciplinary investigation or meeting and reconvene at a later date.
- A student may not be granted an award, obtain certification of an award or attend a graduation ceremony whilst a matter of alleged misconduct is still in the process of being dealt with under these procedures.
- If a student withdraws once the disciplinary process has been initiated, the University may choose to continue to hear a case. Should the University choose not to proceed with a case, a note will be placed on the student file and the case re-activated should the student wish to re-apply to the University.
- The DVC or delegated staff may check the University records to ascertain whether the student has a history of misconduct. The information may not be relied upon as evidence that the student has committed the alleged act of misconduct currently being considered but it may be taken into account when considering whether it is necessary to impose precautionary action, when considering which disciplinary route to follow and when considering sanctions.
- Where one student has made an allegation against another student, the University will treat the reporting student and the responding student fairly and not make any presumptions about either of them.

- As was the case during the University closure (during lockdown for the Covid pandemic), disciplinary meetings and panels may, exceptionally, be carried out in a virtual / online format, with access controlled by the Panel Secretary if absolutely necessary such as reasonable adjustments dictating as such. The same guidelines will apply as if being carried out on campus.

19. Data Protection and UK GDPR

19.1 The University has obligations under the Data Protection Act 2018 (incorporating UK General Data Protection Regulation (GDPR)) regarding sensitive personal information, or “special category data”. Information about students who are subject to disciplinary proceedings will be kept highly restricted in accordance with the University’s framework as far as possible. The information will be disclosed to as few people as possible, and only to those involved in investigating or deciding the matter.

19.2 It is not normally appropriate to keep the identities of witnesses secret during disciplinary proceedings as to do so may undermine the student’s ability to defend themselves. If the witness does not agree to the responding student knowing their identity, it may not be appropriate to rely on their evidence.

19.3 While the University will not ordinarily disclose information about students to a third party it is duty bound to provide such information if requested by a ‘Prosecuting Authority’ such as the Police or Plymouth City Council where the information is concerned with a) the prevention and detection of crime and/or b) the apprehension or prosecution of offenders. The prosecuting authority must make such a request confirming that the personal data required is needed for this purpose, and that failure to provide this information would in their view be likely to prejudice the matter. *Data Protection Act, 2018, Schedule 2 Part 1 2(1) refers.*

20. Discipline Reporting

20.1 Reporting and Monitoring Records relating to disciplinary misconduct shall be maintained by the Registry through HoCQS as appropriate and be included in the disciplinary folders. An annual report of all disciplinary cases will be compiled for submission to the Academic Standards and Quality Committee and Academic Board, and potentially to the Board of Governors in the Autumn meetings of the following academic year.

Appendix A

Student Code of Conduct

A simplified version of the Code of Conduct, as agreed with students, is included in the student handbooks.

This code applies to all students, including postgraduates and those on distance learning courses in relation to matters of alleged non-academic misconduct. Please refer to the separate procedures for academic misconduct in the Higher Education Academic Regulations or Pre Degree Academic Honesty Policy.

It is an expectation that any partner colleges will have their own Code of Conduct and Disciplinary Procedure, however if partners do not have their own policy this version may be used, with comparable local adaptations where appropriate.

This code applies to a student whether they are on or off University premises, including non-University activities.

For Students who are also members of staff then any allegations may be managed through the relevant Human Resources policy and / or Student Code of Conduct.

The following is a detailed understanding of the Code. Acts of misconduct where on campus and areas associated with the University students are to uphold the spirit of the Student Charter and:

1. **behave responsibly** and **within the law**, fostering mutual respect and understanding between all members of the University community, on and off campus;
2. **recognise and tolerate differing opinions** and **comply** with the Freedom of Speech & Academic Freedom Policy, including with staff and fellow students during academic sessions (taught sessions / seminars / group tutorials etc.) even if such views may be personally offensive (but not unlawful)
3. communicate online/digitally, including chat, social media, email, in ways that **do not deliberately or obviously offend the protected characteristics** of others (not using abusive or obscene language or engaging in behaviour that causes harassment, alarm or distress
4. communicate in person, in ways that **do not deliberately or obviously offend the protected characteristics** of others (not using abusive or obscene language or engaging in any form of violence or behaviour that causes harassment, alarm or distress, whether in person or within the local community
5. **comply with reasonable requests** by members of staff and communicate in a respectful, professional manner (including email, Google Classroom and in course chat / social media groups)
6. ensure personal digital media devices (mobiles, iPads etc.) remain personal and **do not interfere with study** (such as not using mobiles during lectures unless for study purposes)
7. **comply with the Harassment & Sexual Misconduct Policy**; relating to **zero tolerance for all forms of bullying, harassment and sexual misconduct** on and off campus,
8. **comply with the University ICT Acceptable Use Policy and Data Protection Policy** (internet for educational use, no download / installation of executables, sending or receiving

material that may cause offence or sending of personal details, images, memes or recordings etc. of other students, members of staff or clients (including others' work) without permission)

9. **treat all University property and resources with respect**, such as items loaned from the Library, ERC or IT, and extending to the work and property of fellow students and staff
10. **respect the University physical environment**, including not littering or writing graffiti
11. **act in a way that does not adversely affect University operations or impede safety** (compliance with the University's H&S policies (such as observing fire alarms) and to any specific requirements that apply to areas of work/study
12. **not bring alcohol or consume alcohol on campus** (except when permitted for official organised events)
13. **not possess, use or supply illegal or controlled substances / prescription drugs or other substances that produce a legal high** on campus unless specifically prescribed
14. **not possess offensive weapons** (blades, knives, corrosive substances etc.) nor **prohibited weapons** (firearms including imitations) on campuses
15. **not make vexatious or malicious complaints** about another student or member of staff
16. **not act in a way that could reasonably be classed as misconduct or a criminal offence** (such as theft / fraud / vandalism).

While a lack of attendance / engagement will not result in disciplinary action, poor attendance may result in interventions in Pre Degree with a student's place on course at risk for low attendance. In higher education low attendance may result in withdrawal from course or withholding of bursary payments and has further implications with student visas for international students. The requisite HE and Pre Degree Attendance and Engagement Policies apply.

Off campus, the University works hard to build good relationships with the local community. It works with local representatives such as Plymouth City Council, the Police, other HE providers and letting companies in order to help make University campuses and the surrounding areas safe, friendly environments to live and work. In that context, students are to:

17. **help to support these relationships** in the way that they conduct themselves in the surrounding area, including on other campuses
18. **be considerate to neighbours**, as well as fellow housemates, especially in relation to noise levels and disposal of refuse/recycling
19. **act within the law** and not engage in activity or behaviour that is likely to bring the University into disrepute, including with what is posted online.

Students **must disclose immediately to the University**, via course leader or other senior staff member, if they are under investigation for, charged with, and/or convicted of, a criminal offence or if they have been given a **Sexual Harm Prevention Order** (placed on the Sexual Offenders Register).

The University will conduct a risk assessment with regards to safeguarding its people but is as much to support the student who has been convicted. For example, if awarded [Community Payback](#) such as unpaid work advice may be required on applying for an extension to submission of work or even deferral of the course.

Students **do not** need to report fixed penalty notices or road traffic offences unless they require personal support or it is likely to affect their attendance on course.

Relevant policies and procedures are available on the Student Portal and via student handbooks, therefore **ignorance of the policies or procedures will not be a valid excuse for breach of the Code of Conduct.**

Notes on Student Code of Conduct

With regards to misconduct it is important to understand how seriously different acts will be treated - this is particularly important in relation to sexual misconduct as different acts arising from the same type of behaviour may be treated very differently. For example, in relation to the unacceptable behaviour of *kissing without consent*, the act of forcefully kissing another on the lips is likely to be regarded as a more serious misconduct (and meeting the threshold for sexual misconduct) than the act of lightly kissing another on the back of a hand (which would likely not meet that threshold).

The examples of unacceptable behaviour and examples of sanctions have not been separated into serious and less serious disciplinary misconduct in the section below. Examples of unacceptable behaviour are not exhaustive and the University can bring an action in relation to other unacceptable behaviour, that is behaviour that a reasonable person would find unacceptable.

The indication of the sanctions which may be applied if certain behaviour is found to have taken place is illustrative only - a list of the sanctions which may be imposed by the University are set out in the main body of these procedures - after the aggravating factors and mitigation have been considered there will be instances when certain behaviours which would usually be considered to be less serious are in fact more serious and will require a more robust sanction and there will be instances when certain behaviours which would usually be considered to be serious in fact result in a less serious sanction.

Students should be aware that multiple or repeated incidents of misconduct, even if each individual case was minor, may be more serious than one single act of misconduct and previous findings may be taken into account when determining what sanction should be imposed.

While certain behaviours are not unlawful they may still breach the University's own code.

The University reserves the right to inform the police if it feels that the law has been broken by a student, including material reported to the University that has been posted online.

Appendix B

Examples of disciplinary misconduct, unacceptable behaviours and sanctions (initially based on examples provided by Universities UK with local amendments)

People		
Disciplinary Misconduct	Examples of Unacceptable Behaviour	Examples of Sanctions
Physical Misconduct	• Punching • Kicking • Slapping • Forceful push / shove • Pulling hair • Biting • Spitting (in face)	• Exclusion • Suspension • Restrictions / Conditions
	• Light push / shove • Inappropriate touching (non-sexual)	• Formal warning • Behaviour contract
Sexual Misconduct and Harassment	• Engaging in a sexual act without consent or attempting to do so (including rape) • Sharing private sexual materials of another person without consent • Kissing without consent • Touching inappropriately (sexually) through clothes without consent • Inappropriately showing sexual organs to another person • Repeatedly following another person without good reason / stalking • Making deep fake images / video of someone, whether distributed or not • Voyeurism including 'upskirting' or filming / photographing of genital area or breastfeeding women for sexual gratification • Making unwanted remarks of a sexual nature	• Exclusion • Suspension • Restrictions / Conditions • Formal warning • Compulsory attendance

		at workshop / coaching session • Behaviour contract • Written apology
Abusive Behaviour	• Threats to hurt another person • Abusive comments relating to another person's protected characteristics (harassment) • Stalking (including online) • Repeatedly contacting another person (phone, text etc) against the wishes of the other person • Acting in an intimidating or hostile manner • Use of inappropriate language	• Exclusion • Suspension • Restrictions / Conditions • Formal warning • Behaviour contract

Property

Disciplinary Misconduct	Examples of Unacceptable Behaviour	Examples of Sanctions
Damage to property	• Causing significant damage to University property or the property of staff, students or visitors • Causing minor damage to University property or the property of staff, students or visitors	• Exclusion • Suspension • Restrictions / Conditions • Requirements to make good the damage at own expense • Formal warning • Behaviour contract • Requirements to make good the damage at own expense
Unauthorised taking or use of property	• Taking property belonging to another without permission • Misuse of University property (for example	• Exclusion • Suspension • Restrictions / Conditions • Requirements to make good the damage at own expense • Formal warning • Behaviour contract

	computers and photographic equipment)	
Causing a health and safety concern	• Act/omission that caused or could have caused serious harm on University premises or on University activities (for example disabling fire extinguishers) • supplying illegal / controlled drugs) • possession of Class A drugs • possession of prohibited or offensive weapons • Act/omission that caused or could have caused a health and safety concern on University premises (for example smoking / vaping in non-designated areas) • possession of Class B drugs	• Exclusion • Suspension • Restrictions / Conditions • Formal warning • Behaviour contract

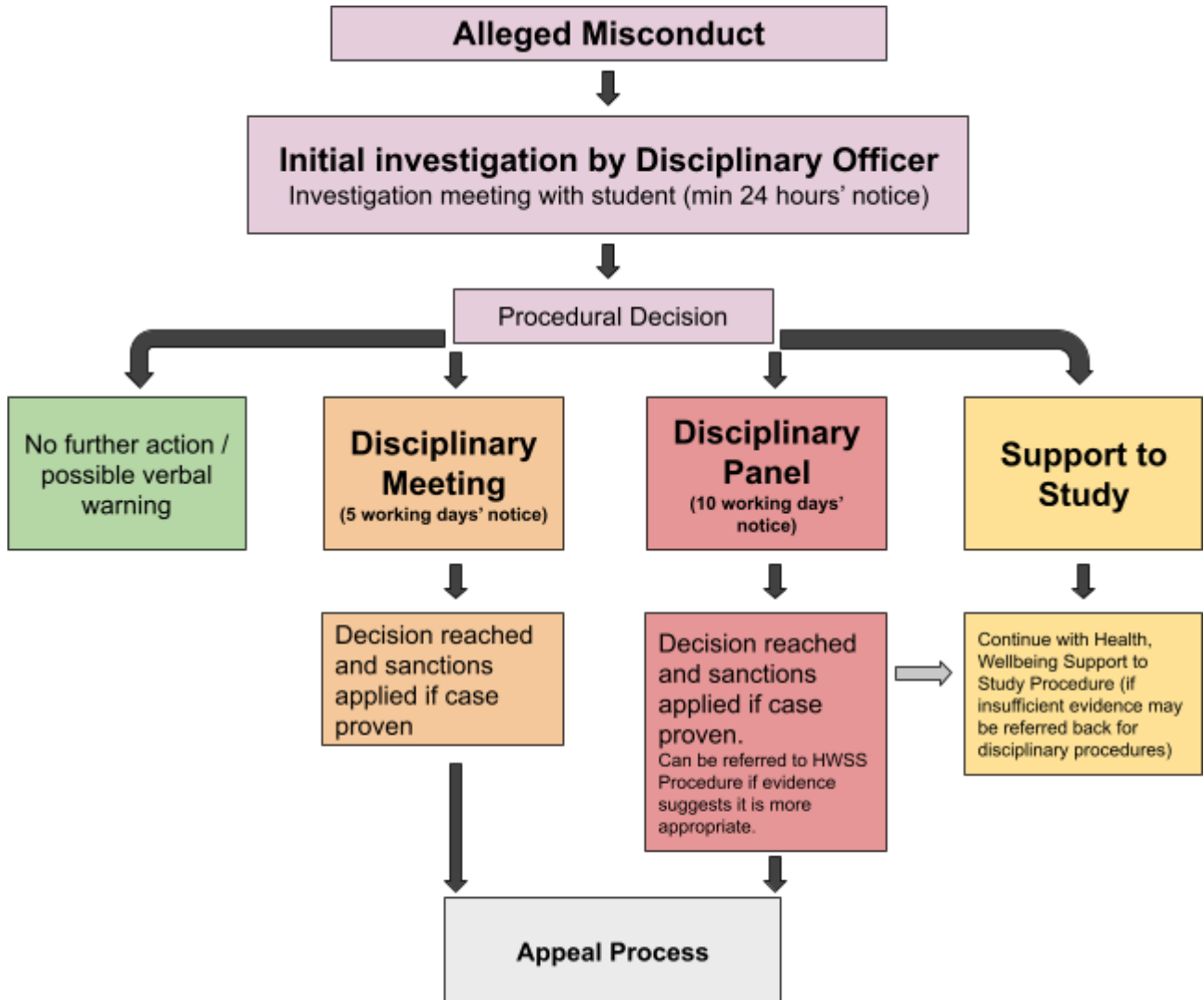
University

Disciplinary Misconduct	Examples of Unacceptable Behaviour	Examples of Sanctions
Operational obstruction	• Acts / omissions / statements intended to deceive the University, such as lying about previous qualifications • Disruption of the activities of the University (including academic, administrative, sporting and social) on University premises or elsewhere • Disruption or improper interference of the functions, duties or activities of any student or employee of the University or any authorised visitor	• Exclusion • Suspension • Restrictions / Conditions • Formal warning • Formal Warning • Behaviour Contract • Written Apology

Reputational damage	• Behaviour which has caused serious damage or could have caused serious damage to the reputation of the University	• Exclusion • Suspension • Restrictions / Conditions • Formal warning
	• Behaviour which has damaged or could have damaged the reputation of the University	• Formal warning • Behaviour contract

Appendix C

HE Student Discipline Flow Chart



Appendix D

Example of letter post-disciplinary meeting

(may be tailored for the individual)

Name

Address

Dear (Name)

RESTRICTED

Re Disciplinary Meeting held on (date) at (time).

I am writing further to the Disciplinary Meeting detailed above to confirm the decision. In respect of the allegation that you (detail allegation and date i.e. *on Friday 13th October 2025 you used abusive and threatening language to your fellow student XYZ in the University Canteen*), thereby and in accordance with the Disciplinary Procedures for Students committing an act of Misconduct, the meeting has decided to [insert *uphold the allegation* / dismiss the allegation**].

The decision of the meeting is to *administer a formal warning* / require you to enter into a behaviour contract* / [any other appropriate sanction]**. [Insert other conditions if appropriate] e.g. *you will also be expected to apologise to XYZ*.

Any other information / amplification of behavioural contract for instance.

This letter is a first / second formal written warning*. If any similar incidents occur, or any other matter is brought to the University's attention, which constitutes an act of misconduct under the Disciplinary Procedures for Students (a Breach of the Student Code of Conduct), you may be subject to further sanctions / formal disciplinary panel hearing*.

In conclusion I would draw your attention to section 9 of the Student Disciplinary Procedure (page 14) which details the circumstances under which you may exercise your right to appeal against the decision and / or sanction.

Yours sincerely

Name

Staff position

Copy to:

Head of Compliance & Quality Systems, Registry

Appendix E

Formal Warning

Student	
Course	
Year	

Date of incident	Reporting member of staff	Description of incident	Student explanation

I have had the University's Disciplinary Procedures for Students explained to me and have an understanding of it.

I am signing to confirm that I have received a formal warning and I understand that further disciplinary action may be taken if:

- any agreed actions are not undertaken
- the incident (or similar incident) should re-occur
- there is any further breach of the Student Code of Conduct
- the behaviour contract is broken (if applicable)

I am aware that a Student Incident Log will be kept of all disciplinary incidents, and this will be retained by the Head of Compliance for the duration of my course.

	Name	Job Title	Signature
Student			
Disciplinary Officer			
Witness			

Date: _____

Appendix F

Behavioural Contract

Student	
Course / Year	
Senior Lecturer / Course Leader	
Safeguarding Officer (if applicable)	
Other staff member / support (if applicable)	
Date	

Reason for agreeing this plan

--

Action points agreed

1	
2	
3	
4	

Relevant University policies, procedures, codes referred to during the meeting	
Student signature	
Date	
Disciplinary Officer or relevant staff member signature	
Date	
Review Date	

Appendix G

APPEAL FORM: Disciplinary – Non-Academic Misconduct

Please use this form if you are making an appeal against any decision against the outcome of a disciplinary meeting or disciplinary panel. Before completing this form, you should consult the University's Disciplinary Procedures for Students and seek advice from the Students' Union. The completed form with any relevant material evidence should be sent to:

The Deputy Vice-Chancellor, Arts University Plymouth, Tavistock Square, Drake Circus, Plymouth PL4 8AT or email rkirby@aup.ac.uk

The Chair of the Board of Governors, Arts University Plymouth, Tavistock Square, Drake Circus, Plymouth PL4 8AT or email sbrownlow@aup.ac.uk (only for appeal against permanent exclusion / withdrawal from studies)

Please complete this form clearly, either typed on PC or in black pen

Please note the time constraints stipulated in the Appeals section (paragraph 9.7 / 9.10 of the Disciplinary Procedures for Students.

Name (in full)	
Student ID number:	
Course and Year	
Contact address	
Email address*	

*Please note that the University corresponds with students via their University email address

ABOUT YOUR APPEAL

Indicate with a tick in the relevant box(es) the area(s) under which your appeal is being entered

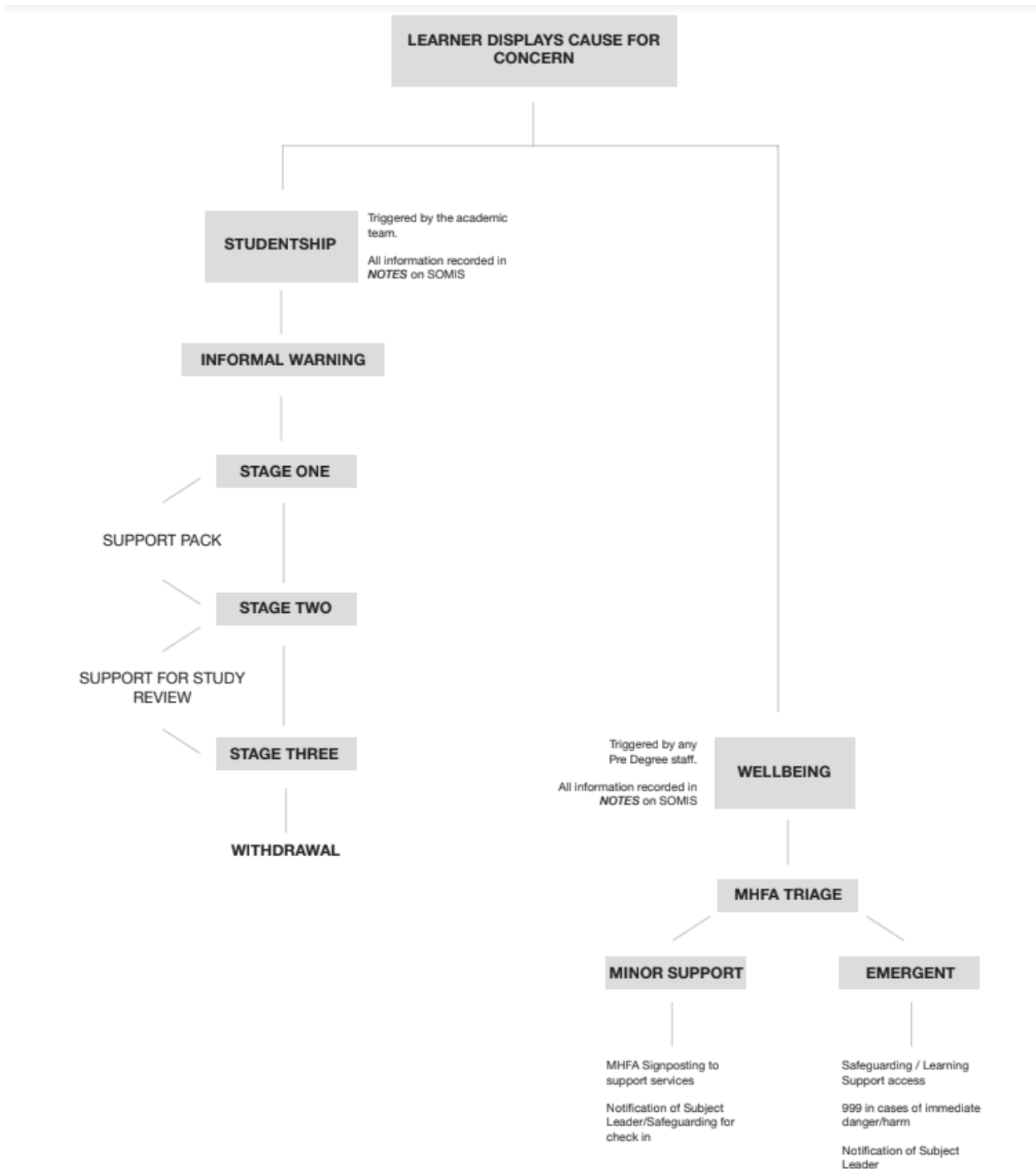
An appeal against a decision made at a Disciplinary Meeting	
An appeal against a decision made at a Disciplinary Panel	

Indicate with a tick in the relevant box(es) the ground(s) of appeal

Evidence of procedural irregularity	
Evidence of bias, or failure to reach a reasonable decision in handling the process	

Appendix H

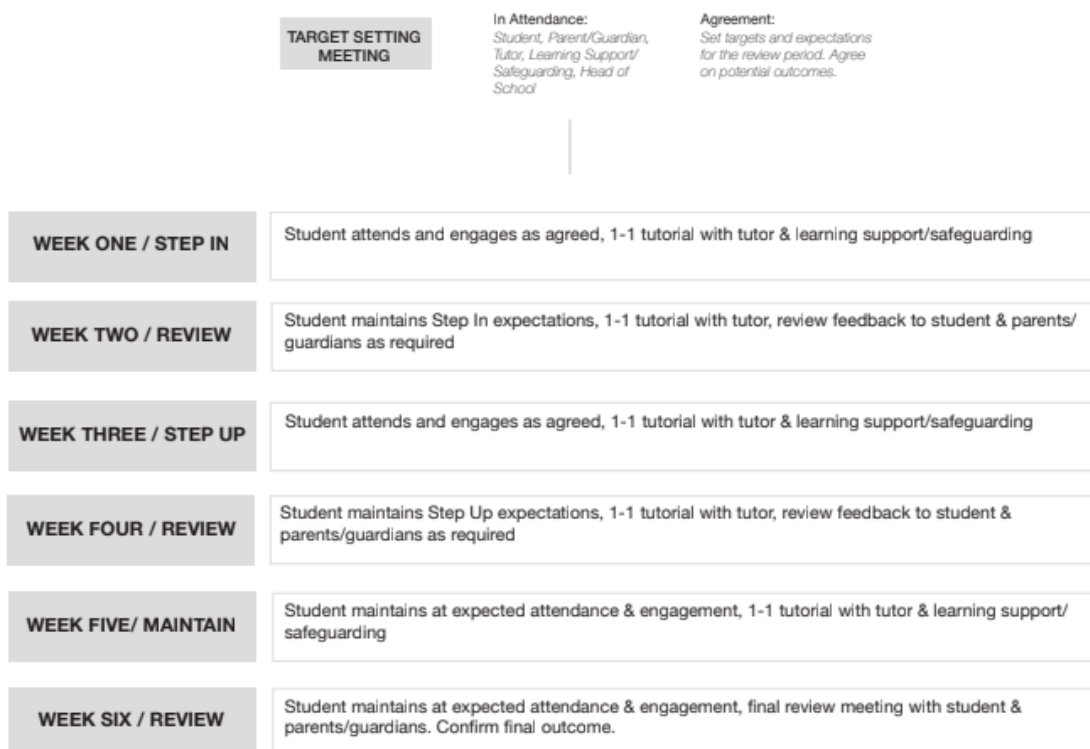
Pre Degree Intervention / Learner of Concern Process



PRE DEGREE INTERVENTION PROCESS

STAGE	CAUSE	ADMIN	IN ATTENDANCE	OUTCOME	ACTION
Informal Warning	<i>First instances of:</i> Lateness Unexplained non-attendance Non submission of informal deadline	Informal discussion with the tutor Recorded in INT Somis Set review within 2 weeks	- Learner - Tutor	Safeguarding or Learning support issues raised No repeat behaviour or additional concerns Repeat behaviour or additional concerns	⇒ Safeguarding/Learning Support notified, logged in notes ⇒ No further action required ⇒ Proceed to Stage One
Stage One	<i>Second instances of:</i> Lateness Unexplained non-attendance Non submission of informal deadline <i>also:</i> Non submission of formal deadline Continued lateness/absence Poor behaviour/attitude in sessions	Invitation to a formal meeting 7 working days notice provided Letter sent via email for student and Parent (if under 18) Agreement completed Set review within 2 weeks Support Pack provided	- Learner - Parent / Guardian - Subject Leader - Safeguarding/learning Support if requested - Student Union if requested	Safeguarding or Learning support issues raised No repeat behaviour or additional concerns Repeat behaviour or additional concerns	⇒ Safeguarding/Learning Support notified, logged in notes ⇒ No further action required ⇒ Proceed to Stage Two Within Review Period: - Target should include engaging with support pack and services - Any repeat or additional behaviour triggers immediate move to stage 2 - Course discretion is advised with individual circumstances - Any safeguarding / Learning support follow up to be conjunction with Subject Leader
Stage Two	<i>Repeat of:</i> Non submission of formal deadline Continued lateness/absence <i>also:</i> Significant or dangerous behaviour Inappropriate behaviour on college trip Academic misconduct	Invitation to a formal meeting 7 working days notice provided Letter sent via email for student and Parent (if under 18) Agreement completed Set review within 2 weeks Support Pack review	- Learner - Parent / Guardian - Subject Leader - Curriculum Manager - Assistant Head of School - Safeguarding/learning Support if requested - Student Union if requested	Safeguarding or Learning support issues raised No repeat behaviour or additional concerns Repeat behaviour or additional concerns	⇒ Safeguarding/Learning Support notified, logged in notes ⇒ No further action required ⇒ Proceed to Stage Three Consider Support to Study Review Within Review Period: - Target should include engaging with support pack and services - Any repeat or additional behaviour triggers immediate move to stage 3 - Course discretion is advised with individual circumstances - Any safeguarding / Learning support follow up to be conjunction with Subject Leader
Support To Study Review		Support to Study review: If through the Stage 2 intervention process, concerns regarding the learners ability to manage the expectations of the qualification and studentship, a Support to Study review should be held.			
Stage Three	<i>Repeat of:</i> Non submission of formal deadline Continued lateness/absence Significant or dangerous behaviour Inappropriate behaviour on college trip Academic misconduct <i>also:</i> Physical Misconduct Sexual Misconduct Abusive Behaviour Damage to, unauthorised taking or use of property Causing a Health and Safety concern	Invitation to a formal meeting 7 working days notice provided Letter sent via email for student and Parent (if under 18) Agreement completed Set review within 2 weeks Support Pack review	- Learner - Parent / Guardian - Subject Leader - Head of School, Registrar - Safeguarding/learning Support if requested - Student Union if requested	Safeguarding or Learning support issues raised No repeat behaviour or additional concerns Repeat behaviour or additional concerns	⇒ Safeguarding/Learning Support notified, logged in notes ⇒ Long term course monitoring ⇒ Withdrawal meeting Within Review Period: - Target should include engaging with support pack and services - Any repeat or additional behaviour triggers immediate move to withdrawal meeting - Course discretion is advised with individual circumstances - Any safeguarding / Learning support follow up to be conjunction with Subject Leader
Withdrawal Meeting		If all interventions are unsuccessful, a withdrawal meeting is held with the same attendees as the Stage 3 to confirm the withdrawal of the student from the programme. The withdrawal meeting should include a review of the college processes and support provided to ensure all possible measures to support success have been utilised.			

SUPPORT TO STUDY REVIEW



Notes:

1. This intervention process must be discussed with the student body at an appropriate time within the first week of the programme.
2. All formal meetings from Stage 1, 2 & 3 must be arranged with 72 hours' notice (from receipt of letter) to people involved (i.e. student, parents/guardians).
3. Templates must be used for letters/emails.
4. Outcome of the formal meeting must be agreed and details sent to all parties via letter/email.
5. Administrative team to set a diary appointment to confirm progress with the chair of the meeting.
6. If a student has no parent contact due to safeguarding issues then letters/emails **should not be sent**. These conversations should be recorded in SOMIS.
7. At all stages students must be made aware of the impact of non-compliance.
8. Lateness and absence, if repeated, will impact student progress irrespective of the reasons for this behaviour. Therefore this should be recognised and supported in a formal intervention process.
9. Hospitalisation or bereavement are appropriate reasons for non-submission. Less serious illness is not, learners should be aware that submission of work should be organised by them if they are ill.
10. This framework should be used to support the Attendance Review Meeting held in the first six weeks to monitor and address early issues arising in the student body.
11. Appeals may be made at any time through the Complaints processes.

* Registrar replaced by Deputy Vice-Chancellor

Appendix J

Short Guide for Staff Dealing with Misconduct - Academic Team Approach (Higher Education)

Course Leaders will act as Disciplinary Officers for student misconduct issues *unless* they've been involved in some way (as witness or victim). In that case, an Assistant Dean will take over. Disciplinary Officers will deal with minor misconduct issues on the course, with advice (if necessary) from the Head of Compliance & Quality Systems.

What to do

If a student's behaviour breaches the student code of conduct:

- **Speak to a CL as soon as possible if not possible to resolve immediately.**
 - This could be something low-level and temporary (noise in the studio etc.) or something much more serious (crime, harm or threat to other students etc.).
 - Both should be dealt with in the same way in the first instance.

What will happen

1. **A CL** will start by dealing with the misconduct at the lowest level possible by speaking to the student, and making sure they understand that their behaviour has fallen short and can't be repeated. *In most cases, and ideally, this will be enough that no further action is required.*
 - a. If this is the first incident OR it's at a low level, the conversation will include a **verbal / informal warning** of the potential consequences of repeating the behaviour.
 - b. If the misconduct is repeated (or is serious enough initially), there are two additional tools we will use before escalating further:
 - i. **A formal warning:** A written warning shared with the student and signed by them which formally acknowledges the consequences of repeated behaviour, OR,
 - ii. **A formal warning accompanied by a behaviour contract**, each signed by the student. This provides more explicit actions we expect them to take in response to the conduct issue.
2. A record of this will be recorded via email, but **not** on SoMIS / MyData. A CL will email the team to update everyone on action taken and resolution.
3. If the formal warning or behaviour contract are not adhered to, the issue will be escalated to further disciplinary action or a formal investigation, moving beyond the course team.

If misconduct is serious enough in the first instance, it may be escalated immediately to a formal investigation with advice from the Head of Compliance and Quality Systems. This will rarely involve the course team directly unless you're a witness or victim, and can result in a range of outcomes. In most cases, outcomes will be shared with the team unless there's a need for it to remain confidential.

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Next review date:	May 2026 or change of law
Related Statutes, Ordinances, & General Regulations	• Police and Criminal Evidence Act (PACE) 1984 • Equality Act 2010 • Data Protection Act 2018 (incorporating UK GDPR) • Online Safety Act 2024 • OfS Conditions of Registration E6
Related policies:	• Harassment & Sexual Misconduct Policy • ICT Acceptable Use Policy • Safeguarding Policy • Freedom of Speech & Academic Freedom Policy
Related procedures	• Health, Wellbeing, Support to Study Policy & Procedures • Complaint Procedures for Students • Equality, Diversity & Inclusion Policy • Academic Regulations (Academic Misconduct Policy)
Related information:	• Universities UK - Guidance for HEIs 'How To Handle Alleged Student Misconduct Which May Also Constitute A Criminal Offence' (Nov 16) • OIA Good Practice Framework - disciplinary procedures • HE Student Handbook / Code of Conduct • Student Terms and Conditions • OIA Case Summaries • OIA Casework Notes
Policy owner and Lead contact:	Head of Compliance & Quality Systems Email: jwright@aup.ac.uk