



Senate

Paper Title	Code of Student Discipline
Outcome requested	Senate is asked to approve the revised Code of Student Discipline
Points for Senate members to note and further information	<ul style="list-style-type: none"> • A Task and Finish Group was convened to review the Code of Student Discipline. The Group contained academic representatives from each Faculty, as well as representatives from Professional Services and the Students' Union. • The revisions have also taken into accounts comments from the OIA and external guidance. • A key focus of the revisions was to bring the Code uptodate and make the operation of the code clearer to staff and students. • Some of the definitions of misconduct have been amended to bring them up to date and avoid duplication. • The Vice-Principal hearing stage has been removed as it was felt this was anomalous and was rarely used. • The penalties that may be applied for misconduct have remained the same. • A guidance document that explains the key elements of the Code as well as a visual flow chart will be developed to sit alongside the Code once it has been approved.
Questions for Senate to consider	Is Senate satisfied with the revised Code of Discipline?
Regulatory/statutory reference points	The Code of Discipline enables QMUL to deal with misconduct and create a safe, secure environment for students to study. The Code helps fulfil QMUL's Equality responsibilities and provides a framework for tackling potential discriminatory, or offensive behaviour.
Strategy and risk	The Code helps ensure a high quality learning environment for all students.
Reporting/consideration route for the paper	Senate to approve before publication.
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Sponsor	Jonathan Morgan, Academic Registrar and Council Secretary

Code of Student Discipline

Regulations for the management of student misconduct

Scope

1. The purpose of this Code is to enable QMUL to fulfil its obligations relating to the care of, and responsibility for, staff and students, and the public, and to protect its reputation.
2. The Code of Student Discipline applies to any person defined as a student or associate student of QMUL in accordance with Ordinance C1. This includes students who are interrupting study, or resitting out of attendance but remain registered with QMUL.
3. The Code of Student Discipline applies to any action of misconduct whether it takes place on or off QMUL premises. The Code also applies to actions that are electronic and occur via electronic means such as the internet, email, social media, or other communication technology such as mobile phones.

Definitions

4. In this Code:
 - [a] **Misconduct** means the improper interference in any way with the proper functioning or activities of QMUL, or those who study or work at QMUL, or members of the public, or action which otherwise damages QMUL.
 - [b] References to QMUL, to **QMUL activities, premises** and **facilities** and to any **office** or **committee membership** includes the Students' Union and any premises of the University of London (including intercollegiate halls of residence) or other college of the University of London, or any educational institution or facility at which the student is properly present in connection with his/her programme of study or by virtue of his/her status at QMUL.
 - [c] **Foundation Year One (F1) Doctor** refers to a member of NHS staff who is undertaking Foundation Year One and is a member of a Foundation School.
 - [d] **Institutional level** refers to processes operated by the centre of QMUL; normally these are more serious cases of misconduct.
 - [e] **School/Institute/Directorate level** refers to processes operated by a student's academic School/Institute or a Professional Service department such as Student Services or Estates and Facilities.
 - [f] **Instruction restricting activity** means a requirement that a student refrain from contact with a specified individual or undertaking a specific form of action. The precise nature of the instruction restricting activity will be made to the student in writing.

[g] **Exclusion** means selective restriction on attendance at, or access to, QMUL or prohibition on exercising the functions or duties of any office or committee membership at QMUL or the Students' Union. The precise nature of an exclusion order will be made to the student in writing.

[h] **Suspension** means the total prohibition on attendance at, or access to, QMUL and to any participation in QMUL activities, but at QMUL's absolute discretion it may be qualified for example to permit a student to attend an examination.

[i] **Expulsion** means the immediate termination of a student's registration.

[j] **Formal body** means any committee of QMUL, normally constituted by Senate, or Council but also including School/Institute committee structures.

General Principles Underlying the Code of Student Discipline

5. Anyone who is accused of misconduct under the Code of Discipline is presumed innocent until guilt is determined.
6. It is the responsibility of QMUL to establish that misconduct has occurred. The standard of proof required is the balance of probabilities: that is, it is more likely than not that the alleged misconduct occurred.
7. Allegations of misconduct and other formal notifications will be provided in writing, normally by email.
8. Students will be afforded an opportunity to respond to an allegation of misconduct before a decision is made, except where suspension pending investigation is required.
9. At all stages of the process students may be represented or accompanied by a person of their choosing.
10. If the President and Principal, or a named officer, believes that a criminal offence has been committed s/he may refer the case to the Police.
11. No person who has had any significant prior involvement in a case will consider an allegation of misconduct under this Code.
12. Students shall receive a fair and impartial hearing.
13. When determining the penalty to be applied consideration will be given to:
 - [a] The seriousness of the misconduct.
 - [b] The student's previous disciplinary record.
 - [c] The conduct of the student following the misconduct.
 - [d] If the misconduct has been admitted.
 - [e] Any mitigating factors as applicable
14. If a student, having been given proper notice, fails to attend a meeting or hearing under this Code without a reasonable explanation, the meeting or hearing may proceed as planned. In the event that the student is not able to

attend a meeting or hearing, for good reason, it may be rearranged.

15. A student against whom an allegation of misconduct is made may be subject to this Code even if it can be shown that the alleged misconduct is due to reasons of incapacity such as a serious emotional or psychiatric condition. In such cases QMUL will be mindful of its duty to make reasonable adjustments in order to mitigate the effects of any impairment.
16. An annual report on Disciplinary cases, which does not identify individual students, will be submitted to Senate for consideration.

Examples of Misconduct

17. The following are actions and behaviour that will be considered misconduct:
 - [a] Any breach of a QMUL rule, regulation, policy, or code of practice approved by Council or its delegated authority.
 - [b] Disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of QMUL, whether on QMUL premises or elsewhere.
 - [c] Obstruction of, or improper interference with, the functions, duties or activities of any student, member of QMUL staff or any visitor to QMUL.
 - [d] Violent, indecent, disorderly, intimidating or offensive behaviour or language whilst on QMUL premises or engaged in any QMUL activity (including field trips, placements or sporting activities), or directed at any student, member of staff or visitor to QMUL or other member of QMUL. This shall include oral, physical, written, or electronic communications. It shall also include words or actions related to gender, sexuality, race, religion, disability, or age.
 - [e] Violent, indecent, disorderly, intimidating or offensive behaviour or language, as set out in above, including words or actions focusing on sex, sexuality, race, religion, disability or age which could constitute harassment.
 - [f] Fraud, deceit, deception or dishonesty in relation to QMUL, members of its staff, or in connection with holding any office of QMUL or being a student of QMUL.
 - [g] Action causing, or likely to cause, injury, or action impairing, or likely to impair, health and safety.
 - [h] Any breach of the provisions of QMUL's Freedom of Speech Policy, or any other action or activity which fails to respect the lawful rights of others to freedom of belief or freedom of speech.
 - [i] Cheating or plagiarism in course work or examinations, or research misconduct including advertising on essay production web sites or seeking help with assessment in any other unauthorised manner, notwithstanding that the conduct in question is covered by, or has been dealt with under, other regulations.
 - [j] Theft of, damage to, or defacement of, QMUL property or the property of staff or other students of QMUL, caused intentionally or recklessly.

- [k] Vexatious or malicious complaints, or unsupported allegations made about a member of staff, student or other member of QMUL.
- [l] Misuse, or unauthorised use, of QMUL premises or items of property.
- [m] Misuse of computers, including: downloading, or publishing material that encourages violence or extreme behavior towards people or property.
- [n] Behaviour which brings, or is likely to bring, QMUL into disrepute.
- [o] Failure to disclose name and personal details to a member of QMUL staff where it is reasonable and lawful to require that such information be given.
- [p] Failure to comply with a previously-imposed penalty under this Code or requirements put in place during the pre-hearing stages or the disciplinary procedure.
- [q] Conduct which constitutes a criminal offence in the United Kingdom, or which would, if committed in the United Kingdom, constitute such an offence, where that conduct:
- took place on QMUL premises; or
 - affected or concerned staff or other students of QMUL; or
 - damages the good name of QMUL; or
 - itself constitutes misconduct under the terms of the Code; or
 - is an offence of dishonesty, where the student holds an office of responsibility at QMUL; or
 - is such as to render the student unfit to remain a member of QMUL community or to practice a profession to which his/her course is designed to lead, or if repeated would pose a threat to staff or other students, or threaten the discipline and good order of QMUL.
- [r] Conviction of an offence within the United Kingdom, or elsewhere if the conduct in question would have constituted an offence in the United Kingdom, where the conduct in question falls within any of the six provisions in paragraph q above.

Relationship of the Code to Other Regulations, Policies and Procedures

Professional Capability and Fitness to Practise Regulations

18. QMUL has a responsibility to ensure that those students who graduate from a primary medical or dental qualification are fit to practise. This responsibility extends to Foundation Year One (F1) Doctors. Students registered on programmes leading to a primary medical or dental qualification are subject both to the Code of Student Discipline and any other codes and policies that inform their professional conduct. Allegations of misconduct about students registered on such programmes may also give rise to concerns about a student's fitness to practise and are reported to the Professional Capability Committee in all cases.
19. In applying the Code of Student Discipline, account is not taken of fitness to practise. The outcome is reported to the Professional Capability Committee

which may wish to take appropriate action in its own right, including referral to the Fitness to Practise Committee. Where the misconduct has been proven through the Student Disciplinary Regulations, the Professional Capability Committee and/or Fitness to Practise Committee do not rehear the case but consider capability and fitness to practise in the light of the misconduct and outcome of the disciplinary procedures.

Other QMUL Regulations

20. Allegations of breaches of other QMUL regulations, for example Halls of Residence Regulations, The Library Code of Conduct, and ITS Policies, particularly DG29 Acceptable Use of IT, are normally dealt with in accordance with those regulations. Repeated or more serious misconduct or breaches of these regulations may also be dealt with under this Code.

Students' Union Disciplinary Procedures

21. Allegations of misconduct in relation to Students' Union affairs that fall within the remit of the Students' Union Disciplinary Procedures are dealt with by the Students' Union. The Students' Union may also refer allegations for consideration under this code where the misconduct is more serious.

Misconduct that is also a Criminal Offence

22. The following procedures apply where the alleged misconduct would also constitute an offence under the criminal law if proved in court:
 - [a] If the offence under the criminal law is judged to be less serious because it would not lead to a custodial sentence, the police do not wish to investigate it or the student does not wish to press criminal charges, action under this Code may continue, but at any time the President and Principal may defer such action pending police action or prosecution.
 - [b] In the case of all other offences under the criminal law, no action (other than suspension, exclusion or instruction restricting activity) may be taken under this Code unless the matter has been reported to the police and either prosecuted, or a decision not to prosecute has been taken at which time a Vice-Principal may decide whether disciplinary action under the Code of Student Discipline should continue or be taken.
 - [c] If a student has been sentenced by a court in relation to the same matter, the penalty imposed by the court will be taken into consideration in determining a penalty under this Code.
23. When action is taken for misconduct, following conviction, the conviction will be taken as evidence that the misconduct has occurred, and will be open to challenge only to the extent that the student disputes that s/he was the person convicted.
24. The registration of a student who is convicted in a criminal court and sentenced to a term of imprisonment of one year or more will be terminated, and the student may be re-admitted only with the permission of the President and Principal.

Student Disciplinary Procedure

Suspension, Exclusion and Instruction Restricting Activity Pending Investigation

25. QMUL may suspend, exclude or instruct restriction of activity for any student who is the subject of an allegation of misconduct or against whom a criminal charge is pending or who is the subject of a police investigation.
26. In such circumstances suspension, exclusion or instruction restricting activity pending investigation are not penalties, and will not be used as such. The purpose is to enable QMUL to exercise its duty of care to staff and students while an investigation takes place. The reasons for any decision to suspend or exclude a student will be recorded and will be made available to the student along with details about the length of the suspension/exclusion/restriction of activity.
27. Where immediate suspension, exclusion or instruction restricting activity is necessary to preserve good order or to protect staff or students from harm, it may be imposed with immediate effect. In such cases, the student may make representations against the decision within five days of its notification.
28. Suspension will generally only be used where exclusion from specified activities or facilities would be inappropriate. Exclusion will generally only be used where an instruction restricting activity would be inappropriate.
29. When a student is suspended pending investigation an investigation will take place as outlined in this code. It is expected that investigations will be conducted promptly and normally within 25 working days.
30. A student who has been suspended, excluded or received an instruction restricting activity may make representations against the decision to the President and Principal in writing. The President and Principal will consider such representations and respond in writing.
31. A student may request a review of a suspension, exclusion or instruction restricting activity should new information come to light. In such circumstances, the student makes the request to the President and Principal who will respond in writing.
32. **At institutional level** a Vice Principal has the authority to suspend, exclude or instruct a restriction of activity pending hearing. The Academic Registrar has the authority to exclude, or instruct a restriction of activity following consultation with the Vice Principal.
33. **At school/institute level** a Head of School/institute, Institute Director has the authority to exclude a student from facilities and activities or instruct a restriction of activity pending investigation.
34. The President of the Students' Union has the authority to exclude a student from facilities and activities or instruct a restriction of activity pending investigation where this is provided for in the applicable regulations.
35. **At professional services directorate level** a Director, has the authority to exclude or instruct a restriction of activity pending hearing where this is provided

for in the applicable regulations.

Misconduct Investigation

36. Allegations of misconduct may be made in writing, by post, email or other documented means to the Head of School, Institute Director, Director of Professional Service, or to the Academic Registrar.
37. The Academic Registrar, Head of School, Institute Director, or Director of Professional Service is responsible for conducting an investigation into the misconduct as appropriate.
38. An independent investigating officer may be appointed to undertake the investigation. The investigating officer should have no involvement with the allegation of misconduct. Where appropriate this will be a member of ARCS. In such cases, the student is notified of the name of the investigator.
39. At any point during the course of an investigation the Academic Registrar, Head of School, Institute Director, or Director of Professional Service may suspend, exclude or restrict activity pending hearing in accordance with their relevant authority to act in this regard.
40. An investigation will be completed as soon as possible and will normally take no longer than 25 working days.
41. An investigation will normally involve the following stages:
 - [a] Notification to the student of the allegation made against him/her and provision of a copy of the Code of Student Discipline.
 - [b] Request for written statements from those involved in the case and collection of any other factual evidence.
 - [c] Where appropriate interviews may be conducted with the relevant individuals and witnesses.
 - [d] Interview with the student against whom the allegation of misconduct has been made to provide him/her with an opportunity to put his/her case. Where an interview is not possible in person, a written statement may be requested.
 - [e] A written report of the investigation and the details of evidence gathered.
42. The Investigating Officer keeps notes of meetings held with witnesses and the student.
43. In all cases, witnesses' evidence and/or statements are made available to the student, unless there is a concern for the safety of a witness. The safety of a witness is likely to be a concern where the alleged offence involves some form of violent behavior, threat, or injury to another.

School/Institute Level

44. At any time during the investigation, or hearing, the Head of School/Institute

Director may decide to refer the matter to the Academic Registrar for consideration at Institutional level.

45. Once the investigation is complete, the Head of School, or Institute Director either:
- [a] **Dismisses the allegation** of misconduct, in which case the matter is closed and no record of the allegation is retained on the student's record.
 - [b] **Decides that the case should be heard**

Hearing at School/ Institute level

46. A hearing at School/Institute level will normally take place within 40 working days of an allegation of misconduct. The Head of School or Institute Director shall notify the student of the hearing in writing giving at least three working days' notice.
47. The student shall be provided with copies of all documents that will be considered for the allegation of misconduct.
48. The Head of School/Institute Director hears the case by himself/herself but will be assisted by another staff member who should take notes of the hearing.
49. The hearing is held in private. The following stages shall normally be followed:
- [a] The Head of School/Institute questions the student about the allegation(s).
 - [b] The student or his/her representative responds to the allegation(s) and questions.
 - [c] The Head of School/Institute Director decides the outcome of the disciplinary hearing in private.
50. The student shall be notified of the outcome and decision, normally, within three working days of the date of the hearing. A written notification of the outcome that records the decision, the reason(s) for the decision and the student's right of appeal shall be provided within five working days.

Decisions at School/Institute level

51. Once the hearing is completed, the Head of School/Institute Director either:
- [a] **Dismisses the allegation** of misconduct, in which case the matter is closed and no record of the allegation is retained on the student's record.
 - [b] **Decides that the misconduct is proven but should not be subject to further action** under the Code of Student Discipline and, where considered appropriate, takes informal action by way of caution or otherwise. In applicable cases, the outcome is reported to the Professional Capability Committee.
 - [c] **Decides that the misconduct is proven and imposes one or more penalties** from those available. In applicable cases, the outcome is reported to the Professional Capability Committee.

[d] Refers the matter to the Academic Registrar for consideration at central level.

[e] Refers the matter to the Professional Capability Committee for consideration under the Professional Capability and Fitness to Practise Regulations.

Penalties that may be imposed at School/Institute level

52. If the Head of School or Institute Director decides that the misconduct is proven, one or more of the following penalties may be imposed:
- [a] A reprimand which is a formal penalty for the misconduct.
 - [b] The requirement to apologise in specified terms to one or more named persons by a specified date.
 - [c] A formal instruction restricting activity for a specified period.
 - [d] A first written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.
 - [e] A final written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.
 - [f] A fine not exceeding £100.
 - [g] Compensation in respect of damage to property at the value of the damage where its value is no more than £250.
 - [h] Compensation in respect of injury to a person not exceeding £250.
 - [i] Prohibition from holding any office, or any particular office, including committee membership of any body or society of QMUL.
 - [j] Exclusion from prescribed departmental or Students' Union and/or QMUL facilities, including Student Services and IT Services, for a period of no more than one calendar year, but not including attendance at lectures, classes, tutorials or other timetabled teaching and learning activities student's programme of study.
53. In addition to imposing one of the above penalties, an informal caution or other informal cautionary advice may be given.
54. Any fine or penalty imposed will take account of the student's means. Compensation where damage has occurred will take account of the cost of repair/replacement. The student may be permitted to make the payment in prescribed instalments.

At institutional level

55. Once the investigation into the allegation of misconduct is completed, the Academic Registrar, after consultation with the Vice Principal, either:

- [a] **Dismisses the allegation** of misconduct, in which case the matter is closed and no record of the allegation is retained on the student's record.
- [b] **Decides that the allegation should not be subject to further action** under the Code of Student Discipline and, where considered appropriate, take informal action by way of caution or otherwise as recommended by the Vice Principal.
- [c] **Refers the matter to the Professional Capability Committee**
- [d] **Refers the matter to a Student Disciplinary Committee**

Student Disciplinary Committee

56. The constitution of the Student Disciplinary Committee is as follows:
- [a] A Vice-Principal, who chairs the Committee.
 - [b] A member of academic staff drawn from the membership of Senate.
 - [c] the President of the Students' Union or one of the Sabbatical Officers.
57. A non-voting secretary shall be appointed to the Committee. The secretary's role is to take notes of the meeting and advise on the implementation of the Code and/or Academic Regulations. The secretary remains present throughout the hearing and deliberations but has no role in the decision-making of the committee.
58. A QMUL representative shall present the case to the Committee on behalf of QMUL. This will normally be the named investigator.
59. No person who has any close personal connections with the student due to appear before the Committee, or with the alleged misconduct, is eligible for appointment to the Committee.
60. The absence of one member of the Committee does not prevent the hearing taking place, or invalidate its outcome. The Chair of the Committee may, at any time between the initial appointments and the date of the hearing, appoint a replacement member, should any of the initial members be unable to attend the hearing.

Student Disciplinary Committee Hearing Procedure

61. The Student Disciplinary Committee meets as soon as reasonably practical to consider an allegation referred to it and normally within 40 working days of an allegation of misconduct. This meeting is called a hearing.
62. At least ten calendar days before the date of the hearing the secretary to the Committee sends the student a copy of these regulations, together with copies of all relevant documents to be presented at the hearing.
63. The hearing will take place in the absence of the student should they not attend, not respond, or provide good reason for not attending.
64. The student is required to inform the secretary of any documents that s/he

intends to present or refer to at the hearing and to provide copies of them at least five calendar days before the date of the hearing. The Chair of the Committee may, at his/her discretion, allow the student additional time in which to produce documents for a hearing; there is no appeal against any refusal to allow such additional time

65. The hearing is held in private. Only the individuals party to the case and the Committee attend the hearing.
66. The Chair of the Committee is responsible for the conduct of the hearing and does so in accordance with the process set out below and the provisions of this Code. His/her rulings on matters of procedure are final. The Chair of the Committee may take whatever action he/she feels is appropriate in order to ensure the availability of all relevant facts and to facilitate a fair hearing and outcome. Any matter relating to the hearing not covered by this Code will be decided by the Committee, whose decision will be final.
67. If a person is asked to appear as a witness, but is unwilling or unable for good reason, to attend a hearing, a written statement may be provided. Copies of any such statements are provided to the student. In circumstances where a witness is likely to be in distress, the Committee may permit the witness to be accompanied by another person, who will not participate in the proceedings in any way.

Order of proceedings

68. The student may be represented, or assisted by a person of his/her choosing (a maximum of two people will be permitted).
69. At the commencement of the proceedings the Chair will:
 - Inform the student and/or their representative of the names of the members of the Committee and the secretary.
 - Indicate the QMUL representative who will present the facts in possession of QMUL.
 - Check that the student and/or their representative have copies of all the documentation supplied to the Committee.
 - Inform the student and/or their representative of their right to examine any documents, reports or written statements used in the case and of the Panel's right to examine any written reports or documents introduced by the candidate and of the right of either side to call witnesses who may be examined by both sides.
70. The Chair will read the allegation and will then ask whether the student admits to the offence or not.
71. The QMUL representative will be asked to present the facts in the possession of QMUL and call any witnesses who may be examined by both sides. The Committee and the student may ask the QMUL representative questions.
72. The student or his/her representative is invited to present his/her case. If any witnesses are called they may be examined by both sides. The Committee may ask questions, as may the QMUL representative.
73. At the conclusion of the evidence both the QMUL representative and the student may address the Panel. The QMUL representative will address the Committee first

followed by the student.

74. The QMUL representative together with the student and his/her representative will be asked to leave the room while the Committee deliberate on the outcome. The Committee should tell the student if it will be possible for them to make a decision and inform them of the outcome on the day of the hearing.
75. The Committee may either:
 - [a] **Dismiss the allegation** of misconduct, in which case the matter is closed and no record of the allegation is retained on the student's record.
 - [b] **Decide that the allegation should not be subject to further action** under the Code of Student Discipline and, where considered appropriate, take informal action by way of caution or otherwise. In applicable cases, the outcome is reported to the Professional Capability Committee.
 - [c] **Decide that the misconduct is proven and impose one or more penalties** from those available. In applicable cases, the outcome is reported to the Professional Capability Committee.
76. The student is notified of the outcome and decision, either in person by the committee, or within three working days of the date of the hearing. The decision will be formally put in writing within five working days. The letter will record the decision of the Committee, the reasons for the decision, any penalty that is applied and the student's right of appeal.

Penalties that may be imposed by a Student Disciplinary Committee

77. When allegations of misconduct are upheld, the following penalties may be imposed by a Student Disciplinary Committee:
 - [a] A reprimand which is a formal penalty for the misconduct.
 - [b] The requirement to apologise in specified terms to one or more named persons by a specified date.
 - [c] A formal instruction restricting activity for a specified period.
 - [d] A first written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.
 - [e] A final written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.
 - [f] A fine not exceeding £1000.
 - [g] Compensation in respect of damage to property at the value of the damage with no upper limit.
 - [h] Compensation in respect of injury to a person not exceeding £2,000.
 - [i] A requirement to undertake some service to the QMUL and/or QMSU community, the nature and timing of the service to be determined by the President and Principal or Committee as appropriate.

- [j] Prohibition from holding any office, or any particular office, including committee membership of any body or society of QMUL.
 - [k] Exclusion from prescribed departmental, Students' Union and/or QMUL facilities, including Student Services and IT Services, for a period of no more than one year, but not including attendance at lectures, classes, tutorials or other timetabled teaching and learning activities student's programme of study.
 - [l] Suspension from QMUL for a period of up to one year. Suspension may be ordered to take effect subject to such terms and conditions as the Committee may prescribe, but otherwise will prevent the student from entering QMUL or making use of any QMUL facilities or participating in any QMUL activities.
 - [m] Recommendation to the President and Principal that the student's registration be terminated and the student expelled from QMUL. The President and Principal considers the recommendation and either supports the recommendation or imposes an alternative penalty.
78. In addition to imposing one of the above penalties, an informal caution or other informal cautionary advice may be imposed.
79. Any fine imposed will take account of the student's means. Compensation where damage has occurred will take account of the cost of repair/replacement. The student may be permitted to make the payment in prescribed instalments. Any fine or penalty imposed may take account of penalties imposed by a Court following a criminal conviction.

Appeal Process

80. A student may appeal a decision arising from the Code of Student Discipline using the process set out in the QMUL Appeal Regulations. This includes the right to appeal any penalty imposed.
81. Where all stages of QMUL's appeal regulations have been exhausted, the student is issued with a completion of procedures letter and may request a review by the Office of the Independent Adjudicator for Higher Education.

Appendix 1 - Responsibility and authority

1. The President and Principal is responsible to the Council for the management of QMUL, which includes student conduct and discipline.
2. The President and Principal normally delegates authority for student discipline and the operation of this Code to other members of QMUL.
3. The President and Principal's delegations are detailed below. In all cases, the Principal may assume responsibility to undertake any of the actions delegated to another.
4. Where a delegated office holder is unable to act, their deputy, or the person acting in the office or the office holder's nominee will act in their place.
5. **At institutional level** the President and Principal delegates responsibility to a Vice Principal for all actions that may be undertaken under the Code of Student Discipline, except approving expulsion of a student on the recommendation of a Student Disciplinary Committee.
6. **At institutional level** the President and Principal delegates responsibility for organising an investigation into the alleged misconduct to the Academic Registrar, or their nominee.
7. **At school/institute/directorate level** the President and Principal delegates responsibility to the Head of School, or Institute Director for all authorised actions under the Code of Student Discipline for students in their department.
8. **At professional services directorate level** the responsibilities and authorities of the Director of a professional services department are those which are approved by the appropriate authority and detailed in the relevant regulations eg Halls of Residence Regulations, Library Regulations etc.

Code of Student Discipline Regulations for the management of student misconduct

Scope

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- 4.2. The Code of Student Discipline applies to any person defined as a student or associate student of QMUL in accordance with Ordinance CP1. This includes students who are interrupting study, or resitting out of attendance but remain registered with QMUL.
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 - ~~[b] Unless the contrary appears from the context, words implying the singular include the plural and vice versa.~~
 - ~~[c] Unless the contrary appears from the context, reference to a specific office-holder means that where such an office-holder is unable to act, his/her deputy, the person acting in the office or the office holder's nominee will act in his/her place.~~
 - [db] References to QMUL, to **QMUL activities, premises and facilities** and to any **office** or **committee membership** includes the Students' Union and any premises of the University of London (including intercollegiate halls of residence) or other college of the University of London, or any educational institution or facility at which the student is properly present in connection with his/her programme of study or by virtue of his/her status at QMUL.
 - [e] **Students** refers to those persons defined as such in Ordinance D1.

Code of Student Discipline: Regulations for the Management of Student Misconduct

[cf] **Foundation Year One (F1) Doctor** refers to a member of NHS staff who is undertaking Foundation Year One and is a member of a Foundation School.

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[gd] **Central/Institutional level** refers to processes operated by the centre of the QMUL; normally these are more serious cases of misconduct.

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[eh] **School/Institute/Directorate level** refers to processes operated by a student's academic School/Institute or a Professional Service service department such as Student Services or Estates and Facilities.

[f] **Instruction restricting activity** means a requirement that a student refrain from contact with a specified individual or undertaking a specific form of action. The precise nature of the instruction restricting activity will be made to the student in writing.

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[g] **Exclusion** means selective restriction on attendance at or access to QMUL, or prohibition on exercising the functions or duties of any office or committee membership at QMUL or the Students' Union. The precise nature of an exclusion order will be made to the student in writing.

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[h] **Suspension** means the total prohibition on attendance at or access to QMUL and to any participation in QMUL activities, but at QMUL's absolute discretion it may be qualified for example to permit a student to attend an examination.

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[i] **Expulsion** means the immediate termination of a student's registration.

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[ej] **Formal body** means —any committee of QMUL, normally constituted by Senate, or Council and but also including School/Institute-level committee structures, or organisational unit of the QMUL.

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[j] **Suspension** refers to the total prohibition on attendance at, or access to, the College and on any participation in QMUL activities, but at QMUL's absolute discretion it may be qualified for example to permit a student to attend an examination.

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[k] **Exclusion** refers to the prohibition of access to and/or use of specified QMUL facilities and premises.

[l] **Instruction restricting activity** refers to an instruction to refrain from contact with specified individuals or undertaking a particular activity.

[m] **Primary medical or dental qualification** refers awards that lead to a licence to practise medicine or dentistry: MBBS and BDS.

Scope

~~5. The Code of Student Discipline applies to any person defined as a student or associate student of QMUL in accordance with Ordinance D1. This includes students who are interrupting study or resitting out of attendance but remain registered with QMUL.~~

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~~The Code of Student Discipline applies to any action of misconduct whether it takes place on or off QMUL's premises. The Code also applies to actions that are electronic and occur via electronic means such as the internet, email, social media, or other communication technology such as mobile phones.~~

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~~The purpose of this Code is to enable QMUL to fulfil its obligations relating to the care of, and responsibility for, staff and students, and the public, and to protect its reputation.~~

~~6.~~

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Responsibility and authority

~~7. The Principal is responsible to the Council for the management of QMUL, which includes student conduct and discipline.~~

~~8. The Principal normally delegates his/her authority for making decisions that discharge his/her responsibility for student discipline and the operation of this Code to other officers or members of staff of QMUL.~~

~~9. The Principal's delegations are as detailed below. In all cases, the Principal may assume responsibility to undertake any of the actions delegated to another.~~

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~~10. At central level the Principal delegates his/her responsibility to a Vice Principal for all actions that may be undertaken under the Code of Student Discipline, except approving expulsion of a student on the recommendation of a Student Disciplinary Committee or Fitness to Practise Committee.~~

~~11. At central level the Principal delegates his/her responsibility for organising an investigation into the alleged misconduct, which may involve undertaking a preliminary interview, to the Academic Registrar and Council Secretary.~~

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~~12. At school/institute/directorate level the Principal delegates his/her responsibility to heads of academic departments and schools for all authorised actions under the Code of Student Discipline for students in their department.~~

~~13. At school level (medicine and dentistry) the Principal delegates his/her responsibility to the Dean of Education or designated individual in the School of Medicine and Dentistry for all authorised actions under the Code of Student Discipline for students in the School.~~

~~14. At professional services directorate level the responsibilities and authorities of the Director of a professional services department are those which are approved by the appropriate authority and detailed in the relevant regulations eg Halls of Residence Regulations, Library Regulations etc.~~

Purpose of the Code of Student Discipline

~~15. The purpose of this Code is to enable QMUL to fulfil its obligations relating to the care of, and responsibility for, staff and students, and the public, and to protect its reputation.~~

~~16. The Code aims to provide consistency across QMUL in the management of student conduct.~~

General Principles Underlying the Code of Student Discipline

~~17. The following principles apply to the operation of the Code of Student Discipline:~~

~~18. All aspects of this Code are to be consistent with the QMUL Equal Opportunities Policy Statement.~~

~~5. Anyone who is accused of misconduct under the terms of this Code of Discipline is presumed innocent until guilt is determined.~~

It is the responsibility of QMUL to establish that misconduct has occurred. The standard of proof required is the balance of probabilities: that is, it is more likely than not that the alleged misconduct occurred.

~~6.~~

~~7. Students will be given written notice of aAllegations of misconduct made about them and other formal notifications will be provided in writing, normally by email.~~

~~8. Students will, and will be afforded an opportunity to respond to an allegation of misconduct before a decision is made, except where suspension pending investigation is required as outlined under paragraph xx below.~~

~~19.~~

~~20. At all stages of the process sStudents may be represented or accompanied by any person of their choosing.~~

~~9. Normally, a maximum of two one individuals is are permitted to accompany a student at the a meeting or hearing.~~

~~24-10. If the President and Principal, or a named officer, believes that a criminal offence has been committed s/he may refer the case to the Police. (see paragraph 52xx).~~

~~22-11. No person who has had any significant prior involvement in a given case will be involved in considering an allegation complaint of misconduct under this Code.~~

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~~23. Students are given notice in writing of allegations of misconduct made about them, and there are specified minimum timeframes after which the hearing can take place once notice of it has been given to allow the student time to prepare his/her defence.~~

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~~24.12. Students shall receive a fair and impartial hearing.~~

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~~13. When determining the penalty to be applied consideration will be given to:~~

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~~[a] The seriousness of the misconduct.~~

~~[b] The student's previous disciplinary record.~~

~~[c] The conduct of the student following the misconduct.~~

~~[d] If the misconduct has been admitted.~~

~~[e] Any mitigating factors as applicable~~

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~~25. All formal notices to students are made in writing, normally via email, although these may be handed to the student personally by a member of QMUL staff; delivered to the student's room in a hall of residence; or by post.~~

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~~26.14. If a student, having been given proper notice, fails to attend a meeting or hearing under this Code without a reasonable explanation, the meeting or hearing may proceed as planned. In the event that the student is not able to attend a meeting or hearing, for good reason, it may be rearranged.~~

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~~27. There will be a proportionate outcome to any complaint of misconduct that is proved.~~

~~28.15. A student against whom an allegation -complaint of misconduct is made may be subject to this Code even if it can be shown that the alleged misconduct is due to reasons of incapacity such as a serious emotional or psychiatric condition. In such cases the College QMUL will be mindful of its duty to make reasonable adjustments in order to mitigate the effects of any impairment.~~

~~16. An annual report on Disciplinary cases, which does not identify individual students, will be, -is submitted to Senate for consideration.~~

~~29.~~

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Definition - Examples of Misconduct

~~30. In this Code, misconduct means the improper interference in any way with the proper functioning or activities of QMUL, or those who study or work at QMUL, or members of the public, or action which otherwise damages QMUL.~~

~~17. The following are actions and behaviour that normally -are -will be normally considered to be misconduct:~~

~~31. [a] Any breach of a QMUL rule, regulation, policy, or code of practice approved by a formal body of QMUL Council or its delegated authority.~~

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~~[ba] Disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of QMUL, whether on QMUL premises or~~

elsewhere.

[cb] ~~—Obstruction of, or improper interference with, the functions, duties or activities of any student, member of QMUL staff of the College QMUL or any visitor to the QMUL.~~

[de] Violent, indecent, disorderly, intimidating or offensive behaviour ~~or language (whether expressed orally, in writing or published electronically, including on social networking web sites)~~ whilst on QMUL premises or engaged in any QMUL activity (including field trips, placements or sporting activities), or directed at any student, member of staff or visitor to QMUL or other member of QMUL. This shall include oral, physical, written, or electronic communications. It shall also include words or actions related to gender, sexuality, race, religion, disability, or age.

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[d] ~~—~~Violent, indecent, disorderly, intimidating or offensive behaviour or language, as set out in above, including words or actions focusing on sex, sexuality, race, religion, disability or age which could constitute harassment.

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[e] Fraud, deceit, deception or dishonesty in relation to QMUL, members of its staff, or in connection with holding any office of QMUL or being a student of QMUL.

[f] Action causing, or likely to cause, injury, or action impairing, or likely to impair, health and safety.

[g] Any breach of the provisions of ~~the QMUL's~~ Freedom of Expression of Speech Policy, or any other action or activity which fails to respect the lawful rights of others to freedom of belief or freedom of speech.

~~Cheating or plagiarism in course work or examinations, or research misconduct including advertising on essay production web sites or seeking help with assessment in any other unauthorised manner, notwithstanding that the conduct in question is covered by, or has been dealt with under, other regulations.~~

~~Any breach of QMUL rule, regulation, policy or code of practice. A QMUL rule, regulation, policy or code of practice includes, for this purpose, one which has been approved by the Council or the designated body.~~

~~Cheating or plagiarism in course work or examinations, including advertising on essay production web sites or seeking help with assessment in any other unauthorised manner, notwithstanding that the conduct in question is covered by, or has been dealt with under, other regulations.~~

[j] Theft of, damage to, or defacement of, QMUL property or the property of staff or other students of QMUL, caused intentionally or recklessly.

[ki] Vexatious or malicious complaints, ~~or~~ and making unsupported allegations made about a member of staff, student or other member of QMUL.

[k] Misuse, or unauthorised use, of QMUL premises or items of property.

[m] Misuse of computers, including: downloading, or publishing material that

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encourages violence or extreme behavior towards people or property.

~~, or computer misuse, or attempted misuse. This includes downloading electronic material and publishing material that encourages violence or extreme behaviour towards people or property.~~

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~~[man]~~ Behaviour which brings, or is likely to bring, QMUL into disrepute.

~~[nen]~~ Failure to disclose name and personal details to a member of QMUL ~~details to an officer or employestaff e of QMUL in circumstances where it is reasonable and lawful and lawful~~ to require that such information be given.

~~[ope]~~ Failure to comply with a previously-imposed penalty under this Code or requirements put in place during the pre-hearing stages or the disciplinary procedure.

~~[pep]~~ Conduct which constitutes a criminal offence in the United Kingdom, or which would, if committed in the United Kingdom, constitute such an offence, where that conduct:

- took place on QMUL premises; or
- affected or concerned staff or other students of QMUL; or
- damages the good name of QMUL; or
- itself constitutes misconduct under the terms of the Code; or
- is an offence of dishonesty, where the student holds an office of responsibility at QMUL; or
- is such as to render the student unfit to remain a member of QMUL community or to practice a profession to which his/her course is
- designed to lead, or if repeated would pose a threat to staff or other students, or threaten the discipline and good order of QMUL.

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~~[qpe]~~ Conviction of an offence within the United Kingdom, or elsewhere if the conduct in question would have constituted an offence in the United Kingdom, where the conduct in question falls within any of the six provisions in paragraph ~~[qp p?]~~ above.

Relationship of the Code to Other Regulations, Policies and Procedures

Professional Capability and Fitness to Practise Regulations

~~32-18.~~ QMUL has a responsibility to ensure that those students who graduate from ~~a~~ primary medical or dental qualification are fit to practise. This responsibility extends to Foundation Year One (F1) Doctors. Students registered on programmes leading to a primary medical or dental qualification are subject both to the Code of Student Discipline and any other codes and

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policies that inform their professional conduct. ~~—Allegations/Complaints~~ of misconduct about students registered on such programmes may also give rise to concerns about a student's fitness to practise and are reported to the Professional Capability Committee in all cases.

~~33.19.~~ In applying the Code of Student Discipline, account is not taken of fitness to practise. The outcome is reported to the Professional Capability Committee which may wish to take appropriate action in its own right, including referral to the Fitness to Practise Committee. Where the misconduct has been proven through the Student Disciplinary Regulations, the Professional Capability Committee and/or Fitness to Practise Committee do not rehear the case but consider capability and fitness to practise in the light of the misconduct and outcome of the disciplinary procedures.

~~34. In all cases, actions taken under the Assessment Offences Regulations, where the offence is proven, are reported to the Professional Capability Committee.~~

Other College QMUL Regulations

~~20.~~ Allegations of breaches of other QMUL regulations, for example Halls of Residence Regulations, The Library Code of Conduct, ~~Library Regulations and ITS Policies, particularly the DG29 Acceptable Use of IT, and Computing Regulations~~, are normally dealt with in accordance with those regulations. Repeated or more serious misconduct or breaches of these regulations may also be dealt with under this Code.

Students' Union Disciplinary Procedures

~~35.21.~~ ~~Complaints/Allegations~~ of misconduct in relation to Students' Union affairs that fall within the remit of the Students' Union Disciplinary Procedures are dealt with by the Students' Union. The Students' Union may also refer ~~complaints/allegations~~ for consideration under this code where the misconduct is more serious.

Burden and Standard of Proof

~~36. It is the responsibility of QMUL to establish that misconduct has occurred. The standard of proof required is the balance of probabilities: that is, it is more likely than not that the alleged misconduct occurred.~~

Penalties for Misconduct

~~37. When determining the penalty to be applied consideration will be given to:-~~

- ~~[a] The seriousness of the misconduct.~~
- ~~[b] The student's previous disciplinary record.~~

- ~~[c] The conduct of the student following the misconduct.~~
- ~~[d] If the misconduct has been admitted.~~
- ~~[e] Any mitigating factors as applicable~~

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Suspension, Exclusion and Instruction Restricting Activity Pending Hearing Investigation

~~QMUL may suspend, exclude or instruct restriction of activity pending investigation hearing for any student who is the subject of a complaint of misconduct or against whom a criminal charge is pending or who is the subject of a police investigation.~~

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~~In such circumstances suspension, exclusion or instruction restricting activity pending investigation are not penalties, and will not be used as such. The purpose is to enable QMUL to exercise its duty of care to staff and students while an investigation takes place. The reasons for any decision to suspend or exclude a student will be recorded and will be made available to the student along with details about the length of the suspension/exclusion/restriction of activity.~~

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~~39. The Professional Capability and Fitness to Practise Regulations also provide for suspension, exclusion or instruction restricting activity pending hearing where one of these actions has not occurred under the Code of Student Discipline.~~

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~~40. **Suspension** means the total prohibition on attendance at, or access to, QMUL and on any participation in QMUL activities, but at QMUL's absolute discretion it may be qualified for example to permit a student to attend an examination.~~

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~~41. **Exclusion** means selective restriction on attendance at or access to QMUL or prohibition on exercising the functions or duties of any office or committee membership at QMUL or the Students' Union. The precise nature of an exclusion order will be made to the student in writing.~~

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~~42. **Instruction restricting activity** means a requirement that a student refrain from contact with a specified individual or undertaking a specific form of action. The precise nature of the instruction restricting activity will be made to the student in writing.~~

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~~43. Suspension is will generally only to be used where exclusion from specified activities or facilities would be inappropriate. Exclusion is will generally only to be used where an instruction restricting activity would be inappropriate.~~

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~~44. Suspension, exclusion or instruction restricting activity pending hearing are not penalties, and will not be used as such. Their purpose is to enable QMUL to exercise its duty of care to staff and students while an investigation takes place. The reasons for any decision to suspend or exclude a student will be recorded and will be made available to the student along with details about the length of the suspension/exclusion/restriction of activity.~~

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~~45. When a student is suspended the investigation will take place as outlined under paragraph 55 xx below. It is expected that investigations will be conducted promptly and normally within 25 working days.~~

~~46. A student who has been suspended, excluded or received an instruction restricting activity may make representations against the decision to the Principal who will respond in writing. The Principal will consider such representations and respond in writing.~~

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~~47. Where immediate suspension, exclusion or instruction restricting activity is necessary to preserve good order or to protect staff or students from harm, it may be imposed with immediate effect. In such cases, the student may make representations against the decision within five days of its notification.~~

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~~48. A student may request a review of a suspension, exclusion or instruction restricting activity should new information come to light. In such circumstances, the student makes the request to the Vice Principal who will respond in writing.~~

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Authority to act

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~~49. At central institutional level a Vice Principal has the authority to suspend, exclude or instruct a restriction of activity pending hearing. The Academic Registrar has the authority to exclude, or instruct a restriction of activity following consultation with the Vice Principal.~~

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~~50. At central level the Academic Secretary has the authority to exclude or instruct a restriction of activity pending hearing, following consultation with the Vice Principal.~~

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~~51. At school/institute level a Head of School/institute⁴, or the Dean of Education, or President of the Students' Union has the authority to exclude a student from faculty facilities and activities or instruct a restriction of activity pending hearing investigation.~~

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~~52. At professional services directorate Level a Director, has the authority to exclude or instruct a restriction of activity pending hearing where this is provided for in the applicable regulations.~~

~~53. For students registered for a primary medical or dental qualification the Professional Capability Committee, or Chair acting on its behalf in urgent circumstances, has the authority to suspend, exclude, or instruct an activity pending hearing in the prescribed circumstances.~~

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Misconduct that is also a Criminal Offence

~~54.22. The following procedures apply where the alleged misconduct would also constitute an offence under the criminal law if proved in court:~~

- ~~[a] If the offence under the criminal law is judged to be less serious because it would not lead to a custodial sentence, the police do not wish to investigate it or the student does not wish to press criminal charges, action under this~~

⁴Head of Department includes Head of School, Head of Institute, Head/Director of Professional Service Directorate or President of Students' Union

Code may continue, but at any time the [President and Principal](#) may defer such action pending police action or prosecution.

[b] In the case of all other offences under the criminal law, no action (other than suspension, exclusion or instruction restricting activity) may be taken under this Code unless the matter has been reported to the police and either prosecuted, or a decision not to prosecute has been taken at which time ~~the a Vice-~~Principal may decide whether disciplinary action under the Code of Student Discipline should continue or be taken.

[c] If a student has been sentenced by a court in relation to the same matter, the penalty imposed by the court will be taken into consideration in determining a penalty under this Code.

~~55-23.~~ When action is taken for misconduct, following conviction, the conviction will be taken as evidence that the misconduct has occurred, and will be open to challenge only to the extent that the student disputes that s/he was the person convicted.

~~56-24.~~ The registration of a student who is convicted in a criminal court and sentenced to a term of imprisonment of one year or more will be terminated, and the student may be re-admitted only with the permission of the [President and Principal](#).

Student Disciplinary Procedure

Suspension, Exclusion and Instruction Restricting Activity Pending Investigation

~~25. QMUL may suspend, exclude or instruct restriction of activity investigation for any student who is the subject of an allegation-complaint- of misconduct or against whom a criminal charge is pending or who is the subject of a police investigation.~~

~~26. In such circumstances suspension, exclusion or instruction restricting activity pending investigation are not penalties, and will not be used as such. The purpose is to enable QMUL to exercise its duty of care to staff and students while an investigation takes place. The reasons for any decision to suspend or exclude a student will be recorded and will be made available to the student along with details about the length of the suspension/exclusion/restriction of activity.~~

~~27. Where immediate suspension, exclusion or instruction restricting activity is necessary to preserve good order or to protect staff or students from harm, it may be imposed with immediate effect. In such cases, the student may make representations against the decision within five days of its notification.~~

~~28. Suspension will generally only be used where exclusion from specified activities or facilities would be inappropriate. Exclusion will generally only be~~

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used where an instruction restricting activity would be inappropriate.

29. When a student is suspended pending investigation thean investigation will take place as outlined underin this code. paragraph xx below. It is expected that investigations will be conducted promptly and normally within 25 working days.
30. A student who has been suspended, excluded or received an instruction restricting activity may make representations against the decision to the President and Principal in writing. The President and Principal will consider such representations and respond in writing.
31. A student may request a review of a suspension, exclusion or instruction restricting activity should new information come to light. In such circumstances, the student makes the request to the President and Principal who will respond in writing.
32. At institutional level a Vice Principal has the authority to suspend, exclude or instruct a restriction of activity pending hearing. The Academic Registrar has the authority to exclude, or instruct a restriction of activity following consultation with the Vice Principal.
33. At school/institute level a Head of School/institute, Institute Director has the authority to exclude a student from facilities and activities or instruct a restriction of activity pending investigation.
34. The President of the Students' Union has the authority to exclude a student from facilities and activities or instruct a restriction of activity pending investigation where this is provided for in the applicable regulations.
- Institute Director
35. At professional services directorate lLevel a Director, has the authority to exclude or instruct a restriction of activity pending hearing where this is provided for in the applicable regulations.

Making an allegation of misconduct

All Allegations of misconduct should may be made in writing, by post, email or other documented means to the Head of School/Institute, Director of Professional Service (is this as per Library/accommodation regs?), Dean for Education or to the Academic Registrar and Council Secretary.

Misconduct Investigation

57. —
36. Allegations of misconduct may be made in writing, by post, email or other documented means to the Head of School, Institute Director, Director of Professional Service, or to the Academic Registrar.

Investigations into alleged misconduct

- 58-37. — The Academic Registrar, Head of School, Institute, or Dean for Education, Institute Director, or Director of Professional Service is responsible for conducting thosean investigation into the misconduct as appropriate. s that he/she considers necessary.

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~~59-38.~~ An independent investigating officer may be appointed to undertake the investigation. The investigating officer should have no involvement with the allegation of misconduct. Where appropriate this will be a member of ARCS. In such cases, the student is notified of the name of the investigator.

~~60-39.~~ At any point during the course of an investigation ~~into an allegation of misconduct~~ the Academic Registrar, Head of School, ~~Institute Director, or Director of Professional Service Institute/Directorate or the Dean of Education~~ may suspend, exclude or restrict activity pending hearing in accordance with their relevant authority to act in this regard.

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~~61.~~ At any point during the course of an investigation into an allegation of misconduct a Head of School/Institute/Directorate or Dean for Education may refer the case to the Academic Registrar for consideration at institutional level.

~~62.~~ An investigation will be completed as soon as possible and will normally take no longer than 25 working days.

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~~63-41.~~ An investigation will normally involve the following stages:

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[a] Notification ~~—~~ to the student of the allegation made against him/her and provision of a copy of the Code of Student Discipline.

[b] Request for written statements from those involved in the case and collection of any other factual evidence.

[c] Where appropriate interviews may be conducted with the relevant individuals and witnesses.

[d] Interview with the student against whom the allegation of misconduct has been made to provide him/her with an opportunity to put his/her case. Where an interview is not possible in person, a written statement may be requested.

[e] A written report of the investigation and the details of evidence gathered.

~~64-42.~~ The ~~Academic Registrar, Head of Department, Dean for Education, or appointed~~ investigating ~~Officer~~ keeps notes of meetings held with witnesses and the student.

~~43.~~ In all cases, witnesses' evidence and/or statements are made available to the student, unless there is a concern for the safety of a witness. The safety of a witness is likely to be a concern where the alleged offence involves some form of violent behavior, threat, or injury to another.²

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School/Institute Level

First stage decisions at school/institute level

~~²The safety of a witness is likely to be a concern where the alleged offence involves some form of violent behaviour or injury to another.~~

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~~66-44.~~ At any time during the investigation, or hearing, the Head of School/Institute ~~or Dean for Education~~Director may decide to refer ~~the f~~ matter to the Academic Registrar for consideration at College-Institutional level.

~~67-45.~~ Once the ~~complaint allegation~~ investigation is complete, the Head of School, or Institute Director/Institute or Dean for Education either:

[a] **Dismisses the complaint allegation** of misconduct, in which case the matter is closed and no record of the allegation is retained on the student's record of the complaint.

[b] **Decides that the case should be heard**

Hearing at School/ Institute level

~~46.~~ A hearing at School/Institute level will normally take place within 40 working days of an allegation of misconduct. The Head of School/~~Institute~~ or Institute Director ~~Dean for Education shall~~ notifies the student of the hearing in writing giving at least ~~three-three~~ working days' notice.

~~68-47.~~ The student ~~is shall be~~ provided with copies of all documents that will be considered for the allegation of misconduct.

~~48.~~ The Head of School/Institute Director/Institute hears the case by himself/herself but ~~may will~~ be assisted by another staff member who should take notes of the hearing.

~~69-49.~~ ~~The student may be accompanied or represented by any person of his/her choosing.~~ The hearing is held in private. ~~The following stages are shall~~ normally be followed:

[a] The Head of School/Institute questions the student about the allegation(s).

[b] The student or -his/her -representative- responds- to the allegation(s) and questions.

[c] The Head of School/Institute Director/Institute or Dean for Education decides the outcome of the disciplinary hearing in private.

~~70-50.~~ The student ~~is shall be~~ notified of the outcome and decision, normally, within three working days of the date of the hearing. A written notification of the outcome that records the decision, the reason(s) for the decision and the student's right of appeal ~~is shall be~~ provided within five working days.

Decisions at School/Institute level

~~71.~~ ~~At any time during the hearing the Head of School/Institute or Dean for Education may decide to refer to the matter to the Academic Registrar so that it may be considered at central level.~~

~~72-51.~~ Once the hearing is completed, the Head of School/Institute Director or

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~~Dean for Education~~ either:

- [a] **Dismisses the ~~complaint~~allegation** of misconduct, in which case the matter is closed and ~~no record~~ no record of the allegation is retained on the student's record~~is retained of the complaint.~~
- [b] **Decides that the misconduct is proven but should not be subject to further action** under the Code of Student Discipline and, where considered appropriate, takes informal action by way of caution or otherwise. In applicable cases, the outcome is reported to the Professional Capability Committee.
- [c] **Decides that the misconduct is proven and imposes one or more penalties** from those available. In applicable cases, the outcome is reported to the Professional Capability Committee.
- [d] **Refers the matter to the Academic Registrar** for consideration at central level.
- [e] **Refers the matter to the Professional Capability Committee** for consideration under the Professional Capability and Fitness to Practise Regulations.

Penalties that may be imposed at School/Institute level

~~73-52.~~ ~~When if~~ the Head of School/~~Institute~~ or ~~Institute Director~~ ~~Dean for Education~~ decides that the misconduct is proven, one or more of the following penalties may be imposed:

- [a] A reprimand which is a formal penalty for the misconduct.
- [b] The requirement to apologise in specified terms to one or more named persons by a specified date.
- [c] A formal instruction restricting activity for a specified period.
- [d] A first written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.
- [e] A final written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.
- [f] A fine not exceeding £100.
- [g] Compensation in respect of damage to property at the value of the damage where its value is no more than £250.
- [h] Compensation in respect of injury to a person not exceeding £250.
- [i] Prohibition from holding any office, or any particular office, including committee membership of any body or society of QMUL.
- [j] Exclusion from prescribed departmental or Students' Union and/or QMUL facilities, including Student Services and IT Services, for a period of no more

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than one calendar year, but not including attendance at lectures, classes, tutorials or other timetabled teaching and learning activities student's programme of study.

~~74-53.~~ In addition to imposing one of the above penalties, an informal caution or other informal cautionary advice may be given ~~by the individual or body imposing the penalty.~~

~~75-54.~~ Any fine or penalty imposed will take account of the student's means. Compensation where damage has occurred will take account of the cost of repair/replacement. The student may be permitted to make the payment in prescribed instalments.

~~76.~~ Any fine or penalty imposed may take account of penalties imposed by a Court following a criminal conviction.

At ~~central institutional~~ level

~~77-55.~~ Once the investigation into the allegation of misconduct is completed, the Academic Registrar, after consultation with the Vice Principal, either:

[a] **Dismisses the ~~complaint~~allegation** of misconduct, in which case the matter is closed and no record of the allegation is retained on the student's record~~no record is retained of the complaint.~~

[b] **Decides that the ~~complaint~~allegation should not be subject to further action** under the Code of Student Discipline and, where considered appropriate, take informal action by way of caution or otherwise as recommended by the Vice Principal. ~~In applicable cases, the outcome is reported to the Professional Capability Committee.~~

~~[c] Refers the matter to the Vice Principal for a hearing by the Vice Principal.~~

~~[cd] Refers the matter to the Professional Capability Committee~~

~~[de] Refers the matter to a Student Disciplinary Committee eg where the allegation is serious and if proven likely to require a higher level penalty.~~

Hearing by the Vice Principal

~~78.~~ A hearing at School/Institute level will normally take place within 40 working days of an allegation of misconduct. The Academic Registrar notifies the student in writing by letter, email, or other documented means of the hearing, giving at least three days' notice. The student is provided with copies of all relevant documents that relate to the allegation of misconduct and investigation where he/she has not already received them.

~~79.~~ The Vice Principal hears the case by himself/herself but may be assisted by another staff member. The Academic Registrar, acts as secretary to the hearing. The student may be accompanied or represented by any person of

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his/her choosing. The hearing is held in private. The following stages are normally followed:

- [a] The Vice Principal questions the student about the allegations.
- [b] The student or his/her representative responds to the allegations and questions.
- [c] The Vice Principal decides the outcome of the disciplinary hearing in private.
- [d] The student is notified of the outcome and decision, normally, within three days of the date of the hearing or final meeting with the student. This is put in writing within seven days. The written notification of the outcome records the decision, the reasons for it and the student's right of appeal.

Decisions by the Vice Principal

80. Once the hearing is completed, the Vice Principal either:

- [a] **Dismisses the complaint** of misconduct, in which case the matter is closed and no record is retained of the complaint.
- [b] **Decides that the misconduct is proven but should not be subject to further action** under the Code of Student Discipline and, where considered appropriate, take informal action by way of caution or otherwise. In applicable cases, the outcome is reported to the Professional Capability Committee.
- [c] **Decides that the misconduct is proven and imposes one or more penalties** from those available. In applicable cases, the outcome is reported to the Professional Capability Committee.
- [d] **Refers the matter to the Professional Capability Committee** for consideration under the Professional Capability and Fitness to Practise Regulations.
- [e] Refers the matter to the Student Disciplinary Committee.

Penalties that may be imposed by the Vice Principal following a hearing

81. When the Vice Principal decides that the misconduct is proven, one or more of the following penalties may also be imposed:

- [a] A reprimand which is a formal penalty for the misconduct.
- [b] The requirement to apologise in specified terms to one or more named persons by a specified date.
- [c] A formal instruction restricting activity for a specified period.
- [d] A first written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.
- [e] A final written warning, which is formal advice to the student that if the

~~misconduct is repeated a more severe penalty will result.~~

- ~~[f]— A fine not exceeding £500.~~
 - ~~[g]— Compensation in respect of damage to property at the value of the damage where its value is no more than £1000.~~
 - ~~[h]— Compensation in respect of injury to a person not exceeding £1,000.~~
 - ~~[i]— Prohibition from holding any office, or any particular office, including committee membership in any body or society in the College.~~
 - ~~[j]— Exclusion from prescribed departmental or Students' Union and/or QMUL facilities, including Student Services and IT Services, for a period of no more than one year, but not including attendance at lectures, classes, tutorials or other timetabled teaching and learning activities student's programme of study.~~
 - ~~[k]— Suspension from QMUL for a period of up to three calendar months. Suspension may be ordered to take effect subject to such terms and conditions as the Committee may prescribe, but otherwise will prevent the student from entering the College or making use of any QMUL facilities or participating in any QMUL and/or University of London? activities.~~
- ~~82. In addition to imposing one of the above penalties, an informal caution or other informal cautionary advice may be given by the individual or body imposing the penalty.~~
- ~~83. Any fine penalty imposed will take account of the student's means. Compensation where damage has occurred will take account of the cost of repair/replacement. The student may be permitted to make the payment in prescribed instalments.~~
- ~~84. Any fine or penalty imposed may take account of penalties imposed by a Court following a criminal conviction.~~

~~The Student Disciplinary Committee (The Committee)~~

~~The Student Disciplinary Committee Constitution~~

~~85-56.~~ _____ The constitution of the Student Disciplinary Committee is as

follows: [a] A Vice-Principal, who chairs the Committee.

[b] A member of academic staff drawn from the membership of Senate.

[c] the President of the Students' Union or one of the Sabbatical Officers.

~~86-57.~~ _____ A non-voting secretary shall be appointed to the ~~Student Disciplinary~~ Committee. The secretary's role is to take notes of the meeting and advise on the implementation of the Code and/or Academic Regulations. The secretary remains present throughout the hearing and deliberations but has no role in the decision-making of the committee.

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87-58. A QMUL representative ~~will~~shall present the case to the Committee on behalf of QMUL. This will normally be the named investigator.

88-59. No person who has any close personal connections with the student due to appear before the Committee, or with the alleged misconduct, is eligible for appointment to the Committee.

60. The absence of one member of the Committee does not prevent the hearing taking place, or invalidate its outcome. The Chair of the Committee may, at any time between the initial appointments and the date of the hearing, appoint a replacement member, should any of the initial members be unable to attend the hearing.

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Student Disciplinary Committee Hearing Procedure

90-61. The Student Disciplinary Committee meets as soon as reasonably practical to consider an allegation ~~complaint~~ referred to it and normally within 40 working days of an allegation of misconduct. This meeting is called a hearing.

62. At least ten calendar days before the date of the hearing the secretary to the Committee sends the student a copy of these regulations, together with copies of all relevant documents to be presented at the hearing.

63. The hearing will take place in the absence of the defendant student should they not attend, not respond, or provide good reason for not attending.

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92-64. The student is required to inform the secretary of any documents that s/he intends to present or refer to at the hearing and to provide copies of them at least five calendar days before the date of the hearing. The Chair of the Committee may, at his/her discretion, allow the student additional time in which to produce documents for a hearing; there is no appeal against any refusal to allow such additional time

93-65. The hearing is held in private. Only the individuals party to the case and the Committee attend the hearing.

94-66. The Chair of the Committee is responsible for the conduct of the hearing and does so in accordance with the process set out below and the provisions of this Code. His/her rulings on matters of procedure are final. The Chair of the Committee may take whatever action he/she feels is appropriate in order to ensure the availability of all relevant facts and to facilitate a fair hearing and outcome. Any matter relating to the hearing not covered by this Code will be decided by the Committee, whose decision will be final.

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95-67. If a person is asked to appear as a witness, but is unwilling or unable for good reason, to attend a hearing, a written statement may be provided. Copies of any such statements are provided to the student. In circumstances

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where a witness is likely to be in distress, the Committee may permit the witness to be accompanied by another person, who will not participate in the proceedings in any way.

Order of proceedings

~~96-68.~~ _____ The student may be represented, or assisted by a person of his/her choosing (a maximum of two people will be permitted).

~~97-69.~~ _____ At the commencement of the proceedings the Chair will:

- Inform the student and/or their representative of the names of the members of the Committee and the secretary.
- Indicate the QMUL representative who will present the facts in possession of QMUL.
- Check that the student and/or their representative have copies of all the documentation supplied to the Committee.
- Inform the student and/or their representative of their right to examine any documents, reports or written statements used in the case and of the Panel's right to examine any written reports or documents introduced by the candidate and of the right of either side to call witnesses who may be examined by both sides.

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~~98-70.~~ _____ The Chair will read the allegation and will then ask whether the student admits to the offence or not.

~~99-71.~~ _____ The QMUL representative will be asked to present the facts in the possession of QMUL and call any witnesses who may be examined by both sides. The Committee and the student may ask the QMUL representative questions.

~~100-72.~~ _____ The student or his/her representative is invited to present his/her case. If any witnesses are called they may be examined by both sides. The Committee may ask questions, as may the QMUL representative.

~~101-73.~~ _____ At the conclusion of the evidence both the QMUL representative and the student may address the Panel. The QMUL representative will address the Committee first followed by the student.

~~102-74.~~ _____ The QMUL representative, ~~and together with~~ the student and his/her representative will be asked to leave the room while the Committee deliberate on the outcome. The Committee should tell the student if it will be possible for them to make a decision and inform them of the outcome on the day of the hearing.

~~103-75.~~ _____ The Committee may either:

- [a] Dismiss the **complaint-allegation** of misconduct, in which case the matter is closed and no record of the allegation is retained on the student's record file.

[b] **Decide that the ~~complaint-allegation~~ should not be subject to further action** under the Code of Student Discipline and, where considered appropriate, take informal action by way of caution or otherwise. In applicable cases, the outcome is reported to the Professional Capability Committee.

[c] **Decide that the misconduct is proven and impose one or more penalties** from those available. In applicable cases, the outcome is reported to the Professional Capability Committee.

~~404-76.~~ The student is notified of the outcome and decision, either in person by the committee, or within three working days of the date of the hearing. The decision will be formally put in writing within five working days. The letter will record the decision of the Committee, the reasons for the decision, any penalty that is applied and the student's right of appeal.

Penalties that may be imposed ~~only at College level~~ by a Student Disciplinary Committee

~~405-77.~~ When allegations of misconduct are upheld, the following penalties may ~~also~~ be imposed by a Student Disciplinary Committee:

- [a] A reprimand which is a formal penalty for the misconduct.
- [b] The requirement to apologise in specified terms to one or more named persons by a specified date.
- [c] A formal instruction restricting activity for a specified period.
- [d] A first written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.
- [e] A final written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.
- [f] A fine not exceeding £1000.
- [g] Compensation in respect of damage to property at the value of the damage with no upper limit.
- [h] Compensation in respect of injury to a person not exceeding £2,000.
- [i] A requirement to undertake ~~community-some~~ service to the QMUL and/or QMSU community, the nature and timing of the service to be determined by the President and Principal or Committee as appropriate.
- [j] Prohibition from holding any office, or any particular office, including committee membership of any body or society of QMUL.
- [k] Exclusion from prescribed departmental, ~~or~~ Students' Union and/or QMUL facilities, including ~~the~~ Student Services and IT Services, for a period of no more than one year, but not including attendance at lectures, classes, tutorials or other timetabled teaching and learning activities student's

programme of study.

[l] Suspension from QMUL for a period of up to one year. Suspension may be ordered to take effect subject to such terms and conditions as the Committee may prescribe, but otherwise will prevent the student from entering QMUL or making use of any QMUL facilities or participating in any QMUL activities.

[m] Recommendation to the President and Principal that the student's registration be terminated and the student ~~excluded~~ ~~expelled~~ from QMUL. The President and Principal considers the recommendation and either supports the recommendation or imposes an alternative penalty.

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~~106.78.~~ In addition to imposing one of the above penalties, an informal caution or other informal cautionary advice may be ~~given by the individual or body imposing the penalty imposed.~~

~~107.~~ Any fine imposed will take account of the student's means. Compensation where damage has occurred will take account of the cost of repair/replacement. The student may be permitted to make the payment in prescribed instalments.

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~~108.79.~~ Any fine or penalty imposed may take account of penalties imposed by a Court following a criminal conviction.

~~109.~~ A student whose registration at QMUL has been terminated is required to vacate any College-owned or College-managed residential accommodation.

~~Exclusion from the College~~

~~110.~~ Where a Student Disciplinary Committee recommends to the Principal that the student's registration be terminated and the student be excluded from QMUL, the Principal considers the recommendation and either supports the recommendation or imposes an alternative penalty.

Appeal Process

~~111.80.~~ A student may appeal a decision arising from the Code of Student Disciplinary Procedure using the process set out in the QMUL Appeal Regulations. This includes the right to appeal ~~the any~~ penalty imposed.

~~81.~~ Where all stages of QMUL's appeal regulations have been exhausted, the student is issued with a completion of procedures letter and may request a review by the Office of the Independent Adjudicator for Higher Education.

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Appendix 1 - Responsibility and authority

1. The President and Principal is responsible to the Council for the management of QMUL, which includes student conduct and discipline.
2. The President and Principal normally delegates authority for student discipline and the operation of this Code to other members of QMUL.
3. The President and Principal's delegations are detailed below. In all cases, the Principal may assume responsibility to undertake any of the actions delegated to another.
4. Where a delegated office holder is unable to act, their deputy, or the person acting in the office or the office holder's nominee will act in their place.
5. At institutional level the President and Principal delegates responsibility to a Vice Principal for all actions that may be undertaken under the Code of Student Discipline, except approving expulsion of a student on the recommendation of a Student Disciplinary Committee.
6. At institutional level the President and Principal delegates responsibility for organising an investigation into the alleged misconduct to the Academic Registrar, or their nominee.
7. At school/institute/directorate level the President and Principal delegates responsibility to the Head of School, or Institute Director to heads of academic departments/schools, or Institute Directors, for all authorised actions under the Code of Student Discipline for students in their department.
8. At professional services directorate level the responsibilities and authorities of the Director of a professional services department are those which are

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approved by the appropriate authority and detailed in the relevant regulations eg Halls of Residence Regulations, Library Regulations etc.

Equality Impact Assessment

~~Is there any aspect of the policy, procedure or practice that is likely to have an adverse affect on any students from the protected equality groups (age, race/ethnicity, gender/sex, disability, sexual orientation or religion and belief)?~~ No, the regulations are intended to be applied to all students equally. The regulations will enable QMUL to promote a positive environment for all students by providing a mechanism for dealing with instances of harassment should they arise. Students with disabilities may require specific support to access the Code of Student Discipline or when involved in disciplinary procedures.

~~What mechanisms are in place to monitor the application of this policy across students from all protected equality groups?~~ An annual report is produced which provides summary statistics on demographic information about students (gender, age, ethnicity, department) subject to action under these regulations. This will enable QMUL to identify any trends in its application.

~~Can the above differences be justified?~~ Not applicable as there are no differences.

~~How does the policy support the student experience and the QMUL's management of its academic standards?~~ The policy supports the student experience by enabling misconduct to be dealt with in an appropriate manner and promoting good conduct on campus.

~~How is this policy helping to:~~

~~[a] Raise achievement levels and promote equality of opportunity?~~

~~[b] Promote dignity, courtesy and respect within study?~~

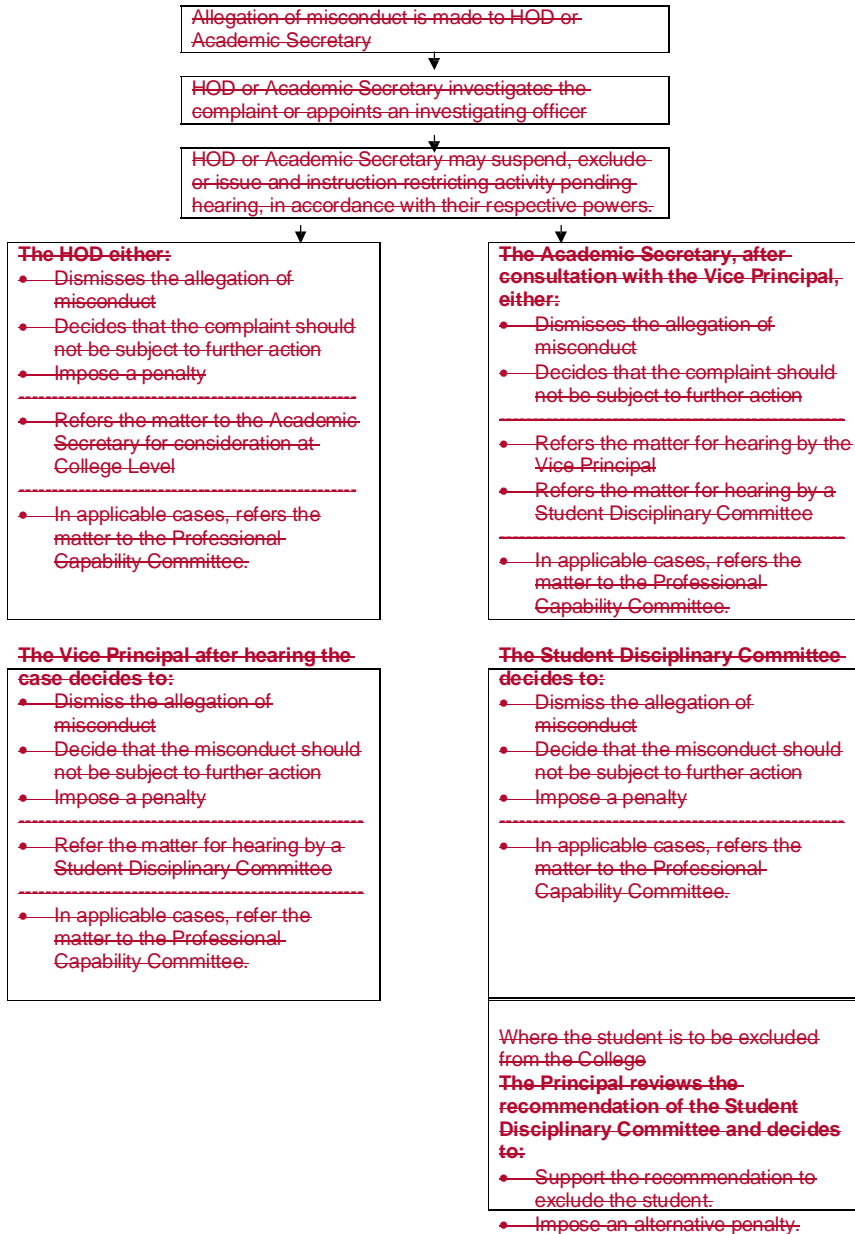
~~[c] Prevent or deal with discrimination?~~

~~(if not applicable, please explain why)~~

The Code of Student Discipline enables QMUL to address potential barriers to achievement and/or equality of opportunity and promotes dignity, courtesy and respect within QMUL by providing a structured process by which allegations of misconduct by students can be dealt with. In many cases, experience has shown that the nature of the misconduct, if not addressed by QMUL, has the potential to impact negatively on this:

APPENDIX 1

Flow Chart of the Student Disciplinary Procedure



APPENDIX 2

Summary of Penalties that may be imposed at each level of authority

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Head of Department and SMD Dean for Education

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~~[a] A reprimand which is a formal penalty for the misconduct.~~

~~[b] The requirement to apologise in specified terms to one or more named persons by a specified date.~~

~~[c] A formal instruction restricting activity for a specified period.~~

~~[d] A first written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.~~

~~[e] A final written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.~~

~~[f] A fine not exceeding £100.~~

~~[g] Compensation in respect of damage to property at the value of the damage where its value is no more than £250.~~

~~[h] Compensation in respect of injury to a person not exceeding £250.~~

~~[i] Prohibition from holding any office, or any particular office, including committee membership in any body or society in the College.~~

Vice Principal Hearing

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~~[a] A reprimand which is a formal penalty for the misconduct.~~

~~[b] The requirement to apologise in specified terms to one or more named persons by a specified date.~~

~~[c] A formal instruction restricting activity for a specified period.~~

~~[k] A first written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.~~

~~[l] A final written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.~~

~~[d] A fine not exceeding £500.~~

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<p>[g] Prohibition from holding any office, or any particular office, including committee membership in any body or society in the College.</p> <p>[h] Exclusion from prescribed departmental or Students' Union and/or College facilities, including the Library and Computing Services, for a period of no more than one year, but not including attendance at lectures, classes, tutorials or other timetabled teaching and learning activities student's programme of study.</p> <p>[i] Suspension from the College for a period of up to three calendar months. Suspension may be ordered to take effect subject to such terms and conditions as the Committee may prescribe, but otherwise will prevent the student from entering the</p>	<p>Formatted: Heading 1, Right, Right: 0.38 cm, Space Before: 1 pt, Line spacing: single</p>
<p style="text-align: center;">Student Disciplinary Committee</p> <p>[a] A reprimand which is a formal penalty for the misconduct.</p> <p>[b] The requirement to apologise in specified terms to one or more named persons by a specified date.</p> <p>[c] A formal instruction restricting activity for a specified period.</p> <p>[m] A first written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.</p> <p>[n] A final written warning, which is formal advice to the student that if the misconduct is repeated a more severe penalty will result.</p> <p>[d] A fine not exceeding £1000.</p> <p>[e] Compensation in respect of damage to property at the value of the damage with no upper limit.</p> <p>[f] Compensation in respect of injury to a person not exceeding £2,000.</p> <p>[g] A requirement to undertake community service, the nature and timing of the service to be determined by the Principal or Committee as appropriate.</p> <p>[h] Prohibition from holding any office, or any particular office, including committee membership in any body or society in the College.</p> <p>[i] Exclusion from prescribed departmental or Students' Union and/or College facilities, including the Library and Computing Services, for a period of no more than one year, but not including attendance at lectures, classes, tutorials or other timetabled teaching and learning activities student's programme of study.</p>	<p>Formatted: Heading 1, Right, Indent: Left: 0 cm, Right: 0.38 cm, Space Before: 1 pt, Line spacing: single</p> <p>Formatted: Heading 1, Right, Right: 0.38 cm, Space Before: 1 pt, Line spacing: single</p>

EIA are designed to measure the impact of policies, procedures, services, initiatives, strategy and their outcomes against equality protected groups. This process will assist you in planning, development and decision making. It will also assist QM in meeting the requirement of the Equality Act 2010.

When is an EIA required?

All new and existing policies, procedures, services, initiatives, etc. must undergo an equalities impact assessment. EIA is required for any formal or informal decisions about how the College carries out its duties and uses its powers in situations where there is any element of choice, selection or potential for discrimination between people. This includes strategies, functions, services, reviews, and re-organisations; in effect anything which involves a selection or self-selection for a benefit (e.g. staff recruitment, promotion, training, awards and student admissions procedure, assessment, allocation of accommodation, prizes) or a dis-benefit (e.g. poor performance or discipline). This includes handbooks, prospectuses, guidelines, workload allocation systems as well as approved policies. Policies, procedures, functions, services (etc.) should be re-assessed approximately every 3 years.

When is the best time to complete an EIA?

An EIA should be completed as soon as a relevant new policy, function or service is considered. Usually the sooner an impact assessment is completed the better. The reason for this is that if the equalities analysis is undertaken in advance of policy description, lessons are readily incorporated. In contrast, if EIA is completed at the end of process design, most people are reluctant to revisit and alter a recently finished piece of work. The time each assessment takes will vary depending on its nature and complexity.

Who should undertake the EIA?

At least one member of the team involved in completing an EIA should be the manager responsible for the delivery of the policy, services, strategy, procedure etc.. However, it is also helpful to have someone else involved who can challenge the assessor's views or offer a different perspective. This would ideally be a service user or someone related to the service. The size of a team varies depending on what is being assessed.

Example of questions to consider:

Aims of what is being assessed? Who has been consulted? Possible barriers to access for some protected groups? Is there a positive or negative impact on any equality group? What can be done to address it? Can it be justified? Can it promote equality? Etc.

Action plan

The Action plan should include action to remove/address the impact, resource implications, Key Performance Indicators and robust monitoring that will stand up to scrutiny. Information on monitoring may be request at any time by internal or external stakeholders. The action plan should be communicated to the team involved in the policies, procedures, services, etc.

Authorisation

The Head of School/department/Institutes must approve the EIA by signing/printing on the form

Contact

For further information/advice, please contact the Diversity Team, hr-equality@gmul.ac.uk, 020 7882 5585/5519 and **send a copy of the EIA.**

Name of Policy/Procedure/Service/Function/Strategy assessed: Code of Student Discipline		Is this New? <input type="checkbox"/> Or Existing? <input checked="" type="checkbox"/>													
Assessment conducted by (name and contact): Luke Vulpiani, Assistant Academic Registrar		Date of Assessment: 24 May 2016													
Department/Faculty: ARCS	Head of Department sign and print:		Review Date:												
<p>1. Evidence considered. What data or other information have you used to inform the development and assessment of this Policy/Procedure/Service/Function/Strategy? Review of cases and data from previous years to identify potential Equality factors in disciplinary cases.</p>															
<p>2. Consultation. Have you consulted staff/students/service users representatives including those from underrepresented/ disadvantaged groups? What were their views? Task and Finish Group convened, which included Academic Staff, Professional Services Staff and a member of the Students' Union. DDS and Advice and Counselling have been consulted in regards to Fitness to Study.</p>															
<p>3. Promoting equality. Does this policy/procedure have a positive impact on equality or prevent discrimination? What evidence is there to support this? Could it do more? How would you communicate it? The Code of Student Discipline helps enable QMUL to prevent discrimination by providing a framework through which misconduct can be addressed. The Code has a positive impact on Equality by ensuring QMUL is a safe, secure environment for all students and promotes dignity, courtesy and respect within QMUL. The Code makes it clear QMUL will not tolerate offensive, abusive, or discriminatory behaviour and allows QMUL to enforce sanctions for discrimination. The regulations apply to all students equally. Students with disabilities may require specific support to access the Code of Student Discipline or when involved in disciplinary procedure and this will be dealt with on a case by case basis taking into account the circumstances.</p>															
<p>4. Identifying the adverse impact Identify any issues in the document which could have an adverse impact (direct or indirect) on any of following groups:</p> <table border="0"> <tr> <td>1 Race/Ethnicity</td> <td>5 People from different age groups</td> <td>9 People with caring responsibilities (not covered by Equality Act but can impact on other groups)</td> </tr> <tr> <td>2 Women and/or men, including pregnant women</td> <td>6 Religion and Belief (including people with no faith)</td> <td></td> </tr> <tr> <td>3 People with disabilities</td> <td>7 People who are married or in a civil partnership</td> <td></td> </tr> <tr> <td>4 Heterosexual, lesbians, gay men and bisexual people</td> <td>8 Transgender people</td> <td></td> </tr> </table>				1 Race/Ethnicity	5 People from different age groups	9 People with caring responsibilities (not covered by Equality Act but can impact on other groups)	2 Women and/or men, including pregnant women	6 Religion and Belief (including people with no faith)		3 People with disabilities	7 People who are married or in a civil partnership		4 Heterosexual, lesbians, gay men and bisexual people	8 Transgender people	
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Impact Identified	Equality Group	Evidence <i>Refer to information gathered (section 1) and consultation (2)</i>	Adjustment /Justification <i>Can adjustments be implemented? Can barriers be removed? Can the issue be justified?</i>	Proposed Action <i>If the issue cannot be fully justified, identify the action(s) to be taken</i>	Person responsible for action(s) & timeframe										
<p>Monitoring How will you monitor the impact of the policy/procedure/service, etc. on the above equality groups? – include a review date.</p>															

