



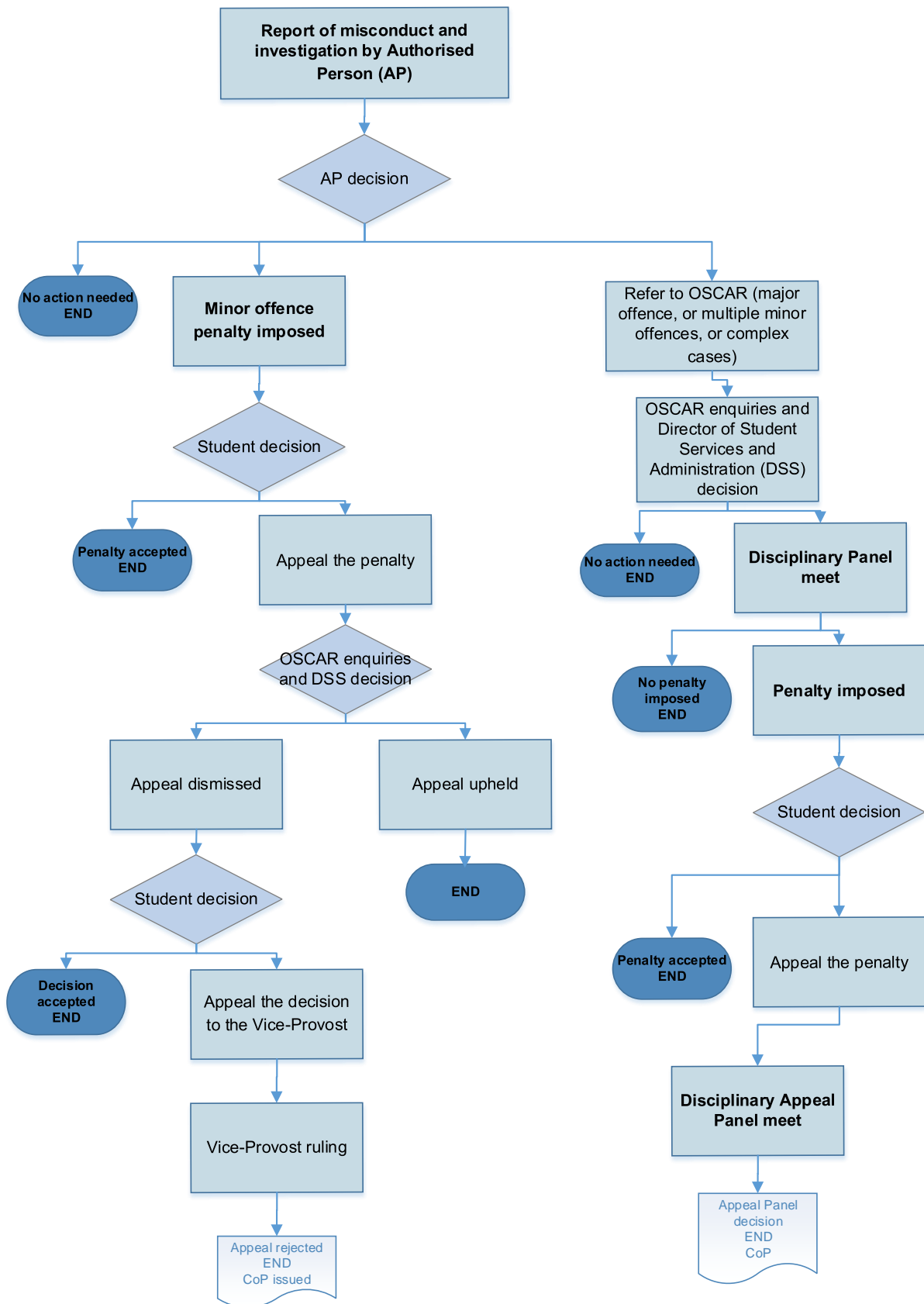
B3: Student disciplinary regulations

Academic year 2018/19

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Figure 1: Disciplinary procedures



Introduction and scope

1. These *Student disciplinary regulations* apply to the following students:
 - applicants to the University who have accepted an offer of a place (see Regulation 9 below)
 - those registered on the Foundation Year and award-bearing programmes delivered by the University; this includes new students who have been through the online registration process and have yet to complete the main registration process
 - those registered to study for the award of academic credit delivered by the University
 - those registered to study for non-credit bearing modules/courses and non-award-bearing programmes delivered by the University
 - those registered as a student with another organisation operating in collaboration with the University and using University facilities, for example, Surrey International Study Centre (SISC)

Students registered with one of the University's Associated and Accredited Institutions to study for an award of the University, do not come within the scope of these *Regulations* and are subject to the regulations of those institutions for disciplinary matters, or their equivalents.

2. Students who are subject to disciplinary proceedings will find it helpful to seek advice and support from the University of Surrey Students' Union.

Reasonable adjustments

3. Reasonable adjustments to the processes within these *Regulations*, including the extending of deadlines for student responses, will be made upon the production by the student of relevant third party evidence which demonstrates the need for those adjustments.

Exceptional circumstances

4. In exceptional circumstances it may be appropriate to amend the procedures set out in these *Regulations*, for example, where strict application of the *Regulations* would result in substantial unfairness to the student or the student is in some way at risk because of health or disability. Such cases will be rare and each will be treated on their own merits.

Responsibilities

5. Under University Statute 3, the President and Vice-Chancellor has general responsibility for ensuring the good order of the University. The discharge of responsibility for overseeing and managing student conduct is delegated by the President and Vice-Chancellor to:
 - Authorised Persons in respect of initial investigations of misconduct; and
 - Disciplinary Panels and Disciplinary Appeal Panels in respect of major offences which includes complex cases requiring further investigation and/or where legal representation is requested (see Regulation 17 below)

6. For the purposes of these *Regulations* Authorised Persons are:
- (i) where the misconduct occurs in Faculties, the relevant Executive Dean of Faculty or their nominee;
 - (ii) where the misconduct occurs in residential accommodation overseen by University Wardens and persons with equivalent roles, the Senior Warden, the Deputy Warden, other Wardens and persons with equivalent roles;
 - (iii) where the misconduct occurs in the Library, the Director of Library and Learning Support Services or their nominee;
 - (iv) where the misconduct occurs in University managed accommodation under a Headed Tenancy Scheme, the Director of Student Accommodation or their nominee;
 - (v) where the misconduct is in connection with parking on University premises, the Director of Traded Services and Business Support or their nominee;
 - (vi) where the misconduct is in connection with road traffic on University premises, the Head of Security or their nominee;
 - (vii) where the misconduct takes place on the University's licensed premises, the Licensees of those premises, including the Director of Catering Services and the Licensees of the University of Surrey Students' Union (USSU);
 - (viii) where the misconduct involves the University's computer systems, or misconduct on a social network (as defined in the [Student Social Media Policy](#)), the Chief Information Officer or their nominee;
 - (ix) for misconduct that occurs elsewhere on University premises, the Head of Security or their nominee;
 - (x) the misconduct that occurs off the University campus, the Head of Security or their nominee.

For serious and complex cases the initial investigation can also be carried out by the Head of Security or their nominee. In cases where there would be a conflict of interest for the named Authorised Person to investigate an instance of misconduct, the investigation will normally be carried out by the Head of Security or their nominee.

7. In these *Regulations* the term Authorised Person includes the Authorised Person's nominee.

The conduct the University expects of its potential students, students and staff

8. The University and Student Partnership Agreement sets out the general standards of conduct the University expects of its students. When students register or re-register to study with the University they agree to abide by its general Regulations, the regulations that apply to their programme of studies, any applicable local regulations (for example, the *Conditions of Residence*), and these *Regulations*, which further specify the acts of misconduct and offences that the University penalises (see Regulation 11 below). Students are responsible for the conduct of their visitors, including those they have expressly or impliedly invited onto the University's premises.
9. Applicants to the University who have accepted an offer of a place are expected not to behave in a way that, in the reasonable view of the University, might bring the University into disrepute, or is incompatible with the behaviours expected of the University community, particularly those referred to in the [Dignity at Work and Study policy](#). This might include behaviour while visiting the University, or attending a

University event, in correspondence with the University or behaviour towards current or prospective students and/or on social media. Conduct occurring between the period of an offer of a place to study at the University and enrolment, which comes to the attention of the University after enrolment, may therefore be considered misconduct under this policy.

10. The University expects its students and staff to uphold its regulations and to report infringements of its regulations to an Authorised Person.
11. The following list is illustrative of the acts that the University considers to be misconduct:
 - (i) a proven criminal offence and/or the failure to disclose charges and convictions when required to do so;
 - (ii) any conduct that brings, or could reasonably be anticipated to bring the University into disrepute or otherwise could reasonably be anticipated to lower the University in the estimation of a reasonable person;
 - (iii) disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University;
 - (iv) obstruction of, or improper interference with, the functions, duties or activities of any member of the University, or any visitor to the University;
 - (v) use of violent, indecent, disorderly, threatening, intimidating or offensive behaviour or language to any member of the University or visitor to the University;
 - (vi) harassment of any member of the University, or any visitor to the University;
 - (vii) causing damage or harm to members of the University, or any visitor to the University;
 - (viii) fraud, deceit, deception or dishonesty in relation to the University's regulations, policies and procedures, its members and visitors to the University;
 - (ix) theft, misappropriation or misuse of University property, or the property of the University's members or visitors;
 - (x) misuse or unauthorised use of University premises or University Managed Houses;
 - (xi) damage to University property, or University Managed Houses, or the property of the University's staff, students or visitors, caused intentionally or recklessly;
 - (xii) action or inaction likely to cause injury or impair safety on University premises or at University Managed Houses;
 - (xiii) failure to respect the rights of others to freedom of belief and freedom of speech;
 - (xiv) breach of a University code, rule or regulation which includes but is not limited to:
 - a Managed Exclusion Order (see [Regulations for Managed Exclusion Orders](#))
 - [Policy for the use of Captured Content](#)
 - [Misuse of Drugs by Students Policy](#)

- [Student Social Media Policy](#),
 - *Conditions of Residence*
 - Faculty regulations
 - [IT Acceptable Use Policy](#);
 - [University Traffic Regulations](#);
- (xv) failure to disclose personal details to a member of staff of the University in circumstances in which it is reasonable to require that such information be given;¹
- (xvi) a breach of the Students' Union Core Constitution or byelaws;
- (xvii) failure to comply with a reasonable instruction relating to prior disciplinary action, including the non-payment of fines;
- (xviii) being intoxicated and incapable;
- (xix) unreasonable conduct or behaviour which causes distress or inconvenience to neighbours and/or members of the local community.

Burden of proof

12. In student disciplinary matters it is for the University to show that it is more likely than not that the student committed the offence. The burden of proof switches to the student at the appeal stage.

Standard of proof

13. The standard of proof applied in student disciplinary matters is that of the balance of probability; that on the evidence put forward it is more likely than not that something was or was not the case.

Confidentiality and General Data Protection Regulations

14. The University deals with student disciplinary matters in confidence, to the extent that this is compatible with making enquiries and holding meetings to consider the matter. The University collects and processes a variety of personal data in order to fulfil relevant student Regulations (see the [Regulations web page](#) for a list of all Student Regulations). This personal data may be provided by the student or collected from other departments within the University or taken from publicly available sources such as social media. More detail on the types of data collected and how it is used to fulfil each Regulation can be found in the Student Regulations Privacy Notice, available at the above link. The University processes personal data for this purpose in its legitimate interests. Some Regulations will require the sharing of sensitive personal data (defined as "special category" data by data protection legislation). The University processes and shares special category data in the substantial public interest and only where it is necessary to enable the University to fulfil its duties of care to the student, other students, or to safeguard third parties. More detail on the types of data collected and how it is used to meet this need can be found in the Student Regulations Privacy Notice, available at the above link.

¹ Students of the University are required to give their names, their home and University addresses and to produce their identity card or other reasonable means of establishing both student status and identity, when asked to do so by any member of staff. The student identity card remains the property of the University. It must be produced by the student on demand and may be withdrawn at any time without notice.

Fitness to practise and the requirements of Professional, Statutory and Regulatory Bodies

15. Many of the University's programmes of study are subject to accreditation by Professional, Statutory or Regulatory Bodies (PSRBs). Some of these require the University to inform them where a student's conduct calls into question their fitness to work within a particular profession, including conduct that poses a threat to the well-being or safety of others. The University may also be required by its agreements with PSRBs to notify them of misconduct that calls into question the student's integrity, such as criminal acts (even when not notified to the police) or dishonesty.
16. Where the University takes action under these *Regulations* to deal with alleged misconduct or offences that are subsequently found to have occurred, it reserves the right to take separate action to deal with the same matter under its [*Regulations for fitness to practise*](#) and to use evidence compiled as part of a University disciplinary procedures in any fitness to practise hearing.

Legal representation

17. Where a student who is alleged to have committed an offence informs the relevant Authorised Person that they wish to be legally represented before the Authorised Person has made their decision, the Authorised Person refers the matter to the Office of Student Complaint, Appeals and Regulation (OSCAR). In such cases OSCAR will normally write to the student to inform them that the misconduct will be dealt with under the procedures relating to major offences, as set out in these *Regulations* and that the University will be similarly legally represented before the Disciplinary Panel. In these circumstances it may take longer to convene the Panel.

Minor offences

18. Where an Authorised Person is acquainted with or identifies matters of actual or possible misconduct under these *Regulations* they are required to make enquiries, including of the student, to establish whether, on the balance of probabilities, misconduct has taken place and whether any such misconduct constitutes a minor or major offence.
19. Where an Authorised Person has satisfied themselves that misconduct has taken place, that it constitutes a minor offence and that the offence has been committed by the student, they will inform the student of their decision and apply one or more of the penalties listed below as appropriate:
 - (i) a verbal warning;
 - (ii) a written warning advising the student about their future conduct;
 - (iii) a fine of any value up to £200, all or part of which may be suspended;
 - (iv) a penalty in the form of a temporary ban on entering any University premises for no more than 48 hours;
 - (v) a final written warning where a student has previously received a written warning or where the nature of the misconduct makes it appropriate;
 - (vi) confiscation without compensation, of items prohibited by local rules and regulation;
 - (vii) a requirement to move to a new University residence;
 - (viii) seizure and retention of items for a specified period for the purpose of maintaining the safety and wellbeing of others;

- (ix) a requirement to offer an apology;
 - (x) a requirement not to contact other individuals.
20. When the Authorised Person has made their decision on a matter they record their decision and the penalty imposed. They send one copy of the completed documentation to the student, one copy to OSCAR for its records, and retain a copy for their own records.
21. Penalties that are imposed by an Authorised Person in the form of fines are paid by students direct to the University through the University's on-line facility for fine payments or through the University's Cashiers. Fines are payable within 28 days of being levied.
22. Where an Authorised Person, having considered the information and evidence available to them, considers that matter requires more detailed investigation, or that the misconduct that has been identified might constitute a major offence, they will refer it to OSCAR. Repeated offences, including repetition of the same minor offence or an accumulation of different minor offences, may be dealt with by the University as a single matter that merits treatment as a major offence.
23. Under these *Regulations*, the imposition of a penalty or penalties by an Authorised Person shall not prevent the University from seeking to recover compensation from the student or students for the costs of any repairs to University property or University Managed Houses.

Appeal against a decision or a penalty imposed by an Authorised Person

24. Appeals against a decision and/or a penalty imposed by an Authorised Person must be made within 10 working days using the relevant form, which can be found on the OSCAR [web pages](#). Appeals against a penalty imposed by an Authorised Person that are received by OSCAR are dealt with by a Case Manager.
25. If an appeal is received after the 10 working day deadline the student will be asked to provide any good reasons as to why the appeal is late. The evidence will be considered by two OSCAR Case Managers who will determine whether the good reasons are valid. If the two Case Managers cannot come to an agreement a third Case Manager will be consulted and a majority decision will be made. A decision on the validity of the good reasons will normally be made within five working days of receiving the information. If the good reasons are not deemed valid the appeal will not be considered and the student will be offered a Completion of Procedures letter.² If there are valid good reasons the appeal will be accepted and assigned to an OSCAR Case Manager.

Grounds for making an appeal

26. When making an appeal against the imposition of a penalty by an Authorised Person, the student is required to show that they have evidence to demonstrate that one or more of the following grounds apply:
- that the Authorised Person failed to follow the University's regulations and/or procedures or failed to follow them with due care
 - that the Authorised Person has shown bias or prejudice towards the student in the way that they handled the matter that led to the imposition of the penalty

² A Completion of Procedures letter is a formal written statement issued by the University to a student to confirm that the student has exhausted the University's internal procedures. A Completion of Procedures statement is required before a student can refer a matter to the Office of the Independent Adjudicator.

- that relevant new evidence has become available that should be considered and there are valid reasons why it was not available to the Authorised Person at the time they imposed the penalty
- that the penalty imposed by the Authorised Person was not proportionate to the offence for which the student was penalised

Decision of the Director of Student Services and Administration

27. Where, after making enquiries, the Case Manager is able to show that there are sufficient grounds and evidence for the student's appeal against a penalty imposed by an Authorised Person to be upheld, the Case Manager writes to the Director of Student Services and Administration to make that recommendation. Where the Director is satisfied that this recommendation is sound they direct the Case Manager to write to the student and the Authorised Person, explaining the grounds for upholding the appeal.
28. Where, after making enquiries, the Case Manager finds that the student's appeal does not meet the criteria outlined in Regulation 26 above, and is not supported by evidence, they write to the Director of Student Services and Administration, setting out why the student's appeal should be dismissed. Where the Director is satisfied that this recommendation is sound, they direct the Case Manager to write to the student dismissing their appeal and explaining the grounds for the dismissal. The Case Manager's letter to the student also explains that they can appeal against this dismissal.

Challenging the dismissal of an appeal against a penalty imposed by an Authorised Person

29. Where a student's appeal against a penalty imposed by an Authorised Person has been dismissed by the Director of Student Services and Administration on the advice of OSCAR, the student may challenge the dismissal. The challenge must be submitted to the Vice-Provost (Education) via OSCAR within 10 working days of the student being notified of the dismissal of their original appeal.
30. If a challenge to a dismissal is received after the 10 working day deadline the student will be asked to provide any good reasons as to why the challenge is late. The evidence will be considered by two OSCAR Case Managers who will determine whether the good reasons are valid. If the two Case Managers cannot come to an agreement a third Case Manager will be consulted and a majority decision will be made. A decision on the validity of the good reasons will normally be made within five working days of receiving the information. If the good reasons are not deemed valid the challenge will not be considered and the student will be offered a Completion of Procedures letter. If there are valid good reasons the challenge will be accepted and assigned to an OSCAR Case Manager.

Grounds for making a challenge

31. When challenging the dismissal of an appeal the student is required to show that they have evidence to demonstrate that one of the following grounds applies:
- that OSCAR and/or the Director of Student Services and Administration failed to follow the University's regulations and/or procedures or failed to follow them with due care
 - that OSCAR and/or the Director of Student Services and Administration have shown bias or prejudice towards the student in reaching their finding
 - that relevant new evidence has become available that should be considered and there are valid reasons why it was not presented earlier

Investigating a challenge to the dismissal of an appeal against a penalty imposed by an Authorised Person

32. Where a challenge is received a different OSCAR Case Manager to that dealing with the appeal against a penalty investigates the matter and reports back to the Vice-Provost (Education). The penalty imposed by the Authorised Person remains in force until the Case Manager has completed their investigation and the Vice-Provost (Education) has ruled on the matter.
33. In their investigation, the OSCAR Case Manager reviews the evidence provided by the student and the grounds for their challenge. They may also meet the student to confirm the grounds for their challenge and the evidence they have put forward. The Case Manager provides a report of the investigation with recommendations for the Vice-Provost (Education) who considers the report and recommendations and makes a ruling.
34. The OSCAR Case Manager conveys the ruling in writing to the student, the Director of Student Services and Administration and other members of the University who need to know the outcome of the student's challenge, such as the Authorised Person who imposed the penalty. The letter of the Case Manager to the student also states that it is a Completion of Procedures letter for the student's challenge to the dismissal of their appeal against a penalty imposed by an Authorised Person and that the student can request a review of the University's decision by the [Office of the Independent Adjudicator](#).

Major offences

Enquiries and investigations

35. Disciplinary matters may be referred to OSCAR under the conditions described in Regulations 17 and 22 above. All such matters are assigned by OSCAR to a Case Manager, who will manage the matter and undertake the necessary enquiries.
36. In all cases referred to OSCAR matters are investigated fairly and enquiries are made in proportion to the seriousness of the matter. Enquiries should establish whether, on the balance of probabilities, misconduct has taken place.
37. While a matter is being dealt with by OSCAR the responsible Case Manager:
 - determines, with the advice of the Head of Security, whether a Managed Exclusion Order should be sought from one of the Vice-Provosts (see [Regulations for Managed Exclusion Orders](#))
 - handles the associated correspondence and contacts with the student and other parties to the case
 - makes enquiries into the circumstances of the matter and gathers written evidence and statements from the student, the relevant Authorised Person or Persons, and other parties with information that is directly relevant to the matter.

Misconduct, offences, and police or criminal proceedings

38. If in the course of their work and enquiries it becomes apparent to an Authorised Person or a Case Manager that an alleged misconduct may also constitute a criminal offence they will consult with the Director of Student Services and Administration and the Head of Security to determine whether the matter has been or needs to be referred to the police and whether to continue with their investigations.

39. Where the University and the police or other authorities are simultaneously enquiring into the same alleged misconduct the University will normally confer with the relevant authorities, subject to any general agreements that have been reached with the police. If, in such a matter it is stated to the University that to continue with its internal procedures will hinder or prejudice an investigation by the police, or criminal legal action, the University will normally suspend its own internal disciplinary action until advised by the police or the Crown Prosecution Service that their own proceedings have been concluded. A record of communications with the police or Crown Prosecution Service and the University will be kept by OSCAR.
40. Where the University can be confident that continuing its own internal student disciplinary procedures will not hinder or prejudice simultaneous police or criminal proceedings it will allow its own disciplinary action to take its course.

Role of the Director of Student Services and Administration in disciplinary proceedings

41. The role of the Director of Student Services and Administration in the University's disciplinary procedures is to act as a procedural gatekeeper on behalf of the University, to receive dossiers and recommendations compiled by OSCAR Case Managers relating to alleged misconduct and/or alleged offences.
42. When acting in their role as gatekeeper the Director of Student Services and Administration checks whether the University's *Regulations* and procedures have been followed, and whether the papers that comprise the dossier and the Case Manager's recommendation are sufficiently complete to enable the matter to be put before a Disciplinary Panel. When the Director of Student Services and Administration is satisfied that these conditions have been met, they certify that the matter be put before a Disciplinary Panel and authorise the Case Manager to make the necessary arrangements. This may include ensuring that the terms of any current Managed Exclusion Order in force enable the student, and any witnesses they have stated that they intend to call, to have access to the place where the hearing is to be held.

Disciplinary Panels

43. Disciplinary Panels are convened by OSCAR and conduct their business in accordance with the [Regulations for hearings by panel](#);

Membership of a Disciplinary Panel

44. The membership of a Disciplinary Panel comprises of three members from the pool of trained panel members as follows:
 - a senior member of academic staff (Chair)
 - a member of staff
 - a sabbatical officer or a student member nominated by the Students' Union

The Panel is supported by a member of OSCAR who is in attendance as Secretary to the Panel.

45. Members of a Disciplinary Panel should have no current academic or personal connection with the student (or students) considered by the Panel.

Findings and outcomes of a Disciplinary Panel

46. A Disciplinary Panel may come to one of three findings:
- (i) that no misconduct has been committed;
 - (ii) that the misconduct committed constitutes a minor offence;
 - (iii) that the misconduct committed constitutes a major offence.
47. Where a Disciplinary Panel has determined that misconduct by a student constitutes a minor offence the Panel may impose the penalties listed in Regulation 19 above.
48. Where a Disciplinary Panel has determined that the misconduct constitutes a major offence the penalties that it can apply are listed below:
- one or more of the penalties listed in Regulation 19 above, with or without one of more of the following:
 - that the student's right to University accommodation or University Managed Houses is temporarily or permanently revoked
 - that the student be excluded from all or parts of the University premises under Ordinance 6.3.1.2(a)
 - that the student be suspended for a defined period under Ordinance 6.3.1.2(b)
 - that the student be expelled under Ordinance 6.3.1.2(c)
 - a sanction permitted under the University of Surrey Students' Union bylaws
49. The penalty imposed by a Disciplinary Panel takes immediate effect.

Arrangements following a Disciplinary Panel

50. Following a hearing by a Disciplinary Panel the Secretary conveys the findings of the Panel to the student and all relevant parties in writing. The student is informed of their right to appeal against the findings of the panel within the specified time limit (see Regulation 53 below) and that, if they have no grounds to appeal (see Regulation 55 below), that they may request a Completion of Procedures letter.
51. A Panel decision remains in force until the outcome of any appeal is known.
52. Where a Disciplinary Panel has decided to exclude a student or expel them, and the student lodges an appeal against the Panel's findings and its penalty within 10 working days, the Director of Student Services and Administration may seek a Managed Exclusion Order from a Vice-Provost. The duration of the Order will be no longer than is reasonably required for the University to arrange a hearing by a Disciplinary Appeal Panel and the student to prepare for the hearing. The conditions attached to the Managed Exclusion Order will acknowledge the student's need to be able to prepare for and attend the hearing. In these circumstances the student has no right of appeal against the imposition of the Managed Exclusion Order.

Appeal against the findings and outcomes of a Disciplinary Panel

53. Students making an appeal against the findings and/or penalty made by a Disciplinary Panel do so by completing the relevant form which can be found on the OSCAR [web pages](#). Appeals must be received by OSCAR within 10 working days of the Panel conveying its findings to the student in writing. If the appeal is received on time it will be assigned to an OSCAR Case Manager.

54. If an appeal is received after the 10 working day deadline the student will be asked to provide any good reasons as to why the appeal is late. The evidence will be considered by two OSCAR Case Managers who will determine whether the good reasons are valid. If the two Case Managers cannot come to an agreement a third Case Manager will be consulted and a majority decision will be made. A decision on the validity of the good reasons will normally be made within five working days of receiving the information. If the good reasons are not deemed valid the appeal will not be considered and the student will be offered a Completion of Procedures letter. If there are valid good reasons the appeal will be accepted and assigned to an OSCAR Case Manager.

Grounds for making an appeal

55. When making an appeal the student is required to show that they have evidence to demonstrate that one or more of the following grounds apply:
- that the Panel failed to follow the University's regulations and/or procedures or failed to follow them with due care
 - that the Panel has shown bias or prejudice towards the student in reaching its findings or imposing the penalty
 - that relevant new evidence has become available that should be considered and there are valid reasons why it was not available to the Panel at the time
 - that the decision of the Panel was unreasonable and/or the penalty was not proportionate in all of the circumstances

Investigations by OSCAR

56. When OSCAR receives an appeal against the findings and/or penalty imposed by a Disciplinary Panel the Case Manager checks whether:
- the appeal has identified the grounds on which it has been made
 - the grounds are consistent with Regulation 55 above
 - the grounds are supported by relevant evidence
57. The Case Manager consults with a second Case Manager and if at least one agrees that the appeal meets the requirements set out in Regulation 55 above a Disciplinary Appeal Panel will be convened.
58. Where both of the Case Managers consider that the appeal does not meet any of the requirements set out in Regulation 55 above the appeal will be dismissed and the Case Manager will write to the student explaining the grounds for the dismissal and that this communication constitutes a Completion of Procedures letter.
59. Where OSCAR has requested the student to provide additional information and the student fails to do so within 10 working days of the request being sent to the student's University email address, the student will be sent a further reminder and warned that their appeal will be closed if a response is not received within a further calendar month.
60. Where OSCAR or the Director of Student Services and Administration considers that an appeal appears vexatious or malicious they refer the matter for review to the University Secretary and General Counsel.³ Following review, if it is decided that the

³ The Office of the Independent Adjudicator defines examples of vexatious appeals as including: those that are obsessive, harassing or repetitive; insistence on pursuing non-meritorious appeals and/or unrealistic, unreasonable outcomes; insistence on pursuing meritorious appeals in an

appeal is vexatious or malicious, the University Secretary may direct that the appeal is dismissed. OSCAR will inform the student and issue a Completion of Procedures letter. The outcome of the University Secretary's review could also result in further disciplinary action.

Disciplinary Appeal Panels

61. Disciplinary Appeal Panels are convened by OSCAR and conduct their business in accordance with the [Regulations for hearings by panels](#).

Membership of a Disciplinary Appeal Panel

62. The membership of a Disciplinary Appeal Panel comprises of three members from the pool of trained panel members as follows:

- the Vice-Provost (Education) or their nominee (Chair)
- a member of staff
- a sabbatical officer or a student member nominated by the Students' Union

The Appeal Panel is supported by a member of OSCAR who is in attendance as Secretary to the Appeal Panel.

63. Members of a Disciplinary Appeal Panel should have no current academic or personal connection with the student (or students) considered by the Appeal Panel. Members of the Appeal Panel should have had no connection with the Disciplinary Panel that previously heard the matter.

Findings and outcomes of a Disciplinary Appeal Panel

64. A Disciplinary Appeal Panel may come to one of six findings:
- (i) that the findings of the Disciplinary Panel should be confirmed and the appeal dismissed;
 - (ii) that a penalty imposed by the Disciplinary Panel should be varied;
 - (iii) that there has been a failure to follow the University's regulations and/or procedures or to follow them with due care such as to deny the student a fair hearing;
 - (iv) that there was bias or prejudice towards the student in the way the Disciplinary Panel reached its findings or in other aspects of the disciplinary procedure;
 - (v) that relevant new evidence that was not available to the Disciplinary Panel at the time for valid reasons should be taken into account;
 - (vi) that the decision of the Disciplinary Panel was unreasonable and/or that the penalty was not proportionate with the evidence presented in all of the circumstances.
65. Where the finding is as in (iii), (iv), (v) and/or (vi) above the Disciplinary Appeal Panel may:
- direct that the matter be heard anew by a differently constituted Disciplinary Panel
 - substitute the findings of the Disciplinary Panel with its own findings

unreasonable manner; appeals which are designed to cause disruption or annoyance; demands for redress which lack any purpose or value.

- or, where the unfairness to the student is extreme, nullify the findings of the Disciplinary Panel, end the disciplinary procedure and, if relevant, reinstate the student
66. Following a hearing by a Disciplinary Appeal Panel the Secretary conveys the findings of the Panel to the student and all relevant parties in writing. The Secretary's letter also states that it constitutes the completion of the University's procedures and that the student can request a review of the University's decision by the [Office of the Independent Adjudicator](#).

Intermediate exit award

67. Where a student's registration is terminated as a result of a Disciplinary or Disciplinary Appeal Panel hearing, the Director of Student Services and Administration ensures that the student receives any intermediate exit award to which they are entitled and a copy of their transcript or its equivalent.

Records of Disciplinary Panel and Disciplinary Appeal Panel hearings

68. Information on the student's disciplinary offence and any penalty imposed by the University will be included on the student's record but will not be divulged on transcripts or references.