



Student Conduct Procedure

What does this document include?

Important terms used in this Procedure are identified with an asterisk* and further explained in [section 14](#) (Glossary).

Introduction (i) – (iv)	Introduction to the Procedure What is this Procedure for and who can use it to tell us their concerns about a student’s conduct and confidentiality
How this Procedure Works	
Section 1	The University’s expectations for student conduct*
Section 2	How do I tell the University about concerns I have relating to a student’s conduct; time limits for telling us about a concern
Section 3	How we will contact you and keep you updated. This section applies to you if you are telling us about a concern and also if you are the responding student* whose conduct has raised concern
Section 4	The options available to the University and the factors that the University will take into account. This section also includes the general principles that the University will follow for transparency and fairness.
Section 5	Precautionary steps the University can take pending the outcome of a formal investigation
Section 6	Informal action the University may take when there is a conduct concern
Section 7	Formal action the University may take, including the formal investigation process
Section 8	Police cases: criminal investigations and offences
Section 9	Outcomes and sanctions available after formal investigation has been completed
Section 10	Student Conduct Panel – arrangements and decisions
Section 11	Actions the University can take if you don’t comply with the outcome or sanctions
Section 12	Expedited exclusion process
Section 13	University Review Procedure

Section 14	Glossary – a list and description of words in the Procedure that have a specific meaning. Words that appear in the glossary have an asterisk * next to them.
Section 15	Flowchart – this shows a basic overview of the process. Please be sure you read the Procedure to understand all the information you need.

Who is this Procedure for and what does it do?

As members of the University community, all students are expected to treat other people with dignity and respect and to comply with the University's regulations and policies.

This Procedure explains:

- the conduct* that is expected of all registered students* on taught or research programmes
- how you can tell us if you have a concern that a student's behaviour may have breached the expectations under this Procedure
- how you tell us if the police are investigating you
- the action the University may take, how the responding student* will be involved and the information that will be shared with you.

There are time limits for telling us about concerns – the time limits are different depending on the type of concern. You are encouraged to tell us about concerns as soon as possible and within the following timeframes:

- You are usually expected to report a concern within 28 days of the incident. This deadline does not apply if you want to tell us about sexual misconduct* or other types of violence and abuse – you are asked to tell us about these concerns as soon as you feel able to.
- If you are telling the University that you are under police investigation or you have been arrested, cautioned, charged or convicted you should report this to the central Student Cases team (studentcases@cardiff.ac.uk) within 7 days of you being notified about police action

There are some types of concerns that the University may not be able to take forward as a student conduct concern. More information is below, including in [sections 2 and 4](#).

How do I tell the University about a student's conduct?

You can tell us your concern about a student's conduct if you are:

- a Cardiff University student
- a member of Cardiff University staff
- a member of the public
- [section 2](#) below explains how you can tell us.

If you are a student who has been arrested, cautioned or charged by the police*, or convicted of an offence while a student, you must report this to the University yourself within 7 days of your first involvement with police, by email to studentcases@cardiff.ac.uk. [Section 4](#) explains what will happen next.

The University cannot take forward anonymous* reports of student conduct unless there are exceptional reasons, for example if there is standalone evidence* about the conduct concerns e.g. police action or screenshots of social media posts.

Can I have advice and support on this Procedure?

We understand that experiencing conduct that causes you concern can be distressing. You may be worried about telling us about a concern.

The University cares about the health and wellbeing, of everyone involved in a conduct case. The support that is available to you is separate to action under this Procedure.

Wellbeing support is available to all students from [University Student Life services](#)

- if the concern you are telling us about is your experience of assault*, bullying*, discrimination*, harassment*, hate crime* or sexual misconduct* you can access specialist support through the [Report and Support tool](#)
- you may be worried if the University contacts you to say that we have been informed about concerns of your alleged conduct. You can access [wellbeing resources](#) and the [Student Support Intervention Team](#) for support

If you are a disabled student*, please contact Head of Student Cases (studentcases@cardiff.ac.uk) if you would like to discuss reasonable adjustments to this Procedure, to enable you to fully engage with this process. This can be at the beginning or at any time during the process.

You can also access independent, confidential and free advice from [Student Advice](#) in the Students' Union. [Student Advice](#) are separate to the University and are able to talk to you about your options under University procedures. [Student Advice](#) can advise you if you are the student who has concerns about another student or if you are the responding student*. They can help you to think about you want to tell us about and what evidence* is available. Further information and access to their service is available through their [webpages](#).

You are encouraged to contact [Student Advice](#) as soon as possible but you can contact them at any stage of your concern or case.

If you are on a programme that leads to a professional qualification which permits registration with a professional, statutory and regulatory body (PSRB)* and/or you are a member of a professional union, you can also seek advice from them.

How will the University use this Procedure?

All students will be treated fairly. All personal and sensitive information will be treated confidentially and shared only with staff as required for them to do their job, for example in processing the case and updating University records. If there is a need to share information with the police or other authorities, this will be done under the University's [data protection policy](#) and procedure for information sharing*. No sanction or judgement will be made by the University until the process is concluded. Decisions will be made on the balance of probabilities*. The process we follow, and the possible outcomes are included in the Procedure.

If you tell us about serious* allegations, the University can take the decision to impose conditions on study or temporarily suspend you from study [[section 5](#)]. The University will consider the type of allegation/s*, whether there is risk to safety and wellbeing of yourself or others; and whether there is risk of impact to University activities. Decisions are made on the balance of probabilities*.

The University may decide at any time during a case that the concern you have told us about should be considered under a different process or procedure. For example, the [Fitness to Practise Procedure](#) (if the responding student* is studying on a programme leading to professional registration) or the [Student Support Intervention Procedure](#) (if the responding student's* health and behaviour is causing concern for their own or another person's safety or is causing significant disruption to distress to others). If you are on a programme that leads to a professional qualification which permits registration with a professional, statutory and regulatory body (PSRB) *, the University may be required to share details about concerns raised about your conduct with the relevant PSRB*. If your case moves to a different procedure, we will explain which procedure will be used and the reasons for the decision.

Information about action by the University under this Procedure will be provided to the Head of School or department of the responding student*. The Head of School will be responsible for ensuring appropriate staff are updated in line with data protection regulations*.

How This Procedure Works

Section 1 The University's expectations for student conduct and behaviour

You are a member of the University community and as a student you are expected to:

- Be a representative of the University and act accordingly. This means we need you to follow the expectations in this Procedure and all the University regulations and policies which you agree to at each registration* for example, IT, library and finance regulations and PSRB* requirements. You are expected to maintain the University's standards of academic integrity and engagement. The expectation for your conduct applies anywhere and at any time but is particularly important in the local community around Cardiff, whilst on fieldwork, on other study away from the University, engaging or representing your club or society on or off the sports field, or whilst engaged in any other University-related activity.
- Treat other people with dignity and respect. The University's [Dignity at Work and Study Policy](#) applies and you are expected to:
 - Recognise the diversity of the Cardiff community and not discriminate against others on the basis of their age, ethnic origin, race, nationality, membership of a national minority, culture, language, religious faith or affiliation or lack thereof, political affiliation or opinions or lack thereof, sex, gender, gender identity, sexuality, sexual orientation, marital status, caring or parental responsibilities, illness, ability or disability, mental health status, medical condition, physical appearance, genetic features, parentage, descent, full or part-time student status, socio-economic background, employment status, trade union affiliation, spent or irrelevant criminal convictions, or any other irrelevant distinction.
- Act responsibly, and be honest, considerate, respectful, and courteous towards others, respecting the safety and wellbeing of others on or off University premises.
- Behave in a respectful manner towards others so that they do not feel that they are being harassed or bullied.
- Behave in such a way as to ensure you do not disrupt University activities or obstruct any student, member of staff, or visitor of the University in the performance of their study or work.
- Ensure that you do not publish comments or images on websites or social media or similar platform that might cause distress or offence to another person.
- Respect other people's right to enjoyment of their property, including that of the University and the Students' Union, or use of a public space.
- Comply with any reasonable request to meet with a member of University or Students' Union staff when the request is related to University or Students' Union business.
- Provide accurate information at enrolment and when making financial payments.
- Provide accurate information including your full name and student number to University or Students' Union staff when requested.
- Carry your student card with you at all times and not allow another person to use it.
- Ensure you do not share or publish academic material related to your learning and teaching without permission of the University. You should not share or

publish, via social networking sites, file-share programmes, or any other means, any material that is provided for the purposes of your learning without the express written consent of the academic member of staff who produced or presented that material. Please note that this does not preclude sharing material with fellow students of the University within the normal parameters of an academic programme.

- Avoid conduct which could amount to a criminal offence.
- Report to the Student Cases team within 7 days (studentcases@cardiff.ac.uk) any alleged offences which are under police investigation or if you have been arrested, cautioned, charged or convicted.
- Observe the principles and practice of freedom of speech*, freedom of expression*, and academic freedom*.
- Use appropriate University procedures to raise issues formally for example the [Student Complaints Procedure](#) or the Student Conduct Procedure.
- The expectations of student conduct are in addition to the expectations of the Students' Union in respect of societies, clubs and Students' Union events and premises.

Section 2 How to tell us if you are concerned about a student's conduct and the deadlines for telling us

2.1 Concerns about a student's conduct will be taken seriously.

2.2 As a student,

- you can contact your Head of School by email to tell the University about your concerns (informal – School level)
- if the conduct is serious* or relates to sexual misconduct* or discrimination*, you should report this to central Student Cases team directly as the informal stage will not be appropriate in most cases (studentcases@cardiff.ac.uk) (formal stage)

2.3 When you contact Head of School or Student Cases, you will need to let us know the name of the student whose behaviour is causing concern for you. If you do not know their name, you need to provide the information that you are aware of (for example if you know their address, programme of study). You should provide details of where/when the concerns took place and a very brief description of the concerns, but you do not need to go into detail. We will contact you for more information.

2.4 If you have been in contact with [Student Support Intervention Team, Report and Support](#) or other wellbeing service for support about your experience, you can ask them to share the details with Student Cases directly. Student Cases will contact you for more information and/or to explain the steps we will take.

2.5 If you are a member of staff, you should contact the student's Head of School initially. If you do not know the student's School, you can report the concerns to

studentcases@Cardiff.ac.uk including a summary of your concerns. You are encouraged to access [staff wellbeing resources](#).

- 2.6 If you are not a student or member of staff, you can report concerns to studentcases@cardiff.ac.uk, for example if you are a visitor to the University, a member of the public or on behalf of an organisation, for example the police. Please provide a summary of your concern including where/when the concerns took place.
- 2.7 You are encouraged to tell us about a student's conduct as soon as possible as this may help the investigation process (if an investigation takes place). The University may consider written information, documentation and verbal accounts of the incident as part of its investigation but does not have the range of powers or access to the same resources (e.g. forensic resources) that are available to the police.
- 2.8 The University cannot take forward anonymous* reports of student conduct unless there are exceptional reasons, for example if there is standalone evidence* about the conduct concerns.
- 2.9 The University receives information about student conduct on the basis that the information has been freely and accurately given. If information becomes available to indicate that the University has been told about a conduct incident that was not raised in good faith, and/or appears to have been told for vexatious* or malicious reasons, the University may take action under this Procedure against the person who has told us about the concern.

What is the deadline for telling us about concerns?

- 2.10 You are usually expected to report a concern within 28 days of the incident. This deadline does not apply if you want to tell us about sexual misconduct* or other types of violence and abuse* – you are asked to tell us about these concerns as soon as you feel able to.
- 2.11 If you are telling the University that you are under police investigation or you have been arrested, cautioned, charged or convicted you should report this to the central [Student Cases](#) team (studentcases@cardiff.ac.uk) within 7 days of you being notified about police action.

Section 3

How we will contact you and keep you updated

If you are a registered student* telling us about your concern	<ul style="list-style-type: none">• the University will let you know within 14 days that we have received your concern. We may ask you for more information and arrange to meet you. We will remind you of the support available and let you know the next steps• we will explain when updates will be provided• at the end of case, the University will share with you as much information as possible on a 'need to know' basis, taking into
----------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>account impact of the concerns on you and data protection regulations*</p> <ul style="list-style-type: none"> we will explain when you have the option to request a review of the University’s decision under the University Review Procedure <p>The steps above will be taken if the case is concluded under the Student Conduct Procedure, the Fitness to Practise Procedure or the Student Support Intervention Procedure.</p>
<p>If you are a current member of staff</p>	<ul style="list-style-type: none"> the University will let you know within 14 days that we have received your concern. We may ask you for more information. We will remind you of the support available and let you know the next steps we will explain when updates will be provided to you at the end of the case, we will share as much information as possible taking into account the impact on you and data protection regulations*
<p>If you are external to the University (eg police, former student, member of public)</p>	<ul style="list-style-type: none"> the University will let you know within 14 days that we have received your concern. We may ask you for more information the University has robust processes to consider conduct, but we will not be able to provide details of our actions or any outcome (except as required under General Data Protection Regulations, the University’s data policies or data sharing arrangements with external organisation*)
<p>If you are the Responding student*</p>	<ul style="list-style-type: none"> the University will notify you if we receive a concern about your conduct that we are looking into under this Procedure or a linked procedure* if you are telling us about a police investigation into your conduct or that you have been arrested, cautioned, charged or convicted, we will refer to you in this Procedure as a responding student* at this stage or at any other time during the University’s consideration of the concerns, you may be notified that precautionary measures such as a temporary suspension or conduct commitment* will apply to you following a risk assessment* by the Academic Registrar you may be asked to meet with Head of School or a member of Student Cases informally to discuss the concerns [section 6] if a formal investigation is started [section 7] you will be given details of the concern and the opportunity to respond before any final decisions are made we will let you know how you will be updated about progress of the case and who you can bring to meetings to support you

	<ul style="list-style-type: none"> • the University reserves the right to pause publication of your results and/or withhold an award while a formal investigation is ongoing, whether or not your case under this Procedure is on pause for police/court action, if the Academic Registrar decides the concerns are sufficiently serious* • we will explain when you have the option to request a review of the University's decision under the University Review Procedure
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Section 4 The actions available to the University when you tell us about a concern and the factors that the University will take into account

When the University receives a conduct concern and during the case, there will be different decisions to make. For example,

- is the conduct you are telling us a possible breach of this Procedure?
- what information or evidence* is available at the moment, or may become available if we look into it?
- is it appropriate to consider the case under informal processes or to offer mediation or other resolution processes? Informal processes may include a meeting with Head of School and/or opportunity for the responding student* to sign a conduct commitment* about future conduct
- is this a serious concern* which requires a formal process? If so, will this be Student Conduct Procedure, [Fitness to Practise Procedure](#), [Student Intervention Procedure](#) or another relevant conduct process. The Head of Student Cases may contact the Head of School and/or Head of Student Life to discuss and agree the appropriate process that the University will follow in your case. The University may refer the case to a different procedure at any stage of the case when we receive more information or if the circumstances change. We will tell you and the responding student* if we are moving the case to a different Procedure and the reasons for this decision

There are some things the University may decide it cannot take forward under this Procedure. When this happens, we will explain the reasons for this decision, and you will be able to request a review of the decision using the University Review Procedure.

Examples of situations when the University may not take action include:

- if there is insufficient information or evidence* available or likely to be available to identify the responding student* or in support of the concerns
- if you want to tell us anonymously*. This is because a responding student* needs to understand the full details of the concerns as part of their right to respond and this will usually include knowing who has told us about the concerns. Anonymous concerns will be taken forward in exceptional circumstances
- if the concerns are connected to the Students' Union societies or premises, you should tell the Students' Union first unless the conduct is serious*
- if the concerns are decided by the University to be very minor*

- if the concern is connected to a legal contract or arrangement which is not connected to your status as a student
- if the concern is about people with whom you have a private tenancy contract. The concerns may be considered under this Procedure if they include concerns relating to discrimination* or sexual misconduct* or other conduct that the University decides is serious*

In situations where the University does not take action under this Procedure, you can contact Student Advice in the Students' Union for advice and guidance. You can also access wellbeing support (introduction paragraph (iii) above).

Section 5 Precautionary steps the University can take pending the outcome of a formal investigation

The Academic Registrar, under the delegated authority of the Vice-Chancellor, will consider precautionary steps that we may need to take, pending the outcome of action under this Procedure and/or the conclusion of any criminal proceedings if they consider it to be in the interests of your safety, the safety of other students, or the wider University community or because the alleged concerns are having an unreasonable impact on the operation of the University.

If you are the responding student*, precautionary steps can include a temporary suspension for you or conditions on your use of campus and study. Precautionary steps can include removing your access to the Students' Union completely or partly. Precautionary steps may prohibit you from attending some type of events or specific events, for example graduation events. When making a decision about precautionary steps, the Academic Registrar will conduct a risk assessment*, taking into account the facts of the case. If the Academic Registrar has used their discretion to ask you to provide representations before a decision is made about precautionary steps, the representations you make will be taken into account. If the risks are considered to be serious* and/or immediate, the Academic Registrar may make a decision on precautionary steps without asking for your representations.

Temporary suspension or other precautionary steps in these circumstances are not automatic or imposed as a sanction. Risk assessment* is considered on a case by case basis and will include:

- the details that are currently available about the concern
- whether the concern relates to sexual misconduct* or discriminatory conduct
- whether you are living in University accommodation
- the proximity of your learning spaces to the learning spaces of the student or member of staff who has told us about concerns
- the risk of harm or disruption to University activities if the alleged conduct is repeated
- a concern that there has been non-compliance with sanctions or previous precautionary steps
- the risk of harm to yourself, other students, staff or the wider community

If a decision is made to put precautionary steps in place, if you are the responding student* you will be informed of the decision and the reasons for this within 7 days of the decision being made. The person telling us about the concerns may be informed about the precautionary steps if they are concerned for their safety on University or Students' Union premises.

If you are the responding student* and you want to challenge the decision to use precautionary steps, you should submit a request for review under the University Review Procedure [section 13].

If you are temporarily suspended you will not be able to attend study and learning events or submit work and may not have access to University buildings, facilities and resources and Students' Union premises depending on the nature and severity of the concern under consideration. You will be able to access wellbeing support from the University and specialist advice from Student Advice in the Students' Union. We will tell you if your access to Learning Central or IT resources has been stopped.

A temporary suspension will be re-considered by the Academic Registrar at least every 60 days, or when new relevant information becomes available to consider as part of the investigation, if sooner. The responding student* will be informed of any changes to the temporary suspension or its conditions within 7 days of the Academic Registrar's re-consideration. If there is an open police investigation or criminal court proceedings, the Academic Registrar may impose a temporary suspension for up to 120 days if no new relevant information is likely within the next 60 days. The responding student* can request that conditions on study/use of campus are re-considered when new information becomes available.

Section 6 | **Informal action the University may take**

When a conduct concern is received in central Student Cases, the Head of Student Cases will decide whether it is appropriate to ask the Head of School to contact the responding student* for an early and quick action, identifying the concerns and why they are causing worry.

The Student Cases team will provide advice to Heads of School and Departments regarding the process to be followed if they are contacted with a student conduct concern. This may include one or more of the following:

- discussing the steps available informal action and who will take the steps, noting the importance of impartiality of the member of staff
- asking the Student Support Intervention Team (SSIT) * for advice

When a Head of School is told about a student's conduct, the Head of School may decide to meet the student or staff member or third party telling us about the concerns and the responding student* and may do this separately or together depending on all the circumstances. The Head of School will contact the responding student* and the student or staff member telling us about the concerns by email at the end of any informal action

or steps to remind everyone of the expectations of student conduct and the actions available to them when there are concerns. This may include asking the student to sign a conduct commitment document*.

The Head of Student Cases may decide that formal action is taken about the concerns [section 7].

- 6.3 The Head of Student Cases may decide the case will not be referred to Head of School and that no formal action will be taken but that the responding student* is provided with a conduct commitment document* about future conduct for them to sign in respect of future conduct. This is not asking the responding student* to make any admissions about previous conduct. If the University receives a further concern about the responding student's* conduct, it is likely that formal action will be taken about the new concern.
- 6.4 Mediation or a restorative remedy may be offered as a way to resolve the concern. This is a confidential and voluntary process and if it is offered to you, you will be given information about the process before you decide whether or not to take part. If mediation or restorative approach takes place and does not provide a resolution, we will consider whether informal or formal actions are appropriate under this Procedure or whether no action will be taken.

Section 7	Formal action the University may take, including the formal investigation process
------------------	------------------------------------------------------------------------------------------

Where the Head of Student Cases decides that formal investigation under this Procedure is appropriate, they will appoint an Investigating Officer*.

If we think that the concerns include risks at Students' Union events, activities or premises, there may be a joint investigation* with the Students' Union*. Or the University may share relevant details after the investigation with the Students' Union. If you tell us about a concern which is investigated, you may be asked to meet with the Investigating Officer (see below). The information that you provide to the Investigating Officer will be important as evidence in their investigation.

The Investigating Officer will explore the facts of the reported incident or event by looking at relevant documents, speaking with you and others who have information about the concern. We will try to avoid meetings with you during formal examination periods unless the investigation cannot be delayed due to the seriousness of the concerns*.

If you are taking part in an interview as the person telling us about the concern, a witness or the responding student*:

- you will receive a minimum of 7 days' notice of the investigation meeting explaining why we need to meet with you. If you are the responding student*, we

will tell you the allegations* or concerns that we need to talk to you about and share relevant evidence* (if applicable)

- if you are a student you can bring an adviser from [Student Advice](#) in the Students' Union, a trusted friend, family member or representative to the meeting. This cannot be a member of University staff (except for a member of the Student Life team to provide wellbeing support) or a legal representative (unless they are attending in a personal capacity). Independent advice can be obtained from the Students' Union Student Advice Service
- if you are a member of staff you can bring a trusted friend or colleague, your line manager or a trade union representative.
- you will receive a copy of the notes of the interview and be given 7 days to confirm the notes as a true and accurate reflection of the interview or notify the Investigating Officer* of any issues or concerns you may have with the accuracy of the notes. If you do not reply to the Investigating Officer, we will assume that you agree the notes are accurate. You will also be able to provide the Investigating Officer with any additional documents or statements

When the Investigating Officer* has finished their investigation, they will write a report about their findings and evidence obtained during the investigation. The Investigating Officer will make a recommendation for the Head of Student Cases about whether the evidence* demonstrates a breach of the Student Conduct Procedure on the balance of probabilities*.

After investigation, most cases are concluded by a decision of the Head of Student Cases. If the case can't be concluded by the Head of Student Cases due to its complexity or seriousness*, a Student Conduct Panel will be arranged to consider the case [see [section 9](#)]. If you have told us about a concern that we decide needs to be considered by a Student Conduct Panel, it may be necessary for you to attend, so the Panel members can hear your experience, as a witness. This will be managed sensitively so that you are protected in your role as a witness. The responding student* will also be expected to attend a Panel in cases where a Panel is required.

Section 8

Police cases – criminal investigations and offences

The University will comply with its legal obligations to report criminal offences to the police* for example where the University has concerns about the safeguarding of its students and staff. The University will co-operate with any police or statutory enquiry where there is an investigation of a serious crime and in accordance with data protection regulations*.

Where the police have started enquiries into an alleged offence, the University may open a case under this Procedure. In most cases the University will pause action under this Procedure until we have the outcome of a police investigation and any criminal

proceedings, except that the University may consider precautionary steps (as explained in [section 5](#)).

The University may take action under this Procedure following notification of a student's criminal conviction if related to a serious* issue, or where a risk is identified in respect of the safety and well-being of the student or others, and/or if the responding student* is studying on a programme subject to professional, statutory and regulatory body (PSRB) * requirements. The University will take into account any sentence or sanctions that have been imposed by a court when considering what outcomes are proportionate under this Procedure.

If you are not charged by police or if you are acquitted in criminal proceedings, the University may still take action under this Procedure or another procedure to investigate and make a decision based on the balance of probabilities*.

Section 9 **Outcomes and sanctions* available after formal investigation has been completed**

The following four decisions are available to Head of Student Cases after a formal investigation:

- 9.1 The concerns are dismissed. This may be because the investigation has not demonstrated on the balance of probabilities*, on the evidence* available, that the incident took place, or that it took place, and the investigation has not demonstrated that breach of the Procedure occurred; or
- 9.2 The concern or concerns are upheld as a breach of the Procedure and one or more sanctions may be imposed by the Head of Student Cases from the list of sanctions below:
 - an informal warning
 - a formal warning to remain on your record for a specified time
 - a written apology to a specified person or group
 - a written reflection on the breach and its impact on the University community
 - required attendance at an educative workshop funded by you
 - payment for any identified damage to property or belongings
 - a conduct agreement which if broken will result in referral to a Student Conduct Panel
 - a decision that you are not permitted to attend graduation events for a specified period or permanently
- 9.3 The concern is upheld on the balance of probabilities*. As the breach of Procedure is a serious* concern, the Head of Student Cases will recommend to Academic Registrar that the case is referred to a Student Conduct Panel for sanctions to be considered ([section 10](#)); or

9.4 The concern is complex* and/or serious* and a Panel is required to decide if a breach of the Procedure has happened. The Head of Student Cases will recommend to Academic Registrar that the case is referred to a Student Conduct Panel to make a decision whether a breach of the Procedure took place and, if it did take place, to consider and impose sanctions.

Usually, the investigation report will have all the information for Head of Student Cases to make one of the decisions in 9.1-9.4. In exceptional cases the Head of Student Cases may invite you to a conduct meeting before making a decision about sanctions if the concern has been upheld. You will be given a minimum of 7 days' notice of the meeting you are entitled to be accompanied by an adviser from Student Advice, a trusted friend, family member or representative at the conduct meeting; this cannot be a member of University staff (or a legal representative). This is not a formal hearing but a further opportunity for you to provide details of any relevant or mitigating factors to Head of Student Cases. If you do not attend the conduct meeting, the Head of Student Cases may consider the case without meeting you.

Section 10

Student Conduct Panel Arrangements and Decisions

When the Academic Registrar decides that a Student Conduct Panel will be convened, the Panel will be arranged by the central Student Cases team.

The Panel will usually meet within 35 days of the Academic Registrar's decision, subject to the availability of Panel members and the Investigating Officer*.

If the investigation involves two or more responding students*, the Academic Registrar will decide whether there are separate or joint panels. If a joint panel is held, each responding student* will be given confidential time at the Panel, without the other responding student/s* present, to explain any personal or health circumstances that they want taken into account.

The Panel will consist of the following members who have been trained in the Procedure and conduct panels. The Panel members will not have previous involvement in the concerns or investigation, and they will not have prior knowledge of the case:

- a Senior Manager as chair (a Head of School, Deputy Head of School, Dean, or Professional Services Director/Head)
- a member of University staff
- an elected officer of the Students' Union

A member of the central Student Cases team will support the Panel. If the Chair decides that the issues raised are complex* or there are relevant legal factors, the Chair may request advice from the University's legal advisers or other external advisors. The Chair may take this action at any time prior to the final decision being shared.

For the responding student*

At least 14 days before the panel, Head of Student Cases will inform the responding student* of:

- the details of the concern or allegation* being considered by the Panel
- the evidence* that will be presented to and considered by the Panel
- the date, time and venue of the Panel meeting. Student Conduct Panels will usually be held in person on University campus
- your right to be supported or represented at the panel. You cannot be supported by a legal representative unless this has been agreed with Head of Student Cases at least 7 days prior to the Panel date. The University may agree to you attending with a legal representative if we think that the case is particularly complex* or the impact of the sanctions will be more serious for you than another student in a similar situation
- your right to have the panel conducted in English or Welsh

You must confirm your attendance and the name of anyone else who will accompany you to the Panel meeting and submit any evidence* or information you would like the Panel to consider at least 7 days before the Panel date.

For the student or member of staff telling us about the concerns

If you have told us about a concern that needs to be considered by a Student Conduct Panel, it may be necessary for you to attend, so the Panel members can hear your experience, as a witness. This will be managed sensitively so that you are protected in your role as a witness, for example we will explain what will happen on the day and you can see the Panel room before the Panel day. You will usually be in the Panel meeting while you are giving your information and you will be asked to leave for the rest of the Panel meeting. You will be given at least 14 days' notice of the Panel date.

The consideration of the case must follow the process in this Procedure and the principles of transparency and fairness.

Other important information

If you are asked to attend a Panel to tell the panel about your concerns, as a witness or as a responding student* and do not attend the Panel, the Panel may go ahead in your absence. You can request that the Panel is adjourned but this will be at the discretion of the Chair of the Panel subject to the reason for the adjournment request, the evidence of the reason and fairness to all those involved. An adjournment, if given, will require new arrangements to convene the Panel and this may take 35 days or longer depending on the availability of Panel members and the Investigating Officer*.

What will happen at the Student Conduct Panel

- the Panel members, Investigating Officer* and the responding student* will have access to all the papers for the Panel meeting prior to the meeting taking place
- the Investigating Officer will present the facts of the case against the responding student*, calling witnesses as appropriate
- the responding student* will then be invited to present a response, and call witnesses as you think appropriate. You may present any mitigating factors* which you wish to bring to the attention of the Panel. If you are bringing someone to support or represent you, they can help you to do this
- where witnesses are called by the Investigating Officer or responding student*, they will be asked to give evidence* on the facts to which they are witness. Witnesses are permitted to be present at the Panel meeting only when they are giving their evidence
- the Investigating Officer and the responding student* will be given the opportunity to raise any questions on the facts or on statements made by witnesses at appropriate times throughout the meeting. All questions will be directed to the Chair of the Panel. If you are the responding student* and you someone supporting or representing you, you will be expected to respond to questions about the case yourself
- once all evidence* has been presented and all questions asked, the Investigating Officer will have opportunity to summarise the case and make concluding remarks
- at the end of the meeting, you or your representative will be given an opportunity to summarise your case and make concluding remarks

The Investigating Officer*, the responding student* (and the person supporting you) will then leave the meeting room, for the Panel to consider the case in a private meeting. The Panel will consider all the information and evidence* presented to it in order to make a decision on the case. If the Panel has been convened to decide if a breach of Procedure has taken place, it may dismiss the case if it hasn't been established on the balance of probabilities*.

The Panel's next steps if the concern is upheld

When a breach of the Procedure is upheld by the Panel, you may be given the opportunity to make any further representations to the Panel before the Panel makes a decision about sanctions. If you have a previous case of breach of the Student Conduct Procedure, the Panel will be informed at this time.

The Panel may impose one or more of the following sanctions, taking into account the proportionality of the sanctions, considering all the information available including any mitigating factors put forward by the responding student*:

- any of the sanctions available to the Head of Student Cases listed above ([section 9](#))

- restricted access to University or Students' Union premises or facilities, with the extent and duration of the restriction to be specified
- temporary exclusion from the University, for a specified period
- permanent exclusion from the University

The Panel's decision and the reasons for it will be communicated in writing to the responding student* within 7 days. We will inform the student or staff member telling us about the concern that the Panel has concluded, and we will say if the Panel has upheld the concern/s. Where the concerns involve the safety or wellbeing of a student or member of staff, we may also share information about sanctions on use of University or Students' Union premises.

The person telling us about the concern and the responding student* can request a review* of the decision shared with them [section 13].

Section 11 Actions the University can take if you don't comply with the outcome or sanctions

The University takes student conduct concerns very seriously and you are expected to engage with the actions as required by the Procedure and any outcome. If you are the responding student* and you do not comply with the outcome or sanction/s, the University may take further action. When taking action, the Academic Registrar may also consider whether action is needed under section 5 to assess and manage risk and impose precautionary steps.

- 11.1 If the decision on the case was made under the informal stage and there is repetition of similar concerns – Head of School will refer the concerns to central Student Cases for consideration under the formal state. This may include formal investigation of the original concerns if one of more of the following factors apply:
- there is new information about the original concern,
 - if the concerns may be seen as a continuation of previous conduct
 - there is any other reason why it is reasonable to consider the original concern/s formally under this Procedure

As the responding student*, you will be contacted by central Student Cases as explained in section 7.

- 11.2 If the decision on the case was taken by the Head of Student Cases formal stage, we will have provided information for you to comply with the decision and any sanctions. If you are the responding student* and you fail to comply with the conditions or sanctions, the Head of School or a person impacted by your non-compliance will notify Student Cases explaining their concerns.

The central Student Cases team will inform the Academic Registrar that information about non-compliance has been received.

You will be offered 14 days to provide a response to the non-compliance information and to provide any evidence* for consideration by the Academic Registrar.

The Academic Registrar will consider the reasons for the original decision and may ask the Head of Student Life (or nominee) and/or the Head of Student Cases to be part of the consideration of the case. The Academic Registrar will make one or more of the following decisions:

- the same sanction/s from the list of sanctions available to the Head of Student Cases in [section 7](#) will be imposed again and you will be given a final opportunity to comply
- different or additional sanction/s from the list of sanctions available to the Head of Student Cases in [section 7](#) will be imposed
- the Academic Registrar will refer the original findings and non-compliance information for consideration by a Student Conduct Panel [[section 10](#)]

- 11.3 If the decision on the case was made by a Student Cases Panel, the central Student Cases team will inform the Academic Registrar that information about non-compliance has been received.

You will be offered 14 days to provide a response to the non-compliance information and to provide any evidence* for consideration by the Academic Registrar.

The Academic Registrar will seek advice from the Chair of the Student Conduct Panel (or other Panel member if the Chair is unavailable) who will together consider the non-compliance information, your response (if you provide one), and the reason for the original Panel decision. The Academic Registrar may ask the Head of Student Life (or nominee) to be part of the discussion.

The Academic Registrar will make one of the following decisions:

- substitute a different decision, from the range of sanctions available under the Procedure (this may be a more serious sanction or sanctions than those imposed by the Panel)
- confirm the original decision of the Panel
- apply a further sanction or decision to the original decision of the Panel

The decision of the Academic Registrar and Chair (or other Panel member if applicable) will be final. This will be the end of the University's internal process.

Section 12 | **Expedited exclusion process**

There will be situations which are so severe that the University may use this section in place of the formal investigation and decision-making steps which are explained above. The Vice-Chancellor has the power to exclude immediately and permanently a student where it is necessary to take this action based on all the information available at the time of consideration.

Severe circumstances may include for example, where a student has been sentenced to a term of imprisonment of 2 years or more, or there are reasons to believe that a student has obtained a place on their programme of study on the basis of false or misleading information. The Vice-Chancellor will decide when a situation is appropriate for expedited exclusion process.

The following process will be followed:

- You may be given opportunity to respond in writing to the University's concerns before a decision is made under this section, in the discretion of the Head of Student Cases and dependent on the evidence* available.

The Vice-Chancellor (or nominee) will receive:

- a report from an Investigating Officer* (appointed by the Academic Registrar) and supporting evidence*
- a written statement or evidence* from you (if applicable)
- other appropriate evidence*

You will be informed of the exclusion decision in writing within 7 days of the decision. The communication to you will include the reasons for exclusion and your right to request a review of the decision under the University Review Procedure. We will write to you at the University and personal emails on your student record.

If the Vice Chancellor or nominee decides that permanent exclusion under this section is not proportionate, they may refer the case to a Student Conduct Panel [section 10].

Section 13 University Review Procedure

Some decisions under this Procedure can be challenged under the University Review Procedure. A request for review must usually be made within 14 days of the original decision.

The [University Review Procedure](#) explains the grounds under which you are able to request a review and the process you will need to follow.

The University Review Procedure is the last stage of the University's internal procedures.

If you are requesting a review of the complaint decision, we recommend that you contact Student Advice in the Students' Union if you have not done so already.

At the end of the University's internal procedures, we will either issue you a Completion of Procedures Letter* or we will explain how you can request one.

If you are the student telling us about the concern or if you are the responding student*, you can request a review of the decision you have been given if one of the following outcomes has been made and you are dissatisfied with the outcome:

Your involvement in the Procedure	Decisions that you can request a review about
Student telling us about the concerns	<ul style="list-style-type: none"> • our decision that no action will be taken under the Procedure • the decision to resolve the concern at the informal stage • a decision made under the formal stage
Responding student*	<ul style="list-style-type: none"> • a decision that precautionary steps will be imposed during the investigation and consideration of your case, including any conditions that are put in place • a decision to put a conduct commitment* in place for your future conduct • a decision that the case is upheld under the formal stage and/or the decision about sanctions

The University Review Procedure is the last stage of the University's internal procedures. If you are requesting a review, we recommend that you contact Student Advice in the Students' Union about this, including if you have not contacted them earlier in your case. The University Review Procedure is the end of the University's internal processes.

If you remain dissatisfied with the outcome, you may be able to make a complaint to the [Office of the Independent Adjudicator](#) (OIA) which is the ombudsman for students in England and Wales. The OIA decides what complaints are eligible under its scheme but students usually require a Completion of Procedures letter* before the OIA can consider a case, to confirm that internal processes have been completed. At the end of the University's processes, you will be given a completion of procedures letter or we will explain how you are able to obtain one.

Section 14

Glossary

Term	Definition
Academic freedom	<p>The Tertiary Education and Research (Wales) Act 2022 protects the academic freedom of universities and academic staff at those universities.</p> <p>Academic freedom for the University means the freedom to determine:</p> <ul style="list-style-type: none"> • the contents of particular higher education courses and the manner in which they are taught, supervised or assessed • the criteria for admission of students to higher education courses and to apply those criteria in particular cases • the criteria for the selection and appointment of academic staff and to apply those criteria in particular cases

	Academic freedom for academic staff means the freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges they may have at the tertiary education providers.
Allegations	We use this to describe concerns unless a finding has been made by the University that the expectations of student conduct have been breached.
Anonymously	Without your identity being known to the responding student*, either by your name being shared with the responding student* or by sharing the circumstances if that would identify you. See also standalone evidence* below
Assault	Sexual or physical assault
Balance of probabilities	This means that the person deciding the outcome to your complaint will assess whether the information and evidence available at that stage demonstrates it is more likely than not that the issues you raised occurred, the expectations under the Procedure have been breached and should be upheld.
Bullying	Verbal or physical aggression
Conduct	The behaviour or actions of a student
Conduct Commitment document	This document is a formal promise to comply with the Student Conduct Procedure in the future. It is not an admission that you have acted in breach of the Procedure previously.
Completion of Procedures letter	A letter which we send to you (or tell you how to request one) when you have reached the end of our internal University processes to consider the case. You will normally need this letter to go to the Office of the Independent Adjudicator
Complex	Each case is different. We may decide a case is complex if one or more of the following factors are present: <ul style="list-style-type: none"> • there is more than one responding student* • there is more than one person telling us about their concerns • the case relates to issues of consent which we decide are more appropriate for a Student Panel to consider • the specific facts and details of the case make it reasonable to describe the case as complex
Disabled Student	You are disabled under the Equality Act 2010 if you have a physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect on your ability to do normal daily activities: <ul style="list-style-type: none"> • ‘substantial’ is more than minor or trivial, for example it takes much longer than it usually would to complete a daily task like getting dressed • ‘long-term’ means 12 months or more, for example a breathing condition that develops as a result of a lung infection
Discrimination	Using discriminatory language or discriminatory actions

Evidence	The University will consider written information, documentation and verbal accounts about the concerns but does not have the range of powers or access to the same resources (e.g. forensic resources) that are available to the police. The University usually won't be able to use covert recordings, but each case will be considered individually.
Freedom of speech/freedom of expression	<p>Article 10 of the Human Rights Act 1998 protects your right to hold your own opinions and express them freely. This includes the right to express your views aloud (for example through public protest and demonstrations).</p> <p>Although you have freedom of expression, you also have a duty to behave responsibly and to respect other people's rights</p> <p>The University may restrict this right if they can show that their action is lawful, necessary and proportionate in order to:</p> <ul style="list-style-type: none"> • protect national security, territorial integrity (the borders of the state) or public safety • prevent disorder or crime • protect health or morals • protect the rights and reputations of other people • prevent the disclosure of information received in confidence • maintain the authority and impartiality of judges <p>We may be allowed to restrict your freedom of expression if, for example, you express views that encourage racial or religious hatred.</p> <p>However, the we must show that the restriction is 'proportionate', in other words that it is appropriate and no more than necessary to address the issue concerned.</p> <p>See guidance from the Equality and Human Rights Commission here: Article 10: Freedom of expression EHRC</p>
General Data Protection Regulation (GDPR); data protection regulations, data protection policy and procedure	<p>More information on GDPR is available here: Data protection: The UK's data protection legislation - GOV.UK</p> <p>The University's policies are available here: Compliance and Risk - Student intranet - Cardiff University</p>
Hate Crime	An incident or crime against someone based on a part of their identity.
Investigating Officer	A member of University staff or external person who is trained in conducting investigations. The Investigating Officer will be independent of the concerns that are being investigated.

Joint Investigation with Students' Union	The Chief Executive of the Students' Union and Academic Registrar, or their nominees will decide whether the investigation will follow Students' Union or University processes, who will lead the investigation process and how information will be shared between during and at the end of the investigation.
Linked Procedures	Fitness to Practise Procedure Academic regulations Academic Integrity Policy Academic Misconduct procedures for taught and research students Engagement regulations
Mitigating factors	Information that you think is relevant to give context to your actions. This may include personal or health circumstances. You will usually be expected to provide independent evidence (in English or Welsh) of the information you want to share. Evidence that is not originally in English or Welsh needs to be translated by a qualified translator.
Office of the Independent Adjudicator (OIA)	The Office of the Independent Adjudicator for Higher Education (OIA) are an independent body set up to review student complaints about higher education providers in England and Wales.
Police	UK and international police forces and other external agencies with criminal law-enforcement powers.
PSRB	Professional, Statutory and Regulatory Body. Relevant if the responding student* is on a programme that leads to a professional qualification which permits registration with a PSRB.
Risk assessment	Consideration of all known facts about a case to assess the risk of an incident occurring in the future and the likely impact to an individual or others in the University community or the operation of the University if the incident does occur.
Registered students	You are a registered student if you are enrolled on a programme that leads to an award listed in the academic regulations, including distance learning students. Students who are studying at a partner institution (e.g. Kazakhstan) are expected to use and complete the partner institution's processes first and can then use the University Review Procedure if dissatisfied.
Registration	Each academic year, you have to complete enrolment onto the next stage of your programme. This is referred to as registration.
Responding student	The University has been informed that there are concerns about your conduct; or you are telling us about a police investigation, arrest, caution, charge or conviction
Sanctions	The Procedure explains the outcomes that are available to the University when a breach of the Procedure is upheld. They include penalties, reflective work and courses.
Serious	<ul style="list-style-type: none"> conduct that has caused harm or injury; physical or related to mental health and where there is ongoing risk

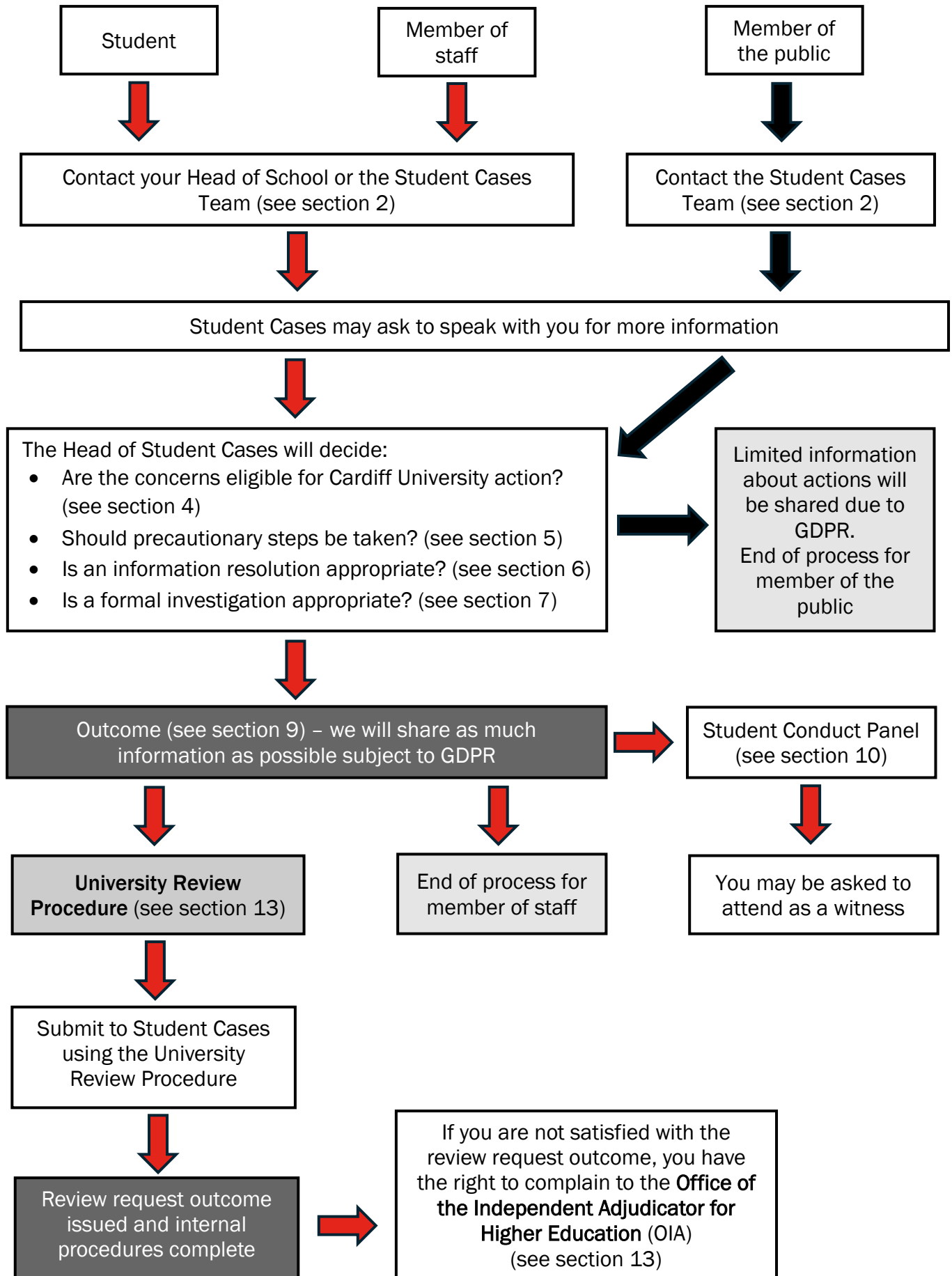
	<p>of harm to others at the moment or if the conduct is repeated.</p> <ul style="list-style-type: none"> • sexual misconduct, physical assault, discriminatory conduct and actions that disrupt the University's academic or administrative functions will usually be serious. • alleged or proven criminal conduct • repeated conduct which is causing distress to another person • conduct that is causing disruption to the University's usual activities.
Sexual misconduct	<ul style="list-style-type: none"> • inappropriate sexual behaviour (which may include, but is not limited to, violence, grooming, misconduct and harassment) • relationship abuse and unhealthy relationships • rape, sexual assault and sexual violence
Student Support Intervention Team (SSIT)	<p>If your complaint relates to allegations of sexual misconduct, violence or abuse*, you can also access confidential support and advice from the Student Support Intervention Team through the Report and Support tool. Accessing support is different to submitting a complaint. Support is available to any student who discloses an incident of sexual misconduct, violence or abuse, regardless of whether you choose to make a complaint to the University or a report to the Police.</p>
Standalone Evidence	<p>Documentary information which is available to support your concerns, but which does not identify you. For example, screenshots of social media content or photographs or information that is publicly available.</p>
Very minor	<p>One or more comment/incident that may have caused some upset or distress to you, but which does not appear to meet threshold of breach of the Procedure</p>
Vexatious	<p>A vexatious complaint is defined as a complaint that</p> <ul style="list-style-type: none"> • is obsessive, persistent, harassing, prolific, repetitious • is about something which a fair-minded person would consider to be trivial • insists upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason • insists upon pursuing meritorious complaints in a way that is having a seriously negative effect on our staff or work • is designed to cause disruption or annoyance • looks for a remedy that lacks any serious purpose or value
Violence and abuse	<p>We use violence and abuse as a term to describe different types of behaviour, including:</p> <ul style="list-style-type: none"> • relationship abuse and unhealthy relationships • rape, sexual assault and sexual violence • violence related to gender

	<ul style="list-style-type: none">• harassment• hate crime• bullying
--	------------------------------------------------------------------------------------------------------

Section 15	A basic overview of the process – please be sure you read the Procedure to understand all the information you need
-------------------	---------------------------------------------------------------------------------------------------------------------------

Section 15a

Flowchart for student/members of staff/member of the public telling us about student conduct



Section 15b

Flowchart for responding student/student reporting action by the police

