

# Procedure for Student Discipline

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**Procedure Author** – Secretary to Senate Disciplinary Committee

**Procedure Owner** – Pro Vice-Chancellor (Learning, Teaching and Student Success)

**Parent Policy Statement** – Learning, Teaching and Student Success

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## PROCEDURE FOR STUDENT DISCIPLINE

### 1. Introduction

The University's expectations in relation to student conduct are set out in the University's [Regulatory Framework: Chapter 5 - Code of Discipline for Students](#).

This Procedure applies to all students, Additionally, students on programmes subject to conduct, competence or fitness to practise requirements are considered under the Conduct, Competence and Fitness to Practise Procedure.

### 2. Definitions of Misconduct

The University recognises two categories of misconduct: academic and non-academic. The Code of Discipline sets out what constitutes misconduct and provides a non-exhaustive list of examples.

This procedure also applies to students who assist other students to commit misconduct.

### 3. Allegations of Misconduct

The University considers allegations of misconduct from members of University staff, students, external examiners, members of the public, or by the host institution when a student is on placement or exchange. Allegations must be referred to the appropriate Authorised Officer without delay.

### 4. Authorised Officers

The nature of the allegation determines which Authorised Officer considers the matter as follows:-

#### Academic Misconduct

Context	Authorised Officer	Details
Academic practice	Dean of School	Alleged misconduct occurring within academic activity except for submission of assessment.
Submission of assessment	Chair of a Student Academic Integrity Panel	Alleged breaches of academic integrity in the completion of assessment.

## Non-Academic Misconduct

Context	Authorised Officer	Details
University Departments and Services	The relevant Head of Department or Service	Alleged misconduct relating to, for example: <ul style="list-style-type: none"><li>• The Library</li><li>• Use of University IT and the computer network</li><li>• Any activity taking place elsewhere on University premises</li><li>• Student Residences</li></ul>
Outside of the University	Pro Vice-Chancellor (Learning, Teaching and Student Success)	Alleged misconduct taking place outside of the University.
Students' Union	The Chief Executive of the Students' Union	Alleged misconduct occurring in or relating to the use of Students' Union Premises or any other area under the control or direction of the Students' Union.
Partner Institution (International Exchanges)	Lead Contact as identified in the collaborative agreement or partnership agreement	Any alleged misconduct which takes place whilst the student is studying at a partner institution overseas.
Placements	Dean of School	Alleged misconduct occurring whilst a UWS student is on a placement.

In cases where the Dean of School is not acting as the Authorised Officer, the Dean is informed of the allegations.

The Authorised Officer may report to the Police any allegation that a criminal offence has been committed. Students who are victims of alleged criminal activity are encouraged to report this to the Police.

### 5. Investigation

The Authorised Officer appoints a UWS Investigating Officer.

The Investigating Officer investigates the alleged misconduct and prepares a report detailing their findings. This report is presented to the Authorised Officer for consideration.

Cases of academic misconduct relating to submission of assessments are reviewed through the Student Academic Integrity Procedure.

At times the University may, as a precautionary measure, need to suspend students to protect staff and students of the University or members of the public. Such suspension is applied under the Student Suspension Procedure. Students are then subject to the disciplinary procedure below.

- The Dean of School (alleged academic misconduct) or Pro Vice-Chancellor (Learning, Teaching and Student Success) (non-academic misconduct) appoints a UWS Investigating Officer.
- The Investigating Officer investigates the alleged misconduct and prepares a report detailing their findings. This report is presented to the Dean of School or the Pro Vice-Chancellor (Learning, Teaching and Student Success) for consideration.
- In cases where the suspension relates to an ongoing criminal investigation the decision on whether to take any further action under this procedure is normally delayed until the outcome of a criminal investigation, or trial is known (see also Criminal Convictions and Charges Procedure).
- At the end of legal proceedings, the following may apply:
  - If there is no conviction, for example a verdict of not guilty or not proven, or the case is timed out, – the Dean of School or Pro Vice-Chancellor (Learning, Teaching and Student Success) appoints a UWS Investigating Officer. The Investigating Officer investigates the alleged misconduct and prepares a report detailing their findings. This report is presented to the Dean of School or Pro Vice-Chancellor (Learning, Teaching and Student Success) for consideration.
  - If there is a criminal conviction, the case is referred to the Criminal Convictions Panel under the Criminal Convictions and Charges Procedures.

## **6. Referral to the Senate Disciplinary Committee**

After reviewing the investigation report, the Authorised Officer, Dean of School or the Pro Vice-Chancellor (Learning, Teaching and Student Success) either:

- Refers the case to the Senate Disciplinary Committee for action; or
- Takes no further action.

Students are informed of this decision in writing by the Authorised Officer, Dean of School or Pro Vice-Chancellor (Learning, Teaching and Student Success).

For cases considered under the Student Academic Integrity Procedure, students may be referred to the Senate Disciplinary Committee.

## **7. The Senate Disciplinary Committee**

The Senate Disciplinary Committee has the membership and remit as prescribed in the University Senate Committee Framework.

The process set out in Appendix A of this Procedure is followed by Senate Disciplinary Committee when considering a case of alleged misconduct.

As an exception, the Chair of Senate Disciplinary Committee has the authority to consider a case via Chair's action rather than referring the case to a full Senate Disciplinary Committee. This is at the discretion of the Chair, following an evaluation of the case and discussion with the Secretary to the Committee.

When determining a proportionate sanction, the Senate Disciplinary Committee (or Chair via Chair's action) considers the scale and severity of the misconduct and any extenuating circumstances.

Where students have been sentenced by a criminal court in respect of the alleged misconduct, the Court's sanction is also considered.

**Senate Disciplinary Committee decisions:**

Decisions	Action
No case to answer	None
Reprimand	Students receive a warning advising them of the consequences of similar future behaviour.
Failure of component of assessment or whole module, with loss of attempt	<ul style="list-style-type: none"> <li>• If academic misconduct is found, the Committee decides whether a component(s) of a module or the whole module is failed.</li> <li>• If this sanction is applied, the academic result for the individual component of assessment, or module, is reduced to zero. Students lose an assessment attempt. Students are allowed any remaining re-assessment opportunities which applies to that component of assessment or module.</li> <li>• If the above results in failure of the module - after a third and final attempt (Undergraduate) or second and final attempt (Postgraduate) - students have no further attempts at the module and are not allowed to repeat it.</li> </ul>
Suspension for a specific period	<ul style="list-style-type: none"> <li>• Students are suspended from attending the University or Partner Institution for a period not exceeding one academic year.</li> <li>• A suspension requires the approval of the Pro Vice-Chancellor (Learning, Teaching and Student Success).</li> </ul>
Expulsion	<p>Students are expelled from the University with immediate effect.</p> <ul style="list-style-type: none"> <li>• As part of this sanction, the Committee may decide that students should have no further rights of application and enrolment to the University.</li> <li>• An expulsion requires approval from the Pro Vice-Chancellor (Learning, Teaching and Student Success).</li> <li>• Where the student is subject to UK immigration legislation the University shall report the expulsion to UKVI.</li> </ul>

In addition to the above outcomes, the Senate Disciplinary Committee may identify other actions.

## **8. Appealing a decision of the Senate Disciplinary Committee**

Students are allowed to appeal the decision of the Senate Disciplinary Committee. Details on the appeals process are set out in the University's **Regulatory Framework: Chapter 6 – Student Appeals**.

## **9. Records and publication**

The Secretary to the Senate Disciplinary Committee keeps a record of Senate Disciplinary Committee decisions.

**Appendix A – Procedure for each stage of the Senate Disciplinary Committee process**

Procedure	Senate Disciplinary Committee
Informing students	<ul style="list-style-type: none"> <li>• In cases where the alleged misconduct involves more than one student, the Senate Disciplinary Committee considers all, of the cases at same time.</li> <li>• Students are notified of the date and time of the disciplinary meeting by email (UWS student email account) with at least 10 working days' notice.</li> <li>• Students are required to confirm their attendance a minimum of five working days before the date of the meeting.</li> </ul>
Location of the meeting	<ul style="list-style-type: none"> <li>• The meeting of the Senate Disciplinary Committee is held online.</li> </ul>
Prior to the meeting	<p>Students with additional support requirements may arrange this in advance of the meeting support e.g. a BSL Interpreter</p> <ul style="list-style-type: none"> <li>• Students are expected to inform the Secretary to the Senate Disciplinary Committee at least five working days before the meeting of the name and status of any representative, or witnesses who will be present.</li> <li>• Students have the opportunity to review any documents that are considered by the Committee.</li> <li>• Students are allowed to send any documents that they wish to be considered to the Secretary to the Senate Disciplinary Committee. Such documents must be sent at least five working days before the meeting.</li> </ul>
Membership of the Committee and attendance at the meeting	<ul style="list-style-type: none"> <li>• The Senate Disciplinary Committee has the right to invite any relevant internal/external staff or witnesses to attend the meeting.</li> <li>• Minimum attendance for academic misconduct includes one Co-Chair, a student representative, and another member of the Senate Disciplinary Committee.</li> <li>• Minimum attendance for non-academic misconduct includes one Co-Chair, a student representative, and three members of the Senate Disciplinary Committee.</li> <li>• Exceptionally, a member of the Committee may need to send their apologies to the meeting once the date has been confirmed. In such cases they submit their considerations to the Chair.</li> </ul>

<p>Student attending the meeting</p>	<ul style="list-style-type: none"> <li>• Students are allowed to be accompanied by a supporter, such as:             <ul style="list-style-type: none"> <li>- An advice worker from Students' Union;</li> <li>- A friend;</li> <li>- A relative.</li> </ul> </li> </ul> <p>(And any further support required under Equality legislation)</p> <p>Accompanying supporters must not be legal representatives.</p> <ul style="list-style-type: none"> <li>• Where students fail to attend the Senate Disciplinary Committee proceeds with the meeting considering the case and reaching a decision.</li> </ul>
<p>Hearing the case</p>	<ul style="list-style-type: none"> <li>• The Chair outlines the case, and the student presents written or oral evidence to support their case.</li> <li>• The student may only question any witnesses through the Chair.</li> <li>• Any member of the Senate Disciplinary Committee has the right to question those in attendance, with the exception of student supporters.</li> </ul>
<p>Reaching a decision</p>	<ul style="list-style-type: none"> <li>• The Senate Disciplinary Committee considers the case and the evidence presented and reaches its decision in private.</li> </ul>
<p>Communicating the decision</p>	<ul style="list-style-type: none"> <li>• The Secretary to the Senate Disciplinary Committee communicates to students the decision and any penalties imposed by email within five working days of the meeting.</li> <li>• The communication of the decision gives reasons for the decision and advises students of the right of appeal.</li> <li>• The decision is reported to the School.</li> </ul>