

Disciplinary Procedure for Students

Introduction	3
Purpose	3
Student Behavioural Expectations	3
Scope and Eligibility	3
Definitions	4
Responsibilities	5
General Principles	5
Key Elements	6
Personnel and Duties	6
Support	7
Third Party Involvement	7
Timescales	8
Levels of Misconduct	8
Alternative Resolution Forums	9
Criminal Justice Activity	9
Procedures	10
Reporting an Incident	10
Mandatory Reporting	11
Initial Assessment	11
Precautionary Action	11
Temporary Conditions	11
Temporary and Partial Exclusions and Suspensions	12
Precautionary Action Review	13
Preliminary Investigations	13
Formal Investigations	14
Student Disciplinary Panel	16
Sanctions	19
Appeals	20

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Level 1 or 2 Misconduct Appeal	20
Level 3 Misconduct Appeal.....	21
Data, Disclosing and Reporting	23
Office for the Independent Adjudicator for Higher Education	23
Version History	25
Annex A: Indicative Table of Allegations, Misconduct Classification and Outcomes	27
Annex B: Key Allegation Definitions.....	29

Introduction

Purpose

1. This document outlines Northeastern University London (the University) expectations for student behaviour. It also establishes a framework for how the University will receive, consider, and respond when a concern regarding student behaviour (non-academic) arises.
2. Students are a vital part of the University and should understand what is expected from them when engaging in the University community. Their behaviour must reflect a standard that promotes the safety and welfare of all community members (singularly or collectively).
3. The University's central activities and supporting structures focus on teaching, learning and research. This Procedure enables the University to protect and preserve such activities and maintain a conducive environment for students to flourish.

Student Behavioural Expectations

4. All students are expected to conduct themselves at all times in a manner that demonstrates respect for the University, its staff, fellow students and the wider community. This applies on both an individual and group basis.
5. Students should ensure that their conduct does not cause actual and/or potential:
 - 5.1. distress or harm to others.
 - 5.2. damage to or interference with property (including the University, its associates and/or community members).
 - 5.3. disruption to the normal function or operation of the University.
 - 5.4. non-compliance with University requirements as stipulated in our policies, procedures and other published materials.

Scope and Eligibility

6. This Procedure applies to all registered students including:
 - 6.1. Mobility courses
 - 6.2. Undergraduate double degrees programmes
 - 6.3. Postgraduate taught programmes (from 2023-24)
 - 6.4. Degree apprenticeship programmes (from 2023-24)
 - 6.5. Postgraduate research programmes (from 2023-24)

7. Students may equally be subject to procedures outside the University remit, for example those of host institutions (where students are studying abroad) or employers (where undertaking apprenticeship courses).
8. An individual who is a registered student and also has a role as a University employee, such as a Student Ambassador or Student Research Assistant, will be considered under this Procedure where a concern arises in relation to their student activities only.
9. Incidents both on and off-campus can be considered under this Procedure. This includes social media activity and matters arising from student accommodation settings.
10. In consultation with the University, a partner or host institution may undertake disciplinary steps on behalf of the University, for example where doing so would have practical or logistical advantage.
11. If a student temporarily or permanently withdraws from the University during the disciplinary process, and their alleged conduct is the subject of concern, the University, at its discretion, may:
 - 11.1. pause the investigation and place a hold on their student record (i.e. suspension category). The hold will remain in place until the student expresses an interest to resume their studies and any enrolment will not be permitted until the conclusion of disciplinary processes; or
 - 11.2. continue to pursue disciplinary action and impose any sanctions on the former student.
12. In the first instance, concerns relating to the following should be addressed according to the principles of those policies:
 - 12.1. [Academic Appeals Policy and Procedures](#) (regarding a decision of an examination board).
 - 12.2. [Academic Misconduct Policy](#) (regarding an action taken by a student that may give them an unfair advantage in an examination/ assessment).
 - 12.3. [Complaints Procedure for Students](#) (regarding a student's concern about a university or staff-member activity).
 - 12.4. [Support to Study Policy and Procedure](#) (regarding a concern about a student's capacity to participate as a student).
13. The University reserves the right to determine the most appropriate policy(s) and procedure(s) to use when responding to a concern.

Definitions

14. This Procedure uses the following terminology:

- 14.1. The University: Northeastern University London.
- 14.2. Reporting Party: the person alleging that a student may have breached University policies and/or procedures.
- 14.3. Reported Student: the person alleged to have potentially breached University policies and/or procedures.
- 14.4. Suspension: a student is prohibited from participating in the academic and student-related activities of the University, such as teaching, workshops and society activities.
- 14.5. Exclusion: a student is prohibited from entering or using the University grounds, facilities, premises or events.
- 14.6. Condition: a restriction or modification placed on an individual's studentship at the University, which cannot include a suspension and/or exclusion.
- 14.7. Precautionary Action: temporary steps taken by the University including suspension, exclusion and/or condition(s).
- 14.8. Case: information concerning a student that is being reviewed by the University in accordance with this policy, also including any information previously considered.
- 14.9. University community: student, staff, visitor.

Responsibilities

15. Students are responsible for their own conduct. They are also responsible for the conduct of their guest(s) and others in student and/or the University settings. Students confirm that they accept the University's terms and conditions, policies, procedures, and other applicable materials at the admission stage (via their acceptance of an offer to study); subsequent registration; and any further re-registration which may be applicable, which includes during any period of temporary withdrawal.
16. The University is responsible for ensuring that this Procedure, all supporting materials and appropriate resources are accessible to students. It is also the responsibility of the University to ensure that expectations and processes established in this Procedure are applied and enforced.
17. The Student Regulatory Resolution Office (SRRO) is operationally responsible for all student discipline matters at the University, overseen by and acting on behalf of the Registrar. All matters relating to student discipline must be directed to the SRRO.

General Principles

Key Elements

18. The University takes all reports seriously. All reports are carefully reviewed and action taken, where appropriate.
19. Each case will be treated with fairness and considered on individual merit based on the evidence presented. Any sanction(s) will be proportionate and fair, based on the evidence available.
20. Any case considered, or decision made, under this Procedure will be assessed on the 'balance of probabilities' only.
21. The University may put in measures to address any identified risk or to ensure the integrity of a student discipline investigation.
22. All student communications will be sent electronically to the student's University email account. Alternative communication methods and contact addresses (held on the University's student record system) may be used where appropriate, for example to facilitate reasonable adjustments. Students are required to keep their contact information up to date.
23. Students are expected to attend meetings where reasonable notice has been provided. Decisions may be made on the available evidence where it is considered reasonable to do so and the University is satisfied that adequate notice has been provided to students. Students are expected to monitor their university email account throughout the course of their studies.
24. The University may vary any aspect of this Procedure where it is considered necessary, for example to accommodate reasonable adjustments. This includes the right to request evidence to support decision-making.
25. Anonymous reports are not usually permitted or relied upon during the student disciplinary process. Individuals expressing a preference to submit their information anonymously will be directed to the University's Report and Support framework, which permits anonymous reporting.
26. Any report or evidence determined to be frivolous, vexatious or false will be dismissed. This can occur at any stage of the process. The University may pursue disciplinary action in such circumstances, based on the evidence.

Personnel and Duties

27. Cases can be allocated to any internal member of staff who is trained, has no relevant involvement with the parties engaging with the process, and no involvement with the incident(s) of concern.

28. The SRRO will make appropriate enquiries prior to allocation of any role or duties, to identify any conflict. Personnel must declare any potential conflict at the earliest opportunity.
29. The University may appoint an external individual to undertake any task or duty outlined in this policy and procedure. This is at the sole discretion of the University.
30. The Registrar will agree with the Chief Executive Officer and Dean which members of Faculty/Professional Services may act as Investigating Officers and members of Student Disciplinary Panels.
31. On behalf of the Registrar, the SRRO will maintain a list of internal staff permitted to undertake student investigations. This list (including any use of external personnel) will be communicated to Academic Board, the Executive Committee and Northeastern University London Board annually for information only.
32. Any specific member of staff named in this Procedure may delegate their responsibility to another appropriate member of staff.

Support

33. All students can seek advice and support through [Student Support and Development](#) and/or the University's Students' Union.
34. The Reported Student and Reporting Party (where a registered student) will be allocated a designated member of support staff from University services throughout the disciplinary process.

Third Party Involvement

35. A student required to engage with the student discipline process may be accompanied by one other individual at all stages. This must be a fellow student, staff member or a Student Union Officer of the University.
36. The role of the accompanying party is to support a student during any meeting or hearing. They must not make representations or speak on behalf of the student, unless there are good reasons why such adjustments are needed. All questions will be directed to the student required to engage with the process.
37. Legal accompaniment and/or representation is not usually permitted except in Level 3 cases where it is agreed by the University in advance.
38. At all stages of the process, a student must confirm in advance the identity and role of any individual they wish to join them in any meeting. Where an individual requested to join a student poses a conflict or detriment to the integrity of the investigation, the University reserves the right to request an alternative individual is selected.

Timescales

39. The University aims to resolve all cases swiftly, taking into account the sensitivities and details of the case.
40. A Reporting Party is encouraged to contact the University at the earliest opportunity and as soon as possible after the incident of concern has taken place. This is to ensure that any appropriate support and steps can be taken as soon as possible. It additionally assists with investigatory processes, as potentially relevant evidence is more likely to be accessible.
41. The University equally recognises the personal circumstances of individuals, and this may mean a period of time may occur between an incident of concern and reporting. Reasonable steps will be taken when reviewing a concern, but parties should note that the passage of time may influence options available.
42. This Policy stipulates timeframes with the objective of cases concluding within 90 days. However, each case is considered on an individual basis, and more complex cases may require additional time. These timeframes are applicable to active internal investigations/appeals and not to matters that are under Police and/or criminal- justice investigation.

Levels of Misconduct

43. There are three levels of incident report investigation. The level reflects the seriousness of the concern being considered, based on the individual circumstances of the case. The levels are:
 - 43.1. Level 1

Typically, but not limited to, minor alleged breaches of policy and/or impact to the University/community. The impact may cause detriment an individual, group, the University or our community.
 - 43.2. Level 2

Typically, but not limited to, substantial alleged breaches of policy and/or impact to the University/community. The impact may cause detriment an individual, group, the University or our community. This includes non-compliance with Level 1 sanctions.
 - 43.3. Level 3.

This level considers matters that seriously call into question whether a student should continue to be registered at the University. Typically, but not limited to, substantial alleged breaches of policy and/or impact on the University/community.

The impact may cause detriment to an individual, group, or the University community. This includes non-compliance with Level 2 sanctions.

44. The appointed Investigating Officer will conduct the required investigation and determine the case outcome (including applying any appropriate sanction(s)) for Level 1 and/or 2 misconduct cases. The SRRO will support the investigation and liaise on behalf of the Investigating Officer.
45. The appointed Investigating Officer will conduct the investigation of Level 3 Misconduct Cases. The outcome (including any appropriate sanction(s)) will be determined by a Student Disciplinary Panel. The Student Regulatory Resolution Office will support and liaise on behalf of the Investigating Officer and Student Disciplinary Panel.

Alternative Resolution Forums

46. The University recognises that not all concerns are best addressed through a formal investigatory process. An alternative forum may meet the needs of the parties involved and the circumstances of the case being considered. Such forums include mediation or facilitated early-resolution discussions. The objective of an alternative resolution forum is to provide all parties with an opportunity to be fully heard, to hear each other's perspectives and to decide how to resolve disputes mutually.
47. The University recognises that such forums may not be appropriate, depending upon the type of incident and circumstances of a particular case. The University may make enquiries with parties if the circumstances presented suggest this may be an appropriate option.
48. The University may pause and/or defer a case where the parties wish to pursue an available alternative resolution forum, at any stage of the disciplinary process. The University will close a discipline case if a resolution is achieved through such a process.
49. This process is fundamentally voluntary. It requires the consent of all parties to willingly engage with the process. No individual can be required to attend or engage. Any individual can withdraw from the process at any stage. In such circumstances, the University may consider pursuing disciplinary action where an alternative resolution forum is no longer addressing the concerns communicated.
50. The [Student Regulatory Resolution Office](#) should be contacted for such enquiries to be considered and approved.

Criminal Justice Activity

51. Where an incident, case or student is subject to a criminal justice process or Police investigation, the University may suspend internal action, at any

stage or process, until the external investigation and any legal proceedings have concluded. The University will require adequate evidence to confirm that such processes have concluded. This does not prevent the University from imposing precautionary action during this period.

52. Where a student is convicted of a criminal offence, the University may take action under this Procedure and/or may refer the case for consideration under the [Declaration of Criminal Convictions Risk Assessment Policy and Procedure for Students and Offer Holders](#). A conviction in a criminal court will be taken as sufficient evidence that the offence has occurred, and that no further internal investigation shall be required by the University under this Procedure. The focus of any further student discipline taken under this Procedure will therefore be on the impact and effect of the conviction and/or on the sanction(s) to be applied, if any.
53. Where a decision is taken by the Police or other relevant authority not to pursue a criminal case against a student, or where a student is acquitted of a criminal offence, the University may still take disciplinary action under this Policy. This is where the University considers there are outstanding matters of concern which have not been adequately addressed through the criminal process.

Procedures

Reporting an Incident

54. Any member of the University community may submit their concern(s) regarding a student's alleged misconduct (the 'incident'), where they consider their behaviour does not meet the University's expectations. An incident report can be submitted by emailing a completed [Reporting an Incident Form](#) to the Student Regulatory Resolution Office (student.discipline@nulondon.ac.uk).
55. All incidents must be reported to the Student Regulatory Resolution Office.
56. The SRRO may check the University's records to ascertain whether the Reported Student has committed any previous acts of disciplinary misconduct and may provide this information to those involved in the disciplinary process, if appropriate. This information may not be relied upon as evidence that the student has committed the alleged incident being considered but may be taken into account when considering the disciplinary level and any sanctions (if appropriate).

Mandatory Reporting

57. The University has a Mandatory Reporting Policy that applies to all University employees. This relates specifically to sexual misconduct concerns only. The Mandatory Reporting Policy requires members of staff to communicate information directly to the University. Please see the [Sexual Misconduct Policy](#) for further information.
58. Any reports submitted in accordance with the Mandatory Reporting Policy must be submitted to Report and Support, in the first instance. The University aims to ensure that any individual impacted by alleged sexual misconduct, of any type, receives support in the first instance. Further steps can be taken which may result in student disciplinary action, where appropriate and with the consent of the impacted party. Exceptionally, under limited circumstances, the University may initiate disciplinary action independently. Full details are available in the [Sexual Misconduct Policy](#).

Initial Assessment

59. The Head of the Student Regulatory Resolution Office may conduct an initial assessment of any report received by whatever means considered appropriate. The purpose of the initial assessment is to determine the appropriate next steps to be taken under this Procedure, if any. The Head of the SRRO will determine the most appropriate University process to use, whether to initiate precautionary action or consideration, whether to dismiss a report (as no case to answer), and/or whether to consider the case for an investigation.
60. The University will review the submitted incident report very carefully and provide an individual acknowledgement of receipt. Additional enquiries may be undertaken to further understand the concern(s) communicated at this stage. Please note, there may be limitations on what the University can discuss/disclose concerning your incident report, due to the University's wider obligations, such as Data Protection.
61. Students can anticipate a response typically within seven calendar days.

Precautionary Action

62. A risk assessment will be conducted when a reported incident may indicate a risk (real or potential) to a student and/or members of the University community. The purpose of the risk assessment is to inform whether temporary measures should be put in place in the interest of safety and/or to allow a full investigation to be carried out. Relevant information held on University records and submitted to the University will be taken into account during the risk assessment.

Temporary Conditions

63. The Director of Student Engagement may impose immediate and temporary condition(s) on any student who is a party to an incident. Such action is taken to ensure that a full and proper investigation can be carried out and/or to safeguard students and others. A condition remains in place while an incident is being considered under this Procedure only. For example, a condition not to contact witnesses or a requirement to attend alternative teaching session(s) during the course of the investigation. No condition imposed by the Director of Student Engagement will include the suspension and/or exclusion of a student. A student will be issued with a 'temporary condition(s) notice' when steps are taken under this provision.
64. A student may submit representations in response to the immediate implementation of a condition within seven calendar days of initial notification. The Director of Student Engagement will review their initial assessment within seven calendar days of receipt of representations.

Temporary and Partial Exclusions and Suspensions

65. In consultation with the Dean or CEO, the Registrar may impose a temporary or partial exclusion and/or suspension of a student who is a party to an incident being considered under this Procedure. This can occur if the nature of the incident suggests there may be a risk to the health, safety and/or wellbeing of a student or the University community. Additionally, such steps may be taken if a student fails to comply with any temporary conditions imposed. Such measures can be immediate and will be in place for a specific period of time, or until the conclusion of the criminal and/or internal proceedings. A written 'Temporary Exclusion/Suspension Notice' will be issued to the student subject to the measures.
66. Representations will be accepted from a student who is subject to a temporary suspension/exclusion:
 - 66.1. prior to a decision to impose a temporary suspension and/or exclusion, unless the University considers this is not possible or appropriate due to the urgent or sensitive nature of the matter.
 - 66.2. after the decision, where applicable.
 - 66.3. within seven calendar days of notification of temporary suspension/exclusion.
67. The Registrar will review the initial decision with the member of staff who made it (i.e. either the CEO or Dean) within seven calendar days of receipt.
68. A student subject to a temporary exclusion/suspension who has previously submitted representations for consideration in accordance with 66 above is eligible to appeal. Students must submit their appeal, including

their grounds for the appeal, within seven calendar days of receiving the decision of the review.

69. An appeal of a temporary exclusion/suspension is considered within seven calendar days of receipt. by either the CEO or Dean (whichever was not included in the initial temporary exclusion/suspension decision).

The CEO or Dean can:

69.1. Uphold the Registrar's initial decision;

69.2. Adjust the parameters of the temporary exclusion/suspension;
or

69.3. Rescind the temporary exclusion/suspension.

Precautionary Action Review

70. Precautionary action will be reviewed:

70.1. At stated regular intervals; and/or

70.2. If the University is informed of a material change of circumstance.

71. A review of conditions will be conducted by the Director of Student Engagement.

72. A temporary exclusion/suspension will be reviewed by the Registrar.

73. A review under this provision can result in precautionary measures continuing, being amended or being rescinded.

74. The student subject to precautionary action may request that their precautionary action be reviewed at any stage if they can evidence a material change in circumstance. The University's decision as to whether a material change in circumstance is indeed present and is adequately evidenced is final and not subject to appeal. A review under this provision has the authority to continue, adjust or rescind the precautionary action in place.

75. All forms of precautionary action are fundamentally precautionary and are neither a penalty nor an indication that the University has made a decision that a student has committed a disciplinary offence.

76. All correspondence relating to the precautionary action process must be directed and communicated to the [SRRO](#).

77. The use of any precautionary action is reported to the Executive Committee and Northeastern University London Board on a quarterly basis.

Preliminary Investigations

78. The University recognises that there are circumstances where an informal response is more proportionate. Such an approach enables less complex matters to be addressed promptly and resolved swiftly.
79. Only suspected Level 1 Misconduct may be considered and receive an outcome through the Preliminary Investigation process.
80. The Student Regulatory Resolution Office will appoint a designated team or personnel with the authority to conduct a Preliminary Investigation. Personnel will be drawn from the Personnel and Duties section of this Procedure. All Preliminary Investigations and associated activities will be conducted under the oversight of the SRRO.
81. The Preliminary Investigation Process will involve:
 - 81.1. The appointment of an Investigating Officer
 - 81.2. An initial investigation by the Investigating Officer to establish any allegations to be considered and propose a preliminary outcome, based on the available evidence.
 - 81.3. Consideration of the allegation(s) and evidence and communication of this to the Reported Student(s).
 - 81.4. Communication of the initial outcome of the Preliminary Investigation, and any sanction if applicable, to the Reported Student.
 - 81.5. The opportunity for the Reported Student to submit any representations, evidence or documentation for consideration, prior to a final outcome being determined. This will include an opportunity to admit or deny any allegations being considered and/or comment on the initial outcome proposed.
 - 81.6. Communication in writing of the outcome of this Preliminary Investigation to the Reported Student following the conclusion of representations/evidence.
 - 81.7. A student may request a Level 1 appeal of the Preliminary Investigation outcome under this process, if applicable.

Formal Investigations

82. For all cases that are to be formally investigated, an Investigating Officer will be assigned at the earliest opportunity by the Student Regulatory Resolution Office. The Reported Student will receive confirmation of:
 - 82.1. the decision to investigate,
 - 82.2. the appointment of an Investigating Officer,
 - 82.3. an outline of the concern(s),

- 82.4. notification of the applicable university policy/procedures, and
 - 82.5. support information.
83. Within 14 calendar days of the Investigating Officer's appointment, the Reported Student will receive an update explaining how their case will progress. This is determined by the Investigating Officer. The notification will include confirmation of:
- 83.1. the allegation(s) under consideration;
 - 83.2. the classification level of misconduct;
 - 83.3. an initial overview of information to respond to the concern(s);
 - 83.4. an opportunity to admit or deny the allegation(s), fully or partially; and
 - 83.5. an invitation to meet, discuss and respond to the allegation(s).
84. After the Investigating Officer notification (paragraph 85 above), the Reported Student will be invited to discuss and respond to the allegation(s) being considered.
85. The Reported Student will be afforded reasonable time to make representations and to provide evidence in support of their case.
86. The Investigating Officer may make any enquiries they consider appropriate to investigate the allegation(s). This may include contact with the Reporting Party, witnesses and additional contact with the Reported Student. The order of enquiries is at the discretion of the Investigating Officer.
87. A record of all evidence collected during the course of the investigation is maintained by the University.
88. A copy of all evidence held will be shared with the Reported Student during the course of the investigation and prior to any investigation conclusion. Where the Investigating Officer or Student Regulatory Resolution Office deems sharing of any evidence presents a safeguarding risk (to the Reporting Student or others) or where there is a lawful reason for not disclosing, a summary of the withheld evidence will be provided (where permitted in lieu).
89. The Investigating Officer may reclassify the misconduct level and/or allegations being considered at any stage during the course of the investigation. This includes classifying a case as 'to be confirmed' whilst appropriate enquiries are made as to the evidence on which to base a decision. The Reporting Student will be notified as is reasonably practicable including the appropriate policy and/or procedural steps taken.

90. The Reported Student will receive written notification of the investigation outcome, within 7 days of the conclusion of the investigation. One of the following outcomes will be assigned to an allegation:
 - 90.1. No further action or insufficient evidence.
 - 90.2. Level 1/2 Misconduct: not upheld, partly upheld or upheld.
 - 90.3. Level 3 Misconduct: proceed to a Student Disciplinary Panel.
91. The Investigating Officer may impose appropriate sanction(s) where an allegation is determined to be upheld (partially or fully), for Level 1 and 2 Misconduct cases. This will be determined on the balance of probabilities and on the available evidence. A student is required to comply with any sanction imposed through the student disciplinary process.
92. Recommendations can be put forward based on the circumstances of the case being considered. Recommendations are not enforceable nor a case outcome, and no disciplinary action will be taken where a student does not take forward a recommendation proposed.
93. The Reporting Party will be kept up to date about the progress of their report by the University. The University will make a data protection assessment and inform the Reporting Party of the outcome and share as much information as is considered necessary to reassure them that the University has acted proportionately and fairly.
94. It is expected that all students involved in a case will keep information about the case completely confidential and process any disclosed information in a lawful manner. Disclosing information to others (in-person, online or by any other means) may undermine the case investigation and prejudice the outcome. Disclosing case information can be a disciplinary offence and that may be investigated as a separate case if there is sufficient evidence to do so.

Student Disciplinary Panel

95. A Student Disciplinary Panel (Panel) is required to convene when requested as a formal outcome of a student discipline investigation.
96. The Director of Student Engagement will establish a Panel within 28 days of notification of the investigation outcome, or whenever reasonably practicable.
97. A Panel requires the appointment of three individuals to be members. Each member will be selected from a list of approved individuals in accordance with the conditions listed in the section 'Reporting and Incident' of this policy. A Panel will include:
 - 97.1. A representative of University management (acting as Panel Chair).

97.2. Two impartial Investigating Officers.

98. The Director of Student Engagement will appoint a Secretary to the Panel and/or a Note-Taker to support the Panel. The Secretary will provide the Panel with administrative support and procedural guidance, and will liaise on their behalf.
99. The Director of Student Engagement will appoint a Presenter to present the University's case against the Reported Student to the Panel. The Presenter will typically be the assigned Investigating Officer. However, the University may appoint an alternate Presenter, if necessary.
100. The University will ensure the Reported Student is provided with:
 - 100.1. At least 14 days written notice of the date of the Panel meeting,
 - 100.2. Confirmation of the Panel composition, and
 - 100.3. The names of witnesses and the evidence to be used by the Presenter during the meeting.
101. The Reported Student must provide and confirm all evidence, documentation, and/or witnesses seven days before the date of the Panel meeting.
102. The Reported Student will be expected to make themselves available to attend the hearing on any day/time specified. The University aims to take account of the student's personal circumstances when specifying when the Panel will convene.
103. The Reported Student may ask for adjustments to the panel proceedings at the discretion of the Chair.
104. The Panel may proceed with the meeting and make a determination in the absence of the student if the Panel is satisfied that the Reported Student received appropriate notification.
105. The Reported Student is expected to make their own representations as this is an internal procedure and process, unless agreed by the University in advance. All questions will be directed to the Reported Student.
106. The Reported Student may be accompanied by one other individual. Notification of the identity of the individual must be provided seven days before the Panel meeting.
107. The Reported Student will be asked if they admit or deny the allegation(s), in full or in part. Where an allegation is admitted in full, the Panel will consider the evidence available to determine any appropriate sanction(s) to impose.

108. Where an allegation is not admitted in full, the Presenter will set out the allegation(s) and the evidence collated.
109. The Panel will give the Reported Student the opportunity to make representations and to present their own evidence.
110. The University cannot compel an individual to attend a Panel or participate in the process.
111. The Panel may identify any witness(es) or documentation that it considers appropriate to inform their decision-making. Such information will be disclosed to both the Reported Student and Presenter as soon as is reasonably practicable.
112. The Panel Chair has the authority and discretion to adjourn, postpone or halt the meeting.
113. The Panel Chair also has the authority to vary any aspect of the process in the interest of fairness or where deemed appropriate.
114. The Panel meeting is private and confidential.
115. The Panel will retire to deliberate in private after hearing all the evidence and representations.
116. The Panel will decide on the balance of probabilities (i.e., that it is more likely than not), whether the Reported Student committed the alleged misconduct. If the Panel determines that all or part of the alleged misconduct was committed by the Reported Student, the Panel will consider imposing any appropriate sanction(s).
117. The Panel Secretary will communicate in writing the Panel's decision to the Reported Student within 14 days of the decision being made.
118. The Reporting Party may be called as a witness. However, where it is likely to cause distress by attending, the Reporting Party can meet the Panel through video conferencing. The Panel Chair will assess any questions in advance and, if any questions are approved, they will ask such questions on behalf of the individual(s) requesting the Reporting Party's attendance. At no point is direct communication between the Reporting Party and Reported Student permitted.
119. Video statements may be accepted at the discretion of the Panel Chair and kept in accordance with the University's [Data Protection Policy](#).
120. The University will make a data protection assessment, will inform the Reporting Party that an outcome has been decided, and communicate as much information as is considered necessary to reassure them that the University has acted proportionately, fairly, and with due regard for their wellbeing.

Sanctions

121. The individual circumstances and context of each case will be taken into consideration when determining any applicable sanctions, including any applicable timeframes for meeting the requirements of a sanction.
122. A sanction is mandatory and enforceable by the University. Non-compliance with any sanction (in full or in part) may be treated as a further incident of misconduct.
123. Previous misconduct may be taken into consideration when determining appropriate sanctions.
124. Sanctions may require immediate completion or compliance. Alternatively, a sanction may have a specified timeframe or be suspended for a proportionate period of time.
125. The following is a list of examples of sanctions that may be imposed by an Investigating Officer, singly or in combination, for Level 1 Misconduct:
 - 125.1. A formal written warning.
 - 125.2. A requirement for the student to make good at their own expense, up to a value of £500.
 - 125.3. A fine up to the value of £500.
 - 125.4. A written apology to impacted parties of the misconduct.
 - 125.5. Attendance or completion of a learning programme/exercise.
126. The following is a list of examples of sanctions that may be imposed by an Investigating Officer, singly or in combination, for Level 2 Misconduct:
 - 126.1. Any sanction listed as a Level 1 sanction.
 - 126.2. A requirement for the student to make good at their own expense, up to a value of £2,000.
 - 126.3. A fine up to the value of £2,000.
 - 126.4. A ban from specific facilities or premises for a set period of time, with a maximum period up to the expected completion of their registration.
127. The following is a list of examples of sanctions that may be imposed by an Investigating Officer, singly or in combination, for Level 3 Misconduct:
 - 127.1. Any sanction listed as a Level 1 or 2 sanction.
 - 127.2. A requirement for the student to make good at their own expense, up to a value of £5,000.
 - 127.3. A fine up to the value of £5,000.

- 127.4. Suspension from the University for a set period, permanently, either partially or fully.
- 127.5. Expulsion from the University for a set period, permanently, partially or fully.

Appeals

- 128. An appeal can be submitted on any of the following grounds by the Reported Student:
 - 128.1. A procedural irregularity occurred that may have materially affected the outcome;
 - 128.2. New evidence becomes available, which could not have reasonably been presented at the previous stage and that may have materially affected the outcome; or
 - 128.3. The decision is one that given the evidence could not be reasonably sustained.
- 129. Appeals must be submitted in writing within 14 days of receiving the outcome of your disciplinary case, as determined by the Investigating Officer or Student Disciplinary Panel.
- 130. To request an appeal, a student should submit an email to the [SRRO \(student.complaints@nulondon.ac.uk\)](mailto:student.complaints@nulondon.ac.uk). The appeal will be considered solely based upon the contents of your review request. The email must contain:
 - 130.1. A full articulation of your appeal request, including the grounds upon which you are seeking an appeal.
 - 130.2. Any applicable evidence you wish to be considered as part of your appeal request.
- 131. The Reporting Student may submit a complaint to the University should they consider a service failing has taken place, subject to the criteria outlined in the [Complaints Procedure for Students](#).

Level 1 or 2 Misconduct Appeal

- 132. Level 1 or 2 Misconduct appeals will be heard by a member of the Senior Management Group not previously involved with the case and based on the evidence.
- 133. For Level 1 or 2 Misconduct appeals, the following will take place:
 - 133.1. The Investigating Officer will review the submitted appeal and provide any comments for consideration.

- 133.2. The Panel Chair will review the appeal, any comments submitted by the Investigating Officer and the full case file whilst determining the outcome of the appeal.
- 133.3. The Student Regulatory Resolution Office will be available to provide any support and/or procedural guidance to facilitate this appeal.
134. The permitted outcomes available for a Level 1 or 2 Misconduct appeal are either:
 - 134.1. To uphold the original decision of the Investigating Officer.
 - 134.2. To set aside the original decision and substitute a new decision.
135. The appeal outcome has the authority to impose a more serious or lower sanction as permitted for the Misconduct Level classification outlined in this policy. The outcome of the appeal and the completion of internal procedures is final.
136. The Reporting Student will receive notification in writing of the appeal outcome within 7 working days of the decision. This will include confirmation of completion of procedures and notification of the Office for the Independent Adjudicator for Higher Education.

Level 3 Misconduct Appeal

137. Level 3 Misconduct appeals will be heard by a member of the Senior Management Group (or nominee) not previously involved with the case.
138. The member of the Senior Management Group (or nominee) considering the Level 3 misconduct appeal will:
 - 138.1. Review the appeal and the full case file whilst determining the appropriate outcome to assign.
 - 138.2. Be supported and given procedural guidance by the Student Regulatory Resolution Office to facilitate this appeal.
139. In the first instance, the member of the Executive Committee (or nominee) will determine whether:
 - 139.1. The appeal has a reasonable prospect of success and therefore should be referred to a Student Disciplinary Appeal Panel.
 - 139.2. The appeal identifies a compelling reason for consideration by a Student Disciplinary Appeal Panel.
 - 139.3. None of the above apply and therefore the original decision stands.

140. The Reporting Student will receive notification in writing of the Executive Committee member's decision (or nominee) within seven working days of the decision.
141. Where the outcome determines the original decision should stand, this notification will include confirmation of completion of procedures and details regarding the Office for the Independent Adjudicator for Higher Education.
142. Where the outcome determines that a referral to a Student Disciplinary Appeal Panel (Appeal Panel) is required, it will convene within 21 days of notification of the Executive Committee member's decision (or nominee), or as soon as is reasonably practicable.
143. The composition of an Appeal Panel will comprise two members of the Senior Management group and an impartial investigating officer.
144. The Director of Student Engagement will appoint a Secretary to the Appeal Panel and/or a Note-Taker to support the Panel. The Secretary will provide the Appeal Panel with administrative support, procedural guidance and liaise on their behalf.
145. Prior to the Appeal Panel convening, the following steps will be taken:
 - 145.1. The Presenter will review the submitted appeal and provide any comments and/or documentation for the Appeal Panel consideration.
 - 145.2. The Reported Student will be provided with all comments and documentation to be relied upon for considering the Appeal, including any comments/documentation submitted by the Presenter in response to the appeal. This will occur with at least 14 days' notice before the Appeal Panel.
 - 145.3. The Reported Student must submit all final comments and/or documentation at least 7 days before the Appeal Panel meeting.
146. The Chair of the Appeal Panel has the authority to vary any timescales. The Reported Student will receive written notification and an explanation where this occurs.
147. The Appeal Panel will consider the appeal based on the evidence presented and will not re-hear the case.
148. The permitted outcomes available to the Appeal Panel are either:
 - 148.1. To uphold the original decision of the Panel and conclude internal procedures;
 - 148.2. To set aside the original Panel decision and substitute a new decision and conclude internal procedures; or

- 148.3. To appoint a new Student Disciplinary Panel to re-hear the case. The Chair of the Appeal Panel will determine how and the parameters of a re-hearing will be conducted, having due regard for this Policy.
149. The Appeal Panel has the authority to impose a more serious or lower sanction, available to all misconduct levels.
150. The Reporting Student will receive notification of the appeal outcome within seven working days of the decision being made in writing. Where the decision includes confirmation of completion of internal procedures, appropriate notification of the Office for the Independent Adjudicator for Higher Education will be provided.

Data, Disclosing and Reporting

151. All information, including confidential information is managed in accordance with the University's Data Protection obligations and internal policies.
152. Data on all incidents reported (including anonymous reports) will be used to regularly inform monitoring and review, conducted by the University.
153. The wishes of the Reporting Party will be noted from the point of reporting, as far as is reasonably practicable and permitted.
154. It is expected that all students/parties involved with the student discipline process will keep information about the case confidential, and process any information disclosed to them in a lawful manner. Disclosing information to others (by any means) may undermine the case investigation and prejudice the outcome. Disclosing case information is a disciplinary offence and that may be investigated as a separate case if there is sufficient evidence to do so.
155. The University will disclose information relating to disciplinary cases to the extent necessary to comply with legal obligations and may provide any information considered appropriate to any relevant accreditation, professional or regulatory body.
156. The Registrar will produce an annual report on disciplinary cases for Academic Board per AQF6 Annual Monitoring and Reporting. This will detail the number of cases handled at each Level, a summary of the outcomes and the highlighting of any areas for improvement.

157. Students who have exhausted the University's internal procedures will be issued with a completion of procedures letter and informed that they may make a complaint to the OIA. The OIA's website (www.oiahe.org.uk) contains full details of the scheme.

Version History

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Approved by: Academic Board				
Location: Academic Handbook/ Policies and Procedures/ General				
Version Number	Date Approved	Date Published	Owner	Proposed Next Review Date
24.8.1	September 2024	September 2024	Head of Quality Assurance	May 2026
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<i>Version numbering system revised March 2023</i>				
6.1	January 2023	January 2023	Head of Quality Assurance	May 2024
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<i>Formerly the Student Code of Conduct and Disciplinary Procedures</i>				
5.0	January 2022	-	Head of Quality Assurance	June 2022
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Disciplinary Procedure for Students

4.2	December 2020	December 2020	Head of Quality Assurance	May 2023
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4.0	September 2020	September 2020	Head of Quality Assurance	May 2023
Referenced documents	Declaration of Criminal Conviction Risk Assessment Procedure; Reporting an Incident Form; Guidance on Resolving an Incident; How to Complete an Incident Form, Appeal Form for Students			
External Reference Point(s)	UK Quality Code: Enabling Student Achievement ; Learning and Teaching; Office of the Independent Adjudicator ; The Higher Education and Research Act 2017 ; Office for Students ; Guidance for Higher Education; UK Visa and Immigration or the Home Office; Human Rights Act 1998; Equality Act 2010.			

Annex A: Indicative Table of Allegations, Misconduct Classification and Outcomes

The content of this table is indicative and not exhaustive. The scale and impact of the offence will be considered on a case-by-case basis by the Investigating Officer assigned to the case. One or more sanctions may be imposed if appropriate.

Level	Allegation	Cat	Sanction
1	Minor breach of university policy, e.g. smoking in a prohibited area	B	Formal written warning A requirement for the student to make good at their own expense, up to a value of £500. A fine up to the value of £500. A written apology to impacted parties of the misconduct. Attendance or completion of a learning programme.
	Non-compliance with a reasonable request of a staff member.	C	
	Minor damage to property	G	
	Minor abusive language (e.g. swearing)	A	
1 / 2	Repeatedly contacting an individual against their wishes	A	See Level 1 and 2 sanctions (above and below)
	Causing a nuisance to the University community	A	
	Minor dishonest to the University		
2	Substantial breach of university regulation, policy or procedures.	B	Any sanction listed as a Level 1 sanction A requirement for the student to make good at their own expense, up to a value of £2,000. A fine up to the value of £2,000. A ban from specific facilities/premises for a set period of time, with a maximum period up to the expected completion of their registration.
	Refusal to pay fine or observe a Level 1 sanction	C	
	Non-complying with Health and Safety or negatively impacting the wellbeing of others	C	
	Misconduct in connection with a degree/ award and or assessment	H	
	Falsification of University documents	H	
	Interference with the University operations or likely to bring the University into disrepute	H	
2 or 3	Non-compliance with precautionary action	C	See Level 2 and 3 sanctions (above and below)
	Bullying, harassment, discrimination	A/ E/ F	

Disciplinary Procedure for Students

Level	Allegation	Cat	Sanction
	Financial misconduct against the University, i.e. non-payment of fees	H	
	Non-consensual touching	F	
	Unwanted comments, contact or touching of a sexual nature	E	
	Substantial or significant dishonesty to the University		
3	Class A drug possession	D	Any sanction listed as a Level 1 or 2 sanction A requirement for the student to make good at their own expense, up to a value of £5,000. A fine up to the value of £5,000. Suspension from the University for a set period or permanent basis, partial or in full. Expulsion from the University for a set period of permanent basis, partial or in full.
	Threatening, offensive or indecent behaviour causing physical harm	F	
	Stalking	F / A	
	Sexual misconduct / abuse	E	
	Drug Supply	D	

For data analysis purposes, allegations are considered under the following categories:

- A. Nuisance behaviours (anti-social and welfare)
- B. Health and Safety
- C. Compliance with internal requirements
- D. Drug use and supply
- E. Sexual behaviours
- F. Physical behaviours
- G. Property
- H. Functions and Finances of the University

Annex B: Key Allegation Definitions

Table 1 below provides an overview of key allegations and their definitions for student disciplinary processes.

The allegations contained in Table 1 are not exhaustive. The University may investigate any allegation/s that may not meet the expectations outlined in this policy and wider university policies and procedures, including applying any sanction/s where appropriate.

Table 1

Allegation	Definition
Inappropriate / Offensive Behaviour	Any unreasonable behaviour/s which causes a likely negative impact to another/others. Such as inappropriate language, verbal abuse, communications, physical act/s, threatening behaviours, intimidating conduct.
Physical Misconduct / Violence	intentional use of physical force, threatened or actual, against another person, or against a group or community, which either results in or has a high likelihood of resulting in death, disability, injury or harm (physical or psychological).
Sexual Misconduct	See sexual misconduct policy definition,
Non-compliance	Failure/refusal to follow an instruction, requirement, rules or procedures of the University (including instructions provided by a university staff member)
Harassment	See harassment policy definition
Domestic Violence	Any act of violence or harassment between those who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to, psychological, physical, sexual, financial and emotional abuse
Coercive/Controlling Behaviour	An act or a pattern of acts of harms, threats, humiliation and intimidation or other abuse that is used to attempt to harm, punish, or frighten another. Controlling behaviour is a range of acts designed to make a person subordinate, dependent or indebted by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Disciplinary Procedure for Students

Allegation	Definition
Stalking	a pattern of behaviour that is intrusive and engenders fear in another, and which may occur when one person becomes fixated or obsessed with another
Bullying	See Bullying policy.