

**1. Principles**

- 1.1 We place great value in our culture of respect, inclusion, and mutual trust and expect you to conduct yourself in a way that upholds these values. Our expectations are summarised in the Staff and Student Code of Conduct.
- 1.2 You are expected to abide by our rules and regulations by treating all members of the community with respect, including peers, staff, and visitors to the University and members of the local community. These Regulations apply to you from the point you accept an offer to study with us until you complete your course, both on and off-campus. This means that your behaviour off-campus and during vacations, weekends, evenings, on placements, and on field trips may be taken into consideration. It also means that behaviour in a social setting (for example in residences, or on social media) may have consequences whether or not it takes place during normal opening hours.
- 1.3 General Misconduct is any behaviour that falls short of our expectations of good conduct and can occur in many forms. There is a non-exclusive list of types of general misconduct in Section 2 below. The Office for Students' definitions of harassment and sexual misconduct are appended to this regulation (Appendix A).
- 1.4 In accordance with UK legislation, we protect the right to free speech. We take as a starting point that all speech is lawful, i.e. 'within the law', unless restricted by law. This includes provisions of the Equality Act 2010 prohibiting discrimination. It also includes common law on confidentiality and privacy. Therefore, whilst freedom of speech within the law is protected, unlawful speech is not. Free speech includes lawful speech that may be offensive or hurtful to some. Speech that amounts to unlawful harassment or unlawful incitement to hatred or violence (for instance) does not constitute free speech within the law and is not protected.
- 1.5 We take reasonable steps to ensure the safety of our staff and students by:
  - a. Providing you with a safe environment to study (and, where relevant, to live) in.
  - b. Making sure you understand our expectations of you as a learner, including the actions which will result in a disciplinary allegation and the likely penalties.
  - c. Having a clear and fair way to handle suspected misconduct. This includes making sure everyone involved in making a decision about your case is trained and has no conflict of interest.
- 1.6 The applicability of these Regulations under the University's Collaborative Provision arrangements is detailed in Schedule A.
- 1.7 To establish that misconduct has taken place, a judgment based on the evidence against you must meet the balance of probabilities. This means that it is more likely than not that you did what has been alleged.
- 1.8 We have the burden of proof. This means that it is for us to establish that you did what has been alleged. You will be given reasonable opportunities to explain your behaviour and, as relevant, to present evidence in support of your explanation. For example, we will likely ask you for your statement, statements from other witnesses, or physical evidence such as video recordings or text messages.
- 1.9 We do not accept mental health issues or disabilities as a justification for general misconduct. We may take mental health issues or disabilities into account when deciding whether to continue with an allegation, and/or processing your case, and/or

setting a penalty. If you can demonstrate that your behaviour linked to an allegation of general misconduct is related to a disability, we may refer you to our support for (or fitness to) study process. We encourage early disclosure so that we can take your disability into account.

- 1.10 Identifying suspected misconduct will usually require an evidence-based judgment. This means that the evidence must relate to the specific type of misconduct that is alleged. We may investigate anonymous allegations of misconduct but may reduce the weight we attach to it.
- 1.11 We do not routinely record meetings that take place as part of a misconduct case. However, meetings are attended by a notetaker, and you will receive a copy of these notes. If you have agreed reasonable adjustments in place and require a meeting to be recorded, you must tell us at least three working days before any meeting. Where we decide to make an audio recording of a meeting, you will be provided with a copy of the recording for your own personal use.
- 1.12 You are expected to read and understand these Regulations, including familiarising yourself with any updates made during your studies.
- 1.13 At all times the application of these general misconduct regulations will meet the expectations of UK Data Protection law and General Data Protection Regulations. This means that sensitive personal information or 'Special Category Data' is kept confidential as far as possible and disclosed only to those investigating or deciding a case. We do not routinely disclose that you have been subject to a general misconduct investigation unless required to do so as part of a lawful request made by an authorised external agency or organisation.
- 1.14 We may suspend you at any point during the application of our Academic Regulations: General Misconduct in accordance with the Short-Term Suspension Policy. This will usually be a precautionary measure to enable the University to meet its duty of care and not a penalty.
- 1.15 If an allegation we consider against you is also being considered by (for example) the police or relevant prosecution authority, we may pause our handling of the matter until the police and/or prosecution matter has been concluded.
- 1.16 How these Regulations apply to students under the University's Collaborative Provision arrangements is detailed in Schedule A at the end of this document.

## **2. Types of Misconduct**

- 2.1 General misconduct refers to actions or omissions which have the reasonable potential to cause harm to another person/group of people or to the University and its reputation.
- 2.2 The list below offers examples of the types of behaviour which would be considered to be general misconduct and potentially result in disciplinary action under this section of the Regulations. The list is not exhaustive, and we may take disciplinary action in relation to behaviours not specifically listed below.
- 2.3 Physical Misconduct, examples include:
  - a. pushing;
  - b. shoving;
  - c. punching;
  - d. kicking;

- e. slapping;
  - f. pulling hair;
  - g. biting;
  - h. spitting.
- 2.4 Sexual misconduct, examples include:
- a. making inappropriate or unwanted remarks and/or gestures of a sexual nature;
  - b. sharing inappropriate images;
  - c. making unwanted sexual advances or suggestive behaviour;
  - d. engaging in any kind of sexual act without consent;
  - e. sharing private sexual materials of another person without consent;
  - f. kissing without consent;
  - g. touching through clothes without consent;
  - h. inappropriately showing sexual organs to another person;
  - i. repeatedly following another person without good reason.
- 2.5 Offensive or abusive behaviour, examples include:
- a. threats to hurt another person;
  - b. abusive comments relating to an individual's protected characteristics;
  - c. expressing/making comments that are offensive concerning a protected characteristic;
  - d. acting in an intimidating and hostile manner;
  - e. controlling behaviour;
  - f. coercive behaviour;
  - g. public shaming or humiliation in front of others;
  - h. repeatedly following another person without good reason;
  - i. use of inappropriate language;
  - j. repeatedly contacting another person (by phone, email, text, on social media or other online platform or through a third party) against the wishes of the other person;
  - k. distributing or publishing a poster, image, video, notice, sign or any other matter, online or otherwise which is offensive, intimidating, threatening, indecent or illegal;
  - l. taking a photograph of a student or employee of Regent's, or a visitor to Regent's and distributing or publishing this image without permission online or otherwise;
  - m. filming/recording (audio and/or visual) of a student or employee of Regent's, or visitor to Regent's, and/or distributing or publishing the footage without permission;
  - n. encouraging/inciting others to be abusive to a person online or otherwise.
- 2.6 Damage to property, examples include:
- a. causing minor damage to Regent's property, or the property of other students, staff or visitors;
  - b. causing significant damage to Regent's property, or the property of other students, staff or visitors.
- 2.7 Unauthorised taking or use of property, examples include:
- a. unauthorised entry onto or unauthorised use of Regent's property;
  - b. taking property belonging to another without permission;
  - c. misuse of Regent's property (for example, computers and laboratory equipment).
- 2.8 Causing a Health and Safety issue or concern:
- a. act/omission that caused, or could have caused, a health and safety concern on Regent's premises or during Regent's activities (for example, smoking cigarettes or vaping in non-designated areas);
  - b. act/omission that caused, or could have caused, serious harm on Regent's premises or during Regent's activities, (for example disabling fire extinguishers or

smoke alarms; possessing/supplying illegal or controlled substances such as drugs; persistent failure to adhere to health and safety guidelines in Regent's student residences).

- 2.9 Operational obstruction, examples include:
- a. act/omission/statement intended to deceive Regent's;
  - b. disruption of the activities of Regent's (including academic, administrative, sporting and social) on Regent's premises, online or elsewhere;
  - c. improper disruption to or interference with the functions, duties or activities of any student or employee of Regent's or any visitor to Regent's;
  - d. not following a reasonable instruction.
- 2.10 Reputational damage, examples include:
- a. behaviour that caused, or could have caused, damage to Regent's reputation.
- 2.11 Commission of a criminal offence, examples include:
- a. behaviour which constitutes a criminal offence, committed whilst on Regent's premises;
  - b. behaviour which constitutes a criminal offence, committed whilst engaged in Regent's activities;
  - c. behaviour which constitutes a criminal offence, which affects the functions, duties or activities of any student or employee of Regent's, or any visitor to Regent's;
  - d. behaviour which constitutes a criminal offence, which damages the reputation of Regent's;
  - e. behaviour which constitutes a criminal offence, which itself constitutes misconduct within the terms of this academic regulation;
  - f. behaviour which is an offence of dishonesty, where the student holds an office of responsibility at Regent's
  - g. failure to disclose a breach of the law or criminal conviction.
- 2.12 Regulatory/procedural breach:
- a. behaviour which has breached another Regent's regulation, procedure or policy (for example the attendance policy);
  - b. failure to comply with a previously imposed penalty (other than non-payment of a fine).
  - c. improper disruption to or interference with the functions, duties or activities of any student or employee of Regent's or any visitor to Regent's;

### **3. Responsibilities and Expectations**

#### **3.1 We will:**

- a. Give you clear information about the standards of behaviour we expect of you, including how to avoid allegations of misconduct and the potential penalties that we can impose.
- b. Use relevant technology to confidentially collect and store evidence.
- c. Act promptly to inform you of an allegation once misconduct is suspected. This is usually within ten working days of an allegation being made.
- d. Communicate with you clearly including explaining the allegation(s) against you, the evidence we have, your rights, responsibilities, actions to take, and deadlines to meet.
- e. Give you the right to present information and/or evidence in support of your response to an allegation of misconduct.
- f. Give you the right to be accompanied at any meeting you are invited to that takes place related to an allegation of misconduct. The expectations of such companions are set out below in 3.2.
- g. Explain any decision we make, including (as relevant) why a particular penalty is

- being imposed.
- h. Explain to you what information is being kept on your student record, including prior allegations of misconduct and any warnings or penalties imposed. As sensitive personal information, or 'Special Category Data', the information we keep about you in relation to misconduct is held confidentially and is disclosed to as few people as possible, and only to those involved in investigating or deciding the matter. We may share outcomes of your misconduct case where required by an authorised external body.
  - i. Gather overall misconduct data for review including to inform future versions of these Regulations, to share with external agencies, and the British authorities.
- 3.2 Every student invited to a Misconduct Panel has the right to explain their actions and present information in support of their case. They may also bring a companion to support them at the panel, such as a friend, family member, or Student Union representative. We will not usually permit the person accompanying you to be a legal representative. There is more information about companions and representatives in paragraphs 3.5 and 3.6 below.
- 3.3 We expect you to:
- a. Be familiar with these Regulations, the standard of behaviour expected of you, and to take responsibility for your behaviour and actions.
  - b. Report to the Student Experience team any suspicions you have that misconduct has occurred.
  - c. Let us know as soon as possible if you require any reasonable adjustments to be made because of a disability to the way we process or handle your case under these Regulations. If required, you should provide evidence to support any request for reasonable adjustments that you have made.
  - d. Attend all meetings you are invited to in connection with the case against you.
  - e. Tell us in advance of all meetings the names and their relationship to you of your companion and any witness(es) you wish to call.
- 3.4 You have the right to access our Student Union ([StudentUnion@Regents.ac.uk](mailto:StudentUnion@Regents.ac.uk)) for support and guidance at any stage of the process outlined in these Regulations.
- 3.5 We will correspond directly with you about this matter and not engage in correspondence with third parties, unless this has been agreed with you as part of a reasonable adjustment. Any agreed correspondence with third parties will not routinely include those acting in a legal capacity.
- 3.6 You are allowed to have one companion with you at any meeting you are invited in relations to an allegation of misconduct. Normally, your companion cannot be someone acting in a legal capacity. We expect you to speak for yourself in any meeting. At our discretion, your companion may help you if you have trouble engaging. However, you are responsible for the conduct of your companion at all times. If your companion's conduct is abusive or threatening, they will be excluded from the meeting and all future meetings. In such cases, we may continue with the meeting or reschedule. If the meeting is rescheduled, we will expect you to identify a new companion.

## **The General Misconduct Process**

### **4. Reporting an incident**

- 4.1 When someone studying or working at the University observes, or is informed of, conduct by a student which may constitute general misconduct (we will refer to this as the "incident"), that person, or someone acting on that person's behalf, should report this matter.

- 4.2 The report can be made in a number of ways:
- a. For staff: by completing a Suspected General Misconduct Form and submitting this to the Registry.
  - b. For students: using the University's Report + Support online system or by requesting that a member of the Student Experience team submits a Suspected General Misconduct Form. Please note that if a report is only made anonymously, this might affect the weight we can attach to the evidence received in accordance with paragraph 1.10.
  - c. For students: students may also use the formal complaints system to raise a concern about another student's behaviour where they are not able to access Report + Support.

4.3 The report should be made within five working days of the Incident, or last in a series of incidents, occurring.

4.4 When a report is received, any of the following steps may take place to determine whether there is sufficient evidence to take the matter further in accordance with our procedures and whether an alternative resolution might be appropriate.

## **5. Where mediation may be appropriate**

5.1 Depending on the nature of the incident, it is possible that mediation might be an appropriate option to resolve the issue. Mediation is a facilitated conversation with a trained mediator through which both parties will be supported to reach mutually agreed satisfactory outcomes. If harm or offence has been caused by the behaviour of another student's words or actions, mediation may provide a positive opportunity to find resolution.

5.2 Mediation will not be advised for incidents of serious harm, sexual misconduct or violence.

5.3 In mediation, where there are disputing parties, they may seek to resolve their differences with the assistance of a trained mediator acting as an impartial third party. Mediation is voluntary and aims to offer the disputing parties the opportunity to be heard fully, to hear each other's perspectives and to decide how to resolve their dispute themselves.

5.4 Mediation is entirely confidential and no record of the contents of the mediation process is held on any student file. The contents of all mediated conversations are not shared with anyone unless explicitly agreed (and confirmed in writing by the mediator) by the parties involved in those discussions. Mediation may be recommended as an option for appropriate cases where solutions can be negotiated with support.

5.5 If mediation is entered into at any point in the management of a case, the usual timescale within the General Misconduct Procedure will be suspended until mediation is concluded. If mediation is successful, the case may be considered resolved. If not, the case will continue through the procedure and the timeframes will resume.

## **6. Where there is evidence available to a member of staff**

6.1 Within five working days of identifying suspected misconduct, the member of staff reporting suspected misconduct will make an initial assessment concerning any evidence to support the allegation.

6.2 If Where there is sufficient evidence to support an allegation of general misconduct, the member of staff will submit to Registry a completed Suspected General Misconduct form along with the supporting evidence and the relevant information

provided to students about misconduct, including any warnings given to students in relation to the incident(s) concerned ('Allegation Pack').

- 6.3 The designated member of Registry will decide whether it is appropriate to put the Allegation Pack directly to you, including giving you an automatic warning or initial penalty, or whether further investigation is required. This will be determined by the nature of the evidence and the type and severity of the incident concerned. They will determine this within three working days of receipt of the Allegation pack. The next steps will be one of the following:
- a. to share the Allegation Pack with you (see paragraphs 6.4-6.5 below); or
  - b. to notify you of the suspected misconduct and that an investigation will take place (see Section 5 below); or
  - c. in the case of first or second minor offences, where there is sufficiently robust evidence, to issue either a warning or penalty (only penalty A or B can be applied).
- 6.4 If we decide to share the Allegation Pack with you at this stage (in accordance with paragraph 6.4a), you will be notified within five working days of Registry's receipt of the Allegation Pack.
- 6.5 Registry will write to you at your university email address to inform you of the allegation, provide a copy of the Allegation Pack and give you an opportunity to admit the allegation. If you admit the allegation, you will receive an appropriate penalty from the recommended list below, applied by Registry, taking account of any representations you make to them in admitting the allegation.
- 6.6 If you choose not to admit or to challenge the allegation, it will be submitted to a General Misconduct Panel for further action.
- 6.7 Where an automatic warning or penalty is applied (for example, on the first occasion of fraudulently tapping in to mark attendance when you did not attend a class), you have the opportunity to accept the warning or penalty or to appeal the decision under the Stage Two Right of Appeal (see Section 10).

## **7. Where further investigation is required**

- 7.1 An investigation may take place after an incident of suspected general misconduct has been identified where there is sufficient information to merit further enquiry before a decision can be reached.
- 7.2 Within five working days of receipt of the suspected general misconduct information, Registry will write to you at your university email address to inform you of the allegation, inform you of the referral to an investigation, and give you five working days to admit the allegation. If you admit the allegation, you will receive an appropriate penalty from the list below, applied by Registry, taking account of any representations you make to them in admitting the allegation. If you do not admit the allegation (or do not reply within the five working days), the investigation will proceed.
- 7.3 Within ten working days of receiving notification of suspected general misconduct, Registry will identify a suitable member of staff to act as investigating officer. This will be someone who does not have prior knowledge of you or the nature of the suspected misconduct. They will reach a recommendation based solely on the facts of the case before them. They may want to meet with you as part of the process or ask for further information and/or evidence. You will be given five working days' notice of such investigation meetings. Once an investigating officer has been appointed investigations should take no longer than fifteen working days to conclude. Additional time can be granted where it is not possible to conclude within this time, but the total

time allocated should not usually exceed thirty working days. You will be informed if the investigation is likely to exceed fifteen working days.

- 7.4 Once an investigation has concluded, the investigating officer will complete a Suspected General Misconduct form which outlines the steps taken in completing an investigation, evidence they have obtained, their conclusions and a recommendation for any action. This is sent to Registry for the next steps and forms the basis of the Allegation Pack.

## **8. Registry review**

- 8.1 Registry reviews all Allegation Packs. This review will consider whether any previous incidents of general misconduct are held on your record. This is important to determine how serious the alleged misconduct might be in the light of any previous incidents and to assess any new or ongoing precautionary suspensions. Registry will ensure that any allegation is considered through the correct process and information about any prior upheld incidents of misconduct are only shared at the appropriate time.
- 8.2 The Registry review will be completed within five working days from receipt of the Allegation Pack.
- 8.3 There are three possible outcomes from this review:
- a. No further disciplinary action is required. We will write to you confirming the outcome and providing you a copy of the Allegation Pack.
  - b. No further disciplinary action is required but there may be steps you can take to improve your conduct. We will refer you to resources to support you in this. You will also be sent the Allegation Pack.
  - a. Further action is required. This means that you will be referred to the Stage One General Misconduct Panel.

## **9. Stage One: General Misconduct Panel**

- 9.1 Where the allegation is referred to a General Misconduct Panel, the Panel will be held within fifteen working days and we will write to you to confirm the date.
- 9.2 We will share with you the Allegation Pack to be considered by the Panel and invite you to share all evidence you have that supports your explanation of what happened.
- 9.3 You may be accompanied at the panel. You should let us know the name of your companion and their relationship to you, and any witnesses you would like to attend, noting that neither of these will be acting in a legal capacity. We expect you to be available during the fifteen working day timeframe. Once the General Misconduct Panel has been arranged, you will be given at least five working days' notice of the date, time and location of the meeting. We will invite your witness(es) to the meeting but cannot make them attend. If you cannot attend, we may choose to go ahead without you present. Lack of availability of your companion or any of your witnesses is not a valid reason for not attending the Panel meeting.
- 9.4 The membership of a General Misconduct Panel is:
- a. A designated trained Panel Chair;
  - b. Two other trained members of staff;
  - c. An optional member of the Student Union.
  - d. A member of Registry staff will be in attendance to clerk the meeting.
- 9.5 All Panel members must confirm they have no known conflict with you and are free from bias in considering your case. This includes not being involved in the case at an

earlier stage.

- 9.6 The Panel holds a private preparation meeting with the Clerk. After this, you will be invited to join the meeting. You will be introduced to the Panel members and can introduce your companion and any witnesses. You will be invited to explain what has happened and the Panel can ask questions to help them determine whether the alleged misconduct has occurred. These questions can be directed at you or your witness(es) (but not your companion, who is there for support). At the end of the meeting, the Panel will thank you and you will leave the meeting so that they can reach a decision in private.
- 9.7 If the Panel decides that it is more likely than not that misconduct has occurred, it is the Clerk's responsibility to inform them if this is a second or subsequent offence. This is so that the Panel can decide on an appropriate warning or penalty to apply in these circumstances. If there have been no prior upheld incidences of general misconduct, there will be nothing to report to the Panel.
- 9.8 The Panel can come to the following outcomes.
- The allegation of misconduct is not upheld.
  - The allegation of misconduct is not upheld, however the Panel considers it would be appropriate to direct you to resources or training to improve your behaviour and/or receive a warning.
  - The allegation of misconduct is upheld and the Panel may apply a warning or a penalty to you from the list available to them.
- 9.9 The Panel will review the available penalties to determine which is the most appropriate in the circumstances and a note made of the steps they took in determining which penalty/penalties and warnings to apply.
- 9.10 You will be sent a notification of the Panel's decision within five working days of the Panel meeting taking place. The outcome will indicate what will appear on your student record and for what period.

## **10. Stage Two: Your right of appeal**

- 10.1 You have the right to appeal the decision of the Stage One General Misconduct Panel if you can demonstrate that one or more of the grounds for appeal apply to you.
- 10.2 There are five potential grounds to consider:
- that the procedures were not followed properly;
  - that the decision maker(s) reached an unreasonable decision;
  - that you have new material evidence that you were unable, for valid reasons, to provide earlier in the process;
  - that there was bias or reasonable perception of bias during the procedure;
  - that the penalty imposed was disproportionate or not permitted under the Regulations.
- 10.3 Your appeal must be submitted within ten working days of receipt of any Stage One outcome, including the decision of a General Misconduct Panel outcome using the online General Misconduct Appeal form.
- 10.4 Within seven working days of receipt of a General Misconduct Appeal, a member of Registry staff not previously involved in the case will assess the eligibility of your appeal. This assessment will determine whether you have been able to establish any of your selected appeal grounds. The eligibility assessment may be confirmed by one of the Associate Provosts allocated to be part of any General Misconduct Appeals

Panel. You only need to establish one appeal ground for your appeal to be allowed to continue. The potential outcomes of this eligibility assessment are:

- a. No ground(s) established. We will write to you within seven working days to explain our decision and issue a Completion of Procedures Letter.
- b. Grounds established. We will refer the allegation back to a Stage One General Misconduct Panel (for example, to consider previously unavailable evidence). This will not apply if the basis for the appeal concerns actual or perceived bias. The right of appeal against any new decision of the General Misconduct Panel remains.
- c. Grounds established. A Stage Two General Misconduct Appeals Panel will be arranged.

## **11. Stage Two General Misconduct Appeals Panel**

- 11.1 The Stage Two General Misconduct Appeal Panel is a further opportunity to consider the matter and will be composed of people who have not had any involvement in the matter at an earlier stage.
- 11.2 The membership of the General Misconduct Appeals Panel is:
  - a. A Chair who will normally be drawn from one of the Associate Provosts (or equivalent role).
  - b. Two other members of staff.
  - c. An optional member of the Student Union.
  - d. A member of Registry staff will be in attendance to clerk the meeting.
- 11.3 All Panel members must confirm they have no known conflict with you and are free from bias in considering your case. This includes not being involved in the case at an earlier stage, except for confirming a recommendation of sufficient grounds to proceed with the appeal.
- 11.4 You will be given at least five working days' notice of the date, time and location of a Stage Two General Misconduct Appeals Panel taking place and details of what will occur in the meeting.
- 11.5 The Stage Two General Misconduct Appeals Panel will follow a similar approach to the Stage One General Misconduct Panel described above, with the opportunity for you to explain in further detail why you consider that the appeal should be upheld by the Panel. You may be accompanied, but at an appeal stage, you will not usually be expected to bring new witnesses unless this is in support of information not previously available.
- 11.6 The Stage Two General Misconduct Appeals Panel may decide whether to uphold your appeal, partially uphold it or reject it and any appropriate action which flows from that decision (for example, to remove or reduce a penalty, uphold a finding of misconduct). The Stage Two General Misconduct Appeals Panel may reduce a penalty given but may not increase it.
- 11.7 You will receive by email the Panel decision within ten working days of the meeting. The outcome of the Stage Two General Misconduct Appeals Panel is final and will result in a Completion of Procedures Letter being issued.

## **12. Office of the Independent Adjudicator**

- 12.1 Once you have completed the appeal stage you may be entitled to ask the Office of the Independent Adjudicator for Higher Education (OIA) as the independent ombuds

service, to review your complaint about the outcome of your academic misconduct case. Any complaint you make to the OIA must be submitted within twelve months of the date of the Completion of Procedures Letter. Further information is available at: [oiahe.org.uk](http://oiahe.org.uk).

### 13. Student Death

13.1 If we receive formal notification that a student alleged to have engaged in misconduct dies before the completion of any of the above stages, the allegation will be closed and removed from their record.

### 14. Warnings and Penalties

14.1 To ensure that you are treated consistently and fairly in line with other students, we have put in place a series of potential warnings and penalties which may be applied.

- A warning can be issued at any time as an advisory note to you about acceptable behaviour. We keep a record of warnings issued.
- A penalty is issued where we have found there to be misconduct. This ranges from providing an apology to withdrawal in extremely serious cases. The chart below indicates the penalties available to General Misconduct Panels (at Stage One or Stage Two).

14.2 A Stage One General Misconduct Panel can apply the penalty, or combination of penalties, it considers is reasonable and proportionate to the facts of the case. Penalties usually increase with each upheld case. This means that we will consider prior warnings and upheld general outcomes against you when deciding the penalty in a current case.

14.3 Note of potential penalties and warnings.

Instance of misconduct	Severity	Prior Warning?	Recommended penalties available (as applicable)	Recommended warning
First	Minor	N/A	A, B	First
First	Moderate	N/A	A, B, C	First
First	Major	N/A	A, B, C, D, F, G, H, I	Final
First	Severe	N/A	A, B, C, D, F, G, H, I, J, K, L	Final
Second	Minor	N/A	A, B, C, D, F, G, H	Final
Second	Moderate	N/A	A, B, C, D, F, G, H, I	Final
Second	Major	N/A	A, B, C, E, F, G, H, I, J, K, L	Final
Second	Severe	No	A, B, C, E, F, G, H, I, J, L, M	Final

Reference	Penalty
A	Apology
B	Behavioural Action Plan
C	Payment to cover damages/stolen/lost property
D	Payment of a fine of up to £150
E	Payment of a fine of up to £500
F	Restriction on accessing certain areas of campus at specified times or without advising Security in advance.
G	Restriction on attending extra-curricular activities (e.g., Student Union functions)

H	Restriction on attending off-campus activities (e.g., optional field trips)
I	Removal from University Accommodation for up to one academic year
J	Required to attend training (internal or external) in relation to the misconduct type
K	Suspended (This means you are required to take an Interruption of Studies for up to one academic year.)
L	Withdrawal with academic credit achieved. Ineligible for return within five academic years
M	Withdrawal without academic credit achieved. Ineligible for return within five academic years

## **15. Schedule A**

15.1 The applicability of these Regulations under the University's Collaborative Provision arrangements is detailed below.

15.2 Where the Regent's University London Regulations apply, collaborative partners may use different terminology, e.g. 'programmes' and 'units' instead of 'courses' and 'modules'.

### **Domus Academy**

15.3 This section of the Academic Regulations is replaced by Domus Academy's Code of Conduct

### **Istituto Marangoni (London)**

15.4 This section of the Academic Regulations is replaced by Istituto Marangoni's Student Code of Conduct and Disciplinary Policy.

### **Istituto Marangoni (Paris)**

15.5 This section of the Academic Regulations is replaced by Istituto Marangoni's Student Disciplinary Policy.

### **Liverpool Media Academy (LMA)**

15.6 This section of the Academic Regulations is not applicable to students studying at LMA. Students should refer to LMA's Student Code of Conduct and Suspension Policy.

### **MACROMEDIA**

15.7 This section of the Academic Regulations is replaced by Macromedia's Code of Conduct.

## Appendix A

### Office for Students' Definitions of Harassment and Sexual Misconduct

From the E6 regulation:

“harassment’ has the meaning given in [section 26](#) of the Equality Act 2010 and [section 1](#) of the Protection from Harassment Act 1997 (in its entirety, and as interpreted by [section 7](#) of the Act).

“sexual misconduct’ means any unwanted or attempted unwanted conduct of a sexual nature and includes, but is not limited to:

- a) sexual harassment;
- b) sexual assault; and
- c) rape.”

**The OfS’s website definition:** <https://www.officeforstudents.org.uk/for-providers/student-protection-and-support/harassment-and-sexual-misconduct/prevent-and-address-harassment-and-sexual-misconduct/definitions/> (as at 25 June 2025).

In the text that follows, ‘we’ refers to the Office for Students and the OfS notes that providers (such as Regent’s) are under no obligation to use a criminal standard of proof (‘beyond reasonable doubt’).

To protect students in a consistent way, we have agreed definitions of harassment and sexual misconduct.

The policies and procedures universities and colleges put in place should use these definitions to identify the issues they need to address.

#### **'Harassment'**

We follow the meaning given to harassment in:

- [section 26 of the Equality Act 2010](#)External link (Opens in a new tab or window)
- [section 1 of the Protection from Harassment Act 1997](#)External link (Opens in a new tab or window)

We have summarised section 26 of the Equality Act 2010 as follows:

‘harassment, including sexual harassment, includes unwanted behaviour or conduct which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics: age; disability; gender reassignment; race; religion or belief; sex; and sexual orientation.’

We have summarised section 1 of the Protection from Harassment Act 1997 as follows: ‘a course of conduct conducted on at least two occasions that harasses one other person, or a course of conduct that harasses two or more persons at least once each. References to harassing a person include alarming the person or causing the person distress.’

We have also extended these definitions to include harassment of one student by another student.

These definitions include tests that are designed to establish, objectively and reasonably, whether conduct could be considered as 'harassment'.

This means providers should take into account:

- the perception of the person who is at the receiving end of the conduct
- the other circumstances of the case
- whether it is reasonable for the conduct to have the effect under scrutiny.

Under section 1 of the Protection from Harassment Act 1997, an offence is committed only if:

- the person knows the conduct amounts to harassment of the other, or
- a reasonable person in possession of the same information would think the course of conduct amounted to harassment of the other person.

### **'Sexual misconduct'**

We define sexual misconduct as any unwanted or attempted unwanted conduct of a sexual nature. This includes, but is not limited to:

- sexual harassment
- sexual assault; and
- rape.