

Code of Behaviour for those Residing in University Accommodation (COBRA)

1. All students are subject to the general laws of the UK and the University's Regulations for Conduct. Breach of the law is subject to the usual enforcement mechanisms and breach of the Regulations for Conduct is enforceable by the University under its Disciplinary provisions (please see the *University Calendar* for details).

Students contracted to live in University Accommodation¹ are also subject to this Code of Behaviour.

A student in University Accommodation has entered into a contract and is bound by the normal rules of contract in respect of that contract but breach of the Student Residency Contract is not in itself a disciplinary matter.

Why do we have a Code of Behaviour for those who reside in University Accommodation?

2. Halls of Residence (and the flats, townhouses and other areas within the Hall) and other University Accommodation form communities and as in all communities there have to be rules as to how people behave in order to make sure the community operates for the benefit of all members. This Code is designed to ensure that the health, welfare and wellbeing of students within University Accommodation are not adversely affected by the unacceptable conduct of other students or their visitors. However, there must always be an element of give and take within any community so that conduct which upsets an individual student will not necessarily be a breach of the Code. For example, some students are particularly sensitive to noise; it would not be a breach of the Code for a student to play his or her music if it is within reasonably acceptable levels even if it does upset an unusually sensitive student. However, in such cases it **may** be possible to move the student who is disturbed by the noise to a quiet area of the Hall or another residence.

The acts and omissions of students resident in University Accommodation also affect the staff of the University and the University's neighbours so some of this Code is designed to take their interests into account.

Who is subject to this Code?

3. Any student of the University resident in any Accommodation owned (whether or not managed or operated by) the University is subject to this Code of Behaviour.

4. A person who is not a student of the University is not subject to this Code but a student resident is responsible for the actions of his or her guests and visitors and is liable for the acts and omissions of those guests or visitors. Hence, a student is in breach of this Code if the acts or omissions of his or her guests or visitors would constitute a breach of the Code if that guest or visitor was a student of the University.

Who can raise the issue of a possible breach of this Code of Behaviour?

5. A possible breach of this Code may be reported by:

A student resident in University Accommodation in respect of any acts or omissions by any other student resident in that Accommodation; or

A member of staff of the University; or

An employee of any organisation engaged by the University to operate a Hall of Residence; or

A member of the public.

To whom should alleged breaches of this Code be reported?

6a. Students and Staff of the University should report alleged breaches of this Code to:

- the Welfare and Pastoral Team of the relevant Hall of Residence (or a nominee); or
- the Security Service of the University

6b. Employees of any organisation engaged by the University to operate a Hall of Residence should report alleged breaches of this Code to:

- the Welfare and Pastoral Team of the relevant Hall of Residence (or a nominee); or
- the Security Service of the University

Each Hall of Residence will publicise how alleged breaches of this Code can be reported.

6c. Members of the public may report alleged breaches of this Code to any member of staff of the University.

6d. Students in non-Hall University Accommodation may report alleged breaches of this Code to the Director of Student, Learning and Teaching Services (or his or her nominee) in the Carrington Building.

7. Where a report of an alleged breach of this Code is made other than to the Welfare and Pastoral Team of the relevant Hall of Residence, the Welfare and Pastoral Team of the relevant Hall should be informed of the allegation.

What happens if there is an allegation of a breach of this Code?

8. Where there is an allegation of breach of this Code the matter will be investigated by the Welfare and Pastoral Team of the relevant Hall in such manner as it shall see fit. In appropriate cases investigation of the alleged breach may, at the request of the Welfare and Pastoral Team of the Hall, be undertaken by other members of the University.

Allegations relating to non-Hall University Accommodation will be investigated by a person nominated by the Director of Student, Learning and Teaching Services.

Disciplinary Hearings

9. The Welfare and Pastoral Team of a Hall of Residence may, following investigation, conclude that there is a potential breach of this Code. In such cases, the Welfare and Pastoral Team of the Hall will normally hold a disciplinary hearing which the student(s) who are allegedly in breach must attend. A student may choose to accept that he or she is in breach of this Code and in such case a disciplinary hearing need not be held and the matter can be concluded by the Welfare and Pastoral Team. Irrespective of whether a student accepts that he or she is in breach of this Code, the relevant Welfare and Pastoral Team or the Director of Student, Learning and Teaching Services may choose to refer the allegations to the Vice-Chancellor or a Pro-Vice-Chancellor who will conduct a disciplinary hearing in accordance with the University's Regulations for Conduct.

10. Where a breach of this Code is established (following a hearing or when a student chooses not to attend a disciplinary hearing) The Welfare and Pastoral Team may:

- impose a penalty; or
- refer the student to the Standing Disciplinary Committee for that body to impose a penalty; or
- issue a warning; or
- choose to impose no penalty

11. The penalties which may be imposed by the Welfare and Pastoral Team following a disciplinary hearing are set out in the *University Calendar*.

A breach of some of requirements of this Code attracts a standard fine. Details of these standard fines will be issued by the University annually.

Appeals in respect of a disciplinary hearing

12. A student who, following a disciplinary hearing, has been found to be in breach of this Code may appeal against this finding to the Standing Disciplinary Committee.

A student upon whom a penalty has been imposed for breach of this Code may, irrespective of whether or not a disciplinary hearing was held, appeal against any penalty imposed to the Standing Disciplinary Committee.

No appeal other than those set out in this section (12). A student who alleges that the disciplinary hearing was not conducted in accordance with the procedure for the conduct of disciplinary proceedings set out in paragraph 9 should raise the matter with the Hall Welfare and Pastoral Team in writing. Should, following discussion with the Hall Welfare and Pastoral Team, the student remain unconvinced that the hearing was conducted in accordance with any designated procedure, he or she may refer the issue to the Director of Student, Learning and Teaching Services whose decision on the matter is final. Where the Director of Student, Learning and Teaching Services (or his or her nominee) concludes that there was a procedural breach he or she may conclude that the outcome should be affirmed (subject to the student's usual right of appeal against the finding of breach and/or the penalty) or should be remitted to the relevant Welfare and Pastoral Team for a re-hearing.

13. Where a student wishes to appeal against:

- a finding of liability; or
- the penalty imposed for breach of this Code

he or she must do so within seven days of the written notification of breach/penalty. A student who wishes to appeal against either the finding of a breach or the penalty must first discuss his or her appeal with the Director of Student, Learning and Teaching Services (or his or her nominee).

The Code of Behaviour

Failure to comply with this Code is a breach of discipline by a student.

14a. A student must not damage any part of the Accommodation. A student is subject to disciplinary action for damage only if he or she acted deliberately or in such a way as to demonstrate a lack of care as to whether damage would occur.

Note that causing damage (even if not deliberately or carelessly) is likely to be a breach of the Student Residency Contract.

14b. A student must not by his or her acts or omissions jeopardise the health and safety of other residents within the Accommodation. Examples of a breach of this provision include: failing to secure the Accommodation against unauthorised entry; unhygienic practices in the preparation or storage of food or drink; and unauthorised alterations to the electrical services at the Accommodation.

14c. A student must comply with the reasonable requests and directions of the University's staff. An example of breach of this requirement would be a student's failure to provide his or her name to a University Security Officer when asked to do so by that Officer.

14d. A student must not do anything or neglect to do something which act or omission creates a fire risk or in any other way put the health or safety of others or the University's or other people's property or the University's insurance policy at risk. For example, a student must not use candles or other items capable of producing a naked flame nor store flammable material anywhere in the Accommodation. A student must not tamper with fire prevention or detection equipment (for example covering fire sensors or alarms or setting off hoax alarms).

Note that tampering with fire prevention or detection equipment attracts a standard fine.

14e. A student must follow fire evacuation procedures as outlined in the relevant Hall Handbook and on any notice displayed at the Hall of Residence or Accommodation.

14f. A student must not cause an unnecessary activation of a fire alarm (for example burning food whilst cooking). A student is subject to disciplinary action for unnecessary activation only if he or she acted deliberately or in such a way as to demonstrate a lack of care as to whether activation would occur.

Note that unnecessary activation (even if not deliberate or careless) is likely to be a breach of the Student Residency Contract.

14g. A student must not at any time bring any firearm (including ball-bearing guns and air rifles) or other weapon to the Accommodation. This restriction on firearms and weapons applies whether or not the firearm or weapon is licensed, and it also applies to imitation or replica firearms and weapons. A student must not bring any other item to the Accommodation which could be used as an offensive weapon unless he or she has a valid and lawful reason for having it in his/her possession. Students are advised to seek clarification from the Hall or the University before bringing items which could be used as an offensive weapon to the Accommodation.

14h. A student must not smoke in any part of the Accommodation.

Note that smoking within a Hall attracts a standard fine.

14i. A student must comply with any Drugs and Alcohol Policy issued by the University. Students are reminded that the use or possession of certain drugs is a serious criminal offence.

14j. A student must not engage in behaviour which:

- threatens other students or staff
- would cause nuisance, offence, disruption, risk, or persistent disturbance to another student or a member of staff of the University or a member of the public. A student is in breach of this provision only if his or her conduct would be regarded as a nuisance, offence, disruption, risk, or persistent disturbance by a reasonable person.

A student must not engage in behaviour which a reasonable person would regard as bullying or harassment. Students should note that acts and omissions by other students which are personally distressing to them, for example the forceful expression of opinions or particular personal conduct, which may be offensive to them, or the exclusion of a student from social and other activities, are not in themselves a breach of this Code even if such acts or omissions fall within the University's Policy on Bullying and Harassment (which has its own procedures).

14k. A student must avoid creating noise at a level which interferes with the comfort, study or sleep of another resident or the occupiers of neighbouring property. A student is in breach of this Code only if the noise created would be regarded as interference by a reasonable person.

14l. A student must comply with any further rules for behaviour issued by the University.

Approved by Senate June 2010

ⁱ Accommodation is University Accommodation when the property is owned by the University even if it is managed by a third party.