

## **STUDENT NON-ACADEMIC DISCIPLINARY CASES**

**There is a separate procedure specifically for cases involving harassment, abuse, bullying and ragging.**

### **1. Preliminary stage investigation led by the Office of the Proctor**

The Proctor's Office will receive allegations or complaints. The Proctor or nominee will carry out an initial investigation of the allegation(s) and, if s/he considers it necessary, conduct a preliminary interview with the student to consider the case.

1.1. The Proctor's nominee will conduct the preliminary interview meeting and keep an official record of the outcome. The student(s) may choose to be accompanied by a supporter (defined as a registered student of the University or a member of staff of the University). Legal representation is not allowed at any stage of the internal proceedings for the student or the University.

1.2. Apart from the investigation of alleged offences, the preliminary stage offers an opportunity for the informal resolution of minor disciplinary issues, with the preliminary interview enabling the student to receive informal guidance as a means of preventing the escalation of an issue into a more serious disciplinary matter.

1.3. Following the completion of the initial investigation, the Proctor will determine one of the following outcomes:

1.3.1. There are no grounds for action (in which case no record of the case will be retained on the student's file)

1.3.2. To issue informal guidance of the possible consequences of further allegations of misconduct (with no record retained on the student's file)

1.3.3. To issue an informal, written reprimand to the student.

1.3.4. The student will be required to provide a written apology and a written undertaking of appropriate conduct for the remainder of his/her studies in the University.

1.3.5. The student will be required to attend one or more meetings with an appropriate member of staff to receive guidance on appropriate conduct.

*(in cases 1.3.3-1.3.5, a record will be kept on the student's file for the remainder of his/her time on their current programme of study but only considered in the event of a further allegation of misconduct. The record will be removed from the student's file on the conclusion of his/her current programme of study)*

1.3.6. A formal Student Disciplinary Panel should be convened.

1.3.7. The Proctor's office will refer to SHBREC any issues involving allegations of harassment, bullying or ragging.

1.4. The Proctor's Office will inform the student of the outcome in writing, within ten working days of the preliminary interview. The letter will inform the student that s/he will have ten working days from the date of the letter to choose whether to contest the outcome of the preliminary interview, through a Student Disciplinary Hearing; the student must give the Proctor, written notice within five working days if s/he decides to exercise this right.

## **2. The Student Disciplinary Panel**

2.1. When a formal disciplinary panel has been determined as the outcome following the Preliminary stage, the Proctor's Office will inform the student of the panel hearing in writing at least ten working days in advance of the hearing.

2.2. The Proctor or nominee will convene the disciplinary panel as follows:

Chair (drawn from the University Disciplinary Committee):

Two other senior members of teaching or support staff appointed at the discretion of the Proctor:

No member of the panel should have taught the student nor had any previous involvement in the investigation of the case or any conflict of interest.

Secretary (nominated by the Proctor; to take a record of the meeting and to advise the panel on procedures; The Secretary should not have taken part in the preliminary investigation)

2.3. *Details of the procedure for the Disciplinary Panel are available at appendix four*

The hearing panel will consider the case and make decisions under delegated authority from the University Disciplinary Committee as set out in appendix one. The decisions are subject to review through the appeal process.

2.4. The Disciplinary Panel will refer to SHBREC any issues involving allegations of harassment, bullying or ragging.

2.5. Any decision to suspend or expel a student must be approved by the Vice Chancellor once the appeal process has been exhausted.

2.6. The decisions of the Disciplinary Panel will be endorsed by the University Disciplinary Committee.

## **3. Appeal against a decision of the Student Disciplinary Hearing**

3.1. A student has the right to appeal (within seven working days of receiving the decision) against a decision of the Student Disciplinary Hearing only on the following grounds:

- a claim that the penalty was excessively severe in relation to the nature of the offence;
- a claim that the disciplinary procedure was not implemented properly;
- significant new evidence, which was not available to the Student Disciplinary Hearing.

The Proctor's Office will inform the student in writing of the appeal procedure, in the letter with details of the outcome of the Disciplinary Hearing.

The student must submit an appeal in writing to the Registrar or nominee within seven working days of the date of the publication to the student of the decision of the Disciplinary Hearing. The Registrar may grant an extension to the appeal timescale if s/he is satisfied that there are exceptional circumstances beyond the control of the appellant but there should be no undue delay to the proceedings.

- 3.2. The Appeal will be heard by a panel arranged by the Registrar and appointed by the Vice Chancellor. The panel will be chaired by a member of the Syndicate, together with two members of senior teaching staff with no previous involvement in hearing the case. The Registrar will appoint a Secretary to the Panel. The Secretary must not have had any previous involvement in the case. The Secretary will support and advise the panel but will not be a member of the panel.
- 3.3. The Appeal Panel will make recommendations on the case to the Vice Chancellor, Chair of the Syndicate.
- 3.4. The Appeal Panel will act with delegated authority from the Syndicate.
- 3.5. The appeal procedure is set out in appendix 5.

#### **4. Reporting to Syndicate and Board of Trustees**

Following the completion of disciplinary and appeal procedures, the outcome of each disciplinary case will be reported to the Syndicate and then to the Board of Trustees.