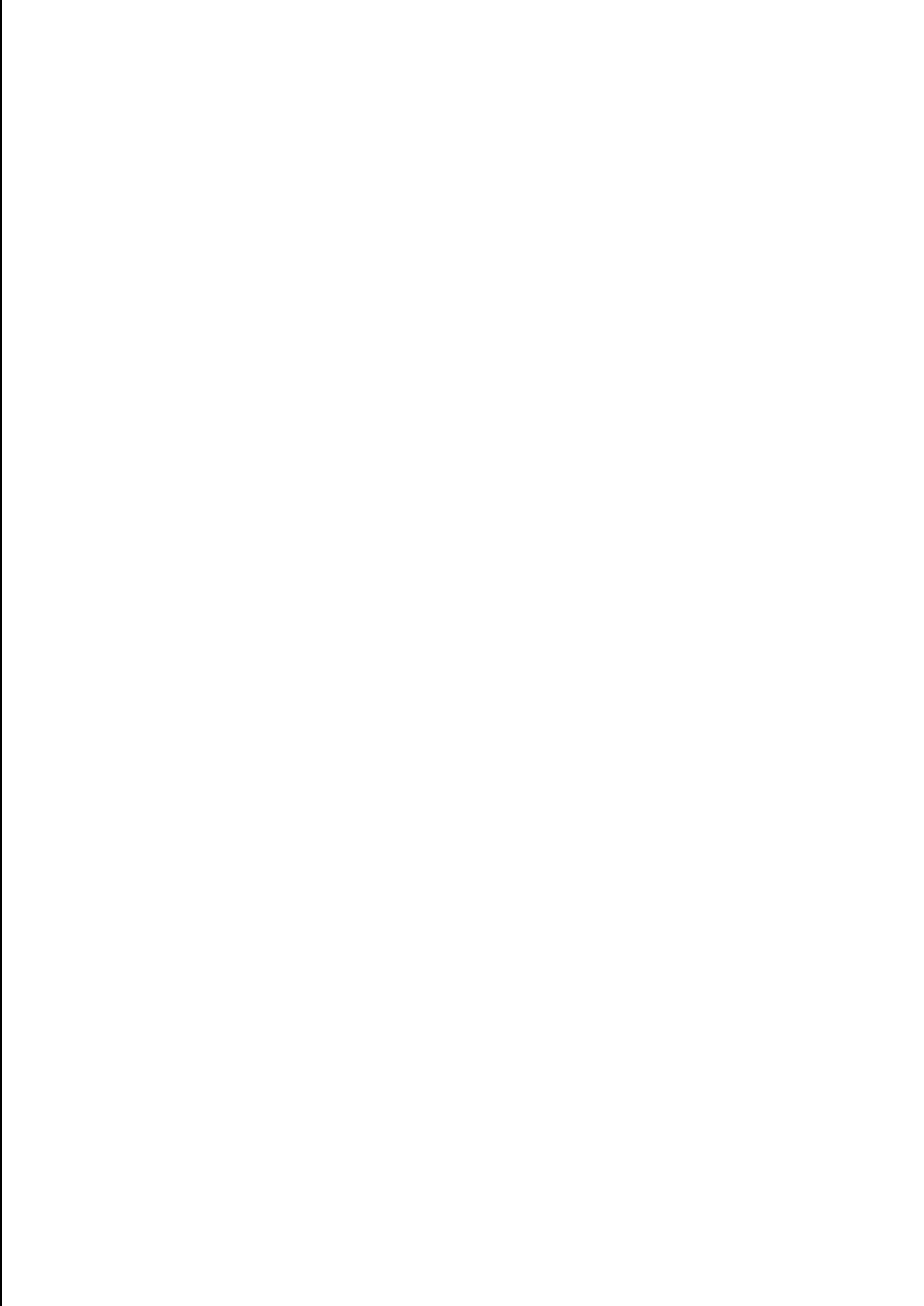

- 3.5 Once reported, the Reporting Party will be kept informed of the timescale associated with the investigation and any disciplinary process, and will be provided with appropriate information and support at the conclusion of the process. Appropriate information will be case specific and will be determined taking into account the rights to privacy of all parties and the principles of procedural fairness.
- 3.6 There may be incidents where there are multiple Reporting and/or Reported Parties. These Regulations apply in such cases. Where a possible breach involves multiple students, the reported parties may be considered individually or collectively to ensure that the process is fair for all students involved.
- 3.7 Where it is ascertained that there is insufficient evidence, the University reserves the right not to pursue a reported breach.
- 3.8 While legitimate reports are encouraged, the University will not tolerate frivolous, vexatious or malicious reporting. Students or staff suspected of doing this will be subject to investigation of a breach under these Regulations or the relevant staff policy. The fact that a report is not upheld does not, by default, make it frivolous, vexatious or malicious.
- 3.9 Reasonable effort will be made to communicate these Regulations and all students

3.14 These Regulations seek to establish facts and are inquisitorial rather than adversarial in nature. Information is determined through investigation and questioning, not cross-examination. Investigators and Board of Discipline members are provided with

3.30 If it is considered that inappropriate conduct may have been the result of a physical or mental health issue (even when undisclosed), the student may be referred for consideration under the Fitness to Study Procedure. Where a student does not cooperate with the process, the student may be referred for consideration under the Fitness to Study Procedure. Where a student does not cooperate with the process, the student may be referred for consideration under the Fitness to Study Procedure.



- referral for consideration of a breach of discipline under these Regulations at whichever level is deemed appropriate;
- temporary exclusion from the University, pending the outcome of relevant due process (e.g. criminal investigations/proceedings and/or internal investigations)3 (o)-5 (f)14 (d)8 (i)-8

5.10 The Director of Strategic Planning and Governance (or nominee) will make an initial

and refer to these Regulations, the student guidance notes and detail the nature of the meeting and the possible outcomes. Additional materials considered non-key need not be provided in the first instance, but will be available to the student on request.

- 7.4.8 The DLA will formally meet with the Reported Party, detail the case and invite the student to comment. They will then discuss the case. The designated investigator and a note taker may be present. Students may be accompanied by a representative who has no direct involvement in the case. Where the DLA would like another person to be there as an observer, such as for training purposes, this must be agreed by everyone present.
- 7.4.9 Where the alleged breach relates to another party, the Reporting Party may be asked to attend a separate meeting with the DLA. The Reporting Party will be given at least 48 hours' notice of the meeting and will be provided with the same evidence that was provided to the Reported Party. The designated investigator and a note taker may be present. Students may be accompanied by a representative who has no direct involvement in the case. Where the DLA would like another person to be there as an observer, such as for training purposes, this must be agreed by everyone present.
- 7.4.10 The DLA will determine an appropriate outcome and communicate this, along with the reason(s) for the decision, to the Reported Party either immediately or following the meeting, for example where additional information is required. The Reported Party will normally be formally notified of the outcome in writing within five working days.
- 7.4.11 The DLA can impose the following penalties:
- a formal warning which will be taken into account in any subsequent procedure;
 - a fine in line with published tariffs (which may be suspended in whole or in part);
 - a requirement to pay for any damages or cleaning charges incurred;
 - a ban from a communal area, including, for example, a College bar or University sports facility;
 - in collaboration with Security, as required, confiscation of equipment or items causing unreasonable disturbance to others or damage to property;
 - a requirement to submit a written apology to those affected by the breach;
 - any other penalty deemed commensurate with the breach so long as this does not exceed the authority of the DLA;
 - any combination of the above.

A timescale for compliance will normally be specified. Failure to comply with the penalty imposed within the specified timescale may be considered to be in breach of the ruling and the DLA may refer the matter to the Board of Discipline for a higher stage of disciplinary action.

The College Principal/Professional Services Director (or nominee not previously involved in the case) will normally inform the student(s) and the student's parent(s) if the student is found to be in violation of the Student Code of Conduct.

The Board of Discipline may also:

- decide that no further action is required (e.g. because there is no or insufficient evidence that the alleged incident took place). In such an instance the case will



7.5.19 Should the review proceed, a Review Panel consisting of the Vice-Chancellor or senior management nominee not previously involved in the process, one member of staff appointed by the Vice-Chancellor, and one student appointed by the Students' Union President, supported by the Strategic Planning and Governance Division, will consider the review.

7.5.20 Processes for the arrangement of a Review Panel will normally follow those for the Board of Discipline (as above), except that the case will be presented by the Chair of the Board of Discipline who will provide detailed reasons for the decisions of the Board of Discipline. At the discretion of the Review Panel Chair, depending on the nature of the review, the Investigator, Reported Party and Reporting Party may be invited to attend the review to present materials and/or respond to questions. The Review Panel reserves the right to consider reviews by correspondence where neither the Reporting nor Reported Party wish to make oral representations.

7.5.21 ~~The Panel will take one of the following actions:~~

- uphold the original decision and confirm the terms of the outcome;
- uphold the original decision but replace the outcome(s) with one(s) no more severe than those imposed by the Board;
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8.2.1 *Board of Discipline*

- 8.3 For the avoidance of doubt, the roles above can be performed by a nominee or by someone of greater relevant authority within the institution.
- 9. Interactions with other regulations, policies and documents
 - 9.1 These Regulations detail the approach to student non-academic discipline at the University. Along with academic discipline, as detailed in the Manual documents

10. Review of the Regulations
- 10.1 The Deputy Chief Executive (Operations), supported by the Director of Students, Education and Academic Services, and the Director of Strategic Planning and Governance, is responsible for the oversight and management of these Regulations.
- 10.2 A report of the operation of these Regulations, as well as any minor modifications to them and approval of associated fine levels will be taken to the body holding the relevant delegated authority from Senate for consideration and approval on an annual basis. Major modifications will require the approval of Senate.

Appendix 1: Areas holding Delegated Local Authority

The following table specifies delegations in relation to the operation of the listed policies. The areas listed do not necessarily have the delegated authority to change these policies nor to approve new documents in these areas.

Delegated Local Authority area	Regulation/Policy/Rule
Colleges	College Rules Quiet during the University Examinations period statement
Strategic Planning & Governance	Code of Conduct on Protests Code of Practice on Freedom of Speech Data Protection Regulations
ISS	Computer User Agreement
Finance	Finance requirements Insurance arrangements
Designated academic departments	Fitness to Practise
Student and Education Services	Student Sexual Misconduct policy Dignity in Student Life Policy Equality, Diversity and Inclusion Misconduct in Examinations Policy Visa requirements Fitness to Study Procedure
RES	Intellectual Property Policy
Faculties	Health and Safety Regulations Laboratory rules
Library	Library Rules
Facilities	Smoke-free workplace and Public Place policy Sports Centre related arrangements University accommodation licence agreement Vehicle regulations