

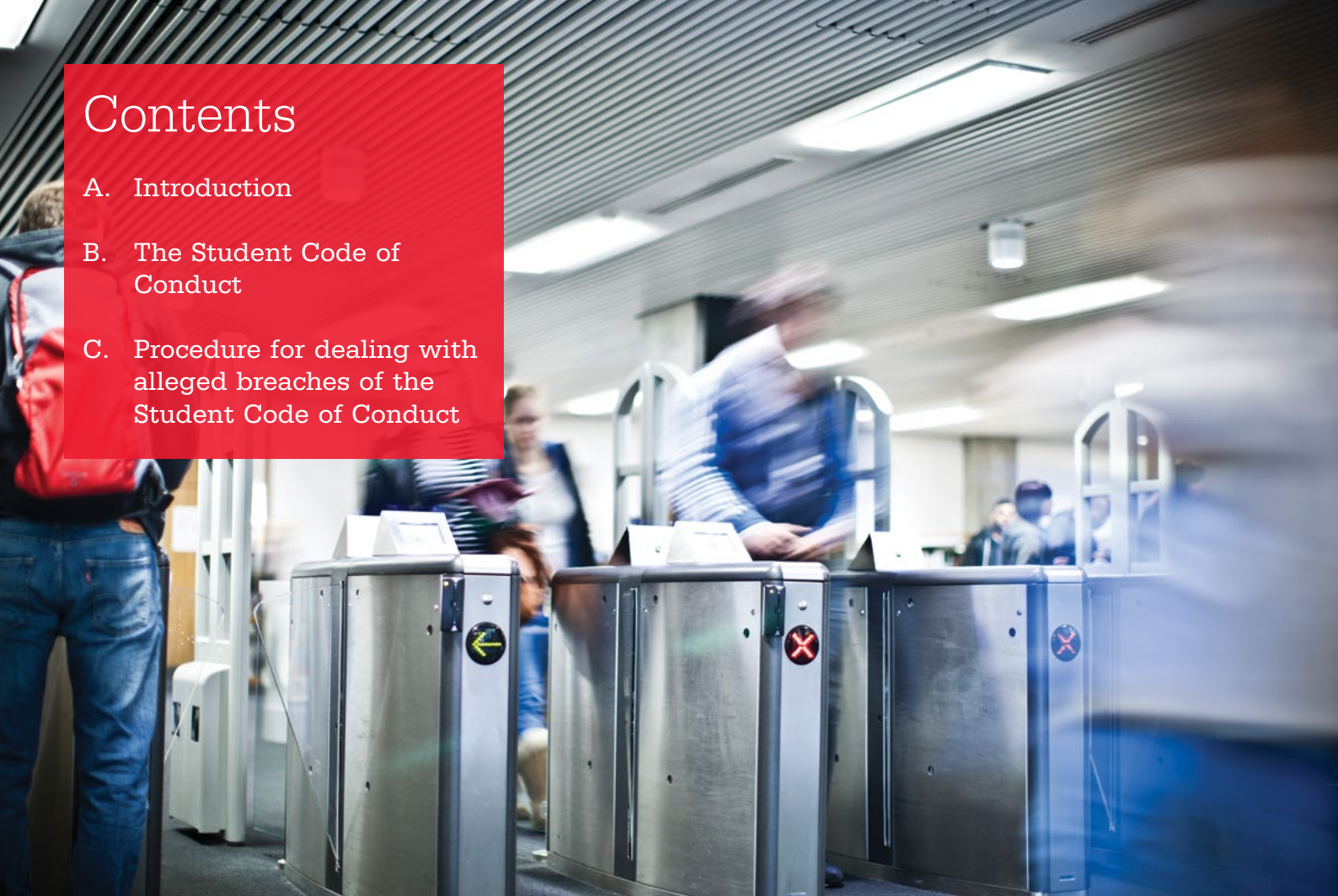


Student Code of Conduct



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The Student Code of Conduct

A. Introduction and Context

1. The University aims to provide all of its students with the support and guidance they need to achieve success. The Student Code of Conduct sets out the standard of conduct the University expects of its students so that everyone can undertake their studies in a supportive and non-threatening environment.
2. The Student Code of Conduct does not deal with academic misconduct, which is addressed in the [Procedure for Handling Academic Misconduct](#). Similarly, the Code does not cover conduct by staff towards students. Students must make any complaint about the conduct of a member of staff through the [Student Complaints Procedure](#).
3. There are various other University policies and regulations that apply to students and breach of which will, where appropriate, be dealt with as breaches of the Student Code of Conduct. These regulations and policies include (but are not limited to):
 - [Library Rules and Regulations](#)
 - [Student Rules and Regulations for the Use of Computing Facilities](#) (and associated IT Services policies)
 - Manchester Met Accommodation [Terms and Conditions of Residence](#) (where relevant)
4. There is also a separate [Procedure for the Suspension and Exclusion of Students from Programmes on Grounds of Professional Unsuitability](#) ('the Professional Unsuitability Procedure'), which applies to programmes that include or lead to a professional qualification or that confer practitioner status. Concerns about the professional unsuitability of students should be dealt with under the Professional Unsuitability

Procedure, rather than under the Student Code of Conduct. However, if through the operation of the procedure in the Student Code of Conduct a student is found to have committed misconduct or serious misconduct, this might constitute a ground for taking action under the Professional Unsuitability Procedure.

5. The University will always seek to act reasonably in dealing with student misconduct. It must also balance the interests of all members of the University community and sometimes of wider communities with whom it has to maintain good relationships. Exceptionally, this might result in action being taken outside of the provisions of the Student Code of Conduct. In such cases, decisions will always be taken by the Registrar, on the basis of such information and advice as s/he considers appropriate, and will be explained to the student.

B. The Student Code of Conduct

1. Behaviour that is expected of students

- (i) On campus, and in halls of residence that are associated with the University, the University expects students:
 - to behave in a responsible manner that will help to foster mutual respect and understanding between all members of the University community;
 - to act within the law and not to engage in any activity or behaviour that is likely to bring the University into disrepute;
 - to behave and communicate in ways that do not unreasonably offend others. Examples of unreasonably offensive behaviour include using abusive or obscene language and engaging in any form of discriminatory or anti-social behaviour;

- to treat with respect everyone with whom they come into contact, whether within the University or outside;
- to treat all University property with respect;
- to comply with requests of members of staff;
- to adhere to the University's Health and Safety policies and to any specific requirements that apply to areas where they work;
- to observe fire alarms and related procedures and evacuate buildings when alarms sound;
- to disclose immediately to the University, via the Head of their academic Department, if they are charged with, and/or convicted of, a serious criminal offence.

(ii) Off Campus

The University works hard to build good relationships with its local communities. It works with residents' associations, local representatives and the police in order to help make Manchester Met campuses and the surrounding areas safe and friendly environments to live in. In that context, students are expected to:

- help to support these relationships in the way that they conduct themselves in the surrounding area;
- be considerate to their neighbours, especially in relation to noise levels and rubbish;
- be considerate when they are parking close to a Manchester Met campus, so that they do not obstruct residents;
- act within the law and not engage in activity or behaviour that is likely to bring the University into disrepute.

2.1 Behaviour that will be regarded as misconduct

The University considers the forms of inappropriate conduct that are set out below to constitute misconduct that is likely to lead to disciplinary action under the Student Code of Conduct. However, the list should not be regarded as exhaustive.

- (i) Unacceptable behaviour arising from the consumption of alcohol or other substances.
- (ii) The possession or use of illegal drugs or any substance that has a similar effect to illegal drugs.
- (iii) Failure to respect the rights of others to freedom of speech within the law, as required by s.43 of the Education Act (No.2) 1986.
- (iv) Disorderly, threatening, bullying, or offensive behaviour or language whilst on University premises, engaged in University activity whether on or off the University's premises, or using University computers or e-mail accounts.
- (v) Any action that did cause, or could have caused, a health and safety concern on University premises.
- (vi) Any behaviour that damages the University's relationship or reputation with its local communities, as evidenced by complaints from residents, residents' groups, local representatives or the police.
- (vii) Any behaviour that damages, or that has the potential to damage, the University's relationship or reputation with external organisations and groups.
- (viii) Disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University.
- (ix) Abusive behaviour or language, harassment or bullying of any kind, towards a student, a member of staff or a visitor to the University by any means, including social media, whether on or off University premises and whether conducted through University or personal equipment.
- (x) Actions that involve making defamatory statements and/or false claims about a member of the University community.
- (xi) Any interference with fire detectors, fire alarms or fire extinguishing equipment.
- (xii) Damage to, defacement of, University property or the property of other members of the University, whether caused intentionally or recklessly.
- (xiii) Misuse or unauthorised use of University

premises and property, including computer misuse.

- (xiv) Breaches of the [Library Rules and Regulations](#).
- (xv) Breaches of the [Student Regulations for the Use of University Computing Facilities](#) that are not otherwise specifically covered in the Student Code of Conduct.
- (xvi) Breaches of any other codes, policies or regulations adopted by the University or the Students' Union.
- (xvii) Recording lectures, other academic sessions or conversations without the agreement of the person(s) involved.
- (xviii) Failure to disclose details of personal identification to a member of staff of the University in circumstances in which it is reasonable to require that such information be given.
- (xix) Breaches of the [Terms and Conditions of Residence](#) for halls of residence managed by the University that are not otherwise covered in (i) to (xix) above.

2.2 Behaviour that will be regarded as serious misconduct

The following kinds of behaviour will normally be treated by the University as serious misconduct, where the disciplinary panel can consider whether the student should be suspended and/or expelled from the University and/or halls of residence that are managed by the University:

- (i) abusive language used about others, or abusive behaviour towards others, on the grounds of their age, disability, gender, gender identity, pregnancy, maternity, race, religion, belief, or sexual orientation;
- (ii) taking University property, or the property of University staff or students, without permission;
- (iii) deceit, deception or dishonesty in relation to the University or its staff and students, or while on University-related activities;
- (iv) the supply of illegal drugs or any substance that has a similar effect to illegal drugs;
- (v) other behaviour that constitutes a

potential criminal offence of relevance to the University or to the student's standing as a member of the University community;

- (vi) any action that did cause, or could have caused, serious harm on University premises or during University activities, or that creates a legal liability for the University;
- (vii) physical violence towards others, or the threat of physical violence;
- (viii) behaviour that compromises the reputation of the University;
- (ix) making unwanted remarks of a sexual nature;
- (x) engaging in a sexual act involving University staff or students without their consent;
- (xi) serious and/or repeated harassment of staff or students.

2.3 In addition, instances of misconduct in the categories that are set out in 2.1 above that are considered by the relevant University officers to have a significant impact on others or on the University generally, or to be persistent and/or repeated over a significant period of time, may be treated as serious misconduct.

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

General

1. Where it is alleged that a student has breached the Student Code of Conduct, the matter shall be dealt with in accordance with one of the procedures set out below. Separate guidelines are available for members of staff who are involved in managing and operating these procedures. In matters relating to halls of residence, penalties that are imposed through the Student Code of Conduct cannot over-ride the provisions of the [Terms and Conditions of Residence](#).

Standard of Proof

2. The standard of proof that shall be used in all cases that are dealt with under this procedure shall be the balance of

probabilities, which is the standard of proof that is used in Civil Law. This means that a disciplinary panel will be satisfied that an event occurred if the disciplinary panel considers that, on the evidence available, then occurrence of the event was more likely than not. The standard of proof shall not be varied according to the perceived seriousness of an allegation.

Allegations

3. Allegations of misconduct in Halls of Residence associated with the University should be reported to the [Student Living](#) team. All other allegations of misconduct should be reported to the [Student Case Management](#) team.
4. A student who wishes to make a complaint about the conduct of another student must use the [Student Complaints Procedure](#). The University discourages the use of anonymous allegations, because transparency is central to the University's values and helps to ensure that complaints can be resolved in an atmosphere of trust, openness and fairness that preserves ongoing relationships. If a complaint is made anonymously it can be much harder to investigate and to preserve fairness to all parties. Allegations that are made anonymously, whether by students or by other persons, will be considered at the discretion of the University. In exercising this discretion, the factors that will be taken into account will include:
 - (i) the gravity of the allegation;
 - (ii) the credibility of the allegation;
 - (iii) the likelihood of being able to conduct a fair investigation;
 - (iv) whether there is good reason for the complainant to remain anonymous.
5. If a student:
 - (i) persistently makes allegations outside of the Student Complaints Procedure; and/or
 - (ii) does not respect the confidentiality of other parties during an investigation; and/or
 - (iii) persistently seeks to publicise allegations about other staff or students that have been resolved or not upheld; and/or

- (iv) is adjudged to have made malicious or vexatious allegations;

then disciplinary action may be taken against them.

6. If it is necessary in order to balance conflicting but legitimate rights and needs of students and staff and to safeguard the orderly functioning of the institution, the University might wish to take informal action, even where there has been no formal finding of misconduct. In such cases, no disciplinary record will be kept on students' files.

Initial Assessment

7. When Student Case Management, or Student Living, receive an allegation of misconduct they will conduct an initial assessment and recommend one the following options:
 - (i) there is no case to answer and no action should be taken;
 - (ii) that some form of informal resolution such as mediation is appropriate;
 - (iii) the student is required to attend an informal meeting;
 - (iv) that a fixed penalty fine should be issued under the summary procedure;
 - (v) the case should be referred to a Level 1 disciplinary panel;
 - (vi) the case should be referred to a Level 2 disciplinary panel. Before referral to a Level 2 disciplinary panel the Head of Graduate School and Student Case Management should be consulted;
 - (vii) that an investigation is required before a decision can be made on the appropriate process. An investigating officer will be assigned to conduct a full investigation.
8. As part of an investigation a student may be invited to an investigatory interview with the investigating officer. This will not be a disciplinary hearing but will be part of the process for deciding whether disciplinary action is warranted. A second member of staff will attend the meeting to take notes. The student will be informed that the interview notes may be used in a disciplinary hearing. Students will be given 5 working days notice of the interview,

be given a written specification of the allegations and be told that they have a right to be accompanied or represented at the meeting by a member of the University – usually an advisor from the [Students' Union Advice Centre](#).

9. The recommendation, and the investigation report if relevant, will be provided to the appropriate senior member of staff who will make a final decision on the appropriate procedure to follow. Where there appears to be a clear case of misconduct the matter may be referred directly to a disciplinary panel without investigation.

Precautionary Action

10. Where the initial assessment identifies an allegation of serious misconduct, or where the University becomes aware that a student is under investigation by the relevant authorities on suspicion of having committed a criminal offence, a full risk assessment will be conducted. A Deputy Registrar or the Director of Faculty SAS will consider whether any risks have been identified that require precautionary action.

Where one or more of the following conditions is satisfied the student may be suspended immediately from any or all of the University's premises and facilities by the member of staff responsible for the risk assessment:

- (i) the student's continued presence compromises the reputation of the University;
- (ii) there is a reasonable suspicion that the student has been supplying illegal drugs;
- (iii) there is a risk that the student might harm others;
- (iv) there is a risk that the student might cause damage to property;
- (v) there is a risk that the student's continued presence may inhibit a proper criminal or University investigation;
- (vi) there is a risk that the student's continued presence may cause serious distress to other students or staff.

Restrictions can include:

- (i) immediate suspension from University;
 - (ii) restrictions on the campuses and/or buildings of the University that the student may visit or the departments and/or services of the University that the student may access;
 - (iii) termination of Licence Agreement for halls of residence managed by the University (giving the period of notice required under the terms of occupancy), or for the immediate transfer of the student to other residential accommodation (including another hall of residence that is managed by the University).
11. Normally, students shall be informed that a risk assessment is being carried out and they shall be given an opportunity to submit representations in writing to Student Case Management about a recommendation that they should be suspended from the University. Where a Deputy Registrar or the Director of Faculty Student & Academic Services considers that the circumstances of a case justify the immediate suspension of a student, the student may be invited to make representations within 10 working days of the suspension being imposed.
 12. Once restrictions have been imposed and there is no longer any opportunity to submit representations, the student will be informed that they have the right to appeal the restrictions. Any appeal should be submitted to Student Case Management and will be considered by the Registrar.
 13. The Registrar may either decide to retain the existing restrictions, or make some alternative decision that satisfies the institution's over-riding responsibility to ensure the safety, wellbeing and good order of the University or hall of residence community. The decision of the Registrar shall be communicated to the student in writing and shall be final.
 14. Suspensions that are imposed under this provision shall be reviewed by Student Case Management no less than once every month. The student can also request a review at any point if they believe there

is a material change in the circumstances of the case. If there has been a material change the suspension will be referred back to a Deputy Registrar or the Director of Faculty Student & Academic Services for reconsideration. Suspension is not an assumption of guilt and is not considered a disciplinary sanction.

Informal meeting

15. Where misconduct is considered to be minor in nature, an informal meeting with between the student and a senior member of staff may be held to discuss the matter. The outcome of the meeting shall be recorded in a letter from the senior member of staff to the student. The letter may be referred to only if there are further concerns subsequently about the student's conduct. Where the senior member of staff considers that there is substance to the allegation, the letter shall normally include a requirement for the student to give a formal undertaking as to his/her future behaviour and a warning about the possible consequences of any further breach of the Student Code of Conduct. Allegations that are dealt with through an informal meeting should not normally then be referred to a Level 1 or Level 2 disciplinary panel.
16. If a student does not attend an informal meeting the senior member of staff can either:
 - (i) send a warning letter in the student's absence;
 - (ii) refer the matter to a disciplinary panel.

Summary Procedure

17. Where a member of staff sees a student engaging in disruptive or antisocial behaviour on University premises, and this is corroborated by another member of staff or CCTV evidence, the matter may, at the discretion of the relevant senior member of staff, be dealt with under this Summary Procedure. In such cases, the student may accept a fixed penalty fine of £50, which must be paid at a University Finance Office within 14 days of the date of the written notification to the student. If the student does not accept the fixed penalty fine, the matter will be referred to a Level 1 disciplinary panel.

Level 1 and Level 2 Disciplinary Panels

18. Level 1 Panels will comprise two eligible members of staff, one of whom will chair the Panel. For Level 2 Panels the chair of the panel shall be an academic Head of Department, or the Director or Head of an administrative or professional services area. One member of the panel shall be a senior member of staff of the University and the other member of the panel shall be a member of the Students' Union Executive.
19. At disciplinary panel hearings, the Investigating Officer, or a senior member of staff of the University who has not otherwise been involved in the process, shall present the case to the disciplinary panel. Investigating Officers may not be members of disciplinary panels.
20. In all cases that are referred to a Level 1 or a Level 2 disciplinary panel, the student shall receive a letter that sets out:
 - (i) a clear specification of the allegation;
 - (ii) the time, date and place of the disciplinary panel hearing;
 - (iii) their right to be accompanied or represented at the disciplinary panel hearing by a member of the University – usually an advisor from the Students' Union Advice Centre;
 - (iv) their right to call witnesses, to question these and other witnesses and to submit documentary evidence and/or a written statement;
 - (v) a copy of any documentation that will be referred to or made use of during the disciplinary panel hearing;
 - (vi) in the case of a Level 2 disciplinary panel hearing, a notice that potential outcomes of the hearing could include suspension or expulsion from the University.

For Level 1 disciplinary panel hearings, the letter shall be provided no later than 2 working days before the hearing (or 48 hours before, in the case of allegations of misconduct in halls of residence that are managed by the University). For Level 2 disciplinary panel hearings, the letter shall be provided no later than 10 working days before the hearing.

21. If a student fails to attend a hearing, the Panel will consider the evidence and make a decision in the student's absence.
22. If the student admits the allegation, they may then proceed to make a statement of mitigation. If the student does not make an admission, any statement of mitigation is likely to be given much less weight. In all cases where the student does not admit the allegation, they shall be given an opportunity to respond to the allegation.
23. At the conclusion of the disciplinary panel hearing, the student, his/her friend or representative, and all witnesses and/or parties to the allegation shall withdraw and the disciplinary panel shall reach a decision. The disciplinary panel shall determine whether or not the student has committed the alleged offence. If the disciplinary panel determines that the student is guilty, it shall then decide on the appropriate penalty. The decision of the disciplinary panel shall be normally be notified to the student orally in the first instance, and subsequently in writing. The written notification shall include a summary of the reasons for the decision and shall be sent within 10 working days of the hearing.
24. A copy of the letter to the student shall be sent to the Head of the academic Department in which the student is studying and another copy shall be held on file by Student Case Management or Student Living. The file copy shall be held for the duration of the student's registration with the University and may be referred to in the event that a further disciplinary allegation is made against the student. It should be disposed of when the student has graduated and it should not normally be referred to in references. There may however be some limited circumstances where disclosure may be justified if the matter is directly relevant to the duty of care which is owed to the recipient of the reference, for instance, where the job applied for requires a high degree of personal integrity or involves particular responsibility. As part of its decision, a panel should rule on the length of time for which the panel decision should remain on the student's file, and the extent to which it should be disclosed in a reference. In cases where panel members feel disclosure

may be appropriate they should seek advice from the Legal Department and Head of Graduate School and Student Case Management.

Sanctions available to disciplinary panels

25. Where an allegation against a student is upheld, a disciplinary panel may impose one or more of the sanctions that are set out below. Level 1 and Level 2 disciplinary panels:
 - (i) Either an oral or a written warning, advising of the likely consequences of a further breach of the Student Code of Conduct and requiring the student to given a written undertaking as to their future good conduct;
 - (ii) A requirement to pay costs in respect of any damages and/or losses suffered by the University and/or any third parties as a result of the student's actions. Payment must be made to a University Finance Service Centre within 14 calendar days of the date of the written notification to the student;
 - (iii) A fine of up to £150 for a Level 1 disciplinary panel and of up to £200 for a Level 2 disciplinary panel, which must be paid to a University Finance Service Centre within 14 calendar days of the date of the written notification to the student. Fines may be suspended for a period of up to 6 months, during which time they will become payable only if the student does not meet conditions that have been specified by the disciplinary panel. If, at the end of the period, all of the conditions have been met, the fine will be cancelled;
 - (iv) Withdrawal of specified services and/or exclusion from particular areas of the University, for a period of up to one academic term;
 - (v) a requirement to undertake up to 10 hours of non-academic work to make restitution for any situation that they created or contributed to creating.
 - (vi) A requirement to participate in a programme identified by the disciplinary panel to educate students about misconduct and its consequences.
 - (vii) A restriction on access to facilities or

buildings, or contact with staff and/or other students, for a period not exceeding the remainder of the current academic session, provided that this does not prevent the student's academic progress.

- (viii) Re-location of the student to similar accommodation, with immediate effect (where the allegation that has been upheld is of misconduct or serious misconduct in or relating to a hall of residence that is managed by the University).
- (ix) Recommendation that the agreement for University Halls of Residence is terminated by serving such notice on the student as is legally required (where the allegation that has been upheld is of misconduct or serious misconduct in or relating to a hall of residence that is managed by the University).

Level 2 disciplinary panels only:

- (x) Suspension from the University for a specified period of time, up to and including three academic terms or an equivalent period.
 - (xi) Exclusion from particular areas of the University, or University activities, for the duration of a student's enrolment at the University.
 - (xii) Expulsion from the University.
26. If a student fails to comply with a non-financial sanction the Panel chair may impose a fine on the student of up to £50 where the finding is misconduct and up to £100 where the finding is serious misconduct. This sanction will not be imposed while a review is in progress.

Request for Review

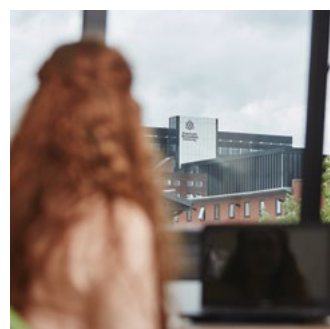
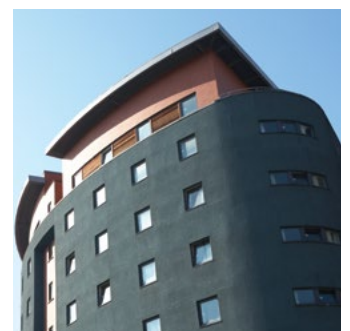
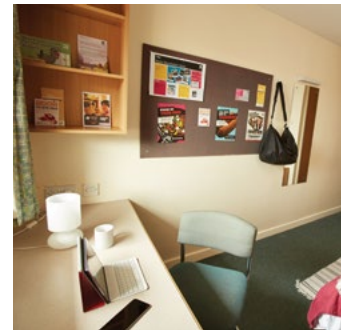
27. Students shall have the right to request a review of the finding imposed by a disciplinary panel, on one or more of the following grounds:
- (i) that new information has come to light, which calls into question the validity of the conclusion reached by the disciplinary panel;
 - (ii) that there was a material irregularity in the conduct of the process;

- (iii) that the sanction imposed by the disciplinary panel was disproportionate to the offence committed.

28. Requests for reviews must be submitted to the Student Case Management Team or Student Living in writing within 5 working days of the date of the written notification of the panel decision. Reviews in cases that arise from Level 1 disciplinary panel hearings relating to halls of residence shall be dealt with by the Head of Commercial Services. Reviews in all other cases, except those where the finding of the disciplinary panel is that the student should be suspended or excluded from the University, shall be dealt with by a senior member of staff appointed by the Head of Graduate School and Student Case Management who has had no previous involvement in the case. Reviews in cases where the finding of the disciplinary panel is that the student should be suspended or excluded from the University shall be dealt with by a Deputy Vice-Chancellor or Pro-Vice Chancellor who has had no previous involvement in the case. Review hearings shall normally be held within 15 working days of the written request being received. The University shall normally be represented at review hearings by the Investigating Officer.
29. The senior member of staff who reviews the case may reach one of the following conclusions:
- (i) to uphold the finding of the disciplinary panel and the sanction(s) imposed;
 - (ii) to uphold the finding of the disciplinary panel, but to lessen the sanction(s) imposed;
 - (iii) to refer the case for re-consideration to a new disciplinary panel;
 - (iv) to quash the finding of the disciplinary panel and the sanction(s) imposed.
30. The decision of the senior member of staff on the student's appeal shall be communicated to the student in writing within 10 working days of the review hearing. A copy of the letter shall be sent to the Head of the academic Department in which the student is studying and another copy shall be held by Student Case Management or Student Living.

Students who are convicted of a criminal offence that results in the imposition of a custodial sentence

31. Where the University becomes aware that a student has been convicted of a criminal offence that has resulted in the imposition of a custodial sentence, the Head of Graduate School and Student Case Management shall immediately cancel the student's registration with the University and the student's current enrolment(s). If, at the end of the custodial period of his/her sentence, the student wishes to return to the University, s/he must submit a new application in the normal way. If at the time the new application is made, the conviction is not deemed to be spent under the Rehabilitation of Offenders Act 1974, the matter will be considered by a Risk Assessment Panel, in accordance with the University's Recruitment and Admissions Policy.
32. Once all stages, including the review stage, of this procedure have been exhausted, a Completion of Procedures letter will be issued. A student who considers that the University has not followed and/or applied the Student Code of Conduct and this procedure correctly may then refer the matter to the [Office of the Independent Adjudicator for Higher Education](#), which provides an independent scheme for the review of student complaints.



APPENDIX I

The Student Code of Conduct and placements

1. The University requires full disclosure of relevant information in order to arrange placements for students. If a student has a serious, relevant, disciplinary record or a related criminal conviction that is not 'spent', their permission will need to be obtained to disclose that information to potential placement providers, so that the providers can decide whether or not to accept them. Where a student who is in this position does not give permission for such information to be disclosed, the University will be unable to arrange a placement for them.
2. Students who are on placements will be subject to the Code of Conduct and associated procedures of the placement provider, including the provider's absolute authority to dismiss. Dismissal from a placement for misconduct constitutes either misconduct or serious misconduct under the Student Code of Conduct, because it damages, or has the potential to damage, the University's relationship or reputation with an external organisation.
3. Where dismissal has resulted from a finding of fact made by the placement provider, this will not need to be reopened by the University. The issue for the University will be the seriousness of the offence. Where the placement provider has not gone through a formal disciplinary process, the University may need to invoke its own disciplinary procedures.
4. If a student engages in preplacement processes, including recruitment and selection activities for placements, in a way that is inappropriate or has the potential to damage the University's relationship with the placement provider, the relevant Head of Department may refuse to allow the student to undertake a placement. Where the student is on a programme that includes a placement year, this will result in the student being transferred to a non-placement variant of the programme. Detailed guidance will be provided to students in programme and related handbooks. Requests for reviews of

such decisions will be dealt with under the review procedure in the Student Code of Conduct.

Implementation and Review of this policy

1. The Equality Act 2010 includes a requirement for all Higher Education Institutions to carry out Impact Assessment on all policies and procedures, both formal and informal and written and unwritten. This procedure will be screened to determine equality relevance for the following equality groups: Race, Gender, Disability, Age, Sexual Orientation and Religion and Belief.
2. In order to facilitate the impact assessment process, appropriate records will be kept during any future implementation of this policy.
3. Information will be collected on gender, ethnic origin, age group, disability, sexual orientation and religion and beliefs for monitoring purposes. The nature of the issues will also be recorded for monitoring purposes. Some confidential monitoring of outcomes will also be recorded to evaluate the impact of the procedure upon University staff.
4. The policy and its associated Impact Assessment will be reviewed every 2 years by Student Case Management.