

ORDINANCE 17

CODE OF STUDENT DISCIPLINE

DEFINITIONS

In this Code:

'**day**' means a working day and excludes weekend days, public holidays and other days during which the offices of the University are not open for business.

'**and/or take an assessment.**

'**termination of registration**' means expulsion from the University.

'**University premises**' means the Senate House and Stewart House (including the surrounding land owned by the University), and the premises occupied by the Central

ORDINANCE 17

MISCONDUCT WHICH MAY BE SUBJECT TO PROCEEDINGS UNDER THIS CODE

3. Misconduct which may be subject to proceedings and penalties under this Code is improper interference in its broadest sense with the proper functioning or work of the University, or activity which otherwise damages or is likely to damage the University.
4. The following paragraphs elaborate this general principle but not so as to derogate from its generality.
5. For the conduct in question to be characterised as misconduct, it must be shown to fall within the general definition in paragraph 3. It is open to a Student facing an allegation of misconduct to argue that the conduct in question, whether or not falling within one or more of the following paragraphs, should not be treated as misconduct because it does not interfere or damage in the manner contemplated by paragraph 3.
6. The following shall (subject to paragraphs 3 to 5 above) constitute misconduct:
 - 6.1 disruption of, or improper interference with, the academic, administrative, social or other activities of the University, whether on University premises or elsewhere, including electronic domains such as, but not limited to, Virtual Learning Environments and the University's social media channels;
 - 6.2 obstruction of, or improper interference with, the functions, duties or activities of any Student, member of staff of the University or any visitor to the University;
 - 6.3 violent, indecent, disorderly, threatening or offensive behaviour or language (whether expressed orally or in any writing, sign or other visible representation including electronically) whilst on University premises, engaged in any University activity, or in an online environment of the University

ORDINANCE 17

ORDINANCE 17

case; and (b) in the case of other Students of the University, to an appropriate senior officer of the University.

ALLEGATIONS OF MISCONDUCT

9. Allegations of an offence of misconduct by a Student may be made in writing to the University Secretary. The University Secretary or such other person he or she may designate shall make any enquiries that are appropriate.
10. If the allegation of misconduct made against the Student is, has been or could be subject to proceedings under a code of discipline made by another authority (e

ORDINANCE 17

16. The following applies to hearings conducted in person, or in real time by electronic means. A hearing conducted by correspondence will instead require the named parties to make equivalent submissions in writing, if appropriate:
 - 16.1 the Student may be assisted or represented by any member of the University;
 - 16.2 the University Secretary shall give the Student any further evidence produced since notice of the allegation was given, and provide an opportunity for the Student to answer the allegation, and to question any witnesses who appear in person;
 - 16.3 the Student may request that witnesses be called, in which case the University Secretary may question them; and
 - 16.4 at any time, the University Secretary may terminate the proceedings and refer the allegation for hearing by a Disciplinary Committee, in which case the University Secretary may suspend the Student from attendance at the University, or impose any restrictions as specified in paragraph 16 pending the hearing of the allegation by the Disciplinary Committee.

17. Following a hearing, the University Secretary may:
 - 17.1 dismiss the allegation, in which case the matter shall be terminated; or
 - 17.2 refer the matter back for local determination; or
 - 17.3 find the allegation proved, in which case the University Secretary may impose one or more of the following penalties:
 - 17.3.1 a warning;
 - 17.3.2 a fine not exceeding £250;
 - 17.3.3 compensation in respect of damage to property or injury to be paid by the Student not exceeding £500. The compensation is to be paid to the University or to the owner or possessor of the property damaged or to the person injured, as the University Secretary shall decide;
 - 1673.4 prohibition from holding any office, or a particular office, including

ORDINANCE 17

26.2 the allegation shall be presented to the Disciplinary

ORDINANCE 17

- 28.5 exclusion from prescribed University premises or facilities (including libraries and electronic domains and services, including but not limited to Virtual Learning Environments) for a period of up to one year, such facilities to be prescribed by the Disciplinary Committee, but not including exclusion from attendance at lectures, classes, tutorials, withholding of learning materials, or other activities immediately connected with the Student's course of study;
 - 28.6 that the candidate not be permitted to enter or re-enter for a particular examination or assessment, or for all examinations or assessments in a particular session, as designated by the Disciplinary Committee, for a set period;
 - 28.7 that, following satisfactory completion of the conditions for the award, no degree/diploma/certificate be awarded to the candidate before the expiry of a stated period of time;
 - 28.8 suspension of registration for a period of up to one year;
 - and
 - 28.9 termination of registration.
29. Before deciding the penalty to be awarded, account shall be taken of the effect on the Student's ability and eligibility to take an examination and any measures taken pending hearing (such as suspension or exclusion).
 30. In fixing any financial penalties, the Disciplinary Committee shall have regard to the means of the Student and may allow time to discharge the penalty, or order the sum to be paid in prescribed instalments.
 31. The penalty or penalties may take immediate effect or come into effect at some future date or after some stated future event (e.g. any further offence).
 32. In imposing a penalty on a student pursuing a course leading to professional practice, the Disciplinary Committee shall, if appropriate, have regard to the relevance of the misconduct in relation to the Student's fitness to be professionally registered and may in this connection seek appropriate advice.
 33. A Student who has had their 6 (hi)2.6 (s)-2 (c)-2 (on nec)/11.1 (t)-60 Td [godent5 (i)13.h (hei)20

ORDINANCE 17

37.5 the Student or the Student's representative may address the Vice-Chancellor;

37.6 the S

ORDINANCE 17 ANNEX 1

POLICY IN RESPECT OF OFFENCES THAT ARE ALSO CRIMINAL OFFENCES

REPORTING CRIMINAL OFFENCES TO THE POLICE

1. In taking a decision about whether or not an alleged offence by a Student should also be reported to the police, staff shall be guided by this section and any further guidance which the Vice-Chancellor may issue from time to time.
2. In the case of an alleged offence which would constitute a serious offence under the criminal law the alleged offence should normally be reported to the police. Such offences include those that would, in accordance with the decisions of the Sentencing Guidelines Council, attract a custodial sentence or a community penalty on conviction, and those (in England and Wales) that are triable only on indictment in the Crown Court.
3. Less serious offences may be reported to the police at the University's discretion.
4. Where there is a victim of an offence, the victim must be encouraged to report the matter to the police. Any person may report the offence on their behalf with their consent, but if the victim declines to report it, or will not permit it to be reported, a member of staff

ORDINANCE 17 ANNEX 1

9. A Student acquitted in a criminal court may not be the subject of an allegation of

ORDINANCE 17 ANNEX 2

ACTION BY THE UNIVERSITY PENDING A HEARING

1. A Student who is the subject of an allegation of misconduct or against whom a criminal charge is pending or who is the subject of police investigation may be suspended or excluded by the University Secretary pending disciplinary action or the verdict of a court, or the Student's examination or assessment results may be withheld (subject to the provisions of the Data Protection Act and to the extent permitted by law). Suspension shall be used only where exclusion would be inadequate. Where the University Secretary has delegated the power under this section, a full report shall be made as soon as possible to the University Secretary of any suspension or exclusion under this section.
2. 'Suspension and exclusion' under this Code mean suspension and exclusion from the

ORDINANCE 17 ANNEX 3