

Manchester Metropolitan University

HALLS OF RESIDENCE: RESIDENTS' DISCIPLINARY PROCEDURE Booth Hall

1. All residents in the University's Halls of Residence are required to sign and abide by the Terms of Occupancy, which set out requirements for good conduct.
2. Designated CaReS staff have responsibility for the maintenance of residents' discipline and the authority to take disciplinary action against residents who infringe the Terms of Occupancy, or otherwise act in a manner detrimental to the good order of the Hall or to the well-being of its residents.
3. It is intended that minor infringements and misdemeanours shall be dealt with informally by the designated CaReS staff. More serious cases shall be considered in accordance with the disciplinary procedures set out below.
4. The following procedure shall be followed in cases where a designated member of CaReS staff determines to take formal disciplinary action against a resident under this Residents' Disciplinary Procedure.
 - 4.1 CaReS staff shall notify the resident in writing of:
 - 4.1.1 a clear specification of the allegation.
 - 4.1.2 the time, date and place fixed for the hearing, and a direction to be present at the hearing; the resident shall be given not less than 48 hours notice of the hearing any request for this to be extended shall not be unreasonable refused;
 - 4.1.3 the right to be accompanied/represented at the hearing by a friend or Students' Union representative;
 - 4.1.4 the right to call witnesses, to question these and other witnesses and to submit documentary evidence;
 - 4.1.5 the content of any documentation which the designed member of staff intends to refer to or make use of during the hearing

- 4.2 A panel will be established of at least two members. A member of staff from another Hall will normally chair the panel and a written record of the panel's proceedings and decisions will be made.
- 4.3 The resident will be given an opportunity to respond to the allegation and, if he/she so wishes, to make a statement of mitigation.
- 4.4 At the conclusion of the hearing, the resident, his/her friend/representative and all witnesses and/or parties to the allegation shall withdraw whilst the panel reaches a decision which shall be notified orally in the first instance and subsequently in writing to the resident.
- 4.5 If the allegation is upheld, then the Panel has the authority to impose any of the following sanctions:
 - 4.5.1 a verbal warning, advising of likely consequences of repetition of action;
 - 4.5.2 a written warning, which will indicate the likely consequences of any recurrence of any such actions on behalf of the resident;
 - 4.5.3 relocation of the resident with immediate effect to similar accommodation;
 - 4.5.4 termination of the student tenancy by serving such notice on the resident as is legally required; and/or
 - 4.5.5 costs (if any) in respect of any damages and/or losses suffered by the University as a result of any breach by the resident of the Terms of Occupancy.
- 4.6 Any appeal against the finding imposed by the Panel should be submitted in writing to the Head of Campus and Residential Services, or his or her designate within 48 hours of the hearing. An appeal hearing will normally (and where practicable to do so) be held within two working days following receipt of the written request by the Head of Campus and Residential Services, or his or her designate.

5. Further Procedures

- 5.1 Irrespective of clause 4, in any event, having due regard to the nature of an allegation, and/or infringement and/or misdemeanour, the interests of the resident(s) against whom the allegation is made or who has caused the infringement and/or misdemeanour, the interests of the other residents and of the Halls of Residence generally, designated CaReS staff may at any time relocate the resident with immediate effect to similar alternative accommodation where it is reasonable to do so.

5.2 Suspension

- 5.2.1 In any event, having due regard to the nature of an allegation, and/or infringement and/or misdemeanour, the interests of the resident(s) against whom the allegation is made or who has caused the infringement and/or misdemeanour, the interests of the other residents and of the Halls of Residence generally, the Head of Accommodation and Halls or his or her designate may suspend the student tenancy on a temporary basis (and any rights granted herein for an equivalent duration) and require the resident to leave the Hall on a temporary basis pending a disciplinary hearing to be held by virtue of the University's Halls of Residence: Residents' Disciplinary Procedure and/or pending the outcome of any appeal arising there from.

The resident has the right to request the Head of Campus and Residential Services or his or her designate to review a decision to suspend the student tenancy by virtue of this paragraph 5.2.1, provided the request is made within 48 hours of the issue of a written notice of suspension. An appeal hearing will normally (and where practicable to do so) be held within two working days following receipt of the written request by the Head of Campus and Residential Services and his or designate.

5.2.2 In the event that a resident is suspended from the University pending a disciplinary hearing by virtue of the University's Student Disciplinary Procedure and/or pending the outcome of any appeal arising there from, the Vice-Chancellor of the University shall also have the right upon notice in writing to the resident to suspend the student tenancy on a temporary basis (and any rights granted herein for an equivalent duration) and require the resident to leave the relevant Hall of Residence on a temporary basis pending the disciplinary hearing and/or pending the outcome of any appeal arising there from.

- 5.3 If designated CaReS staff consider the nature of an allegation and/or infringement and/or misdemeanour is of sufficient severity to be dealt with under the University's Student Disciplinary Code of Conduct then he/she may refer the case to the Head of Campus and Residential Services who will have the discretion to refer the case to the relevant Head of Department for it to be dealt with under the University's Student Disciplinary Procedure and this may result in expulsion from the University.