University of Central Lancashire
UCLan

Regulations for the Conduct of Students

Effective September 2022 to present

Student Regulations and Policies

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UNIVERSITY OF CENTRAL LANCASHIRE

Regulations for the Conduct of Students

A. INTRODUCTION

These Regulations meet the requirements of the Articles of Government of the University that the University Board should make rules about the conduct of students.

They apply to any student admitted or enrolled by the University to follow a programme of studies, including any student on a placement, field trip or an authorised interruption of studies, and any elected officer of the Students' Union. Students who are enrolled for a University award at a partner institution are also subject to the regulations related to the conduct of students of the partner institution.

Under the Articles of Government, the Vice-Chancellor is responsible for the maintenance of student discipline, including the suspension and expulsion of students on disciplinary grounds. The Vice-Chancellor has delegated responsibility for student disciplinary matters to the following designated staff: Academic Registrar; Executive Deans and Heads of School at the Preston Campus; and to the Director(s) of other University campuses. The Director of Student Services has delegated responsibility for matters under the Support to Study Procedure. All references in these Regulations to these post-holders will include their appointed nominee.

Students are required to familiarise themselves with these Regulations and other University regulations, rules, procedures and policies at: Student Policies and Regulations - UCLan

B. GENERAL STUDENT REGULATIONS

B.1 Enrolment

Students are required to enrol or re-enrol for each successive academic year or other relevant part of a course as determined by the University. Before being permitted to enrol or re-enrol, students are required to pay fees due in accordance with the Tuition Fee Policy or produce evidence of financial support to cover their fees. All students must produce at or before enrolment, evidence of having satisfied the relevant entry requirements. Enrolment shall not be complete until such evidence has been accepted by the University. Persons who are not enrolled as students shall have no right of access to University facilities as students. Once enrolment is completed, a person is deemed to continue as a student until the end of the course or until re-enrolment is required, unless the student:

i. is withdrawn from the course following a recognised assessment process under the Academic Regulations;

ii. is withdrawn or expelled from the University in line with any of the published regulations or procedures at Student Policies and Regulations - UCLan

iii. withdraws from the course;

iv. is withdrawn following the decision of UK Visa and Immigration (UKVI), in the case of an international student.

Students must notify the University of any changes occurring during the academic year in the information supplied at enrolment or re-enrolment, in particular, changes to local address. Such changes should be made via MyUCLan.

B.2 Criminal Convictions during the Enrolment Period

Students on general University courses are required to declare any relevant criminal convictions, cautions or warnings that they become subject to during their period of enrolment to their Head of School. This is to enable the University to safeguard its community. Relevant convictions include those for offences against the person whether of a violent or sexual nature, or convictions for commercial drug dealing or trafficking.

The Head of School will decide whether there are any implications in relation to the student's course or their standing with the University. The University may take action where the conviction contravenes the Student Disciplinary Regulations. The failure to disclose a relevant criminal conviction during the enrolment period may constitute a disciplinary offence.

Any disclosure information relating to a criminal conviction will be handled in accordance with data protection legislation and advice from relevant external agencies.

Students on professionally regulated courses are required to declare all criminal convictions that they become subject to during their period of enrolment including cautions, warnings, bind-over orders and spent sentences, and should consult course regulations.

B.3 Safety

Students are required to take reasonable care for the health and safety of themselves and of others who may be affected by their activities. Students shall not endanger themselves or others by intentionally or carelessly interfering with, or misusing, any article, substance or material provided by the University or on its premises, or whilst engaged in associated activities e.g. a field trip or work placement. Students shall use any protective equipment provided, and ensure, so far as it is reasonably practicable, that they understand and abide by safe systems of work and any safety procedures and regulations established by the University and Schools in connection with any of its activities.

In seeking to enhance the safety of the University community, the University's premises are monitored by CCTV surveillance equipment. Footage from CCTV cameras may be used in proceedings under the Student Disciplinary Procedure or in any criminal proceedings.

B.4 Tuition Fees

Students' attention is drawn to the prevailing Tuition Fee Policy. If a student has not paid their tuition fees or made satisfactory arrangements, the University may apply one or more of the penalties in the Tuition Fee Policy. Students who withdraw or are withdrawn from a course of study will be subject to the terms of the Tuition Fee Policy. Students who are experiencing financial difficulties may access University support services.

B.5 Non-Tuition fee debts

If a student has failed to pay an account or make satisfactory arrangements, the University may withdraw services of the same type (for example withdraw library facilities in respect of outstanding library fines) until the outstanding amount is settled. Where the debt relates to outstanding accommodation charges, the University reserves the right to bring the accommodation contract to an end as provided for in the Conditions of Residence. Where appropriate, the University may pursue a debt claim through the Courts in respect of the outstanding amount and appoint debt collectors to enforce any judgment obtained.

B.6 Academic Regulations

Students should be familiar with the University's Academic Regulations and the assessment regulations applicable to their course. Students on professional courses should note that there may be specific regulations associated with these. The Academic Regulations apply to any student attending a course of study of the University whether the student is attending the

University and/or another educational institution or organisation.

Allegations of academic misconduct e.g. plagiarism, collusion, cheating or re-presentation of work, will be investigated and the procedures and penalties in the Academic Integrity Policy and Academic Misconduct Procedure will apply.

The University uses an electronic plagiarism detection service which involves uploading, storing and cross-referencing work against all other material (including the work of other students).

B.7 Local Rules and Conditions

There are Rules for the Use of the Library and Rules for the Use of IT Facilities. Students in University-managed accommodation are also subject to the Conditions of Residence. Serious or repeated breaches of these local Rules and Conditions may be referred for action under the Student Disciplinary Procedure. Where a student has received a Final Accommodation Warning in accordance with the Conditions of Residence, this will be copied to their Head of School and the Academic Registry. Any further incidents of misconduct will be considered under the formal stages of the Student Disciplinary Procedure.

B.8 Fitness to Practise Procedure

Students on professionally regulated courses which lead directly to, or which satisfy the conditions of a professional qualification will also be subject to the Fitness to Practise Procedure. This will be specified in course regulations and student handbooks with reference to the relevant professional, statutory and regulatory body (PSRB) code. In the event of an alleged breach of the Code of Conduct, the matter may be referred into the Fitness to Practise Procedure at any point where it raises questions about a student's fitness or suitability for a particular profession.

B.9 Support to Study Procedure

Where there are concerns about a student's health, wellbeing or behaviour which raise questions about their fitness and suitability to study, the Support to Study Procedure will normally be applied. The Student Disciplinary Procedure may be invoked where a student's behaviour poses a risk of harm to themselves or others, and/or where a student does not engage positively with supportive interventions. Advice will be sought from Student Services to ensure that the decision is informed by a clear understanding of the relevance of the student's health to the misconduct and to ensure that the student is supported and any adjustments are made to the process, as appropriate.

B.10 Reasonable Adjustments

Where a student has declared a disability to the University, all reasonable endeavours will be made to ensure that: a. information about regulations, procedures and policies is available in appropriate formats; and b. reasonable adjustments are made to any disciplinary or other proceedings to accommodate their needs.

C. STUDENT DISCIPLINARY REGULATIONS

The University is committed to providing a learning environment that is conducive to the academic and social wellbeing of the University community. We will aim to provide all students with the support and guidance they need to achieve success.

All students undertake to abide by the University's regulations, rules, procedures and policies, including the standards of behaviour detailed in the following Code of Conduct, when they enrol at the University. The University will not condone or tolerate behaviour which may adversely affect the good standing of the University, its staff, students or the wider community.

These Regulations will normally be applied in respect of alleged misconduct which occurred whilst on University premises or the immediate environs or whilst engaged in any University activity. However, the University reserves the right to take disciplinary action against any student in respect of any misconduct, wherever it may have occurred, where the behaviour raises a question about the student's suitability to remain a member of the University community because the alleged behaviour may adversely affect the good standing of the University, it's staff, students or the wider community, including where the student has been convicted of a criminal offence.

C.1 Code of Conduct

Students are expected to conduct themselves at all times in a manner which demonstrates respect for the University, its staff, students and property. The following list details behaviour that is prohibited, but is not intended to be exhaustive:

1. Behaving in manner which is dangerous or is likely to lead to a breach of the peace or damage to property;

2. Disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University whether on University premises or elsewhere;

3. Obstruction of, or improper interference with the functions, duties or activities of any student, member of staff or other employee of the University or any authorised visitor to the University;

4. Violent, indecent, disorderly, aggressive, threatening or offensive behaviour or language by any means, including on social networking sites;

5. Distributing or publishing a poster, notice, sign, publication or material of any nature which is threatening, abusive, insulting, obscene, offensive or constitutes harassment or is illegal or makes others fear violence;

6. Fraud, deceit, deception, misrepresentation, bribery, falsification of records or dishonesty in relation to the University, its staff, students or in relation to being a student of the University, including misuse of the attendance monitoring system;

7. Making defamatory and/or false claims about other students or staff which are not substantiated and where there is reason to believe they are malicious or vexatious;

8. Action likely to cause injury or impair safety on University premises or whilst on placement, including tampering with fire-safety equipment and alcohol/drug misuse - the University will refer to the Student Alcohol and Drugs Misuse Policy;

9. Harassment of any student, member of staff of the University, any third party while on placement, or any visitor of the University - as defined in the University's Student Dignity and Respect Policy;

10. Sexual misconduct, as defined in the University's Student Dignity Respect Policy;

11. Breach of the provisions contained within any of the University's regulations, rules, procedures or policies; and/or failure to comply with the outcomes of any proceedings under the University's regulations, rules, procedures or policies;

12. Assessment/examination offences not covered by the Academic Misconduct Procedure which may include, theft, falsification, impersonation, bribery, advertising or contacting services which promote academic dishonesty;

13. Damage to, defacement or misappropriation of University property or the property of other members of the University, caused intentionally or recklessly;

14. Misuse or unauthorised use of the University premises or items of property, including computer

misuse;

15. Deliberate disclosure of privileged and confidential information to unauthorised people; failure to adhere to intellectual property rights and/or breach of copyright;

16. Where there has been a conviction for a criminal offence and where that conduct: a. took place on University premises; or b. affected any student, member of staff or agent of the University; or c. damages or may damage the good name of the University; or d. renders the student unfit to practise any particular profession or calling to which that student's course directly leads; or e. raises questions about a student's suitability for a particular course or whether a student should remain a member of the University community because s/he poses a significant risk to other members, or to the good order to the University community;

17. Failure to declare a relevant criminal conviction incurred whilst enrolled as a student;

18. Behaviour which brings or may bring the University into disrepute, irrespective of where the behaviour took place, including behaviour which damages or may damage the University's relationship or reputation with local communities or external organisations;

19. Failure to comply with the reasonable instruction of any member of University staff in the course of their duties, including failure to disclose personal identification details or carry a University ID card whilst on campus or engaged in a University activity;

20. Entering parts of the University premises that are not open for academic or student activity, unless invited to do so by a member of staff of the University;

21. Engaging in any trade, business or employment, on University premises, without the express consent of the University;

22. Conduct which renders a student enrolled on a course leading directly to a professional qualification or to the right to practise a particular profession, not fit to be admitted to and practise that profession;

23. Making or publishing a recording of a member of University staff in the course of their duties without express permission;

24. Conduct which is intended to or has the effect of inciting or enticing, or aiding or abetting another student in the breach of any University Regulations/Guidelines/ Rules/Codes/Conditions/Policies;

25. In the case of international students, breach of the terms of any visa or failure to comply with the requirements of UK Visa and Immigration (UKVI).

C.2 Criminal Offences

Where the alleged misconduct may also constitute a criminal offence and has been reported to the police, the University will normally defer action under these Regulations, pending the conclusion of any police investigation and/or prosecution. The University will reserve the right to take interim precautionary measures with due regard for the safety, academic and support needs of the University, its staff and students.

C.3 Classroom Disruption

Students are expected to behave in a professional and respectful manner during learning and teaching sessions. Students should not disrupt the activities of staff or students e.g. by arriving late, talking at inappropriate times or texting/playing on a mobile device. Mobile phones should be turned off prior to the start of a class.

Any student who is disruptive will be issued with an informal warning by the member of staff responsible for the session and may be required to leave for the duration of the session.

Students may be asked to meet with a senior member of staff (e.g. Course Leader) who may issue a pre-regulatory warning and/or require an undertaking of good conduct (see stage 1 below). Serious or repeat instances of classroom disruption will be notified to the Head of School to consider in line with the formal procedure (see stage 2 below). All such instances will be placed on the student's record and may be referred to in the event of a reference request.

C.4 Off Campus Activities

Students are expected to behave in a professional and respectful manner at all times, including during off-campus activities such as placements, field trips or overseas visits. Students should comply with all rules, regulations and risk assessments that are relevant to the specific off-campus activity. This includes maintaining regular 'touch points' with designated tutors and using recommended technologies. We advise students to install relevant technologies when travelling overseas for work or study to keep themselves and others safe.

In the event of an emergency such as civil unrest, terrorism, a pandemic or a natural disaster, students are advised to comply for personal safety reasons with all reasonable requests from University staff which are informed by the national and international authorities, including repatriation.

Where the behaviour of any student on an off-campus activity at any time raises concerns for the health, safety, wellbeing and/or learning of themselves or others, the matter will be dealt with by the responsible member of staff. If the matter is serious or the student fails to respond to informal warnings, the member of staff may make arrangements for the student to return from the activity, pending the application of the Student Disciplinary or other University Procedure.

C.5 Student Support and Representation

The University is committed to supporting all students who are affected in terms of reporting, witnessing or responding to allegations of disciplinary or criminal misconduct. Expert advice and support including support for personal wellbeing and links to internal and external specialist services, is available from Student Services. Independent advice, support and advocacy is available from the Students' Union Advice and Representation Centre. Students are encouraged to seek support at all stages of the process.

Any student who is involved in this Procedure is entitled to be accompanied at any stage of the proceedings by a person of their choosing. This Procedure is intended to be fair and to comply with the rules of natural justice. It is not a formal court process, and therefore should not be adversarial or overly legalistic, and there is no need for anyone to have formal legal representation. A student may be accompanied by a person of their choosing who may be a member of the Students' Union Advice and Representation Centre. There is no objection if that person happens to be legally qualified, so long as that person understands and respects the nature of the process and does not adopt an overly adversarial or legalistic stance. Students are required to notify the Student Casework Team at least 2 days in advance of the meeting of the name and designation of the person who will accompany them.

D. STUDENT DISCIPLINARY PROCEDURE

D.1 Allegations of inappropriate behaviour should, wherever possible, be dealt with informally by discussion between the student(s) and relevant member of staff. Students may be advised or informally warned about their behaviour and the potential consequences and be sign-posted to relevant support services. Where it is not appropriate for the member of staff to do this, the matter should be referred to the Academic Registrar or the student's Head of School.

D.2 In urgent situations where it is necessary to protect the safety of persons attending the University, a member of staff may ask the Academic Registrar (via the Head of Security) to effect the immediate suspension or partial exclusion of the student pending application of the

formal Student Disciplinary Procedure as an interim precautionary measure - see below.

D.3 The Student Disciplinary Procedure will be invoked following an allegation of misconduct to the Academic Registrar or Head of School.

D.4 Allegations of misconduct should be submitted in writing via e-mail toStudentCasework@uclan.ac.uk. Form SDP01 is available for use in these circumstances. The written complaint should include a chronology of the alleged incident(s) including times and dates, together with any supporting evidence e.g. screenshots, e-mails or witness statements. If the police have been involved, the allegation should include the crime reference number and the details of any action taken to date by the police.

D.5 The details provided by anyone making a report of misconduct will be shared with the reported student. This is to enable a full and fair enquiry. If permission is not given for information to be shared, the case may not be able to proceed. If in exceptional circumstances where there is a clear risk of harm, the University may vary this position by agreement with the Academic Registrar.

D.6 The Academic Registrar and/or Head of School will undertake an initial assessment of the allegation to determine the appropriate course of action. In serious, complex or sensitive cases (e.g. allegations involving criminal or sexual misconduct), an initial review meeting will be convened comprising the Academic Registrar, Head of School, Director of Student Services (or nominee(s) from the relevant area(s) e.g. student accommodation) and a member of the Student Casework Team to decide on the appropriate course of action.

D.7 Potential courses of action may include one or more of the following:

- that there is no case to answer and no action should be taken;
- that some form of alternative, informal resolution should take place;
- that the matter should be referred to an alternative University procedure e.g. Academic Misconduct, Fitness to Practise or Support to Study;
- that the matter should be referred for action at Stage 1 of the Procedure (see section G);
- that the matter should be referred to a Stage 2 disciplinary interview (see section H);
- that the matter should be referred to a Stage 3 disciplinary hearing (see section I);
- that an investigation is required because there is a dispute about the facts or further information is required (see section F);
- that an interim suspension or other interim precautionary measures should be put in place (see section E2);
- that the matter should be dealt with summarily, where there is evidence that the incident occurred and where the student agrees to sign a statement of acceptance.

E. Interim Precautionary Measures

E.1 The Academic Registrar or Director of Student Services may decide to suspend or partially exclude a student from the University or impose other interim precautionary measures where:

a. the student is alleged to have committed a serious offence which is deemed to be a breach of the University's Regulations or Procedures;

b. a criminal charge is pending against the student;

c. the student is subject to an investigation by the police or other relevant authority; or

d. it is deemed necessary due to significant concerns regarding the student's health, safety or wellbeing and/or concerns that the student is putting themselves or others at risk.

E.2 Interim precautionary measures may include one or more of the following:

- suspension from the University which may be either:

  a full suspension which prohibits the student from entering University premises or engaging with any activities of the University; or

  a partial suspension where the student will be prohibited from entering University premises and engaging with specified activities, but will be provided with an academic contact to facilitate engagement with studies remotely;

- partial exclusion from specified University activities or premises, (where it is appropriate and practicable, alternative reasonable arrangements will be considered to facilitate the student's on-going studies); and/or

- an undertaking of good conduct with associated conditions (e.g. not to have contact with another student, or to keep the University informed of external proceedings, or to engage with support services).

E.3 Any such action is intended to satisfy the University's duty of care to ensure the safety, wellbeing and good order of the University community. It is not a penalty and does not indicate that the University has made a finding of guilt.

E.4 A full suspension will only be used where the other interim precautionary measures would in the opinion of the Academic Registrar, be inadequate.

E.5 The Academic Registrar will consult with relevant members of staff including the Head of School and the Director of Student Services or their nominees, to ensure that consideration is given to the academic and support needs of all members of the University affected by the case and to protect the interests of the University. Arrangements may be made for a student to access support services at a distance, as appropriate.

E.6 The decision whether to impose a suspension or other interim precautionary measures, will be taken in consideration of:

- the risk that the student might harm others or damage property;

- the risk that the student's continued presence may cause significant distress to others;

- the potential for the student's continued presence to compromise the University's reputation;

- the risk that the student's continued presence may inhibit a proper investigation;

- the nature of any conditions imposed by relevant external authorities.

E.7 No student shall be suspended or partially excluded unless they have been given an opportunity to make representations to the Academic Registrar, who will review the matter in the light of any representations made by the student. Representations may be made in person or in writing as the Academic Registrar considers appropriate.

E.8 In cases of urgency, the Academic Registrar may suspend or partially exclude a student with immediate effect, without the opportunity to make representations, provided that the student

is given the opportunity to make written representations within five working days and the matter is then reviewed.

E.9 Any interim precautionary measures will be reviewed at regular intervals, normally every four weeks, in light of any representations made by the student in writing or developments in any external investigation. The student is responsible for informing the University of the outcome of any external proceedings with suitable official documents. Where external proceedings may take an extended period of time to conclude, a formal interruption of studies may be put in place.

E.10 A student who has returned to study after an interim suspension or partial exclusion will be offered appropriate support to remedy the effects of the absence.

F. Investigation

F.1 In serious, complex or sensitive cases (e.g. involving allegations of criminal or sexual misconduct), and/or where there is dispute about the facts or further information is required, the matter may be subject to an investigation. The purpose of the investigation will be to investigate the facts of the alleged misconduct and to determine whether there is a case to answer under the University's Regulations.

F.2 An investigating officer will be appointed who will normally be a member of staff who has no material prior involvement with the student and the alleged misconduct. The investigating officer will conduct whatever enquiries they consider necessary. This will normally involve: interviewing the student or member of staff who is reporting the allegation; interviewing the student who is responding to the allegation and any witnesses; and reviewing relevant evidence e.g. screenshots, security reports or CCTV footage. Students may be accompanied at these meetings by a friend for support who may be from the Students' Union Advice and Representation Centre.

F.3 The investigating officer will act promptly and tactfully, and take appropriate measures to provide a safe, comfortable and supportive environment for the reporting and responding students and any witnesses to discuss the alleged incident(s).

F.4 Any student or member of staff giving evidence will be informed that their statements and identity will be shared with the responding student. If in exceptional circumstances where there is a clear risk of harm, the University may vary this position by agreement with the Academic Registrar.

F.5 The investigating officer will prepare a report for the Academic Registrar who will determine the appropriate course of action as set out in section D.6 above, having regard for the seriousness of the alleged misconduct.

G. Stage 1: Pre-regulatory Warning

G.1 Where the Academic Registrar or Head of School considers that there has been a breach of the Regulations, but that the misconduct is minor in nature or there are other mitigating factors, they may arrange for the student to attend an informal meeting with a senior member of staff. The invitation letter will include a summary of the alleged misconduct. Copies of any available supporting evidence will be shared at the meeting. The student will have the opportunity to respond at the meeting and will be made aware of the expected standards of behaviour and the availability of support services.

. G.2 The outcome of the meeting will be recorded in a pre-regulatory warning letter, and the student may be required to sign an undertaking of good conduct, which may include conditions such as a requirement to have no contact with another student(s) or to formally reflect on the impact of the behaviour. It will be made clear that failure to adhere to the undertaking may lead to formal action under these Regulations. The letter and the undertaking will be placed on the student's file and may be referred to if there are further concerns about the student's conduct.

G.3 If the student does not attend the stage 1 informal meeting without good reason or declines to sign an undertaking of good conduct, the senior member of staff may decide to either: a. issue a pre-regulatory warning letter in the student's absence; or b. refer the matter to a stage 2 disciplinary interview.

H. Stage 2: Disciplinary Interview

H.1 Where the alleged offence, if proven, is likely to incur any of the penalties from (a) to (m) as detailed in section L, the matter will be referred to the Head of School, who will conduct enquiries as they see fit to investigate the facts of the case. The student will be required to attend a disciplinary interview with the Head of School. A formal minute of the interview will be taken.

H.2 The student will normally be given at least 2 working days' notice of the date, time and place of the disciplinary interview and may be accompanied by a friend for support, who may be from the Students' Union Advice and Representation Centre. The student will be provided with details of the allegation prior to the interview and will be informed of the potential outcome(s). Copies of supporting evidence will be shared with the student.

H.3 The Head of School may invite relevant members of staff from the School or University services to attend the interview to present details of the alleged offence or provide advice.

H.4 The purpose of the disciplinary interview will be to discuss the alleged offence in the context of the University's regulations and procedures. The student will have the opportunity to respond to the allegation, and will be made aware of the expected standards of behaviour and the availability of support services.

H.5 The Head of School may impose any of the following outcomes as a result of a disciplinary interview:

- that there are no grounds for concern and the case should be dismissed;
- that any of the outcomes in section L be applied, (with the exception of outcomes L.1.15 - L.1.17, suspension, withdrawal or expulsion);
- to recommend to the Academic Registrar that further investigation is necessary;
- to recommend to the Academic Registrar that the student be suspended as an interim measure or that other interim precautionary measures be implemented, pending further action under these Regulations;
- that the matter is more serious than first thought and should be referred to a disciplinary hearing (see section I).

H.6 If the student does not attend the disciplinary interview without good cause, the interview may proceed and any of the above outcomes may be imposed in the students' absence.

I. Stage 3: Disciplinary Hearing

Where the alleged offence, if proven, is considered to be of a serious nature and may incur a penalty or penalties up to and including expulsion (see section L), the matter will be referred to a Disciplinary Committee comprising: the Vice-Chancellor's nominee (Chair); a Head of School/Service; a student member who shall normally be an elected officer of the Students' Union.

The Disciplinary Committee may co-opt additional members and/or seek advice where specialist input is required e.g. from a safeguarding, health and safety or IT perspective.

Members of the Disciplinary Committee shall have no direct interest or previous involvement

in the case and will be briefed about their role.

J. Notice of Disciplinary Hearing

J.1 Arrangements for a disciplinary hearing will be made by the Student Casework Team. The student will be given at least 5 working days' notice for a disciplinary hearing.

J.2 The notice will include the following:

- a clear specification of the allegation;

- the time, date and location of the disciplinary hearing;

- the student's right to be accompanied by any one person who may be from the Students' Union Advice and Representation Centre;

- the student's right to bring forward any additional evidence including witness statements, (witnesses may be invited to give evidence in person at the discretion of the Chair of the Disciplinary Committee);

- a copy of any documentation that will be used in the hearing;

- details of independent advice services and wellbeing support services;

- the names of the Disciplinary Committee members;

-the potential outcomes of the hearing;

- a link to the Regulations for the Conduct of Students.

J.3 The student will normally be expected to attend the disciplinary hearing. If the student does not attend without good reason, the evidence will be considered and a decision will be made in the student's absence.

K. Protocol for a Disciplinary Hearing

K.1 The following protocol will normally apply at a disciplinary hearing:

- The Chair will: invite all those present to introduce themselves and confirm their role within the hearing; explain the purpose of the hearing; clarify the procedure to be followed; and confirm the potential outcomes and the standard of proof.

- The Head of School/Investigating Officer will present the case on behalf of the University.

- The Chair, members of the Disciplinary Committee and the student (or representative) will have the opportunity to question the Head of School/Investigating Officer.

- The student (or representative) will present their response.

- Witnesses will be invited to give evidence where applicable and if previously agreed by the Chair.

- The Chair, members of the Disciplinary Committee and the Head of School/Investigating Officer will have the opportunity to question the student and any witnesses.

- The Chair and members of the Disciplinary Committee may ask questions of either party at any stage during the interview/hearing.

- Summing up by the Head of School/Investigating Officer.

- Summing up by the student (or representative).

- The Disciplinary Committee may: retire to consider the outcome; or seek further information; and/or adjourn to a later date.

- The student and any representative or witnesses and the Head of School/Investigating Officer shall withdraw while the Disciplinary Committee deliberates the issue. The Secretary will stay but has no voting rights.

K.2 The Disciplinary Committee will decide whether the allegation is proven based on the facts and the evidence presented. The standard of proof will be the civil standard of proof which is that 'on a balance of probabilities', the facts of an allegation are more likely than not to have happened. In cases of criminal behaviour, the finding(s) of fact and certification of conviction of any UK or International Criminal Court shall be considered proof that the allegation is found proven.

K.3 The Disciplinary Committee will decide on an outcome and/or penalty which satisfactorily addresses the misconduct, having due regard for: the seriousness of the offence; the interests of the wider University community; any mitigating factors; and any previous allegations or findings of misconduct, which will normally be disclosed by the Secretary before a decision on the outcome/penalty is made; and the degree to which any misconduct is of a persistent nature. For example, a Disciplinary Committee may decide to expel a student on the grounds of the severity of one act of misconduct or where there has been persistent misconduct giving rise to an unsatisfactory disciplinary record.

K.4 The Disciplinary Committee will decide on the effective date and term of the penalty and the duration of the record of the penalty.

K.5 The student will normally be informed verbally of the outcome and subsequently in writing within 5 working days of the hearing. The written confirmation will include a summary of the reasons for the decision and information on the Appeals Procedure.

K.6 If a student does not comply with any outcome/penalty, including failure to adhere to any stipulated timeframe for action, the matter will be referred to the Academic Registrar for consideration.

L. Outcomes and Penalties

L.1 If the alleged offence is admitted by the student or is found to be proven, the decision may be made to impose one or more of the following:

1. to require an apology, either verbally or in writing to any person affected by the student's actions;

2. to issue an informal, pre-regulatory warning with advice as to future behaviour and the consequences of further misconduct;

3. to require the student to sign an undertaking of good conduct;

4. to issue a written reprimand which will normally be held on the student's record for up to 12 months;

5. to issue a final written warning which will normally be held on the student's record for the duration of their studies;

6. to require the student to pay costs for any damages and/or losses incurred by the University or any third parties as a consequence of the student's actions;

7. to withdraw specified services and/or exclude the student from particular areas of the University e.g. the Library or studio space for a specified period of time, normally up to

the end of the semester, where appropriate, alternative reasonable arrangements will be made to facilitate the student's on-going studies;

8. that the student is given notice to vacate University owned accommodation in line with the Conditions of Residence;

9. to require the student to engage with a relevant student support service;

10. to require the student to attend a restorative justice and/or mediation session;

11. to require the student to participate in a suitable educational programme to raise awareness about their behaviour and its consequences;

12. to require the student to complete a reflective piece of work exploring the impact of their behaviour and the lessons learned;

13. to impose reasonable restrictions on communication with named students or staff, both verbally or via written, electronic or other means, either directly or indirectly;

14. to refer the matter for action under another University procedure e.g. Fitness to Practise, Fitness to Study or Academic Misconduct;

15. that the student be suspended from the University for a specified period of time - in these circumstances, the student may be required to demonstrate that certain conditions have been fulfilled before they can be re-admitted;

16. that the student be withdrawn from the University - in these circumstances, the student may apply for re-admission in the future, and may be required to demonstrate that specified conditions have been fulfilled before they can be re-admitted;

17. that the student be expelled from the University.

L.2 A Head of School/Disciplinary Interviewer may impose any of the above sanction(s) up to and including L.1.14. A Disciplinary Committee may impose any of the above sanction(s).

L.3 When considering penalties, it is good practice to start at the lowest possible penalty, and determine whether that satisfactorily addresses the misconduct, and if not then move to consider the next higher penalty and so on. The outcome letter should state reasons for the penalty chosen.

L.4 Where a student is required to fulfil conditions before returning to study after a period of suspension or withdrawal, the matter will be referred to a Disciplinary Committee to consider whether the conditions have been met. The Disciplinary Committee may request further information from the School and/or the student and/or seek specialist advice as it sees fit.

M. APPEALS PROCEDURE

M.1 The student shall have a right of appeal against (a) decision(s) taken by:

- a Head of School/Disciplinary Interviewer or Disciplinary Committee where one or more of the penalties in section L of the Disciplinary Procedure have been implemented;

- a Head of School or a Fitness to Practise Committee where one or more of the outcomes in the Fitness to Practise Procedure have been implemented;

- the Director of Student Services or the Case Conference under the Support to Study Procedure.

M.2 A student may appeal against: i. the decision that the allegation(s) was/were proven, except

in cases where the allegation has been found proven by a Criminal or Civil Court or where the student admitted the misconduct in writing; or ii. the decision(s) on the outcome or penalty; or iii. both decisions.

M.3 The grounds for appeal are:

a. that new evidence or extenuating circumstances has become known, which the student could not have reasonably made known at the time of the original hearing;

b. that the original hearing/interview was not conducted fairly and/or in accordance with the published procedure;

c. that the original decision was unreasonable in all of the circumstances.

Review

M.4 An appeal should be submitted in writing to the Academic Registrar via e-mail at: StudentAppeals@uclan.ac.uk within 10 working days of the date of the outcome letter using form SDP02. The written statement should set out what decision is being appealed, the grounds for appeal in reasonable detail and include any new evidence that was not available at the time of the original interview/hearing.

M.5 An Appeal Panel will be convened comprising no fewer than 3 and no more than 5 members, as follows:

- the Vice-Chancellor's nominee (Chair);
- a senior member of staff;
- a student member who will normally be the President of the Students' Union (or nominee).

The Appeal Panel shall have the power to co-opt additional members as required, including external representatives e.g. from any relevant partner or professional agency.

M.6 Members of the Appeal Panel should have no direct interest or prior material involvement in the student's case. An officer of the Student Casework Team will brief the Panel about the procedure and take a formal record of the proceedings, but will not be involved in the decision.

M.7 The Appeal Panel will meet in private to determine whether there are valid grounds for the appeal. The Appeal Panel will receive a copy of the record of the original hearing/interview, a copy of the report considered at the hearing/interview and the student's appeal, and may request further information from the original decision maker (or nominee) or the student.

M.8 The Appeal Panel will decide on the appropriate action as follows:

i) to decline the appeal and uphold the original decision, in which case the student will be notified of the decision and summary reasons, and their right to refer the matter to the OIA (see below);

ii) to uphold the appeal and determine a suitable outcome or penalty as specified in the original procedure;

iii) to refer the matter back for re-consideration by the same or a different decision-maker, normally in cases where there is evidence of a material procedural irregularity or where valid new information has been submitted;

iv) to convene a hearing to hear the case by the student and the response by the original decision maker, normally in cases where the facts and evidence are complex or contentious.

Appeal Hearing

M.9 If the Panel determines there are grounds for appeal, the student shall be given 5 working days' notice of the date of the Appeal Hearing, and will receive copies of the appeal documentation.

M.10 The Appeal Hearing shall take the form of a review of the original hearing/interview and the decision reached. There shall be no entitlement to a re-hearing of the case. A re-hearing will be allowed only in exceptional circumstances and at the discretion of the Chair of the Appeal Panel.

M.11 The student will normally be expected to attend the Appeal Hearing. If the student does not attend, the hearing may proceed in her/his absence and the Appeal Panel will consider any written representations made by the student at the appropriate point in the hearing.

M.12 A student who appears before an Appeal Panel is entitled to be accompanied by a person of their choosing, who may be from the Students' Union Advice and Representation Centre, providing that notice is given 3 days beforehand. There is no objection if that person happens to be legally qualified, so long as that person understands and respects the nature of the hearing, and does not adopt an overly adversarial or legalistic stance.

M.13 The purpose of the Appeal Hearing will be to hear the opinion of the original decision maker, (or nominee) who may be accompanied by an advisor, and then to hear the opinion of the student who may be accompanied or represented.

M.14 The procedure at the Appeal Hearing shall be as follows:

i. The Chair will invite all those present to introduce themselves and confirm their role within the hearing and will explain the purpose of the hearing and the procedure to be followed.

ii. The student (or representative) will present the grounds for appeal. Witnesses will be permitted only where there is new evidence which was not available at the time of the original interview/hearing, and with the consent of the Chair of the Appeal Panel.

iii. The Appeal Panel and the original decision maker (or nominee) will have the opportunity to question the student.

iv. The original decision maker (or nominee) will present his/her response.

v. The Appeal Panel and the student (or representative) will have the opportunity to question the original decision maker (or nominee).

vi. The Appeal Panel may ask questions of either party at any stage during the hearing.

vii. Summing up by the student (or representative).

viii. Summing up by the original decision maker (or nominee).

ix. The student and any representative or witnesses and the original decision maker (or nominee) shall withdraw while the Appeal Panel deliberates the issue.

x. The Appeal Panel may, at its discretion and in the interests of fairness: i. depart from this procedure; ii. seek further information; and/or iii. adjourn to a later date at any stage in the proceedings.

M.15 The Appeal Panel shall have the power to:

i. uphold the decision(s) taken at the original Disciplinary Interview/Hearing, Fitness to Practise Hearing or Support to Study case conference; or

ii. uphold the appeal in whole or in part and either: i. refer the matter back to the original or new decision maker to reconsider; or ii. implement an alternative outcome or penalty as specified in the relevant procedure.

M.16 The student will normally be notified verbally of the decision and the associated reasons at the end of the hearing. Written notification of the decision and the associated reasons will be sent to the student within 5 working days of the hearing.

N. Independent Review

If the student is not satisfied having completed the University's internal appeals procedure, s/he will be entitled to request a review of the case under the rules of the scheme of the Office of the Independent Adjudicator for Higher Education (OIA) as set out in the Completion of Procedures letter.

O. Record of Action

O.1 Where interim measures are imposed or a finding of misconduct is made, a record will be made on the student's Sarfish record.

O.2 Any finding of misconduct against a student which incurs a penalty will be:

i. recorded on the student's Starfish record and may be taken into account in the event of any future misconduct. Where a decision is made to expel a student, a note will be retained indefinitely;

ii. notified to the student's Head of School;

iii. reported on an anonymous basis to the relevant committees of the Academic and University Boards, for the purposes of monitoring, review and enhancement;

iv. notified to the Chair of the Assessment Board where an allegation of academic misconduct has been found proven.

O.3 The University has a duty to inform relevant third parties of the nature and outcome of disciplinary procedures in certain circumstances, including:

i. relevant Professional, Statutory or Regulatory Bodies (PSRB), where required;

ii. UK Visa and Immigration, in the case of a significant change in the circumstances of an international student;

iii. placement providers.

The student will be informed in the event of such disclosures.

O.4 The reporting party will also be informed that the process has reached an outcome.

O.5 The University reserves the right to disclose to any third party, by whom a reference is sought, any matters on a student's record which the University considers to be relevant. The student will be informed that a reference has been provided in such circumstances.

O.6 Where the University's regulations and/or procedures are invoked in respect of a student less than 18 years of age, copies of correspondence will normally be sent to the parents or guardian of that student. The student may also have their parent/legal guardian present at any disciplinary or appeal hearing in addition to one other person.

O.7 The University will handle all information, including sensitive information, in a confidential manner. It will, however, be necessary for all parties involved in a disciplinary interview/hearing and any appeal hearing to have access to all information to enable them to

make a judgement based on the full facts. This may include sensitive information relating, for example, to a student's health or criminal convictions. Certain professional courses may require that this information is notified outside the University to relevant professional bodies or partner agencies. In these circumstances, the student will be notified at the time of the disclosure

Appendix 1

DEFINITIONS

Partial Exclusion, Suspension, Withdrawal and Expulsion of Students

[a] Partial Exclusion

Partial exclusion involves selective restriction on attendance at or access to the University and its courses or placements or prohibition on exercising the functions or duties or any office or committee membership in the University or the Students' Union, the exact details to be specified in writing. It will be effective for a limited period. It may include a requirement that a student has no contact with a named person or persons. Partial exclusion may be imposed as an interim measure in accordance with section E.

[b] Suspension

Suspension involves a total prohibition of attendance at or access to the University and on any participation in University activities including placements; but it may be subject to qualification, such as permission to attend for the purpose of an examination, counselling, or seeking advice from the Students' Union Advice and Representation Centre. It will be effective for a limited period. It may include a requirement that a student has no contact with a named person or persons.

Where appropriate, a student may be permitted to engage with the School to facilitate continuation of studies during a period of suspension. Schools will normally appoint a member of staff to act as the student's point of contact for academic queries and provision of learning materials. Suspension may be imposed as an interim measure in accordance with section E.

[c] Withdrawal

Withdrawal involves the termination of a student's enrolment at the University. A student who is withdrawn from the University is prohibited from attendance at or access to the University and from any participation in University activities including placements, and loses student status. A student may be withdrawn following a Disciplinary Hearing or a Fitness to Practise Hearing or under the Fitness to Study procedure or under the Academic Regulations. If the student is in University accommodation, s/he may be given notice to quit the accommodation.

A student who is withdrawn from the University is not prohibited from enrolling at the University in future academic years, but admittance may be subject to conditions. The University will apply the Tuition Fee Policy with respect to 'non-completion' for a student who is withdrawn. The University will apply the provisions as detailed below with respect to the retention of credits or the granting of any exit award.

[d] Expulsion

Expulsion involves permanent exclusion from the University and of any participation in University activities including placement. A student who is expelled from the University is prohibited from attendance at or access to the University, loses student status and is not permitted to re-enrol at the University or on any course provided by a partner institution that leads directly to a University award except by special dispensation of the Vice-Chancellor.

Expulsion may be subject to qualification, such as permission to attend for the purpose of seeking advice in relation to disciplinary procedures or appeals until such time that either the date for submission of an appeal has passed or that an appeal has been considered and not upheld.

A student who is expelled is so from the date of the formal notification. If any subsequent appeal against that decision is upheld and the student is re-instated, the student will be re-enrolled subject to standard enrolment requirements.

i. A student may be expelled following a Disciplinary or Fitness to Practise or Academic Misconduct Hearing.

ii. In the case where a student is expelled or withdrawn, s/he will normally be permitted to retain any completed credits (unless those credits have been found to have been gained by dishonest or unfair means), at the discretion of the Disciplinary Committee in consultation with the Chair of the relevant Assessment Board.

iii. A student who is expelled or withdrawn who is permitted to retain any existing credits will normally be granted any appropriate exit award in line with the Academic Regulations. Any such award will be at the explicit discretion of the Disciplinary Committee, in consultation with the Chair of the Assessment Board.

iv. In the case of a student who is from a professional course which leads directly to, or which satisfies the conditions of, a professional qualification, or which confers a direct licence to practise (a) particular profession(s), the Disciplinary Committee will consult with the Chair of the relevant Assessment Board as to the appropriateness of granting any exit award.

v. In the case of a student who is from a professional course which leads to, or which satisfies the conditions of, a professional qualification, or which confers a direct licence to practise (a) particular profession(s), the relevant professional body will be informed of the expulsion in line with the Fitness to Practise Procedure and/or section G.

vi. The University will apply the Tuition Fee Policy with respect to 'non-completion' for a student who is expelled.

APPENDIX 2

STUDENT DRESS POLICY

1. The University affords students the flexibility to dress appropriately to the learning and teaching and/or research environment in which they are participating. The University is also obliged to ensure duty of care and to abide by the regulations of its partner organisations. In certain settings, it is therefore necessary to impose some dress regulations based on health and safety (including infection control) and professional or regulatory body requirements. In addition, students are required to abide by any dress code regulations imposed by individual placement providers. This Policy should also be read in conjunction with any dress codes for staff which may pertain and will serve as additional guidance to staff. The University's specific dress policies are set out below.

2. Health and Safety (including infection control)

   In laboratories, workshops, studios, kitchens, outdoor education and similar teaching practice settings, students must ensure they are dressed in a manner appropriate to their learning and teaching and/or research environment. Generally:

   Clothing: Must be comfortable. Shorts may not be permitted in laboratories for protection against any chemical spillage or infection control. Headscarves and/or any facial covering should be firm, secure, safe and not interfere with the wearing of any personal protective equipment. Protective clothing such as overalls, lab coats, eyewear or gloves will often be required to be worn and should be removed and placed or disposed of carefully when no longer required.

   If there is any risk of entanglement in moving parts of machinery, loose clothing must not be worn (e.g. sleeves, ties etc).

   Footwear: Must be low heeled and should protect the feet should any chemical spillage occur. If there is a risk of a sharp or heavy object injuring the feet, then protective footwear will be required.

   Footwear appropriate for outdoor education activities must be worn where indicated by supervising staff. Failure to do so will prevent you taking place in the planned activities.

   Jewellery: The wearing of jewellery must be in compliance with a health and safety risk assessment. There may be some activities where it will be necessary to remove jewellery (e.g. some sports activities, working with moving machinery where there is a risk of entanglement).

   Hair: Long hair should be tied back/secured if there is a risk of entanglement in equipment or moving machinery or if prevention of contamination is required.
   Specific clothing requirements or restrictions will be detailed on a risk assessment.

3. Professional or regulatory body requirements

   The University works with many professional and regulatory bodies which accredit our broad range of programmes. A small number of these bodies advise on dress code regulations which apply to students studying specific disciplines/programmes. Students should consult relevant course literature and professional and regulatory body codes for further specific information.

   Whilst the University will aim periodically to review such regulations to determine which professional bodies place any restrictions, it is the responsibility of the student to check this information with the appropriate body to ensure that their preferences of dress can be accommodated by the University.

4. **Individual Placement Providers**
   The University and all its students must abide by any dress code policy determined by individual placement providers which usually cover student placements and trainees. Students must check any limitations as part of their placement search and allocation.

5. Exams

Students must bring their UCLan student identity card to each examination. Aside from any restrictions imposed by professional bodies, candidates sitting an examination may be required to remove any facial covering for the purposes of visual identification. The University will observe sensitivity in the visual identification/re-identification of students. Students must co-operate with staff and minimise any wider disruption to exam arrangements.

6. Security/identification

All students are expected to carry their identification cards on campus. Identification photographs must show the full face. The identity of students can be verified at any time by any member of staff and students are expected to adhere to this request. The University will observe sensitivity in taking photographs and visual identification where any facial coverings are worn.

7. Review of policy

The University will monitor the implementation of this policy and its impact on staff and students periodically. Appropriate engagement and consultation will be carried out with students, staff and relevant organisations.

8. Breaches of regulations and/or complaints

Breaches of this policy could amount to misconduct within the Regulations for the Conduct of Students and disciplinary action may follow accordingly. Any complaints can be raised through the University's Complaints Procedure.

9. Information, advice and guidance

Further information, advice and guidance on any aspect of this policy can be obtained from:

Equality and Diversity Manager	Safety, Health and Environment Manager
Strategic Development Service	Facilities Management