



Nottingham Trent
University

Student Code of Behaviour

Academic Year: 2024-2025

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1. Introduction

- 1.1 Nottingham Trent University ("the University") aims to create an atmosphere of mutual trust, harmony, inclusion and respect for all students and colleagues at the University. Good standards of conduct are necessary for the benefit of all and to maintain the University's reputation.
- 1.2 Freedom of Speech and expression is at the heart of what universities are for, where the freedom to express ideas and debate opinions within the law is a fundamental principle. The application of this Student Code of Behaviour will therefore be undertaken in accordance with this principle. More information on the University's approach to Freedom of Speech and Academic Freedom can be found in its Code of Practice available here: [Code of Practice on Freedom of Speech \(ntu.ac.uk\)](https://www.ntu.ac.uk/code-of-practice-on-freedom-of-speech)
- 1.3 This Student Code of Behaviour (the Code) sets out the standards of behaviour expected from our students and the procedures that will be followed if those standards are not met.
- 1.4 Definitions of the terms used within this Code has been provided in Appendix A.
- 1.5 This Code applies to all Nottingham Trent University students (including further education, undergraduate, postgraduate taught, postgraduate research and degree apprenticeship students). You will receive this Code as part of the enrolment process when joining the University.
- 1.6 Further details on the full scope of this Code are set out in Appendix B.

2. Expected Standards of Behaviour

2.1 How does the University expect you, our students, to conduct yourselves?

[The Student Charter](#), which is accepted by all students prior to joining the University, is founded on respect, integrity, and clear communications, and captures what the University expects of students.

The University community is based upon the principles of [respect and consent](#) (please also see the NTSU [respect and consent](#) web pages for further information on this), and we will not tolerate any form of discrimination on the grounds of age, disability, gender reassignment, race, religion, sex, and/or sexual orientation.

In relation to the Code and its procedures, the University has adopted formally the [IHRA](#) (International Holocaust Remembrance Alliance) working definition of antisemitism; and the [APPG \(All-Party Parliamentary Group\) definition of Islamophobia](#).

For the purposes of clarity, the expected standards of behaviour include all interactions and communications, including social media and online activity, as outlined in the [Computer Use Regulations](#).

2.2 Behavioural Expectations of Students

We expect all our students to:

- be considerate and respectful to the needs of other students, staff and visitors to the University;

- respect the University's property and that of others, and only use it for approved purposes;
- be responsible members of the local community and behave as considerate neighbours; including not engaging in anti-social behaviour, such as causing excessive noise;
- comply with reasonable requests or instructions from members of University staff;
- produce University-issued ID cards for identification purposes when reasonably requested to do so by University staff;
- inform the University of any criminal proceedings in which they may become involved or convictions that they receive whilst a student;
- conduct themselves appropriately in all forms of communication, including social media; and
- not engage in any behaviour in any form which constitutes Misconduct or Serious Misconduct Offences (examples of which are set out in Appendix C).

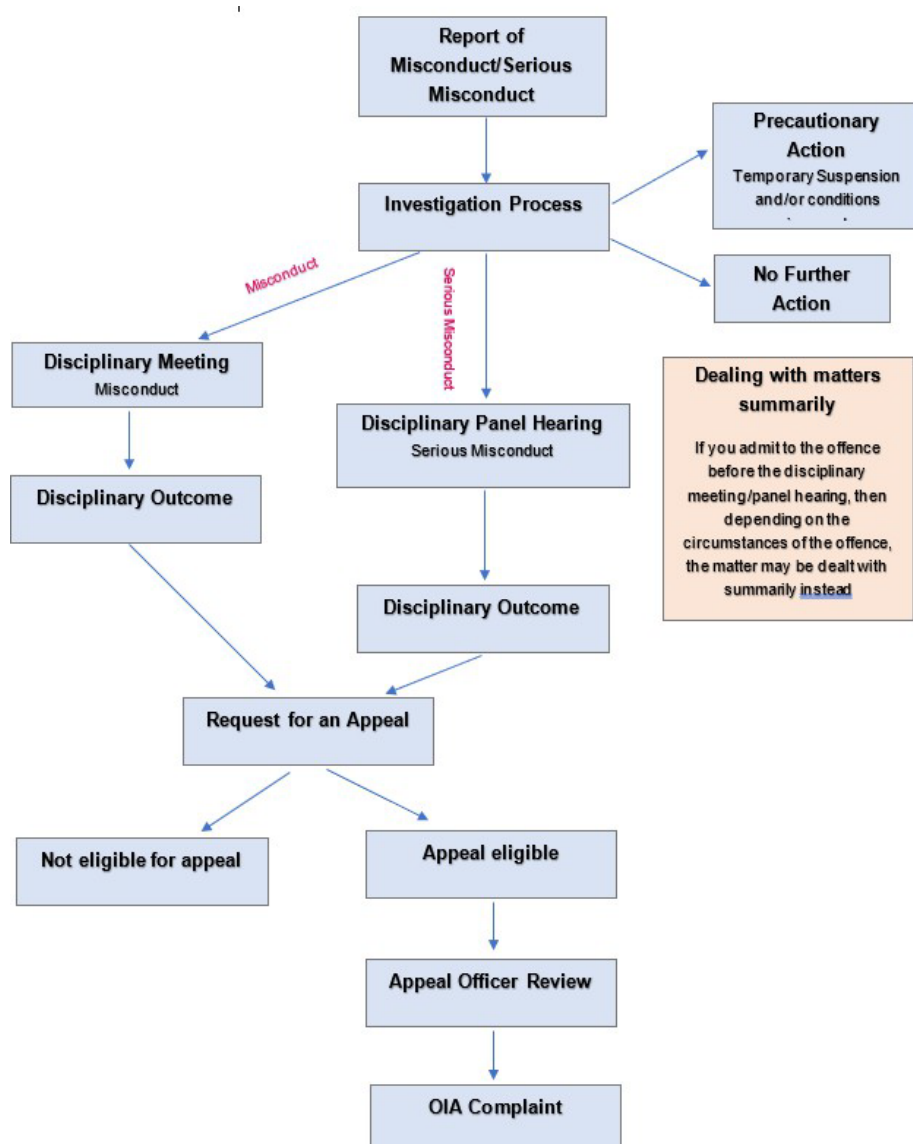
We also expect that our students will not:

- engage in any harassment or intimidating behaviour;
- engage in any initiation, hazing or similar actions;
- engage in any unlawful conduct which is intended to, or is likely to, disrupt teaching, learning, examinations, recreational activities or any other activities undertaken by or within the University;
- engage in any conduct which adversely affects or puts at risk the safety, welfare or well-being of others, including animals, wildlife and livestock;
- possess, import, trade or use any illegal substances;
- use offensive weapons (including replica weapons airguns, BB guns or anything that can be used as a weapon or cause harm);
- behave in an unacceptable way during any internal University processes, which includes but is not limited to:
 - bringing a complaint designed to harass or which is motivated by malice or which is seeking an unreasonable outcome;
 - making unreasonable demands of case handlers;
 - recording meetings without the consent of others present and not allowing AI Bots to attend meetings on your behalf;
 - communicating with University staff in an inappropriate manner;
 - submitting inaccurate or false information; or
 - persistent refusal to accept a decision once a procedure has been exhausted.

3. Principles of the Student Code of Behaviour

- 3.1 All University staff and students are responsible for reporting alleged misconduct by a student which they witness, or which they have evidence to support, and to raise this as soon as possible. Delays in raising concerns can seriously impact the ability of the University to conduct a fair and timely investigation.

- 3.2 Reporting Students will be informed of their options (report to the police or report to the University or to not make a formal report) and will be provided with an outline of each process so they can make an informed choice from the beginning. Should the Reporting Student have any concerns with the process as outlined these should be communicated to the Academic Registrar in order that a response can be considered.
- 3.3 Reporting Students will be kept informed of progress, be provided with an indication of the timescales and be kept updated if these timescales change. There may however be limitations on the extent of the information that can be disclosed to the Reporting Student. For example, witness statements submitted by others, academic information and family or personal information may not be disclosed.
- 3.4 Misconduct cases under this Code are **not** treated as an offence under criminal law. Students who may have an allegation against them will always be presumed innocent unless and until proven, on the balance of probabilities, to have committed an offence under this Code. This means that, on the basis of the evidence available, it is more likely than not that a disciplinary offence under this Code has happened.
- 3.5 Attempts will be made to resolve minor unacceptable conduct issues informally, where this is possible. Any review of the conduct that does become necessary under the provisions of this Code will be undertaken as quickly as possible. On occasions, timeframes may need to be extended, and where this is the case, we will be in touch to explain any delay and the new deadline.
- 3.6 We appreciate that receiving correspondence in connection with an alleged incident(s) of misconduct could be distressing and cause concern for all involved. We realise that you may experience heightened concerns and anxiety as a result but you should always engage with the process set out in this Code in terms of responding to our correspondence, meeting requested deadlines and attending meetings that you may be invited to. This will always be in your best interests and will ensure that the process can conclude as soon as possible. Please contact [Student Support Services](#) and/or [NTSU](#) and seek support for any concerns you may have. Further information on the support available to you is provided in section 4 and Appendix E of this Code.
- 3.7 Students, staff, visitors and members of the public can report issues of bullying, harassment, discrimination, hate, sexual misconduct and assault through [Report + Support](#). Such reports can be made either anonymously or by providing contact details. It may not always be possible to investigate anonymous reports particularly where there is no identifiable information provided; however, the University will endeavour to do so wherever possible.
- 3.8 This Code shall be reviewed every two years by Academic Registry in conjunction with the Legal Services team, to ensure that its provisions continue to meet legal obligations and reflect best practice. Academic Board is the final approving body of this Code.
- 3.9 Below is a diagram of the process should a report of misconduct / serious misconduct be made.



Accessible version of misconduct process

Step 1: Investigation process

Step 2: Possible outcomes:

1. No further action
2. Precautionary action
 - a. Temporary suspension and / or conditions
3. Misconduct – disciplinary meeting
 - a. Disciplinary outcome
4. Serious misconduct – Disciplinary panel hearing
 - a. Disciplinary outcome

Step 3: Request for an Appeal

Possible outcomes:

1. Not eligible for appeal

2. Eligible for appeal
 - a. Appeal officer review
 - b. OIA complaint

4. Advice and Support for Students

- 4.1 The University is committed to supporting all of its students, whether you are: a Reporting Student; a student who may find themselves accused of an offence; or if you are a witness to an alleged offence. Below we outline how you can access this support. Further details of the support services offered by both the University and externally are set out in Appendix E.
- 4.2 In cases of serious misconduct, a member of staff at the University will be identified as the key contact for the Reporting Student and a different member of staff identified as the key contact for the reported student. Those individuals will be sufficiently independent from the processes under this Code so that they can focus on supporting the students. Where the case relates to sexual misconduct, the key contact will be trained in supporting survivors of sexual violence.
- 4.3 The Nottingham Trent Student's Union [Information & Advice service](#) provides a free and confidential advice service for all our students. This advice service is independent of the University and the advisers have considerable experience in assisting and advising both Reporting Student/s and students who may find themselves accused of an offence, or other students who may be involved as a witness. The advice service also offers support and/or representation of students during formal Disciplinary Panel Hearings. You may find it helpful to, and are advised to, discuss your case with this service.
- 4.4 Under the Supported Complaints Policy, Reporting Students will be given the opportunity to be provided with a [peer mentor](#), facilitated by the Students' Union. The mentor will be available to support the Reporting Student throughout the process and is separate from any other support the University may provide.
- 4.5 The University encourages all students to self-refer to NTU's [Student Support Services](#) who can also offer support and advice. Student Support Services will also be able to advise on external support options if appropriate to the student's circumstances.
- 4.6 We recognise that being invited to attend a meeting or Disciplinary Panel Hearing under the Code may result in anxiety and concern. You are therefore able to be accompanied by a companion for support if you would find this helpful. The person may be a student/ friend/ partner/ parent/ carer or a Students' Union Adviser or mentor and should be independent of the investigation unless agreed otherwise by the University.
- 4.7 The role of the companion is to provide support and so you may consult the companion for advice and support during the process/meeting/hearing.
- 4.8 Whilst we recognise that you may be anxious and require support from a companion, you will need to communicate and engage with the process yourself. Your companion

may not answer questions on your behalf (unless this is agreed in advance by the Investigating Officer or Chair as a reasonable adjustment for a disability). The University reserves the right not to engage with a companion or third party if, in the view of the Investigating Officer or Chair, they do not behave in an acceptable manner. If you would like a companion to accompany you, please provide their name and contact details to the University in good time ahead of the meeting.

- 4.9 The University does not normally expect legal representation to be required for either the students or the University during these internal processes. However, if a student requests permission to be legally represented by a solicitor or barrister at the disciplinary meeting or Disciplinary Panel Hearing this request will be considered taking into account the following factors:
- The seriousness of the allegations against the reported student and the potential penalty;
 - Whether any points of law are likely to arise;
 - The capacity of the reported student to understand the case against them;
 - Any procedural difficulties;
 - The need to avoid delay; and
 - The need for fairness between the reported student and the Reporting Student.
- 4.10 Where the University decides that legal representation can be permitted it will consider also whether there are any other steps that need to be taken. This may include requiring questions for witnesses to be put to the chair of the Disciplinary Panel which can then be posed by the chair of the panel to the witnesses. If it is anticipated that the legal representative may wish to make detailed legal submissions the University will consider whether it wants to also engage legal representation to advise the Disciplinary Panel.
- 4.11 Any legal representation approved by the University will only be within Disciplinary Meetings and/or the Disciplinary Panel Hearings. This will not be approved as part of the initial investigation meetings conducted in accordance with section 8.2.

5. Reporting Matters to the Police

- 5.1 Where a student is alleged to have committed a criminal offence, it is normally for the victim of the alleged offence to decide whether to report the matter to the Police, except in circumstances as set out in this section 5. Support is available to help with this as set out in section 4 above.
- 5.2 Where a suspected criminal offence is committed against the University, the University may report the incident to the Police.
- 5.3 The University will only in exceptional circumstances report an alleged incident to the Police against the wishes of the alleged victim/Reporting Student where the reporting is necessary to protect them or others from physical or psychological harm, or to prevent a further harm taking place. In such cases we will explain our decision and reasons to the alleged victim/Reporting Student either in advance or as soon as possible after the report was made.

6. Student Conduct under Police Investigation

- 6.1 The University reserves the right to either suspend or continue with the processes set out in this Code in cases where a police investigation is ongoing. This will be decided by the Academic Registrar on a case-by-case basis in discussion with the Police. This discussion may include requesting the police to inform the University if they believe that were the student to continue with their studies this would constitute a risk to others. We may also meet with witnesses prior to deciding on whether to suspend the process.
- 6.2 We may still decide to proceed with the processes under this Code where the student has been found to be Not Guilty in criminal proceedings or where the Police or Crown Prosecution Service have taken a decision not to take any further action. This is because the processes under this Code are not criminal law proceedings and different standards of proof apply. This means that what may not amount to a criminal offence could still require review under this Code.
- 6.3 If you are subject to an ongoing Police investigation, a range of actions will be considered in order to reduce the risk to the Reporting Student and/or others, but also having the least detrimental impact on the reported students, this may include partial or full suspension or other restrictions. Where a partial suspension or restrictions are agreed we will support you to continue your studies whilst abiding by any bail conditions that may have been placed on you, if practicable to do so.

7. Suspension and the placing of conditions (precautionary action)

- 7.1 Following receipt of an allegation of Misconduct or Serious the Academic Registrar may make a decision to suspend the student and decide on the scope of that suspension. In making such a decision the Academic Registrar will consider the level of risk arising, whether a student is subject to an ongoing police investigation or whether there are any alternative reasonable measures that could be put in place to reduce the risk to the Reporting Student or others. Suspension is a precautionary step only and should not be interpreted as the University implying any judgement or likely outcome of an investigation under this Code.
- 7.2 A decision to suspend a student in these circumstances would only be taken where it is considered that their continued access to the University creates a significant risk such as:
- a) The processes under the Code becoming affected;
 - b) To protect an individual or the University community; and/or
 - c) Where there is a high risk of the unacceptable behaviour happening again.
- 7.3 Any suspension or conditions set will be limited to a specific period of time and will be reviewed regularly by the Investigating Officer in consultation with the Academic Registrar/Head of Further Education, and may be extended where it is considered necessary.
- 7.4 Where a decision has been made to suspend or place conditions on a student, the Investigating Officer will write to the student providing clear reasons for the decision, details of the alleged facts, implications for studies and where support can be accessed. We appreciate that, should such a decision be made, this could lead to some anxiety and concern. You should be assured that the University remains committed to

providing access to support during this period either via our Student Support Services or by NTSU and you are encouraged to continue to engage with us.

- 7.5 You can appeal against a decision for full or partial suspension to the Academic Registrar, or in the case of FE students, to the Head of Further Education, within **five working days** of the date of the decision letter providing clear reasons why. The appeal will be considered fully and you will be notified of the decision within **five working days** of receipt of the appeal.
- 7.6 You can also request that the Investigating Officer reviews a precautionary suspension or the placing of conditions if you can demonstrate that there has been a material change in the circumstances of the case (for example, all charges against you have been dropped). Please do therefore remain engaged with this process so it can be concluded at its earliest stage in the interests of all the parties.

8. Procedure for Cases of Alleged Misconduct and/or Serious Misconduct

Below we have outlined the full procedure for dealing with alleged cases of Misconduct and/or Serious Misconduct. A diagram outlining the process can also be found in section 3.10 of this Code.

8.1 Triggering the Process

- 8.1.1 Action under the Code starts as soon as the University becomes aware of an alleged incident of Misconduct or Serious Misconduct (see Appendix C for examples), by any of the below methods:
- A direct report/complaint via the [Student Code of Behaviour Report form](#);
 - A report via [Report + Support](#);
 - A report from a member of University staff;
 - An incident/allegation brought to the University's attention by a third party such as the Police, community protection officers, members of the community, or staff at UPP-managed halls of residence;
 - An incident/allegation the University becomes aware of or is made aware of (e.g. media/social media); and/or
 - An incident/allegation reported whilst representing the University, for example at an NTU sport event.
- 8.1.2 Reports of alleged Misconduct or Serious Misconduct should be supported by evidence, where possible. This includes any counter claims made by the reported student.
- 8.1.3 Where a student has taken a break in study under the University's Break in Study policy, any investigation under the Code will be suspended until the student returns to their studies, unless it is in the student's best interests to continue. Where in the

opinion of the Academic Registrar it is believed that a student is requesting to take a Break in Study in order to avoid investigation, the Break in Study request will not be supported.

8.2 Initial review process

- 8.2.1 When a report of alleged Misconduct or Serious Misconduct has been received, a trained member of University staff will be appointed as an Investigating Officer and will conduct a review. The Investigating Officer must not have been involved in the incident or know any of the parties involved.
- 8.2.2 The aim of the review is to establish the facts relating to the alleged Misconduct. Only relevant information is to be obtained and recorded and irrelevant information must be disregarded. The review will start as promptly as possible, and normally within **two working days** of the report being made.
- 8.2.3 The Investigating Officer will decide who they want to speak to, what other information is required and where they can obtain that information before they start the review. As part of this the Investigating Officer will seek to obtain information in a confidential manner and consider what can be obtained without speaking to anyone else.
- 8.2.4 The Investigating Officer will gather all relevant information, which may involve fact finding meetings with all students involved and any other relevant individual/witnesses. Such meetings may be in person, by telephone or by MS Teams. The Investigating Officer may get written witness statements or seek documentary evidence where appropriate (for example emails, logs from relevant University systems or other relevant evidence). The Investigating Officer may also obtain specialist external advice if they think it appropriate.
- 8.2.5 The Investigating Officer will ensure that they keep an accurate record of the evidence obtained, including how and when it was obtained and will store it in an appropriately secure manner.
- 8.2.6 When requesting a meeting the Investigating Officer will give at least **three working days'** notice of the proposed date and will make clear:
- the nature of the alleged misconduct;
 - that the meeting is being requested in accordance with the provisions of this Code;
 - confirming the right to be accompanied by another person in accordance with the requirements set out in clause 4.6 of this Code.
 - that the Students' Union Information and Advice Service is available for advice on the process under the Code, and
 - confirming that Student Support Services can be accessed for any student support matters.

If you are unable to attend this meeting for any reason, please contact the Investigating Officer without delay so a different date can be agreed. The University will always try to find a date and time that is mutually convenient. It is however in the best interests of all parties that the interviews take place promptly following an allegation.

- 8.2.7 If you fail, without good reason, to attend a meeting requested under this Code, the Investigating Officer can continue with the review without meeting you provided they are satisfied that sufficient notice of the date and time of the meeting was provided.

The Investigating Officer can decide what constitutes a 'good reason' under this provision.

- 8.2.8 Whilst the Investigating Officer will try to avoid delay, the time required to complete the review will be influenced by several factors including the nature of the alleged misconduct, the number and availability of potential witnesses, any ongoing Police investigation and the volume and nature of evidence to be gathered. Where there is a delay all parties will be informed of any delay and the reason.

8.3 Initial review outcomes and resulting actions

- 8.3.1 At the end of the initial review, the Investigating Officer will consider the information obtained in an objective manner, remove anything that is irrelevant and prepare a report. This report will include their judgement as to whether there is a case to answer and, if so, whether the allegations amount to Misconduct or Serious Misconduct.
- 8.3.2 The Investigating Officer may:
- a) Decide that the allegations amount to potential Misconduct and can be dealt with by the Investigating Officer via a Disciplinary Meeting or where the allegation is not disputed the matter will be dealt with in accordance with section 10 of this Code; or
 - b) Decide that the allegations amount to potential Serious Misconduct and refer the matter to a Disciplinary Panel Hearing in accordance with section 11 below; or
 - c) Decide that no further action should be taken.

8.4 Disciplinary Meeting for Misconduct

- 8.4.1 Where the Investigating Officer's report identified that potential Misconduct may have taken place this is dealt by a Disciplinary Meeting. A letter will be sent by email inviting you to attend. The meeting will always be held as soon as reasonably possible, but you will be given at least **five working days'** notice. You will be informed of your right to be accompanied at the meeting by one other person for support as set out in section 4.6 above.
- 8.4.2 The letter will set out the date and time of the meeting and whether this is to take place in-person, by telephone or online. Full details of the allegation(s) of Misconduct, the basis of those allegations and the possible range of penalties, if it is decided after the disciplinary meeting that the allegations are proven, will also be included.
- 8.4.3 You will be provided with copies of all relevant documents related to the case. In limited circumstances (for example risk of harm to a witness) a witness identity may be kept confidential unless in the Investigating Officer's reasonable opinion to do so would prejudice the fairness of the proceedings.
- 8.4.4 On receipt of the letter you have two options:
- a) respond to the allegation (preferably in writing). You should provide any facts that you wish to be taken into consideration and confirm that you are content for the matter to be dealt with without a disciplinary meeting taking place on the basis of the evidence available and any written comments made by you; or
 - b) confirm that you would like to attend the meeting or request an alternative date if you are unable to attend (providing good reasons). The Investigating Officer shall decide what constitutes 'good reason' under this provision.

- 8.4.5 The University recognises that this situation can cause anxiety for all concerned and those University representatives present at the meeting will ensure that the questions posed are reasonable in all the circumstances. Whilst we recognise that you may be anxious you are encouraged to engage with the process set out above so that this can be concluded as soon as possible and in the best interests of all concerned.
- 8.4.6 If you do not respond to the letter prior to the date of the meeting, or do not attend the disciplinary meeting, the Investigating Officer will deal with the matter in your absence and without further meetings based on the evidence available.
- 8.4.7 The purpose of the disciplinary meeting is to discuss the evidence and provide you with an opportunity to put forward your position. The Investigating Officer will then decide, based on the evidence and the information you may have presented, on whether the allegation is proven.
- 8.4.8 The Investigating Officer will notify you of the outcome of the disciplinary meeting, the reasons for the decision and (where relevant) any penalty imposed within **two working days** of the disciplinary meeting. You will also be informed of the right to request an appeal under section 12.
- 8.4.9 In the event that a case of alleged Misconduct is proven and a penalty is imposed, appropriate details will be passed to your School for formal record purposes. The outcome may also be passed to any other University service (such as accommodation), professional body, or employer where you are an Apprentice or are sponsored, where in the University's reasonable opinion it is necessary to do so.
- 8.4.10 The University will inform the Reporting Student (and any other relevant parties) of the outcome of the disciplinary process where the University considers it reasonable and appropriate to do so. This may or may not include details of any penalty imposed.

8.5 Disciplinary Panel Hearing for Serious Misconduct

- 8.5.1 If the Investigating Officer decides that the allegations should be considered as Serious Misconduct, they will refer the matter to the Academic Registrar, or in the case of FE students, to the Head of Further Education, who will arrange for a Disciplinary Panel Hearing to take place.
- 8.5.2 You will be informed in writing of the date, time and location of the Disciplinary Panel Hearing at least **10 working days** before so that you have enough time to respond to the information provided by the University. The letter will set out the allegation(s), the basis of those allegations and the names of the Disciplinary Panel members. It will also highlight the potential range of penalties in section 11 of this Code, if it is decided after the Disciplinary Panel Hearing, that the allegations are proven.
- 8.5.3 You will be provided with a copy of the investigation report and all relevant documents (including witness statements) related to the case. In limited circumstances (for example where there is a risk of harm to a witness) a witness' identity may be kept confidential unless to do so would prejudice the fairness of the proceedings.
- 8.5.4 You will be invited to respond to the allegations in writing. All written documents (including written witness statements) must be received by the Secretary to the Disciplinary Panel at least **three working days** before to the Disciplinary Panel Hearing. The Chair of the Disciplinary Panel has discretion over whether to allow the introduction of further evidence which is received at a later time.

- 8.5.5 The Disciplinary Panel shall at all times be independent and shall consist of:
- a) An Executive Dean / Deputy Dean or Head of Professional Service or their respective nominee;
 - b) A Senior Academic / Head of School Operations / Professional Services Manager; and
 - c) NTSU Representative.
- A Secretary to the Panel will also be present.
- 8.5.6 The University recognises that being invited to attend a Disciplinary Panel Hearing may result in concern for all parties. You are allowed to be accompanied at the Disciplinary Panel Hearing by one other person for support, as set out in section 4.6 above. If you would like a companion to accompany you, please provide the name and contact details of your chosen companion to the Secretary to the Disciplinary Panel Hearing in good time and at least three working days before the Hearing.
- 8.5.7 In the event that you and/or your companion are unable to attend the Disciplinary Panel Hearing with good reason, the Secretary of the Disciplinary Panel should be informed immediately and an alternative date/time will be arranged.
- 8.5.8 You are encouraged to engage with the process set out above and attend the Hearing so that this can be concluded as soon as possible in the best interests of all concerned. If you do not attend without good reason the University reserves the right to proceed with the Disciplinary Panel Hearing on the evidence available. The Chair of the Disciplinary Panel shall decide what constitutes 'good reason'.
- 8.5.9 We will consider whether it is appropriate to make any adjustments to the process for the Reporting Student as well as the reported student and any other witnesses. This could include allowing attendance at the hearing remotely by video call.
- 8.5.10 The detailed requirements governing the conduct of the Disciplinary Panel Hearing can be found at Appendix G.
- 8.5.11 If the Panel considers that the allegation has not been proven, the Chair to the Disciplinary Panel will write to you to confirm the outcome and the reasons.
- 8.5.12 If the Panel considers that the allegation is proven, depending on the nature of the disciplinary offence, the Disciplinary Panel will decide on the appropriate penalty as set out in section 11 below.
- 8.5.13 The Chair of the Disciplinary Panel will notify you of the outcome of the Disciplinary Panel Hearing, the reasons for the decision and any penalty imposed normally within **three working days** of the Disciplinary Panel Hearing. You will also be informed of the right to appeal under section 12 below. In exceptional circumstances the University may require longer than three working days to provide the outcome to you. Should this be the case the University will act reasonably at all times and will keep you updated of any revised timeframes.
- 8.5.14 In the event that a case of Serious Misconduct is considered proven and a penalty is imposed, appropriate details will be passed to your School for formal record purposes. The outcome may also be passed to other University services as required; to professional bodies, or to an employer where you are an Apprentice or are sponsored, where it is in the University's reasonable opinion necessary to do so.

9. Protocol for Students Causing Serious Concern

- 9.1 If, during an investigation, there are concerns that mental or physical illness may have impacted directly on your behaviour, the Investigating Officer may request approval from the Academic Registrar, or in the case of FE students the Head of Further Education, for the case to be considered under the provisions of the [Support to Study Policy](#), the [Protocol for Students Causing Serious Concern](#) or any other policy relating to a concern for students welfare. Should this situation arise, the Investigating Officer will encourage you to complete a support and wellbeing referral form, or can do this on your behalf if appropriate to ensure that you can access appropriate wellbeing support during the process.
- 9.2 In cases where an urgent intervention is required (for example, where the case requires emergency referral to, and liaison with, community mental health services) a third party support and wellbeing referral will be completed by the University and may lead to the provisions of the [University's Protocol for Students Causing Serious Concern](#) to be actioned.
- 9.3 In the event of a referral under section 9.1 or 9.2, the Investigating Officer or in Serious Misconduct cases, the Academic Registrar, or the Head of Further Education, shall have discretion to determine whether any formal disciplinary action that may already be underway against you should continue, be suspended or terminated.
- 9.4 Cases referred under the Protocol for Students Causing Serious Concern may be investigated under the emergency protocols detailed in Appendix D.

10. Dealing with Undisputed Matters

- 10.1 If you decide to admit the allegation either before or during a Disciplinary Meeting or Disciplinary Panel Hearing, or during an investigatory meeting, the Investigating Officer or the Chair of the Disciplinary Panel may (where it is appropriate to do so) remove the need to hold the meeting/hearing and instead deal with the matter without further discussion/meetings taking place. This may also be the case where the Investigating Officer considered a Disciplinary Panel Hearing may not be necessary based on the nature of the case.
- 10.2 Before we deal with the matter in this way, you will receive:
- a) an explanation of the potential consequences of dealing with matters in this way;
 - b) an outline of the range of penalties that may be given; and
 - c) seek your written consent to deal with the matter in this way.
- 10.3 If you wish for the matter to go ahead and be dealt with in this way, you will be required to confirm in writing that you:
- a) admit to the Misconduct/Serious Misconduct;
 - b) acknowledge the potential consequences of your admission under this Code; and
 - c) provide any facts relating to the case that you wish to provide.
- 10.4 Having considered the evidence, if the Investigating Officer or Chair of the Disciplinary Panel is satisfied that you committed the alleged Misconduct/Serious Misconduct (on the balance of probabilities – that is, it is more likely than not) they will proceed to

impose the most appropriate penalty under this procedure, taking any mitigating circumstances into account where relevant.

- 10.5 It is not right / possible to deal with a matter in this way if:
- a) you are subject to a Police investigation relating to a criminal offence;
 - b) if someone was seriously hurt; or
 - c) if exclusion is within the range of reasonable penalties which could be imposed in the circumstances.

11. Penalties

- 11.1 The Investigating Officer or the Disciplinary Panel (as appropriate) shall make a reasoned judgement and apply an appropriate penalty for any disciplinary offence under the Code taking into account the circumstances of the case, any mitigating factors, and any previous misconduct. The reason for the penalty imposed shall be recorded in writing to you and your school.
- 11.2 Penalties under this Code may be one or more of:
- a) an action plan and conditions for improvement of conduct (to be reviewed at a specified period of time, usually within two months of being issued);
 - b) a requirement that you have no contact with a named person(s) by signing a University restriction form;
 - c) a formal written warning, which will remain on your file for a period of between 6 months and the end of your studies (and which may be taken into account in the event of further related disciplinary action);
 - d) restorative justice, such as community services;
 - e) a requirement that you make a formal apology reflecting on your actions to those affected by your conduct;
 - f) a requirement to meet, in full or in part, the cost of making good any damage caused by or as a result of your conduct;
 - g) a proportionate fine of up to £200, or up to £500 for Serious Misconduct;
 - h) a suspended fine that would only become payable if you become subject to further disciplinary action under the Code within a specified timescale (which may be any period up to and including completion of study);
 - i) relevant training or attendance on recommended education or personal development courses (such as consent workshops, framework referrals, engagement with medical professionals, at your expense);
 - j) partial or full suspension from specified extra-curricular/other privileges for a fixed period of time;
 - k) partial or full suspension from specified academic, extra-curricular/other privileges, and or University premises for a fixed period of time for Serious Misconduct;
 - l) exclusion from the University resulting in ending of studies for Serious Misconduct;
 - m) not permitted to attend graduation ceremony; and
 - n) any other outcome as may be considered reasonable.

- 11.3 Any penalty is effective immediately once imposed unless the Investigating Officer or Disciplinary Panel decides otherwise.
- 11.4 In the event that a penalty of suspension is imposed, for the avoidance of doubt, any tuition fees will not be refunded for the period of time which you are under suspension.

12. Right of Appeal

- 12.1 If you are dissatisfied with the outcome of the disciplinary process, you have **10 working days** from the date of the outcome to request an Appeal to the Academic Registrar, or in the case of FE students, to the Head of Further Education, by email to REG.StudentMisconduct@NTU.ac.uk. Any Appeal will be acknowledged by Academic Registry within **three working days** of receipt.
- 12.2 A request for an Appeal will be granted on the following grounds **only**:
- a) That there was a fundamental failure by the University to follow its procedures specified in this Code including where clear reasons were not provided for the decision, or there was evidence of bias; or
 - b) The outcome was not reasonable in all the circumstances (no reasonable decision maker, taking into account all the relevant facts, could have reached that decision); or
 - c) New or additional evidence is available which you were unable, for good reasons, to provide earlier in the process.
- 12.3 There are no other grounds on which an appeal will be considered by the University.
- 12.4 When submitting an appeal, you should set out your concerns clearly and provide evidence to support your appeal explaining how your request for an appeal falls into one or more of the grounds set out at section 12.2 above.
- 12.5 An Appeal Officer will be appointed by the Academic Registrar, or in the case of FE, by the Head of Further Education, who will consider the information submitted and make a decision as to whether the request for an appeal is based on one or more of the permitted grounds and within the prescribed timeframe, and will notify you of the outcome of this consideration within **five working days** of receipt of the appeal. The Appeal Officer may be from Academic Registry or from the department that conducted the original investigation, depending on the nature of the misconduct.
- 12.6 If the Appeal Officer considers that the grounds are not satisfied, you will be informed of the decision to reject your request for an appeal and a Completion of Procedures Letter (COP) will be issued (see section 13 for further information).
- 12.7 If the Appeal Officer decides that the appeal falls within one or more of the permitted grounds, the Appeal Officer will review all information collated for the original decision, together with any new evidence presented, (but may contact you / anyone involved in the matter if considered necessary).
- 12.8 The University reserves the right not to respond to each individual point raised in an appeal. Where appropriate, points may be grouped together when providing a response.
- 12.9 The outcome of the appeal can be that the Appeal Officer shall either confirm the original decision or make a different finding which may overturn the original decision.

The Appeal Officer may send the matter back to the same or a different Investigating Officer/Disciplinary Panel to consider again.

- 12.10 The outcome of the appeal is final and will be communicated to you in writing, with reasons for the decision, within **20 working days** of the appeal request being accepted.
- 12.11 Where the University considers it reasonable and appropriate to do so, it will also inform the Reporting Student of the outcome of the appeal. The outcome may also be passed to any professional body where in the University's reasonable opinion it is necessary to do so.
- 12.12 A Reporting Student may not appeal against the outcome or penalty but may make a complaint through the University's [Complaints Procedure](#).

13. Office of the Independent Adjudicator

- 13.1 In the event that you remain dissatisfied with the outcome of the disciplinary process you may make a complaint to the Office of the Independent Adjudicator for Higher Education (OIA) provided you have been issued with a Completion of Procedures Letter (COP) from the University. The COP will explain how you can submit a complaint to the OIA. The deadline to submit a complaint to the OIA is 12 months from the date of the COP.
- 13.2 Further information can be found on the OIA's website at <http://www.oiahe.org.uk/>.

Appendix A: Definitions

For the purposes of the Code, the following words and phrases have the meanings indicated below:

Word or Phrase	Meaning
Academic Registrar	The Academic Registrar of the University or their delegated nominee in relation to the Code.
Appeal Officer	<p>A member of staff who determines whether an appeal by a student against a disciplinary decision has shown one or more of the permitted grounds of appeal, and reviews appeals made on permitted grounds.</p> <p>The Appeal Officer will not have been involved in the process previously.</p>
Chair of the Disciplinary Panel	The person appointed by the Academic Registrar from a list of potential members, or in the case of FE students the Head of Further Education or nominated deputy, to Chair a Disciplinary Panel Hearing.
Disciplinary Panel Hearing	The formal meeting at which allegations of Serious Misconduct are considered and decided upon by a Disciplinary Panel.
Disciplinary Panel	Those persons, usually two from the University (senior members of staff) and one from the Students' Union, who are appointed by the Academic Registrar to consider allegations of Serious Misconduct at a Disciplinary Panel Hearing.
Disciplinary Meeting	The meeting at which allegations of Misconduct are considered and decided upon by the Investigating Officer.
Head of Further Education	The Head of Further Education of the University or their delegated nominee in relation to the Code, where the Misconduct involves an FE student (studying an FE course).
Investigating Officer	The member of University staff appointed by the Academic Registrar, or in the case of FE students the Head of Further Education, who conducts an initial review into a case of alleged student Misconduct or Serious Misconduct.
Misconduct or Serious Misconduct	Conduct which breaches the Code and is classified by the University as Misconduct or Serious Misconduct, examples of which are provided in Appendix C.
Reporting Student	A student (or any other person) who makes an allegation that another student(s) (referred to in the Code as the reported

Word or Phrase	Meaning
	student) has committed a Misconduct or Serious Misconduct offence under this Code.
Student	A student who has received an allegation of a Misconduct of Serious Misconduct offence under this Code.
University premises	All buildings and land owned or operated by the University, and for the purposes of applying the Code, shall include UPP-managed halls of residence.
We or Us or Our	Nottingham Trent University (the University).
You or Your	The student who has an allegation of misconduct or serious misconduct.

Appendix B: Scope of the Code

1. The Code applies to all students at the University including further education, undergraduate, postgraduate taught, postgraduate research and degree apprenticeship students (but excludes FE students who are enrolled with Confetti) from enrolment (or arrival in halls of residence or at pre-enrolment activities, if earlier) up to completion of the course of study at the University (to include the period up to and including attendance at graduation or departure from university accommodation, if later).
2. The Code applies to students' conduct whether on or off University premises (including online conduct), including placements, field trips, sporting events and non-University-related activities and students living in or visiting all accommodation managed by the University, UPP or privately owned.
3. Where you have invited a guest/friend onto University premises or accommodation, you are responsible for the behaviour and actions of your guest. Please note that action may be taken against you under this Code if your guest has breached the University's expectations in respect of student behaviour. Do consider the implications of this when inviting guests onto University premises or accommodation.
4. Any behaviour which fails to meet the University's stated expectations in respect of student behaviour, or which interferes with the proper functioning or activities of the University or those who work, study in, or visit the University, or which otherwise damages the University's reputation can be considered a breach of the Code and dealt with in accordance with the procedures set out in the Code.
5. The Code does not apply to alleged academic misconduct which will be dealt with in accordance with the [Academic Integrity Policy](#) or to conduct/engagement which may be more appropriately dealt with under the Fitness to Practice Procedure or [Support to Study Policy](#).
6. [Depending on the](#) individual circumstances of a case, referrals to other procedures may be necessary. The University will always try to consider matters together to reduce the need for multiple investigations relating to the same incident or where it is in the best interests of the student to do so. However, we reserve the right to suspend a procedure until the outcome of another is complete, or decide not to pursue one procedure in favour of another. You will always be kept informed of any decision to suspend, combine or to pursue one procedure in favour of another.
7. The Academic Registrar has overall responsibility for the operation of the Code.
8. Where an allegation against a student also involves (or may involve) action against a member of University staff (under the Staff Disciplinary Procedure), the Academic Registrar will liaise with the Human Resources Department to establish whether the case should be considered under the Staff Disciplinary Procedure and shall appoint a case manager to co-ordinate the two processes. The case manager shall liaise with all internal stakeholders, including the University's Human Resources department, as necessary.

Appendix C: Misconduct and Serious Misconduct Offences

The following are examples of Misconduct and Serious Misconduct which, if proven, may amount to a disciplinary offence leading to formal disciplinary action under the Code.

- a) conduct which prevents, obstructs or disrupts or otherwise interferes with:
 - i. teaching, learning or research carried out within the University or on field trips, field work, placements, internships and/or professional or work experience; or
 - ii. the administration of the University; or
 - iii. the discharge of the duties of any student, member of staff, contractor or any visitor to the University; or
 - iv. the holding of, or orderly conduct of, any unlawful meeting or unlawful activity of or connected with the University;
- b) breach of any of the conditions set out in the enrolment declaration;
- c) possession, use, distribution, production, being under the influence of during University-related activities, supply of and/or trade in illegal substances and drugs, the misuse of and/or trade in prescription drugs, or any conduct relating to psychoactive substances which is unlawful under the Psychoactive Substances Act 2016;
- d) possession, use or threat of use of offensive weapons (including replica/imitation weapons);
- e) spiking the drinks of others;
- f) smoking in “No Smoking” areas (including e-cigarettes);
- g) deliberate or reckless damage to property, whether owned by the University or otherwise;
- h) any activity constituting a breach of any University policy on [equality and diversity](#);
- i) any conduct which amounts to harassment (for example behaviour which causes alarm or distress or which is unwelcome, uninvited and causes a detrimental effect);
- j) physical assault;
- k) aggressive, threatening or intimidating behaviour, indecent, disorderly, offensive or any other unreasonable behaviour or language whether expressed orally or in writing (including electronically and/or via social media);
- l) behaviour which poses a serious risk to the health, safety or welfare of others;
- m) any anti-social or disorderly conduct which causes distress or is intended to cause distress to others;
- n) behaviour of a bullying nature;
- o) misuse or unauthorised use of University premises, facilities, or items of property, including misuse of computers and networks;
- p) organisation or participation in hazing and/or initiation ceremonies;

- q) conduct in University, UPP or private accommodation, including noise nuisance, which leads to serious or persistent complaints;
- r) a breach of any Regulation of the University or University/UPP halls of residence and/or the Student Charter;
- s) any action which breaches the code of ethics or code of conduct of any regulatory or professional bodies application to the relevant programmes of study, including professional misconduct, except where that conduct is covered by a Fitness to Practise process;
- t) false pretences or fraudulent impersonation of others;
- u) acts, omissions, statements intended to deceive the University including deliberate falsification of records, including degree or diploma certificates, and admission requirements;
- v) refusal to produce a University Smartcard when required to do so by a member of staff without a reasonable or valid reason;
- w) unlawful conduct which, by whatever means, seriously disrupts or prejudices the work or activities of the University and its community or which could bring the University into serious disrepute;
- x) distributing or publishing a poster, notice, sign or any publication which is intimidating, indecent or illegal and is likely to create alarm or distress or causes offence where it is reasonable in all the circumstances for a person to feel offended;
- y) offering, promising or giving a financial or other bribe to a member of University staff or a contractor;
- z) recording meetings without consent (for example making covert recordings);
- aa) failure on the part of a student reported under the Code to acknowledge, observe and/or co-operate with any investigation, formal interview, appeal, or other process arising from that report (including failure to attend a disciplinary meeting or hearing without good reason);
- bb) failure to comply with any sanction imposed for a breach under the Code;
- cc) theft; and
- dd) other Misconduct or Serious Misconduct that, in the reasonable belief of the Investigating Officer, should be dealt with under the Code.

The following will always be considered as Serious Misconduct:

- a) sexual misconduct, which is a broad term encompassing any unwarranted behaviour of a sexual nature that is committed without consent or by force, coercion, manipulation or intimidation. Sexual misconduct can occur between strangers or acquaintances, including people who are involved in an intimate or sexual relationship. Sexual misconduct can be committed by a person of any gender, and can occur between people of the same or different gender. Sexual misconduct includes, but is not limited to the following conduct:
 - sexual intercourse or engaging in a sexual act without consent;

- attempting to engage in sexual intercourse or other sexual act without consent;
 - kissing without consent;
 - sharing or distributing private sexual materials of another person without consent (through any medium - for example: images, video, voice recordings, text message, letters, emails, etc);
 - intimidation, or promising resources or benefits in return for sexual favours; touching inappropriately without consent;
 - inappropriately showing sexual organs to another person;
 - making unwarranted remarks of a sexual nature; and/or
 - repeatedly following another person without good reason and in a manner which causes the person being followed to feel alarmed or threatened (stalking).
- b) conviction of a serious criminal offence by any court of a competent jurisdiction, including an offence committed outside University premises;
- c) conduct resulting in the student receiving a formal Police caution or other penalty imposed by the Police regardless of whether the student is actually charged or convicted of an offence, or where a student receives a conviction by a court;
- d) behaviour of a threatening, hostile, intimidatory or discriminatory nature, including, but not limited to:
- domestic violence and abuse;
 - bullying;
 - verbal/physical assault;
 - antisemitism;
 - sexism;
 - misogyny/misandry;
 - transphobia;
 - homophobia;
 - sexual misconduct;
 - racism;
 - ablism;
 - other associated hate incidents; and
- e) misconduct which is motivated by hostility or prejudice based on a person's protected characteristic (sex, race, religion or belief, age, gender reassignment, sexual orientation, pregnancy, disability or marital status) ("hate incident").

Appendix D: Emergency Serious Disciplinary Protocol

1. The Emergency Serious Disciplinary protocol can be invoked when there is a need for a case to be managed more quickly than the standard timeframes set out in this Code. This will only be used in circumstances listed below:

- a. **Criminal investigation/Charge/Offence – bail conditions and remanded in custody**

Where a Student has been arrested for a criminal offence and they are remanded in custody without bail, or where bail conditions include a restriction on them being in the City or County of an NTU campus. By the nature of being remanded in custody or a bail condition to not enter the City or County of an NTU campus, NTU deems this to indicate that the person is a significant risk to the safety and welfare of others .

- b. **Health and Wellbeing- risk to the safety and welfare of others**

In cases where the Student's support needs exceeds that which the University can provide and where they are alleged to have committed Serious Misconduct and/or their actions pose a risk to the safety and welfare of them or others and where the Protocol for Students Causing Serious Concern has been initiated.

- c. **Exceptional cases**

In very exceptional cases the University may decide to invoke the emergency protocol where it is in the student's best interest to do so. For example, a student on a Sponsored Visa cannot be suspended for longer than four weeks, therefore it would be in the student's best interest for the emergency protocol to be used.

2. The decision to initiate the Emergency Serious Disciplinary Protocol is taken by the Academic Registrar in liaison with Student Support Services, the Student's School or any other Professional Service relevant to the case.
3. Where a case is particularly complex, multiple parties may be asked to give evidence either in writing or at a Disciplinary Panel Hearing. This may include, but is not limited to, the School, Student Support Services, Accommodation Services, Security or the Community Liaison Team.
4. Where the emergency serious disciplinary protocol is initiated the normal timeframe and processes will be amended as follows:
 - a. The notice period for a student to attend an investigatory interview (set out in 8.2.6) is reduced to one working day;
 - b. Such cases cannot be dealt with in accordance with the provisions set out in section 10;
 - c. The notice period to a student for attending a Disciplinary Panel Hearing set out in 8.5.2 is reduced to five working days; and
 - d. Where a student is permanently excluded following investigation under the Emergency Serious Disciplinary Protocol, the standard timeframes for submitting an appeal set out in section 12 are extended to one year from the date of the outcome letter.

5. Where a student is remanded in custody and unable to participate in an investigation, the Disciplinary Panel Hearing will be held in their absence, and the decision will be based on the evidence available.
6. Due to the accelerated timescales in this protocol, written and oral evidence may need to be gathered at the Disciplinary Panel Hearing rather than in advance.

Appendix E: Support for Students

The University provides a number of Student Support Services which are open to any student against whom an allegation of misconduct is made under this Code and any student who is a victim of or witness of misconduct. Students are encouraged to engage with Student Support Services and take up appropriate support available to them.

a) Mental Health and Wellbeing Support

Support and advice to students who may be experiencing personal difficulties, who may be struggling to cope at University or who just need someone to talk to. Please visit the [Student Hub](#) for more information or call 0115 848 2990.

b) Report + Support

Everyone at Nottingham Trent University, whether studying, working, or visiting, has the right to feel safe. If a student has experienced or witnessed a sexual assault, harassment, bullying, discrimination or hate incident, they can report it via [Report + Support](#).

c) Silvercloud – online support

SilverCloud offers secure, immediate access to online cognitive behavioural therapy (CBT) programmes for a range of mental health concerns. They can be tailored to your specific needs. Find out more information and sign up [here](#).

d) Disability and Dyslexia Support

A dedicated service for students who have a disability, long term medical condition or a specific learning difficulty (including dyslexia). Find further information [here](#) or call us on 0115 8482085.

e) Support for students with individual needs

Advice and guidance to support individual needs such as care leavers or caring responsibilities, sexual violence support. Please see further information [here](#) or call us on 0115 8482085.

f) General Student Advice

Advice and guidance on financial and money management, help with personal, emotional or academic issues. Visit our Student Services Centre in Newton Building, find further information [here](#) or call us on 0115 8482085.

g) Nottingham Trent Students Union Advice Centre (NTSU)

NTSU runs a free and independent information advice centre to support students in a number of areas, including but not limited to academic support, health and wellbeing, housing, money. Further information [here](#).

h) Peer Support Scheme

The NTSU Peer Support Scheme offers support from students to students with similar experiences, problems or conditions. It is a free, confidential and independent from NTU service offered by the NTSU. Further information [here](#).

Appendix F: Record Keeping and Use of Data

1. A formal disciplinary penalty imposed in accordance with section 11 shall be a permanent part of the Student's student record.
2. When dealing with the police, information can be shared if there is a lawful basis for doing so. In the majority of cases, it will be lawful, necessary and appropriate to provide the police with any information they need in order to investigate an alleged criminal offence. In the same way, in the majority of cases, it is reasonable for a university to ask the police for details about the alleged offence, whether the individual being investigated may be a risk to others and the progress of the investigation. The police will decide what to disclose using the same legal tests.
3. Data protection requirements do not prevent University staff reporting incidents or allegations to the relevant areas within the University, such as staff within Academic Registry, Student Accommodation, the relevant School, Employability Services, Apprenticeship Team, NTU Sport, Student Support Services and HR (where applicable). If the Student is undertaking an Apprenticeship Programme (or other employer sponsored programme), the University will notify their employer.
4. The University reserves the right to disclose any penalty imposed on a student (including suspension or expulsion from the University) in any references provided to third parties or in order to comply with any regulatory reporting requirements.
5. The University collects data about disciplinary outcomes at each stage of the operation of this Code and any associated complaints submitted, including those submitted to any regulator (such as the OIA) and will use these data for Internal reporting, evaluation and training/learning purposes (anonymised data); and externally for discussion with regulators in the HE sector.

Appendix G: Conduct of Disciplinary Panel Hearing

1. The Chair of the Disciplinary Panel manages the Disciplinary Panel Hearing and ensures proper and reasonable conduct of those taking part. The Chair has the power to postpone, continue or adjourn the Disciplinary Hearing and to limit the length of time of the Disciplinary Hearing, the number of witnesses called, and the questions asked.
2. A Secretary to the Disciplinary Panel will be appointed by the Academic Registrar, or in the case of an FE student, by the Head of Further Education. The Secretary's role will be to correspond with the reported Student about the Disciplinary Panel Hearing, provide the relevant documentation to the Disciplinary Panel Members and take minutes at the Disciplinary Panel Hearing.
3. The Academic Registrar, or in the case of FE students, the Head of Further Education, will also appoint an advisor (this may be the Secretary) to the Disciplinary Panel whose role it will be to advise the Disciplinary Panel members on the Code and conduct of the Disciplinary Hearing.
4. The case against the reported student, including the evidence produced by the investigation, is presented to the Disciplinary Panel by the Investigating Officer. The student must be provided with all the evidence that will be relied upon by the Investigator in advance. The Investigating Officer may call witnesses to provide further evidence. The Chair of the Panel will determine the most appropriate means for the provision of this evidence taking into account the circumstances of the case, the best interests of all parties and having had due regard to the guidance documentation available to support panel members on this issue.
5. The Student shall have the opportunity to respond to the allegations and to the case as presented by the Investigating Officer and may call on relevant witnesses in support of their case. At least three working days advance notice needs to be provided to the Disciplinary Panel to arrange their attendance. Opportunity to respond to any information given by a witness (through the Disciplinary Panel) will be provided.
6. The Chair of the Disciplinary Panel may allow a witness or the Student to attend the Disciplinary Hearing online, or may make other adjustments to enable a witness to give evidence and respond to questions. In making any adjustments the requirement to ensure a fair hearing is critical. The Student must have the opportunity to be present during the whole hearing so that they can hear the case against them and have an opportunity to respond.
7. If witnesses do not or are unable to attend the Disciplinary Hearing, statements collected or received prior to the Disciplinary Hearing may be used in their absence at the discretion of the Chair of the Disciplinary Panel.
8. The Disciplinary Hearing may be adjourned at the discretion of the Chair of the Disciplinary Panel in the interests of fairness (for example if new evidence comes to light which could not have reasonably been disclosed in accordance with the prescribed timescales under the Code).
9. The Student and the Investigating Officer presenting the University's case shall have the opportunity to make final submissions to the Disciplinary Panel, which may include any statement the Accused Student may wish to make in mitigation.

10. The Student may admit to the allegation of Serious Misconduct at any time during the Disciplinary Hearing. Should this occur, the Chair of the Disciplinary Panel can decide to end the Disciplinary Hearing and move to the consideration of penalty or to continue with the Disciplinary Hearing.
11. Following the Disciplinary Hearing, members of the Disciplinary Panel will consider whether the allegation made against the Student has been proven on the balance of probabilities taking into account all of the evidence received and presented.
12. If the allegation has not been proven, the Chair of the Disciplinary Panel will write to the Student to confirm the outcome and the reasons.
13. If the allegation is considered to be proven, depending on the nature of the disciplinary offence, the Disciplinary Panel will decide on the appropriate penalty as set out in section 11.
14. The Chair of the Disciplinary Panel will notify the Student of the outcome of the Disciplinary hearing, the reasons for the decision and any penalty imposed within three working days of the Disciplinary Hearing. You will also be informed of your right to appeal under section 12.