

**MANCHESTER METROPOLITAN UNIVERSITY
STUDENT AND ACADEMIC SERVICES**

THE STUDENT CODE OF CONDUCT

A. Introduction

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 and that it believes is consistent with helping them to undertake their studies in a supportive and non-threatening environment.
2. The Student Code of Conduct comprises:
 - the Student Code of Conduct itself (Part B);
 - the procedure that the University uses for dealing with alleged breaches of the Student Code of Conduct (Part C);
 - appendices that cover the relationship between the Student Code of Conduct and the Law (Appendix I) and the Student Code of Conduct and placements (Appendix II).
3. The Student Code of Conduct does not deal with issues relating to academic misconduct or behaviour, which are addressed in the Student Disciplinary Regulations. Similarly, the Code does not cover conduct by staff towards students.
4. There are separate Library Rules and Regulations and Student Regulations for the Use of Computing Facilities, breaches of which will, where appropriate, be dealt with as breaches of the Student Code of Conduct under the procedure that is set out in Part C.
5. 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.

B. The Student Code of Conduct

1. Behaviour that is expected of students

(i) On campus, and in halls of residence that are managed by 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 engage in any activity or behaviour likely to bring the University into disrepute;
- to behave and communicate in ways that do not unreasonably offend others, e.g., by using abusive language, or by engaging in any form of discriminatory or anti-social behaviour;
- to treat everyone with respect;
- 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 comply with the University's Non-smoking Policy;
- to provide their Student ID card or other form of identification when asked to do so;
- to dispose of litter responsibly by using bins and recycling collection points located in and around the University;
- to disclose immediately to the University, via their Head of academic Department, if they incur any conviction for a serious criminal offence.¹

(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 MMU campuses and the surrounding areas safe and friendly environments to live in. In that context, students are expected to:

- help to support these relationships by 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 an MMU campus, so that they do not obstruct residents;

¹ For the purposes of the Student Code of Conduct and its appendices, a serious criminal offence is an offence against the person, whether of a violent or sexual nature, or an offence involving the unlawful supply of controlled drugs or substances where the charge concerns commercial drug dealing or trafficking.

- act within the law and not engage in activity or behaviour that is likely to bring the University into disrepute;
- be aware that incidents which adversely affect local residents may lead to police action.

2. Behaviour that will be regarded as misconduct

2.1 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. The list should not, however, be regarded as exhaustive.

- (i) Unacceptable behaviour arising from consumption of alcohol and/or drugs.
- (ii) Discrimination, harassment, victimisation of others on the grounds of their age, disability, gender, gender re-assignment, pregnancy, maternity, race, religion, belief, or sexual orientation.
- (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 is likely to cause injury or impairment of safety 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) Bullying or harassment of any kind towards a student, a member of staff or a visitor to the University by any means including cyber-bullying, cyber-harassment, or harassment through 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, or misappropriation 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 that cannot be dealt with by the Head of Library Services.
- (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 of Occupancy for halls of residence that are not otherwise covered in (i) to (xviii) above.

2.2 The following kinds of behaviour will be treated by the University as serious misconduct, where the disciplinary panel will always 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) theft, fraud, deceit, deception or dishonesty in relation to the University or its staff and students, or while on University-related activities;
- (ii) the use, possession or supply of illegal drugs;
- (iii) 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;
- (iv) behaviour that constitutes a potential risk to the health, safety and well-being of staff and students or that creates a legal liability for the University;
- (v) physical violence towards others, or the threat of physical violence.

- 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 the procedure that is set out below. Separate guidelines are available for members of staff who are involved in managing and operating this procedure.

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, the 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 should be made to the relevant senior member of staff², who will normally be either the student's Head of Department or the Warden of the student's hall of residence. Where allegations of misconduct are made to another member of staff, that member of staff should forward them confidentially to the relevant senior member of staff.
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.
5. It is recognised, however, that in some circumstances it might not be easy to make a complaint about the conduct of fellow students. Students should be aware they can seek guidance from or talk freely and in confidence to their Head of Department, the Students' Union Advice Centre, a Student Support Officer or member of the University chaplaincy before taking any action. The

² For the purposes of this Procedure, a senior member of staff is an academic Head of Department or equivalent, an administrative or professional services member of staff in Grade 10 or above, or the Warden of a hall of residence.

University will support any student who makes a complaint in good faith, even if it is subsequently not upheld, and will take disciplinary action against any student or staff member who intimidates or attempts to disadvantage a student because they have made a complaint.

6. In exceptional circumstances, where an allegation is of a very serious nature and confidentiality may be necessary to begin an investigation, students have access to the Public Interest Disclosure (Whistleblowing) Procedure <http://www.mmu.ac.uk/policy/>. However, in general, allegations that are made anonymously, whether by students or by other persons, may be given less weight, although they might 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 confirm the allegation from alternative credible sources.

In all cases where anonymous allegations are made, advice should be sought from the Director of Student Services and Deputy Registrar.

7. If, however, a student;
 - (i) persistently makes allegations outside of the Student Complaints Procedure or the Whistleblowing 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 him/her in accordance with the Disciplinary Procedure.

8. 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.
9. The senior member of staff who receives an allegation that a student has breached the Student Code of Conduct may determine that the allegation has no substance and that no action should be taken against the student.

Informal meeting in cases where misconduct is considered to be minor in nature

10. If the senior member of staff who receives an allegation considers that a student has breached the Student Code of Conduct but that the misconduct is minor in nature, he/she may arrange an informal meeting with the student 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 shall be placed on the student's file and may only be referred to 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.

Procedure in cases of misconduct

11. For instances of misconduct that are not dealt with in accordance with the procedure in C.10 above but that are not considered to be serious misconduct as defined in B.2 above, the senior member of staff who receives the allegation shall arrange for a level 1 disciplinary panel to be established. Where the allegation is of misconduct in or relating to a hall of residence that is managed by the University, the level 1 disciplinary panel shall normally be chaired by the Head of Residential Services (or nominee) and shall also include another eligible member of staff of the University³. Exceptionally, the level 1 disciplinary panel for such a case may be chaired by the Warden of a hall of residence other than the one in which the alleged misconduct took place. In all other cases, the level 1 disciplinary panel shall comprise two eligible members of staff of the University, one of whom shall chair the panel.
12. A level 1 disciplinary panel may also be established by a senior member of staff to deal with situations where there is no allegation of misconduct or serious misconduct but where the University is aware that individual students or groups of students are in dispute. The panel will arrange to meet with the students concerned and may impose conditions with a view to resolving or improving the situation. The conditions that are imposed might include an instruction to individuals or groups not to have contact with each other, or not to enter certain University buildings. Unless misconduct or serious misconduct is established, this will not result in a disciplinary record for any of the students, but where conditions that are imposed in this way by a level 1 disciplinary panel are breached, the matter will be treated as a disciplinary offence.

Procedure in cases of serious misconduct

13. For serious misconduct as defined in B.2 above, the senior member of staff who receives the allegation shall refer the matter to the Director of Student

³ For the purposes of this Procedure, an eligible member of staff is an academic, administrative or professional services member of staff in Grade 8 or above, or (in the case of a disciplinary panel that is set up to consider misconduct that has arisen in a hall of residence only) an Assistant Warden of a hall of residence or a Grade 7 member of staff within the Residential Services area who is familiar with the Terms of Occupancy.

Services and Deputy Registrar, who shall arrange for it to be considered by a standing level 2 disciplinary panel. The standing level 2 disciplinary panel shall comprise a chair and two other members. The chair and members for any given meeting of the panel shall be drawn from a list of persons whom it has been agreed may act in this capacity. In all cases, the chair of the panel shall be a Pro-Vice-Chancellor, a Dean of Faculty, 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. In all cases where an allegation is of serious misconduct in or relating to a hall of residence that is managed by the University, one of the members of the panel shall be the Warden of a hall of residence other than the hall in which the alleged offence took place.

14. In cases where it is alleged that a student has committed serious misconduct as defined in B.2 above, the Director of Student Services and Deputy Registrar may, if he/she considers it necessary in the interests of a student or students or in the interests of the University generally:

EITHER:

- (i) recommend to the Registrar that the student continues to attend the University, but that restrictions are imposed on the campuses and/or buildings of the University that the student may visit, the departments and/or services of the University that the student may access, and any staff or students whom the student may contact;

OR:

- (ii) make one or both of the following recommendations:
- (a) to the Registrar, exceptionally, for the immediate suspension from the University of the student, pending the level 2 standing disciplinary panel hearing and/or the outcome of any appeal. Alternatively, the suspension may be from particular areas, venues and/or activities. The initial period of suspension shall be for 2 weeks, with reviews every 2 weeks thereafter;
- (b) if the alleged offence was committed in a hall of residence managed by the University, to the Director of Services, either for the immediate suspension of the student from his/her hall of residence, or for the immediate transfer of the student to other residential accommodation (including another hall of residence that is managed by the University), pending the level 2 standing disciplinary panel hearing and/or the outcome of any appeal.

15. Students shall have the right to make representations to the Registrar or the Director of Services on any recommendations that are made under C.14 (ii) (a) and (b) above. The Registrar or Director of Services may either agree to the recommendation made by the Director of Student Services and Deputy

Registrar, or make some alternative decision that satisfies the institution's overriding responsibility to ensure the safety, well-being and good order of the University or hall of residence community. The decisions of the Registrar and the Director of Services on recommendations for suspension from the University and for suspension or transfer from a hall of residence respectively under C.14 (ii) shall be final.

Conduct of disciplinary panels

16. In all cases of misconduct and serious misconduct, the investigation shall be conducted by the senior member of staff who has received the allegation. That person shall also present the case to the disciplinary panel. He/she may not therefore be a member of the disciplinary panel.
17. In all cases that are referred to a level 1 disciplinary panel or to the level 2 standing 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 friend or a representative;
 - (iv) their right to call witnesses, to question these and other witnesses and to submit documentary evidence;
 - (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 standing disciplinary panel hearings, the letter shall be provided no later than 10 working days before the hearing.

18. If the student admits the allegation, he/she may then proceed to make a statement of mitigation. If the student does not make an admission, no mitigation may subsequently be heard. In all cases where the student does not admit the allegation, he/she shall be given an opportunity to respond to the allegation.
19. 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 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.

20. 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 placed on the student's personal file. The personal 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.

Sanctions available to disciplinary panels

21. 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 disciplinary panels and the level 2 standing disciplinary panel

- (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 give a written undertaking as to his/her 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.
- (iii) A requirement to undertake up to 10 hours of non-academic work to make restitution for any situation that he/she created or contributed to creating.
- (iv) A requirement to participate in a programme identified by the disciplinary panel to educate students about misconduct and its consequences.
- (v) 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.
- (vi) 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).
- (vii) Termination of the student tenancy 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 standing disciplinary panel only

- (vii) Suspension from the University for a specified period of time, up to and including the remainder of the academic year or equivalent period.
 - (viii) Expulsion from the University.
22. 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.
23. Requests for reviews must be submitted in writing to the Director of Student Services and Deputy Registrar within 5 working days of the hearing. Reviews in cases other than 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 Registrar 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 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 be represented at review hearings by the senior member of staff who investigated the allegation and presented the case to the disciplinary panel.
24. The senior member of staff who is appointed by the Registrar to review the case may reach one of the following conclusions:
- (i) to uphold the finding of the disciplinary panel, including 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.
25. The decision of the officer shall be communicated to the student in writing. 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 placed on the student's personal file.
26. If, after the conclusion of any review, the Registrar determines that a student has failed to comply with sanctions that have been imposed on him/her as a

result of the operation of this procedure, the Registrar shall have the power to suspend the student from the University until such time as he/she complies.

27. Administrative support for disciplinary panels shall be provided as follows:
- (i) for level 1 disciplinary panels and meetings of the level 2 standing disciplinary panel that are established to consider allegations of misconduct in halls of residence that are managed by the University: by the Accommodation Office;
 - (ii) for other level 1 disciplinary panels: by the administrative team that normally provides support to the senior member of staff whose responsibility it is under these procedures to establish the disciplinary panel;
 - (iii) for meetings of the level 2 standing disciplinary panel that are arranged to consider other kinds of allegation: by Student Administration within Student Services or by the relevant Faculty & Campus SAS administration, as agreed in each case between the Director of Student Services and Deputy Registrar and the Director of Faculty & Campus SAS.
28. If 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.

The relationship between the Student Code of Conduct and the Criminal Law

General

1. If an alleged breach of the Student Code of Conduct potentially also constitutes a criminal offence deemed by the Director of Student Services and Deputy Registrar to be serious, an assessment shall be made about whether it is a matter that the University is competent to investigate. In all such cases, the senior member of staff who receives the allegation must consult with the Director of Student Services and Deputy Registrar, who may seek specialist legal and other advice as necessary. The conclusion that is reached in any individual case shall take account of the following considerations:
 - whether the nature of the offence is so serious or forensically complex as to be beyond the competence of the University's disciplinary procedures;
 - the prevailing cultural and regulatory context within which the University operates;
 - whether the Civil Law standard of proof that the University follows is inappropriate to determine the facts of the case.
2. Where the conclusion is that the University is not competent to investigate the matter, the complainant shall normally be advised to report it to the police (if he/she has not already done so) in order to seek a resolution. If the conclusion is that the University is competent to investigate the matter and the University considers it appropriate to do so, it shall be considered in accordance with the normal student disciplinary procedures, whether or not criminal proceedings are also pursued.

Students who are under investigation by the relevant authorities on suspicion of having committed a serious criminal offence

3. Where the University becomes aware that a student is under investigation by the relevant authorities on suspicion of having committed a serious criminal offence, the Director of Student Services and Deputy Registrar shall arrange for a risk assessment to be undertaken by members of staff he/she deems appropriate. As part of the risk assessment, consideration shall be given to whether:
 - (i) there is a risk of the student re-offending or further offending;
 - (ii) there is a risk that the student might harm others or cause damage to property;
 - (iii) there is a risk that the student's continued presence may inhibit a proper investigation.

4. On the basis of the risk assessment, the Director of Student Services and Deputy Registrar may:

EITHER:

- (i) recommend to the Registrar that the student continues to attend the University and if appropriate that restrictions are imposed 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;

OR:

- (ii) make one or both of the following recommendations:
 - (a) to the Registrar, exceptionally, for the immediate suspension from the University of the student, pending the outcome of the criminal justice process;
 - (b) to the Director of Services either for the immediate suspension of the student from his/her hall of residence, or for the immediate transfer of the student to other residential accommodation (including another hall of residence that is managed by the University), pending the outcome of the criminal justice process.

5. Students must be informed that a risk assessment is being carried out and they must have an opportunity to make representations in writing to the Registrar about a recommendation that they be suspended from the University.
6. The Registrar or Director of Services may either agree to the recommendation made by the Director of Student Services and Deputy Registrar, or make some alternative decision that satisfies the institution's over-riding responsibility to ensure the safety, well-being and good order of the University or hall of residence community. The decision of the Registrar or the Director of Services shall be communicated to the student in writing and shall be final.
7. In its management of this process, the University will be mindful of the desirability of facilitating timely progression for students and it will, as far as possible, reach a decision within a timescale that allows this.

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

8. 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 Director of Student Services and Deputy Registrar shall suspend the student from the University for the duration of the student's custody. If, at the end of the custodial period of his/her sentence, the student makes a request to return to the University, the Director of Student Services and Deputy Registrar shall

arrange for a risk assessment to be undertaken by the relevant members of staff. As part of the risk assessment, consideration should be given to whether:

- (i) there is a risk of the student re-offending or further offending;
- (ii) there is a risk that the student might harm others or cause damage to property.
- (iii) appropriate supervision arrangements can be made for the remainder of the student's period of registration.

Where a student has a Probation Officer, that person should be involved in the process.

9. On the basis of the risk assessment, the Director of Student Services and Deputy Registrar shall make one of the following recommendations to the Registrar:

- (i) that the student be permitted to return to the University without conditions;
- (ii) that the student be permitted to return to the University as long as he/she adheres to certain conditions;
- (iii) that the student be suspended from the University for a further specified period of time, at which point a further risk assessment will be undertaken and a further recommendation made;
- (iv) that the student be expelled from the University.

Subject to a satisfactory risk assessment, the presumption is that the recommendation will normally be either (i) or (ii) above.

10. Students must be informed that a risk assessment is being carried out and they must have an opportunity to make representations in writing to the Registrar about any recommendation other than that they be permitted to return to the University without conditions.

11. The Registrar may either agree to the recommendation made by the Director of Student Services and Deputy Registrar, or make some alternative decision that satisfies the institution's over-riding responsibility to ensure the safety, well-being and good order of the University or hall of residence community. The decision of the Registrar shall be communicated to the student in writing.

12. A student who wishes to request a review of a decision the Registrar has taken under 8 above must do so in writing within 10 working days of the date of the letter. All such reviews shall be dealt with by a Deputy Vice-Chancellor. The Deputy Vice-Chancellor may reach one of the following conclusions:

- (i) to uphold the Registrar's decision;

- (ii) to impose another of the possible outcomes in 8 above;
 - (iii) to refer the matter back to the Registrar with a request that further consideration be given to one or more specific aspects of the case or that additional evidence be obtained on one or more particular matters.
13. In its management of this process, the University will be mindful of the desirability of facilitating timely progression for students and it will, as far as possible, reach a decision within a timescale that allows this.

Office of the Independent Adjudicator for Higher Education

14. If once all stages, including where appropriate the review stage, of this procedure have been exhausted, a Completion of Procedures letter shall be issued. A student who considers that the University has not followed and/or applied the Student Code of Conduct and this procedure correctly can 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.

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 re-opened 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.