

Student Disciplinary Procedure

Applicable from September 2025 to present

Title: Student Disciplinary Procedure					
Version	Issue Date	Revision description	Author	Approved by & date	Next review date
1	Sept 2025	Separation of student disciplinary procedure from regulation for conduct for students and removal of support to study appeals from this procedure, to align with support to study procedure.	Mandy Dunbar	Students and Teaching Committee July 2025	May 2026

Purpose of procedure	To detail the procedure applied when responding to reports of breaches of the Regulation for the Conduct of Students, and for students on professionally regulated programmes the Fitness to Practise Procedure.
Internal services involved in authorship & implementation	Student casework
Related University regulations, policies & guidance	Regulation for the Conduct of Students Student casework risk assessment guidance
Guidance lead	Mandy Dunbar & Charlotte Lawrence
Equality impact assessment date	Equality Impact Assessment (EIA)
Data protection impact assessment date	Information Governance - Home

1. Introduction

1.1. The University of Lancashire is committed to creating a safe and inclusive environment, where all members of our diverse community can feel a sense of belonging, and where everyone can feel safe and supported and can flourish in education, at work and for life.

1.2. The University will not tolerate any form of inappropriate or harmful behaviour. The University's Regulation for the Conduct of Students sets out the University's expectations for behaviours.

1.3. This Procedure is designed to support the implementation of the Regulation of Conduct for Students and should be read alongside. It sets out the pathways for concerns to be raised and the process that will be followed.

1.4. The University is committed to creating a positive culture where students and staff understand that any form of unacceptable behaviour will not be tolerated, and where they feel confident to make a report in the knowledge that the University will take appropriate action.

1.5. All references in this Procedure to a named post-holder include their appointed nominee.

2. Purpose

2.1. This Procedure forms part of the University's suite of regulations, policies and procedures. It is designed to implement the University Regulation for the Conduct of Students.

2.2. If the responding person is a student registered on a professionally regulated course, the Dean of School will be consulted to determine whether and when the Fitness to Practise Procedure should be initiated.

2.4. If the responding person is a member of University staff, a member of staff at a placement organisation, a person whose services have been contracted by the University or a visitor to the University, the report will be progressed in line with the Student Complaints Procedure in consultation with the People Team, where appropriate.

2.5. If the responding person is not associated with the University, we will not be able to invoke our internal procedures but can still provide support and facilitate access to relevant external agencies.

3. Freedom of Speech

3.1. In applying all of its policies, the University will have particular regard to, and place significant weight on, the importance of freedom of speech within the law,

academic freedom and tolerance for controversial views in an educational context and environment.

3.2. This Procedure will be interpreted and applied in a manner compatible with the University's Code of Practice to ensure Freedom of Speech ("Code"). The Code sets out the University's values relating to freedom of speech, the procedures to be followed by staff, students and members of the University when arranging events on University-controlled premises, the University's expectations regarding conduct at such meetings and the criteria the University uses when considering event approval.

3.3. We will support freedom of speech in line with the Code, particularly in relation to the content and delivery of teaching and research which is unlikely to constitute harassment even where it is controversial and which, for academic staff, is protected by the right to academic freedom. No member of academic staff will be subject to disciplinary action as a consequence of exercising their right to freedom of speech or academic freedom within the law.

3.4. For the avoidance of doubt, if there is a conflict between this Procedure and the Code, the Code will prevail.

4. Scope

4.1. This Procedure applies to any student from enrolment to award or exit from the University, following any course of study including taught courses, postgraduate research degrees, apprenticeships, short courses, continuous professional development activities and distance learning courses, including both credit bearing and non-credit bearing programmes.

4.2. If a student withdraws from the University part way through a disciplinary process under this Procedure, the University has the right to continue that process, or where a disciplinary issue is discovered after a student has left, to hear that process in full and reach a conclusion. The outcome would be considered if the student applied to return for further study.

4.3. Where the alleged misconduct may also constitute a criminal offence and has been reported to the police, the University will normally defer action under this Procedure until any police investigation or prosecution has been concluded. The University will endeavour to keep in touch with the students involved and with the police during the investigation or prosecution.

4.4. The University will make reasonable adjustments to this Procedure if required by a student's inclusivity needs or for other good reason.

4.5. Students enrolled for a University award at a partner institution who wish to share or report the behaviour of a student or member of staff at that institution should pursue the matter in line with the partner institution's procedure. If Students

can access a list of the different partners here. [Discover UCLan's network of UK Partner Institutions](#)

5. Student Support and Representation

5.1. The University is committed to supporting any students who are affected in terms of reporting, witnessing or responding to allegations of misconduct.

5.2. Expert advice and support including support for personal wellbeing and access to internal and external specialist services is available from Student Services.

5.3. Independent advice, support and advocacy is available from the Students' Union Advice and Representation Centre.

5.4. Students are encouraged to seek support at all stages of the process.

5.5. This Procedure is intended to be fair and to comply with the rules of natural justice. It is not a formal court process, and therefore should not be adversarial or overly legalistic, and there is no need for anyone to have formal legal representation.

5.6. Any student who is involved in this Procedure is entitled to be accompanied by a person of their choosing, for example, this may be a friend, family member or students may choose a member of the Students' Union Advice and Representation Centre. There is no objection if that person happens to be legally qualified, so long as they understand and respect the nature of the process and do not adopt an overly adversarial or legalistic stance.

5.7. Students must notify the Student Casework Team at least 2 days in advance of the meeting of the name and designation of the person who will accompany them.

6. Timescales

6.1. Reports of student misconduct will be dealt with in a timely manner that is proportionate to the seriousness and complexity of the case.

6.2. Cases will normally be resolved no longer than 90 calendar days from the receipt of the report by the Student Casework Team, as recommended by the OIA. There may be circumstances when, for good reason, the University will need to extend the timescales set out in this Procedure, for example if the police or another third party is involved. When this is the case, all interested parties will be informed of any delay and the reasons and will be kept regularly updated about progress.

6.3. The Student Caseworker will maintain communication with all parties throughout the handling of a case. An update on progress will normally be given every two weeks or in the event of any significant development in the case. This may involve sharing information where it is appropriate to do so.

7. Mediation

7.1. Mediation is a method of dispute resolution that brings the parties together with a neutral third person (the mediator) to facilitate communication with the aim of helping to find a solution. It is a voluntary process that requires the consent of all parties. Many misunderstandings or disputes can be resolved quickly and confidentially via mediation, without invoking the formal disciplinary process.

7.2. Although it is not suitable for everybody or for all forms of dispute, mediation may help to resolve some issues, for example, where a disagreement has arisen between students working together in class or living in the same accommodation.

7.3. Where a report of misconduct is made, the Student Caseworker may recommend mediation, or any of the parties involved may request mediation at any stage. The Student Caseworker will liaise with the University Mediation Clinic to determine whether the matter is suitable and, if so, what the arrangements will be.

8. Procedure

8.1. Incidents of inappropriate behaviour should, wherever possible, be dealt with informally by discussion between the responding student(s) and the relevant member of staff from the School. Students may be advised or informally warned about their behaviour and the potential consequences and may be signposted to support services. Where it is not appropriate for the member of staff to do this, the matter should be referred to the Dean of School.

8.2. In urgent situations where it is necessary to protect the safety of anyone attending the University, a member of staff may ask the Executive Director of Academic Registry (via the Head of Security) to immediately suspend or partially exclude a student as an interim precautionary measure (see section 9 below), pending formal action under this Procedure.

8.3. Allegations of misconduct should be submitted in writing to the Student Casework Team StudentCasework@lancashire.ac.uk. The written allegation should include a chronology of the alleged incident(s) including times and dates, together with any supporting evidence, such as screenshots, e-mails or witness statements. If the police have been involved, the report should include the crime reference number and the details of any action taken to date by the police.

8.4. The details provided by anyone making a report of misconduct will be shared with the responding student, to enable a full and fair enquiry. If permission is not given for information to be shared, the case may not be able to proceed. In exceptional circumstances where there is a clear risk of harm, the Executive Director of Academic Registry may agree to vary this position.

8.5. The Executive Director of Academic Registry and/or Dean of School will undertake an initial assessment of the allegation to determine the appropriate course of action. In serious, complex or sensitive cases (such as allegations of criminal or sexual misconduct), a risk assessment meeting (section 10) may be

convened comprising the Executive Director of Academic Registry and representatives from the School(s), Student Wellbeing Services and the Student Casework Team to decide on the appropriate course of action.

8.6. Potential courses of action may include one or more of the following:

- a. that there is no case to answer and no action should be taken
- b. that some form of alternative, informal resolution should take place
- c. that the matter should be referred to an alternative University procedure, such as the Academic Misconduct Procedure, the Fitness to Practise Procedure or the Support to Study Policy & Procedure
- d. that the matter should be referred for action at Stage 1 of this Procedure
- e. that the matter should be referred to a Stage 2 Disciplinary Interview
- f. that the matter should be referred to a Stage 3 Disciplinary Hearing
- g. that an investigation is required because there is a dispute about the facts or further information is required
- h. that interim precautionary measure(s) should be put in place
- i. that the matter should be dealt with summarily, where there is evidence that the incident occurred and where the student agrees to sign a statement of acceptance.

9. Interim precautionary measures

9.1. The Executive Director of Academic Registry or the Director of Student Services may decide to put interim precautionary measures in place where:

- a. the responding student is alleged to have committed serious misconduct
- b. the responding student is subject to an investigation by the police or other relevant authority or has a criminal charge pending against them
- c. there are significant concerns regarding the responding student's health, safety or wellbeing and/or they are putting themselves or others at risk.

9.2. Interim precautionary measures imposed on the responding student may include one or more of the following:

- a. that the responding student signs an undertaking of good conduct with the interim precautionary conditions
- b. no contact with specified other student(s), either directly or indirectly via any means including social media
- c. restrictions from accessing specified parts of the University e.g. sports facilities or studio spaces
- d. permitting access to buildings or facilities e.g. the Library only at specified times
- e. relocation to alternative accommodation, where possible
- f. a temporary exclusion from engaging in any University activity e.g. acting as a student ambassador
- g. a temporary exclusion from a club or society
- h. restrictions on engaging with learning activities e.g. that the student can only participate online or via recordings

- i. a partial suspension e.g. where the student is prohibited from entering University premises and engaging with specific activities, but is permitted to engage with studies remotely
- j. a full suspension which prohibits the student from entering University premises or engaging with any University activity and may include the withdrawal of network access.

9.3. Interim precautionary measures are intended to secure the safety, wellbeing and academic integrity of all parties involved whilst an internal or external investigation is carried out. They are not intended to be punitive and do not indicate that the University has made a finding of wrongdoing.

10. Risk assessment

10.1. A Risk Assessment will normally be conducted where the Executive Director of Academic Registry or the Director Student Services is minded to put interim precautionary measures in place.

10.2. The Student Caseworker will arrange for the Risk Assessment to be carried out within a suitable timeframe. Serious cases will be dealt with as a matter of urgency, whilst other cases will normally be assessed within 5 working days.

10.3. The membership of the Risk Assessment Panel will be determined by the Student Caseworker depending on the nature of the report and the parties involved, and will normally include:

- a. The Executive Director of Academic Registry, who will normally act as Chair
- b. A senior representative from the School of the responding student(s)
- c. A representative from Student Wellbeing Services
- d. A representative from the Student Casework Team

10.4. The Risk Assessment Panel may co-opt additional members if required, including external stakeholders. All members of the Risk Assessment Panel will have received appropriate training, and the University will aim as far as possible, to ensure the diversity of members.

10.5. The Risk Assessment Panel will convene in private session to consider:

- a. Potential risks and any appropriate and proportionate interim precautionary measures to mitigate those risks and secure the situation until the disciplinary process has been concluded.
- b. Support needs for the responding student and any other students involved, from a safety, wellbeing and academic perspective. Where appropriate, arrangements will be made for a student to access support services at a distance.
- c. Whether the circumstances of the case require a referral to an alternative University procedure, for example, the Fitness to Practise Procedure or Support to Study Policy & Procedure.
- d. Whether the circumstances of the case require referral to an external agency, for example the police.

10.6. The Risk Assessment Panel will act fairly in seeking to balance the rights of everyone involved and to minimise the impact on their University life, work and studies, as far as possible, during this period.

10.7. The outcome of the Risk Assessment including any interim precautionary measures will be reviewed regularly and updated as necessary. A review will take place every 4 weeks or in the light of any developments in the internal or external investigation if this occurs sooner. The responding student is responsible for informing the University of the outcome of any external proceedings with suitable official documents. Where external proceedings may take an extended period to conclude, a formal interruption of studies may be put in place.

10.8. Following the Risk Assessment, the responding student will normally be invited to a meeting with the Executive Director of Academic Registry. If the matter is being investigated by the police, the Student Caseworker will consult with the police regarding contacting the responding student, so as not to compromise the police investigation.

10.9. The responding student will be given:

- a. a written summary of the allegation
- b. details of the interim precautionary measures that have been agreed as a result of the Risk Assessment
- c. information about the process, the potential outcomes and what will happen next
- d. information about support for their wellbeing and support to enable them to participate fairly in the process.

10.10. There will be an opportunity for the responding student to ask questions about the process and to make representations about the interim precautionary measures if they consider that these might have a disproportionate impact on their University life, work or studies. The measures will be reviewed in the light of any such representations. It will not be appropriate to discuss the allegation of misconduct at this meeting, as there will be an opportunity for this during the full disciplinary investigation.

10.11. The Student Caseworker will contact any reporting student and/or affected member of staff to inform them of any interim precautionary measures and any support arrangements that have been put in place to protect and support them whilst the investigation is carried out.

10.12. The Student Wellbeing Team will make direct contact with any other students affected by the incident to make them aware of support services, as agreed at the Risk Assessment.

11. Investigation

11.1. An investigation will be carried out in serious, complex or sensitive cases (for example those involving allegations of harassment or sexual misconduct), where there is a dispute about the facts, and/or where further information is required.

11.2. Students must be enrolled on a programme of study. Investigations cannot proceed if a student is on an interruption to study or has withdrawn from the University

11.3 The findings of an investigation carried out under the Fitness to Practise Procedure or the Procedure for Reporting and Responding to Incidents of Harassment, Sexual Misconduct and Domestic Abuse may be used in place of an investigation under this Procedure.

11.4. One or more Investigating Officers will be appointed, depending on the nature and complexity of the case. They will normally be designated members of University staff who have not been involved with the parties or the alleged incident, and who have received appropriate training. Exceptionally, an external Investigating Officer may be appointed where a Risk Assessment Panel decides that this would be appropriate.

11.5. The Student Casework Team will support the investigation to advise on process and ensure that a record is taken.

11.6. The purpose of the investigation will be:

- a. to provide the responding student and anyone else involved with a full and fair opportunity to explain their version of events; and
- b. to establish the facts about the circumstances giving rise to the allegation of misconduct.

11.7. The investigation is an evidence-based process. It will not consider whether the allegation of misconduct is justified, but whether there is evidence that it is more likely than not that misconduct has occurred. The Investigating Officer(s) will act fairly and will gather all relevant evidence.

11.8. All students involved in an investigation will be entitled to be accompanied for support by a friend or advisor who is not involved as a witness in the case. The role of the accompanying person will be to provide support. Students will normally be required to give their own account of events and to respond to questions.

11.9. The Investigating Officer(s) will determine the scope of the investigation which will be proportionate to the seriousness and complexity of the case. This will normally involve:

- a. meeting with the person who reported the alleged misconduct to hear their account of events and to identify any witnesses or other evidence which may be relevant to the case

- b. meeting with the responding student who will be asked to give their version of events and comment on the evidence, and to identify any witnesses or other evidence which may be relevant to the case
- c. inviting any witness(es) to attend an interview or to provide a written statement
- d. collating and reviewing relevant evidence, for example statements, screenshots, security reports or CCTV footage.

11.10. All those interviewed will be reminded of the need to maintain confidentiality and will be informed that any evidence they give will normally be shared with the responding student, in the interest of fairness and natural justice.

11.11. The Investigating Officer(s) will provide a safe, comfortable and supportive environment for all parties to discuss the alleged incident(s), with opportunities for breaks if required. A welfare check will be conducted at each meeting to ensure that all students involved are aware of the support services available for them in the University.

11.12. The Investigating Officer(s) may consult with external parties to obtain specialist advice as required, whilst maintaining confidentiality wherever possible.

11.13. The University will aim to conduct the investigation in a timely manner and normally within 4 weeks, although this period may be adjusted depending on the complexity of the case. The Investigating Officer(s) will draw up a timeline and will inform the responding student and any reporting student and/or member of staff of the proposed timescale for the investigation. Where there is an unavoidable delay, this will be communicated with the reasons and a revised timeframe.

11.14. The notes of meetings will be sent to the interviewees within 5 working days of the interview and they will have the opportunity to make any comments. Any comments will be incorporated or held on file alongside the original notes.

11.15. The Investigating Officer(s) will prepare a report of their findings for the Executive Director of Academic Registry. This will normally include:

- an overview of the alleged behaviour.
- a chronology of events.
- a summary of the case including those facts which have been established and any points which remain in dispute.
- any mitigating factors, for example, any health condition which may have affected the behaviour.
- any aggravating factors, for example, if the responding student failed to co-operate with the investigation.
- details of the provision(s) of the Code of Conduct which are alleged to have been breached.

11.16. Copies of all interview summaries, statements and other evidence, such as emails, screenshots or security reports, will be cross-referenced and included as appendices. Any information that is not relevant to the case or otherwise confidential will be redacted.

11.17. The Executive Director of Academic Registry will determine the appropriate course of action in line with section 8.6 above.

12. Stage 1: Informal meeting

12.1. Where the Executive Director of Academic Registry or Dean of School considers that there has been a breach of the Code of Conduct, but that the misconduct is minor in nature or there are mitigating factors, they may arrange for the responding student to attend an informal meeting with a senior member of staff. This may take place with or without an investigation depending on the complexity of the allegation.

12.2. The invitation letter will include a summary of the alleged misconduct. Copies of any available supporting evidence will be shared at the meeting. The student will have the opportunity to respond at the meeting and will be made aware of the expected standards of behaviour and the availability of support services.

12.3. The outcome of the meeting will be recorded in a pre-regulatory warning letter, and the student may also be required to sign an undertaking of good conduct, which may include conditions such as a requirement to have no contact with another student(s) or to formally reflect on the impact of the behaviour. An undertaking of good conduct will remain on the student's record for the duration of their time at the University.

12.4. It will be made clear to the student that failure to adhere to the undertaking of good conduct may lead to formal action under this Procedure. The letter and the undertaking will be placed on the student's file and may be referred to if there are further concerns about the student's conduct.

12.5. Other potential outcomes at Stage 1 of the Student Disciplinary Procedure are that the case is dismissed due to insufficient evidence or grounds to progress, or that informal advice and guidance is given.

12.6. If the student does not attend the Stage 1 informal meeting without good reason or declines to sign an undertaking of good conduct, the senior member of staff may decide to issue a pre-regulatory warning letter in the student's absence or to refer the matter to a Stage 2 disciplinary interview (see section 13).

13. Stage 2: Disciplinary Interview

13.1. Where the alleged misconduct, if proven on balance of probabilities, is likely to incur a sanction up to and including a final written warning, the matter will be

referred to the Dean of School. The responding student will be required to attend a Disciplinary Interview with the Dean of School.

13.2. The responding student will normally be given at least 2 working days' notice of the date, time and place of the Disciplinary Interview and may be accompanied as set out in section 5.6. The responding student will be provided with details of the allegation prior to the interview and will be informed of the potential outcome(s). Copies of supporting evidence will be shared with the responding student.

13.3. The Dean of School may invite relevant members of staff from the School or University services to attend the Disciplinary Interview to present details of the alleged misconduct or provide advice. Representatives of the Student Casework Team will be present to advise on the process and take formal notes of the Interview.

13.4. The purpose of the Disciplinary Interview will be to discuss the alleged misconduct in the context of the University's Rules, Regulations, Codes, Policies and Procedures. The student will have the opportunity to respond to the allegation and will be made aware of the expected standards of behaviour and the availability of support services.

13.5. The Dean of School may impose any of the following outcomes:

- a. that there are no grounds for concern and the case should be dismissed
- b. that any of the penalties in section 17 be applied (except for suspension, withdrawal or expulsion)
- c. to recommend to the Executive Director of Academic Registry that further investigation is necessary
- d. to recommend to the Executive Director of Academic Registry that interim precautionary measures are put in place, pending further action under this Procedure
- e. that the matter is more serious than first thought and should be referred to a Disciplinary Hearing (see section 14).

13.6. If the student does not attend the Disciplinary Interview without good cause, the Interview may proceed and any of the above outcomes may be imposed in the student's absence.

14. Stage 3: Disciplinary Hearing

14.1. Where the alleged misconduct is of a serious nature and may, if proven, incur a sanction up to and including expulsion, the matter will be referred to be heard at a Disciplinary Hearing by a Disciplinary Committee comprising:

- a. the Vice-Chancellor's nominee (Chair)
- b. a senior member of staff who will normally be an Associate Dean or Head of Service
- c. a student member who will normally be an elected officer of the Students' Union.

14.2. The Disciplinary Committee may co-opt additional members and/or seek specialist advice where required, including from external parties, whilst maintaining confidentiality wherever possible.

14.3. Members of the Disciplinary Committee will be selected on the basis that they have had no direct interest or previous involvement in the case and have received relevant training. The University will aim as far as possible to ensure the diversity of members.

15. Notice of Disciplinary Hearing

15.1 Arrangements for a Disciplinary Hearing will be made by the Student Casework Team. The responding student will be given at least 5 working days' notice of the Disciplinary Hearing.

15.2. The notice will include the following:

- a. a clear statement of the allegation
- b. the time, date and location of the Hearing
- c. the responding student's right to be accompanied by any one person for support who may be a Students' Union Advisor
- d. the responding student's right to bring forward any additional evidence including witness statements (witnesses may be invited to give evidence in person at the discretion of the Chair of the Disciplinary Committee)
- e. a copy of the investigation report, Disciplinary Interview notes where relevant, or other documentation that will inform the Hearing
- f. details of independent advice services and wellbeing support services
- g. the names of the Disciplinary Committee members and other parties present at the Hearing
- h. the potential outcomes of the Hearing
- i. a link to the Student Disciplinary Procedure.

15.3. The responding student will normally be expected to attend the Disciplinary Hearing. If they do not attend without good reason, the evidence will be considered, and a decision made in their absence.

16. Protocol for a Disciplinary Hearing

16.1. The following protocol will normally apply at a Disciplinary Hearing:

- The Chair will invite all those present to introduce themselves and confirm their role in the Hearing, explain the purpose of the Hearing and the order of events, and confirm the potential outcomes and the standard of proof (on balance of probabilities).
- The Dean of School/Investigating Officer will present the case on behalf of the University.
- The Chair, members of the Disciplinary Committee and the responding student (or representative) will have the opportunity to question the Dean of School/Investigating Officer.

- The responding student (or representative) will present their response.
- Witnesses will be invited to give evidence where applicable and if previously agreed by the Chair.
- The Chair, members of the Disciplinary Committee and the Dean of School/Investigating Officer will have the opportunity to question the responding student and any witnesses.
- The Chair and members of the Disciplinary Committee may ask questions of either party at any stage during the Hearing.
- Summing up by the Dean of School/Investigating Officer.
- Summing up by the responding student (or representative).
- The Disciplinary Committee may retire to consider the outcome, or seek further information, and/or adjourn to a later date.
- The responding student and any representative or witnesses and the Dean of School/Investigating Officer will withdraw while the Disciplinary Committee deliberates the issue. The Student Caseworker will stay but has no voting rights.

16.2 The Disciplinary Committee will decide whether the allegation is proven based on the facts and the evidence presented. The civil standard of proof will apply, which is that 'on a balance of probabilities', the facts of an allegation are more likely than not to have happened. In cases of criminal conduct, the findings of fact and certification of conviction of any UK or International Criminal Court will be taken as proof that the allegation is proven.

16.3. Where the allegation relates to a breach of the University's Policies on Harassment, Sexual Misconduct or Domestic Abuse, the reporting student will usually be required to attend the Hearing unless this would have a detrimental impact on their health and wellbeing. Arrangements can be made for them to give evidence in a safe place and for any questions by or on behalf of the responding person to be filtered through the Chair.

16.4. The reporting student may also submit an impact statement to be considered by the Disciplinary Committee. This will be read out by a member of the Student Casework Team at the end of the Hearing after a decision has been made on the allegation and will be taken into account in deciding on the sanction(s).

16.5. The Disciplinary Committee will decide on a sanction(s) that satisfactorily addresses the misconduct, having due regard for: the seriousness of the misconduct; the interests of the wider University community including any reporting student; any mitigating or aggravating factors; any previous findings of misconduct, which will normally only be disclosed by the Student Caseworker before a decision on the sanction is made; and the degree to which any misconduct is of a persistent nature. A Disciplinary Committee may decide to expel a student on the grounds of the severity of one act of misconduct or where there has been persistent misconduct giving rise to an unsatisfactory disciplinary record.

16.6. The Disciplinary Committee will decide on the effective date and duration of the sanction(s).

16.7. The responding student will normally be informed verbally of the outcome immediately following the Hearing and subsequently in writing within 5 working days of the Hearing. The written confirmation will include a summary of the reasons for the decision and information on the Appeals Procedure.

16.8. If the responding student does not comply with any sanction(s) within the stipulated timeframe, the matter will be referred to the Executive Director of Academic Registry for consideration.

17. Sanctions

17.1. If the alleged misconduct is admitted by the responding student or is found to be proven, the decision may be made to impose one or more of the following sanctions (mitigations may be considered in establishing the level of sanction to be applied):

- a. to require an apology, either verbally or in writing to any person affected by the responding student's actions.
- b. to issue an informal, pre-regulatory warning to the responding student with advice as to future behaviour and the consequences of further misconduct.
- c. to require the responding student to sign an undertaking of good conduct which will remain on the responding student's record for the duration of their time at the University.
- d. to issue a written reprimand which will normally be held on the responding student's record for up to 12 months.
- e. to issue a final written warning which will normally be held on the responding student's record for the duration of their studies.
- f. to require the responding student to pay costs for any damages and/or losses incurred by the University or any third party as a consequence of their actions.
- g. to withdraw specified services and/or exclude the responding student from particular areas of the University e.g. the Library, for a specified period of time, normally up to the end of the semester; where appropriate, alternative reasonable arrangements will be made to facilitate their on-going studies.
- h. to give notice to the responding student to vacate University-owned accommodation in line with the Conditions of Residence.
- i. to require the responding student to engage with a relevant support service.
- j. to require the responding student to attend a restorative justice or mediation session.
- k. to require the responding student to participate in a suitable educational programme to raise awareness about their behaviour and its consequences.
- l. to require the responding student to complete a reflective piece of work exploring the impact of their behaviour and the lessons learned.
- m. to impose reasonable restrictions on the responding student's communications with named students or staff, both verbally or via written, electronic or other means, either directly or indirectly.

- n. to refer the matter for action under another University procedure, such as the Fitness to Practise Procedure, Support to Study Policy & Procedure or Academic Misconduct Procedure.
- o. to suspend the responding student from the University for a specified period of time, with a requirement to demonstrate that certain conditions have been fulfilled before re-admission.
- p. to withdraw the responding student from the University, with a requirement to demonstrate that certain conditions have been fulfilled before being considered for re-admission.
- q. to expel the responding student from the University.

17.2. A Dean of School may impose any of the above sanction(s) up to and including 17.1 (n) following a Disciplinary Interview. A Disciplinary Committee may impose any of the above sanction(s) following a Disciplinary Hearing.

17.3. The Dean of School/Committee will consider all the available sanctions, normally starting at the lowest potential sanction to determine whether that satisfactorily addresses the misconduct, and if not will move to consider the next higher sanction and so on. The outcome letter will state reasons for the sanction(s) chosen and, where appropriate, why other lesser sanctions have been ruled out.

17.4. Where there is a reporting student, they will normally be informed of the outcome including whether the alleged behaviour has been proven on the balance of probabilities, the reasons for the decision and any remedies or actions that directly affect them. The details of any sanctions imposed will not normally be disclosed, as these are personal to the responding student. However, information about a sanction may be shared where it directly affects the reporting student and their feelings of safety on campus.

17.5. Limited information about outcomes may be shared with witnesses where there is good reason, for example, where there are concerns about retribution or victimisation.

17.6. Where a responding student is required to fulfil conditions before returning to study after a period of suspension or withdrawal, the matter will be referred to a Disciplinary Committee to consider whether the conditions have been met. The Committee may request further information from the School and/or the student and/or seek specialist advice.

17.7. The responding student will have the right to request a review of a disciplinary outcome in line with the Appeals Procedure set out below.

17.8. Any reporting student who has received an outcome following a report about the behaviour of another University student will have the right to request a review of the outcome in line with Stage 3 of the Student Complaints Procedure.

18. Appeals procedure

18.1. The responding student will have a right of appeal against any of the following outcomes:

- a. any decision under the Student Disciplinary Procedure taken by a Dean of School (Stage 2) or Disciplinary Committee (Stage 3)
- b. any decision under the Fitness to Practise Procedure taken by a Dean of School (section 9) or Fitness to Practise Committee (section 13)

18.2 The responding student may appeal against the decision that the allegation was proven (except where this was based on the student's conviction of a criminal offence or where the student has admitted the misconduct in writing), or the decision on the sanction(s), or both decisions.

18.3. The appeal must be based on one or more of the following grounds:

- a. that relevant new evidence or circumstances have become known, which the student could not have reasonably made known at the time the decision was made
- b. that there was an irregularity or unfairness in the conduct of the procedure, and this materially affected the outcome
- c. that the decision and outcome were manifestly unreasonable in the light of the evidence provided.

19. Appeal Process

19.1. An appeal should be submitted in writing to the Student Casework Team at: StudentCasework@lancashire.ac.uk within 10 working days of the date of the outcome letter. The written statement should set out what decision is being appealed, the grounds for appeal in reasonable detail and include any new evidence that was not available at the time the decision was made. The statement should also outline what outcome the student is seeking.

19.2. An Appeal Panel will be convened comprising three members, as follows:

- the Vice-Chancellor's nominee (Chair)
- a senior member of staff who will normally be an Associate Dean or Deputy Head of Service
- a student union representative.

The Appeal Panel may co-opt up to two additional members as required, at any stage in the process, including from external representatives, for example, from any relevant partner or professional agency.

19.3. Members of the Appeal Panel will be selected on the basis that they have no direct interest or prior material involvement in the case or with the student involved and have received relevant training. The University will aim, as far as possible, to ensure the diversity of the membership.

19.4. The Appeal Panel will receive: a copy of the student's appeal form and supporting evidence; documents generated by the original procedure including any

investigation report and outcome letter; and relevant contextual information such as the student's academic profile or record of reasonable adjustments. Further information may be requested from the original decision maker or the student.

19.5. The Appeal Panel will meet in private to determine whether there are valid grounds for the appeal. A Student Caseworker will advise the Panel on the procedure and take a formal record of the proceedings but will not be involved in the decision. Should the Panel require additional information prior to making a decision, once the additional information has been received, the Panel should reconvene to make a decision, and notes of the meeting should be taken by the Student Casework Team.

19.. The Appeal Panel will decide on the appropriate action as follows:

- a. to decline the appeal and uphold the original decision, in which case the student will be notified of the decision and summary reasons, and their right to refer the matter to the OIA
- b. to uphold the appeal and determine a suitable outcome or sanction as specified in the original procedure*
- c. to refer the matter back for re-consideration by a different decision-maker/decision making body, normally in cases where there is evidence of a material procedural irregularity or where valid new information has been submitted
- d. to convene to convene an Appeal Hearing to hear the case by the student and the response by the original decision-maker, normally in cases where the facts and evidence are complex or contentious*

*The outcome of a Fitness to Practise process cannot be changed unless a representative of the relevant profession has been co-opted on to the Appeal Panel.

Appeal Hearing

19.7. If the Appeal Panel decides to convene an Appeal Hearing, the responding student will be given 5 working days' notice of the date of the Appeal Hearing.

19.8. The responding student will receive copies of the appeal documentation. They will be informed of their right to be accompanied at the Hearing and signposted to relevant support services.

19.9. The Appeal Hearing will be a review of the original interview/hearing and the decision reached, and not a re-hearing of the case. A re-hearing will be allowed only in exceptional circumstances and at the discretion of the Chair.

19.10. The responding student will normally be expected to attend the Appeal Hearing. If they do not attend without good reason, the Hearing may proceed in their absence and the Appeal Panel will consider any written representations made by the responding student at the appropriate point in the Hearing.

19.11. The responding student may be accompanied by any one person for support who may be a Students' Union Advisor. The name and designation of the person must be given to the Student Caseworker 2 days before the Hearing.

19.12. The procedure at the Appeal Hearing will be as follows:

- a. The Chair will invite all those present to introduce themselves and confirm their role within the Hearing and will explain the purpose of the Hearing and the procedure to be followed.
- b. The responding student (or representative) will present the grounds for appeal. Witnesses will be permitted only where there is new evidence which was not available at the time of the original interview/hearing, and with the consent of the Chair of the Appeal Panel.
- c. The Appeal Panel and the original decision-maker will have the opportunity to question the student.
- d. The original decision-maker will present their response to the appeal.
- e. The Appeal Panel and the responding student (or representative) will have the opportunity to question the original decision-maker.
- f. The Appeal Panel may ask questions of either party at any stage during the hearing.
- g. Summing up by the responding student (or representative).
- h. Summing up by the original decision-maker
- i. The responding student and any representative or witnesses and the original decision-maker will withdraw while the Appeal Panel deliberates the issue.
- j. The Appeal Panel may, at its discretion and in the interests of fairness: depart from this procedure; seek further information; and/or adjourn to a later date.

19.13. The Appeal Panel will have the power to:

- a. uphold the original decision taken under this Procedure or the Fitness to Practise Procedure; or
- b. uphold the appeal in full or in part and either:
 - i. refer the matter back to the original or new decision-maker to reconsider; or
 - ii. implement an alternative outcome or sanction as specified in the relevant procedure.

19.14. The responding student will normally be notified verbally of the decision and the reasons at the end of the Hearing. Written notification of the decision and the reasons will be sent to the student within 5 working days of the Hearing.

20. Independent review

If the responding student is not satisfied, having completed the University's internal appeals procedure, they will be entitled to request a review of the case under the rules of the scheme of the Office of the Independent Adjudicator for Higher Education (OIA) as set out in the Completion of Procedures letter. A Scheme Application form must be submitted to the OIA within 12 months of the date of the Completion of Procedures letter. Details of the OIA scheme may be found at: www.oiahe.org.uk

21. Record of action

21.1. Where interim measures are imposed or a finding of misconduct is made, a record will be made on the student's Starfish record.

21.2. Any finding of misconduct against a student which incurs a sanction will be:

- a. taken into account in the event of any future misconduct. Where a decision is made to expel a student, a note will be retained indefinitely.
- b. notified to the student's Dean of School.
- c. reported on an anonymous basis to the relevant committees of the Academic and University Boards, for the purposes of monitoring and enhancement.

21.3. The University has a duty to inform relevant third parties of the nature and outcome of disciplinary procedures in certain circumstances, including:

- a. relevant Professional, Statutory or Regulatory Bodies (PSRB), where required.
- b. UK Visa and Immigration, in the case of a significant change in the circumstances of an international student.
- c. placement providers.

The student will be informed in the event of such disclosures.

21.4. The University reserves the right to disclose to any third party, by whom a reference is sought, any matters on a student's record which the University considers to be relevant. The student will be informed that a reference has been provided in such circumstances.

21.5. Where this Procedure is invoked in respect of a student less than 18 years of age, the Student Casework Team will notify the principal or operational safeguarding leads who will conduct a risk assessment to inform whether copies of correspondence will be sent to the parents, guardian or UK guardian of that student, and if the student may also have their parent, guardian or UK guardian present during any interview/hearing under this Procedure in addition to one other person.

21.6. The University will handle all information, including sensitive information, in a confidential manner. It will, however, be necessary for all parties involved in the disciplinary and appeal process to have access to all information to enable them to make a judgment based on the full facts. This may include sensitive information relating, for example, to a student's health or criminal convictions. Certain professional courses may require that this information is notified to relevant PSRBs or partner agencies. In these circumstances, the student will be notified at the time of the disclosure.

22. Related policies and procedures

Regulation for the Conduct of Students – details the standards of behaviour expected from students.

Fitness to Practise Procedure – this should be followed where fitness to practise concerns relate to conduct.

Procedure for Reporting and Responding to Incidents of Harassment, Sexual Misconduct and Domestic Abuse – sets out the initial process to be followed in such cases.

Student casework risk assessment guidance

Support to Study Policy & Procedure – should be followed where concerns relate to health.

23. Review, monitoring, approval & publication

23.1. The prevalence of student misconduct will be monitored for the purposes of ensuring a safe and inclusive environment, improving guidance for students on acceptable behaviour, and creating cultural change.

23.2 An annual report on the occurrence of student misconduct will be submitted to the relevant Academic Board sub-committee. This will include an analysis of equality issues and protected characteristics to consider the impact on student groups so that strategies can be developed to address this. The report will identify themes, trends and lessons and recommend actions.

23.3 The University may publish anonymised data on the number and outcomes of cases of student misconduct, for the purposes of demonstrating institutional accountability, and assuring all current and prospective members of our community that cases have been taken seriously.

23.4 This Procedure will be kept under review in the light of sector guidance, case review and feedback. All policies and procedures are available via the University Policies and Regulations webpages [Student policies and regulations](#)