

# Student Disciplinary Procedure

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This document details the clearly formulated and impartial process for dealing with allegations relating to non-academic student misconduct.	

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## INTRODUCTION

As members of the University of Greenwich community all students are expected to conduct themselves with due regard for its good name and reputation. They are required to comply with the current University Rules, Regulations, Policies, Procedures and Codes of Practice at all times including those related to University Accommodation as notified to students. Matters relating to academic misconduct will be dealt with under the University's [Assessment Misconduct Procedure](#).

The Student Disciplinary Procedure (hereafter referred to as 'the Procedure') is intended to provide a clearly formulated and impartial process for dealing with allegations relating to student misconduct as set out within the Procedure within a reasonable timescale having due regard to the spirit of natural justice.

### 1. SCOPE OF THESE PROCEDURES

1.1 It applies to behaviour by registered students wherever and whenever it may have taken place (including online) when it is considered by the University to be detrimental to:

- a) another member of the University in their activities as a member of the University community, and/or
- b) University property, and/or
- c) the interests and reputation of the University itself

This shall also include behaviour arising at any time when the student may be regarded as representing the University as an individual or as part of a team or group and when the student is at a location away from the University e.g. as part of their study or following an arrangement made through the University or activities online.

1.2 Students will be responsible for their own conduct and for the conduct of those they invite onto University premises. The University will therefore assume the right to take disciplinary action against a student for an act of misconduct that could reasonably have been anticipated and which is, or is alleged to have been, committed by a person(s), not students of the University, whom the student has invited onto University premises.

1.3 Discipline of students within Students' Union premises shall be the responsibility of nominated officials of the Greenwich Students' Union. Where an alleged breach of discipline is deemed serious, the Students' Union may refer the case for consideration by the University under its own regulations.

1.4 Students studying for university awards at a Partner College or overseas collaborating institutions fall under the remit of their college disciplinary procedures unless the misconduct occurs on University premises, in which instance the misconduct will be considered under this Procedure.

1.5 At registration, all students are required to confirm that they accept the Rules, Regulations, Codes and Procedures of the University, which includes the Student Disciplinary Procedure.

1.6 The University has a separate policy to handle allegations of sexual violence, bullying and harassment which is called the [Student Harassment and Sexual Misconduct Policy](#). Where it is alleged that a student may have committed a breach of that policy, the allegations will be referred to the Student Disciplinary Procedure for investigation where necessary.

- 1.7 In the interests of fairness, no single incident of misconduct for any individual student shall be considered under more than one set of University Rules or Regulations.
- 1.8 The Procedure complies with the rules of natural justice, which confer on a student the right to know the case against them, the right to be given an opportunity to defend themselves, and the right for the case to be considered independently.

## **2. GENERAL PRINCIPLES**

- 2.1 All conclusions at any level of investigation will find an allegation of misconduct proven if it is considered that the evidence presented identifies, on the balance of probabilities, that the student is blameworthy of the alleged misconduct.
- 2.2 If two or more students are thought to be involved in the same incident of alleged misconduct, the decision may be taken to hear their cases together.
- 2.3 In cases where the student's conduct creates serious concerns about their welfare, the [Health, Wellbeing and Fitness to Study Procedure](#) may be used by as an alternative to the Student Disciplinary Procedure. If at any stage of the Student Disciplinary Procedure information comes to light that there are genuine and compelling reasons to believe that it would be in the student's best interest to consider the matter under the Fitness to Study Procedure, then the incident may be considered under that procedure rather than the Student Disciplinary Procedure.
- 2.4 A student may not be granted an award, obtain certification of an award or attend a graduation ceremony whilst a case of alleged misconduct is still in the process of being dealt with under these procedures.
- 2.5 Any incidents of alleged misconduct which may have a bearing on a student's Fitness to Practise or which raise questions about their suitability to be placed on a professional register after qualification may be considered under the [Fitness to Practise Procedure](#). The decision to hear a case under the Fitness to Practise Procedure will be made as part of the investigation of the alleged misconduct under this Procedure and the student will be notified accordingly of any subsequent transfer to the Fitness to Practise Procedure at the Investigation Stage of this policy.
- 2.6 It is implicit in this procedure that if a minor incidence of student misconduct occurs, this will initially be discussed informally with the student in order to effect immediate constructive remedial action prior to the instigation of any formal disciplinary procedure.
- 2.7 Where it is reasonable and practicable to do so in accordance with its duties and obligations under data protection legislation, the University will provide the reporting student (where applicable) with an outcome of the investigatory process and/or an explanation of any actions that the University has taken, or not taken, as a result of the report. This includes where the outcome is changed for any reason. However, it may only be possible for the University to provide limited information depending on the circumstances.

## **3. AUTHORITY FOR DISCIPLINARY ACTION**

- 3.1 As the University's chief executive, the Vice Chancellor is responsible for the discipline of students in the University and may suspend or exclude students on disciplinary grounds in accordance with regulations and procedures approved by the Governing Body or Academic Council.

The Vice Chancellor may delegate this responsibility to other staff in the University to implement disciplinary procedures.

- 3.2 Nothing in these regulations and procedures should prevent the making of local rules of conduct and behaviour relating to particular facilities or areas of the University (e.g. student accommodation, laboratories, sports facilities), provided that such rules are consistent with the Articles of Association of the University and regulations and procedures approved by the Governing Body or Academic Council as appropriate.
- 3.3 All members of staff of the University including persons acting as agents of the University, such as security staff, are empowered to take such action as may be necessary to prevent or bring to an end any contravention of the Rules and Regulations of the University. The incident will be reported at the earliest opportunity directly to a senior member of staff within the relevant area of the University

All incidents will be reported in order to ensure that a transparent system operates in which all cases are treated consistently, equitably and fairly.

- 3.4 The student should be informed by the member of staff at the time of the incident that the matter is being reported to an investigator in order that an investigation can be undertaken under this Student Disciplinary Procedure.
- 3.5 The University reserves the right to report any incident to the Police.

#### **4. TIMESCALES FOR THE CONSIDERATION OF MISCONDUCT**

- 4.1 The University normally aims to conclude disciplinary cases, including any request to review the final decision within 90 days of an allegation being made to the student.
- 4.2 Occasions where it may be necessary to extend the 90 day completion time include (but are not limited to) cases where:
- The case is particularly complex;
  - The student or witnesses are not immediately available;
  - Where the matter is subject to a criminal investigation;
  - Procedural factors prevent completion of the case
- 4.3 All instances of delay at any stage of the procedure will be communicated to the student in writing with an explanation of the reasons for the delay and expected timeline.

#### **5. DEFINITION OF MISCONDUCT**

The following list is indicative (but not exhaustive) of the type of offences which would constitute misconduct:

- a) Failure to disclose personal details to a member of staff of the University or persons acting as agents of the University, in circumstances in which it is reasonable to require such information to be given for the purposes of the University;
- b) Disruption of, or improper interference with, the academic, administrative, sporting, social, or other activities of the University;
- c) Obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff of the University or visitor to the University and/or its campuses;

- d) Violent, indecent, disorderly, threatening, aggressive or offensive behaviour or language, however expressed, towards any other student or member of staff. This also applies to visitors to the University and/or its campuses;
- e) Misconduct which is covered by the *Student Harassment and Sexual Misconduct Policy*.
- f) Misuse or unauthorised use of University premises or items of property, including computer misuse; damage to, or defacement of, University property or the property of other students or staff, caused intentionally or recklessly;
- g) Theft or unauthorised removal of any property owned or leased by the University or property belonging to a student, any member of staff of the University or an authorised visitor to the University;
- h) Behaviour that uses or attempts to use, fraud, deceit, deception or dishonesty in relation to the University or its staff or in connection with holding any office in the University or in relation to being a student of the University;
- i) Behaviour that jeopardises or damages the good order or the reputation of the University;
- j) Failure to comply with a penalty previously imposed under these procedures;
- k) Interfering with or intimidating witnesses in disciplinary proceedings;
- l) Serious breaches of accommodation regulations;
- m) Breach of the University's Policy Statement on Alcohol & Drugs;
- n) Behaviour that breaches any other regulation, policy or rule of the University;
- o) Conduct which constitutes a criminal offence in the course of University activities or against any member of the University; conviction of a criminal offence, irrespective of where committed, where the consequences of the offence could impact on University staff, students or property (see 6. for further details);
- p) Making a false claim, or use of falsified documents, to gain academic advantage, such as evidence provided as part of a claim for extenuating circumstances or an academic appeal.
- q) Inappropriate use of social media or online forums; posting of obscene/offensive language and/or imagery in the Virtual Learning Environment (VLE); bullying, intimidating, and/or harassing behaviour towards others online; and/or deliberate attempts to hack other user accounts/commit fraud/disrupt the VLE.

## **6. MISCONDUCT THAT IS ALSO A CRIMINAL OFFENCE**

The following procedures apply where the alleged misconduct would also constitute an offence under criminal law if proved in a court of law:

- 6.1 Where a police investigation or criminal proceedings have been or are likely to be initiated in relation to the alleged act of misconduct, the University may suspend the disciplinary process (at any stage) until such investigation/proceedings have been concluded. The disciplinary process may be resumed at any stage should the University deem that to be necessary in the circumstances.
- 6.2 Following a conviction that amounts to misconduct, when action is taken under this Procedure, the conviction shall be taken as confirming the facts relevant to the complaint and shall not be open to challenge.
- 6.3 Where the student has been acquitted the University will take into account the decision of the court. However, it may be the case that it is reasonable and within the University's interests to pursue outstanding matters of concern to the University that have not been addressed.

- 6.4 Where, following an initial investigation, a decision has been taken not to proceed to a criminal trial, this does not preclude the University from conducting further investigations and/or instigating disciplinary proceedings in respect of outstanding matters of concern to the University that have not been addressed.

## **7. PRECAUTIONARY ACTION PENDING INVESTIGATION**

- 7.1 Where an allegation of misconduct by a student arises, the University has the power to take immediate precautionary action pending consideration of the allegation under this procedure.
- 7.2 Precautionary action may also be taken by the University pending consideration of an allegation by a third party such as the police, Crown Prosecution Service or other official authority.
- 7.3 Any precautionary action taken should be both reasonable and proportionate and, as far as is reasonably practicable, balance the rights of all parties involved including the University. Where possible, measures will be put in place to minimise the impact of the precautionary action on affected students.
- 7.4 Precautionary action in itself is not a penalty or sanction and will not form part of the case against a student.
- 7.5 The consequence of not complying with any imposed precautionary action may result in further precautionary action being taken, which may be taken into account during the disciplinary proceedings.

### **Types of Precautionary Action**

#### **7.6 Conditions of behaviour**

- i) Specific conditions may be imposed on the student against whom the allegation(s) has been raised, for example agreeing not to contact another student or member of staff and/or requiring the student to move to alternate accommodation.
- ii) The conditions will be determined by the Case Investigator in consultation with the relevant Faculty Pro Vice-Chancellor.
- iii) Written confirmation of any conditions will be provided to the student by the Case Investigator within three calendar days of the allegation being made.
- iv) The conditions will remain in place until the disciplinary case has been concluded.

#### **7.7 Exclusion and Suspension**

In cases of great urgency, particularly in cases where the safety and/or wellbeing of others is perceived to be at risk, the Vice-Chancellor (or other senior staff designated by the Vice-Chancellor) is empowered to exclude or suspend a student with immediate effect. The circumstances will be reviewed within five working days. Written reasons for the decision will be recorded and made available to the student.

- a) Exclusion is the selective restriction on attendance at or access to the University (or to specified University premises) or access to University facilities (including online facilities) 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. Exclusion may be subject to qualification, such as permission to attend for the purpose of an examination.

Excluded students will normally be entitled to access the student portal and their student record, Moodle etc unless there is a risk presented by allowing continuing access. Students will also have access to appropriate pastoral support by the University's student wellbeing services.

- b) Suspension is the total prohibition on attendance at or access to University facilities and on any participation in University activities.

Suspended students will not be entitled to access the student portal and their student record, Moodle etc. Students under suspension will not be eligible to enrol or graduate.

7.8 The student is entitled to make a written representation to the Vice-Chancellor against exclusion or suspension within five working days of notification, which will be considered as part of the first review.

7.9 All exclusions and suspensions will be reassessed every four weeks. Confirmation of either the continuation or the lifting of the exclusion/suspension will be provided in writing to the student within a week of reassessment.

## **8. RISK ASSESSMENT RELATING TO PRECAUTIONARY EXCLUSION/ SUSPENSION**

8.1 The University reserves the right to take any steps under these procedures which it deems to be necessary and appropriate, including imposing a precautionary exclusion or suspension.

8.2 An assessor (or assessors) will be appointed by the Director of Student & Academic Services to carry out a risk assessment. The risk assessment will consider the potential risks to the individual, other members of the University and to the University.

8.3 Where deemed necessary, the Assessor(s) may appoint an Investigating Officer to carry out an investigation into any potential risk. The student may be invited to attend a meeting with the Investigating Officer in order that information can be gathered and considered as part of the overall risk assessment and potential imposition of a precautionary exclusion or suspension. A note-taker will attend the meeting and the student may be accompanied.

## **9. ANONYMITY AND WITNESSES**

9.1 In instances of an allegation involving a student(s) against another student, it is expected that the Case Investigator will invite the student(s) reporting the allegation to be present at the Disciplinary Committee (see section 13), either in person or by other reasonable means.

9.2 Attendance by other relevant witnesses relating to evidence which forms part of the case against the student will be at the discretion of the Case Investigator in consultation with the Academic Registry. The Committee may accept written witness statements in evidence where it is impracticable for the witness to attend.

9.3 If the reporting student or other witnesses have legitimate concerns about their identity being disclosed, they should make those concerns known to the Case Investigator during the process of reporting and investigating the allegation.

9.4 If there are genuine concerns about the identity of a witness being revealed, before deciding whether to allow anonymous evidence to be used in a disciplinary investigation, the University will carefully consider the credibility of that evidence and whether there are



sufficient safeguards in place to make the process fair to all affected parties.

- 9.5 The University may withhold personal information about individuals involved in a case from other parties if, and when, it is considered appropriate and does not have a negative effect on the intention to ensure 'natural justice' (1.8).

## **10. FACTS AND EVIDENCE**

- 10.1 The University recognises that it has a duty of care to any student who makes an allegation of misconduct against another student, and also to any student against whom an allegation has been made.
- 10.2 If an allegation exists between two students where the facts are disputed and there is insufficient evidence to support a fair outcome at any stage of the procedure, the University reserves the right to put in place a Future Conduct Agreement where it is considered appropriate.
- 10.3 The Future Conduct Agreement will set out agreed future behaviour by the students involved towards each other and any other person(s) involved in the process, including witnesses.
- 10.4 This may entail one or both students making changes to their study routine or moving accommodation. Students should be prepared to make compromises and concessions in order to reach an agreement.
- 10.5 In requesting or requiring a student to do so, the University makes no judgment on what may or may not have occurred, or on the guilt or innocence of either party. The University will seek to protect both students and to provide an environment in which they both feel safe and can continue on their programme of study.
- 10.6 There may be occasions where the University is unable to take the case forward for further consideration due to a lack of evidence on which a fair outcome under the required burden of proof of balance of probabilities can be based. The students involved will be directed to appropriate support services to help them move forward.

## **11. STAGE 0 – PRELIMINARY INVESTIGATION**

- 11.1 Stage 0 is intended to deal with incidents of misconduct which are relatively contained and minor, with the aim of addressing them as quickly and as close to the source as possible. It is intended to resolve matters on an informal basis which may include mediation where appropriate.
- 11.2 Incidents dealt with at this stage will be investigated by a member of staff appointed by the relevant Faculty Head of School or Directorate Head of Department. The Academic Registry Officer (Student Conduct) should be informed of the investigation and outcome for records purposes.
- 11.3 If, after initial review, the allegation is considered serious enough, the case may be referred directly to a Stage 1 Formal Investigation and, where relevant, for a precautionary action to be considered by the University in accordance with Section 7. This decision will be taken in consultation with the Academic Registry Officer (Student Conduct).
- 11.4 The student(s) will be normally be notified of the details of the allegation raised against them in writing within 7 calendar days of the report of the incident having been made. The notification will include any evidence available at the time.

- 11.5 The investigation into the allegation may include meeting with all parties referenced and other parties that may provide relevant statements (e.g. witness statements), evidence or information. As part of this process, the student(s) against whom the allegation is made will be given the opportunity to respond to the allegation and to provide any evidence that supports their case.

### **Outcome of the preliminary investigation**

- 11.6 The allegation, responses, witness or relevant statements and all evidence will be reviewed, and a summary outcome issued in accordance with Appendix A. Where the student(s) does not respond to the allegation, a decision will be reached based on the available evidence.

The outcome of any disciplinary action taken at Stage 0 must be reported to the Academic Registry Officer (Student Conduct).

## **12. STAGE 1 – FORMAL INVESTIGATION**

- 12.1 Stage 1 is intended to deal with allegations which are either too serious or otherwise cannot be resolved at Stage 0.

- 12.2 Incidents dealt with at this stage will be investigated by a Case Investigator who will be a suitably trained member of staff appointed by the Academic Registry. No investigation at Stage 1 should be undertaken by anyone involved in the Stage 0 consideration.

Depending on the nature of the allegation(s) in question, it may be necessary for a specially trained investigator external to the University to be appointed to undertake the investigation. An internal Case Investigator will be appointed to review the findings of the external investigation and issue an outcome in accordance with 12.9.

- 12.3 If, at the point of escalation to Stage 1, the allegation is considered serious enough, a precautionary action may be considered by the University in accordance with Section 7. This decision will be taken in consultation with the Academic Registry Officer (Student Conduct).

### **Investigative Interview**

- 12.4 The Case Investigator will arrange for an Investigative Interview to take place with the student against whom the allegation has been made to discuss the issues raised, normally within 7 calendar days of notification of the allegation.

- 12.5 The student will be informed in writing of the time and date of the Investigative Interview not less than 4 calendar days prior to the proposed interview date and advised of the terms of any precautionary action.

All available evidence will be shared with the student prior to the meeting.

- 12.6 The student will also be advised that they may contact the Students' Union for guidance and may be accompanied at the meeting by an adviser from the Students' Union or by a friend/supporter of their choice.

- 12.7 Should the student persistently fail to attend an investigative interview without good cause, the Case Investigator may escalate the matter, and the failure to engage with the

- process may be considered at any future stage.
- 12.8 Other relevant parties will be invited to interviews as the investigation progresses and any associated evidence, statements or information received will be made available to the student(s) involved.
- 12.9 Following their investigation, the Case Investigator will write to the student to confirm either:
- 12.9.1 that the finding of misconduct is upheld and set out the sanction to be applied as set out in Appendix A; or
  - 12.9.2 that the Case Investigator is referring the allegations to Stage 2 University Disciplinary Committee; or
  - 12.9.4 recommend a Future Conduct Agreement where there is insufficient evidence to pursue the allegation (see section 10.)
  - 12.9.3 that no further action will be taken and the proceedings are concluded.
- 12.10 The outcome of the Stage 1 investigation must be reported to the Academic Registry Officer (Student Conduct).
- 12.11 Where the outcome is referral to Stage 2, Academic Registry (Student & Academic Services) will arrange the University Disciplinary Committee at the earliest opportunity in accordance with section 13.

### **13. STAGE 2 – UNIVERSITY DISCIPLINARY COMMITTEE**

- 13.1 A Secretary will be appointed from within Student & Academic Services, who will write to the student within 7 calendar days of a referral to the University Disciplinary Committee to:
- a) clarify the details of the allegation misconduct
  - b) confirm any precautionary action put in place by the Vice-Chancellor and any conditions placed upon their studies during the period of the investigation
  - c) advise on the next stage of the process

#### **Arrangements for the meeting:**

- 13.2 A meeting of the University Disciplinary Committee will be arranged as soon as practicable after Stage 1 has been completed and where the Stage 1 case outcome confirms a referral being made with escalation to Stage 2. The Committee will normally be convened within 28 calendar days of the referral being made by the Case Investigator following the issuing of the outcome at Stage 1. The timescales may need to be adjusted in accordance with 4.2 of the Procedure and where this happens, the student will be kept informed.
- 13.3 The student(s) and Committee members will receive the paperwork gathered for the case including any written witness statements, other supporting documentation and the case summary drafted by the Case Investigators (from Stages 0 and Stage 1 where relevant).
- 13.4 The Disciplinary Committee will consist of three members comprised as follows:
- Two members of staff from a group of staff nominated by the Academic Registry; and
  - A representative nominated by the Students' Union.

The Secretary appointed under 13.1 will assist with the administration of the Disciplinary Committee but they will not have any decision making powers. One member of the Disciplinary Committee will be appointed to act as Chair. No person shall sit on the Disciplinary Committee if they are directly associated with the student's studies or had any

prior involvement in the investigations for the case.

- 13.5 The student will normally be given no less than 14 calendar days advance notification of the date of the Disciplinary Committee meeting by email to the current term-time contact details on the student's Bannerweb profile. Correspondence sent will be assumed to have been received.

The notice of the meeting will be accompanied by copies of all documentation to be used in consideration of the case and will confirm details of any suspension that may be in place.

- 13.6 The student will be informed that they may contact the Students' Union for guidance. The student may be accompanied by a friend or supporter of their choice or an adviser from the Students' Union. A student who intends to be accompanied will inform the Secretary of the name of the person accompanying them in writing in advance of the meeting.
- 13.7 The student must provide to the Secretary a written statement admitting or disputing the allegation and enclosing any documents and/or any information that they want the Disciplinary Committee to consider. This statement must be received no later than 7 calendar days prior to the meeting date in order that it may be circulated to the Disciplinary Committee members in advance.
- 13.8 The student may invite witnesses to present evidence at the meeting. The names and contact details of any witnesses must be made available to the Secretary no later than 7 calendar days before the meeting.
- 13.9 The Case Investigator will be required to present their investigation.
- 13.10 The Faculty may invite witnesses to present evidence at the meeting. The names and contact details of any witnesses will be made available to the Secretary no later than 7 calendar days before the meeting.
- 13.11 All information submitted in relation to the Disciplinary Committee meeting will be dealt with confidentially and will only be disclosed to those parties involved in the investigation and judgement of the complaint, or as necessary to monitor compliance with any conditions or sanctions imposed, or as required by law.

### **Committee Procedure**

- 13.12 The Committee may deal with the case in the student's absence if the student fails to attend without reasonable excuse or notify the Secretary that they do not wish to attend. The Chair will have discretion as to what constitutes a 'reasonable explanation'.
- 13.13 The Order of Proceedings shall normally be as follows:
- a) Introduction of those present.
  - b) The case against the student will be presented by the Case Investigator. In presenting the case against the student, such person will advise the Committee of the allegation as set out in the notice to the student.
  - c) The student shall respond to the allegations and shall have the opportunity to question the case presenter at the discretion of the Chair.
  - d) The Committee shall have the opportunity to question both the case presenter and the student.
  - e) Either party may call witnesses who shall attend only to present their evidence and to answer any questions that the Committee or the other party may put to them

through the Chair. Once their evidence has been heard and there are no more questions, witnesses shall be required to withdraw.

- f) The case presenter shall sum up the allegations. New evidence is not admissible at this time.
- g) The student shall sum up. New evidence is not admissible at this time.
- h) The case presenter and the student shall withdraw whilst the Committee reaches its decision in private.

The Committee may impose time limits on oral addresses and submissions.

13.14 The Committee shall rely only on evidence presented verbally at the hearing or in written format beforehand.

13.15 The Committee may adjourn the meeting to discuss privately if the matter would, based on disclosures made, be better dealt with under the Fitness to Study Procedure. The student will be verbally informed and if appropriate the meeting will be concluded; the Secretary will make the appropriate recommendations/referrals and keep the student informed.

13.16 The Committee will normally find the allegation of misconduct proven if it is considered that the evidence presented identifies, on the balance of probabilities, that the student is blameworthy of the misconduct. The outcome will be determined by a simple majority.

13.17 The Committee will have the power to make the following decisions:

- a) Dismiss the allegation of misconduct. The case will be closed and no record retained of the allegation.
- b) Refer the matter for consideration under the Fitness to Study Policy & Procedure. The Disciplinary Procedure is ended.
- c) Find the allegation of misconduct proven and impose any one or more of the sanctions set out in Appendix A.

13.18 The Committee's decision will be communicated to the student in writing by email normally within 7 calendar days of the decision being reached. The communication will detail the reasons for the decision and any applied outcome

13.19 The Secretary to the Committee will take notes and provide a summary record of the meeting, the decision of the Committee and any outcome imposed.

## **14. APPEALS PROCEDURE**

14.1 Where a summary outcome is proposed or a sanction is applied following any stage of this Procedure, the student(s) concerned may accept it or may appeal the decision and/or the sanction on one or more of the following grounds:

- a) the process set out in this Procedure has not been followed and the procedural error has had a significant negative impact on the decision reached; or
- b) the decision was unreasonable and/or a disproportionate outcome has been imposed; and/or
- c) the student has new material information/evidence which they were unable to provide before the outcome was reached.

14.2 The Student should be informed in the outcome of their right to appeal and of the advice service that is available from Greenwich Students' Union. The student must send an appeal statement to the Academic Registry Officer (Student Conduct) within 7 calendar days of

notification of the outcome, who will determine whether there are sufficient grounds for the case to proceed.

- 14.3 If the statement is not received within 7 calendar days, the student will be informed that their appeal will not be considered, and the summary outcome and/or sanction will remain.
- 14.4 Where there are not sufficient grounds to allow the appeal to proceed or there are clear grounds to dismiss the appeal, the student will be issued with an outcome detailing the reasons why the appeal is being dismissed. As part of the outcome letter, the student will be advised of their right to request a review of the decision under the University's Final Review Procedure.
- 14.5 If the Academic Registry Officer (Student Conduct) decides that there are valid grounds for the student's appeal to proceed, the student will be informed in writing within 7 calendar days. This written notification will advise the student of who has been appointed to review their appeal and the timescale for the appeal to be considered. It will also advise the student that the full range of outcomes will be available to the reviewer and that the sanction may change/increase.
- 14.6 The appeal will be considered, based on the evidence relating to the case submitted by the student and the investigation to date, by a reviewer appointed by the Academic Registry who has had no previous involvement in the case.
- 14.7 In the outcome, the reviewer will either:
- 14.7.1 affirm, set aside or vary the decision and/or the sanction previously applied; or
  - 14.7.2 refer the case, or any part of it or any sanction back to the relevant stage for further consideration
- Once an outcome has been reached, normally within 14 calendar days, the student and the Faculty from within which the student is registered will be notified of the outcome.
- 14.8 Where a student remains unhappy with the outcome of an appeal, they have the opportunity to submit a Final Review Request. Once considered through the Final Review Procedure, the student will be provided with a Completion of Procedures letter. Once issued with a Completion of Procedures letter the student may be able to complain to the Office of the Independent Adjudicator provided the complaint is eligible under its Rules, which are available on the OIA website at <http://www.oiahe.org.uk/>.
- 14.9 Any escalation to the OIA will require a Scheme Application Form being sent to the OIA within twelve months of the date of the Completion of Procedures letter. A Scheme Application Form can be downloaded from the OIA website.

## **15. REPORTING, MONITORING AND REVIEW**

- 15.1 The Academic Registry will maintain a database of Student Disciplinary cases for each academic session and provide an annual report to the Academic Council and, following consideration by the Council, to the Governing Body, including any trends, lessons learnt and areas for improvement which have been identified, and analysis by protected characteristics where possible. The Academic Council and/or relevant council subcommittee will monitor the data and identify any policy or procedural changes required.
- 15.2 It will be the responsibility of the Academic Registry to review the Student Disciplinary Procedure and its effectiveness and to make recommendations for changes, where appropriate, to be considered by the Academic Council and/or relevant Council subcommittee. In doing so, the Academic Registry shall consult with the Greenwich

Students' Union and seek to learn from the experience of students who have been involved with the Procedure.

## **16. ADVICE AND SUPPORT**

Free independent advice and advocacy is available from the Greenwich Students' Union Advice Service. <https://www.greenwichsu.co.uk/advice/>

[Report + Support](#) is the University's portal for disclosing any form of harassment, including bullying, discrimination, hate crime and sexual misconduct. Disclosures can be made anonymously or by speaking to an advisor. The site also provides information about these issues and the University's policies and guidance.

## **17. RELATED PROCEDURES**

- Fitness to Practise Procedure
- Fitness to Study Policy & Procedure
- Final Review Procedure
- Principal Conditions of Registration
- Student Harassment and Sexual Misconduct Policy
- Use of information and communications technology
- Student Social Media Policy
- Student Charter
- Accommodation Conduct Procedure
- Personal Code of Conduct – IT & Library Services

Full details of all student related procedures and policies can be found at [www.gre.ac.uk/policies](http://www.gre.ac.uk/policies).

## Appendix A

### OUTCOMES AND SANCTIONS

1. The outcomes and sanctions available at all stages of this procedure are set out in this Appendix. The University will ensure that, where relevant, a consistent approach is taken to the issuing of outcomes.
2. The student has a right to request an appeal of the outcome of the disciplinary process as set out in section 14. If the student remains dissatisfied they may request a review under the Final Review Procedure and then to the OIA as necessary.
3. When determining the outcome to be applied in cases of proven misconduct, consideration will be given to:
  - a) The seriousness of the misconduct
  - b) The student's previous disciplinary record
  - c) The conduct of the student following the misconduct
  - d) If the misconduct has been admitted
  - e) Any mitigating factors as applicable
4. One or a combination of the range of sanctions detailed in the following table may be imposed as applicable:

	LEVEL OF APPLICATION		
	Stage 0	Stage 1	UDC
Dismiss the allegation of misconduct. The case will be closed and no record retained of the allegation.	Yes	Yes	Yes
Refer the matter for consideration under the Fitness to Study Policy & Procedure. The Disciplinary Procedure is ended.	Yes	Yes	Yes
Refer the case to Stage 1 – Formal Investigation	Yes	N/A	N/A
Issue a reprimand. No immediate penalty imposed but any further allegation of misconduct within the following six months will consider both cases.	Yes	Yes	Yes
Require the student to provide a written apology or a reflective piece of work on their behaviour.	Yes	Yes	Yes
Issue a Future Conduct Agreement in accordance with Section 10.	Yes	Yes	Yes
Temporary exclusion from specified parts or facilities of the University including Halls of Residence.	Maximum one calendar month	Up to end of academic year	Maximum 12 calendar months
Require the student to pay for, or otherwise make good, any damaged caused, or other costs incurred by the University as a direct consequence of the misconduct.	Maximum £150	Maximum £500	Unlimited
Temporary exclusion from Halls of Residence.	No	Up to end of academic year	Maximum 12 calendar months



Issue a formal written warning. Remains on the student's record for the duration of their registration. Will be taken into account if a further proven case of misconduct occurs at any time.	No	Yes	Yes
Refer the case to Stage 2 - University Disciplinary Committee	No	Yes	N/A
Temporary suspension from the University preventing the student from entering any campus of the University or making use of any University facilities or participating in any University activities.	No	No	Maximum 12 calendar months
Permanent exclusion from University Halls of Residence.	No	No	Yes
Recommendation to the Vice-Chancellor of permanent expulsion from the University. The decision to withhold any exit award due will also form part of the Committee's recommendations to the Vice-Chancellor.	No	No	Yes

5. In cases of temporary suspension where it is deemed that the student's studies will be sufficiently affected by the suspension, the student will be formally interrupted from their programme of study. Return from temporary suspension may also include conditions which must be met before return to study is approved by the University Disciplinary Committee.
6. Where fraud has occurred or where costs for repair/replacement/cleaning are incurred, the University will take all necessary steps to recover any moneys obtained fraudulently or unpaid costs due.
7. Where an offence has been committed in University accommodation, the University reserves the right to exclude the student from University accommodation and reserves the right to move a student to alternative accommodation where it considers that this might resolve a problem.
8. The Secretary will provide the reporting student with such details of the outcome that the Academic Registry Manager, in consultation with the University's Data Protection Officer or designate, deems appropriate and relevant to disclose.