

# Student Disciplinary Procedure: Student Fact Sheet

## Key points:

**Allegations of misconduct should be reported to [studentdiscipline@reading.ac.uk](mailto:studentdiscipline@reading.ac.uk)**

The University is committed to conducting a fair and transparent process when considering student disciplinary issues and will act fairly and reasonably towards all parties in the implementation of this Procedure. All allegations will be handled sensitively and with due regard to confidentiality. If a matter investigated under this Procedure raises concerns about the welfare of an individual, University staff may refer their concerns to the Student Welfare Team and/or any other appropriate professionals.

Allegations should contain sufficient detail of the alleged misconduct, and where possible, be supported by any relevant evidence. This will assist the University in its investigation under the procedure.

The Regulations for Student Conduct set out the required standards of behaviour for students and sit alongside the procedure.

## Choosing where to make a report:

A Student reporting a matter under this procedure should be aware that if they believe a criminal offence has taken place, they have the option to report it to the police instead of, or in addition to, reporting to the University. If a matter is reported to the police, the University may have to pause its investigation until the police investigation is completed.

Students should understand that a police investigation is in relation to possible criminal activity whereas the University's investigation is whether a breach of the Student Code of Conduct has taken place.

Students can speak to a member of staff about their options when reporting disciplinary matters.

## When does the Student Disciplinary Procedure apply:

The University may investigate and take disciplinary action in response to any allegations of misconduct that occur either on University owned or operated premises and facilities and during any University related activities, including those that occur away from the University.

This will apply to allegations of misconduct, whenever they occur, including during weekends and evenings, and outside of academic semesters.

It also includes conduct using online, social and digital media or in a social setting or in the

wider community.

This Procedure does not apply to cases of Academic Misconduct which are considered under a separate process.

**The University will normally first try to resolve any issues involving students conduct informally. Where a matter is unable to be resolved informally or informal resolution is inappropriate, the student will be taken through the Student Disciplinary Procedure.**

**Behaviour the Student Disciplinary Procedure covers includes:**

- Behaviour which causes actual or potential distress or harm to others.
- Behaviour which causes actual or potential damage to the property of others.
- Behaviour which disrupts the normal operations, and/or safe use of, the University, including reputational damage (where applicable).
- Behaviour which impedes or interferes with the work or study of members of the University.

**Levels of misconduct dealt with under the procedure:**

**Where appropriate, the University will attempt to resolve disciplinary matters informally and a matter may be referred to an appropriate School or Directorate for resolution.** This is not possible for all cases and in these cases the University may then commence investigation under this Procedure.

All allegations of breaches of the University's Codes of Conduct under the Procedure will be categorised as either 'Level 1 Misconduct' or 'Level 2 Misconduct'.

When an allegation is raised, an investigator will investigate the matter and talk to any witnesses as appropriate.

- **For Level 1 Misconduct:** The investigating member of staff will decide on an appropriate course of action which may include being issued a fixed penalty, written warning or suspension from University or RSU premises.
- **For Level 2 Misconduct:** This will involve the most serious allegations of misconduct, which either do or have the potential to seriously affect or damage the University, its reputation or its staff and students, visitors or other third parties.
  - Consideration and possible sanctions will be determined by the Student Disciplinary Committee who will decide on an appropriate sanction which could include suspension or removal from the University.

### Investigation procedure:

**The University will normally first attempt to resolve disciplinary matters informally with the student.** Only where this is not possible or appropriate will the University then consider commencing an investigation under the procedure.

Procedure:

1. A member of staff will be allocated to investigate a case of alleged misconduct and will gather evidence and witness statements where relevant.
2. The investigator may hold meetings for the purpose of fact-finding.
3. The investigator will decide whether there is a case to answer for and, if appropriate, deliver a resolution or sanction.
4. Where alleged misconduct is considered to be more serious, a decision will be taken by the Student Disciplinary Committee.
5. Appeals can be brought by a student against a decision taken under the procedure. Appeals will be accepted or rejected by the Head of Governance and will be heard by either the Student Disciplinary Committee or the Student Appeal Committee.
6. The outcome of misconduct cases (which may on occasion include the sanction applied) may be shared with the reporting party. Exceptionally, where it is considered appropriate for welfare reasons, the detailed reasoning of the relevant Committee may also be shared with the Reporting Party.

### Decision making:

All decisions will be made on “**the balance of probabilities**”, meaning that based on the evidence, the decision maker(s) reasonably consider that it is more likely than not that the alleged misconduct took place.

If an allegation is not upheld, this does not mean the University does not believe the reporting party but will usually be due to insufficient evidence supporting the allegation.

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### Possible outcomes given under the Student Disciplinary Procedure:

- Written warning.

- Fixed penalty or fine, which may be suspended (examples of fines given set out in Appendix C of the procedure).
- Recommend compensation be made for any damage caused to private property (Note that the University or private property owners are able to report any private property damage to the Police and pursue a civil remedy, independently of the procedure).
- Require appropriate recompense or written apology.
- Require attendance of appropriate training as directed.
- Recommend prohibition from taking part in any Reading Students' Union activity or representation.
- Suspension from University licensed premises or Reading Students' Union licensed premises with immediate effect and for no longer than 3 months. (Note that a ban from licensed premises can also be issued directly by the venue license holder under the Licensing Act, independently of the procedure).
- Require no contact with named individuals either directly or indirectly.
- Eviction from University Halls of Residence.
- Permanent or temporary exclusion from specified University premises and/or services with immediate effect.
- Removal as a student of the University.

### **Appeals:**

Students can appeal a disciplinary decision reached under this Procedure, which should be submitted in writing (providing full grounds of appeal and including any supporting evidence) to [studentappeals@reading.ac.uk](mailto:studentappeals@reading.ac.uk) within 10 working days of the date they were notified of the outcome.

### **Allegations involving the Police or Courts:**

Members of the public can report criminal matters involving students to the Police where necessary.

If the University is informed that any of the matters it is considering under this procedure have been referred to the police, are the subject of a police investigation or are the subject of criminal or other court proceedings the University may continue its investigations and/or hearings or pause its activity under this procedure, pending the outcome of police investigations and/or criminal proceedings, or otherwise. **This will usually be at the discretion of the police.**

## **Confidentiality and Data Protection**

The University will process all personal information in accordance with its Data Protection Policy.

To ensure a fair investigation takes place, a student will normally be told the names of the reporting party and any witnesses whose evidence is relevant to their disciplinary investigation (and any hearing), unless the person responsible for considering the allegation exceptionally and reasonably believes that a witness's identity should remain confidential and anonymous.

There should be no normal expectation that the identity of witnesses will be kept confidential and anonymous, and witnesses should understand that evidence provided by them will, other than in exceptional circumstances, be provided to the student.

### **Support:**

- We strongly encourage all Students to access the Reading Students' Union Advice Service if involved in a disciplinary matter under this Procedure.
- Students can be accompanied to meetings by a Representative, as defined in the Procedure.
- As formal processes can cause stress and worry, students are encouraged to speak to the Student Welfare Team who can offer their support: <https://www.reading.ac.uk/essentials/Support-And-Wellbeing>
- Students are encouraged to make use of online support functions, leaflets, workbooks and the 24-hour support line: <https://www.reading.ac.uk/essentials/Support-And-Wellbeing/support-line>

**Full details on the support available to students during the Procedure are in Appendix E of the document.**