

CARDIFF  
UNIVERSITY

PRIFYSGOL  
CAERDYDD

# STUDENT CONDUCT PROCEDURE

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## 1. Introduction

1.1 As members of the University community, all students are expected to act in accordance with the University's standards of conduct and behaviour. As such you will:

- Be a representative of the University and act accordingly;
- Act in accordance with the University's Regulations and Policies;
- Treat other people with dignity and respect;
- Maintain the expected standards of academic practice, integrity, and engagement.

If you behave in a way that is alleged to not meet these expectations, we will investigate and address the allegation by using this Student Conduct Procedure.

1.2 This procedure covers all registered students of the University where they are engaged in University activities either on or off University premises, or where their actions interfere with the academic or administrative activities of the University or have an impact on the wider University community or the University's reputation.

## 2. Expectations of conduct

2.1 As a student you are expected to:

- Be a representative of the University and act accordingly. This 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.
- Comply with all other University procedures relating to conduct including IT, Library, and Finance Regulations.
- Treat other people with dignity and respect:
  - 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 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.
- Act in accordance with the University's regulations and policies, which you agree to at each registration as a student with the University, and which, where relevant, satisfy the requirements of the Professional, Statutory and Regulatory Body associated with your programme.
  - 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 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 any serious offences which lead to police investigation, caution, conviction, or charge related to a relevant offence. The report should be made within 14 days.
- Observe the principles and practice of [Freedom of speech](#), freedom of expression, and academic freedom.
- Use appropriate University procedures to raise issues formally.

### 3. Application of this procedure

- 3.1 All students will be treated equally and fairly.
- 3.2 Students will be informed of how to participate in the process and how to access independent advice and support from the [Students' Union Student Advice Service](#).
- 3.3 The University is mindful of the impact that the disciplinary process can have both on students who are alleged to have committed misconduct and on those who report it, and encourages all students to seek advice and support from the [Student Support and Wellbeing](#) team.
- 3.4 If you are a disabled student and you require adjustments to this procedure to be able to fully engage with the process, please contact the [Head of Registry](#) to identify any reasonable adjustments which can be made to support your engagement.
- 3.5 Student conduct that is alleged to contravene the University's expectations of conduct may be investigated and, if appropriate, may be considered to be a major or minor concern leading to disciplinary action under this procedure.
- 3.6 Restorative approaches and/or mediation will be available where appropriate.
- 3.7 All personal and sensitive information will be treated confidentially and shared only with staff as part of the processing of the case. There may sometimes be a need to share information with the police and other authorities. If this is the case, this will be done in the interest of the safety and wellbeing of students and the wider community and in accordance with the University's Information Sharing Procedure and appropriate Data Protection policy.
- 3.8 No sanction or judgement will be imposed until the process is concluded. However, in the case of serious allegations, or where a risk is identified in respect of your safety and well-being or that of others, the University can take the decision to suspend you from your studies pending the outcome of the process (see section 9).
- 3.9 Where a group of students engage in an activity which may breach the disciplinary code, the University will determine if cases will be considered individually or as a group. If the case is considered as a group, the

investigation meetings will be conducted individually, the Student Conduct Panel may be heard jointly, and each student will be given the opportunity to present mitigating factors privately to the Panel.

## **4. Criminal offences**

- 4.1 The University will comply with its legal obligations to report criminal offences to the police.
- 4.2 The University will co-operate with any police or statutory enquiry where there is an investigation of a serious crime.
- 4.3 The University may take action under this procedure in respect of misconduct which might also constitute a criminal offence, or may suspend action under this procedure until the outcome of a police investigation and any criminal proceedings.
- 4.4 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 student is studying on a programme subject to professional, statutory and regulatory body requirements.
- 4.5 The University will take into account any sentences or sanctions that have been imposed by a court but reserves the right to take action under this procedure and make a decision based on the balance of probability.

## **5. Raising a concern**

- 5.1. If you are a student and wish to raise a concern about the conduct of another student, the concern should be raised in line with the procedure set out in the [Student Complaints Procedure](#).
- 5.2. If you are a member of staff and you wish to raise a concern about the conduct of a student, the concern should be raised with the student's Head of School or Department as appropriate. The Student Cases team will provide advice to Heads of School or Department regarding the procedure to be followed. All communication about any subsequent action by the University will be provided to the Head of School or Department, who is responsible for ensuring appropriate staff are updated in line with data protection legislation requirements.
- 5.3. When a concern is raised, the Head of Student Cases will consider whether it is appropriate to investigate under this procedure, or whether the case should be referred for investigation under another University procedure. The Head of Student Cases may decide that no formal action will be taken but that the student should be offered the opportunity to provide a formal commitment about future conduct by signing a behaviour agreement. Alternatively, mediation or a restorative remedy may be offered as a way to

resolve the concern. You will be able to talk to a member of the Student Cases team about what this entails before you decide whether or not to agree.

- 5.4. Where the Head of Student Cases determines to authorise an investigation under this procedure, they will appoint an Investigating Officer in consultation with the Head of School (this may also be done jointly with the Students' Union if relevant to the nature of the allegation).
- 5.5. If you report a concern which is investigated, you may be asked to meet with the Investigating Officer (see below) as a witness to give evidence. It is sometimes necessary for a student to attend a panel hearing as a witness. This will be managed sensitively so that you are protected in your role as a witness. You will be informed of any outcome which relates to your complaint and/or any action that has been taken which impacts on you and your experience as a continuing student.

**6 Investigating a concern** If an allegation or concern requires investigation, an independent Investigating Officer will be appointed by the Head of Student Cases. The University provides training to staff who undertake the role of Investigating Officer to ensure that the full facts of the case are considered.

- 6.2 The Investigating Officer will explore the facts of the reported incident or event by reviewing documentation and interviewing you, students, and witnesses where appropriate (formal examination periods involving student attendance at the investigation will be avoided where possible).
- 6.3 If you are interviewed, you will:
  - Receive a minimum of 7 days' notice of the investigation meeting and be notified of the allegations or concerns which are being considered.
  - Be entitled to be accompanied by a friend or representative at the meeting; this cannot be a member of University staff (or a legal representative). Independent advice can be obtained from the [Students' Union Student Advice Service](#).
  - Receive a copy of the notes of the interview and be given 7 days to notify the Investigating Officer of any issues or concerns you may have with the accuracy of the notes.
- 6.4 Upon completion of the investigation, the Investigating Officer will produce a report confirming their findings and attaching evidence obtained during the investigation to support their findings.
- 6.5 The Head of Student Cases will consider the report and take 1 of the following actions:
  - Decide that no further action is required;

- Decide that an event or issue may be a minor concern, and invite the student involved to a disciplinary meeting;
- Decide that an event or issue may be a major concern, and refer the case to the Academic Registrar to convene a Student Conduct Panel.

6.6 The Head of Student cases will notify you in writing of the decision within 14 days of receipt of the investigation report.

## **7 Minor concerns: disciplinary meeting and outcomes**

7.1 The Head of Student Cases will invite you to a disciplinary meeting to consider the alleged minor concern. You will be given a minimum of 7 days' notice of the meeting and will be notified of the allegation against you and provided with a copy of the investigation report and supporting evidence. You are entitled to be accompanied by a friend or representative at the disciplinary meeting; this cannot be a member of University staff (or a legal representative).

7.2 The disciplinary meeting is not a formal hearing but an opportunity for you to respond to the concern and to provide details of any mitigating factors to the Head of Student Cases. If you do not attend the disciplinary meeting, the Head of Student Cases may consider the case in your absence.

7.3 Following the disciplinary meeting the Head of Student Cases may impose 1 or more of the following outcomes:

- No further action,
- An offer of mediation or a restorative remedy to those who raised the complaint and the student(s) investigated,
- 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 offence 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.

7.4 The outcome and any sanction will be communicated to you within 7 days of the disciplinary meeting.



7.5 You will be informed of your right to request a review as detailed below (section 11).

## 8 Major concerns: Student Conduct Panel

8.1 Where it is decided that an event or incident may be a major concern, the Academic Registrar will convene a Student Conduct Panel to consider the event or incident and the report of the Investigating Officer.

8.2 The panel will usually meet within **28 days** of the decision. The panel will consist of the following members who have been trained and who have no prior knowledge of the case:

- A Senior Manager as Chair (a Head of School, Pro Vice-Chancellor, Dean, or Professional Services Director/Head);
- A member of University staff;
- An elected officer of the Students' Union.

8.3 A member of the Student Cases team will support the panel and, at least 14 days before the panel, will inform you of:

- The details of the concern or allegation,
- The evidence that will be presented to and considered by the panel,
- The date, time and venue of the panel meeting,
- Your right to be supported or represented at the panel,
- Your right to have the panel conducted in English or Welsh.

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

8.5 If there is a concern raised by any of the parties involved about attending a panel, the Head of Student Cases will consult with the panel and the student to consider if it is appropriate to make an alternative arrangement. The consideration of the case must follow the formal process and the principles of transparency.

8.6 The consideration of the case will follow the formal process and the principles of an open and transparent process will be applied. At the Student Conduct Panel:

- All parties 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 student, calling witnesses as appropriate;
- You or your representative will then be invited to present a response, and call witnesses as you deem appropriate. You may present any mitigating factors which you wish to bring to the attention of the panel;
- Where witnesses are called by either party, they will be invited to give evidence on the facts to which they are witness;

- All parties 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.
- Once all evidence has been presented and all questions asked, the Investigating Officer will be invited to sum up their case;
- At the end of the meeting, you or your representative will be given an opportunity to sum up your case.

Both parties will then withdraw from the meeting for the panel to consider the case in a private meeting.

8.7 The panel will consider all the information and evidence presented to it in order to determine whether the major concern is proven on the balance of probability. The panel may impose 1 or more of the following sanctions, taking into account the proportionality of the offence being considered and any mitigating factors put forward by the student:

- Any of the minor concern outcomes listed above (section 7);
- 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.

8.8 The panel's decision and the reasons for it will be communicated in writing to you within 7 days.

## **9 Precautionary suspension**

9.1 The Academic Registrar, acting under the delegated authority of the Vice-Chancellor, will consider the suspension of a student pending the outcome of the disciplinary process and/or the conclusion of any criminal proceedings if they consider it to be in the interests of the safety of the student, another student or the University community. The Academic Registrar will conduct a risk assessment, taking into account the facts of the case, including any representations made by the student or their representative.

9.2 Suspension in these circumstances is not automatic or imposed as a penalty.

9.3 You will be informed of the decision to suspend and the reasons for the suspension within 7 days of the decision being made. If you wish to challenge the decision to suspend you from your studies, you should submit a request for review under the University Review Procedure.

9.4 If you are suspended you will not be able to attend study and learning events, and may not have access to University buildings, facilities and resources depending on the nature and severity of the concern under consideration. Any restrictions imposed will be communicated to you.

- 9.5 A suspension will be reviewed at least every 60 days, or when new relevant information becomes available to consider as part of the investigation, if sooner. You will be informed of any changes to the suspension or its conditions within 7 days of the review.

## 10 Exclusion

- 10.1 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. The Vice-Chancellor may also use this power where the University has grounds to believe that a registered student obtained a place on the basis of false, incorrect, or misleading information.
- 10.2 The Vice-Chancellor will receive:
- a report from an Investigating Officer (appointed by the Academic Registrar) and supporting evidence;
  - a written statement or evidence from the student (if received);
  - other appropriate evidence.
- 10.3 You will be informed of the exclusion in writing within **7 days** of the decision. The communication will include the reasons for exclusion and your right to request a review of the decision under the University Review Procedure.

## 11 Request for review

- 11.1 You may request a review of a decision reached under this procedure. If you wish to request a review you should refer to the [University Review Procedure](#) and ensure that any request is made within the timescale specified.
- 11.2 The reviewer may reject the case, refer the case back to the panel for further consideration, or provide a substitute decision.