

Student Disciplinary Policy

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1. Purpose

The aim of this policy is to ensure that allegations of non-academic misconduct at Regent's University London (Regent's) are dealt with fairly and appropriately.

The objective of this policy is to define the types of actions that would be considered by Regent's to constitute acts of non-academic misconduct, and to provide clear information to staff and students on how allegations of such actions are to be dealt with.

The Student Disciplinary Policy relates to matters of non-academic misconduct. Procedures relating to matters of academic misconduct can be found in the University Academic Regulations.

2. Policy statement

The Student Disciplinary Policy is concerned with setting out clear and defined processes and procedures for dealing with allegations of non-academic misconduct, which are both transparent and fair.

Where issues concerning student conduct and behaviour arise in the day-to-day running of the University, it is hoped that these issues will be resolved at the local level by a member of staff or a contractor.

If it is not possible and / or appropriate to deal with the issue at the local level then the procedure outlined below shall apply.

Definitions of misconduct

Regent's considers the following actions to constitute acts of non-academic misconduct which are likely to lead to disciplinary proceedings. This list should not be considered as exhaustive:

1. Failure to respect the rights of others to freedom of speech, belief, orientation or practices.
2. Violent, disorderly, threatening or offensive behaviour whilst on University premises or engaged in a University activity.
3. Acts of fraud, deceit or dishonesty in relation to the University or any member of the University.
4. Actions which may cause injuries or impairment of health, safety or welfare on University premises or engaged in a University activity.
5. Disruption or improper interference with academic, administrative, sporting, social or other activities of the University.
6. Intimidating behaviour or harassment towards any student, staff member or visitor of the University.
7. Intentional damage or defacement of any University property, buildings or grounds or other properties in the local area.
8. Violation or disregard for any of the University rules, including those pertaining to the University grounds.

9. Failure to disclose identity to a member of University staff in circumstances in which it is reasonable to require that such information be given.
10. Theft from other members of the University or from University property (this includes unauthorised removal of texts or equipment from classrooms or
11. the University Library and thefts from any of the University retail or catering outlets).
12. Misuse of University equipment, including using the University computers to tamper with the network or to view unauthorised websites or information.
13. Displays of offensive material. (All posters and advertisements must be approved by the University or the University's Student Union).
14. Failure to evacuate the building when the Fire Alarm sounds or when requested by University staff.
15. Promoting, or selling tickets to non-academic events which have not been organised or authorised by the University or University Student Union, and are therefore not officially endorsed by the Regent's University London brand.
16. Unauthorised use of the Regent's University London or individual's
17. School's brands, logos or address.
18. Possession, selling or use of illegal drugs or substances as defined by UK law.
19. Possession of any dangerous object or weapon, including knives, firearms or explosives as defined by UK law.
20. Smoking within the University buildings. (UK law states that it is illegal to smoke in any enclosed public space or workplace.) This includes the use of e-cigarette devices.
21. Underage drinking. (UK law states that it is illegal for anyone under the age of 18 to buy alcohol or for anyone to buy alcohol for someone under the age of 18 to consume in a public place).
22. Any actions that may bring the University's name into disrepute
23. Drinking alcohol irresponsibly in a way that results in drunken, dangerous or disorderly conduct. Misconduct committed under the influence of alcohol will be dealt with in equal severity to acts committed while sober.

3. Scope

The Student Disciplinary Policy applies to all students who are enrolled or provisionally enrolled on a programme of study offered by Regent's University London. This includes programmes which are externally validated, as well as all programmes leading to a Regent's University London award.

This policy is applicable in any circumstances and in any location in which the student has been granted access by virtue of his or her status as a member of Regent's, or is acting as a representative of the University. This includes social media and IT networks.

Students registered on programmes leading to membership of a professional body should demonstrate appropriate behaviour and standards required for entry into that profession. Alleged misconduct which may be judged to fall short of the professional codes of conduct will be considered under the Fitness to Practise Policy.

Where there is concern that mental health, illness or disability may have directly impacted on the behaviour and/or conduct of a student, the matter will be considered under the Fitness to Study Policy as an alternative to disciplinary action. Where necessary, reasonable adjustments will be made to the Fitness to Study or Student Disciplinary procedures in respect of any disability experienced by the student.

Where disciplinary action relates to incidents occurring during a student's Study Period Abroad, the policies of the host institution may take precedence.

a) **Consideration of acts of misconduct**

Where a student engages in any activity which may constitute misconduct under the definition outlined above, and it is not possible and/or appropriate to deal with the issue at a local level then the issue should be drawn to the attention of the Head of Student Support or nominee in writing and the student should be informed that this will happen. The University will report all alleged crimes in the first instance to the Police.

Stage 1

The Head of Student Support or nominee shall consider the gravity of the misconduct and shall determine whether:

- 1) The misconduct is minor and a written warning needs to be issued and one warning point recorded on the student file. Details of Penalty Points can be found on Page 8 of this document.
- 2) An investigation is required to gather further details;
- 3) The allegation should be dismissed;
- 4) There is sufficient evidence for the allegation to be dealt with at a meeting of the Disciplinary Panel (**Stage 2**).

If an allegation requires further investigation, the Head of Student Support will seek further evidence or interview witnesses as required. Prior to any investigative meetings, it will be made clear to any person whose co-operation is sought that questions, answers, comments, or the production of documents, relate to an investigation into a student misconduct investigation. Any student participating in an investigation arising under this procedure has the right to be accompanied by a Student Union representative, parent, friend or disability advocate.

If, following due consideration and any relevant investigations, the Head of Student Support determines that the allegation of misconduct is minor, the student will be notified of the outcome in writing.

If, following due consideration and any relevant investigations the Head of Student Support deems the severity of the case requires it to be considered by a Disciplinary Panel, the case will be referred to **Stage 2** of the process.

Stage 2

A Disciplinary Panel will be scheduled by the Head of Student Support, and the student will be

informed of the following in writing by the Head of Student Support:

- That an allegation has been made against them, and what the allegation relates to;
- The date that the allegation was made;
- That a hearing of a Disciplinary Panel will occur to ascertain the validity of the allegation;
- The possible decisions that the University may come to and the consequences for the student;
- The date of the Disciplinary Panel, to be set no sooner than 10 working days from the date of the notification to provide the student with reasonable notice;
- The right of the Disciplinary Panel to hear the allegation and evidence in the student's absence if the student does not respond within the time allowed and does not request an extension by written application with satisfactory reasons;
- The evidence relating to the allegation including all relevant documentation.
- The requirement that the student must respond to the allegation within 5 working days of receipt of the written communication and confirm if they will be attending the panel;
- The right to provide a written submission regarding the allegation;
- The right to be accompanied to the hearing of the Panel by one person who is not attending in a legal capacity.

If a disabled student has a Student Support Agreement and requires any reasonable adjustments to be made during the disciplinary process, please contact the Disability Officer.

b) Disciplinary Panel

Membership of the Disciplinary Panel

- Head of Student Support or nominee (Chair);
- An appropriate academic from the student's Programme of Study to be nominated by the Director of Content;
- An appropriate academic from a Programme of Study not related to the student's area of study, to be nominated by the Director of Content;
- An appropriately trained student appointed by the Students Union in consultation with the Head of Student Support;
- A member of Student Support to be appointed by the Head of Student Support.

Any potential conflict of interest between any panel member and the student(s) to appear before the panel will result in that panel member being replaced by an alternate with whom there is no such conflict.

All members of the panel will be provided with all the evidence from the allegation or investigation and any statements from the student that the allegation is against. This will be provided by the Head of Student Support at least three days before the hearing.

At all stages the student(s) shall have the right to be present while evidence is being heard, to receive copies of all documentary evidence to be presented, and to be accompanied by a representative who is not attending in any legal capacity.

If, after hearing the evidence, the panel decides that the evidence does not support the allegation against the student; all documentation related to the case will be destroyed. The student will be informed that the allegation has been withdrawn and that the matter is closed in writing by the Head of

Student Support.

If, after hearing the evidence, the panel finds that the evidence does support the allegation, they will determine the number of warning points that should be issued to the student's record, as outlined below.

The Head of Student Support will write to the student to confirm the outcome of the meeting within 5 working days of the panel taking place. If the panel is Chaired by a nominee, they will notify the Head of Student Support of the outcome to enable the student to be notified within the deadline.

c) Warning points system

Where a student's behaviour is being considered by the Head of Student Support or the Disciplinary Panel then warning points may be recorded according to the seriousness and nature of the behaviour, Points awarded will be recorded on Student Records System.

Offences, for the purpose of warnings, fall into different levels of seriousness classified on a three point scale, which are allocated as follows:

- 1 - Minor
- 2 - Major
- 3 - Suspension / expulsion

The Disciplinary Panel will use their discretion and take into account the individual circumstances of each offence and vary the type of warning and/or penalty issued accordingly.

d) Accumulation of warnings

Where a student has accumulated three or more warning points within the duration of their studies then the Head of Student Support shall consider the suspension and / or expulsion of the student. Before making a recommendation to the Vice Chancellor to suspend or expel, the Head of Student Support shall consider the detail of the individual offences which have led to the accumulation of three or more warning points and shall hear representations from the student.

e) Appeals

Where a student believes that the Disciplinary Procedures have not been followed correctly or the decision regarding the outcome of the disciplinary action is unreasonable, they have the right to appeal. New evidence may be considered at the discretion of the University provided that there is a justified reason as to why the evidence was not provided at the beginning of the disciplinary proceedings.

In such cases, the '[Appeals Form: Student Disiplinary](#)' must be sent with full supporting evidence to the Quality Office (QualityOffice@regents.ac.uk) within 10 working days of the outcome of Stage 1 or Stage 2 of the Disciplinary Procedure being communicated to the student. If a case is referred to Stage 2 of the process, students must await the outcome of the Disciplinary Panel before submitting an appeal. The Quality Office will acknowledge receipt of the appeals form within 5 working days.

The Quality Office will review the appeal form and decide whether there is any new evidence that has come to light or whether the Disciplinary Procedure has not been followed correctly.

The University reserves the right not to progress any appeal which is submitted outside of this deadline. An appeal form submitted without adequate grounds and/or evidence will be dismissed and the appellant informed. A Completion of Procedures letter will be issued to confirm that the University's internal processes have been exhausted.

If, after reviewing the appeals form, it is judged that the student has grounds for appeal and has provided sufficient evidence the case will progress to an Appeal Panel. The Quality Office will inform the Head of Students Support.

i. Membership of the Appeal Panel

- An independent Director of Content or Director of People
- Head of Registry
- Three members of academic or academic-related University Staff
- Invited parties (e.g. staff or students)
- Secretary from Registry or nominee

The panel will have the following options available to them:

- to dismiss the appeal; – in which case the student will receive a written response giving reasons, and a "Completion of Procedures" letter will be issued to the complainant;
- uphold the appeal and decide upon an appropriate course of action - in which case, both the student and the Chair of the Disciplinary Panel will receive a written explanation of the decision.
- uphold part, but not all, of the appeal and decide upon an appropriate course of action – in which case, both the student and the Chair of the Disciplinary Panel will receive a written explanation of the decision.

The University aims to resolve an appeal within 3 weeks of submission. In exceptional circumstances the University may extend the deadlines outlined above, provided that there are clear and justifiable reasons for doing so. In such cases the student will be notified of the extension in writing by the Quality Officer, and the University should provide a revised deadline for resolution. The student will be notified in writing of the Appeals Panel's decision within ten working days of the panel meeting. The decision of the Appeals Panel is final.

f) Expired Warnings

All warnings accumulated by a student shall be recorded by the Office of the Head of Student Support on Student Records System and will remain there for the period of time that a student is registered at Regent's University London. In the event of concurrent periods of study, the record of warnings shall stay on the record and, once expired, a warning logged on the Student Records System will be marked as such'

4. Responsibilities

All staff and students at Regent's are expected to be responsible for implementing this policy. This policy will be available to all staff, students and prospective students.

5. Monitoring and review of the policy

Monitoring of this policy is conducted throughout the year as part of the University's normal business processes.

The success of the policy will be measured by:

- The adherence to the timelines outlined in the policy;
- The number of successful appeals based on a failure to carry out the policy; and
- No substantiated claims against the University based on the fitness to practice of a student;

The Head of Student Support will maintain a Disciplinary Log of all cases brought under the Disciplinary Policy. The Head of Student Support will file an annual report to the Academic Committee, copied to the Registry on:

- a) the number of students holding warning points
- b) the number of Disciplinary Panels held and the outcome of the panel
- c) the number of appeals made and the outcomes
- d) any recommendations for amendment to the policy and procedures

The effectiveness of this policy will be reviewed annually by the Academic Committee and they will recommend the terms of the review where required.

Training in disciplinary procedures will be made available to members of Disciplinary Panels by the Head of Student Support.

6. Dependencies

None

7. Related documents

Regent's University London Code of Conduct for Students
Regent's University London Academic Regulations
Regent's University London Student Charter
Regent's University London Student Complaints Policy
Regent's University London Fitness to Study Policy
Regent's University London Under 18s Safeguarding Policy
Regent's University London Halls Code of Conduct
Regent's University IT Acceptable Use Policy