

Student Code of Behaviour & Student Disciplinary Procedures

Responsibility for Policy:	Registrar & Chief Operating Officer
Relevant to:	LJMU Students
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RELEVANT DOCUMENTS

OIA (2018) *The Good Practice Framework: Disciplinary Procedures*
Office for Students (2020) *Prevent and Address harassment and sexual misconduct*
Universities UK (2016) *Guidance for Higher Education Institutions: How to Handle Alleged Student Misconduct Which May Also Constitute A Criminal Offence*

RELATED POLICIES & DOCUMENTS

Academic Framework Regulations, Academic Misconduct Policy, Criminal Convictions Policy, Fitness to Study Policy, Fitness to Practise Policy, Appeal Against Expulsion Procedure, Placement Learning Code of Practice, Social Media Policy for Students

1. Introduction

- 1.1. Liverpool John Moores university (LJMU) is committed to providing a learning environment that is conducive to the academic and social well-being of the university community. Students are required to abide by the standards of behaviour expected by the university as detailed below in the Code of Behaviour. The university will not condone or tolerate behaviour which may adversely affect the good standing of the university, its students, staff and the wider community.
- 1.2. Under the university's Articles of Government, the Vice-Chancellor is responsible for the maintenance of student discipline and for the suspension or expulsion of students on disciplinary grounds, including expulsion for Academic Misconduct. The Vice-Chancellor delegates responsibility for disciplinary matters to the Academic Registrar and the Assistant Academic Registrar (Student Governance).

Students who need specific assistance or reasonable adjustments made in relation to Student Discipline Procedure should contact Student Governance at StudentGovernance@ljmu.ac.uk

Further Information on Reasonable Adjustments in Student Governance Procedures is available at <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/guidance-policy-and-process>

- 1.3. The university reserves the right to review and amend the Student Code of Behaviour and Student Disciplinary Procedures at any time in the light of operating experience and/or prevailing circumstances to ensure best practice.

2. Scope and Purpose

- 2.1. The Student Code of Behaviour and Student Disciplinary Procedures are applicable to all current students of LJMU on programmes of study operated by the university. This includes staff who are also students, but only in their capacity as students.
- 2.2. The university may take disciplinary action against students where their behaviour has affected the university (its facilities, activities, interests and reputation), the university community (including other students, staff and visitors), or a member of the public.
- 2.3. The Student Disciplinary Procedures apply wherever alleged misbehaviour occurs, including on campus, during off campus activities such as placements and field trips, in LJMU endorsed Halls of Residence, on social media or in any other activity associated with the university.

The Student Code of Behaviour and Student Disciplinary Procedures are not used to address issues of academic misconduct except in cases which also involve a breach of the Student Code of Behaviour.

- 2.4. Whenever it is possible and appropriate to do so, allegations of inappropriate student behaviour should be dealt with informally by discussion between the student(s) and the relevant staff concerned. Students should be advised of the potential consequences of inappropriate behaviour. Where it is not appropriate or practical for the member of staff to do this, staff should refer the matter to their line manager for action.
- 2.5. The formal procedure should be invoked where informal action has failed to address the matter or where the allegation is of such a serious nature that informal action would not be appropriate.
- 2.6. The university will seek advice from the University Police Officer, university Health and Safety Advisers and/or any other appropriate staff, throughout the Student Disciplinary Procedures.
- 2.7. Where appropriate the outcome of disciplinary proceedings may be referred to other LJMU procedures, such as the university Criminal Convictions Procedures, Fitness to Practise or Fitness to Study and Engage in University Study procedures.
- 2.8. The Director of School may be notified of the outcome of disciplinary procedures and where relevant will be reported to relevant Professional, Statutory and Regulatory Bodies (PSRBs).
- 2.9. A student studying on a Tier-4 visa who is to be suspended or who is excluded or expelled from the programme shall be reported to the LJMU Compliance Officer for advice and guidance on the implications for their immigration status and leave to remain in the UK. Once this has been considered and if the decision is unchanged the LJMU Compliance Officer will report this as appropriate to the Home Office (UK Visas and Immigration).
- 2.10. The burden of proof is on the university and the university will normally decide the case on the balance of probability.
- 2.11. Reference to 'parties' in this document is taken to mean the individual(s) bringing the allegations and the student(s) against whom the allegation is made.

3. Criminal Proceedings

- 3.1. The university will seek advice from the university Police Officer where a potential criminal offence is committed against the university by a student. The decision about whether to report the incident to the police lies with the university.
- 3.2. Where a potential criminal offence is alleged against a student by another student, the decision of whether to report the matter to the police lies with the victim/reporting student. Students can obtain advice from the university Police Officer and further advice is available in [Appendix 2 and 3](#).

- 3.3. Only in exceptional circumstances will the university report an alleged crime to the police contrary to the wishes of the victim for example if the disclosure of the information is to protect the reporting students (or others) from harm or to prevent a further crime taking place. This decision will be made on assessment of the information and after discussion with the victim and the University Police Officer.
- 3.4. Where a student is subject to police investigation and/or criminal proceedings the Student Disciplinary Procedures will normally be deferred pending the conclusion of the police investigations and the outcome of criminal proceedings.
- 3.5. Where a student is subject to police investigation and/or criminal proceedings (as a victim or alleged perpetrator) the university will consider whether any interim precautionary action is required (See [Section 7.3](#)) and will advise the students involved of the support services available (See [Appendix 2 and 3](#)).
- 3.6. If a student receives a criminal conviction, the conviction will be considered under the university Criminal Convictions Procedure <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/guidance-policy-and-process>

4. Operating principles

- 4.1. Liverpool John Moores University is committed to fair and equitable Student Disciplinary Procedures; to ensure a full and fair assessment of the particular circumstances of the case and avoiding unnecessary delay.
- 4.2. The university undertakes to ensure that the Student Disciplinary Procedures:
 - are timely and efficient, to facilitate a speedy resolution.
 - are fair, impartial and transparent to all parties.
 - are conducted in a professional manner.
 - meet the principles of natural justice.
- 4.3. This means that:
 - Reasonable time will be allowed for the investigation of the allegation(s) and the preparation of representations by the relevant parties.
 - Where applicable and appropriate to do so, consideration will be given to a student's assessment schedule.
 - Relevant parties are given the opportunity to provide evidence to substantiate their version of the issue or incident.
 - Full disclosure of any allegations and evidence will be made to relevant parties involved in the procedure (subject to the requirements of the General Data Protection Regulations GDPR).
 - All parties have the right to be accompanied by a friend at each stage of the procedures ([see Definition of a Friend and Representative in Student Governance Procedures](#)).
 - The university will not normally accept anonymous complaints regarding the behaviour of student(s). Exceptions to this may be made where the

complaint raises serious issues of concern for the health and safety of students, staff and the general public.

- 4.4. Information disclosed during the Student Disciplinary Procedures is confidential to all parties. Further information is available in the Student Governance Privacy Notice at <https://www.ljmu.ac.uk/legal/privacy-and-cookies/external-stakeholders-privacy-policy/student-governance-privacy-notice>

Breaches of confidentiality may lead to further disciplinary action being taken.

- 4.5. The Academic Registrar and Assistant Academic Registrar (Student Governance) have delegated responsibility for:

- The management and operation of the Student Code of Behaviour and Student Disciplinary Procedures.
- The provision of advice and guidance on disciplinary matters to staff and students.
- The suspension of students pending further investigation of the relevant circumstances.
- The issuing of penalties in accordance with the Student Disciplinary Procedures; and
- Ensuring that the code and associated procedures are up to date, fit for purpose and subject to review as appropriate.

- 4.6. Where there is more than one student against whom allegations are made, the university will determine, based on the particular circumstances of the case, whether the parties will be required to attend any meeting or hearing under this procedure separately or as a group.

- 4.7. A written (non-verbatim) record of discipline meetings, investigation meetings and discipline hearings will be taken.

- 4.8. The university endeavors to complete the processing of a formal student discipline case and any associated appeal **within 90 calendar days**. This timeframe requires students to meet any university deadlines for the submission of materials or attendance at meetings or hearings.

If, for good reason, such as the availability of essential witnesses or external proceedings, the university needs to extend the timeframe, the student will be notified and kept regularly informed of the progress of the complaint.

5. Student Code of Behaviour

- 5.1. Students are expected to conduct themselves in a manner which demonstrates respect for the university, its staff, fellow students, property and equipment, and the wider community. 'Respect, Always' is a collaboration between the university and JMSU which aims to get to the heart of what 'respect' means to us as individuals and to collectively recognise this across the university. The 'Respect, Always' charter is available at:

<https://www.ljmu.ac.uk/campaigns/respect-always>

- 5.2. The university may take disciplinary action against students where their behaviour has affected the university (its facilities, activities, interests and reputation), the university community (including other students, staff and visitors), or a member of the public.
- 5.3. The Student Disciplinary Procedures apply wherever alleged misbehaviour occurs, including on campus, during off campus activities such as placements and field trips, LJMU-endorsed halls of residence, on social media or in any other activity associated with students being at the university.
- 5.4. Students should note that the university has an approved agreement with LJMU-endorsed halls of residence in relation to reporting, investigating and sanctioning incidents of student behaviour that occur in endorsed halls of residence.
- 5.5. The *Social Media Policy for Students* advises students of their responsibilities and what the university expects of students when accessing and using social media. Students should be aware that both their university and personal usage of social media can be considered as a discipline offence under this procedure. The policy is available at:
<https://www.ljmu.ac.uk/about-us/public-information/student-regulations/guidance-policy-and-process>
- 5.6. Breaches of the Student Code of Behaviour may result in disciplinary proceedings.
- 5.7. [Appendix 1](#) outlines examples of discipline offences, unacceptable behaviour and examples of sanctions for such behaviour.

6. **Discipline offences**

The list below is not exhaustive and examples of such offences are outlined in [Appendix 1](#). The decision about whether the offence is serious will rest with the university, following consideration of the full circumstances of each case.

Discipline offences include:

6.1. **Discipline offences: people**

- Physical Misconduct.
- Sexual Misconduct (see also Sexual Violence Policy).
- Abusive, Threatening or Offensive Behaviour (including bullying and harassment and anti-social behaviour).

6.2. **Discipline offences: property and health & safety**

- Damage to property.
- Unauthorised taking or use of property.

Causing a health or safety concern.
Possessing, using or supplying controlled drugs.

6.3 Discipline offences: university

- Operational obstruction.
- Reputational damage.

7. Student Disciplinary Procedures

7.1. The Student Disciplinary Procedures will be invoked following an allegation by a member of staff of a discipline offence to the Academic Registrar via Student Governance.

Allegations should be made in writing to Student Governance at StudentGovernance@ljmu.ac.uk, with full details of the incident and should include any evidence available. Students should utilise the student complaints form to report complaints about another student at <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/student-complaints>

7.2. Precautionary measures

Following consideration of the relevant circumstances and at any time during the procedures, the Academic Registrar (or nominee) can determine whether interim precautionary measures are necessary. Any such action is not a penalty or sanction and does not indicate that the university has concluded that the accused student has committed a breach of discipline or a criminal offence. The Precautionary measures may be necessary in order to:

- Ensure that a full and proper investigation can be carried out (either by the police or the university).
- Protect all parties whilst the allegation is being dealt with as part of a criminal process or university process.
- Ensure the safety of members of the university community.

Precautionary Action can include one or more of the following:

(The following list is not exhaustive as precautionary measures are dependent on the circumstances of the case):

- Support arrangements for example referral to Student Advice and Wellbeing, academic adjustments and support (such as alternative attendance, assessment, marking and supervisory arrangements), deferral of formal processes referral to the university Police Officer, notification of incident to Security etc.
- Conditions and undertakings for example agreement to not contact or communicate with another person.

- Prohibited from specified university activities and/or removal of access from specified university premises.
- Suspension from the university (this can be a full suspension which prohibits the student from engaging in any activity of the university and registration is on hold or a partial suspension where a student will be prohibited from attendance and entering university premises but will be provided with an academic contact and may be allowed to submit or partake in assessments). Further information on Suspension is available at [Appendix 4](#).

A failure to comply with specified precautionary measures will be considered by the university as a discipline offence.

The university will reassess precautionary measures at regular intervals or where there is a material change in the circumstances.

7.3. **Initial assessment and discipline meetings**

- 7.4. Upon receipt of the allegation, a Student Governance Adviser will conduct an initial assessment of the matter. This may include consideration of precautionary measures ([Section 7.2](#)), obtaining further written and/or verbal information, discipline meetings with the parties, and/or determining whether the matter should be considered under other LJMU procedures.
- 7.5. The student(s) will be notified in writing of the allegation(s) and the next stage in the procedure by the Student Governance Adviser. This may include details of any suspension or other interim precautionary measures following discussion with, and as determined by, the Academic Registrar or nominee.
- 7.6. Students who are subject to allegations of a discipline offence may be requested to provide a written response statement, or invited to attend a discipline meeting with a Student Governance Adviser, or invited to attend a discipline meeting with the Assistant Academic Registrar (Student Governance).
- 7.7. Where relevant the university Police Officer, university Health and Safety Advisers, Environmental Health Officers or other appropriate staff may also be consulted and attend any Discipline Meetings.
- 7.8. Following the initial assessment and any discipline meetings, the Student Governance Adviser will determine whether one or more of the following is appropriate to the circumstances:
- No further action is required.
 - The matter should be referred to other LJMU procedures.
 - That mediation is appropriate to the circumstances and should be offered to the parties.
 - The student(s) should be counselled regarding the Student Code of Behaviour.
 - The matter will be referred for formal investigation ([Section 8](#)).

- The matter should be referred to the Assistant Academic Registrar (Student Governance) for a decision ([Section 9](#)).
- The matter will be referred to a Student Disciplinary Hearing ([Section 10](#)).
- Depending upon the circumstances of the case, the Student Governance Adviser may issue one or more of the Sanctions and Penalties listed in [Section 11](#), (Sanctions A-H only)

8. Formal investigation

- 8.1. Where there is a dispute about the facts or the incident/allegations are complex, then the matter may be referred to a formal investigation. Formal investigations can also be conducted under the Student Complaints Procedures and the matters referred to the Student Discipline Procedure.
- 8.2. An Investigating Officer (IO) will investigate the circumstances of the case and will submit a written report of their findings to the Academic Registrar or nominee. The IO can be a member of Student Governance or a member of staff from across the university.

The Protocol for Investigating Officers is available at **Appendix 8**.

- 8.3. An Investigating Officer may meet with students, staff, witnesses and other parties relevant to the case. Non-verbatim notes of such meetings will be taken and disclosed to relevant parties.

[Appendix 7](#) provides information on witnesses and character references in this procedure.

- 8.4. The IO Report will specify whether the allegation is proven, proven in part or not proven. The IO Report may also include recommendations for further action, which will be subject to the approval of the Academic Registrar or nominee.
- 8.5. The student(s) subject to investigation will receive a copy of the IO Report and will be advised of the next stage of the procedures.

Those bringing a complaint or allegation will receive a copy of the investigation report or a summary of the report, subject to the requirements of the General Data Protection Act.

- 8.6. The findings of the IO Report will be referred to and considered by the Academic Registrar (or nominee) ([Section 9](#)).

9. Referral to the Academic Registrar (or nominee)

- 9.1. The purpose of this referral is to consider the findings of the Initial Assessment ([Section 7](#)) or any formal investigation (student discipline or student complaint investigation) to determine whether there is any further action required or to determine an appropriate penalty/sanction.

- 9.2. As an outcome of this referral, the Academic Registrar (or nominee) will determine one of the following:
- That there is no further action, but the student(s) will be counselled as appropriate.
 - That following an Initial Assessment, the matter is referred for a formal investigation ([Section 8](#)).
 - That following an Initial Assessment or Formal Investigation a sanction will be applied ([Section 11](#) Sanctions A-H only).
 - That the matter is referred to a Student Disciplinary Hearing ([Section 10](#)).

10. **Student Disciplinary Hearing Panel**

10.1. The full Student Disciplinary Hearing protocol is outlined in [Appendix 5](#).

10.2. Membership of the Panel

- Chair of the panel, who is a member of the directorate acting with the full delegated authority of the Vice-Chancellor.
- LJMU staff either from School/Faculty Management Teams or individuals with appropriate seniority and experience from a professional services team.
- The President of John Moores Students' Union (JMSU) or their nominee.

Quoracy is the chair, JMSU representative and one other member from the Membership.

10.3. A Student Disciplinary Hearing is the consideration by an independent panel of the findings of any initial assessments or disciplinary meetings or formal investigations, and if applicable, to determine an appropriate penalty/sanction. (See [Section 11, Sanctions A-J](#)).

A Student Disciplinary Hearing is held in cases where the allegations against the student are very serious and the potential consequences for the student are severe (including expulsion from the university), or where there is a significant dispute to the facts.

10.4. Students will be given the opportunity to submit in writing representations for consideration by the panel. Students will be notified of the deadline for submission of their representations and such representations will form part of the bundle of Panel Papers.

10.5. A Student Disciplinary Hearing will normally be convened within 28 days unless varied by mutual agreement. Students shall receive **at least 10 working days'** written notice of the Student Disciplinary Hearing and all documentary evidence will be issued to the parties at **least 5 working days** in advance of the hearing.

10.6. Members of a Student Disciplinary Hearing Panel will have no connection with, or prior knowledge of the case.

10.7. The panel will be advised on matters of procedure by a member of Student Governance. The panel may seek advice from legal advisers or other internal or external people.

10.8. Also in attendance at the Student Disciplinary Hearing will be:

- A Presenting Officer (who, where applicable will be advised on matters of procedure by another member of Student Governance).
- The student against whom the allegation is made, who has the right to be accompanied by a friend; (See Definition of a Friend and Representative in Student Governance Procedures at <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/guidance-policy-and-process>).
- A note taker.

10.9. If the student is unable to attend the Hearing for good reason, then they should contact Student Governance at the earliest opportunity, who will consider alternative arrangements if applicable. Students are required to provide evidence to support their reasons for non-attendance and be aware that this may cause a delay in the process.

If the student who is the subject of the investigation chooses not to attend, the Hearing may, at the discretion of the chair, continue in the student's absence.

10.10. Witnesses will not normally be required to attend Hearings unless there are exceptional reasons for their attendance. It is at the discretion of the Chair of the Hearing to determine whether the attendance of a witness is relevant to the proceedings.

Any parties intending to call witnesses should forward the witness names to Student Governance **at least 5 working days** before the hearing which will then be forwarded to the Chair for their agreement.

Where appropriate the Chair may also call witnesses or request further information to clarify the circumstances of the case.

Students can provide written character references. Character referees may not be called as witnesses.

[Appendix 7](#) provides further information in relation to witnesses and character references.

10.11. Based on the evidence presented, the panel will determine whether the findings of the disciplinary investigations are reasonable and where applicable will determine an appropriate outcome as specified in 10.12.

10.12. The Panel will decide upon one or more of the following outcomes:

- No penalty or sanction.
- The student is counselled as appropriate.
- A sanction or penalty is issued ([Section 11](#), [Sanctions A-J](#))

- 10.13. If the Panel recommends exclusion or expulsion from the programme or the university this will be referred to the Vice-Chancellor (or nominee) via the office of Student Governance for consideration.
- 10.14. The decision of the Vice-Chancellor will be notified to the panel and to the student, via Student Governance. Students will be advised about the appropriate appeals procedure by Student Governance. (See [Section 12](#))

11. **Penalties and Sanctions**

- 11.1. Following consideration of the relevant circumstances, the university may issue one or more of the following sanctions/penalties:
- A. Require the student to give a **written undertaking** as to his/her subsequent conduct.
 - B. Require the student to give a written or verbal **apology** to the relevant party.
 - C. Require the student to **pay for any damage** to property he/she has caused, or recompense the university for any loss suffered or any costs incurred directly or indirectly from the student's misconduct.
 - D. Impose a **fine** up to a maximum of £100.
 - E. **Withdraw privileges**, e.g. through exclusion from a university service, Learning Resources Centre or computer network for a specified period of time, or such other sanction that the university considers appropriate.
 - F. Issue a **Grade 1* Warning** that will be effective for a specified period. The Grade 1* Warning will be confirmed in writing normally within 3 working days of the warning being issued. A copy of the warning will be retained on file until the period has expired, after which time the warning will be expunged.
 - G. Issue a **Grade 2* Warning** which will be effective for a specified period. The Grade 2* Warning will be confirmed in writing normally within 3 working days of the warning being issued. A copy of the warning will be retained on file until the specified period has expired, after which time the warning will be expunged.
 - H. **Issue a Final Warning*** which will be effective for a specified period. The Final Warning* will be confirmed in writing normally within 3 working days of the warning being issued. A copy of the warning will be retained on file until the specified period has expired, after which time the warning will be expunged.
 - I. Recommend to the Vice-Chancellor that the student be **excluded** from his/her Programme of Study and/or from the university for a specified period of time.

J. Recommend to the Vice-Chancellor that the student be **expelled** from the university. (An offence during the currency of a Final Warning may lead to expulsion, following a Hearing)

* **NOTE:** Grade 1, Grade 2 and Final Warnings are determined by the severity of the circumstances and not the number of offences.

- 11.2. If a student commits a further disciplinary offence during the currency of a sanction/penalty, the Academic Registrar (or nominee) may decide to impose/recommend a more severe penalty.
- 11.3. [Appendix 1](#) outlines examples of Unacceptable Behaviour and Examples of Sanctions for such behaviour.
- 11.4. The Academic Registrar (or nominee) will confirm the outcome and any sanction/penalty in writing to the student. Acceptance of the sanction/penalty will be presumed unless the Student Appeals the Sanction.
- 11.5. The appeals procedure is outlined in [Section 12](#).
- 11.6. The penalties or sanctions imposed upon a student will not normally be disclosed unless there are exceptional reasons for doing so (for example where the outcome has a direct effect on the health, wellbeing and safeguarding of other students and staff). The decision to disclose this information will lie with the Academic Registrar or nominee.

12. Appeals

- 12.1. A student against whom disciplinary action has been taken shall have the right of appeal. The appeals procedure for students who, as a result of disciplinary proceedings, have received a penalty other than expulsion is outlined in [Section 13](#).
- 12.2. The appeals procedure for students who, as a result of disciplinary proceedings, have been expelled from the programme and/or the university is outlined in Appeal against Exclusion and Expulsion Procedure at <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/student-appeals>

13. Appeal (other than against expulsion)

- 13.1. If a student considers that the procedures have not been conducted properly and/or that the decisions or sanctions made were unreasonable then the student can submit a student disciplinary appeal.

Appeals will only be accepted where the student can demonstrate that the procedures were not followed or that the decision was unreasonable.

- 13.2. The appeal is not a reopening of the investigation and will not consider new evidence.

- 13.3. The request for such an appeal shall be made in writing, to Student Governance **within 10 working days of the date of the decision letter**. The appeal should state the grounds for appeal and give full supporting evidence and explanations why the student considers the procedures were not followed correctly and/or why the student considers that the decisions or sanctions made were unreasonable.
- 13.4. The appeal will be considered by a member of the Directorate who has had no previous involvement with the case. The appeal will be reviewed via the case file as a paper-based exercise and the student will not be required to attend a meeting.
- 13.5. The appeal respondent will be advised on matters of procedure by a member of Student Governance who has had no previous involvement with the case.
- 13.6. The appeal respondent will consider whether the procedures were followed correctly and whether the decisions made were reasonable in the circumstances.
- 13.7. The appeal respondent will determine whether the appeal is upheld, upheld in part or not upheld and determine one or more of the following:
- No further action (decision and sanction remain the same).
 - Defer the decision pending further information.
 - Remove sanctions.
 - Amend outcome/findings.
 - Amend sanctions.
 - Refer the matter back to an earlier stage in the process.

14. Completion of Procedures and the Office of the Independent Adjudicator (OIA)

- 14.1. A Completion of Procedures (COP) letter will be issued to students when the internal procedures have been exhausted.
- 14.2. Students who have completed the internal procedures and remain dissatisfied with the outcome and/or considers that the university has failed to follow this procedure may take their case to the Office of the Independent Adjudicator for Higher Education (OIA).
- 14.3. The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. Liverpool John Moores University is a member of this scheme. If a student is unhappy with the outcome they may be able to ask the OIA to review their complaint. Students can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right if something has gone wrong at <https://www.oiahe.org.uk/students>.

A student normally needs to have completed the Disciplinary procedure before they can complain to the OIA. Liverpool John Moores University will send a student a letter called a "Completion of Procedures Letter" when they have reached the end of university processes and there are no further steps the student can take internally. If the student's appeal is not upheld, Liverpool John Moores University will issue the student with a Completion of Procedures Letter automatically. If the appeal is upheld or partly upheld the student can ask for a Completion of Procedures Letter if they want one.

Students can find more information about Completion of Procedures Letters and when they should expect to receive one at:

<https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.

15. Records

- 15.1. Notes (not verbatim minutes) will be taken at all relevant stages of the disciplinary procedures. Student Governance will make these available to the relevant parties on request.
- 15.2. All files relating to an individual student's disciplinary outcome will be held by Student Governance. Records will be retained for the duration of internal and external processes. Following the completion of these processes the files will be retained for a period of 6 years after the date of the last action on file, in line with the university's Retention Schedule but will no longer form part of the student's extant record.

List of Appendices

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Appendix 1: Examples of unacceptable behaviour and applicable sanctions.

The following examples of unacceptable behaviour are not exhaustive, and the university can bring action in relation to other unacceptable behaviour.

The following indications of penalties and sanctions is for guidance and a full list of the penalties / sanctions that may be imposed by the university is set out in [Section 11](#) of the Disciplinary procedure.

The university may impose one or more sanctions and / or penalties dependent on the circumstances; for example, a student may be given a formal warning and may also be required to submit a written apology to a named individual(s) and agree to certain conditions or undertakings.

The university will determine whether the behaviour is considered minor or serious based on the circumstances of the case. The penalty / sanction may be more or less severe than the examples listed.

Behaviours which are considered very serious and could result in exclusion or expulsion from the university, are normally considered by a Student Disciplinary Hearing Panel ([Section 10](#)).

Multiple or repeated incidents of misconduct may be more serious than a single act of misconduct and previous findings may be considered when determining the penalty / sanction to be imposed.

*Academic Misconduct, for example cheating in examinations will be considered under the Academic Misconduct Procedure.

Discipline Offences: People (Section 6.1)		
Disciplinary Offence	Examples of Unacceptable Behaviour	Examples of sanctions
Physical Misconduct	Violent behaviour or action that causes injury to others, e.g. punching, kicking, slapping, pulling hair, biting	<ul style="list-style-type: none"> • Restrictions • Written apology • Conditions/undertaking • Formal Warning (Grade 1, 2 or Final) • Expulsion • Exclusion
	Behaviour or action to others e.g. pushing or shoving.	<ul style="list-style-type: none"> • Restrictions • Conditions/Undertaking • Written Apology • Formal Warning (Grade 1, 2 or Final)
Sexual Misconduct	<p>Engaging or attempting to engage in sexual intercourse or sexual acts without consent.</p> <p>Sharing private sexual materials of another person without consent.</p> <p>Kissing or any other inappropriate physical touching without consent</p> <p>Inappropriately showing sexual organs to another person.</p> <p>Conduct of a sexual nature which creates (or could create) an intimidating, hostile, degrading, humiliating, or offensive environment for others including making unwanted remarks of a sexual nature.</p> <p>Arranging or participating in events aimed at degrading or humiliating those who have experienced sexual misconduct, for example inappropriately themed social events or initiations.</p> <p>Distributing indecent images or accessing pornographic materials via university computing systems and network.</p> <p>Sharing private sexual materials of another person without their consent.</p>	<ul style="list-style-type: none"> • Restrictions • Written apology • Conditions/undertaking • Formal Warning (Grade 1, 2 or Final) • Expulsion • Exclusion

<p>Abusive, Threatening or Offensive Behaviour</p> <p>(including Bullying and Harassment and Anti-Social Behaviour)</p>	<p>Bullying and harassment of students or staff by whatever means, including social media.</p> <p>Breaches of the university's Equality and Diversity Policy e.g. abusive or offensive behaviour or comments relating to an individual's sexual orientation, religion or belief, race, pregnancy/maternity, marriage/civil partnership, gender reassignment, disability or age.</p> <p>Indecent, threatening or offensive Behaviour.</p> <p>Serious breach of the Social Media Policy for Students</p>	<ul style="list-style-type: none"> • Restrictions • Written apology • Conditions/undertaking • Formal Warning (Grade 1, 2 or Final) • Expulsion • Exclusion
	<p>Offensive or inappropriate behaviour or language or dress, including via social networking sites.</p> <p>Repeatedly following another person or contacting another person without good reason.</p> <p>Anti-social behaviour, including excessive noise, parties etc.</p> <p>Any other action deemed disruptive or detrimental to other students' studies or wellbeing</p>	<ul style="list-style-type: none"> • Restrictions • Written apology • Conditions/undertaking • Formal Warning (Grade 1, 2 or Final)

Discipline Offences: Property and Health & Safety (Section 6.2)

Disciplinary Offence	Examples of Unacceptable Behaviour (offences in red can lead to expulsion or exclusion)	Examples of Sanctions
Damage to Property	Causing significant damage to university property or the property of other members of the university community (including partner accommodation), whether such damage is caused intentionally or recklessly.	<ul style="list-style-type: none"> • Restrictions • Conditions/undertaking • Written apology • Requirement to make good the damage or pay for damage caused Formal warning (Grade 1, 2 or Final) • Expulsion • Exclusion
	Causing minor damage to university property or the property of other members of the university community (including partner accommodation), whether such damage is caused intentionally or recklessly.	<ul style="list-style-type: none"> • Counselling about Behaviour • Formal warning (Grade 1, 2 or Final) • Restrictions • Conditions/Undertaking • Written apology • Requirement to make good the damage or pay for damage caused at his/her expense
Unauthorized Taking or Use of Property	Unauthorized entry onto or unauthorized use of university premises. Taking property belonging to another without permission Misuse of university property (for example computers and laboratory equipment)	<ul style="list-style-type: none"> • Restrictions • Conditions/undertaking • Written apology • Return of property • Formal Warning (Grade 1, 2 or Final) • Expulsion • Exclusion
Causing a Health or Safety Concern	Act/omission that did cause or could have caused serious harm on university premises and partner Accommodation or during university activities e.g. disabling fire extinguishers, failure to comply with public health legislation and university health and safety procedures and regulations).	<ul style="list-style-type: none"> • Restrictions • Conditions/undertaking Formal Warning (Grade 1, 2 or Final) • Expulsion • Exclusion

	Possessing, distributing, supply or production of controlled drugs including in Halls of Residence	
	Act/omission that did cause or could have caused a health and safety concern on university premises (including partner accommodation) e.g. for example, smoking cigarettes in non-designated areas, or tampering with fire safety equipment)	<ul style="list-style-type: none"> • Counselling about behaviour • Written apology • Restrictions • Conditions/undertaking • Formal Warning (Grade 1, 2 or Final)

Discipline Offences: university (Section 6.3)		
Disciplinary Offence	Examples of Unacceptable Behaviour	Examples of Sanctions
Operational Obstruction	<p>Fraud, bribery, deceit or dishonesty</p> <p>Actions/statements intended to deceive the university e.g. failure to disclose relevant criminal convictions, fraudulent signatures on official letters/documents, fraudulent research, and fraudulent qualification certificates etc.</p> <p>Disruption of the activities of the university (Including academic, administrative, sporting and social) on university premises or elsewhere including examination or assessment offences*.</p> <p>Unfounded, vexatious and/or malicious complaints brought against a member of the university.</p> <p>Failure to engage with disciplinary procedures, including failure to respond to request for meeting and inappropriate or abusive behaviour to staff involved in the management and operation of the procedures.</p> <p>Failure to comply with public-health legislation and university Regulations e.g. social distancing measures etc</p> <p>Failure to comply with a previously imposed precautionary measure or penalty under the Student Disciplinary Procedures.</p>	<ul style="list-style-type: none"> • Restrictions • Conditions/undertaking • Written apology caused at his/her expense • Formal warning (Grade 1, 2 or Final) • Expulsion • Exclusion <p>*Academic Misconduct for example cheating in examinations will be considered under the Academic Misconduct Procedure.</p>
	<p>Improper interference with the activities of the university (including academic, administrative, sporting and social) on university premises or elsewhere.</p> <p>Improper interference with the functions,</p>	<ul style="list-style-type: none"> • Counselling about behaviour • Restrictions • Conditions/Undertaking • Written Apology • Requirement to make good the damage • caused at his/her expense • Formal Warning (Grade 1, 2 or Final)

	duties or activities of any student or employee of the university or any authorised visitor to the university	
Reputational Damage	Behaviour which has caused serious damage or could have caused serious damage to the reputation of the university	<ul style="list-style-type: none"> • Written Apology • Restrictions • Conditions/Undertaking • Formal Warning (Grade 1, 2 or Final) • Expulsion • Exclusion
	Behaviour which has damaged or could have damaged the reputation of the university	<ul style="list-style-type: none"> • Counselling about behaviour • Restrictions • Conditions/undertaking • Written apology • Formal Warning (Grade 1, 2 or Final)

Appendix 2: Advice and Support for Students

Liverpool John Moores University Students Union

Students can obtain professional and independent advice from a qualified adviser at Liverpool John Moores Students' Union Advice Centre, telephone number 0151 231 4900 or email JMSUadvice@ljmu.ac.uk

Further information is available on the Liverpool John Moores Students' Union webpages at <https://www.jmsu.co.uk/advice>

Student Advice and Wellbeing

Students involved in the Student Discipline Process can seek advice and support from the LJMU Student Advice and Wellbeing department on a range of issues such as: Accommodation, finance and funding, health and wellbeing issues, disability support, student wellbeing, counselling services and assistance and advice relating to access to specialist support services provided by external agencies, for example specialist sexual and/or violent support services or victim support services.

Further information and contact details are available on the university Web pages at <https://www.ljmu.ac.uk/discover/student-support>

Academic Support

Academic Advice and Support is available from Personal Tutors or Module/Programme Leaders, where students have concerns relating to the impact of the incident and any subsequent discipline or police proceedings they can discuss with their academic contact the possibility of additional support, adjustments and processes such as extension of deadlines, alternative assessments, extenuating circumstances claims or Leave of Absence (where a student instigates a Leave of Absence the Student Disciplinary Procedures may be suspended until which time the student returns to formal study).

Security

To ensure the safety of students on and around campus, Partner Accommodation Managers and LJMU Security can be notified of the concerns.

Students should be aware that if there are any incidents, emergencies or concerns about their safety they should contact the police.

Legal advice

The university does not have a university solicitor for students seeking legal advice. Students should contact an external solicitor of their choosing for legal advice.

Students should note that it is not normally necessary for a student to have legal representation in order to bring a complaint to the university. The Student Discipline Procedures are internal procedures and not legal procedures.

University Police Officer

The University Police Officer is available to advise students on matters such as concerns about potential criminal offences, personal safety and police procedures. If students wish to contact the University Police Officer, they can do so via Student Governance or Student Advice and Wellbeing.

Appendix 3: Advice for students where incidents may constitute a criminal offence.

Where incidents occur that may also constitute a criminal offence, reporting students and Student Governance have a number of options available to them, such as:

1. They can make a report to the police.
2. Not report the matter to the police but report the matter to the university for consideration under the *Student Complaints Procedure* or *Student Code of Behaviour and Disciplinary Procedures*.
3. Report the matter to the police and report matter to the university for consideration under internal university procedures. In such circumstances, students should be aware that the university will normally suspend consideration of the matter until formal police investigations have concluded.

In all cases the student can take some time to consider their options and seek advice from **Student Advice and Wellbeing** and the **University Police Officer (See [Appendix 2](#))**. Students who wish to take some time to consider their options and seek advice and support should note that attendance at a relevant medical centre, such as a sexual referral centre can enable forensic evidence to be collected whilst they make a decision about whether to make a report to the police.

To aid in this decision the following advice is provided to students regarding the key differences between criminal investigations/proceedings and university investigations/proceedings:

	Criminal Process	University Process
Allegations	Treated as a potential criminal offence	Treated as a potential disciplinary offence (See Appendix 1)
Investigation	Will use forensic analysis and medical examinations, witnesses are normally required to provide statements etc.	Unable to compel external witnesses to give evidence, unable to analyse forensic evidence or medical evidence.
Decision Makers:	Police, Crime Prosecution Service, Judges, Jury.	Student Governance, Academic Registrar, General Counsel and University Secretary, Legal & Governance Services, Chair of Discipline Hearing Panel and Vice-Chancellor.
Decision:	Beyond all reasonable doubt	On the balance of probabilities
Sanctions:	Wide range of sanctions including imprisonment	Sanctions listed in Section 11 and Appendix 1 , the most severe sanction available is expulsion from the university.

		<p>On leaving the university restrictions/conditions no longer applicable.</p> <p>Unless on a professional programme, students are not under any obligation to disclose, and on leaving the university, conditions/or restrictions will not be applicable.</p>
Impact and Disclosure:	<p>Reporting student notified of outcome and sentence.</p> <p>Criminal Record, notes on Police National Computer and may be disclosed to third parties e.g. future employees and through Disclosure and Barring Service checks</p>	<p>There are limited circumstances when the university can disclose any information to either a complainant or a third party.</p>

Appendix 4: Suspension of a student

Under the university's Articles of Government, the Vice-Chancellor is responsible for the maintenance of student discipline and for the suspension or expulsion of students on disciplinary grounds, including expulsion for Academic Misconduct.

The Vice-Chancellor delegates responsibility for disciplinary matters to the Academic Registrar and Assistant Academic Registrar (Student Governance) who may nominate others to act.

A student who is the subject of an allegation of misconduct, including criminal proceedings, may be suspended from the university pending further investigation, the outcome of a disciplinary hearing and/or the conclusion of criminal proceedings.

Suspension will be used where it is considered essential to do so and to allow time to ensure a full and appropriate investigation of the matter. Suspension may also be used where there are concerns with respect to the safety and welfare of members of the university community, including the student who is the subject of the allegation(s).

Suspension means withdrawal of a student's rights of access to specified university premises and/or participation in specified university activities, including placements.

Suspension will be subject to conditions, such as permission to enter university buildings or to take an examination or submit coursework and may include a requirement that the student should have no contact of any kind with a named person or persons.

Where possible and subject to the safety and welfare of students and staff, arrangements will be made to minimise the disruption to the student's programme of study.

Where possible, and subject to the safety and welfare of students and staff, arrangements will be made to allow a suspended student to complete outstanding academic work and sit examinations.

A formal notification of suspension and any terms and conditions will be given in writing to the student.

Where a decision is made to suspend a student as a precautionary measure the student can:

- **Make representations** before the decision is made or as soon as possible thereafter. Where possible they will normally be invited to a meeting.
- **Request a review** at any stage if there is any **material change** in the circumstances of the case. Students should contact Student Governance to request a review.

The university will reassess the decision to suspend a student or any other precautionary measures at regular intervals or where there is a material change in the circumstances.

A breach in a student's suspension agreement will result in further disciplinary action.

Appendix 5: Student Disciplinary Hearing protocol

The purpose of the Disciplinary Hearing is to consider the findings of any disciplinary investigations and to determine if applicable an appropriate penalty/sanction.

1. The chair will explain the purpose of the hearing and the extent of his/her delegated powers in taking decisions on behalf of the university and the disciplinary sanctions/penalties which are a possible outcome from the hearing.
2. The chair will ascertain the names and roles of all present and confirm the names of the witnesses (if applicable) which either party proposes to call in support of their case. Where appropriate the Chair will confirm, for the record, that a student has chosen not to be represented by a friend.
3. The hearing may proceed in the absence of the student. Where this occurs, it will be confirmed and explained for the record.
4. The allegation(s) against the student will be read out by the chair.
5. Following this the Presenting Officer will present the findings of the investigation, calling witnesses (if applicable).
6. Through the chair, the Student may ask questions of the Presenting Officer and witnesses.
7. The panel may ask questions of the Presenting Officer and witnesses at any appropriate time.
8. The student may then respond to the findings of the investigation, calling witnesses (if applicable).
9. Through the chair the Presenting Officer may ask questions of the student and witnesses.
10. The panel may ask questions of the student and witnesses at any appropriate time.
11. The chair will invite the Presenting Officer to summarise their case and summarise any mitigating or aggravating circumstances or factors that they wish the Panel to take into account.
12. The Chair will invite the student to summarise their case and summarise any mitigating circumstances or factors that they wish the Panel to take into account.
13. The chair will then adjourn the hearing. Everyone, except the chair, other members of the panel and Student Governance Adviser, will withdraw from the room to allow the panel to consider the case put by both sides.

14. The Panel may at any time require additional evidence or information from other parties. Should this be the case, all parties will be informed about the nature of the enquiry.
15. Panel members will advise the chair of their opinion of the case. The Panel will determine whether based on the evidence available:
 - The findings of the disciplinary investigations are reasonable.
 - Where relevant, an appropriate outcome and/or penalty. (See [Section 11](#))
16. Panel members will advise the chair of their opinion of the case. Following this discussion, the Chair will act as final arbiter in the matter.
17. Following this discussion, the chair will announce the findings and decision of the Panel to the Presenting Officer and the student (and friend, if present). The decision will also be communicated in writing to all participants within 5 working days of the Hearing. Student Governance will advise the student whether the panel decision requires approval from the Vice- Chancellor is required and will advise the student about the relevant appeals procedures. ([Section 12](#)).
18. Alternatively, the person presenting the case and the student (and friend) will be told when the decision will be given.

Appendix 6: Glossary of Terms

In the context of the LJMU Student Disciplinary Procedures, the university uses the following definitions:

Suspension

Suspension normally means the withdrawal of a student's right of access to specified university premises and/or participation in specified university activities for a period of time.

Note:

- Where possible and subject to the safety and welfare of others, arrangements will be made to minimise disruption to the student's programme of study and allow him/her to undertake formal assessment.
- Exclusion and suspension may include a requirement that the student undertakes to have no contact of any kind with a named person or persons, or particular category of person.

Exclusion

Exclusion normally means total prohibition from all LJMU premises and activities for a defined period of time.

Expulsion

Expulsion normally means permanent removal from the university following serious or persistent misconduct.

Appendix 7: Witnesses and Character References

Witnesses

Within Student Governance procedures, the university considers a witness to be a person who has witnessed the actual events or incidents under consideration, not character witnesses or character referees. Character witnesses or character referees will only be accepted as written statements and will not be party to meetings or hearings.

Investigation

As part of the process those staff investigating the matter and/or making a finding on the matter will assess the relevance and weighting of any witness statements.

Students, staff and witnesses are advised that the matters are confidential to the parties of the process.

It is a serious disciplinary offence for any person to attempt in any way to influence a witness in relation to their evidence, or to request any other person to do so.

Students or staff who provide false information in their witness statements may be subject to disciplinary procedures.

Witnesses may be asked by Student Governance to attend a meeting with Student Governance and/or the Investigation Officer. Meeting notes will be taken and the witness will be required to confirm and comment on the notes.

The university will normally only interview witnesses who are employed by LJMU or who are students at LJMU and with their agreement.

Witnesses may be asked by Student Governance to submit signed witness statements and to respond to any queries in relation to their statement.

Staff and Students may also submit a signed written statement from external witnesses.

Hearings

Witnesses will not normally be required to attend Hearings, unless there are exceptional reasons for their attendance. It is at the discretion of Chair of the Hearing to determine whether the attendance of a witness is relevant to the proceedings.

Personal and medical circumstances, character references

Students can submit evidence of extenuating circumstances, personal circumstances and other mitigating factors that they wish the university to consider in relation to the case.

Evidence can include Medical Letters, Character References and Testimonials etc.

Appendix 8: Investigating Officer Protocol

Introduction

This investigation protocol is applicable to all formal student-related investigations. For example, where a student disciplinary investigation is particularly complex and/or contains serious allegations against other students an independent, impartial Investigating Officer (IO) may be appointed to investigate the circumstances of the matter. The decision to appoint an Investigating Officer is taken by Student Governance.

The IO will be a senior member of university staff with no direct involvement with the relevant university department or any of the parties involved in the investigation and will be supported by a Student Governance Adviser.

These guidance notes are to support the IO to:

- Better understand the process of investigation.
- Reach a conclusion based on the evidence.
- To support a finding that:
 - A student complaint is upheld, upheld in part or not upheld.
 - The allegation(s) are proven, proven in part or not proven.
 - The matter should be referred to another university procedure e.g The Fitness to Practise Policy or Criminal Convictions Policy
 - The matter should be referred to a Disciplinary Hearing

Student investigation protocol

University procedures follow the principles of natural justice and procedural fairness:

- There are two sides to every dispute.
- All parties are given the opportunity to provide evidence to substantiate their version of the incident.
- All parties are entitled to have their case considered by an independent, impartial and unbiased decision maker.
- Full disclosure of allegations or evidence will be made to the relevant parties involved in the investigation prior to any formal interview or hearing.
- There should be no unreasonable delay in investigating the matter.
- All students involved in an investigation have the right to be accompanied by a friend at each stage of the process. See the *Definition of a Friend and Representative in Student Governance* guidance.

The investigation process must be fair and transparent. This entails allowing all parties to present their evidence, usually in separate interviews with the IO, to know who else will be interviewed and to see all of the available evidence. Evidence will not normally be disclosed to witnesses.

Where more than one individual is involved in a disciplinary investigation, those individuals will be party only to the matter(s) of investigation and outcome(s) that are directly specific to them.

Failure to observe the basic requirements of fairness will allow any decision to be challenged.

Investigations should be brought to a conclusion with the minimum of delay. If a case is unreasonably delayed, there is the potential for challenge on the basis that the student has been compromised; by witnesses being unavailable, by evidence being more difficult to investigate and witness memories waning. Delay also enables an argument that, irrespective of the outcome of the investigation, the individuals involved have been under stress due to the length of time taken to consider the matter.

Where there may be delay due to the availability of parties involved in the investigation (during the vacation periods for example), the IO should consider the potential implications of the delay. Where delay is unavoidable but essential to ensure a fair investigation, then this should be made clear to the relevant parties. In exceptional circumstances, the Investigating Officer may request signed statements to be provided in lieu of interview. Interviews may be conducted online where appropriate.

The IO will have access to all documents relating to the case but may request further information or documents as appropriate.

All information provided regarding the investigation is normally confidential for use within the investigation process and subject to the requirements of data protection legislation. Normally, only staff directly involved with the disciplinary investigation will have access to confidential information. However, confidentiality cannot be guaranteed; for example, where the matter may be escalated by the student to the Office of the Independent Adjudicator or the courts. Exceptionally, where there are issues of safeguarding, risks of harm to students or others, or criminal activity, information may be provided to a third party without an individual's consent.

Interviewing the parties

Following an initial review of the documents the Student Governance Adviser will arrange interviews with the student(s) who is the subject of the allegation(s), any witnesses and other relevant parties.

If applicable, the student(s) who is the complainant will normally be interviewed first, followed by the student who is the subject of the allegation(s). Other parties may be interviewed or contacted on more than one occasion if further clarification is needed.

The order of interviews is subject to the discretion of the IO and the availability of the parties.

Respondents will be provided with a copy of the relevant incident report or complaint submission and any submitted evidence prior to meeting with the IO.

Interview meetings are not recorded. Non-verbatim notes will be made of each interview and a copy provided to the interviewee (usually within 7 working days), who will be asked to confirm or amend factual details, following the interview.

Conducting an Investigation Interview

At the start of the interview, the IO / Student Governance Adviser must ensure that:

All parties present at the interview are introduced and their roles explained.

The interviewee, if unaccompanied, was informed of their right to be accompanied prior to the interview. Where the interviewee is accompanied, then the name of the friend or trade union representative is included in the interview notes.

The interviewee is aware of the procedure that is being followed, relevant timescales and (if known at this stage) any potential delays.

The involvement of the interviewee in the matter / incident is clear (for example whether they are the complainant, a respondent or witness) and that all relevant details are within their knowledge. Wherever possible, second-hand (hearsay) evidence should be avoided.

A complainant is aware that full disclosure of the allegations and evidence will be made to the relevant parties.

The respondent(s) has been provided with all documentary evidence and information (any outstanding evidence must be provided by a specified date). This must be noted and agreed at the initial interview. The respondent is given the opportunity to respond to the allegations, provide their own documentary evidence where applicable and/or arrange to provide relevant documents by a scheduled date.

The IO will confirm to the respondent or complainant (where applicable) who they deem relevant to interview.

Interview Notes

Summary (not verbatim) notes of the interview will be taken.

Interview notes will be sent to the interviewee normally within 7 working days of the interview requesting that the notes are agreed or amendments proposed, signed and returned within 7 days.

The interview notes should:

- Note the procedure that is being followed.
- Clearly record the specific allegation(s).
- Record the response to the allegation(s)
- Refer to any relevant documents that support the allegations, or have been received from respondents and witnesses
- Record any further information required and agreed deadlines for providing such information.
- Not include irrelevant or prejudicial material.
- Be written in such a way that it can be read by someone with no knowledge of the case, so that they would be able to understand the circumstances of the complaint and the relevance of the evidence of the witness.

Interviewees should note that a copy of the original notes and their amendments will be retained for consideration by the IO, via Student Governance during the investigation and when determining their findings

Investigating Officer's report

Once the investigation has been completed, the Investigating Officer will submit their findings in the form of a written report.

The report should follow the format outlined below.

The report will state if the allegations are upheld, upheld in part or not upheld and include any recommendations for further action e.g referral to a Disciplinary Hearing.

Distribution of the report

All relevant parties (not witnesses) will receive a copy of the final investigation report and will be advised of any appropriate actions to be taken and the next stage of the procedure.

Where more than one individual is named in an allegation normally those individuals will be party only to the matter(s) of allegation and outcome(s) that are directly specific to them.

Dependent on the nature of the allegation(s) and the findings, the investigation report may also (if applicable) be circulated to the director of the relevant faculty to consider any recommendations.

Investigation Report Format

1. Allegation

This section should clearly specify the nature of the allegation(s) including dates and locations etc.

2. Summary of investigation process

This section should summarise the scope of the investigation including who was interviewed and why as well as referencing the evidence considered.

3. Outcome of the Investigation

This section should state the findings of the investigation addressing each aspect of the allegation(s) as summarised in section 1.

If there is not enough evidence to substantiate all or part of the allegation(s) or if the Investigating Officer is unable to reach a conclusion on all or part of the allegation due to conflicting evidence, then the report should note this.

This section should state whether each allegation is upheld, upheld in part or not upheld.

4. Recommendations

Where the allegation(s) is upheld or upheld in part, then the report should refer to any further actions or remedies to be taken.

5. Appendices

This section should list the copies of evidence referred to in the report as appendices.