

**CODE OF BEHAVIOUR POLICY FOR STUDENTS**  
**(incorporating the Student Disciplinary Regulations and Procedures)**  
**Approved by Academic Council on 28 February 2007**

**1. INTRODUCTION**

This code applies to all students of the University when they may be reasonably regarded as being under the jurisdiction of the University or in a public place within the vicinity of the University.

This shall also include behaviour arising at any time when the student may be regarded as representing the University as an individual or as part of a team or group and when the student is at a location away from the University either as part of his/her study or following an arrangement made through the University or the Students' Union.

(Students studying for university awards at a Partner College or overseas collaborating institutions, fall under the remit of their college disciplinary procedures.)

The University considers the following behaviour as unacceptable: (but this is not an exhaustive list)

- Physical violence
- Verbal threats
- Abuse to students, staff or visitors to the University
- Wilful damage to/or theft of University property
- Damage to the property of the University's staff, students, or visitors
- Deliberately setting off fire alarms, or ignoring Health and Safety Regulations
- Supply or possession of illegal substances.

Under the Articles of Government of the University the Vice Chancellor is responsible for the discipline of students in the University and may suspend or exclude students on disciplinary grounds. The Vice Chancellor delegates this responsibility to other staff in the University to implement disciplinary procedures.

If student behaviour does not meet the accepted standard the Disciplinary Procedures will be invoked.

On Registration, all students are required to sign a document indicating that they accept the Rules and Regulations of the University which includes this Code of Behaviour.

**2. RESPONSIBILITY FOR STUDENT DISCIPLINE**

Nothing in these regulations and procedures should prevent the making of local rules of conduct and behaviour relating to particular facilities or areas of the University, provided that such rules are consistent with the Memorandum and Articles of Association of the University and regulations and procedures approved by the Court or the Academic Council as appropriate. This includes the use of the Regulations Governing Fitness to Practice decisions and professional expectations on specified Programmes.

All members of staff of the University are empowered to take such action as may be necessary to prevent or bring to an end any contravention of the Rules and Regulations of the University.

### 3. RULES OF DISCIPLINE

No student should engage in conduct which:

- Is in breach of the Memorandum & Articles of Association of the University, any regulations or other rule of the University.
- Threatens, harasses \* (see Addendum), abuses or constitutes an assault or an attempted assault on any other member or staff or student of the University or a visitor to the University.
- Leads to damage of any property of the University or a member of staff or Student of the University or a visitor to the University.
- Uses or attempts to use, fraud, deceit, deception or dishonesty in relation to the University or its staff or in connection with holding any office in the University or in relation to being a student of the University.
- Is at variance with the appropriate standards of behaviour whilst engaged in professional practice or training or employment forming part of his or her programme of study.\*\* (see below)
- Jeopardises or damages the good order or the reputation of the University.
- Fails to comply with a previously imposed penalty under these regulations and procedures.
- Constitutes interference with, misuse of, or unauthorised removal of University equipment.

N.B \*\* Where an offence may affect a student's Fitness to Practice or raises questions about her/his suitability to be placed on a professional register after qualification some Schools (Health & Social Care, Education & Training, Pharmacy) may decide to use the Fitness to Practice Regulations rather than these procedures. However, in cases which are severe or which involve a number of students the University Disciplinary Committee should be used.

### 4. DISCIPLINARY ACTION

Procedures for taking disciplinary action are dealt with at two levels,

**(i) Minor offences** which include but are not restricted to offences involving e.g. obstruction of staff in the performance of their duties, noise, disturbance in the Halls of Residence, disorderly insulting or anti-social conduct, theft or damage to University equipment or property valued below £500, minor Health and Safety violations.

**(ii) Major offences** which include but are not restricted to offences against the law, involving significant violence, threatening behaviour, harassment, intimidation, the use of illicit substances and incidences involving the police, theft or damage to University equipment valued above £500.

## 5. PROCEDURES

### **Minor offences:**

A minor offence involving a student may initially be reported to the appropriate Head of School (or nominee). The Head of School (or nominee) may wish to interview the student and seek to resolve the matter at this early stage. Otherwise, the minor offence involving a student will be reported to the Secretary of the Disciplinary Committee.

Minor offences will be dealt with by a panel of three from a group of staff (with no prior involvement with the case) approved by the Vice Chancellor. As soon as possible after the incident, the student will be called for interview.

If a student from the Schools of Health and Social Care, Education and Training or Pharmacy is involved advice will be sought from the Head of School regarding Fitness to Practice Regulations. Where it is considered necessary to invoke these regulations two additional members of the panel (an internal member of staff who is a registrant and an external registrant) will be included.

- the student will be given a minimum of two working days written notice of the interview
- the student will be advised of the nature of the allegation
- a record will be kept of the interview
- the student will be informed in writing within 5 working days of the decision of the panel.

The Minor Offences Panel will have power to make the following decisions:

1. that no further action is required
2. to issue a reprimand
3. to issue a formal warning, which will remain on the student's file for the period of study
4. to require the student to compensate for or make good damage and loss
5. to impose a fine not exceeding £500
6. to exclude the student by specified and limited conditions from the use of University residences or facilities for a period not exceeding 12 months.
7. to exclude the student from a professional programme in line with the Fitness to practice Regulations

### **Major offences:**

In very severe cases (i.e. extreme physical violence which is individual or group based) the Vice Chancellor may choose to suspend or exclude students with immediate effect without an interview.

Major offences will be dealt with by the University Disciplinary Committee.

The University Disciplinary Committee will consist of three members from a group of staff approved by the Vice Chancellor including one student nominated by the President of the Student Union. Where an incident involves a student on a professional programme the membership should also include two registrants, one member of staff and one external. Issues of Fitness to Practice will also be considered by the panel.

### **Misconduct that is also a criminal offence**

The following procedures apply where the alleged misconduct would also constitute an offence under the criminal law if proved in a court of law:

- where the offence under criminal law is judged by the University Secretary & Registrar to be not serious (in general terms, a serious offence would only be regarded as one likely to attract a custodial sentence on conviction), action may continue but the University Secretary & Registrar may defer such action pending police investigation or prosecution;
- in the case of all other offences under the criminal law, no action (other than suspension or exclusion) may be taken unless the matter has been reported to the police and either prosecuted, or a decision not to prosecute has been taken, at which time the University Secretary & Registrar may decide whether disciplinary action should continue or be taken; when action is taken following a conviction that amounts to misconduct, conviction shall be taken as confirming the facts relevant to the complaint and shall not be open to challenge.
- A student convicted in a criminal court in the United Kingdom and sentenced to imprisonment for one year or more shall be deemed to have withdrawn from the University and may be re-admitted only with the permission of the Vice-Chancellor.
- A student acquitted in a criminal court may not be the subject of a complaint of misconduct which is in substance the same as the offence of which s/he has been acquitted. This shall not preclude disciplinary proceedings solely on the grounds that the alleged misconduct may have taken place at the same time as, or otherwise is connected with, the criminal offence.

### **Suspension pending a hearing**

A student who is the subject of a complaint of misconduct or against whom a criminal charge is pending or who is the subject of a police investigation may be suspended or excluded by the Vice-Chancellor pending a meeting of the Disciplinary Committee or the trial.

Suspension or exclusion pending a meeting of the Disciplinary committee or a hearing shall not be used as a penalty. The power to suspend or exclude under this provision is to protect the members of the University community in general or a particular member or members and the power shall be used only where the Vice-Chancellor is of the opinion that it is urgent and necessary to take such action. Written reasons for the decision shall be recorded and made available to the student. The student is entitled to make a written representation against suspension/exclusion.

In cases of great urgency, the Vice-Chancellor shall be empowered to suspend a student with immediate effect, provided that the matter is reviewed within five working days.

The Vice-Chancellor shall re-assess the suspension or exclusion every four weeks in the light of any developments and of any representations made by the student or anyone else on his/her behalf.

## 6. OPERATION OF THE UNIVERSITY DISCIPLINARY COMMITTEE

### **Procedure for consideration of a complaint (major offence)**

Major offences will be dealt with by a panel of three from a group of staff (with no prior involvement with the case) approved by the Vice Chancellor including one student representing the Student Union. Where an incident involves a student on a Professional Programme the membership should also include two registrants, one member of staff and one external. As soon as possible after the incident the student will be called for interview.

- A notice of the date, time and place for the meeting at which the student is to appear will be sent at least 7 working days before the hearing.
- The notice of the hearing will be accompanied by details of the case against the student. The student is entitled to receive copies of all documents used in consideration of the case.
- The Committee may deal with the case in the absence of the student summoned, if the student fails to appear without reasonable excuse, or if the student notifies the Secretary of the Committee that she/he does not wish to appear.
- The student will be informed by the Secretary of the Committee of his/her right to call witnesses, and to be accompanied at the hearing by a friend or a member of the Student Union.
- The student will inform the Secretary of the Committee of any written documents that he/she intends to rely on in the meeting and will provide copies to the Secretary at least three days before the hearing.
- The hearing shall be held in private.
- The case against the student will be presented by the Director of Student Affairs or his/her nominee.
- In presenting the case against the student, the Director of Student Affairs will advise the Committee of the allegation as set out in the notice to the student.
- The student will be entitled to hear all the evidence of the complaint.
- During the hearing the student may be assisted or represented by any person.
- Both parties shall have the right to call witnesses and all witnesses may be questioned by members of the Committee.
- The student may address the Committee.
- The Committee will consider its decision in private.

The Secretary of the Committee will keep a note of the hearing of the decision of the Committee and of any penalty imposed.

The Committee will give its decision to the student in writing within five working days of the hearing.

The Committee shall be empowered to impose the following penalty:

1. a reprimand
2. a formal warning which will remain on the student's file
3. fine to a maximum as determined from time to time by the Vice Chancellor the current maximum is £1000.
4. exclusion from specified University facilities for a specified period of time
5. exclusion from University residences for a specific period of time
6. exclusion from a programme on the basis of contravention of Fitness to Practice Regulations.
7. in such cases where the penalty imposed requires the student to withdraw permanently from the University, the Vice Chancellor will be asked to confirm the decision.
8. in cases of suspension for a period of time a permanent withdrawal from the University the student will be required to return the University of Greenwich resource card and the Secretary to the Disciplinary Committee will notify the relevant authorities e.g. Council Tax, Student Loans

## 7. APPEALS AGAINST DISCIPLINARY DECISIONS

### **Disciplinary Appeals Committee:**

A student may appeal in writing against the decision of the Disciplinary Committee within seven days of the written notification of the penalty imposed by that Committee. The student may only appeal on one or more of the following grounds which shall be specified in the letter of appeal:

- that there has been a procedural irregularity or a failure to observe the provisions of this code of Behaviour in the hearing before the Disciplinary Committee. It shall be for the Appeal Committee to determine whether any such irregularity or failure to observe the provisions of the Code of Behaviour brings into question the decision of the original hearing
- that the conclusions of the Disciplinary Committee cannot, having regard to the evidence submitted, be reasonably sustained. Fresh evidence may be advanced in support of an appeal only where it could not reasonably have been made available at the time of the original hearing
- that the penalty imposed is excessive, inappropriate, or not available under the provisions of this Code of Behaviour.

The appeal should be made in writing to the Director of Student Affairs. The Committee will consist of three persons, one of whom will be a member of the Vice Chancellor's Group, who will Chair the Committee and one who will be a student nominated by the President of the Students' Union.

No person shall sit on the Committee if she or he is directly associated with the student's studies or with the disciplinary decision against which the appeal is made.

The hearing will be limited to the grounds stated in the student's letter of appeal and should not take the form of a rehearing of the original complaint. The Disciplinary Appeals Board will be provided with the report of the Disciplinary Committee but will not at this time interview the appellant or any witnesses. If the Disciplinary Appeals Board is satisfied that there is sufficient evidence of substantive defects which might have resulted in wrong finding or excessive penalty the student will be invited to a hearing. The procedure of the Disciplinary Appeals Board will be determined by the panel except that in the case of an appeal against the procedure followed or in an appeal against a penalty no further witnesses may be brought.

The Disciplinary Appeals Board may impose the following:

- i) The existing penalty or substitute such other penalty as it considers appropriate.
- ii) This penalty may be either less or more severe than that approved by the original panel.

The decision of a Disciplinary Appeals Board shall be final.

Students will be informed of the decision within five working days and of their entitlement to make a complaint to the Office of the Independent Adjudicator. Information on the process may be obtained directly from the OIA at [www.oiahe.org.uk](http://www.oiahe.org.uk).

## **Addendum to the Code of Behaviour Definitions of Harassment**

In defining harassment, it is the perception of the recipient which is central.

Harassment is:

behaviour which a particular recipient finds disturbing and upsetting and which therefore constitutes a detriment.

a misuse of personal or institutional power. It is a form of less favourable treatment based on a person's gender, race, ethnicity, disability, sexual orientation, age, religion, class background, political or trade union affiliation.

behaviour which degrades, patronises, humiliates, intimidates or threatens a recipient.

### **Sexual Harassment**

This is defined as physical, verbal or non-verbal conduct of a sexual nature which is unwanted and offensive to the recipient.

### **Racial Harassment**

Racial harassment is defined as hostile or offensive behaviour based on a person's race, colour or appearance, ethnic group, nationality or citizenship.

### **Harassment on Grounds of Disability**

This is defined as behaviour which is offensive or hostile towards a disabled person and undermines dignity and self-respect.

### **Harassment on Grounds of Sexual Orientation**

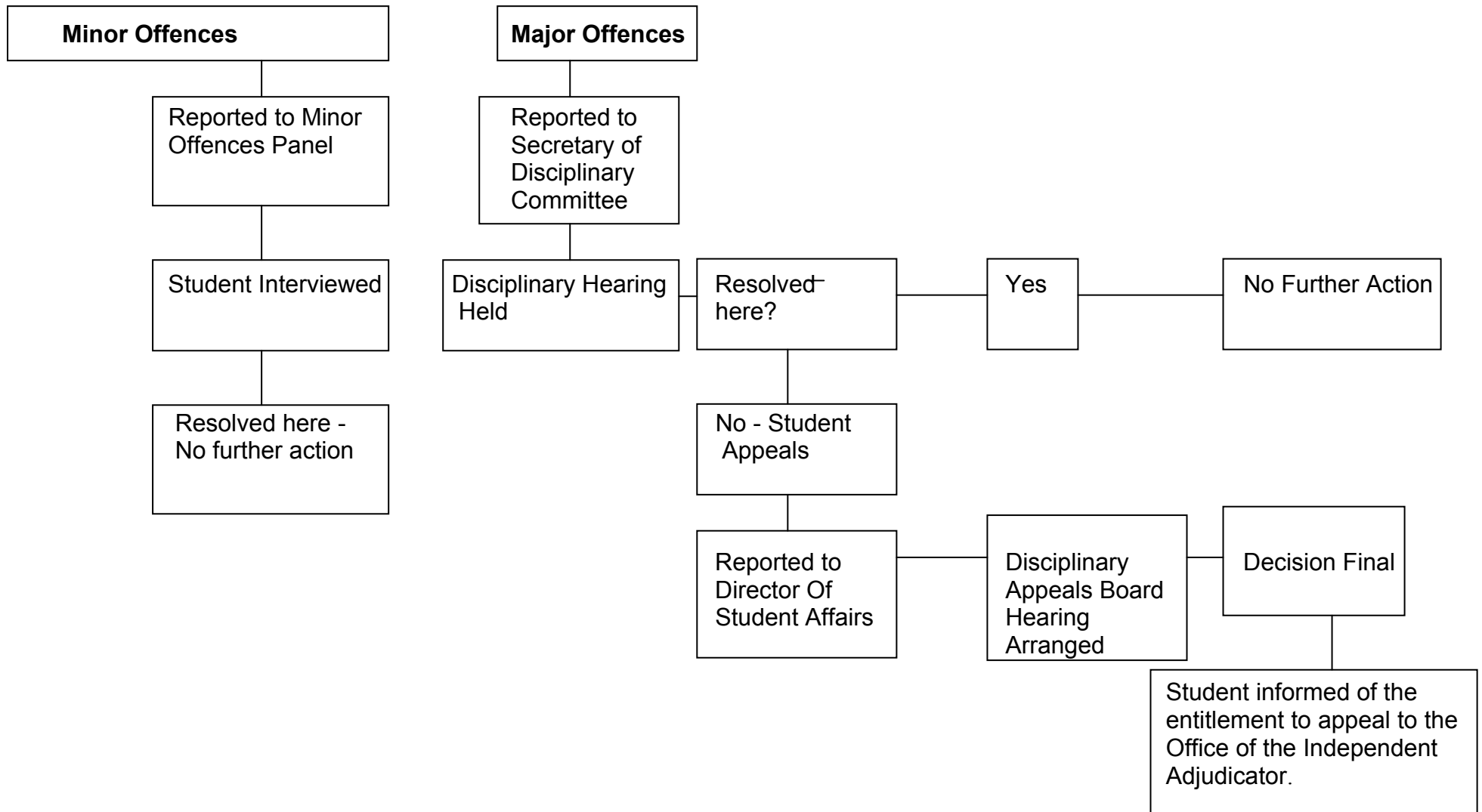
Harassment on the grounds of sexual orientation is behaviour which is hostile or offensive towards people because of their sexuality, sexual preferences, gender or lifestyle.

### **Harassment on the Grounds of Age**

Harassment on the grounds of age is behaviour which is hostile or offensive towards people because of their age.

**\*\*STUDENT DISCIPLINARY REGULATIONS**

**Complaint Mode**



\*\* Where an offence may affect a student's Fitness to Practice or raises questions about her/his suitability to be placed on a professional register after qualification some Schools (Health & Social Care, Education & Training, Pharmacy) may decide to use the Fitness to Practice Regulations rather than these procedures or, in some cases to constitute a Committee in accordance with the Regulations.