11K - STUDENT DISCIPLINARY: PROCEDURE

1. SCOPE AND PURPOSE

1.1 The Student Agreement and the policies and procedures described within in outlines expectations and responsibilities for students and staff when dealing with students, and provide the framework for the student’s learning experience (https://www1.bournemouth.ac.uk/students/help-advice/important-information).

1.2 This Procedure refers to matters relating to current students’ conduct and which may affect their suitability to study at Bournemouth University. It does not apply to the following where other policies apply:

- Academic failure shall be dealt with by Assessment Boards and appeals against their decision shall be dealt with using the appropriate 11A - Academic Appeals: Policy and Procedure for Taught Awards and 11C - Academic Appeals: Policy and Procedure for Research Awards.
- Allegations in respect of misconduct relating to professional practice shall be dealt with in accordance with 11H - Fitness to Practise: Procedure.
- Minor misconduct in University Accommodation which will initially be dealt with in accordance with Bournemouth University Rules and Information - Residences. More serious or repeated misconduct in University Accommodation, particularly those which may constitute a criminal offence, may be considered under these procedures.

1.3 Once disciplinary proceedings have been instituted against a student under these Procedures, normally no disciplinary action may be taken against the student under other disciplinary rules or regulations within the University for the same alleged misconduct.

1.4 The University shall normally consider giving advice and guidance to improve conduct and behaviour before initiating the Student Disciplinary Procedures.

1.5 Minor breaches of student discipline should, where appropriate, be dealt with by means of an informal oral or written warning issued by any member of staff of the University.

2. MISCONDUCT THAT IS ALSO A CRIMINAL OFFENCE

2.1 Students are required to keep the university informed of any criminal investigations, charges or convictions in order that a risk assessment can be made as to the suitability of their continued study at Bournemouth University.

2.2 The following procedures apply where the alleged misconduct is reported to the Head of Student Services - whether by the student themselves or by a third party - and the misconduct, if proved, is likely to constitute an offence under criminal law.

2.3 The University shall normally report any suspected criminal offence to the police if it has not previously been reported. If a person claims to be the victim of an offence committed by a student, but does not wish the police to be involved, the Head of Student Services may agree
not to report the matter. In such circumstances the University shall not normally proceed with internal disciplinary measures for the alleged offence, although it may take disciplinary action over related offences.

2.4 Where the Head of Student Services regards the alleged misconduct as constituting a serious offence (i.e., one that is likely to attract a custodial sentence), no internal action other than suspension (see Section 8) from the University will normally be taken until any matter has been reported to the police, and either any criminal proceedings have been completed or the police have advised that they do not object to Bournemouth University dealing with the matter.

2.5 If the Head of Student Services does not regard the alleged misconduct as constituting a serious offence it may be dealt with internally. If the offence is being investigated by the police, the Head of Student Services may decide to defer action until the police and courts have dealt with the matter.

2.6 If a student has been sentenced by a criminal court in respect of any misconduct that is dealt with under this procedure, the sanction imposed by the criminal court will be taken into consideration in determining the penalty under this procedure.

3. **KEY RESPONSIBILITIES**

3.1 Under 4.2 (f) of the Articles of Government for Bournemouth University, the Vice-Chancellor is responsible for the maintenance of student discipline and for the suspension or expulsion of students on disciplinary grounds. The Head of Student Services will normally act as the Vice-Chancellor’s nominee in respect of the operation of disciplinary issues. In the absence of the Head of Student Services, the Vice-Chancellor may nominate another senior officer of the University.

3.2 The Head of Student Services is responsible for the operation of student discipline on behalf of the Vice-Chancellor.

3.3 Deans of Faculty and Directors/Heads of Professional Services are responsible for dealing with issues of minor discipline arising in their Faculty/Professional Service.

3.4 **SUBU Advice** are available for free, independent, confidential advice for all students at Bournemouth University, and at panels they commonly act as the representative of the student, not acting in a legal capacity. Staff should signpost students to SUBU Advice if they are subject to Disciplinary Procedures.

3.5 References within the Student Disciplinary Procedure to any University officer shall include their properly appointed nominee.

4. **THIRD PARTY REPRESENTATION**

4.1 Students may be accompanied and supported at any stage in the procedure by a friend.

4.2 The Student Disciplinary Procedure is an internal procedure and is not a legal process. The University advises students to use the services of the **SUBU Advice** team who are independent from the University and have a full understanding of the university’s processes and procedures.

4.3 BU does not normally use legal professionals in the handling of cases, and does not expect that students will need to do so either. The engagement of legal professionals by students is normally not permitted. Please refer to **11L - Third Party Involvement: Procedure** for further details.

5. **LINKS TO OTHER BU DOCUMENTS**

(all accessed via [https://www1.bournemouth.ac.uk/students/help-advice/important-information](https://www1.bournemouth.ac.uk/students/help-advice/important-information))

5.1 Other documents with direct relevance to this one are:
6. MISCONDUCT

6.1 Any student studying or registered at the University shall be subject to disciplinary measures if they are found to be guilty of misconduct. The essence of misconduct under these regulations is:

   a) improper interference with the functioning or activities of the University, or of those who work or study in the University;

   b) action which otherwise damages the University or its reputation.

6.2 The following are some examples of misconduct, whether occurring on University premises or elsewhere. The list is not exhaustive:

   a) any conduct which constitutes a criminal offence;

   b) disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University;

   c) obstruction of, or improper interference with, the functions, duties or activities of any student or member of staff of the University, or any visitor to the University;

   d) violent, indecent, disorderly, threatening, intimidating or offensive behaviour or language including behaviour deemed to be a ‘statutory nuisance’;

   e) harassment, bullying or victimisation of any member of the BU community, or any visitor to the University;

   f) fraud, deceit, deception or dishonesty in relation to the University or its staff, students or visitors;

   g) theft, misappropriation or misuse of University property, or the property of the University’s staff, students or visitors, caused intentionally or recklessly;

   h) Use and/or supply of drugs on university or SUBU premises or any associated third party premises (e.g university allocated accommodation)

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1 A ‘Statutory Nuisance’ is one that would be covered under the Environmental Protection Act 1990, e.g. noise
i) misuse or unauthorised use of University premises;

j) damage to University property, or the property of the University's staff, students or visitors, caused intentionally or recklessly;

k) action likely to cause injury or impair safety on University premises;

l) failure to respect the rights of others to freedom of belief and freedom of speech;

m) breach of the provisions of any University rule, regulation, policy, procedure or code of practice;

n) failure to disclose personal details to a member of staff of the University in circumstances in which it is reasonable to require that such information be given;

o) failure to comply with any reasonable instruction(s) relating to discipline issues with the Vice-Chancellor’s authority. The University is mindful of the effect that student anti-social behaviour can have on the local community and we work in partnership with the police and local council to tackle this. Where an Abatement Notice has been issued by the Council’s Environmental Health Department, the process outline in Section 10 will be followed.

7. INITIATION OF DISCIPLINARY HEARING – INITIAL PROCEDURE

7.1 The Disciplinary Procedure shall be initiated by any person reporting an allegation of misconduct to the Head of Student Services.

7.2 The Head of Student Services shall inform the student of the allegations in writing. The student will be invited to attend a meeting with the Head of Student Services and is entitled to be accompanied at that meeting by a friend or representative, not acting in a legal capacity (see section 4). Alternatively, the student may be offered the opportunity to make written representation.

7.3 The meeting shall normally take place within 10 working days of the alleged misconduct being reported. If there is a delay, all parties will be informed of the reasons for delay and kept informed of progress.

7.4 Following that review the Head of Student Services may decide:

- there is no case to answer, or
- that the issue can be dealt with more appropriately under a different procedure, or
- that no further action should be taken other than the provision of advice and guidance as appropriate and a note placed on the student file referring to this, or
- that the matter can be dealt with under the summary procedures (see Section 9), or
- that no further action, other than suspension if appropriate, (see Section 8) be taken whilst criminal investigations are ongoing, or
- that the matter be referred to a Disciplinary Panel

8. SUSPENSION

8.1 On occasion, the Head of Student Services may deem it appropriate to suspend the student pending further consideration of the allegations or the conclusion of ongoing criminal procedures. Any such suspension shall be reported to the Vice-Chancellor, the student's Dean of Faculty and to the General Manager of the Students' Union.

8.2 Orders of suspension will be used only where necessary to protect the University community or its members, or the property of the University community or its members or to facilitate an investigation into the facts. Written reasons for the decision shall be recorded and made available to the student.
8.3 Normally no student shall be suspended unless they have been given the opportunity to make representations to the Head of Student Services either in person or in writing, as the student chooses. In cases deemed to be urgent, particularly if the safety of others is perceived to be at risk, a student may be suspended with immediate effect and before being given the opportunity to make representations. In this instance the student shall be permitted to put forward representations at the earliest possible opportunity thereafter.

8.4 A student who is suspended may be prohibited from entering all or part of the University premises and from participating in University activities. This includes exercising their functions or duties of any office or committee membership in the University or the Students' Union. Suspension may be subject to qualification, such as permission to take an examination or to seek support from SUBU Advice or university support services.

8.5 The terms of the suspension shall be notified in writing to the student and may include a requirement that the student shall have no contact with a named person or persons. Any student who breaches the terms of their suspension may be subject to further disciplinary action.

8.6 Any decision to suspend a student shall be subject to review after 20 working days. Such a review shall not involve a hearing but the student shall be entitled to submit written representations. Consideration should be given to any additional evidence or altered circumstances, which might affect the suspension. The review shall be conducted by a member of the University Executive Team.

8.7 Where the initial decision to suspend has been made by a member of the University Executive Team, the review shall be undertaken by another member of the University Executive Team who has not been involved with the case.

8.8 A student may appeal to the Vice Chancellor against an order of suspension.

9. SUMMARY PROCEDURES

9.1 If the student agrees, the Head of Student Services may deal with the case summarily without recourse to a Disciplinary Panel, provided that they consider that it is appropriate to do so. The Head of Student Services will normally decide to deal with a case on a summarily basis only where there is an admission of guilt from the student.

9.2 The Head of Student Services may impose any of the penalties set out at Section 16 of these Procedures other than expulsion from the University.

9.3 Following the issue of a penalty under the summary procedures, the Head of Student Services shall confirm to the student in writing the alleged misconduct, a brief summary of evidence received, the grounds for finding guilt, the penalty imposed, and the factors taken into account in deciding the penalty. A copy of the report shall be sent to the Education Service Manager of the student’s Faculty.

9.4 If the Head of Student Services does not consider it appropriate to deal with the matter summarily, or if the student does not wish to accept the Summary Penalty, the matter shall be referred to a Disciplinary Hearing under the procedures set out at Section 11.

10. SUMMARY PENALTIES – STATUTORY NUISANCE

10.1 A Statutory Nuisance is one that is covered by the Environmental Protection Act 1990. This would include anti-social behaviour such as unreasonable noise, particularly at night, or overflowing bins.

10.2 Anti-social behaviour not only damages the University’s reputation but also impacts upon the relationship between students and the community. The Summary Procedure laid out in this section is designed to offer an opportunity to rebuild damaged relationships through volunteering or financial contributions to community projects.

10.3 This Summary Procedure – Statutory Nuisance shall be initiated by the Council’s Environmental Health Team reporting the issuing of an Abatement Notice to the University’s Conduct and Discipline Advisor.
10.4 The issuing of an Abatement Notice is accepted by the university as an established fact that an incident of misconduct has occurred. Appeals against the issue of an Abatement Notice must be submitted to the Council’s Environmental Health Team in accordance with their published guidelines.

10.5 On receipt of notification that a student has been issued with an Abatement Notice for the first time, the University will require the student to attend a workshop on the subject of anti-social behaviour.

10.6 Students who fail to attend may be fined £50. Money raised from nuisance fines will be reinvested into community projects.

10.7 Students may ask for a review of the fixed penalty only on the basis that they were:
   • not present at the time that the Abatement Notice was issued
   • not involved in the incident leading to the award of the Abatement Notice, for example because they had been away only returning home at the point the Notice was issued

No other reasons for review will be accepted.

10.8 Requests for review must be submitted to appeals@bournemouth.ac.uk within 10 working days of notification of the fixed penalty and be accompanied by verifiable supporting independent evidence or a justifiable reason why evidence is not available. Acceptable evidence will vary according to the nature of the incident but typically might include statements from witnesses to the incident, a letter from an employer confirming the student was working at the time of the incident or event or travel tickets demonstrating that the student was elsewhere at the time of the incident.

10.9 Requests for review that are received outside the 10 working day deadline, or which are not accompanied by acceptable evidence will be deemed ineligible and be automatically rejected.

10.10 If the student does not wish to accept the Summary Penalty, the matter shall be referred to a Disciplinary Hearing under the procedures set out at Section 11.

11. THE DISCIPLINARY HEARING

11.1 The Disciplinary Hearing will be arranged as soon as is practicable, and normally within 20 working days. The student is entitled to a minimum of 10 working days’ notice for the Hearing, but this may be held earlier if the student agrees in writing. If there is a delay, the parties will be informed of the reasons for delay and kept informed of progress.

11.2 The student will be notified in writing of the allegation(s) as well as the date, time and location of the Hearing.

11.3 The student will be invited to submit appropriate documentation in their defence e.g. written statement and supporting evidence.

11.4 If there are a series of related concerns/allegations the Hearing may, at its discretion, deal with all these at one hearing. If two or more students are involved in related allegations of misconduct, the Hearing may at its discretion deal with their cases together.

11.5 Students may be accompanied at a Hearing by a friend or representative for support or representation as appropriate (see Section 4)

11.6 The Head of Student Services (or their representative) shall normally attend to present the case. The person originally raising the allegations may be asked to attend as witness.

12. THE DISCIPLINARY PANEL

12.1 Membership of the Disciplinary Panel shall consist of:
   • A member of the University Leadership Team (Chair),
   • one independent member of academic staff from another Faculty
   • a representative of the Students’ Union.
12.2 All Disciplinary Panel members shall be drawn from outside the students’ Faculty. Members of the Disciplinary Panel must remain, and be seen to remain, impartial at all times.

12.3 The Complaints and Conduct Adviser shall normally act as Hearing Secretary. The role of the Secretary is to convene the Hearing, prepare and circulate papers in advance of the meeting, advise on policy and procedure and precedents, and complete all documentation post-Hearing. The Hearing Secretary is not a member of the Disciplinary Panel and does not participate in the discussions regarding the case in question.

13. WITNESSES

13.1 Witness statements relating to the concerns/allegation(s) may be provided by either party. Only witness statements that are signed and dated by the witness will be accepted.

13.2 Any party may request that their witnesses attend in person. Requests for witnesses to attend must be submitted to the Hearing Secretary at least 5 working days in advance of the hearing. Requests will be considered by the Panel Chair in advance of the Hearing.

13.3 The Panel Chair may also request that witnesses attend the Hearing. Normally witnesses will be informed in advance of the hearing that they are required to attend. In exceptional cases, the hearing may be adjourned to allow witnesses to attend on the day.

13.4 Witnesses shall attend only to present their evidence and to answer any questions that the Disciplinary Panel, or the other party, may put to them through the Chair. Once their evidence has been heard and there are no more questions, witnesses must withdraw.

14. ORDER OF PROCEEDINGS

14.1 The Order of Proceedings shall normally be as follows:

a) Introduction of those present;

b) The allegations of misconduct shall be set out by the case presenter;

c) The student, or their representative, shall respond to the allegations;

d) The Panel shall have the opportunity to question both the case presenter and the student;

e) Either party may call witnesses who shall attend only to present their evidence and to answer any questions that the Panel, or the other party may put to them through the Chair. Once their evidence has been heard and there are no more questions, witnesses shall be required to withdraw;

f) The case presenter shall sum up the allegations. New evidence is not admissible at this time;

g) The student shall sum up. New evidence is not admissible at this time;

h) The case presenter and the student shall withdraw whilst the Panel reach their decision in private.

14.2 The order may be varied at the discretion of the Chair.

14.3 The Chair may impose time limits on oral addresses and submissions.

14.4 The Chair may ask for additional enquiries to be undertaken and may call for additional witnesses to attend.

14.5 At the discretion of the Chair, proceedings may be adjourned for a period not exceeding 20 working days in the first instance, and its findings or decision deferred accordingly.

14.6 Where, despite being given appropriate notice of the Hearing, a student fails to attend, the Hearing will proceed regardless. The Panel will base their decision on the evidence available to them at that time.

15. DOCUMENTATION
15.1 All documentation must be submitted to the Hearing Secretary 7 **working days** before the Hearing. All documentation to be considered at the Hearing will be circulated to all parties, by the Hearing Secretary, **5 working days** before the Hearing.

15.2 Any documentation submitted after the deadline will be accepted only at the Chair’s discretion.

15.3 The Disciplinary Panel shall rely only on relevant evidence presented at the Hearing, or in written format beforehand. New written evidence will not normally be accepted during the Hearing. If, exceptionally, the Chair believes it is appropriate to accept new written evidence during the Hearing, the Hearing may be adjourned for a short time to allow all parties time to consider the evidence.

15.4 Evidence in the form of a covert recording will not normally be admissible. Should a student wish to submit any covert recording as evidence at any stage of the procedure, it will be considered on a case by case basis.

16. **HEARING OUTCOMES AND PENALTIES**

16.1 The Panel shall find a student guilty of misconduct only if, on the evidence before it, it is satisfied on the balance of probability of the student’s guilt. If the members of the Panel cannot agree, the verdict of the Panel shall be that of the majority of its members.

16.2 When determining the outcome, consideration shall be given to the seriousness of misconduct and the circumstances surrounding it, and any mitigating factors. Any previous relevant misconduct will also be taken into consideration.

16.3 The penalties that may be imposed are one, or a combination of, the following:
   
   a) No case to answer. No further action will be taken.
   
   b) There is a case to answer but that it is more appropriate to offer advice and guidance. In this circumstance the details of the case will be kept on the student’s file and may be referred to in the case of any subsequent disciplinary allegations.
   
   c) A first written warning. This shall detail the allegation(s), state the outcome of the Hearing and outline any recommendations or conditions attached to the warning. This warning shall remain on the student’s file for a period of 12 months from the date of issue, or for a lesser period as specified by the Disciplinary Panel. (see Section 17)
   
   d) A final written warning. This shall be issued after there is still a failure at first written to improve and conduct remains unsatisfactory, or if the misconduct is sufficiently serious to warrant only one written warning but not to justify recommendation for expulsion/withdrawal from the programme. The warning shall detail the allegation(s), state the outcome of the Hearing and outline any recommendations or conditions attached to the warning. This warning shall remain on the students file ‘until completion of their studies’ or for a lesser period as specified by the Disciplinary Panel. (see section 17)
   
   e) a fine up to a maximum of £500 (amount subject to periodic review by University Leadership Team);
   
   f) compensation of a reasonable sum in respect of identified and quantified loss;
   
   g) the performance of unpaid services for the University community to a maximum of 40 hours;
   
   h) suspension from the University for a fixed period of time, up to a maximum of twelve months. A student who is suspended is prohibited from entering University premises, and from participating in University activities. Suspension may be subject to qualification, such as permission to take an examination or to seek support from SUBU Advice or university support services. The terms of the suspension shall be notified to the student in writing. An order of suspension may include a requirement that the student shall have no contact with a named person or persons;
i) exclusion from the award of degree or other academic award. This may be either permanent or for a stated period, and may be absolute or subject to compliance with stipulated requirements

j) expulsion from the University, which means that the student ceases to be a member of the University, and loses all rights and privileges of membership. A student may not be expelled following an allegation heard under the Summary Procedures.

16.4 Wherever possible, the decision of the Disciplinary Panel shall be communicated verbally to the student and to the case presenter within one hour of adjourning to consider the evidence. Where this is not possible the decision of the Disciplinary Panel shall be communicated in writing to all parties, normally within 5 working days. All verbal communications regarding the decision of the Disciplinary Panel shall be confirmed in writing, normally within 5 working days.

16.5 The outcome will outline the reason for the Panel’s decision

16.6 In cases where a penalty has been awarded the student will be notified of their right to appeal, the grounds for appeal and the process to be followed.

16.7 Except with the agreement of the Chair the proceedings of the Hearing shall remain confidential, with the exception of its decision.

17. WRITTEN WARNINGS

17.1 If a written warning has been given, this will be placed on the student’s file for the specified period. Providing the student complies fully with the recommendation of the Disciplinary Panel and demonstrates satisfactory conduct and performance during the specified period, the warning will cease to apply on expiry. If the student is subject to further disciplinary procedures during the period of the warning, the original allegations/concerns may also be taken into account when the further allegations are considered. Current written warnings may be referred to in any references that the University is required to give.

18. ILLNESS

18.1 If it appears to those considering an allegation of misconduct that the student in question is suffering from illness the proceedings may be adjourned for the preparation of a medical report.

18.2 If there is medical evidence that the student is suffering from illness, those dealing with the case may suspend or terminate the proceedings, if it is felt appropriate to do so. It may be made a condition of suspension or termination of the proceedings that the student seeks appropriate support and/or treatment and it may be appropriate to refer students for consideration under the Fitness to Study Procedures.

19. APPEALS STAGE

19.1 A student may appeal against the decision of the Disciplinary Panel on the following grounds

- The procedures outlined in this document for consideration of Disciplinary allegations concerns were not adhered to
- New evidence becomes available that was not available at the time of the Disciplinary Hearing. Appeals based on evidence that was available but wasn’t presented at the time would not normally be an admissible ground for appeal
- The penalty is disproportionate in the circumstances of the case

19.2 Disagreement with the decision of the Disciplinary Panel is not in itself grounds for appeal and appeals based solely on this will not be accepted.
19.3 Appeals must be submitted in writing to appeals@bournemouth.ac.uk within 10 working days of the date of written confirmation of the Disciplinary Panel's decision and must clearly specify the ground(s) on which it is based.

19.4 Where an appeal is pending against a decision of the Disciplinary Panel to suspend, withdraw or expel a student, the operation of the suspension, withdrawal or expulsion will be deferred pending the appeal.

19.5 An Appeals Hearing shall be arranged as soon as is practicable after an eligible appeal has been received, and normally within 20 working days. The student shall be entitled to a minimum of 10 working days’ notice for the Hearing, but this may be held earlier if the student agrees in writing. Any delays will be communicated to the student along with the reason.

19.6 All parties shall be invited to provide a written submission 7 working days in advance of the Appeals Panel. Documentation will be circulated to all parties 5 working days in advance of the Appeals Panel.

19.7 The Appeals Panel shall comprise a member of the University Leadership Team as Chair, one member of academic staff from outside the student’s Faculty and a representative of the Students’ Union. All members of the Appeals Panel must be previously unconnected with the case.

19.8 The Complaints and Conduct Adviser shall normally act as Hearing Secretary. The role of the Secretary is to convene the Hearing, prepare and circulate papers in advance of the meeting, advise on policy and procedure and precedents, and complete all documentation post Hearing. The Hearing Secretary is not a member of the Appeals Panel and does not participate in the discussions regarding the case in question.

19.9 The student and the Chair of the Disciplinary Panel shall be invited to attend the Appeals Panel. The student may be accompanied by a friend or representative. (see Section 4)

19.10 Where, despite being given appropriate notice of the Hearing, a student fails to attend, the Hearing will proceed regardless. The Panel will base their decision on the evidence available to them at that time.

19.11 If the Chair of the Appeals Panel agrees, the Appeal may be considered without attendance from either party. Either side may be required to be available to provide further information or clarification of matters to the Board.

19.12 The proceedings of the Appeals Panel shall take such form as the Panel considers appropriate to an investigation of the grounds for the appeal as stated in the appellant's notice. As a guide, the order of proceedings below may be followed:

i) Introduction of those present
ii) Outline of the appeal
iii) Student and / or representative presentation (normally no more than 10 minutes)
iv) Opportunity for the Appeals Panel to question the appellant
v) Opportunity for the Chair of the Disciplinary Panel to question, through the Chair, the student
vi) Chair of the Disciplinary Panel’s presentation (normally no more than 10 minutes)
vii) Opportunity for the Appeals Panel to question the Chair of the Disciplinary Panel
viii) Opportunity for the student to question, through the Chair, the Chair of the Disciplinary Panel.
ix) Student and / or representative summing up (5 minutes). New evidence is not admissible at this time
x) Chair of the Disciplinary Panel summing up (5 minutes). New evidence is not admissible at this time
xi) Adjournment – The student, any representative and the Chair of the Disciplinary Panel shall withdraw while the Appeals Panel consider the evidence in private.
xii) The student, any representative and the Chair of the Disciplinary Panel may return to hear the decision.
19.13 The Appeals Panel shall in its discretion have power to call witnesses and examine any evidence relevant to the subject of the appeal and may adjourn its proceedings or defer its decision for that or any other purpose.

19.14 There shall be no entitlement to a rehearing of a case. The Appeals Panel may overturn the Disciplinary Panel's decision where they consider it just to do so. In particular a finding may be overturned in the light of new evidence; where it was considered that the original hearing was not conducted fairly; or where the finding of guilt was unreasonable in the light of the findings of fact.

19.15 The Appeals Panel will consider whether the original penalty imposed was fair and reasonable in the light of all the circumstances of the case, and the student’s means and general personal circumstances. The panel may impose a lesser or greater penalty than the Disciplinary Panel, may determine there is no case to answer or that there is a case to answer but that the student should be given advice and guidance instead of a penalty.

19.16 The Appeals Panel shall consider its decision in private, and shall notify the appellant of it in writing, normally within 5 working days, outlining the reason for their decision. The decision of the Appeals Panel shall be final and no further appeal may be permitted within the University.

20. **FURTHER ACTION**

20.1 If, after exhausting the Appeals Stage, the student feels there to have been an error of judgement, or that due process has not been followed, they may complain to the Office of the Independent Adjudicator for Higher Education. Contact details for the Independent Adjudicator are:

Office of the Independent Adjudicator  
Second Floor  
Abbey Gate  
57-75 Kings Road  
Reading  
RG1 3AB  

Tel: 0118 959 9813  
Email: enquiries@oiahe.org.uk

21. **REFERENCES AND FURTHER INFORMATION**

21.1 Further information or guidance on any aspect of this procedure is available from the Head of Student Services.

21.2 This policy was reviewed according to the University's *Equality Analysis Procedure* in July 2018.