

## The University of Manchester

### Regulation XVII

#### Conduct and Discipline of Students

**Note: any reference in this Regulation to named officers should be read also as a reference in each case to a delegated nominee;**

#### Powers

1. Statute XXI requires that every student shall maintain at all times and in all places an acceptable standard of conduct and shall comply with regulations made by the University or by the authorities of any institution or organisation which a student may be required to work in or visit as part of his or her prescribed programme of study. In accordance with Statute XXI, Senate has the power to expel or to suspend or to exclude from programmes of study or to impose a fine or other lesser penalty upon any student found guilty of misconduct or breach of discipline. Senate's power in this matter is delegated through this Regulation and through the Student Conduct and Discipline Committee to University Student Disciplinary Panels.

#### Student Conduct and Discipline Committee

2. The Student Conduct and Discipline Committee is responsible to Senate for the operation and review of all matters relating to student conduct and discipline. The Committee has two key purposes in particular:
  - a) To have oversight on all matters relating to student conduct and discipline, and to report and to make recommendations to Senate as appropriate. This role is carried out through:
    - annual reviews of student discipline, misconduct and appeal cases (to include, for example, nature of cases, emerging trends, consistency of penalties, ways of reducing incidents of academic misconduct);
    - periodic reviews of the various regulatory and supporting procedural documents to ensure that they remain fit for purpose;
    - considering student conduct and discipline issues more broadly: eg procedures for handling students with criminal convictions, scope of University disciplinary powers.
  - b) To establish University Student Disciplinary Panels to investigate and hear allegations of misconduct against students and to impose penalties on students.
3. The Student Conduct and Discipline Committee shall be composed as follows:
  - Vice-President for Teaching, Learning and Students (Chair)
  - Associate Vice-President for Research (or nominee)\*
  - Associate Dean (UG)\*
  - Associate Dean (PGT)\*
  - Ten members of academic staff\*
  - Two members of Professional Support Services (to be nominated by the Registrar, Secretary and Chief Operating Officer)
  - Warden of a University Residence (to be nominated by the Director of Residential Services)
  - Two Officers of the Students' Union
  - Students' Union Advice Centre Manager

*Those marked with \* can act as chairs of University Student Disciplinary Panels*

The membership of the Committee will be reported annually to Senate for information.

## **Scope and applicability**

4. The essence of misconduct under this Regulation is the improper interference, in the broadest sense, with the proper functioning or activities of the University or of those who work or study in the University, or action which otherwise damages the University or its reputation. The provisions of this Regulation define that behaviour which constitutes misconduct as it relates to students studying or registered at the University and the consequences of that misconduct. This Regulation does not apply to students registered at a Partner Organisation on programmes of study approved or accredited by the University. Such students are subject to the disciplinary procedures of the Partner Organisation.
5. With the exception of paragraph 8(g) which relates to misconduct in the local communities and paragraph 8(n) which concerns misconduct that constitutes a criminal offence, the conduct covered by paragraph 8 shall constitute misconduct only if it took place on University property or premises, or elsewhere if the student was involved in a University activity, was representing the University, was present at that place by virtue of his or her status as a student of the University or if the conduct raises questions about the fitness of the student on a programme leading directly to a professional qualification or calling to be admitted to and practise that profession or calling.
6. The University shall take no account of misconduct prior to enrolling as a student, which has subsequently been revealed or is still in the process of being dealt with by other authorities, unless:
  - (a) the conduct is of such a serious kind and character that it raises questions about the fitness of the student to remain a member of the University, for example, with regard to the safety of other students; or
  - (b) the conduct raises questions about the fitness of the student on a programme leading directly to a professional qualification or calling to be admitted to and practise that profession or calling.
7. This Regulation does not cover action to be taken, pursuant to Statute XXI.4, against students following failure in examinations or lack of diligence in their studies or failure to meet other academic requirements.

## **Definition of misconduct**

8. Without prejudice to the generality of Statute XXI.1, a student may be liable to disciplinary action in respect of conduct which:
  - (a) disrupts, or improperly interferes with, the academic, administrative, sporting, social or other activities of the University, whether on University premises or elsewhere;
  - (b) obstructs, or improperly interferes with, the legitimate functions, duties or activities of any student, member of staff or other employee of the University or any authorised visitor to the University;
  - (c) involves violent, indecent, disorderly, threatening or offensive behaviour or language (whether expressed orally or in writing, including electronically) whilst on University premises or engaged in any University activity;
  - (d) involves distributing or publishing a poster, notice, sign or any publication which is offensive, intimidating, threatening, indecent or illegal, including the broadcasting and electronic distribution of such material;
  - (e) involves fraud, deceit, deception or dishonesty in relation to the University or its staff or students or in connection with holding any office in the University, in a residents'

association or equivalent body, in the Students' Union or the Athletic Union, or in relation to being a student of the University;

- (f) involves action likely to cause injury or impair safety on University premises;
- (g) damages the University's relationship or reputation with its local communities, as evidenced by substantiated complaints from residents, residents' groups, local authority representatives or the police;
- (h) constitutes a breach of the University policy on harassment of any student, member of staff or other employee of the University or any authorised visitor to the University;
- (i) breaches the provisions of the University's Code of Practice on Freedom of Speech or of any other Regulation or University rule which provides for breaches which would constitute misconduct under this Regulation, including the submission of a complaint found to be frivolous, vexatious or motivated by malice;
- (j) has been found to be misconduct in research following an investigation under the Code of Practice for Investigating Concerns about the Conduct of Research
- (k) involves the possession of unauthorised material or the use or attempted use of unauthorised or unfair means (including academic malpractice such as plagiarism or collusion with other students or fabrication or falsification of results) in connection with any examination or assessment;
- (l) causes damage to or defaces University property or the property of other Members of the University caused intentionally or recklessly, and/or misappropriation of such property;
- (m) constitutes the misuse or unauthorised use of University premises or items of property, including misuse of computers and the communications network or any other breach of the University policy on use of information systems;
- (n) constitutes a criminal offence where that conduct or the offence:
  - (i) takes place on University premises; or
  - (ii) affects or concerns other Members of the University; or
  - (iii) damages the good name of the University; or
  - (iv) itself constitutes misconduct within the provisions of this Regulation; or
  - (v) is an offence of dishonesty, where the student holds an office of responsibility in the University, a residents' association, the Students' Union or the Athletic Union; or
  - (vi) is such as to render the student unfit to practise any particular profession or calling to which that student's programme of study leads directly;
- (o) involves failure to disclose name(s) and other relevant information to an officer or employee of the University in circumstances when it is reasonable to require that such information be given;
- (p) constitutes a failure to comply with a previously-imposed penalty or reasonable instruction under this Regulation or any other University Code, rule or regulation;
- (q) renders a student who is enrolled on a programme of study leading directly to a professional qualification or eligibility for registration to practise, or to the right to practise a particular profession or calling not fit to be admitted to and practise that profession or calling. This specifically applies to students on the following programmes:
  - BA in Community Justice
  - BA in Social Work
  - BDS
  - BMidwif

BNurs  
BSc in Audiology  
BSc in Nursing Practice  
BSc in Oral Health Science  
BSc in Speech and Language Therapy  
ClinPsyD  
MA in Counselling  
MBChB  
MOptom  
MPharm  
MSc in Audiology  
MSc in Educational Psychology  
MSc in Genetic Counselling  
PGCE  
Dip in Professional Studies in Midwifery  
Dip in Professional Studies in Nursing  
MA in Social Work  
Dip in Social Policy and Social Work  
Dip/MSc in Psychiatric Social Work  
and to such other programmes as the Senate shall from time to time determine.

[*Note:* This relates to instances of general misconduct and not to matters of professional conduct or behaviour. Such professional matters will normally be dealt with by the appropriate authority through the Programme Regulations.]

## **Penalties**

9. If the misconduct or breach of discipline is admitted by the student or is found to be proved, one or more of the following penalties may be imposed (except for misconduct in respect of examinations and assessments as covered in paragraph 8(k), for which the penalties are set out in paragraph 10):

### ***In respect of Summary action:***

- (a) a reprimand and warning about future behaviour;
- (b) a requirement upon the student to give an undertaking as to his or her future good conduct within the University;
- (c) a requirement upon the student to pay for any damage to property he or she may have caused or to recompense the University for any loss it may have suffered arising from the student's misconduct;
- (d) a requirement upon the student to pay compensation;
- (e) a fine of not more than £500;
- (f) a requirement upon the student to undertake specified tasks or services for the benefit of the School or hall of residence or the University community up to a maximum of forty hours;

### ***In respect of University Student Disciplinary Panels: any of the above and the following:***

- (g) a fine of not more than £1000;
- (h) restriction of access to the University or a specified part thereof for a fixed period ('exclusion'). A student who receives such a penalty will have restricted rights to enter University premises and/or to participate in University activities or access to University services, the terms of the restriction being notified to the student. An order of restricted access may include a requirement that the student shall have no contact with a named person or persons;

- (i) suspension from the University for a fixed period. A student who is so suspended will be prohibited from entering University premises and from participating in University activities although the suspension may be subject to qualification, such as permission to take an examination. An order of suspension may include a requirement that the student shall have no contact with a named person or persons;
  - (j) expulsion from the University, which means that the student shall cease to be a Member of the University and will lose all rights and privileges of Membership.
- 10 If a breach under paragraph 8(k) has been established, the penalties imposed may be one or more of the following. When determining the penalty to be imposed, account shall be taken of the consequences which the penalty will have for the academic progress of the student concerned, as laid out in the relevant degree regulations:

[*Note:* guidance on the procedure for handling cases of alleged academic malpractice in accordance with this regulation is set down in the document 'Academic Malpractice: Procedure on the Handling of Cases', available on line at [www.manchester.ac.uk/policies](http://www.manchester.ac.uk/policies).]

***In respect of Summary action by Schools:***

- (a) a reprimand and warning about future behaviour;
- (b) Requirement to undertake a piece of work, not connected to the student's academic programme but related to the offence committed
- (c) the Examining authority to be informed that the piece of work be marked, if not already marked, and the mark awarded for the piece of work or for the course unit be reduced by a specified amount;
- (d) Recorded mark of zero for the examination paper or other assessed work in which unfair practice occurred;\*
- (e) Recorded mark of zero for the course units(s) in which the unfair practice occurred;\*

***In respect of Summary action by Faculties, any of the above and (f) – (g) below:***

- (f) the student being not allowed a re-assessment of the piece of work or course unit(s) in which the unfair practice occurred;
- (g) the student being not allowed a re-assessment and being not allowed to substitute any other assessed work;

***In respect of the University Student Disciplinary Panel, any of the above and the following:***

- (h) Recorded mark of zero for all examination papers and other assessed work taken during the particular examination period (i.e. end of first semester (January); end of second semester (May/June); resit (August/September)) in which unfair practice occurred;\*
- (i) Recorded mark of zero for all examination papers and other assessed work taken during the academic year;\*

---

\* This penalty may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence. See 'Academic Malpractice: Procedure on Handling Cases' for further advice.

- (j) the Examining authority to be required to reduce the class of degree by one or more classes from that which would have been awarded on the basis of the student's academic progress, or to award a lesser qualification;
  - (k) suspension from the University for a fixed period, up to a maximum of twelve months. A student who is so suspended will be prohibited from entering University premises and from participating in University activities although the suspension may be subject to qualification;
  - (l) expulsion from the University, which means that the student shall cease to be a Member of the University and will lose all rights and privileges of Membership.
- 11 In imposing a penalty on a student pursuing one of the programmes listed in paragraph 8(q), an officer authorised under paragraph 15 to deal summarily with alleged offences, or the University Student Disciplinary Panel shall, if appropriate, have regard to the relevance of the misconduct in relation to the student's fitness on graduation to be registered in the profession or calling to which the programme leads and shall in this connection seek the advice of the Dean of the appropriate Faculty or the Head of the appropriate School before deciding on the penalty to be imposed.

### **Disciplinary Procedures**

- 12 Cases of alleged misconduct or breach of discipline may be dealt with either summarily as set out in paragraphs 15 to 18 below or by a University Student Disciplinary Panel established in accordance with paragraph 20 of this Regulation.
- 13 Disciplinary procedures may be adjourned at any time if it is known or suspected that the student concerned is not fit to participate in them. In such circumstances, the proceedings may be suspended or terminated subject to specified conditions.
- 14 The procedures to be followed where the alleged misconduct would also constitute an offence under the criminal law if proved in a court of law and for arrangements to suspend or exclude a student pending a disciplinary hearing are set out in paragraphs 39-45.

### **Summary Procedures**

15. Pursuant to Statute XXI.3, the following University officers (or their delegated nominees) are empowered to deal summarily with alleged offences as follows:
- (a) *Heads of Schools or Deans of Faculties*  
in respect of breaches of published School, Faculty or Programme Regulations, misconduct occurring within Schools or Faculties, or misconduct occurring while on external placement, or other similar activity undertaken as part of a programme of study;
  - (b) *General Manager, Pastoral Care, Residential Services*  
in respect of breaches of Student Residence Regulations or Conditions of Residence or Licence Agreement, or misconduct occurring within the Residence concerned as they apply to a student of that residence;
  - (c) *The Librarian*  
in respect of breaches of Library Regulations or misconduct occurring on the Library premises;
  - (d) *The Director of IT Services*  
in respect of breaches of Regulations concerning the use of the University's information systems;

(e) *The Registrar, Secretary and Chief Operating Officer*

in respect of breaches of other published University rules and regulations and other misconduct described in paragraph 8 not covered by the above officers. The Registrar, Secretary and Chief Operating Officer may also act summarily in the absence of the appropriate officer in (a) to (d) above. Where an officer authorised under (a) to (d) above is of the view that an allegation of misconduct or breach of regulations made against a student is of such seriousness that the matter should be dealt with at a higher level (eg where it is considered that the alleged offence might warrant a greater penalty than can be imposed by the officer concerned), he or she shall refer the matter to the Registrar, Secretary and Chief Operating Officer and the student shall be notified accordingly. In such cases the Registrar, Secretary and Chief Operating Officer shall decide whether to deal with the matter summarily or to refer it to the University Student Disciplinary Panel. (In the case of research students accused of academic malpractice, the Registrar, Secretary and Chief Operating Officer will refer the matter to the Vice President for Research for handling in accordance with the Code of Practice for Investigating Concerns about the Conduct of Research)

16. In all instances dealt with summarily, the student concerned shall be given the opportunity to state his or her case prior to any decision being made. The officer dealing with the matter shall consider written or oral evidence as he or she thinks fit. The student shall be informed in writing within five working days of the decision and of their right of appeal against such decision.
17. In the case of disorderly or improper conduct in a room being used for academic purposes, any member of the academic staff may, if he or she deems it necessary, require any student to withdraw from the class and shall bring details of the offence, in writing, to the notice of the Head of School concerned.
18. The officers listed in paragraph 15 are empowered to impose the penalties (a)-(f) of paragraph 9, or in the case of academic malpractice the penalties (a)-(e) of paragraph 10, under these summary procedures, within the scope of their respective jurisdictions. Deans of Faculties are additionally empowered to impose penalties (f) – (g) of paragraph 10. The Director of Residential Services is also empowered to impose a penalty under (h) of paragraph 9 where this refers to exclusion from a residence, or from use of the premises or facilities of the Residence, for serious breach of the regulation applicable, or of the conditions of residence or licence agreement, or where the presence of the student constitutes a source of danger or disruption to the residential community. Such exclusion shall remain in force pending an appeal (see paragraphs 32-38), unless the Director of Residential Services determines otherwise.

### **University Student Disciplinary Panel**

19. If the Registrar, Secretary and Chief Operating Officer considers it appropriate, he or she shall refer any instance of misconduct or breach of regulation to a University Student Disciplinary Panel for the purpose of investigating and hearing evidence relating to such instances. If two or more students are involved in related misconduct or breaches of regulations, the Panel may at its discretion deal with their cases together.
20. The University Student Disciplinary Panel shall comprise the following, except that no person who is a party to or is a potential witness at a hearing before the Panel, or who is in the same School as the student concerned shall be a member of the Panel:

Chair (selected from the eligible membership of the Student Conduct and Discipline Committee)

At least four members of the academic staff, drawn from a list established for the purpose by the Student Conduct and Discipline Committee

A registered student of the University nominated by the Students' Union

The Panel shall have a quorum of any five members and shall have the power to co-opt additional members as appropriate.

21. With respect to misconduct in research (paragraph 8(j)) the University Student Disciplinary Panel will determine the penalty to be imposed where, following due process, a finding of misconduct in research has been established under the Code of Practice for Investigating Concerns about the Conduct of Research.
22. Any student who is the subject of disciplinary proceedings shall receive a fair hearing and shall have the opportunity to present his or her case at the hearing. The student may call witnesses and question witnesses upon whose evidence the case against him or her is based. The student may, and is encouraged to, be accompanied or represented at the hearing by a fellow student, a Students' Union Officer or member of staff of the University of his or her own choice, who may speak on his or her behalf.
23. However, in particularly serious or complex cases, the student may be given permission at the discretion of the Chair of the Disciplinary Panel to be accompanied or represented by a legal representative. A request to permit legal representation must be submitted to the Chair of the Panel not less than five working days before the date of the hearing. Factors to be taken into account when considering such a request will include the seriousness of the alleged offence and potential penalty, capacity of the student to present his or her case, procedural complexity (eg in questioning witnesses), and the need for fairness between parties.
24. The Panel is empowered to require the attendance before it of a student who is the subject of an allegation to be considered by the Panel. If the student, having been given the opportunity to attend the hearing or being required to do so, fails to attend without good cause shown, the hearing may be conducted in his or her absence. Failure to attend when required to do so without good cause itself shall constitute a disciplinary offence.
25. The written notification to the student about the hearing shall include details of the allegations against him or her and the names of the members of the Panel, together with any documentary evidence to be made available to the Panel in advance of the hearing. Any objection to the membership of any person or persons listed shall be made in writing to the Secretary to the Panel with good cause shown not later than the fifth working day before that on which the meeting of the Panel is to be held. The Chair of the Panel shall have power to decide upon the validity of any such objection and may appoint an alternative member or members to the Panel.
26. The University Student Disciplinary Panel shall meet to hear the evidence without undue delay and the student concerned shall be given at least ten working days notice in writing to prepare for the hearing. If the student is able to show good cause, the Chair may delay the hearing for not more than five working days beyond the day on which the meeting of the Panel was to have taken place. The student may submit a written statement about the allegation for circulation to the Panel; any such statement must be received by the Secretary no later than three working days before the meeting.
27. The University Student Disciplinary Panel shall have power to require the attendance as a witness of any Member of the University who it has reason to believe is able to assist in its inquiry, and it shall be the duty of any such person to attend and give evidence accordingly. It may also request the attendance of any other person if such attendance is material to the case. The Panel may accept a witness's written statement in evidence where the student agrees that the witness need not attend, or where it is impractical for the witness to attend, or where in the opinion of the Panel it is for some other reason in the interests of natural justice to do so.

28. The University Student Disciplinary Panel shall conduct its hearings in accordance with the rules of natural justice. Those deciding on the issues should be satisfied on the evidence before them; findings shall normally be made on the balance of probabilities (the standard of proof "beyond all reasonable doubt" need not be observed). Decisions may be by a majority. The Chair may vote and shall have in addition a casting vote.
29. The penalty or penalties imposed by the University Student Disciplinary Panel may be any of those specified in paragraphs 9 and 10. The student shall have the opportunity prior to the penalty being decided to present evidence in mitigation.
30. The decision of the University Student Disciplinary Panel shall normally be announced to the student at the conclusion of the hearing. A written statement giving the findings of fact, decisions, reasons for the decisions and any recommendations of the Panel shall be sent to the student against whom the allegations have been brought within five working days of the Panel reaching its decision. Decisions of the Panel may be published although the identity of the student(s) involved shall normally be withheld.
31. The University Student Disciplinary Panel has the power to adjourn a hearing to another date, as it thinks fit.

### **Appeals**

32. Following a finding of guilt, the student shall have the right of appeal against both the finding of guilt and any penalty imposed as a consequence on one or more of the following grounds:
  - (a) procedural irregularity;
  - (b) availability of new evidence which could not reasonably have been expected to be presented to the original hearing;
  - (c) the disproportionate nature of the penalty.
33. Appeals shall be submitted as follows:
  - (a) when any penalty has been imposed summarily by an officer authorised under paragraph 15, the appeal shall be:
    - (i) to the Director of Teaching and Learning Support if the penalty has been imposed by a Dean of a Faculty or a Head of School, or the Librarian or the Director of IT Services;
    - (ii) to the Director of Residential Services, who shall convene a panel of three members to hear the appeal, if the penalty has been imposed by the General Manager, Pastoral Care [Note: the panel shall comprise a nominee of the Director of Residential Services, a member of academic staff, drawn from a list established for the purpose by the Student Conduct and Discipline Committee, and a nominee of the Director of Student Support and Wellbeing];
    - (iii) to the Chair of the University Student Disciplinary Panel if the penalty has been imposed by the Registrar, Secretary and Chief Operating Officer;
  - (b) appeals against decisions of the University Student Disciplinary Panel shall be to an Appeal Board.
34. An appeal, including a statement of the grounds on which the appeal is being made, shall be submitted by the student concerned in writing within fifteen working days of the date on which written notification of the decision is sent to the student. A request for an appeal received after this time with good cause shown for its late submission shall only be granted at the discretion of the person(s) or Appeal Board designated to hear the appeal. Any student who has failed to participate in the original disciplinary hearing when invited or required to do so shall be entitled to appeal only by special permission of the person(s) or Board hearing the appeal.

35. The person(s) or Appeal Board hearing an appeal shall not re-hear the case afresh, but shall consider whether the initial hearing and outcome were fair by:
- (a) reviewing the procedures followed;
  - (b) establishing whether the appellant has presented any new evidence that could not reasonably have been expected to be presented to the original hearing and that this evidence is material and substantial to the findings;
  - (c) reviewing the penalty imposed.

The person(s) or the Appeal Board hearing an appeal shall seek to deal with the case on the basis of documentary evidence and may, at their discretion, call a meeting to which the appellant is invited to present his or her appeal in person. In such an event, the appellant may be accompanied by a fellow student, a Students' Union officer or a member of staff of the University of his or her own choice, who may speak on his or her behalf.

36. The Appeal Board shall comprise:

A Vice-President, Dean of a Faculty, Associate Vice-President, or Associate Dean (in the Chair)

A Head of School

One professorial member and one non-professorial member of the academic staff, drawn in each case from a list established for the purpose by the Student Conduct and Discipline Committee

A registered student of the University nominated by the Students' Union.

Members of the University Student Disciplinary Panel that has reported on the case, or any person who has in any other way been closely connected with the case, or any person who is in the same School as the student concerned, shall not be a member of the Appeal Board.

37. The Appeal Board shall conduct its business in accordance with the rules of natural justice. Findings shall normally be made on the balance of probabilities and decisions may be by a majority. The Chair may vote and shall have in addition a casting vote.
38. The person(s) or Appeal Board considering an appeal shall have the authority to confirm, set aside, reduce or increase the penalty previously imposed or, if new evidence that is material and substantial has been established by an Appeal Board, to refer the case back for consideration by a newly constituted University Student Disciplinary Panel. The decision of the person(s) or the Board hearing the appeal shall be final and there shall be no further opportunity for appeal against that decision within the University.

### **Misconduct that is also a Criminal Offence**

39. The following procedures shall apply where the alleged misconduct would also constitute a criminal offence if proved in a court of law:
- (a) Where an offence is considered by the Registrar, Secretary and Chief Operating Officer to be serious, no internal disciplinary action other than suspension or exclusion from the University shall normally be taken under this Regulation unless the matter has been reported to the police and either a prosecution has been completed or a decision not to prosecute has been taken, at which time the Registrar, Secretary and Chief Operating Officer may decide whether disciplinary action under this Regulation shall be taken. [Note: a serious offence is one that is likely to attract an immediate custodial sentence if proved in a criminal court, or one that can be tried as a criminal offence only in the Crown Court.];
  - (b) where such an offence is considered by the Registrar, Secretary and Chief Operating Officer to be not serious, action under this Regulation may be taken, but such action may subsequently be deferred pending any police investigation or prosecution;

- (c) the University reserves the right to report any criminal offence allegedly committed by a student to the police. However, if a person claiming to be the victim of a serious offence committed by a student does not wish the police to be involved, the Registrar, Secretary and Chief Operating Officer shall normally respect such wish;
- (d) where a finding of misconduct is made and the student has also been sentenced by a criminal court in respect of the same circumstances, the court's penalty shall be taken into consideration in determining the penalty under this Regulation.

### **Suspension or exclusion pending a hearing**

- 40. A student who is the subject of a complaint of misconduct, or against whom a criminal charge is pending, or who is the subject of police investigation may be suspended or excluded by the President and Vice-Chancellor pending the disciplinary hearing or the trial. The President and Vice-Chancellor may delegate his or her power under this paragraph, but a full report shall be made to him or her of any suspension or exclusion under this section made by delegated authority.
- 41.
  - (a) Suspension involves a total prohibition on attendance at or access to the University and on any participation in University activities; but it may be subject to qualification, such as permission to attend for the purpose of an examination.
  - (b) Exclusion involves either total or selective restriction on attendance at or access to the University or prohibition on exercising the functions or duties of any office or committee membership in the University or the Students' Union, the exact details to be specified in writing by the President and Vice-Chancellor or delegated authority.
- 42. An order of suspension or exclusion may include a requirement that the student should have no contact of any kind with a named person or persons.
- 43. The powers of temporary suspension or exclusion granted to the President and Vice-Chancellor under paragraph 40 shall be exercised only where necessary to protect a member or members of the University community, or the property of the University or of a member or members of the University, or where the student's continued presence might be a source of disruption to the University or any part thereof. Written reasons for the decision shall be recorded and made available to the student.
- 44. Unless the matter is deemed to be urgent by the President and Vice-Chancellor, no student shall be suspended or excluded unless he or she has been given an opportunity to make representations to the President and Vice-Chancellor or his or her delegated nominee. The representations may be made in person or in writing, as the student chooses, and may be put forward by the student or through his or her adviser, or representative. In cases deemed by the President and Vice-Chancellor to be urgent, a student may be suspended or excluded with immediate effect. In such circumstances, an opportunity will be given to the student to make representations as soon as reasonably practicable.
- 45. The President and Vice-Chancellor or other person who took the original decision shall review the suspension or exclusion every four weeks in the light of any developments and of any written representations made by the student either personally or through his or her representative.
- 46. A student may appeal to the Chair of the Board against an order of suspension or exclusion pending a hearing.

## Annual Report

47. Each year, the Director of Teaching and Learning Support shall prepare a report for the Student Conduct and Discipline Committee and the Senate on the number and nature of cases referred to the University Student Disciplinary Panel, identifying any general issues that may have arisen.

[*Note:* students who believe that their case has not been dealt with properly by the University or that the outcome is unreasonable may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) if the complaint is eligible under its rules and once all internal procedures have been concluded. Information about the role of the OIA and the procedure for submitting complaints can be obtained from the Teaching and Learning Support Office, from the Students' Union Advice Centre or from the OIA website: [www.oiahe.org.uk](http://www.oiahe.org.uk).]

Document control box	
Policy / Procedure title:	Regulation XVII – Conduct and Discipline of Students
Date approved:	9 July 2014 Board of Governors
Approving body:	Senate and Board of Governors
Version:	June 2014
Supersedes:	June 2013
Previous review dates:	
Next review date:	
Related Statutes, Ordinances, General Regulations:	
Equality relevance outcome:	High / Medium (delete as applicable)
Related policies:	N/A
Related procedures:	
Related guidance and or codes of practice:	Procedure on Academic Malpractice; Code of Practice for Investigating Concerns about the Conduct of Research
Related information:	(list or state N/A)
Policy owner:	Director of Student Support and Wellbeing
Lead contact:	Director of Student Support and Wellbeing