

DISCIPLINARY REGULATIONS FOR STUDENTS

Introduction

1. In this document "we", "our" and "us" refer to Sheffield Hallam University. "You" and "your" refer to students at Sheffield Hallam University. These regulations apply to all enrolled students at Sheffield Hallam University.
2. We aim to provide all students with the support and guidance they need to achieve success. The Student Code of Conduct sets out the standard of conduct we expect of our students so that everyone can undertake their studies in a supportive and safe environment.
3. The Student Code of Conduct does not deal with academic misconduct or research misconduct, which are addressed in the [Academic Conduct Regulation](#) and [Procedures for Dealing with Research Misconduct](#) respectively. Similarly, the Code does not cover conduct by staff towards students. You must make any complaint about the conduct of a member of staff through the [Student Complaints Procedure](#).
4. There are various other University policies and regulations that apply to students, breaches of which may, where appropriate, be dealt with as breaches of the Student Code of Conduct. These regulations and policies include (but are not limited to):
 - [Regulations for the use of IT facilities and learning resources](#)
 - [Health and Safety Policy](#)
 - [Academic Conduct Regulation](#)
 - [Student Anti-Harassment Policy](#)
 - [Freedom of Speech Code of Practice](#)
5. There is also a separate [Student Fitness to Practise Regulation](#), which applies to courses that include or lead to a professional qualification or that confer practitioner status. Concerns about your professional suitability should be dealt with under the Fitness to Practise Regulation, rather than under the Disciplinary Regulations. However, if through the operation of the procedure outlined in this document you are found to have committed misconduct or serious misconduct, this might constitute a ground for also taking action under the Fitness to Practise Regulation.

Student Code of Conduct

6. Under the Student Code of Conduct, you must:
 - i. behave in a responsible manner that will help foster a University community of freedom and mutual respect;
 - ii. help support the good relationships between the University and its local communities in the way you conduct yourself in the surrounding area;
 - iii. act within the law and not to engage in any activity or behaviour that is likely to bring the University into disrepute;
 - iv. treat with respect those you come into contact with, and ensure that your behaviour and communications (including those on social media) do not unreasonably offend others;
 - v. treat all University property with respect;
 - vi. comply with the reasonable requests of members of staff;
 - vii. adhere to the University's Health and Safety policies and to any specific requirements that apply to areas where you work.

7. These Regulations are concerned with:

- alleged misconduct (breach of the Student Code of Conduct) by a Sheffield Hallam student occurring on or off university premises (including via social media); and/or
- where the alleged victim is the university itself, a student or employee of the university or others visiting, working or studying at the University; and/or
- to alleged misconduct occurring during university activities

8. The Regulations may apply when you are away from the University premises, including (but not limited to) in the following circumstances:

- taking part in University activities related to your course of study e.g. field trips, placements, study visits;
- representing the University, e.g. at sporting or cultural events;
- taking part in voluntary activities recognised by the University;
- using our services remotely, e.g. University IT services;
- using social media;
- in the community if misconduct may harm the University community or damage our reputation, e.g. criminal activity, antisocial behaviour towards neighbours or in public.

9. Annex A includes some examples of actions which constitute misconduct. These examples are not exhaustive and other actions you take which are not included in this list may also constitute misconduct.

Procedure for dealing with alleged breaches of the Student Code of Conduct

10. Students and staff can raise a concern about the behaviour of a student through contacting Hallam Help, via the [Hallam Help Portal](#), through a Student Support Adviser or directly to the Student Policy and Compliance team by emailing StudentConduct@shu.ac.uk.
11. An initial assessment of the case reported will determine whether the incident constitutes a criminal offence, whether the incident occurred on placement, and/or whether we have evidence that you are experiencing mental health difficulties. See Annex B and C for details of procedure in these circumstances.
12. It could be that immediate precautionary action needs to be taken at the point that an incident is reported to us. See Annex D for details of this procedure.
13. The University Student Policy and Compliance Team will appoint an Investigating Officer to review or investigate any allegations received. The Investigating Officer will consider information provided and decide whether further investigation is required, and if so the details of such investigation. Where there appears to be a clear case of misconduct the matter may be referred directly to either the Formal Stage 1 or Stage 2 without an initial investigation.
14. As part of an investigation you may be invited to an investigatory interview. This will not be a disciplinary hearing but may be part of the process for deciding whether disciplinary action is warranted. The interview notes of such a meeting may be used in a disciplinary meeting or hearing. You will be given two working days' notice of the interview, be given a written specification of the allegations and be told that you have the right to be accompanied at the meeting. If the matter is urgent and must be expedited, we reserve the right to schedule a meeting in less than two working days. You will be notified of the reasons for this in writing.

15. Either on the basis of an initial assessment on receiving an allegation, or on the basis of the information collected during the investigation, the Investigating Officer will select one of the following options:
- (i) there is no case to answer and no action should be taken;
 - (ii) that some form of internal resolution is appropriate;
 - (iii) the case should be referred to the Formal Stage 1;
 - (iv) the case should be referred to the Formal Stage 2
16. Should the Investigating Officer conclude that some form of internal resolution is required, you may be invited to attend an informal meeting with a member of staff to discuss the matter, if such a meeting has not already been conducted as part of the investigation. The outcome of this meeting will be recorded in an email to you. The outcome may be referred to only if there are further concerns subsequently about your conduct. Allegations that are dealt with through such an informal meeting would not normally then be referred to a disciplinary meeting or hearing unless further information arises which leads to the misconduct to be considered more serious.

Formal Stage 1

17. You will be invited to a meeting with a member of staff from the University Student Policy and Compliance Team to discuss the allegation. This member of staff may be the Investigating Officer. You will be notified in writing what the alleged misconduct is and what evidence there is. At the meeting you will be able to give your account of events. Upon reviewing all of the information the member of staff will make a decision as to whether misconduct has occurred, and if appropriate, make a recommendation to the Academic Services Director (or nominee) or relevant Faculty Pro Vice-Chancellor on a sanction.
18. One or more of the following sanctions may be set as an outcome from the Formal Stage 1:
- (i) A written warning advising of the likely consequences of a further breach of the Student Code of Conduct;
 - (ii) A behavioural contract;
 - (iii) A requirement for you to pay reasonable costs in respect of any identified and quantified damages and/or losses suffered by the University and/or third parties as a result of your actions;
 - (iv) Withdrawal of specified services and/or exclusion from particular areas of the University;
 - (v) Restorative justice, including voluntary work
 - (vi) A requirement to participate in a programme to educate students about misconduct and its consequences;
 - (vii) A temporary restriction on access to facilities or buildings, or contact with staff and/or other students, for a period not exceeding the remainder of the current academic session, providing that this does not prevent your academic progress;
 - (viii) Suspension or temporary suspension from a University Sports team, and/or prohibited from participating in/ representing Sheffield Hallam at University Sporting events.
 - (ix) Any sanction available under a related procedure as referred to in section 4.
19. You will be notified of the decision within three working days.
20. The member of staff may also decide that the offence should be reclassified as a major offence and considered under the Formal Stage 2. The member of staff will refer the case to the Director of Academic Services (or nominee) for consideration.

Review of Formal Stage 1 decision

21. You may request a review of the decision that misconduct occurred, and/or a review of the sanction set, by writing to appealsandcomplaints@shu.ac.uk within 10 working days of the written decision being sent to you.
22. The grounds for requesting a review are:
- evidence of a procedural irregularity;
 - evidence of further material circumstances which could not reasonably have been expected to have been submitted for consideration at the time of the Formal Stage 1 meeting;
 - the penalty imposed was disproportionate to the offence.
23. The Group Director for Student and Academic Services (or nominee) will review the papers but will not re-hear the case. The decision is final and you will have no further right of review. The following are possible outcomes from the review:
- uphold the original decision;
 - uphold the original decision but reduce the sanction;
 - overturn the original decision and remove the sanction.
24. The Group Director for Student and Academic Services may reject a request for review if in their view, it is out of time or not made on the allowable grounds. You will be notified of this decision and issued with a Completion of Procedures letter.

Formal Stage 2

25. If it is decided that the alleged misconduct constitutes a major breach of conduct, a report will be made to the Vice-Chancellor, who will either:
- (i) agree that there is a case to answer at Formal Stage 2 and instigate a disciplinary hearing;
 - or
 - (ii) refer your case back for action under the Formal Stage 1; or
 - (iii) request further investigation before taking a decision; or
 - (iv) decide that no further action should be taken.
26. The disciplinary hearing will comprise of three members of the University community who will form a Student Disciplinary Panel. One member will be appointed as the Chair and will be a senior member of University staff. The two other members will be a member of staff and a student. No member of the Student Disciplinary Panel will have had any previous involvement with your case. In cases which involve alleged reputational damage to the University, the Student Disciplinary Panel will also comprise of an additional member who is independent to the University, whose role will be to ensure the Panel adhered to the principle of impartiality in consideration of the alleged offence.
27. In attendance at the meeting will be a Case Presenter who will present the allegation of misconduct against you. Also in attendance will be a Secretary who will produce a written record of the proceedings. Neither the Case Presenter nor the Secretary will be members of the Student Disciplinary Panel.
28. The meeting will be arranged as promptly as possible. You will be sent:
- written notice of the date and time of the hearing;
 - a written statement of the alleged misconduct;
 - the evidence; and
 - names of any witnesses whom the Case Presenter will call.

29. We will normally send this information so that you receive it 10 working days before the hearing, unless the matter is urgent and must be expedited, the reasons for which will be explained to you in writing.
30. At least 48 hours before the hearing you may submit to the Secretary:
- your written statement in response to the alleged misconduct;
 - any other relevant documentation; and
 - names of any witnesses whom you will call.
31. You have the right to attend the hearing. If you do not attend the hearing without valid reason, the Student Disciplinary Panel may consider your case and set a sanction if appropriate in your absence without further notice.
32. You can bring someone with you to support you during the meeting. This may be a friend, a family member, a support worker or a member of staff from the Students' Union Advice Service. The procedure does not seek to mimic the legal justice system and therefore, should not be adversarial or overly legalistic; therefore there is no need to have formal legal representation. This supporter will not normally speak on your behalf. You must give the name and position of any accompanying person to the secretary at least five working days before the hearing.
33. The Student Disciplinary Panel will operate in accordance with the procedure outlined in Annex E.
34. The Student Disciplinary Panel will only consider evidence presented before or during the hearing. This will normally be written evidence presented before the hearing, but exceptionally may be oral evidence presented during the hearing by witnesses appearing in person.
35. The Student Disciplinary Panel will make a decision initially regarding whether or not the Student Code of Conduct has been breached, i.e. to uphold the allegation of misconduct.
36. If the Student Disciplinary Panel decides that misconduct occurred for which you are responsible, it will impose one or more of the sanctions listed in section 18 and in addition can consider:
- (i) suspension from the University for a specified period of time, up to and including three academic terms or an equivalent period;
 - (ii) exclusion from particular areas of the University, or University activities, for the duration of the student's enrolment at the University;
 - (iii) the withdrawal of an award already made;
 - (iv) the non conferment of an award
 - (v) no admission to a further course at the University for a fixed period of time or indefinitely;
 - (vi) recommendation to the Vice-Chancellor for expulsion from the University
37. If the Student Disciplinary Panel rejects the allegation of misconduct it will dismiss the case. You will be notified of this in writing and no record will be kept on your file.
38. The Student Disciplinary Panel will tell you the decision in writing within three working days of the hearing date and, where the allegation is upheld, will provide you with a report setting out its reasons for upholding the allegation and the factors taken into account in deciding the sanction or sanctions.

Review of Formal Stage 2 decision

39. You have the right to request a review of the finding imposed by the a Student Disciplinary Panel, on one or more of the following grounds:

- evidence of further material circumstances which could not reasonably have been expected to have been submitted for consideration by the Student Disciplinary Panel;
 - that the original hearing was not conducted in accordance with the procedure as set out in Annex C;
 - that the sanction imposed by the Student Disciplinary Panel was disproportionate to the offence committed.
40. Requests for reviews must be submitted to the University Secretary in writing within 10 working days of the date of the written notification of the Panel decision. Your request for a review must include:
- the grounds on which your request for review is based; and
 - any new evidence which was unavailable to the original Student Disciplinary Panel and upon which you intend to rely; and
 - the names of any witnesses you wish to call in relation to the new evidence.
41. The University Secretary may reject a request for review if in their view, it is out of time or not made on the allowable grounds. You will be notified of this decision and issued with a Completion of Procedures letter.
42. The University Secretary (or nominee) will appoint a Student Disciplinary Review Panel. This Review Panel will not re-hear your original case. They will consider the information included within your review request.
43. The Student Disciplinary Review Panel will comprise three members. The Chair of the Review Panel will be an independent member of the Board of Governors. The two other members will be drawn from either the independent members of the Board of Governors or a senior member of University staff (e.g. a member of the University Leadership Team or the Chief Operating Officers Group). No member of the Review Panel will have had any previous involvement with your case.
44. The Review Panel secretary will arrange the Student Disciplinary Review Panel hearing as promptly as possible. You will be sent a written notice of the date and time of the hearing at least five working days prior to the hearing.
45. You have the right to attend the Student Disciplinary Review Panel hearing. If you do not attend without valid reason, the Student Disciplinary Review Panel may consider and decide on your case in your absence.
46. You may be accompanied at the Student Disciplinary Review Panel hearing by one other person. The accompanying person may help you to present your case. You must give the name and position of any accompanying person to the University Secretary at least five working days before the hearing. You are not normally permitted to have someone from the legal profession employed to work on your behalf at the meeting. We do not seek to mimic the legal justice system and we believe that legal representation is unnecessary for both you and the University. However, if you believe that your appeal is exceptionally complex, you can submit a request to be accompanied by someone you employ from the legal profession. You must email appealsandcomplaints@shu.ac.uk, at least five working days before the meeting outlining the reasons why you believe this is necessary. The University Secretary (or nominee) will consider your request. The complexity and the possible consequences of your case will be considered. We will email our response to you within two working days of receipt of the request. If we allow you to be accompanied by someone from the legal profession you should note that:
- they may support and assist you but cannot be your spokesperson. We expect you to present your appeal and respond to the Review Panel yourself;
 - you are responsible for their payment; and

- we may also choose to have someone from the legal profession at the meeting. You will be notified if this is the case no less than two working days before the meeting.

47. The Student Disciplinary Review Panel may reach one of the following conclusions:

- a) to uphold the original decision and the sanction(s) imposed;
- b) to uphold the original decision, but to lessen the sanction(s) imposed;
- c) to refer the case for re-consideration to a new disciplinary panel;
- d) to overturn the original decision and remove any sanction(s) imposed.

48. The decision of Student Disciplinary Review Panel shall be communicated to you in writing within three working days of the hearing date. At the same time we will also provide a Completion of Procedures statement. This will confirm that we have finished our internal procedures, and, if you feel your complaint has not been resolved, may enable you to raise your concerns with the Office of the Independent Adjudicator if you wish to do so.

The Office of the Independent Adjudicator

49. If you are not satisfied with the Review Panel's decision, you have the right to take your case to the Office of the Independent Adjudicator for Higher Education (the OIA). The OIA is the independent body appointed in the higher education sector to review complaints by students against higher education providers. The OIA will not normally consider a case until the internal procedures of the University have been exhausted and a Completion of Procedures statement is issued.

50. Details of how to make a complaint and the deadlines by which such a complaint must be made can be found on the [OIA's website](#).

Reporting and Monitoring

51. Outcomes of disciplinary cases may be shared with your Faculty, a relevant Directorate and/or Professional, Statutory or Regulatory Body. A file copy of the outcome shall be held for the duration of your registration with the University and may be referred to in the event that a further disciplinary allegation is made against you. It should not normally be referred to in references. There may however be some limited circumstances where disclosure may be justified if the matter is directly relevant to the duty of care which is owed to the recipient of the reference, for instance, where the job applied for requires a high degree of personal integrity or involves particular responsibility.

52. An annual report of disciplinary cases will be prepared for the Board of Governors. This report will be anonymous and will primarily focus on a statistical analysis of disciplinary cases against protected characteristics to provide assurance that the procedures have been fairly applied.

General principles

53. The Vice-Chancellor has overall responsibility for maintaining student discipline. The Director of Academic Services (or nominee) is responsible for advising on the interpretation of the Disciplinary Regulations and for reporting on their operation.

54. Nothing within these Disciplinary Regulations prevents any member of staff from taking reasonable emergency action to prevent, stop, minimise, or otherwise control your conduct if the member of staff decides it is likely to cause immediate harm to others, disrupt the proper functioning of the University, or cause immediate damage to property.

55. Reports of student behaviour can be received from staff, students, visitors or members of the public. We have the unreserved right to investigate any allegations put forward to ascertain their legitimacy and evaluate the risk to the University or any member of the University.
56. We strongly encourage anyone making an allegation to share their name, unless there are good reasons for anonymity. This helps us ensure that any issues can be resolved in an atmosphere of trust, openness and fairness that preserves ongoing relationships. If an allegation is made anonymously it can be much harder to investigate and to preserve fairness to all parties. Allegations that are made anonymously will be considered at our discretion. In exercising this discretion, the factors that will be taken into account will include:
- the gravity of the allegation;
 - the credibility of the allegation;
 - the likelihood of being able to conduct a fair investigation;
 - whether there is good reason for the complainant to remain anonymous.
57. Disciplinary action may be taken against you if you:
- persistently makes allegations outside of this procedure; and/or
 - do not respect the confidentiality of other parties during an investigation; and/or
 - persistently seek to publicise allegations about other staff or students that have been resolved or not upheld; and/or
 - are adjudged to have made malicious or vexatious allegations;
58. Those investigating or adjudicating under these Regulations will do so impartially. All staff involved in a case will respect the confidentiality and information arising from it, and only disclose information as is necessary, for example for the proper investigation and conduct of the case.
59. If you leave the University, we reserve the right to complete action under these Regulations if we have already started it. We also reserve the right to act on allegations of misconduct which occurred when you were a student for up to six months after you leave.
60. The standard of proof shall be the balance of probabilities, i.e. that on the basis of the evidence available, then it is more likely that the alleged breach occurred than not.
61. You will have the right to attend any meetings or hearing. If you cannot attend in person because you are on a distance learning course or studying away from the University we will try to provide an alternative, such as a telephone meeting.

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	Annexe D- Precautionary Action. Section 9 updated to reflect a change in authoriser for precautionary action as the role of Chief Operating Officer now no longer exists; this has been replaced by Group Director for Student and Academic Services.	22.10.2019	University Student Experience Committee

ANNEX A

Behaviour that will be regarded as misconduct

Misconduct will be classified as either minor or major depending on the specific facts of each allegation, and the seriousness of the alleged misconduct. Where it is not clear whether the alleged offence should be classified as a minor or major offence, the matter will be determined by the Director of Academic Services (or nominee). Offences classified as minor may be pursued as major offences if this was deemed more appropriate by the University following an investigation.

The below table provides indicative examples of minor and major offences for different behaviours. This list is not exhaustive and the University reserves the right to consider other aspects of student behaviour as part of an investigation.

Behaviour	Examples of minor offences	Examples of major offences
Physical misconduct	Low level physical contact e.g. pushing or shoving	Any action likely to cause injury or impair the safety of others, including assault or causing physical harm
Sexual misconduct		<p>Sexual intercourse or engaging in a sexual act without consent</p> <p>Attempting to engage in sexual intercourse or engaging in a sexual act without consent</p> <p>Sharing private sexual materials of another person without consent</p> <p>Touching or kissing without consent</p> <p>Repeatedly following another person without good reason</p> <p>Making unwanted remarks of a sexual nature</p>
Abusive behaviour	<p>Verbally abusive behaviour, including the use of inappropriate language</p> <p>Verbal abuse or intimidation of staff or students on social media</p> <p>Repeatedly contacting another person (by phone, email, text or on social networking sites) against the wishes of the other person</p> <p>Vexatious complaints and/or</p>	<p>Threatening, offensive or indecent behaviour or language that causes distress to others</p> <p>Serious or persistent verbal abuse or intimidation of staff or students on social media</p> <p>Abusive comments or behaviour relating to an individual's sex, sexual orientation, religion or belief, race, pregnancy/maternity, marriage/civil partnership, gender</p>

	statements against the University or its members	identity, disability or age Acting in an intimidating and hostile manner Serious or persistent acts of bullying, harassment or intimidation
Damage to property	Causing minor damage to University property or the property of students or employees of the University or visitors to the University	Causing significant damage to University property or the property of students or employees of the University or visitors to the University
Unauthorised Taking or Use of Property or Damage to Property	Misuse of University property (for example computers and laboratory equipment) Damage to or defacement of University property, or the property of other members of the University, whether caused intentionally or recklessly	Unauthorised entry onto or unauthorised use of University premises Taking property belonging to another without permission
Alcohol and other drugs	Unacceptable behaviour arising from the consumption of alcohol or other drugs	Supply, cultivation, or possession with intent to supply controlled substances, or any substance that can be used to mimic the effects of controlled substances Persistent unacceptable behaviour arising from the consumption of alcohol or other drugs
Causing a Health or Safety Concern	Act/omission that did cause or could have caused a health and safety concern on University premises (for example, smoking in non-designated areas, misuse of fire equipment or failure to evacuate during fire alarms)	Act/omission that did cause or could have caused serious harm on University premises or during University activities (for example, disabling fire extinguishers) Possession of an offensive weapon or firearm, including imitation or replica products
Anti-social behaviour which affects the University	Behaviour that damages the University's relationship or reputation with its local communities Behaviour that damages, or has the potential to damage, the University's relationship or reputation with external	Behaviour that seriously damages the University's relationship or reputation with its local communities Behaviour that seriously damages, or has the potential to seriously damage, the University's relationship or reputation with

	<p>organisations and groups</p> <p>Causing distress to others through anti-social behaviour e.g. excessive or unacceptable levels of noise, failure to respect the rights of others to freedom of speech within the law</p>	<p>external organisations and groups</p> <p>Persistent minor offences, or multiple concurrent minor offences</p>
Operational Obstruction	<p>Improper interference with the activities of the University (including academic, administrative, sporting and social) on University premises or elsewhere</p> <p>Improper interference with the functions, duties or activities of any student or employee of the University or any authorised visitor to the University</p> <p>Disparaging or untrue remarks on social media which may bring the University, its staff or students into disrepute</p> <p>Using IT equipment or IT account to download unauthorised material</p> <p>Recording of lectures, other academic sessions or conversations against the permission of the person(s) involved¹</p> <p>Failure to respond to reasonable requests or directions by University staff</p>	<p>Acts/omissions/statement intended to deceive the University</p> <p>Disruption of the activities of the University (including academic, administrative, sporting and social) on University premises or elsewhere</p> <p>Disruption of the functions, duties or activities of any student or employee of the University or any authorised visitor to the University</p> <p>Making available to others audio or visual recordings from a teaching session without the express permission of the person(s) involved</p> <p>A serious or persistent breach of University regulations or policies which students accept as a condition of enrolment</p> <p>Deliberate falsification of records</p> <p>Deceit, deception or dishonesty in relation to the University or its staff or students, or while on University-related activities</p>

¹ See 'Guidelines on recording teaching for students

ANNEX B

Allegations that may also constitute a civil or criminal offence

Where a police investigation or criminal proceedings have been or are likely to be initiated in relation to the alleged act of misconduct, we may suspend the disciplinary process under this regulation (at any stage) until such investigations/proceedings have been concluded. The Disciplinary Procedure may be resumed at any stage should we deem that to be necessary in the circumstances.

Where criminal proceedings have been initiated and concluded, the Director of Academic Services (or nominee) will make a decision whether further action under this regulation is required.

Where an allegation of student misconduct may also be a breach of criminal law, we reserve the right to report this to the Police. University disciplinary processes are not an alternative to investigations by the police.

Allegations of misconduct whilst on Placement

If you are on placement you will be subject to the Student Code of Conduct and associated procedures of the placement provider, including the provider's absolute authority to dismiss. Dismissal from a placement for misconduct constitutes either misconduct or serious misconduct under the Student Code of Conduct, because it damages, or has the potential to damage, the University's relationship or reputation with an external organisation.

Where dismissal has resulted from a finding of fact made by the placement provider, this will not need to be reopened by the University. The issue for us to consider will be the seriousness of the offence. Where the placement provider has not gone through a formal disciplinary process, we may need to invoke our own disciplinary procedures.

ANNEX C

Students with Mental Health Difficulties

1. All students are subject to University Regulations. Students with mental health difficulties are no exception. We therefore expect you to meet the Student Code of Conduct. However, if you are experiencing mental health difficulties, and issues arise which we would normally address under the Disciplinary Regulations, we may use the procedure set out in this annex. Any action will take account of the Equality Act 2010.
2. A Case Review Group will be convened to advise us on whether this procedure should apply to you.
3. The Case Review Group will normally comprise of the Director of Academic Services or nominee, the Director of Student Services or nominee (Chair), a representative from Student Wellbeing, and a representative from your Faculty. The Chair may include any other persons deemed appropriate.
4. The Case Review Group will seek and consider evidence about the incident leading to the Disciplinary Regulations being invoked, and your circumstances. This may include information about any support arrangements currently being provided to you and the effectiveness of the arrangements.
5. If appropriate you may be asked to attend a meeting with the Case Review Group Chair to discuss your case. The meeting will provide the opportunity for an open appraisal of your current position including whether you have mental health difficulties which could have contributed towards the incident.
6. The Case Review Group will report the details of the incident and your circumstances to Investigating Officer, with a recommendation for one of the following actions:
 - to continue to review the allegations under the procedure outlined in this Annex; or
 - to continue to investigate the allegations under the Disciplinary Regulations.
7. If the case is to be continued under the procedure of this Annex, we will follow one or more of the following processes:
 - Student Support Action Plan (see sections 8-10 below);
 - Action by Disabled Student Support (see section 11 below);
 - Referral to the process for Supporting Capacity to Study (see sections 12-13 below).

Student Support Action Plan:

8. The Case Review Group will create a Student Support Action Plan. This will be compiled in consultation with you, your Faculty, and Disabled Student Support.
9. It may include:
 - how we will support you and how you can access this support;
 - your responsibilities to make use of this support and to adhere to the Disciplinary Regulations including the Student Code of Conduct;
 - the targets you are expected to meet with timescales for when you should meet them;
 - the likely implications of not meeting those targets;
 - who is responsible for communicating with you and acting as your point of contact;
 - the date at which progress against the plan will be reviewed ; and
 - clarification of the circumstances under which disciplinary action may be taken in future.

10. The Case Review Group will maintain an overview and advisory role. However, if your mental health deteriorates or the action plan does not meet our and your objectives, it may refer you for consideration under the Student Fitness to Study Procedure.

Action by Disabled Student Support:

11. Disabled Student Support may:

- establish whether an Assessment of Need and Learning Contract have been completed or should be completed; and/or
- recommend reasonable adjustments to support you to continue your studies, if a Learning Contract is appropriate.

Supporting Capacity to Study:

12. If you have mental health difficulties we will take reasonable steps to support you to continue your studies. However if your behaviour contravenes the Disciplinary Regulations (including the Student Code of Conduct) despite our support, or where we believe that it would be in your best interests for us to review your case under our [Supporting your capacity to Study process](#), The outcome could lead to your withdrawal from the University on a temporary or permanent basis on medical grounds if we find that you are not fit to study.
13. If your behaviour has contravened the Student Code of Conduct and there is no reasonable connection between your behaviour and any apparent mental health difficulties, we will follow the standard Disciplinary Procedure.

ANNEX D

Precautionary action

1. Where the nature of the alleged disciplinary offence suggested that there may be a risk of harm to yourself, other students, other members of the University or to University property, then we may take precautionary action to ensure that a full and proper investigation can be carried out (either by the police or by the University) and/or to safeguard you or others whilst the allegation is being considered (either by the police or by the University).
2. As a first step we may require you to comply with specific conditions, for example agreeing not to contact a particular individual or not to visit a particular campus or building. Should you not abide by these conditions, we may need to consider further action as outlined below.
3. A request may be made to a Pro Vice Chancellor or the Group Director of Student and Academic Services to temporarily suspend or exclude you.
4. A temporary suspension means that you will be prohibited from attending or participating in some or all teaching or assessment activities (including placements).
5. A temporary exclusion means that you are prohibited from taking part in any University activities, using university facilities and/or entering university grounds or premises. Where appropriate, this may be a qualified or partial exclusion.
6. All efforts will be made, as far as possible, to reduce the impact of any temporary suspensions or exclusions on your studies.
7. If you are enrolled on a course that requires you to undertake practical training in a professional role involving patients, pupils, clients or service users, or where the end qualification provides a direct licence to practise or is a requirement for a license to practise, a recommendation for temporary suspension may also be considered if the concern could mean there is a potential risk to the wellbeing of other students and staff, or to any other users mentioned above. The temporary suspension would be considered to allow for a thorough investigation of the concern to take place under the Fitness to Practise Regulations.
8. Temporary suspensions and exclusions are precautionary measures. They are not a penalty or a sanction, and do not indicate that we have concluded that you have breached our Student Code of Conduct or that you have committed a criminal offence.
9. A temporary suspension or exclusion will be based upon the outcome of a risk assessment, and will be authorised by a Pro Vice Chancellor or the Group Director of Student and Academic Services based on a recommendation from the University Secretary or Director of Academic Services (or nominee). The temporary suspension or exclusion will be for a specified period of time or until the outcome of criminal proceedings or the disciplinary process is known.
10. You will be informed in writing the reasons why this action has been necessary, of the specific restrictions placed upon you by this precautionary measure and its timescales, and the manner and frequency by which this will be reviewed. You will also be informed of your right to appeal this decision. This information may be communicated to you verbally in the first instance. Where this is the case, written confirmation will follow within two working days.
11. Whilst the temporary suspension or exclusion is in place, you may request a review of this precautionary measure if there is a relevant change to your circumstances. You should submit this request in writing to the Vice-Chancellor, who will respond within ten working days of receipt of the letter.

12. You may appeal against the decision to temporarily suspend or exclude you, by submitting a written request to the Vice-Chancellor within five working days of the date issued on the notice of temporary suspension or exclusion. Any evidence you wish to be considered with this appeal must be submitted at the time of submitting the appeal.
13. The Vice-Chancellor will consider the appeal and may take action as follows:
 - Uphold the original decision and confirm the terms of the temporary suspension or exclusion;
 - Uphold the original decision but reduce or restrict the terms of the temporary suspension or exclusion;
 - Overturn the original decision and remove the temporary suspension or exclusion.
14. In cases where additional information presented as part of the appeal suggests that the level of risk is higher than previously assessed, the Vice-Chancellor may increase or extend the terms of the precautionary measure.
15. You will be notified of the decision in writing within ten working days of receipt of the appeal.

ANNEX E

Student Disciplinary Panel procedure

1. The Student Disciplinary Panel has discretion over the proceedings, subject to the provisions of this Annex.
2. The Student Disciplinary Panel may:
 - Adjourn a hearing as it thinks fit, from a short break in the proceedings to reconvening on another date.
 - Ask for additional enquiries to be undertaken, and may call for additional witnesses to attend.
 - Ask questions of the Case Presenter, you and/or your representative and any witness.
 - Impose time limits on oral addresses and submissions.
 - Refuse to admit evidence on the grounds that it is irrelevant to the issues raised.
 - Recall witnesses to give further evidence.
 - Dismiss the case at any stage during the hearing.
3. Meeting procedure:
 - The Panel will meet without you or the Case Presenter present to consider matters of process.
 - You, your supporter and the Case Presenter will then join the meeting.
 - The allegation of misconduct will be put to the Panel by the Case Presenter.
 - The Case Presenter will call witnesses in turn and question them.
 - The Panel may question the Case Presenter and witnesses.
 - You or your representative may question those witnesses.
 - You or your representative may address the Panel.
 - The Panel may question you.
 - You or your representative may call witnesses in turn and question them.
 - The Case Presenter may question those witnesses and question you if you have given evidence.
 - The witnesses will withdraw.
 - The Case Presenter may make concluding remarks to the Panel.
 - You or your representative may make concluding remarks to the Panel.
 - The Case Presenter, you and your representative will withdraw and the Panel will consider its decision.

ANNEX D

Student Disciplinary Review Panel procedure

1. Subject to the provisions of this Annex, the proceedings will be at the discretion of the Student Disciplinary Appeal Panel.
2. Meeting procedure:
 - The Panel will meet without you or the Chair of the Student Disciplinary Panel present to consider matters of process.
 - You, your supporter and the Chair of the Student Disciplinary Panel will then join the meeting.
 - You or your representative will speak to explain your grounds for a request for review.
 - The Chair of the Student Disciplinary Panel which heard your case will present the findings and decisions of that Student Disciplinary Panel.
 - You or your representative may call witnesses and question them.
 - The Student Disciplinary Review Panel and the Chair of the Student Disciplinary Panel may question the witnesses.
 - The Student Disciplinary Review Panel may question the Chair of the Student Disciplinary Panel and you.
 - The Chair of the Student Disciplinary Panel will sum up.
 - You or your representative will sum up.
 - The Chair of the Student Disciplinary Panel, you and your representative will withdraw and the Student Disciplinary Review Panel will consider its decision.