



Student Disciplinary Policy

Owned by: Head of Student Services

Approved by: Senate on 07th July 2015

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Student Disciplinary Policy

1. Aims & objectives

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

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

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

2. Guiding principles

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

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

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

Definitions of misconduct

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

1. Failure to respect the rights of others to freedom of speech, belief, orientation or practices.
2. Violent, disorderly, threatening or offensive behaviour whilst on University premises or engaged in a University activity.
3. Acts of fraud, deceit or dishonesty in relation to the University or any member of the University.
4. Actions which may cause injuries or impairment of health, safety or welfare on University premises or engaged in a University activity.

5. Disruption or improper interference with academic, administrative, sporting, social or other activities of the University.
6. Intimidating behaviour or harassment towards any student, staff member or visitor of the University.
7. Intentional damage or defacement of any University property, buildings or grounds or other properties in the local area.
8. Violation or disregard for any of the University rules, including those pertaining to the University grounds.
9. Failure to disclose identity to a member of University staff in circumstances in which it is reasonable to require that such information be given.
10. Theft from other members of the University or from University property (this includes unauthorised removal of texts or equipment from classrooms or the University Library and thefts from any of the University retail or catering outlets).
11. Misuse of University equipment, including using the University computers to tamper with the network or to view unauthorised websites or information.
12. Displays of offensive material. (All posters and advertisements must be approved by the University or the University's Student Union).
13. Failure to evacuate the building when the Fire Alarm sounds or when requested by University staff.
14. Promoting, or selling tickets to non-academic events which have not been organised or authorised by the University or University Student Union, and are therefore not officially endorsed by the Regent's University London brand.
15. Unauthorised use of the Regent's University London or individual's School's brands, logos or address.
16. Possession, selling or use of illegal drugs or substances as defined by UK law.
17. Possession of any dangerous object or weapon, including knives, firearms or explosives as defined by UK law.
18. Smoking within the University buildings. (UK law states that it is illegal to smoke in any enclosed public space or workplace.) This includes the use of e-cigarette devices.
19. Underage drinking. (UK law states that it is illegal for anyone under the age of 18 to buy alcohol or for anyone to buy alcohol for someone under the age of 18 to consume in a public place).
20. Any actions that may bring the University's name into disrepute

21. Drinking alcohol irresponsibly in a way that results in drunken, dangerous or disorderly conduct. Misconduct committed under the influence of alcohol will be dealt with in equal severity to acts committed while sober.

3. Policy statement

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

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

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

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

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

4. Implementation of this policy

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

5. Procedure and process

a) Consideration of acts of misconduct

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

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

- 1) The misconduct is minor and a written warning needs to be issued and one warning point recorded on the student file. The student retains the right to request the matter is taken forward to a full Disciplinary Panel. Details of Penalty Points can be found on Page 6 of this document.

- 2) An investigation is required to gather further details
- 3) The allegation should be dismissed
- 4) There is sufficient evidence for the allegation to be dealt with at a meeting of the Disciplinary Panel

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

If the Head of Student Services determines that the allegation of misconduct should be dealt with at a meeting of a Disciplinary Panel, then the student will be informed of the following in writing by the Head of Student Services by recorded post:

- That an allegation has been made against them, and what the allegation relates to.
- The date that the allegation was made.
- That a hearing of a Disciplinary Panel will occur to ascertain the validity of the allegation.
- The possible decisions that the University may come to and the consequences for the student.
- Two possible dates for the hearing of the Disciplinary Panel to take place.
- The evidence relating to the allegation including all relevant documentation.
- The requirement that the student must respond to the allegation within 7 working days of receipt of the registered letter and confirm a date for the meeting of the Panel to take place.
- The right of the Disciplinary Panel to hear the allegation and evidence in the student's absence if the student does not respond within the time allowed and does not request an extension by written application with satisfactory reasons.
- The right to provide a written submission regarding the allegation.
- The right to be accompanied to the hearing of the Panel by one person who is not attending in a legal capacity.

In the event that the student receives the correspondence and does not respond within 7 working days of the date of the letter, a hearing of the Disciplinary Panel will be scheduled by the Head of Student Services. The student shall be provided reasonable notice of the hearing date including a statement that if he or she does not attend the hearing, the hearing may proceed in his or her absence and that he or she will not be entitled to any further notice in the proceeding.

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

b) Disciplinary Panel

Membership of the Disciplinary Panel

- Head of Student Services or nominee (Chair);

- An appropriate academic from the Faculty or Institute to which the student belongs (to be nominated by the (Associate) Dean / Director of that Faculty / Institute);
- An appropriate academic from a Faculty / Institute to which the student does not belong (to be nominated by the (Associate) Dean / Director) **OR** a senior member of professional services staff (to be nominated by the Head of Student Services)
- An appropriately trained student appointed by the Students Union in consultation with the Head of Student Services.
- A member of Student Services to be appointed by the Head of Student Services.

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

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

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

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

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

The Chair of the Panel will confirm the recommendation to the Head of Student Services who will write to the student to confirm the outcome of the meeting within 7 days.

c) Warning points system

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

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

- 1 - Minor
- 2 - Serious
- 3 - Grave
- 4 - Suspension / expulsion

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

d) Accumulation of warnings

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

e) Appeals

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

In such cases, the grounds for the appeal should be clearly stated in writing and sent with full supporting evidence, in the first instance, to the Head of Student Services via the following email address: studentdiscipline@regents.ac.uk.

The Head of Student Services will review the appeal and decide whether there is any new evidence that has come to light or whether the process for disciplinary action has not followed due process.

All applications for appeal should be submitted within 7 days of notification of the outcome of the disciplinary action. The University reserves the right not to progress any appeal which is submitted outside of this deadline. An appeal without adequate grounds and evidence will be dismissed.

The Head of Student Services will acknowledge receipt of the application for appeal within 5 working days. If, after reviewing the application, the Head of Student Services deems that the student has sufficient grounds for an appeal and has provided sufficient evidence, he / she will, in the majority of cases, independently decide upon an appropriate course of action. However if this is not possible and/or appropriate then the Head of Student Services may either:

- Reconvene the Disciplinary Panel in the light of new evidence and inform the student of this in writing by recorded post.
- Convene an Appeals Panel in cases where due process has not been followed and inform the student of this in writing by recorded post.

Membership of the Appeals Panel

The Appeals Panel will consist of the following members:

- PVC Faculty Dean or Nominee (Chair)
- Deans / Directors of the Faculties / Institutes or their Associates
 - Secretary (a member of student services appointed by the Head of Student Services).

In cases where the allegation has not been considered by the Disciplinary Panel and the student is appealing against the decision of the Head of Student Services, the Head of Student Services will chair the Appeals Panel.

The appeals panel will have the authority to either:

- Uphold the appeal and decide upon an appropriate course of action - in which case, both the student and the Chair of the Disciplinary Panel will receive a written explanation of the decision.
- Uphold part, but not all, of the appeal and decide upon an appropriate course of action – in which case, both the student and the Chair of the Disciplinary Panel will receive a written explanation of the decision.
- Reject the appeal and inform the student in writing of this decision by recorded post.

The student will be notified in writing of the Appeals Panel's decision within ten working days, by the Chair of the Appeals Panel. The decision of the Appeals Panel is final.

f) Expired Warnings

All warnings accumulated by a student shall be recorded by the Office of the Head of Student Services on SITS and will remain there for the period of time that a student is registered at Regent's University London. In the event of concurrent periods of study, the record of warnings shall stay on the record and only be deleted once the student has left the University.

6. Measurement of policy's success

The success of the policy will be measured by the number of appeals received by the appeals panel.

7. Monitoring of the policy

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

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

8. Review of the policy

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

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

Related documents:

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