



**University of
Nottingham**
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Student Code of Conduct (Non-Academic) Procedures

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1.Introduction

- 1.1 This document provides information and guidance on the procedures to be followed in relation to potential student misconduct as defined in the Student Code of Conduct (Non-Academic) and should be read in conjunction with that document.
- 1.2 The University of Nottingham is committed to fostering an environment that values and respects all members of the university community. We expect everyone to conduct themselves in a manner that upholds the values of inclusivity, fairness and respect. The purpose of the Student Code of Conduct (Non-Academic) and these procedures is to provide a framework for addressing behaviour that is not in line with these values.

2.Definitions of student misconduct (non-academic)

- 2.1 Student Misconduct (Non-Academic) is described as an act or failure to act by a student, which is inappropriate, and which negatively affects, could negatively affect, or has negatively affected the University (including its property and / or reputation) and / or any member of the University community and / or an entity associated with the University. Misconduct is considered to be serious when the negative impact is, could have been, or could be, serious or significant. This may include sustained or repeated misconduct.
- 2.2 The disciplinary process refers to action taken under the Student Code of Conduct (Non-Academic) and these procedures to investigate allegations of misconduct and apply appropriate sanctions when those allegations are upheld.
- 2.3 Misconduct will be managed at three levels at the University, as described in the table below and in the examples noted in the Student Code of Conduct (Non-Academic). Allegations will be managed at the most appropriate level, with the ability to escalate and de-escalate as appropriate. Several areas of misconduct could span levels 2 and 3 (e.g. bullying, harassment, substance use, breaches of the criminal law) and the management of the case will depend on the seriousness of the allegation.

	Level 1 Informal, early intervention	Level 2 Formal management of misconduct under the Student Code of Conduct (Non-Academic)	Level 3 Formal management of serious misconduct under the Student Code of Conduct (Non-Academic)
Definition	The management of low-level concerns / anti-social behaviour.	Any act or failure to act by a student which is inappropriate, and which negatively affects, could negatively affect, or has negatively affected the University (including its property or reputation) and / or any member of the University community and / or	Any misconduct (as defined on the left) where the negative impact is, could have been or could be, serious or significant. This may include sustained or repeated misconduct

		an entity associated with the University.	
Examples	Noise complaints, student or household disputes where there is no specific allegation of potential misconduct.	Disruption to the activities of the University or its community; initial concerns about Class B/C substance use; ongoing noise complaints and / or anti-social behaviour; damage to property; theft; failure to comply with previous warnings, etc. Includes ongoing or persistent patterns of behaviour and ongoing low-level risks	Extensive damage to property; significant theft; serious sexual misconduct, bullying & harassment, physical assault; hate incidents / crimes; domestic abuse; serious / ongoing use of or supply of any drugs; use of class A drugs. Includes patterns of behaviour, repeated or ongoing significant risks
Teams Responsible	Residential Experience team (ResX) Security Halls operation teams - Welcome Points / Hall Porters Community Engagement School based staff	Residential Experience Team (ResX) Security Community Engagement School based staff Investigations & Resolutions Team if required.	Investigations & Resolution Team

3. General Considerations

Timescales

3.1 The University follows the Office of the Independent Adjudicator (OIA) timescales for managing disciplinary concerns as laid out in their [Good Practice Framework](#) as follows:

- the investigation and the formal stage of the process (up to and including the Student Misconduct Panel) should be completed within 60 days of the allegation being put to the responding student
- any appeal should be heard within 30 days of the student making the appeal

3.2 It is acknowledged by the OIA that these timescales may need to be extended when the case is complex, if students are not available to attend meetings or panels, or where there is an ongoing criminal investigation. Where extensions are required, regular updates should be provided to both reporting and responding students.

Risk Assessments

3.3 The University takes a risk-based approach to managing alleged misconduct under the Student Code of Conduct (Non-Academic), which will include completing a risk assessment for any cases of potential serious misconduct where precautionary measures might be required. The risk assessment will be used to identify if action is required to safeguard a member of the university community or to protect the investigation whilst the disciplinary process is ongoing. Broader risks and ways to support the responding student to continue their education, where appropriate, should be considered. Where the reporting party and the responding student are both UoN

students, a risk assessment will be undertaken in relation to both parties and will be reviewed and updated regularly.

- 3.4 An initial risk assessment will be undertaken by the Report & Support team, where the concern is reported through this route, with the full, dynamic risk assessment undertaken and reviewed by the Investigations & Resolution team. A template for the risk assessment is included Appendix 1.
- 3.5 The risk assessment will be shared with those making decisions on precautionary measures (e.g. members of the Risk Panel (detailed below), the Director of Registry & Academic Affairs, Director of Student Experience) and with others who will be involved in the ongoing management of risk. (e.g. ResX, Security, the School / personal tutor). Further sharing of the risk assessment should be limited and only undertaken if there is a need to do this in order to safeguard the reporting party, responding student or another member of the university community.
- 3.6 Following completion of a risk assessment, precautionary measures may be put in place for the responding student to manage the potential risks identified, to safeguard all involved and / or to ensure the investigation is not compromised. The decision to impose precautionary measures is not based on any assumption of guilt.

Precautionary Measures

- 3.7 The following principles should be considered when agreeing precautionary measures:
- all measures should be considered in order of severity to identify the lowest level of action that will mitigate risk whilst having the least impact on the responding student
 - the precautionary measures should relate to the specific allegation / concern
 - consideration should be given to whether the risk of harm to others (or the responding student themselves) outweighs the potential disadvantage of the suggested precautionary measures to the responding student (e.g. suspension from study, exclusion from areas of the University)
 - considering the impact of any police decisions, actions or bail conditions that impact on the responding student's risk or movements
 - where the responding student is on a course with fitness to practise requirements, the risk assessment and precautionary measures should be developed in conjunction with the fitness to practise lead in the responding student's school
 - If the responding student is unwell, consideration should be given to whether the Support to Study policy should be used to support the responding student and managing risk. In these cases, the disciplinary process will normally be put on hold until the completion of the Support To Study process.
- 3.8 If the student wishes to voluntarily interrupt their studies, consideration needs to be given as to how this would impact on the discipline process / requirement for precautionary measures.
- 3.9 All precautionary measures should be reviewed on at least a monthly basis considering:
- an updated risk assessment to identify any updated, new or deleted risks and any associated mitigations

- any changes to a police investigation (e.g. it ends in no further action, moves to charging the responding student)
- any changes to the university investigation (e.g. it ends, further breaches are identified)
- any breach of previously imposed precautionary measures

3.10 The following precautionary measures can be considered and included.

- No-contact arrangement relating to one or more students, or other members of the University community
- Exclusion from a specified area(s), campus or all University of Nottingham premises
- Exclusion from any event or series of events on University premises or being held by the University or the Students' Union
- Suspension from placement (FtP decision)
- Suspension from a programme of study (Director of Registry & Academic Affairs decision, delegated by the Registrar).

3.11 Suspension is a formal, temporary pause in study, when the student is not required nor permitted to engage with any part of their programme of study. Suspension should be for a fixed period, subject to review and any requirements for re starting studies.

3.12 Temporary exclusion prevents a student from entering one or more specified parts of university premises or taking part in a specific activity on a temporary basis.

3.13 No Contact - there are a number of circumstances that it will be appropriate to make arrangements for reporting and responding students to avoid contact with each other. It is important that the circumstances of these arrangements are considered within the categories noted below, and the most appropriate used for the individual circumstances. Only No Contact arrangements or agreements should be used as precautionary measures. Templates for recording each of this are included at Appendix 2.

No contact agreements – a supportive tool to be used when the reporting party doesn't wish there to be an investigation and there is no police investigation.	<ul style="list-style-type: none"> - A mutual agreement between all parties to facilitate a safe environment for all involved, - Agreement that they will not have any sort of contact (direct, in direct or through a third party) - Includes information on how they should manage any chance encounters & can include identifying areas where one party won't enter (e.g. the School or Department where the other is studying)
No contact arrangements – a precautionary measure to be used whilst disciplinary processes are ongoing.	<ul style="list-style-type: none"> - An arrangement between all parties to facilitate an effective investigation - Stipulates that the named students will not have any sort of contact (direct, in direct or through a third party) - Includes information on how they should manage any chance encounters & can include identifying areas where one party won't enter (e.g. the School or Department where the other is studying)
No contact orders – a sanction to be used following a finding of misconduct.	<ul style="list-style-type: none"> - A unilateral order applied to the responding student - To last until the deadline outlined in the sanction with no requirement for review

Precautionary measures – the decision-making process

- ❖ The investigator undertakes risk assessment and makes recommendation to Investigations & Resolution Senior Manager
- ❖ If required, School Fitness to Practise lead to be consulted on the completion of the risk assessment and recommendations of precautionary measures (e.g. suspension from course / study / campus)
- ❖ Investigations & Resolution Senior Manager considers what precautionary measures might be appropriate and organises the Risk Panel
- ❖ The Risk Panel will be chaired by the Associate Director of Student Conduct, Complaints & Appeals and membership for each meeting will be agreed depending on the circumstances of the case. There will be at least the chair and 2 other members drawn from the following pool:
 - ✓ Director of Student Experience (for oversight of any concerns relating to the Student & Campus Life Directorate e.g. safeguarding, mental health, UoN accommodation, disability, childcare, equality, diversity & inclusion) – any of these can be delegated to the appropriate Associate Director / senior manager from the Student & Campus Life directorate..
 - ✓ Associate Director Student Living (for UoN accommodation moves)
 - ✓ Senior ResX Manager (where the student lives in UoN accommodation)
 - ✓ Senior Manager Safeguarding (where there are safeguarding concerns)
 - ✓ Students Union Director of Membership Services or Director of Central Services
 - ✓ Faculty or School Fitness to Practice Lead (where the student is on a course governed by Fitness to Practice regulations)
 - ✓ Director / Associate Director of Sport (where exclusion from sporting venues / activities is being considered)
 - ✓ Representative of the School – e.g. Head of School, Safeguarding Lead (where exclusion zones may impact on course / assessment attendance or completion, where non-contact arrangements need to be managed in the School, etc)
- ❖ Where possible and appropriate, Risk Panels will take place within 48 hours of an allegation of serious misconduct where precautionary measures are required. All members of the Risk Panel will be asked to prioritise attendance at the meeting or identify a suitable representative.

The Risk Panel will:

- ❖ Consider all risks, from a broad, multi-disciplinary perspective
- ❖ Consider and agree what precautionary measures are required to manage the risks identified

The Associate Director of Appeals, Complaints & Conduct (or their nominee) will:

- ❖ Update the risk assessment with risks identified at the panel
- ❖ Make recommendations to the Director of Registry and Academic Affairs on any suspensions and exclusions for their approval
- ❖ Write to the responding student to detail any precautionary measures and ensure these are clear, supporting the student understand the parameters of the measures and the disciplinary process
- ❖ Share the risk assessment with relevant colleagues at the University (e.g. ResX, the School, safeguarding, Sports) – further detail on this is included below.

Out of hours decisions

The Head of Security Services (or their nominee) is able to make an initial decision on precautionary measures in emergency, out of hours situations. In these circumstances, the Report & Support or Investigations & Resolutions team should be informed immediately (on the next working day) to ensure a risk assessment is completed and a Risk Panel arranged to consider the case.

- 3.14 Appeals against a suspension or exclusion imposed as part of precautionary measures should be made in writing to the Associate Director of Appeals, Complaints & Conduct who will forward it, with the risk assessment and other relevant information, to the Academic Registrar or their nominee.
- 3.15 The person considering the appeal should have had no prior involvement with the case and have not sat on the Risk Panel.
- 3.16 A template for recording precautionary measures is included in Appendix 3.

Investigations

- 3.17 Investigations at all levels of the disciplinary process will be guided by the following principles / framework:
- aiming to establish a fair, evidenced, full and accurate account of events that is recorded on the appropriate file / system / database.
 - ensuring a thoroughness to the planning, investigation and evidence gathering, meeting the timescales set out wherever possible.
 - ensuring any linked safeguarding concerns or risks are identified and managed.
 - starting each new investigation with an open mind
 - the avoidance of 'confirmation bias' where evidence that supports what current thinking is sought or prioritised.
 - the avoidance of 'affinity bias' where someone who is similar to ourselves is seen as more relatable and therefore favoured
 - investigations will be impartial and independent, undertaken by someone who has no prior involvement in the case, or conflicts of interest.
 - ensuring all interviews are structured to gather information, are non-accusatory in their approach and do not include leading questions.
 - ensuring the responding student is informed of the concerns / allegation and any evidence gathered as part of the investigation and are supported to engage with the process (e.g. ensuring at least 48 hours' notice for all meetings, considering reasonable adjustments and other support
 - an investigation report must be completed for all investigations. This should include, as a minimum, a summary of the allegation and the potential breach of the Code of Conduct (Non-Academic); a summary of the accounts of the reporting party and any witnesses; and reference to any evidence;
 - the investigation should be focused on the facts of a case, including what the reporting party, responding student and any witnesses, actually saw, experienced or did, avoiding hearsay (e.g. what someone was told happened)
 - ensure both the reporting and responding student are provided with an opportunity to respond to and challenge the evidence of the other party
 - where possible and appropriate, be based on the principles of trauma informed practice

Authorised Persons

3.18 A number of roles have the designation of being an Authorised Person within the disciplinary process. The people in these roles are responsible for making a decision on the outcome and sanction for cases of misconduct where this is being managed at level 2 or 3 but does not meet the criteria for a Student Misconduct Panel. Members of a Student Misconduct Panel are responsible for decision making on outcomes and sanctions at that level. Details of these roles are below.

Team	Role
Investigations & Resolution Team	Head of Student Conduct & Investigations Head of Casework Associate Director Appeals, Complaints & Conduct
ResX	Senior ResX Managers Head of ResX Associate Director Student Living
Community Engagement	Head of Community Engagement Associate Director Student Living
Security	Head of Security
Faculties / Schools / Departments	Head of School Faculty Pro Vice Chancellor

Recording Information

3.19 Information relating to the management of misconduct will be recorded on the individual responding student's record and kept in line with the University's [record management policies and procedures](#).

3.20 Specifically, the following information must be recorded accurately (including dated and signed) and in appropriate timescales to ensure transparency in process and decision making:

- the multi-disciplinary triage meeting
- interviews and any evidence from the investigation, including with the reporting party, responding student and any witnesses.
- the risk assessment and any precautionary measures agreed, including who agreed any suspensions.
- information sent to reporting and responding students as part of the disciplinary process.
- any decision made by an 'Authorised Person' in relation to disciplinary outcomes, including any sanctions imposed.
- any decision made by at a case review meeting.
- any decision made at a Student Misconduct Panel in relation to disciplinary outcomes, including any sanctions imposed.
- any appeal lodged and the outcome of this.

- information relating to any case lodged with the Office for the Independent Adjudicator

Information sharing

- 3.21 The information and table below provide guidance for information sharing in most disciplinary cases. Complex cases, however, must be considered carefully and on a case-by-case basis with regard to information sharing. If you require guidance and /or support when considering what and when to share relating to a specific case, you can contact the University Data Protection Officer (DPO) or the Legal Services Team.
- 3.22 In line with the Code of Conduct (Non-Academic), it shall not be considered as confidential that a Responding student is or has been subject to the disciplinary process. This means that information may be collated from and shared with a number of areas from across the University, including, but not limited to the personal tutor, colleagues in the school, health & wellbeing teams and the Students' Union relating to conduct within SU societies and activities.
- 3.23 Further detail on what information may be shared with reporting and responding students, and by whom, is included in the table below.

Sharing Information with Reporting & Responding Students

Stage of the process	Reporting Student	Responsibility	Responding Student	Responsibility
Report received	<ul style="list-style-type: none"> Confirmation of receipt of report Information on the options available to them Information on the Student Code of Conduct (Non-Academic) How they can access support & advice 	Report & Support team / SVLO / DALO	<ul style="list-style-type: none"> Information on the allegation received & the potential breach of the Student Code of Conduct (Non-Academic) Information on the Student Code of Conduct (Non-Academic) and any action to be taken. How they can access support & advice Where relevant, detail of any precautionary measures 	Level 2 – Authorised Person Level 3 - Investigations & Resolution team
Investigation	<ul style="list-style-type: none"> Updates on progress, timescales, reasons for any delay, etc 	Single Point of Contact (SPOC) – information about this role is below	<ul style="list-style-type: none"> Confirmation of which process is being applied (e.g. UoN Student Code of Conduct, Fitness to Practise, SU Code of Conduct) and how these relate to each other. Notice of any meetings with the information required to allow them to respond fully to the allegation A summary of the allegation, a copy of the investigation report and information about the next steps Inform them of the outcome even where there is no further action or it is unfounded. Updates on progress, timescales, reasons for any delay, etc 	Level 2 – Authorised Person Level 3 - Investigations & Resolution team
Misconduct – outcome where a Student Misconduct Panel isn't required	<ul style="list-style-type: none"> Summarised outcome (e.g. the allegation was upheld, partly upheld or not upheld) and any penalties that are relevant to them (e.g. a non-contact order) Where & how to access support. 	Level 2 – Authorised Person Level 3 - Investigations & Resolution team	<ul style="list-style-type: none"> The outcome of the investigation, including a clear explanation of and the reasons for each outcome & penalty. Information on their right to appeal, including potential grounds for appeal, timescales & procedure. 	Level 2 – Authorised Person

			<ul style="list-style-type: none"> Where & how to access support. 	Level 3 - Investigations & Resolution team
Student Misconduct Panel	<ul style="list-style-type: none"> Reasonable / adequate notice of the date of the meeting Information pack including: <ul style="list-style-type: none"> the purpose of the panel meeting and who will be in attendance a copy of the information that will be considered, redacted where required, including the responding student and any witness statements their right to be supported at the panel, if they are attending how to access support & advice. 	Investigations & Resolution team	<ul style="list-style-type: none"> Reasonable / adequate notice of the date of the meeting <ul style="list-style-type: none"> Information pack including: <ul style="list-style-type: none"> the purpose of the panel meeting and who will be in attendance a full copy of the information that will be considered their right to attend & be supported at the panel how to access support & advice. Impact statements (if the allegation(s) are upheld) 	Investigations & Resolution team
Student Misconduct Panel Outcome	<ul style="list-style-type: none"> Summarised outcome (e.g. the allegation was upheld, partly upheld or not upheld) and any penalties that are relevant to them. 	Investigations & Resolution team	<ul style="list-style-type: none"> Outcome of the formal stage, including a clear explanation of and the reasons for each decision and any penalty (explaining why a lesser penalty was not appropriate), information on the right to appeal, the grounds on which they can do so, time limits for submitting an appeal, the procedure for appeals, where & how to access support. 	Investigations & Resolution team
Appeal	<ul style="list-style-type: none"> Inform that an appeal has been lodged and share the grounds for this, without disclosing any personal information Information on the outcome of the appeal. An offer of remedy if appropriate 	Investigations & Resolution team	<ul style="list-style-type: none"> Completion of Procedures letter (if not appeal or following conclusion of the appeal) Confirmation of what information will be held on the student record 	Investigations & Resolution team

Support for students during the disciplinary process

- 3.24 There is a range of general and specialist support available to all students at the University, with information available from [Student Services](#), [Student Support & Wellbeing](#), [HealthyU](#) (for mental health and other services) and both reporting and responding students can access this throughout the disciplinary process and beyond.
- 3.25 In relation to the disciplinary process specifically, both the reporting and responding students are able to have someone supporting them in meetings or panels. This is normally expected to be another member of the University community or an SU / union representative. Where meetings are held online and the student has an SU Education Adviser or a legal representative supporting them, they are also able to have someone there to provide emotional support during the meeting. The person providing support in this way, is not able to represent the student in anyway. They are not allowed to ask or answer questions or talk on behalf of the student. Their role is to provide emotional and practical support, which can include taking notes for the reporting student if required.
- 3.26 Any request from a student to have such support should be put in writing as follows:
- Where the support is requested for a meeting as part of the investigation process, the request should be put to whoever has called / is leading the meeting (e.g. the investigating officer)
 - Where the support is requested for a Student Misconduct Panel, this should be put in writing on the template provided or to studentdiscipline@nottingham.ac.uk
- 3.27 There is also opportunity throughout the disciplinary process for a reporting party, responding student or witness who is disabled to request reasonable adjustments that will support them to engage positively with the process.

Single Point of Contact

- 3.28 In cases of potential serious misconduct, separate Single Points of Contact (SPOC) will be identified for both reporting and responding students.
- 3.29 The SPOC will be responsible for:
- providing the student with information and updates about the disciplinary process, including timescales, to support with their understanding and preparation for any meetings, panels, etc.
 - proactively gathering information and sharing this with the student, as well as being available for queries the student might have about the process.
 - signposting the students to support available at the university and the Students' Union.
- 3.30 It is important to note that students will also be contacted by others throughout the process (e.g. those inviting them to meetings, taking statements, providing outcomes) and the SPOC will be copied into these communications where there is consent from the student to do this.
- 3.31 For reporting parties who are not students at the University, a member of the Report & Support Team will be their main point of contact for information and updates on the process.

Students' Union Education Advisers

- 3.32 Responding students are able to request the support of an SU Education Adviser and they are encouraged to contact the team as soon as they become aware that allegations have been raised and disciplinary action is to be taken under the Student Code of Conduct (Non-Academic).
- 3.33 The SU Education Advisers can provide independent support and advice throughout the disciplinary process. This may include:
- providing clarity on the process & timescales
 - supporting the student prepare for any investigation meetings and Student Misconduct Panels, including the development of statements.
 - support to formulate questions for the reporting party and any witnesses.
 - supporting and advising on the appeals process and the role of the Office of the Independent Adjudicator for Higher Education (OIA) where appropriate
 - Identifying any concerns relating to procedural matters that require clarity.
 - Requesting a break in the panel in order to support the responding student if required.
- 3.34 In exceptional circumstances, the SU Education Adviser may be able to present the responding student's statement, but only where this has been previously agreed with them and with the chair of the panel. The responding student would still be required to be available to directly answer any questions the panel may want to put to them.
- 3.35 The responding student will still be required to attend any investigation meetings and Student Misconduct Panels and will be expected to contribute themselves. The SU Education Adviser is not permitted to ask or answer questions on the student's behalf.

Legal representation

- 3.36 Where a responding student makes a request for legal representation within the disciplinary process, a decision will be made on a case-by-case basis, considering the following issues:
- The seriousness of the allegation
 - Whether any points of law are likely to arise
 - The capacity of the responding student to understand the case against them
 - Any procedural difficulties
 - The need to avoid delay
 - The need for fairness between the responding student and the reporting party.
- 3.37 Any requests for legal representation that arise out of a disability will also be considered, considering any reasonable adjustments that might be required.
- 3.38 The decision will be made by the Associate Director of Appeals, Complaints & Conduct, in conjunction with the Chair of the Student Misconduct Panel and with advice from the Legal Services Team.
- 3.39 If a responding student is permitted by the University to have legal representation, the reporting party will be informed of this and given the opportunity to request their own legal

representation in the disciplinary process. Decisions on such requests will be made on a case-by-case basis, by the Associate Director of Appeals, Complaints & Conduct, in conjunction with the Chair of the Student Misconduct Panel and with advice from the Legal Services Team.

- 3.40 Where a responding student is permitted to have legal representation in the disciplinary process, it is likely that a member of the University's Legal Services Team, or an external lawyer will support the process and / or take part as required.
- 3.41 Even where a reporting party or a responding student has legal representation, they are expected to engage and communicate directly with those managing the disciplinary process. Further information on this is available in the [Universities policy on Communicating with Third Parties](#).
- 3.42 In preparation for a Student Misconduct Panel where either the reporting party or responding student is to be legally represented, there will be a request to submit any questions in advance for consideration by the chair of the panel. The chair of the Student Misconduct Panel has the right to ask for the questions to be clarified or amended, or to decide they will not be asked within the panel. All agreed questions will be asked by the chair. This does not preclude the asking of additional questions within the panel meeting itself and these will also be passed through the chair for consideration.

Specific considerations

Cases where there is more than one reporting party.

- 3.43 Cases where there are allegations made by more than one reporting party, can be complex and should be managed carefully, taking the individual elements of the case into account and using the guidance below:
- Separate investigations and investigation reports should be written for each of the reporting parties.
 - The same investigating officer will generally undertake the investigations, including interviewing and take statements from all parties.
 - The responding student should be made aware of all allegations and how the disciplinary process is to be managed. They should be interviewed separately about the allegations made by individual reporting students, with separate statements / transcripts created.
 - Information will not be shared between reporting parties or witnesses.
 - A case review meeting will be held for all cases of serious misconduct where there is more than one reporting student with all allegations will be considered at one meeting.
 - Where the case meets the threshold for a Student Misconduct Panel, one panel will be held to consider all allegations. This will be managed to allow the allegations to be considered separately, with the reporting parties only attending for the sections that are relevant to them.
- 3.44 Where additional allegations from other reporting students arise during an active disciplinary process, these will also be considered within the guidelines above.
- 3.45 Where there are previous allegations made about a responding student, these will not normally be relevant to deciding on whether a current allegation is upheld but are likely to be relevant to decisions about the sanction. Where the Associate Director of Appeals, Complaints & Conduct

decides the outcome of a previous disciplinary process is relevant, this will be shared with the Student Misconduct Panel after the decision on outcome is made, but before the sanction is determined.

Cases where there is more than one responding student.

3.46 Cases where there are allegations made against more than one responding party can also be complex and the management of these should be considered carefully, on a case-by-case basis, following the guidance below:

- It is important that joint or group allegations are dealt with in a manner that is fair to all students involved.
- Generally, a single investigation will be undertaken, with a single investigation report being developed. This report will be shared with all responding students so they are aware of the full information and can hear / respond to information provided by others.
- Consideration should be given to the role each responding student played within the alleged misconduct, including where they acted alone, and where they acted with others.
- All responding students will be given an equal opportunity to respond to individual and joint allegations within the investigation and the Student Misconduct Panel
- A case review meeting will be held for all cases of serious misconduct where there is more than one responding student with all allegations will be considered at one meeting.
- One Student Misconduct Panel will be held to consider all the allegations and all responding students will be required to attend. Responding students will also be given an opportunity to speak to the panel privately so that they can raise confidential or sensitive matters relating to mitigation.
- Where it is not possible or practical to hear cases together, the same panel will be used to consider them separately, with the panel chair and adviser taking a role in ensuring consistency in approach and decision making.
- Individual decisions will be made for the outcome and sanction for each responding student, with careful attention paid to fairness and consistency, particularly where the allegations and circumstances are similar.

Initiations / Hazing

3.47 Initiation or hazing activities are those behaviours that fit into the definition below. These behaviours are not permitted at the University of Nottingham, or by the Students' Union and may be investigated under the Student Code of Conduct (Non-Academic) or the [UoN SU Members' Code of Conduct / Complaints Policy](#).

3.48 Any activity or behaviour that:

- is expected of someone joining or participating in a group that humiliates, degrades, abuses or endangers them, regardless of their willingness to participate.
- involves taking improper advantage of another person as a result of a power imbalance or position within a club, society or organisation
- involves tacit or explicit improper coercion or manipulation of students to their physical or mental detriment, or which compromises their human dignity.

3.49 Examples of initiation / hazing activities (this is a non-exhaustive list):

- Pressure, whether tacit or explicit, to consume alcohol, drugs or obnoxious substances, in excessive quantities or against a student's wishes

- Organised activities that are dangerous, unlawful in anyway, or involve humiliating people (includes pressure, whether tacit or explicit, to be publicly naked / semi naked)
- Acts perpetrated against a person's body (e.g. shaving hair / eyebrows)
- Psychologically and / or physically tormenting people (e.g. locking them in darkened rooms, playing disturbing noises, etc)
- Sexual assault, harassment or misconduct
- Victimisation, where a group of students (e.g. 1st years, the 3rd team) are targeted for any of the above activities
- Pressure, whether tacit or explicit, to buy anything (e.g. equipment, clothes, food, drinks) or attend social activities that is excessive and results in financial hardship.

3.50 Initiation and hazing activity, that would fall into the definition above, may potentially be investigated under the Student Code of Conduct (Non-Academic) or the UoN SU Code of Conduct / Complaints Policy and there is a shared protocol on how this would be managed available.

Allegations of Fraud

- 3.51 Allegations about students committing fraud might be reported to the Investigations & Resolution Team or directly to Internal Audit, and possibly through Report & Support. Any allegations reported to either team should be shared with the other team and an approach to investigating and managing the concerns agreed.
- 3.52 Generally, allegations that include potential fraud against the University are investigated by the internal audit team, with oversight from the Chief Financial Officer and the Registrar, but consideration should be given to the expertise required, potential risks, capacity and timescales, when making decisions about individual cases. Joint investigations might be appropriate, with an agreement on who is taking the lead.
- 3.53 Where the investigation is undertaken by Internal Audit, the Investigations & Resolutions Team will be made aware of the concerns and the outcomes of the investigation to consider whether a disciplinary process is required to determine sanctions.
- 3.54 Where the allegation is one of fraud against another student / individual member of staff / other, it will generally be investigated by the Investigations & Resolution team under the Student Code of Conduct (Non-Academic). Internal audit are able to provide support and advice in these circumstances.

4. The Disciplinary Process

- 4.1 Many staff are involved in the positive management of student behaviour, for example, within our University accommodation and across the campuses; in academic lectures, tutor groups and other sessions; in our sports facilities, clubs and events; and a variety of other scenarios. This will include a variety of activities undertaken by Security, Res X, Welcome Point Teams and staff based in schools to provide support, education and reinforcement of general behaviour boundaries. This includes the informal management of misconduct, or potential misconduct, as level 1 of the disciplinary process.
- 4.2 There will be occasions, when a concern or allegation falls into the definition of misconduct or serious misconduct, a more formal response under the Code of Conduct (Non-Academic) is required. Where possible and appropriate, these incidents will be managed by local teams such as ResX, the Community

Engagement Team, staff based in schools and Fitness to Practise leads. Where the allegation relates to more serious misconduct, these will be logged on Report & Support and investigated by the Investigations & Resolution team.

- 4.3 Given the nature of misconduct, it is not always easy to ascertain at the beginning of the disciplinary process whether an allegation or incident falls into the definition of misconduct or serious misconduct, as additional information may only become available once the investigation has started. Allegations that are being responded to initially as misconduct, for example by ResX, Security or the Community Engagement Team, can be escalated for investigation by Investigations & Resolution team if the evidence suggests the allegation may fall under the definition of serious misconduct. In contrast to this, there may also be cases that start being investigated as potential serious misconduct, but, as a result of evidence gathered, can be de-escalated for management by other teams.
- 4.4 There will be cases where the reporting party requests that the concerns are managed more formally and this should be considered along with the severity of the allegation, risk to members of the University community and any other relevant factors. If the responding student is not taking responsibility or, for example, showing an understanding of the impact of their behaviour, for example by expressing remorse or apologising, this will also be considered within the decision-making process.
- 4.5 The disciplinary process allows for cases to be moved between the stages described in this section, depending on the details of the individual case.

Reporting Misconduct

- 4.6 Misconduct can be reported in a number of ways and the most appropriate way will depend on a number of factors, including the nature of the alleged incident, where it took place; whether there are immediate concerns or risks; whether it was during office hours or not; and the seriousness of the allegation.
- 4.7 In an emergency situation on campus, at any time of the day, Security should be contacted first on 0115 9513013 or 0115 951 8888. They will provide an immediate response, coordinate other support, including contacting the emergency services and ensure information is passed over to the appropriate team for longer term management. For an emergency situation occurring off campus, the Emergency Services can be contacted on 999.
- 4.8 All reports relating to potential serious misconduct should be raised through [Report & Support](#), either by the student (and they should be supported to do this where appropriate) or a member of staff. Raising a concern on Report & Support does not automatically trigger a disciplinary process under the Student Code of Conduct (Non-Academic) but allows for consideration of the report alongside any support the student may need and the assessment and management of any risk. If a member of staff is unsure whether the allegation constitutes misconduct or serious misconduct, they should report it on Report & Support and / or liaise with the Report & Support team to agree the most appropriate action. Where a student doesn't wish to report something they have disclosed, the member of staff should consider risks to the student and others in making a decision on whether to raise a report themselves and can seek advice from the Report & Support or Investigations & Resolutions Teams on this.
- 4.9 Students are able to raise any concerns on Report & Support.
- 4.10 All reports received on Report & Support are triaged as detailed below.

Anonymous reporting

4.11 Report & Support allows for anonymous reporting of concerns and generally, these will only be used to monitor the levels of incidents across the University. However, depending on the seriousness of the issue, the credibility of the concern, and importantly, any evidence available in an anonymous report and the likelihood of being able to investigate the matter, the University may investigate an anonymous report and confirm the information from alternative sources.

Triage

4.12 Once an allegation of misconduct has been received, an initial decision-making triage process will be undertaken to confirm whether the allegation constitutes potential misconduct or serious misconduct and to agree the appropriate process, considering, amongst other things, the following:

- any immediate action that is required to safeguard or protect students
- the reporting party, responding student and others support needs
- UoN Safeguarding Policy (including Prevent)
- UoN Fitness to Practice Policy
- UoN Support to Study Policy
- UoN Students' Union Code of Conduct

4.13 The triage process for serious misconduct, will be undertaken through discussion between the Report & Support team, the Investigation & Resolution team, ResX or Community Engagement Team & a representative of the Students' Union and a Fitness to Practise lead where required.

4.14 A checklist to support the triage discussion and decision making is at Appendix 4.

Level 1 - Informal Early Intervention

4.15 There will be occasions where it is appropriate and proportionate to manage low level concerns informally and immediately, without the need for a formal disciplinary process. These issues might arise in a number of scenarios, including student accommodation (on and off campus), in a lecture or seminar, at a sporting event, in a society or around campus.

4.16 The teams who will generally be involved in the informal management of misconduct at the University include Security, Welcome Points, Hall Managers & Porters, ResX, Personal and Senior Tutors, Academic staff in schools, Health & Wellbeing Teams, etc. Information relating to these activities will be recorded in the departmental files.

4.17 This will involve a range of activities including:

- Discussions with students to develop and promote understanding of how their behaviours impact on others.
- Provision of awareness raising information through a variety of means. Will include information on substance use, consent, University policy & procedures.
- Verbal warnings to let students know that there are concerns about their behaviour or actions that could result in formal disciplinary action under the Student Code of Conduct (Non-Academic) if they were to continue or escalate.

4.18 **Halls operational staff, ResX and Security** work together to manage low level issues that arise in UoN Halls of Residence, including some fire safety breaches (e.g. tampering with smoke detectors), smoking / vaping in UoN premises, initial Class C substance use, anti-social behaviours, noise nuisance and unacceptable behaviours / language.

4.19 Any concerns that fall into the definition of potential misconduct should be escalated to the appropriate team for management under Level 2 of the disciplinary procedures. Concerns that fall

into the definition of potential serious misconduct should be reported on Report & Support for triage into the most appropriate process.

Level 2 – Formal Management of Alleged Misconduct under the Student Code of Conduct (Non-Academic)

4.20 The process for managing misconduct at Level 2, including indicative timescales, is laid out in the flow chart in the Student Code of Conduct (Non-Academic).

4.21 For all cases, it is important that the principles / framework described in Section 3, General Considerations are followed within the investigation, with the following action undertaken:

- Identify and manage any safeguarding concerns or other risks.
- Consider any support needs of all students involved and referring / signposting to relevant departments / agencies where appropriate.
- Consider if the allegation constitutes potential misconduct or serious misconduct under the Code of Conduct (Non-Academic) and escalate / de-escalate as required. Contact the Investigations & Resolution team for advice on this where required and report all serious misconduct on Report & Support
- Inform the responding student of the concerns / allegations and the potential breach of the Code of Conduct (Non-Academic) – template letters are available for this.
- Establish the basic facts of the report – who, what, where and when. This may involve talking to all students / others involved in the incident.
- Share evidence gathered, where appropriate, with the responding student and provide them with an opportunity to respond.
- Review all the evidence to consider whether the allegation is upheld, partially upheld or not upheld, on the balance of probabilities and whether this constitutes a breach of the Student Code of Conduct (Non-Academic). Seek advice from line manager on this decision if required.
- Where the allegation is upheld, or partially upheld, identifying an appropriate sanction, and considering any aggravating and mitigating factors. There may be circumstances where an allegation is upheld but a sanction is not imposed.
- Inform the responding student of the outcome of the disciplinary process, any sanctions imposed and their right to appeal - template letters available for this.
- Inform the reporting student, where there is one, of the outcome of the disciplinary process and any sanctions that relate to them (e.g. – template letters available for this.
- Recording all information on the appropriate file / database.

4.22 The **Residential Experience Team (ResX)** support student and manage misconduct within the university owned and leased halls of residence. Allegations of potential misconduct may be reported to them by other students, escalated by Halls Managers or be triaged through Report & Support to the team and the following action will be taken:

- The responding student(s) will be informed of the allegation and potential breach of the Code of Conduct (Non-Academic) and be provided with an opportunity to respond to the allegation and share their account of the incident.
- If a student admits the allegation the Authorised Person will decide on an appropriate sanction and confirm the outcome and sanction to the responding student. The reporting party (where there is one) will be informed that the matter has been dealt with and the disciplinary process will end.

- If required, further information and evidence will be gathered following the investigation principles and guidance noted above. An investigation report / pack will be compiled and shared with the Authorised Person.
- Following the investigation, if the student denies some, or all of the allegation, the Authorised Person will make a decision on outcome and sanction.
- The responding student will be informed of the outcome and sanction, along with their right to appeal, and the reporting party (where there is one) will be informed the matter has been dealt with.
- All concerns that relate to serious misconduct, as detailed above, will be logged on Report & Support and triaged through that process.

4.23 The **Community Engagement team** works with partners to support students and manage misconduct in the community. Allegations of potential misconduct may be reported to the Community Engagement Team by other students, residents within the community who are not students, the Police or Community Protection Officers, or be triaged through Report and Support to the team. Sometimes this information will be reported in relation to an individual student, but at times, information may be received in relation to a student household, with no individual students identified.

4.22 A range of concerns are likely be reported, with noise nuisance and anti-social behaviour being the most common. As these issues will often occur out of hours, it is not always possible for the Community Engagement team to investigate fully or gather evidence so working with other agencies is essential.

4.23 On receiving an allegation relating to potential misconduct, the following action will be taken:

- Contact will be made with either the individual responding student(s), or the household, detailing the allegation, potential breach of the Code of Conduct (Non-Academic) and supporting information. This will provide the responding student with the opportunity to either admit or deny the allegation and provide any additional information.
- If a student admits the allegation, a formal written warning will be provided by the Authorised Person; the reporting party (where there is one) will be informed that the matter has been dealt with and the disciplinary process will end.
- Where a student denies an allegation, or where the allegation contains concerns that require discussion with the responding student(s), either because of their seriousness or complexity, further information will be gathered as part of an investigation. This will normally include a meeting with the individual responding student(s) / household and others as required.
- The investigation will follow the investigation principles and guidance noted above and will result in an investigation report / pack being shared with the Authorised Person for a decision on outcome and sanction.
- The responding student will be informed of the outcome and sanction, along with their right to appeal, and the reporting party (where there is one) will be informed the matter has been dealt with.
- If additional concerns or allegations are reported, particularly if these come from other residents (students and non-students), they are encouraged to contact the Police on 101 (or 999 if it is an emergency situation) to report their concerns and enable further evidence to be gathered via this route.
- All concerns that relate to serious misconduct, as detailed above, will be logged on Report & Support and triaged through that process.

Outcomes at Level 2

4.24 Authorised Persons can make a decision on outcome for misconduct managed at level 2 from the following options.

Outcome	Next Steps
There is insufficient evidence, on the balance of probabilities, to uphold the allegation and to establish any breach of the Student Code of Conduct (Non-Academic).	The disciplinary process will end and the reporting party and responding student informed in line with the section on Information Sharing above.
The responding student has admitted the allegation and a decision on outcome and sanction can be made by the Authorising Person.	The Authorised Person will identify appropriate sanctions, with guidance from the Head of Student Conduct & Investigations or the Associate Director of Appeals, Complaints and Conduct as required. The disciplinary process will end and the reporting party and responding student informed in line with the section on Information Sharing above.
The responding student has denied some or all of the allegation but there is sufficient evidence, on the balance of probabilities, to uphold them and a decision on outcome and sanction can be made by the Authorised Person.	The Authorised Person will identify appropriate sanctions, with guidance from the Head of Student Conduct & Investigations or the Associate Director of Appeals, Complaints and Conduct. The disciplinary process will end and the reporting party and responding student informed in line with the section on Information Sharing above. Information on appeals will be provided to the responding student.
There is a seriousness or complexity to the case which requires consideration at level 3, as approved by the Authorised Person.	The allegation is recorded on Report & Support and provides information to the Report & Support Team so it can be considered at a multi-disciplinary triage meeting.

Level 3 – Formal Management of Alleged Serious Misconduct.

4.25 The process for managing serious misconduct at Level 3, including indicative timescales, is laid out in the flow chart in the Student Code of Conduct (Non-Academic).

4.26 All serious misconduct will be recorded on Report & Support and initially screened by the Report & Support team to identify any immediate risks or concerns. A multi-disciplinary triage process will then be undertaken to ensure cases of misconduct are managed within the appropriate policy (e.g. Code of Conduct, Fitness to Practise, Support to Study, SU Code of Conduct) and at the appropriate level (e.g. level 1, 2 or 3 of the Code of Conduct) by the relevant team (e.g. ResX, Community Engagement Team, Investigations & Resolutions), in line with the table in section 2, Definitions of Misconduct.

4.27 The Report & Support team will meet with the reporting party, normally within 3 working days of their report being made. This meeting will consider the initial report; any support needs the reporting student has and how these might be met; any risks that require managing; and what reporting options might be available to them.

4.28 The reporting party should be supported to consider all options and be provided with information that allows them to make an informed choice about next steps. The UoN Police Officer can provide

information on reporting to the Police and information can be provided on the Topaz Centre (Nottingham Sexual Assault Referral Centre) and other support / advice organisations.

- 4.29 The responding party should be informed of the allegation and potential breach of the Code of Conduct (Non-Academic) in a timely way and usually within 5 working days of the allegation being made for serious misconduct. The Investigations & Resolutions Team will normally inform the responding student and arrange investigation meetings / interviews.
- 4.30 Following completion of the investigation, the investigating officer will review all evidence and prepare an investigation report for the **Head of Student Conduct & Investigations** for them, as an Authorised Person, to agree next steps within the following potential outcomes:

Outcome	Next Steps
There is insufficient evidence, on the balance of probabilities, to uphold the allegation and to establish any breach of the Student Code of Conduct (Non-Academic).	The disciplinary process will end and the reporting party and responding student informed in line with the section on Information Sharing above.
The responding student has admitted the allegation and a decision on outcome and sanction can be made within the Investigations & Resolution Team.	The Authorised Person will identify appropriate sanctions. The disciplinary process will end and the reporting party and responding student informed in line with the section on Information Sharing above.
The responding student has admitted the allegation(s) and the case meets the threshold for a Student Misconduct Panel	The case will be presented to the Student Misconduct Panel for consideration of an appropriate sanction.
The responding student has denied some, or all of the allegations, but there is sufficient evidence, on the balance of probabilities, to uphold them and the case does not meet the threshold for a Student Misconduct Panel.	The Authorised Person makes a decision on outcome and sanction. The disciplinary process will end and the reporting party and responding student informed in line with the section on Information Sharing above.
The responding student has denied some, or all of the allegations and there is some complexity in the case which requires consideration of next steps.	The case will be presented to the case review meeting for consideration of what is required.

Case Review Meetings

- 4.31 The purpose of a case review meeting is to undertake a holistic review of the case, consider the allegation(s), the potential breach(es) of the Student Code of Conduct (Non-Academic) and the investigation report to make a decision on next steps.
- 4.32 The case review meeting will be chaired by the Head of Casework or another nominated senior manager from Investigation & Resolutions and attended by the Associate Director for Student Wellbeing or the Senior Manager for Safeguarding and an independent member, drawn from a pool of potential attendees. There should be at least 3 people in the case review meeting to make decisions on next steps. All members of the case review meeting will have had training on understanding sexual misconduct, domestic abuse, hate crime & incidents and bullying, harassment and trauma informed approaches.

4.33 The investigating officer will share the investigation report prior to the case review meeting and attend where required to answer any questions about the investigation. The Head of Student Conduct & Investigations will normally attend the meeting to provide additional support and information, and ensure the decisions are actioned, but not be part of the decision-making process.

4.34 The case review meeting will decide on one of the following outcomes:

Outcome	Next Steps
There is insufficient evidence, on the balance of probabilities, to uphold the allegation and to establish any breach of the Student Code of Conduct (Non-Academic).	The disciplinary process will end and the reporting party and responding student informed in line with the section on Information Sharing above.
The responding student has denied some, or all of the allegations but the threshold for a Student Misconduct Panel has not been met and a decision on the outcomes can be made by the Investigations & Resolutions team.	The Authorised Person will determine the outcome and identify appropriate sanctions. The disciplinary process will end and the reporting party and responding student informed in line with the section on Information Sharing above.
The responding student has denied some, or all of the allegations and the threshold for a Student Misconduct Panel has been met.	The case will be presented to a Student Misconduct Panel (details below) and the case review meeting can recommend any appropriate special arrangements for this.
Further investigation / information is required to agree next steps.	The investigating officer will undertake additional tasks required for the investigation. A decision can then be made by an Authorised Person, or the case can be presented to a future case review meeting, or a Student Misconduct Panel, as appropriate.

Student Misconduct Panels

4.35 The Student Misconduct Panel considers individual cases of serious misconduct, specifically those where:

- the impact on the reporting party (or others) and / or the consequences for the responding student are serious
- the allegation, if proven, would require a sanction only available to the Student Misconduct Panel, as detailed in these procedures
- there are allegations of serious sexual misconduct, domestic abuse, violence, bullying, harassment or stalking
- there are allegations of unauthorised and/or inappropriate use and storage of weapons, supply or use of class A drugs; and/or ongoing serious concerns about other drug use / supply, significant fraud, theft, extortion, or deception
- it is a particularly complex case or there is a pattern or history of allegations / previous findings against the responding student.

- 4.37 The reporting party and responding student will be notified in writing of the panel, giving them 10 working days' notice. They will be provided with information as detailed in the Information Sharing section above.
- 4.38 The responding student will be asked to provide the following information at least 5 working days before the panel date:
- The details of any concerns they have about the impartiality of any panel members.
 - Any questions they have prepared, including any from their legal representative if relevant, that they would like to be asked of the reporting party or any witnesses.
 - Confirmation of whether they admit or deny each allegation.
 - The details of any person they would like to support them at the panel and confirming their intention to attend the panel.
 - Any request for an extension to allow additional time to prepare for the panel.
- 4.39 The reporting party will be asked to confirm their attendance at the panel, along with the details of anyone they would like to support them within 5 working days of the panel and if they have any concerns about the impartiality of the members of the Student Misconduct Panel.
- 4.40 Following receipt of the information from the reporting party and the responding student, the panel chair, supported by a member of the Investigations & Resolution team, will plan the panel meeting, including:
- Considering any objections to panel members, making a decision to suitability and identifying new panel members if required. Where concerns are raised about the panel chair, these considerations will be undertaken by the Registrar. The decision of the chair or Registrar is final.
 - Consider any questions submitted by the responding student or their legal representative and confirming which will be asked, amending and clarifying as required.
 - Confirming if any witnesses, as identified through the investigation or by either the reporting party or responding student will be required to attend the panel.
 - Consider any special arrangements required for the panel, including any recommended by the case review meeting (e.g. that the responding student remains off camera while questions are being asked of the reporting party; if the reporting only wants to attend for the minimum of confirming the statement and answering questions).
 - Confirm the running order of the panel, including the making of statements and the questioning of the reporting party, the responding student and any witnesses. Ensure consideration of any requested reasonable adjustments or other considerations. This must not impact on the fairness of the proceedings.
 - Agree any updates that are to be provided to panel members and the reporting party of responding student as a result of any agreements / changes made.

Attendance of the reporting party

- 4.41 The reporting party will be required to attend specific sections of the panel where the allegations have not been admitted to. They will have the option to be at the opening of the panel, for the presentation of the case and the responding student's statement. As a minimum, they will usually be required to confirm their statement and may be asked questions by the panel members and the responding student. Any questions from the responding student will be sent to the chair of the panel for approval and will be asked by the chair. The reporting party will be given the opportunity to ask questions of the person presenting the case and the responding student, again these will be approved by and asked through the chair.

4.42 If the allegations have been admitted to, the reporting party will be able to submit an impact statement but will not need to attend the panel.

4.43 Where there are a number of reporting parties, each will only be able to attend the sections of the panel that are relevant to them.

4.44 In all cases, but specifically for sexual misconduct, domestic abuse, bullying and harassment, and hate incidents, consideration will be given to the support the reporting party requires in attending the panel, including reasonable adjustments and any specific requests they might have.

Attendance of the responding student

4.45 The responding party will be required to attend specific sections of the panel and will have the opportunity to:

- confirm their statement, make any further statements and provide any information on mitigating factors
- answer any questions from the panel members
- be present when their questions are asked, through the chair, of the reporting party or any witnesses & put forward any follow up questions they may have for the chair to consider.

They may also be asked questions by the reporting party and these will be sent to the chair for approval and will be asked by the chair.

They will not be present for the decision-making parts of the panel but in most cases will be informed of the decision and the sanctions / action at the end of the panel.

Consideration will be given to the support the responding party requires in attending the panel, specifically considering any reasonable adjustments relating to a disability.

Non-attendance of either the reporting party or responding student

The Student Misconduct Panel will be responsible for making a decision on whether to continue a panel if the reporting party, responding student or witnesses do not attend as expected. In making this decision, the following must be considered:

- that the process is fair and reasonable for both the reporting party and responding student
- whether there is enough evidence to make an evidence-based decision without their attendance
- any facts that are disputed in the case
- the gravity of the allegations and the range of sanction that could potentially be applied

Ordinarily the panel would not go ahead if the reporting party doesn't attend as expected and the allegations have been denied, particularly where there are questions for them. If a decision was made to go ahead, this would result in their statement being considered hearsay rather than evidence and consideration of how much weight this is given within the process would be necessary.

If the responding student doesn't attend as expected, without any understanding of why, the panel will likely be postponed allowing an opportunity to communicate with the student, understand why they have not attended and provide another opportunity for this.

In order to ensure a timely conclusion to disciplinary processes and to support the experience of both the reporting party and a responding student, it is likely a panel will only be rearranged once, after which the panel will consider going ahead without the reporting party or responding student.

If the panel has made the decision to go ahead without either reporting party or responding student, the rationale for this decision should be recorded in the minutes.

Where a panel goes ahead without the responding student, they are able to make a provisional decision which will be subject to later confirmation, with the responding student provided with an opportunity to make a written statement in response to the provisional decision.

Witnesses

Witnesses will only be required to attend the panel where the Investigations & Resolutions Senior Manager, panel members, the reporting party or the responding student have requested this.

Panel Process

The process undertaken at all Student Misconduct Panels is detailed within Appendix 5.

Sanctions

The identification of an appropriate sanction is a separate consideration to the decision as to whether the Student Code of Conduct (Non-Academic) has been breached as a result of an allegation being upheld or partially upheld.

The following sanctions are available, either singly or in any combination, where allegations of misconduct or serious misconduct have been upheld:

Sanctions an Authorised Person is able to agree	<ul style="list-style-type: none"> • Written apology / reflection • Written warning • Behaviour Agreement (including no contact orders) • Training & awareness raising in a relevant area, including: <ul style="list-style-type: none"> - consent - appropriate behaviours - healthy relationships - drug / substance use - health & safety issues • Fines up to £250 • Restorative practice • Paying for any repairs / replacement / refurbishment as required • Compensation for any impact / loss experienced by the reporting party
Sanctions a Student Misconduct Panel is able to agree	<ul style="list-style-type: none"> • Written apology / reflection • Written warning • Behaviour Agreement (including no contact orders) • Training & awareness raising in a relevant area, including: <ul style="list-style-type: none"> - consent - appropriate behaviours - healthy relationships - drug / substance use - health & safety issues • Fines up to £2,000 • Restorative Practice • Paying for any repairs / replacement / refurbishment as required • Compensation for any impact / loss experienced by the reporting party • Repayment of any monies fraudulently obtained • Compliance with original sanction / actions • Suspension from the University for a fixed period • Temporary or permanent exclusion from specific parts or all University premises • Permanent expulsion from the University

- Permanent removal from university accommodation in line with the terms & conditions of the Licence Agreement

When identifying an appropriate sanction, there are a number of factors to take into account, including:

- Any aggravating or mitigating factors, with examples of these provided in the table below.
- Previous sanctions imposed for similar misconduct / serious misconduct outcomes (the panel will only be informed of any previous findings of misconduct at this stage, once the decision on a breach of the Code of Conduct (Non-Academic) has been decided and a sanction is being considered)
- Consistency in sanctions when there is more than one responding student.
- Any impact statement provided by the responding party.
- The seriousness of the breach of the Code of Conduct (Non-Academic) and the behaviour that led to this, considering the proportionality of the sanction.
- Whether there are opportunities for the responding student to develop further understanding of their behaviour and its impact on others (education and development opportunities)
- Whether there are opportunities for the responding student to take action to repair any harm done (restorative practice)
- Fines can be used on their own or in conjunction with other sanctions, and can be considered as a punitive outcome, potentially acting as a deterrent to others. The priority for the university is to focus on sanctions that will change behaviours and support the education and development of students.

Mitigating Factors	Aggravating Factors
Didn't start the trouble / incident	Started the trouble / incident
Apology / remorse / understanding of impact	No apology / remorse / understanding of impact
Admitted the behaviours at the earliest opportunity	Denied the behaviours
Conduct was impulsive / provoked	Conduct was premeditated & prolonged
Request for leniency by the reporting party	Request for enhance sanctions by reporting party
Stopped when asked to / challenged by University staff / others	Use of force / violence / threats / intimidation
Responding student attempted to make amends following harassment	Use of drugs / alcohol to intentionally incapacitate the reporting party
First finding of misconduct	Refusal to stop the conduct after consent was denied / revoked
	Creating an ongoing, hostile situation
	Previous findings of misconduct
	Motivation relates to a protected characteristic under the Equality Act 2010

Any compensation for a reporting party or others, the costs of repairs / replacement / refurbishment or repayment of monies fraudulently obtained, would be considered as a separate sanction to any fine and would normally not be suspended. Any amount / proportion of a fine can be suspended (i.e. all or part of the amount will not be collected and may ultimately be waived if any other sanctions applied are adhered to and there are no further allegations upheld through the disciplinary process). Where a fine is being considered, this should be proportionate to the seriousness of the offence and the following examples are provided for guidance.

Misconduct managed at level 2	
For example - anti-social behaviour, noise nuisance, disturbances, damage to university property / premises (in addition to any costs), abusive behaviour, bullying & harassment, disruption / obstruction which causes harm to others, setting off a fire alarm, tampering with fire safety equipment.	£50 - £250
Misconduct managed at level 3	
For example - bullying, harassment, victimisation, sexual misconduct, hate incidents, actual or threatened physical violence; possession, use, cultivation, production, sale, supply or other trafficking of illegal drugs or controlled substances.	£250 – £2, 000

Appeals

A reporting party cannot appeal but can request a review of a disciplinary decision where no further action was taken, or where they think the action taken doesn't reflect the seriousness of the allegation made. A request for review should be made in writing to the Associate Director of Appeals, Complaints & Conduct for them to consider. Where the reporting party is a student, they can also use the [Student Complaints Procedure](#) to raise concerns about how the alleged misconduct was managed under this code, but are not able to challenge the outcome of the disciplinary process. A complaint will not consider or result in a change to the outcome or any action / sanction.

A responding student may appeal against a finding of misconduct and / or against the sanction they have been given. An appeal should be made within 30 calendar days of receipt of the outcome of their case and submitted on the form at Appendix 6. The appeal process will normally be concluded within 30 calendar days of receipt of the appeal.

An appeal can only be made on one or more of the following grounds:

- the Student Code of Conduct (Non-Academic) or procedures were not followed properly, and this resulted in unfairness to the responding student
- the decision made was clearly unreasonable (i.e. no reasonable person would find it acceptable or fair)
- there was evidence, or a real possibility, or a reasonable perception, of bias within the decision-making process
- the responding student has new evidence, which was not, for valid reasons, available during the investigation
- the sanction imposed was disproportionate or not permitted within the code.

Once an appeal has been received, it will be considered by the Associate Director for Appeals, Complaints and Conduct to identify the action required and the most appropriate person to consider it, from the following options:

Decision	Next Steps
There are not grounds, or sufficient evidence, for an appeal	The appeal will not be progressed and the student will be informed of this
There are grounds for an appeal against a decision that was made by an Authorised Person about misconduct at level 2 in the disciplinary process	Another Authorised Person will be responsible for reviewing the case and making a decision on the appeal.
There are grounds for an appeal against a decision that was made by an Authorised Person about serious misconduct, at level 3 in the disciplinary process	The Chair of the Student Misconduct Panel, or a panel member, will be responsible for reviewing the case and making a decision on the appeal.
There are grounds for an appeal against a decision that was made at a case review meeting	The Chair of the Student Misconduct Panel, or a panel member, will be responsible for reviewing the case and making a decision on the appeal.
There are grounds for an appeal against a decision that was made at a Student Misconduct Panel	The Registrar or their nominee, will be responsible for reviewing the case and making a decision on the appeal.

Appeals will always be undertaken by someone independent of the original case.

If the appeal is upheld or partially upheld, the outcomes may include:

- the original outcome and / or sanction being overturned with no further action to be taken
- the original outcome and / or sanction being overturned and an alternative outcome and / or sanction being imposed
- the original outcome and / or sanction being overturned with the case being sent back for new investigation and/or consideration by the Case Manager or at a Student Misconduct Panel
- consideration of whether any action to remedy any adverse impact on the responding student is appropriate.

The responding student will be informed of the outcome of their appeal in a Completion of Procedures letter which will confirm that the University's internal procedure for reviewing and resolving non-academic misconduct has been completed. They will be directed to the Office of the Independent Adjudicator for Higher Education (OIA) in the event they remain dissatisfied with the outcome.

The reporting party will be informed of the outcome of any appeal, where appropriate and in line with the information sharing principles detailed above.

Appendix 1 Risk Assessment Templates

Student Code of Conduct (Non-Academic) Risk Assessment						
Name, role & contact details of the person completing the risk assessment						
Date Completed / Updated <i>(new version to be created for each update)</i>				Date to be reviewed		
Name & ID of student				Reporting student		
Incident						
Risk Areas (highlight all that apply)	Description of specific risk	Risk Score Red / Amber / Green	What action will be put in place to manage the risk?	Who will undertake the action and by when?	Who has authorised this action? ¹	Complete (date)
Risk from others - Reporting / responding student - Someone connected with reporting / responding student - Staff/students (e.g. cohort, flatmates) - Threats made - Domestic violence - Pattern of abuse						
Risk to others - Reporting / responding student - Someone connected with reporting / responding student - Staff/students (including disruption of study, demands on staff) - Threats made						

¹ The following action may be recommended by the Risk Panel and must be authorised by the Registrar or Deputy Registrar - suspension from study / course, exclusion from a part of the university, moving a student to alternative accommodation.

<ul style="list-style-type: none"> - Risky behaviour that impacts others' safety - Safeguarding – children or vulnerable adults? 						
Risk to self / wellbeing <ul style="list-style-type: none"> - Self-harm - Suicide (thoughts/behaviour) - Risky behaviour that impacts own safety - Drugs/alcohol - Mental health history / conditions - General wellbeing 						
Accommodation <ul style="list-style-type: none"> - In same accommodation as reporting / responding student? - Did sexual violence take place in current accommodation? - Safety concerns for others in shared accommodation? - Is accommodation currently secure? 						
Education <ul style="list-style-type: none"> - On same course as reporting / responding student - Course content - Placement (including safety of self and others on placement) - Deadlines (exams/assessments) - Extenuating circumstances - Graduation - Status, e.g., Home, International, UG, PGT, PGR, FT, PT 						
General						

Appendix 2 No Contact templates

NO CONTACT ARRANGEMENTS – to be used as a precautionary measure

- *A mutual agreement between all parties (can include reporting student, responding student, witnesses) to facilitate an effective investigation, to be used whilst disciplinary processes are ongoing.*
- *There should not be any sort of contact between the parties detailed below (direct, indirect or through a third party)*
- *Include information on how they should manage any chance encounters & can include identifying areas where one party won't enter (e.g. the School or Department where the other is studying)*

Name of Responding Student		Student ID	
Name of Reporting Student		Student ID	
Named individuals not allowed to have contact, either in person, via a third party or via electronic means			
How will chance encounters be managed?			
Are there any areas where one party won't enter (e.g. the School or Department where the other is studying)			
Review Dates			
Signed (Member of Conduct & Investigation Team)			
Evidence of a breach of this no contact arrangement may be taken into consideration within the disciplinary process, as well as being considered as an additional case of potential misconduct under the Student Code of Conduct (Non-Academic).			

NO CONTACT AGREEMENT – to be used as a supportive tool when there is no investigation

- *A mutual agreement between all parties to facilitate a safe environment for all involved, to be used as a supportive tool when the reporting party doesn't wish there to be an investigation and there is no police investigation*
- *Agreement that they will not have any sort of contact (direct, indirect or through a third party)*
- *Includes information on how they should manage any chance encounters & can include identifying areas where one party won't enter (e.g. the School or Department where the other is studying)*

Names students that are not allowed to have contact with each other, either in person, via a third party or via electronic means		Student ID	
		Student ID	
		Student ID	
		Student ID	
		Student ID	
		Student ID	
How will chance encounters be managed?			
Are there any areas where identified students won't enter (e.g. the School or Department where the other is studying)			
Review Dates			
Signed (Member of Conduct & Investigation Team)			

NO CONTACT ORDER – can be used as a sanction following a finding of misconduct

- *A unilateral order applied to the responding student*

Name of Responding Student		Student ID	
Named individuals the responding student is not allowed to have contact with, either in person, via a third party or via electronic means			
How will chance encounters be managed?			
Are there any areas where one party won't enter (e.g. the School or Department where the other is studying)			
Review Dates			
Signed (Member of Conduct & Investigation Team)			
Evidence of a breach of this No Contact Order may be taken into consideration within the disciplinary process, as well as being considered as an additional case of potential misconduct under the Student Code of Conduct (Non-Academic).			

Appendix 3 Precautionary Measures

Name of Responding Student		Student ID	
Contact Details (phone, email, address)			
Details of the alleged misconduct	<i>Summarise the allegation</i>		
Potential breach of the Student Code of Conduct (Non-Academic)	<i>Detail the section of the Code of Conduct that has potentially been breached</i>		
Immediate action taken to date	<i>Include any immediate action taken as a result of the alleged misconduct</i>		
Further action / boundaries agreed	<i>Detail specific boundaries in place and any action agreed.</i>		
Named individuals the student is not allowed to have contact with, either in person, via a third party or via electronic means			
Specific places / areas the student is not allowed to go to, without the prior agreement, and, where relevant, with the supervision, of the Head of Residential Experience or Security			
Details of any temporary suspension from a programme of study, or any elements of this			
Review Dates			
Signed			
Name of person authorising the precautionary measures			

Evidence of a breach of Precautionary Measures may be taken into consideration within the disciplinary process, as well as being considered as an additional case of potential misconduct under the Student Code of Conduct (Non-Academic).

Any appeal against a suspension or exclusion imposed as part of these precautionary measures should be made in writing to the Associate Director of Conduct, Complaints & Appeals.

Appendix 4 Triage Checklist

The triage process is designed to consider individual cases of alleged misconduct in order to plan the most appropriate approach to the management of risk, the investigation and decision making. The following areas should be considered during the triage discussion:

Reporting Party

- What immediate support needs have been identified and how are these going to be met?
- Has someone spoken to them to offer support and consider options? If not, when is this planned in for?
- if the allegation relates to the behaviour of a member of staff (even if they are also a student), inform and liaise with HR to agree how the allegation will be managed.
- If they are under 18, consider safeguarding concerns and any impact on the process required

Responding student

- **Are they a registered UoN student or have a confirmed place at the university?**
 - If not, they may not be covered by the Code of Conduct and consideration to how the allegation will be managed is needed?
- **Are they an apprentice?**
 - If so, ensure that someone from the Apprenticeship Team is informed / involved (Contact Ruth Eccles, Head of Professional & Workbased Learning)
- **Are they on a course covered by a Fitness to Practise (FtP) policy?**
 - Relevant courses & contacts below.
 - If on a relevant course, contact the relevant FtP lead to be involved in the triage discussion and confirm the most appropriate route for managing the case
- **Is there anything to suggest that a student's physical or mental health and wellbeing is such that they are not, or may not be, well enough to undertake their studies at this point?**
 - If so, the Support to Study process may be a more appropriate process, and any disciplinary process will normally be put on hold until the completion of the Support To Study process.
- **Where did the alleged misconduct take place?**
 - If it was on campus / concerned students in halls (those students on a UoN Licence Agreement) inform and liaise with ResX where appropriate
 - If it was in a Students' Union group / event / society inform and liaise with the SU to agree which code the allegation / investigation will be managed within
 - If it was off campus / concerned a responding student living in the community, liaise with the Community Engagement Team Manager to agree process.
- **Are they under 18?**
 - If so, consider safeguarding issues and the impact of this on the process

General

Risk Assessment

- What are the immediate risks and how will these be managed?
- Who will complete the risk assessment, call the Risk Panel & consider if precautionary?

Fitness to Practise programmes & leads

Faculty of Social Sciences	
School of Education <ul style="list-style-type: none"> Initial Teacher Education (PGCE) – Primary & Secondary Postgraduate courses – certificate in Higher Education (PGCHE / PGCEi) Person Centered Experiential Counselling for Depression 	Paula Hancock
School of Sociology and Social Policy <ul style="list-style-type: none"> L509 BA Social Work L300 MA Social Work 	Rachael Clawson
Nottingham University Business School <ul style="list-style-type: none"> NN34 BSC Finance, Accounting and Management, N410 BSC Accountancy Flying Start Postgraduate courses – Accounting & Finance 	Kirsten Greenhalgh
Faculty of Medicine and Health Sciences	
School of Medicine <ul style="list-style-type: none"> A100 Medicine A108 Medicine with a Foundation Year A10L Medicine at Lincoln Medicine School A18L Medicine at Lincoln Medicine School with a Foundation Year B121 Medical Physiology & Therapeutics <p>Postgraduate courses - Graduate Entry Medicine, Graduate Entry Nursing, Psychology programmes, Medical Education, Advanced Clinical Practice, Sports & Exercise Medicine, Physiotherapy</p>	Alan Norrish, Runa Saha & Claire Sharpe Charley Baker & Zoey Spendlove
School of Health Sciences <ul style="list-style-type: none"> B723 Midwifery B740 Nursing (Adult) B730 Nursing (Child) B767 Nursing (Mental health) B79G Nursing Studies (online) B160 Physiotherapy <p>Postgraduate courses - Advanced Nursing, Midwifery Studies, Maternal & Newborn Health</p>	Mike Targett & Stephen Dunham
School of Veterinary Medicine & Science <ul style="list-style-type: none"> D100 Veterinary Medicine & Surgery D190 Veterinary Medicine & Surgery including a Gateway Year D104 Veterinary Medicine & Surgery including a Preliminary Year Postgraduate courses - Veterinary Physiotherapy 	
Faculty of Science	
School of Pharmacy <ul style="list-style-type: none"> B230 Pharmacy B236 Pharmacy, with integrated foundation year 	Matthew Boyd & Stephanie Bridges
School of Psychology <ul style="list-style-type: none"> Applied Educational Psychology Doctorate 	Nicholas Durbin
School of Biosciences <ul style="list-style-type: none"> B401 Master of Nutrition & Dietetics 	

Appendix 5 – Student Misconduct Panel process

Panel process for cases where the allegations have been denied, partly denied or the responding student is not in agreement with the facts of the case.

Tasks	Present
Panel preparation - pre panel meeting to confirm panel process, including: <ul style="list-style-type: none">- Confirming everyone has the paperwork and has had the opportunity to read it- providing an overview of how the panel will run, who is expected to attend, etc- considering areas of focus, where discrepancies in evidence or gaps have been identified and what areas of questioning panel members have identified	Panel chair, members, adviser and secretariat. The Associate Director of Appeals, Conduct & Complaints will normally be the advisor to the panel.
Opening the Student Misconduct Panel & confirming attendees <ul style="list-style-type: none">- Check all expected parties are present and consider the impact of anyone who is not.- Specifically decide whether to continue with the panel if the reporting party or responding student have failed to turn up if expected. Only panel members should be involved in this decision, considering any reasons given for non-attendance; any information provided by anyone supporting or representing the student and an assessment of the impact of continuing on the fairness of the process.- Introductions of all present, to include names, role at the University and role within the panel.- Confirm that all have received the Student Code of Conduct (Non-Academic) and associated procedures and so are aware of the process to be followed.- Confirm that the responding student has received the written confirmation of the allegations and the investigation pack.- Read out the allegation(s) and ask the responding student to confirm if they admit or deny each one.- Note & explain any link to another process (e.g. Fitness to Practise).	Panel chair & members, adviser & secretariat. Reporting party and any support and/or representative agreed. Responding party and any support and/or representative agreed Case Presenter
Presentation of the case by the case presenter (e.g. the Head of Student Conduct & Investigations or the investigating officer), including: <ul style="list-style-type: none">- a summary of the key issues of the case & any relevant context- how the evidence gathered relates to the allegations	
Reporting party has the opportunity to confirm their statement	
Presentation of the responding student’s statement – this can be presented by the legal representative or the SU Education Adviser, where this has been agreed prior to the panel.	
Potential for a break to allow the reporting party and responding student to formulate any questions they have for each other, the case presenter or witnesses and to email these to the secretariat of the panel and for them to be passed to the chair for consideration.	
Questions for the case presenter <ul style="list-style-type: none">- the responding student, reporting party and panel members (in that order) will have the opportunity to put any questions to the case presenter	As above
Questions for the reporting party <ul style="list-style-type: none">- the responding student will have the opportunity to put questions to the reporting party. These will be put to the chair to check and approve which are to be asked, and will be asked by the chair	

<ul style="list-style-type: none"> - panel members will then have the opportunity to ask questions of the reporting party. 	
Questions for the responding student <ul style="list-style-type: none"> - the reporting party will have the opportunity to put questions to the responding student. These will be put to the chair to check and approve which are to be asked and will be asked by the chair. - panel members will then have the opportunity to ask questions of the responding student. 	
Questions for any witnesses <ul style="list-style-type: none"> - the responding student & reporting party will have the opportunity to put any questions to witnesses through the chair of the panel - panel members will have the opportunity to put questions to witnesses. 	As above, with witnesses called into the panel individually just for their section.
Final questions <ul style="list-style-type: none"> - the responding student will be asked if they have any additional questions. These will be put to the chair to check and approve which are to be asked, and will be asked by the chair. 	Panel chair & members, adviser & secretariat.
Final statements <ul style="list-style-type: none"> - the case presenter has the opportunity to provide a final statement - the responding student has the opportunity to provide a final statement 	Reporting party and any support and/or representative agreed. Responding party and any support and/or representative agreed Case Presenter As above
Decision making Considering all the evidence available, the panel members will make a decision on each separate allegation, as to whether it is, on the balance of probabilities, upheld and there therefore is a breach of the Student Code of Conduct (Non-Academic). <i>NB – where the deliberation is continuing late into the day and there is a possibility that the responding student will not be informed of the outcome until the following day, they should be kept updated of this position, and supported to attend the panel later or the following day.</i>	Panel chair, members, adviser & secretariat
Informing the responding student of the decision The responding student (and their supporter and/or representative if present) will be called back into the meeting to be informed of the decision.	Panel chair & members, adviser & secretariat.
Where any allegations are upheld: <ul style="list-style-type: none"> - the responding student is asked if they have any information to provide in mitigation - the case presenter is asked if there are any additional mitigating, aggravating or compounding factors - the reporting party's impact statement is provided to the panel for consideration 	Responding party and any support and/or representative agreed and the case presenter.
Decision Making Considering all the mitigating, aggravating and compounding factors, the panel members will make a decision on appropriate sanctions from those available to them	Panel chair & members, adviser & secretariat.
Informing the responding student of the sanction(s)	Panel chair & members, adviser & secretariat.

The responding student (and their supporter and/or representative if present) will be called back into the meeting to be informed of the sanction(s)	Responding party and any support and/or representative agreed Associate Director Conduct, Complaints & Appeals.
Informing the reporting party The reporting party will be informed of the outcome and any sanctions relating to them by the Investigations and Resolutions team after the panel has concluded and the responding student has been informed.	N/A

Panel process for cases where the allegations have been admitted by the responding student.

Tasks	Present
Panel preparation - pre panel meeting to confirm panel process, including: <ul style="list-style-type: none"> - providing an overview of how the panel will run, who is expected to attend, etc - considering areas of focus, particularly mitigating and aggravating factors and any areas of questioning panel members have identified 	Panel chair, members, adviser & secretariat
Opening the Student Misconduct Panel & confirming attendees <ul style="list-style-type: none"> - Check all expected parties are present and consider the impact of anyone who is not. - Specifically consider whether to continue with the panel if the responding student has failed to turn up if expected. Only panel members should be involved in this decision, considering any reasons given for non-attendance and whether there would be an impact on the fairness of the process. - Introductions of all present, to include names, role at the University and role within the panel. - Check that all have received the Student Code of Conduct (Non-Academic) and associated procedures and so are aware of the process to be followed - Check that the responding student has received the written confirmation of the allegations and the investigation pack - Read out the allegation(s) and ask the responding student to confirm they admit each one - Note & explain any link to another process (e.g. Fitness to Practise) 	Panel chair & members, adviser & secretariat. Responding party and any support and/or representative agreed
Overview of the case provided by the Head of Student Conduct & Investigations: <ul style="list-style-type: none"> - a summary of the key issues of the case & any relevant context - any aggravating / mitigating factors 	As above, with the Head of Student Conduct & Investigations
Questions for the responding student - panel members will have the opportunity to ask questions of the responding student	Panel chair & members, adviser & secretariat. Responding party and any support and/or representative agreed Associate Director Conduct, Complaints & Appeals.
Final statements <ul style="list-style-type: none"> - the responding student has the opportunity to provide a final statement, along with any mitigating factors - the reporting party's impact statement is considered 	As above The responding party, any support and/or representative they have and the Associate Director Conduct, Complaints &

	Appeals. are asked to leave after this section.
Decision Making Considering all the mitigating, aggravating and compounding factors, the panel members will make a decision on appropriate sanctions from those available to them	Panel chair & members, adviser & secretariat.
Informing the responding student of the sanction(s) The responding student (and their supporter if present) will be called back into the meeting to be informed of the sanction	Panel chair & members, adviser & secretariat. Responding party and any support and/or representative agreed Associate Director Conduct, Complaints & Appeals.

Appendix 6 – Disciplinary Appeals Form

This form is to be used for requesting an appeal against an outcome decision from a disciplinary process under the Student Code of Conduct (Non- Academic). Please complete the form as fully and clearly as you can.

An appeal can only be made under one or more of the following grounds and you should identify which is relevant to your appeal.

Grounds for the Appeal	Please mark which are applicable to your appeal
The Student Code of Conduct (Non-Academic) or procedures were not followed properly, and this resulted in unfairness to me.	<input type="checkbox"/> Yes <input type="checkbox"/> No
The decision made was clearly unreasonable (i.e. no reasonable person would find it acceptable or fair)	<input type="checkbox"/> Yes <input type="checkbox"/> No
There is evidence, or a real possibility, or a reasonable perception, of bias within the decision-making process.	<input type="checkbox"/> Yes <input type="checkbox"/> No
I have new evidence, which was not, for valid reasons, available during the investigation	<input type="checkbox"/> Yes <input type="checkbox"/> No
The sanction imposed was disproportionate or not permitted by the Student Code of Conduct (Non-Academic).	<input type="checkbox"/> Yes <input type="checkbox"/> No

Your Details

Name	
Student ID	
Contact details	University email address Other email address Contact telephone number
Level and year of study (please delete / highlight)	Undergraduate / Postgraduate Foundation Year / Year 1 / Year 2 / Year 3 / Year 4 / Year 5
Course of study	
Home department / School	

Details of the appeal

Who made the decision you wish to appeal against?	<i>E.G.a manager in ResX, Community Engagement or Investigations & Resolution, the Student Misconduct Panel</i>
What was the alleged misconduct?	
What was the outcome of the disciplinary process?	
What sanction was imposed?	
What date were you provided with the outcome and the sanction	<i>The date the outcome letter was received</i>

Please provide full details of the circumstances and evidence relevant to the ground(s) of your appeal. Please make sure you give dates where relevant.

If the space provided on this sheet is insufficient, you may continue on a separate sheet.

If you are appealing against the sanction imposed, please explain why you think this was disproportionate or not permitted within the Student Code of Conduct (Non-Academic)

If the space provided on this sheet is insufficient, you may continue on a separate sheet.

Any other information relevant to your appeal.

Please list the documentation attached to support your appeal. **You must include the letter containing the outcome against which you are appealing.**

In accordance with the Guide to the General Data Protection Regulations, you should only submit data relating to living third parties if it is strictly necessary for the consideration of your case. Please don't include other people's data if it's not relevant to your case. Additionally, please notify anyone whose data you are including in your paperwork that you are doing so in order that, if they wish to do so, they can contact the University to object to that data being held.

In submitting this form, I give my consent for this information to be disclosed to relevant University staff responsible for the consideration of my appeal. I understand that the form and associated documentation and correspondence will be kept on my University record.

Signature	
Date	

The appeal **must** be **signed** and **dated** and sent to the email address below **no later than one calendar month** after receipt of your disciplinary decision letter. Email:
studentdiscipline@nottingham.ac.uk