

DISCIPLINARY REGULATIONS FOR STUDENTS

Introduction

- 1 In this document, "we", "our" and "us" refer to Sheffield Hallam University. "You" and "your" refer to students.
- 2 The University Disciplinary Regulations are a set of rules which aim to:
 - foster your constructive engagement with us;
 - protect our community (including staff, students, visitors and the public) and our reputation; and
 - set out what action we may take if your behaviour poses an actual or potential risk to our community and /or reputation.

Student Code of Conduct

- 3 The Student Code of Conduct is our set of expectations about how you must act. These are listed below. We aim to provide a positive, mature environment which encourages and supports you to meet these responsibilities.
- 4 Under the Student Code of Conduct, you must act:
 - i. In accordance with all University Regulations and policies;
 - ii. Within the law;
 - iii. With regard to the our aim of providing an effective and supportive learning environment;
 - iv. With respect for the dignity and rights of others, irrespective of their background;
 - v. With respect for the property of others and the proper use of University facilities;
 - vi. With regard to the health and safety of others;
 - vii. With regard to the University's good reputation; and
 - viii. Honestly.

Misconduct

- 5 Misconduct is defined as breaching the Student Code of Conduct. The essence of misconduct is:
 - i. improper interference with the functioning or activities of the University, or of those who work or study in the University; or
 - ii. action which otherwise improperly damages the University or its reputation.
- 6 **Annex A** includes some examples of actions which constitute misconduct. These examples are not exhaustive and other actions you take which are not included in this list may also constitute misconduct.
- 7 We reserve the right to investigate any allegations of misconduct and to take action against you in accordance with these Disciplinary Regulations.

- 8 We will deal with alleged misconduct using the following procedures:
- these Disciplinary Regulations, using procedures at local level within your Faculty or Directorate (see paragraphs 24 - 25) or at University level (see paragraph 26 onwards).
 - other University Regulations and policies dealing with particular misconduct, for example Academic Misconduct, IT Regulations, Residential Student Behavioural and Health & Safety Procedures.
- 9 These Disciplinary Regulations may apply when you are away from University premises, including (but not limited to) in the following circumstances:
- taking part in University activities related to your course of study eg field trips, placements, study visits;
 - representing the University, eg at sporting or cultural events;
 - taking part in voluntary activities recognised by the University;
 - using our services remotely eg University IT services;
 - using social media;
 - in the community if misconduct may harm the University community or damage our reputation, eg antisocial behaviour towards neighbours or in public. See also **Annex B**.
- 10 If alleged misconduct is or may be the subject of legal or criminal processes, we will consider the facts and merits of each case and balance fairness to you and the wellbeing of others before deciding what action to take. We may decide to:
- take no action under these Disciplinary Regulations;
 - delay taking action under these Disciplinary Regulations;
 - take action under these Disciplinary regulations; and/or
 - report matters to the police if we consider it appropriate to do so.

General Principles

- 11 These principles apply at any stage of these Disciplinary Regulations' proceedings.
- 12 The authority to act under these Disciplinary Regulations is derived from and consistent with our Articles of Government.
- 13 The Vice-Chancellor has overall responsibility for maintaining student discipline. The Chief Operating Officer (or nominee) is responsible for advising on the interpretation of the Disciplinary Regulations and for reporting on their operation. The Clerk to the Board of Governors, Pro Vice-Chancellor of a Faculty or Head of a Directorate have particular responsibilities under these Regulations. In addition all staff have a responsibility to assist with their effective operation.
- 14 References in these Regulations to any University officer includes his or her nominee.
- 15 Nothing within these Disciplinary Regulations prevents any member of staff from taking reasonable emergency action to prevent, stop, minimise, or otherwise control your conduct if the member of staff decides it is likely to cause immediate harm to others, disrupt the proper functioning of the University, or cause immediate damage to property.
- 16 Staff, students, visitors and the public may be affected by students' poor behaviour, and it is legitimate for anyone to report it.

- 17 If misconduct is alleged we will:
- tell you about the allegation;
 - provide you with evidence of the allegation;
 - give you the opportunity to state your case before any decision is made; and
 - tell you the reasons for any decision we take.
- 18 Those investigating or adjudicating under these Regulations will do so impartially.
- 19 All staff involved in a case will respect the confidentiality of information arising from it and only disclose information as is necessary, for example for the proper investigation and conduct of the case.
- 20 If we have evidence that you are experiencing mental health difficulties and that these were a factor in bringing action under Disciplinary Regulations, we may follow the procedure for Students with Mental Health Difficulties, set out in **Annex C**.
- 21 If there are criminal proceedings related to the same case, we may defer action under these Regulations pending the outcome of the criminal proceedings.
- 22 If you leave the University, we reserve the right to:
- complete action under these Regulations if we have already started it;
 - act on allegations of misconduct which occurred when you were a student for up to six months after you leave.
- 23 If misconduct has been alleged, the Vice-Chancellor may suspend you pending a disciplinary hearing, or pending a trial if the allegation relates to police investigation or criminal charges. Please see **Annex D** for details of the suspension process.

Early Resolution Stage

- 24 The Early Resolution Stage may be appropriate for allegations of minor misconduct. This means that staff will discuss the allegation with you, preferably at the time it occurs, or as promptly as possible afterwards. If the allegations are true, staff may give you appropriate advice and encouragement to modify your behaviour in the future.
- 25 For more serious allegations, the Early Resolution Stage may be unsuitable. If so, your Faculty Pro Vice-Chancellor or a Head of a Directorate may decide to take formal disciplinary action under either the:
- Local Formal Stage; or
 - University Formal Stage.

Local Formal stage

- 26 If your Faculty Pro Vice-Chancellor or Head of a Directorate decides to follow the Local Formal Stage, we will tell you in writing what the alleged misconduct is and what evidence there is, and invite you to a meeting with your Faculty Pro Vice-Chancellor or Head of a Directorate to discuss the allegation and evidence. You will be able to give your account of events. Your Faculty Pro Vice-Chancellor or Head of a Directorate will set the meeting procedure, decide whether misconduct occurred, and set a sanction, if appropriate.

- 27 If you cannot attend the meeting in person because you are on a distance learning course or studying away from the University we will try to provide an alternative, such as a telephone meeting.
- 28 If your Faculty Pro Vice-Chancellor or Head of a Directorate decide that the allegation ought to be dealt with at the University Formal Stage, the case will be reported to the Vice-Chancellor. If this happens, the Vice-Chancellor will either:
- agree with that decision; or
 - decide that action should continue at the Local Formal Stage, in which case action under the Local Formal Stage will resume.
- 29 If the Pro Vice-Chancellor or Head of a Directorate decides at Local Formal Stage that misconduct occurred, one or more of the following sanctions may be set:
- i. an oral reprimand, not recorded on your file; or
 - ii. a written reprimand which may include a warning that repetition of such misconduct may result in future action at the University Formal Stage. This written reprimand and any warning will be kept on file for a specified period up to a maximum of twelve months from the date of the reprimand or until you cease to be a student of the University, whichever is the sooner; or
 - iii. a requirement for you to pay a reasonable sum to a named individual or individuals, or to the University, in compensation for identified and quantified loss; or
 - iv. any sanction available under a related procedure as referred to in paragraph 8 and Annex A, section 12.
- 30 You may request a review of the decision that misconduct occurred, and/or a review of the sanction set, by writing to your Faculty Pro Vice-Chancellor or Head of a Directorate within 10 working days of the written decision being sent to you. He or she will appoint a Pro Vice-Chancellor of a different Faculty or Head of a different Directorate to review your case. The person conducting the review will decide what process this review will take.
- 31 The reviewer will either agree with or overturn the decision that misconduct occurred. If the reviewer agrees with the decision that misconduct occurred, he or she may agree with the sanction set, or may set a lighter or more severe sanction from the list in paragraph 29. You will have no further right of review.

University Formal Stage

- 32 If a Faculty Pro Vice-Chancellor or Head of a Directorate decides that alleged misconduct should be considered under the University Formal Stage, he or she will report your alleged misconduct to the Vice-Chancellor who will consider the report and either:
- i. agree that there is a case to answer at the University Formal Stage and instigate a disciplinary hearing (see paragraphs 36-51); or
 - ii. refer your case back for action under the Local Formal Stage or the Early Resolution Stage; or
 - iii. request further investigation before taking a decision; or
 - iv. decide that no further action should be taken.
- 33 If there are also grounds for suspending you, we may consider this at the same time, following the procedure outlined in **Annex D**.

- 34 If you and other students have been accused of the same or substantially similar misconduct, the Vice-Chancellor will decide whether any or all of you will be heard together at the same disciplinary hearing. Your wishes will be taken into account.
- 35 The University will tell you the decision (see paragraph 32) in writing within 5 working days of making the decision.

Disciplinary Hearing

- 36 The Clerk to the Board of Governors (the "Clerk") will appoint the three members of the Student Disciplinary Panel required for a disciplinary hearing. The Clerk will appoint one of the three to act as Chair. This person must be a senior member of University staff. The other two members will comprise a member of staff and a student. The Clerk will ask the President of the Students' Union to nominate the student member.
- 37 The Clerk will ensure that none of the Student Disciplinary Panel members has had any previous involvement with your case. In particular, any person who decided that you had a case to answer will be ineligible to participate in your Student Disciplinary Panel.
- 38 The Vice-Chancellor will appoint a member of staff to present the allegation of misconduct against you (the "Case Presenter"). Usually this will be the person who reported your case to the Vice-Chancellor (see paragraph 32). The Clerk will act as secretary to the Student Disciplinary Panel and will make a note of the proceedings. Neither the Case Presenter nor the Clerk will be members of the Student Disciplinary Panel.
- 39 The Clerk will arrange the hearing as promptly as possible. You will be sent:
- written notice of the date and time of the hearing;
 - a written statement of the alleged misconduct;
 - the evidence; and
 - names of any witnesses whom the Case Presenter will call.
- 40 We will normally send this information so that you receive it 10 working days before the hearing, unless the matter is urgent and must be expedited.
- 41 At least 48 hours before the hearing you may submit to the Clerk:
- your written statement in response to the alleged misconduct;
 - any other relevant documentation; and
 - names of any witnesses whom you will call.
- 42 You have the right to attend the hearing. If you do not attend the hearing without valid reason, the Student Disciplinary Panel may consider your case and set a sanction if appropriate in your absence without further notice. If you are on a distance learning course or studying outside the University, you may be unable to attend the hearing in person. If so, we will attempt to provide a suitable alternative, such as a telephone hearing.
- 43 You may be accompanied at the hearing by one other person. The accompanying person may help you to present your account of events. You must give the name and position of any accompanying person to the Clerk at least 5 working days before the hearing. You are not permitted to have someone from the legal profession employed to work on your behalf at the meeting. We do not imitate the legal justice system and we believe that legal representation is unnecessary for both you and the University

- 44 The Student Disciplinary Panel will conduct the hearing in accordance with the Disciplinary Hearing Procedure set out in **Annex E**.
- 45 The Student Disciplinary Panel will only consider evidence presented before or during the hearing. This will normally be written evidence presented before the hearing, but exceptionally may be oral evidence presented during the hearing by witnesses appearing in person.
- 46 The Student Disciplinary Panel may accept a witness' written statement in evidence where you agree the witness need not attend, or when it is impractical for the witness to attend, or where in the opinion of the Student Disciplinary Panel it is for some other reason in the interests of justice to do so.
- 47 The Student Disciplinary Panel will make its decision on the balance of probabilities, based on the evidence before it. If the Student Disciplinary Panel members cannot agree, the majority decision will prevail.
- 48 If the Student Disciplinary Panel rejects the allegation of misconduct it will dismiss the case. We will tell you this in writing and no record will be kept on your file.
- 49 If the Student Disciplinary Panel decides that misconduct occurred for which you are responsible, it will:
- impose one or more sanctions listed in paragraph 53; or
 - recommend expulsion to the Vice-Chancellor (as per paragraph 54).
- 50 The Student Disciplinary Panel will tell you its decision in writing within three (3) working days of the hearing date and, where the allegation is upheld, will provide you with a report setting out:
- the misconduct allegation;
 - a brief summary of evidence received;
 - its findings of fact;
 - its reasons for upholding the allegation;
 - the sanction or sanctions set; and
 - the factors taken into account in deciding the sanction or sanctions.
- 51 The Vice-Chancellor may suspend the establishment of, or the activity of, the Student Disciplinary Panel at any time and to stop the proceedings against you, if he or she believes it appropriate to do so.

Sanctions

- 52 If the Student Disciplinary Panel decides that misconduct occurred, it will set one or more sanctions. When determining sanctions, it will consider:
- the seriousness and circumstances of the misconduct; and
 - whether you have any relevant personal circumstances which should be taken into account.
- 53 The sanctions are:
- a) Absolute discharge
- This means that although you are technically responsible for the alleged misconduct, no blame should be attached to your actions.

- b) An oral reprimand
This is not recorded on your file.
- c) A written reprimand
This will remain on your file for a specified period, which may be indefinitely. This may include a warning that if a Student Disciplinary Panel finds you responsible for further misconduct within a specified period, the subsequent penalty set may take account of previous offences and may therefore be more severe.
- d) Requirement to pay a reasonable sum to a named individual or individuals, or to the University, as compensation for identified and quantified loss.
- e) Exclusion from the University.
Exclusion may be from participation in particular University activities and/ or use of particular University facilities up to total exclusion from all activities and facilities. An exclusion order may include a requirement that you have no contact with a named person or persons. It may be subject to an exemption such as permission to attend an examination. Total exclusion from all activities and facilities will be for a maximum of twelve (12) months. A more limited exclusion, such as from University residencies, may be for an unlimited time.
- f) The withdrawal of an award already made. This will only be done in circumstances of serious academic or professional misconduct which calls into question the acceptability of you retaining the award.
- g) No admission to a further course at the University for either a fixed period of time or indefinitely.
- h) Any sanction available under a related University Regulation or policy. Such as, the Assessment Regulations, IT Regulations, Residential Student Behavioural and Health & Safety Procedures (see paragraph 8 and Annex A, section 12).

54 If the Student Disciplinary Panel decides that you should be expelled from the University, the Chair of the Panel will recommend this to the Vice-Chancellor. The Vice-Chancellor will decide whether to expel you or to impose one or more of the lesser sanctions in paragraph 53.

55 If a decision by the Student Disciplinary Panel, the Vice-Chancellor or the Student Disciplinary Appeal Panel, results in your exclusion or expulsion, we will report this to the next meeting of the Board of Governors.

Appeal

56 You may appeal against:

- a *decision* by a Student Disciplinary Panel which upholds an allegation of misconduct, on the grounds specified in paragraph 57;
- and/ or
- a *sanction* imposed by a Student Disciplinary Panel or the Vice-Chancellor, on the grounds specified in paragraph 58.

57 The grounds for appeal against a *decision* to uphold a misconduct allegation are:

- a) new evidence which you could not have reasonably made available to the Student Disciplinary Panel;
- b) the original hearing was not conducted fairly;
- c) the original hearing was not conducted in accordance with the Disciplinary Hearing Procedure (set out in **Annex E**);
- d) the decision to uphold the allegation of misconduct was unreasonable in the light of the findings of fact.

- 58 The grounds for appeal against a *sanction* are that it was excessive in the light of the findings of fact, new evidence, or your personal circumstances.
- 59 Your appeal must be made in writing to the Clerk, within 10 working days of the date we sent you the decision of the Student Disciplinary Panel or the Vice-Chancellor. Your appeal must include:
- the grounds on which your appeal is based; and
 - any new evidence which was unavailable to the original Student Disciplinary Panel and upon which you intend to rely.
- 60 If you wish to call witnesses in relation to the new evidence, you should state their names in your appeal.
- 61 The Clerk will appoint a Student Disciplinary Appeal Panel to hear your appeal. The Student Disciplinary Appeal Panel will not re-hear your original case.
- 62 If the original hearing considered your and other students' cases at the same time and more than one of you appeals, the Chair of the Student Disciplinary Appeal Panel will decide whether to hear all or any of your cases together. Your wishes will be taken into account.
- 63 The Student Disciplinary Appeal Panel will comprise three members of the University's Board of Governors (other than the Vice-Chancellor, staff or student governors) who have not previously been involved with the case. The Clerk will appoint one of the members to act as Chair.
- 64 The Clerk will arrange the appeal hearing as promptly as possible. You will be sent a written notice of the date and time of the appeal hearing. We will normally send you this at least 5 working days before the appeal hearing.
- 65 You have the right to attend the appeal hearing. If you do not attend the appeal hearing without valid reason, the Student Disciplinary Appeal Panel may nevertheless consider and decide your appeal in your absence without further notice. If you are on a distance learning course or studying away from the University you may be unable to attend the appeal hearing in person. If so, we will attempt to provide a suitable alternative, such as a telephone appeal hearing.
- 66 You may be accompanied at the appeal hearing by one other person. The accompanying person may help you to present your appeal. You must give the name and position of any accompanying person to the Clerk at least 5 working days before the appeal hearing. You are not normally permitted to have someone from the legal profession employed to work on your behalf at the meeting. We do not imitate the legal justice system and we believe that legal representation is unnecessary for both you and the University. However, if you believe that your appeal is exceptionally complex, you can submit a request to be accompanied by someone you employ from the legal profession. You must email Appeals@shu.ac.uk, at least 5 working days before the meeting outlining the reasons why you believe this is necessary. The Chief Operating Officer (or nominee) will consider your request. The complexity and the possible consequences of your

case will be considered. We will email our response to you within two working days of receipt of the request. If we allow you to be accompanied by someone from the legal profession you should note that:

- they may support and assist you but cannot be your spokesperson. We expect you to present your appeal and respond to the Appeal Panel yourself;
- you are responsible for their payment; and
- we may also choose to have someone from the legal profession at the meeting. You will be notified if this is the case no less than two working days before the meeting.

- 67 The Student Disciplinary Appeal Panel has discretion over the proceedings at the appeal hearing, subject to complying with the Disciplinary Appeal Hearing Procedure set out in **Annex F**.
- 68 The Student Disciplinary Appeal Panel will only consider evidence presented before or during the appeal hearing. This will normally be written evidence presented before the appeal hearing, but exceptionally may be oral evidence presented during the appeal hearing by witnesses appearing in person.
- 69 The Student Disciplinary Appeal Panel may accept a witness' written statement in evidence where you agree that the witness need not attend, or when it is impractical for the witness to attend, or where in the opinion of the Student Disciplinary Appeal Panel it is for some other reason in the interests of justice to do so.
- 70 If the Student Disciplinary Appeal Panel members cannot agree, the majority decision will prevail.
- 71 If your appeal is against the Student Disciplinary Panel's *decision* against you, the Student Disciplinary Appeal Panel may either endorse or overturn that decision.
- 72 If your appeal is against the Student Disciplinary Panel's *sanction*, the Student Disciplinary Appeal Panel may either endorse the sanction, or impose a lesser or greater sanction from the list of sanctions in paragraph 49.
- 73 The Student Disciplinary Appeal Panel will tell you its decision and reasons in writing within three working days of the appeal hearing date.
- 74 At the same time we will also provide a Completion of Procedures statement. This will confirm that we have finished our internal procedures, and, if you feel your complaint has not been resolved, may enable you to raise your concerns with the [Office of the Independent Adjudicator](#) if you wish to do so (see paragraphs 75 and 76).

The Office of the Independent Adjudicator

- 75 If you are not satisfied with the Student Disciplinary Appeal Panel's decision, you have the right to take your case to the [Office of the Independent Adjudicator](#) (OIA). The OIA is the independent body appointed in the higher education sector to review individual complaints by students against higher education providers. The OIA will not normally consider a case until the internal procedures of the University have been exhausted.
- 76 You will need to refer to the [OIA's website](#) for the most up-to-date information about how to make a complaint and the deadlines by which such complaint must be made.

Annex A - Examples of Misconduct (This is a non-exhaustive list)

- 1 Any conduct which constitutes a criminal offence.
- 2 Disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University.
- 3 Obstruction of, or improper interference with, the functions, duties, or activities of any student, or member of staff of the University, or any visitor to the University.
- 4 Violent, indecent, disorderly, threatening, intimidating (including harassment) abusive or offensive behaviour or language, including, but not limited to, words or actions which focus on sex, sexual orientation, race, religion, disability or age.
- 5 Fraud, deceit, deception or dishonesty.
- 6 Academic misconduct in academic course work, examinations, or other forms of assessment. (Please note that there are separate Academic Misconduct Regulations including sanctions, but that possible action under those regulations includes action under these Disciplinary Regulations).
- 7 Theft, misappropriation or misuse of University property, or the property of the University's staff students or visitors, including computer misuse.
- 8 Misuse or unauthorised use of University premises.
- 9 Damage to University property, or the property of the University's staff, students or visitors.
- 10 Action causing, or likely to cause, injury or impairing, or likely to impair, health and safety on University premises.
- 11 Failure to respect the rights of others to freedom of belief and freedom of speech.
- 12 Breach of the provisions of any University Regulation or supporting policies, codes and guidance. These include, but are not limited to, the following areas:
 - Assessment, including attendance
 - Conduct and discipline, academic misconduct and harassment
 - Fitness to Practise Regulations for specified professional courses
 - Health and safety, including the use and abuse of controlled drugs and other substances
 - Data protection, including in relation to social media
 - Use of the learning centre and computer resources
 - Equality and diversity
 - Intellectual property
 - Programme Requirements
- 13 Failure to disclose personal details to a member of staff of the University in circumstances in which it is reasonable and lawful to require that such information be given.
- 14 Failure to comply with a reasonable instruction relating to discipline, issued with the University's authority.
- 15 Bringing the University into disrepute.

Annex B - Anti-social Behaviour in the Community

- 1 The University has a positive role in the local community. We engage with the community to explain the contribution our students and staff make, and to deal with any general problems that may arise.
- 2 As a student living in the community you are subject to the various statutory and other legal requirements and agencies that protect society as a whole. Nevertheless, out of a sense of responsibility and concern for our reputation, we respond to complaints from the community about individual students or groups of students. If concerns are brought to our attention we may act on them using the Student Disciplinary Regulations.
- 3 We sometimes receive complaints from the public about the behaviour of people they believe are Sheffield Hallam University students. Often, such complaints criticise students' behaviour as neighbours. Sometimes the students are not Sheffield Hallam students and sometimes the fault lies wholly or partially with the person making the complaint rather than the student.
- 4 If we need to act we may follow the Early Resolution or Local Formal Stage, and give you advice about how to improve your behaviour. However, we may deal with particularly serious cases under the University Formal Stage of these Disciplinary Regulations.

Annex C - Students with Mental Health Difficulties

Introduction

- 1 All students are subject to University Regulations. Students with mental health difficulties are no exception. We therefore expect you to meet the Student Code of Conduct. However, if you are experiencing mental health difficulties, and issues arise which we would normally address under the Disciplinary Regulations, we may use the procedure set out in this Annex C (Students with Mental Health Difficulties). Any action will take account of the Equality Act 2010.
- 2 The procedure in this Annex C (Students with Mental Health Difficulties) assumes that the Early Resolution Stage of the Disciplinary Regulations has already occurred, or that it would not be applicable. This procedure may be used with other parts of the Disciplinary Regulations (eg suspension (see paragraph 23 and Annex D)) and the [Student Fitness to Study Regulations](#)

Procedure

- 3 The Faculty Pro Vice-Chancellor or Head of a Directorate will ask the Head of Student Support Services to convene a Case Review Group to advise us on whether this procedure should apply to you.
- 4 The Case Review Group will normally comprise the Head of Student Support Services or nominee (Chair), a representative from Student Wellbeing, the Mental Health Co-ordinator, and a representative from your Faculty. The Chair may include any other persons deemed appropriate.
- 5 The Case Review Group will seek and consider evidence about the incident leading to the Disciplinary Regulations being invoked, and your circumstances. This may include information about any support arrangements currently being provided to you and the effectiveness of the arrangements.
- 6 If appropriate you may attend a meeting with the Case Review Group Chair to discuss your case. The meeting will provide the opportunity for an open appraisal of your current position including whether you have mental health difficulties which could have contributed towards the incident.
- 7 The Case Review Group will report the details of the incident and your circumstances to the Vice-Chancellor, with a recommendation to approve one of the following actions:
 - to continue the case under this Annex C procedure (for Students with Mental Health difficulties); or
 - to refer the case back to the Faculty Pro Vice-Chancellor or Head of a Directorate, to decide whether to act under Local Formal Stage or University Formal Stage of the Disciplinary Regulations.
- 8 If the Vice-Chancellor accepts a recommendation to continue the case under the procedure set out in this Annex C (for Students with Mental Health Difficulties), we will follow one or more of the following processes:
 - Student Support Action Plan (see sections 9-10 below);
 - Action by Disabled Student Support (see section 11 below);
 - Referral to Student Fitness to Study Regulations (see section 12 below).

Student Support Action Plan

- 9 The Case Review Group may recommend to the Vice-Chancellor that an action plan be arranged for you. This will be compiled in consultation with you, your Faculty, and Disabled Student Support. It may include:
- how we will support you and how you can access this support;
 - your responsibilities to make use of this support and to adhere to the Disciplinary Regulations including the Student Code of Conduct (see Disciplinary Regulations paragraph 4);
 - the targets you are expected to meet with timescales for when you should meet them;
 - the likely implications of not meeting those targets;
 - who is responsible for communicating with you and acting as your point of contact;
 - the date at which progress against the plan will be reviewed ; and
 - clarification of the circumstances under which disciplinary action may be taken in future.
- 10 The Case Review Group will maintain an overview and advisory role. However, if your mental health deteriorates or the action plan does not meet our and your objectives, it may refer you for consideration under the Student Fitness to Study Procedure.

Disabled Student Support

- 11 Disabled Student Support may:
- establish whether an Assessment of Need and Learning Contract have been completed or should be completed; and/or
 - recommend reasonable adjustments to support you to continue your studies, if a Learning Contract is appropriate.

Referral to Fitness to Study Procedure

- 12 If you have mental health difficulties we will take reasonable steps to support you to continue your studies. However if your behaviour contravenes the Disciplinary Regulations (including the Student Code of Conduct) despite our support, or where we believe that it would be in your best interests for us to act under the Fitness to Study Procedure, we may transfer your case to your Faculty for consideration under the Fitness to Study Procedure. Please refer to the [Fitness to Study Procedure](#). The outcome could lead to your withdrawal from the University on a temporary or permanent basis on medical grounds if we find that you are not fit to study.

Referral back to Disciplinary Process

- 13 If your behaviour has contravened the Student Code of Conduct (see paragraph 4 of the Disciplinary Regulations) and there is no reasonable connection between your behaviour and any apparent mental health difficulties, we will follow the standard Disciplinary Procedure.

Annex D - Suspension

Staff guidance on the suspension of students is available on SHUSpace under Rules and Regulations.

- 1 The Vice-Chancellor may suspend you if there is a misconduct allegation against you. This may or may not relate to allegations which are the subject of police investigation or have led to criminal charges. You may be suspended pending a disciplinary hearing or trial.
- 2 Your faculty Pro Vice-Chancellor or Head of a Directorate will report the circumstances of your case to the Vice-Chancellor.
- 3 Suspension is not a punishment and should not be confused with exclusion or expulsion which are possible outcomes of disciplinary proceedings. Suspension does not imply guilt.
- 4 Suspension may take various forms and we will tell you in writing the nature of the suspension. It could include not being allowed to use all or specified University facilities or to take part in all or specified University activities or to have contact with a particular person or persons. Every reasonable effort will be made to help you continue with your studies.
- 5 Suspension will only be imposed where it is necessary, for example to protect a student or member of staff. We will record the reasons in writing and tell you.
- 6 We will not suspend you until you have received an opportunity to make representations to the Vice-Chancellor in writing or in person, unless the Vice-Chancellor decides suspension is urgent.
- 7 We will suspend you immediately if the Vice-Chancellor decides it is urgent. If so, you will have an opportunity to make representations as soon as reasonably practical, normally within 5 working days.
- 8 You may appeal against the decision to suspend you, by writing to the Vice-Chancellor. An external member of the Board of Governors will decide your appeal. There is no hearing.
- 9 The Vice-Chancellor will review your suspension:
 - every four weeks in light of any developments and any written representations you make; and
 - if he or she receives evidence that circumstances have changed which might affect his/her decision to suspend you.
- 10 The review of your suspension will not include a hearing.

Annex E - The procedure to be followed at a University Student Disciplinary Hearing

The Panel has discretion over the proceedings, subject to the provisions of this Annex.

General

The Student Disciplinary Panel may:

- 1 Adjourn a hearing as it thinks fit, from a short break in the proceedings to reconvening on another date.
- 2 Ask for additional enquiries to be undertaken, and may call for additional witnesses to attend.
- 3 Ask questions of the Case Presenter, you and/or your representative and any witness.
- 4 Impose time limits on oral addresses and submissions.
- 5 Refuse to admit evidence on the grounds that it is irrelevant to the issues raised.
- 6 Recall witnesses to give further evidence.
- 7 Dismiss the case at any stage during the hearing.

Meeting procedure

- 8 The allegation of misconduct will be put to the Panel by the Case Presenter.
- 9 The Case Presenter will call witnesses in turn and question them.
- 10 You or your representative may question those witnesses.
- 11 You or your representative may address the Panel.
- 12 You or your representative may call witnesses in turn and question them.
- 13 You may give evidence.
- 14 The Case Presenter may question those witnesses and question you if you have given evidence.
- 15 The Case Presenter may make concluding remarks to the Panel.
- 16 You or your representative may make concluding remarks to the Panel.
- 17 The Case Presenter, you and your representative will withdraw and the Panel will consider its decision.

Annex F - The Procedure to be followed at a University Student Disciplinary Appeal Hearing

Subject to the provisions of this Annex, the proceedings will be at the discretion of the Student Disciplinary Appeal Panel.

- 1 You or your representative will speak to explain your grounds for an appeal.
- 2 The Chair of the Student Disciplinary Panel which heard your case will present the findings and decisions of that Student Disciplinary Panel.
- 3 You or your representative may call witnesses and question them.
- 4 The Chairs of the Student Disciplinary Panel and the Student Disciplinary Appeal Panel may question the witnesses.
- 5 The Student Disciplinary Appeal Panel may question the Chair of the Student Disciplinary Panel and you.
- 6 The Chair of the Student Disciplinary Panel will sum up.
- 7 You or your representative will sum up.
- 8 The Chair of the Student Disciplinary Panel, you and your representative will withdraw and the Student Disciplinary Appeal Panel will consider its decision.