

## CODE OF STUDENT DISCIPLINE

This version is effective from 1 July 2019 and was approved by the College's Governing Body on 19 June 2019.

### 1. INTRODUCTION

- 1.1 The purpose of this Code of Student Discipline ["the Code"] is to enable St Antony's College ["the College"] to take appropriate measures in cases in which one or more of its students is/are in breach of their obligations as a member of the College.
- 1.2 This Code **defines the actions and behaviours by students that are unacceptable** in the College context but that may take place both on and off College and University premises.
- 1.3 The Code sets out the procedures which will be followed in the event of allegations of misconduct within the College.
- 1.4 Students at the University of Oxford ["the University"] **must observe two separate but complementary sets of disciplinary regulations:**
- The University's conduct regulations, which can be accessed via the student handbook [www.admin.ox.ac.uk/proctors/info/pam](http://www.admin.ox.ac.uk/proctors/info/pam)
  - The Code of Student Discipline of their individual college; for St Antony's College students (including Visiting Students) that is this Code.
- 1.5 Expressions of dissatisfaction about standards of service, actions or lack of actions by the College or its staff, and provision of services by the College affecting individuals, students, senior members, visitors or clients of any group should be raised under the **College's complaints procedure**.
- 1.6 Students are able to seek **advice and support** from a range of services and people around the University. Please see [www.sant.ox.ac.uk/current-members/health-and-wellbeing/welfare-support](http://www.sant.ox.ac.uk/current-members/health-and-wellbeing/welfare-support) for a list of resources.
- 1.7 The flowchart at Appendix 1 summarises the procedures in the Code.

### 2. DEFINITIONS

- 2.1 **Misconduct** shall be defined as:
- a) Improper interference, in its broadest sense, with the functioning or activities of the College or those who work, study or are accommodated in the College; and/or,
  - b) Activity or failure to act in a way, which otherwise damages the College or its reputation or those who work, study or are accommodated in the College.
- 2.2 The following paragraphs elaborate the general principle set out above but not to derogate from the generality of point 2.1, and are **acts of misconduct:**
- a) breach of the University of Oxford Statutes and Regulations;
  - b) breach of any College policy, procedure or Code of Practice which may be issued or amended from time to time by the Governing Body of the College;
  - c) conviction of a criminal offence by any Court of competent jurisdiction or a formal

caution issued by the Police;

- d) where a student is studying with the aim of obtaining a professional qualification or the right to practice a particular profession or calling, any conduct which might render that person not fit to be admitted to or practice that profession or calling;
- e) disruption or attempt to disrupt teaching or study or research or the administrative, sporting, social or other activities of the College, or disruption or attempt to disrupt the lawful exercise of freedom of speech by members, students or employees of the College or by visitors and residents, or obstruction or attempt to obstruct any officer, employee or agent of the College in the performance of their duties;
- f) damage or action to deface any property of the College or of any member, officer, employee of the College or person being accommodated in the College, or knowing misappropriation of such property; or action to harm any member, officer, employee of the College or person being accommodated in the College;
- g) occupation or use of or attempt to occupy or use any property or facilities of the College except as may be authorised by the College authorities;
- h) forgery or falsification, expressly or impliedly, of any University or College certificate or document or any certificate or document submitted to the University or the College or knowingly making false statements concerning standing or results obtained in examination;
- i) engagement in any activity likely to cause injury to or to impair the safety of any person;
- j) violent, indecent, disorderly, threatening and offensive behaviour;
- k) sexual misconduct (this includes sexual harassment, sexual assault, sexual abuse and any conduct of a sexual nature that is without consent, to include conduct online/via social media);
- l) abusive, threatening or offensive language (verbal or written) including online/social media;
- m) bullying and harassment (this includes bullying of any individual or harassment of an individual based on protected characteristics such as race, gender, ethnicity, disability, sexual orientation);
- n) engagement in any fraudulent or dishonest behaviour towards the College or its members, officers, visitors, employees, agents or persons being accommodated in the College;
- o) refusal to correctly disclose identity to an officer or employee or agent of the College in circumstances where such person has identified themselves and has explained the reason for the requested disclosure, and it is reasonable to have required disclosure of the student's identity;
- p) use, offer, sale or gift of substances to any person, the possession or use of which is illegal;
- q) engagement in conduct in breach of College regulations regarding conduct in examinations;
- r) engagement in conduct in breach of the relevant regulations regarding the use of the College libraries;
- s) engagement in any other conduct which is seriously detrimental to the interests of the College;
- t) failure to co-operate with regard to any investigation being carried out pursuant to this Code or a failure to comply with a previously imposed condition or penalty imposed under this Code;
- u) non-payment of any monies due and owing by a student to the College.

2.3 The following paragraphs further elaborate the general principle set out in 2.1 but not to derogate from the generality of point 2.1 and represent **areas of potential misconduct** pertaining to everyday College life:

- a) **Library and IT facilities:** intentionally or recklessly breaching any of the regulations relating to the use of the libraries or the information and communications technology facilities as they apply within the College. Personal access to the IT network must never be shared with another person. Compliance with laws pertaining to IT, communications and copyright is treated very seriously. Infringement of copyright through the IT network, including using peer-to-peer software and file-sharing to download and distribute copyrighted material, will result in a written warning and an administrative fine and could result in temporary or permanent exclusion from the network.
- b) **Data Protection:** anyone holding or intending to keep personal data of any kind (whether on a computer or in paper records) on behalf of a club, society or publication, or for any other purpose, is individually responsible for complying with the provisions of the relevant data protection legislation. This legislation imposes strict conditions on the collection, storage and use of personal data (e.g. about club members, sponsors) and confers rights of access on the people who are the subjects of such data.
- c) **Social Media:** the College encourages students to use social media responsibly and to be aware of the sometimes unexpected and long-term consequences of irresponsible use. Posting offensive comments or other content on social media may result in disciplinary action under this Code or under the Harassment Policy.
- d) **Organising Events:** If you organise a College event (e.g. an event held on College premises or anywhere if it is College funded, affiliated or branded), you must do so in the context of the College's responsibility to safeguard freedom of speech within the law and in accordance with the College's policy. You must also follow all College policies concerning necessary permissions and conduct the event in a manner which does not harm the College's reputation or standing or that causes distress or undue disturbance to other members of College.
- e) **Communication with the College:** You are expected to regularly check your institutional email, particularly during full-term and to respond in a timely fashion (e.g. within 24-72 hours) to notices and requests from College officers.
- f) **Commercial activities:** The physical premises and facilities of the College, the address, logo, reputation or other representation of the College must not be used for any commercial or official activity without the written permission of the Warden. Breaches of this regulation will result in suspension or expulsion.
- g) **Accommodation:** specific regulations concerning the use and misuse of College accommodation, including procedures for sub-letting, maintenance and access, are covered through the Accommodation Agreement (License to Occupy) and the Sub-Letting Policy.
- h) **Antisocial behaviour:** The College is a shared area comprised of work space, social space and private accommodation. The peace and harmony of the College is therefore dependent on mutual respect, consideration and goodwill. Acting in a manner that causes harassment, alarm, distress or undue disturbance to one or more College members or visitors will result in disciplinary action.

2.4 The **Dean of the College** leads investigation into breaches of the Code of Conduct. Minor breaches, involving no more than written warnings, may be dealt with by the Dean in consultation with the **Registrar**. More serious breaches will be considered by the **Case Review Group** prior to a decision being reached. Breaches that might reasonably be considered gravely serious and appeals by student(s) are referred to the **Disciplinary and Appeals Committee**.

2.5 The **Case Review Group** ["CRG"] consists of the Warden, the Dean, the Bursar and the Registrar. The CRG is the group which receives the reports of the Dean's investigations and agrees on sanctions to be taken under Stage 1 [4] below, or on referral to Stage 2 [5].

2.6 The **Disciplinary and Appeals Committee** ["DAC"] is a Committee of the Governing Body and consists of the Senior Tutor (or their respective nominee), three other Governing Body

Fellows and one Nominee of the Graduate Common Room. The Senior Tutor shall have discretion to change the constitution of the DAC provided that the number of members shall not be less than five persons.

- 2.7 The **Appeals Committee** ["AC"] is a Committee of the Governing Body and consists of the Warden (or their respective nominee), three other Governing Body Fellows and one Nominee of the Graduate Common Room. The Warden shall have discretion to change the constitution of the DAC provided that the number of members shall not be less than five persons. The Committee must not include any Fellows involved in the case previously as members of the DAC or otherwise.
- 2.8 Any time limits contained in this Disciplinary Code may be extended at the discretion of the Dean or the DAC or the AC as is appropriate to ensure a fair and speedy resolution, where the student would not be prejudiced thereby.

### 3. INTERACTION WITH OTHER PROCEDURES

- 3.1 Where an alleged breach of the rules constitutes in the opinion of the CRG, a sufficiently serious offence, the Dean shall immediately **refer the matter to the Police**, and where a student is subject to criminal proceedings arising out of the alleged breach of the rules, the Dean shall not normally proceed with the case other than temporarily to suspend the student from residence, and/or from use of College facilities if appropriate.
- 3.2 When a **criminal offence** has been committed or alleged, this Code may not be appropriate. In the first instance, such allegations will normally be a matter for police investigation and action. The Dean, in consultation with the CRG, may take interim measures not regulated by this Code to ensure the peace of the College and the safety of its members, which may include the partial or complete exclusion of the student from College premises, or from certain College facilities or activities. For the avoidance of doubt, disciplinary procedures may also subsequently be taken under this Code notwithstanding that criminal proceedings were discontinued, or criminal charges were dismissed.
- 3.3 If the alleged breach of the rules is **not proceeded with as a criminal matter** by the prosecuting authorities, the Dean shall then deal with the matter as though it had not been referred to the Police.
- 3.4 Where there is a concern that mental health, illness or disability may have directly affected behaviour and/or conduct, the Dean will consult with the CRG as to whether it would be more appropriate to consider the matter under the **College's Fitness to Study Procedure** as an alternative to disciplinary action.
- 3.5 If a student is **expelled by the University**, such expulsion shall apply to the College also, subject to a right of appeal to the DAC. The grounds of appeal shall be limited to the application of that penalty to the student's use of College premises and facilities.
- 3.6 If a student is **disciplined by the University** for conduct in breach of College and/or University statutes or regulations, a penalty of suspension or rustication imposed by the University shall also apply to College premises and facilities, subject to a right of appeal to the DAC. The grounds of appeal shall be limited to the application of that penalty to the student's use of College premises and facilities.
- 3.7 If the allegation relates to activity which falls within the **College's Harassment Policy**, the Dean shall deal with the matter under the Harassment Policy.
- 3.8 In the case of **non-payment of any monies due and owing** by a student to the College, the Dean may suspend the student concerned on receipt of confirmation from the Bursar that the debt is outstanding. The procedures in section 4 below do not apply and consultation with the CRG may not be necessary. Any suspension imposed by the Dean solely in respect of non-payment of monies owed will be lifted on confirmation from the Bursar of receipt of payment of the debt.

3.9 In the case of a breach of a student's obligations under an **Accommodation Agreement (Licence to Occupy)**, remedies will usually be applied under the terms of that Agreement.

#### 4. STAGE 1 (DEAN / CASE REVIEW GROUP)

- 4.1 An allegation of misconduct may be **initiated by any member of the College**. Anonymous allegations will not normally be accepted.
- 4.2 An allegation of misconduct by a student of the College shall be **made in writing to the Dean** as soon as is practicably possible after the alleged event. If appropriate the Dean will arrange to meet with the complainant.
- 4.3 On receipt of the allegation, the Dean should explain to the student(s) against whom the allegations are made who, if anyone, they are under an obligation to contact (e.g. within the University).
- 4.4 In circumstances where the Dean is **unable to identify the student(s)** who has/have breached this Code, it may be necessary for the Dean, in consultation with the CRG, to apply a collective sanction by way of fine or withdrawal or suspension of facilities. In such circumstances the Dean will exercise discretion to confine such sanction to as small a group as is reasonably appropriate (e.g. residents of a particular building or members of a club). It is recognised, however, that this may include all student members of the College. Adequate opportunity shall be given before any such sanction is implemented for the actual offender to identify themselves or to be identified by others. In the case of such identification there will be no collective sanction in respect of the breach. Individuals may make representations to the Dean who will have power to review or modify the decision in consultation with the CRG.
- 4.5 The Dean shall have the authority to **suspend the student(s) from residence and/or from use of College facilities**, where the seriousness of the alleged breach justifies it and after consultation with the CRG, with immediate effect for as long as the disciplinary procedure is in operation. Suspension by the College means a withdrawal of a right of access where action is taken as an interim measure pending further investigation. Such withdrawal may be for a limited period pending the fulfilment of certain conditions or may be indefinite. Suspension shall be a neutral act.
- 4.6 The Dean shall, if possible, within two working days of receiving the report of the alleged breach, require in writing, by email, the student(s) concerned to **attend an interview** at a time and place stipulated and shall normally provide the student(s) with two working days' notice of the interview. The notification of the interview shall give particulars of the alleged breach of the Code. The Dean may request an additional member(s) of the CRG to attend if deemed appropriate. The Dean may also appoint a Legal Adviser to attend and/or advise on procedure but who shall take no part in the subsequent decision-making process.
- 4.7 The student(s) interviewed may be accompanied by another St Antony's student or a representative from the Oxford University Student Union (OUSU). The student should inform the Dean of their companion in advance of the interview.
- 4.8 The student(s) must inform the Dean if they are **providing copies of any documents** that the student(s) intends (intend) to rely upon at the interview, and these must be submitted to the Dean with at least one working days' notice before the interview.
- 4.9 No other documents may be presented at the interview or further witnesses called unless the Dean decides it is fair and reasonable to do so.
- 4.10 If the student(s) fails (fail) to appear after two emailed letters from the Dean, the Dean may deal with the case in their absence.
- 4.11 At the interview, which shall be private, the Dean shall explain to the student(s) that they can:

- a) **admit** the alleged breach and continue with the interview; or
- b) **deny** the alleged breach and continue with the interview as an investigative process, which may be adjourned if either the Dean or the student(s) reasonably require evidence in relation to the alleged breach to be provided by other persons.

If the student(s) opts (opt) for (a) the Dean shall elicit all information about the breach relevant to determining the penalty.

If the student(s) opts (opt) for (b) the Dean shall investigate whether the alleged breach is established and normally reach a decision within 14 working days of the date of the initial interview.

4.12 Following the interview, the Dean may, dependent on its nature and outcome:

- a) **take no further action**, in which case the matter shall be terminated;
- b) if the breach has been admitted, after hearing any mitigation and consulting with the CRG where appropriate, **impose a penalty** from those listed in 4.14 below;
- c) if the breach has not been admitted, determine that a breach has been established and, after hearing any mitigation, and consulting with the CRG, **impose a penalty** from those listed in 4.14 below;
- d) after consultation with the CRG, **refer the matter to the DAC**.

4.13 Prior to making the decision under 4.14, the Dean shall give the student the opportunity to make written representations in **mitigation** of any penalty which may be imposed.

4.14 If the Dean, and the CRG where appropriate, are satisfied that a student, on the balance of probabilities, has committed the alleged breach with which they have been accused, the Dean may, separately or in any combination:

- a) agree with the student concerned a course of action which may include **informal resolution**. Informal remedies may include a letter of apology or mediation, which may be arranged through the GCR President or an appropriate College or University officer;
- b) issue a **formal written warning** to the student, a copy of which will be retained in the student's file;
- c) impose a **fine** of not more than the maximum amount to be determined by the Governing Body from time to time;
- d) require the student to pay **compensation** to any person or body suffering injury, damage or loss as a result of the student's conduct;
- e) **exclude or ban the student** from prescribed college premises or facilities (including libraries and residential accommodation) for a period of up to one year or pending the fulfilment of conditions with such conditions to be prescribed by the Dean.

4.15 Before deciding the penalty to be awarded the Dean shall have regard to the effect on the student's/students' ability and eligibility to take an examination or complete a course, their financial means, as well as the interests of the College.

4.16 The details of any breach established, and/or any penalty imposed shall be formally recorded in a signed letter from the Dean to the student. One copy of the record shall be retained by the Dean, one given to the student and one lodged with the College Registry.

4.17 As appropriate, the Dean shall consider writing to any witnesses and/or the member(s) of the College who initiated the allegation of misconduct to provide an anonymised summary of the steps taken and the outcome of the Dean's investigations.

4.18 The **student may appeal** to the DAC by notifying the Dean in writing by email of their intention to appeal within seven working days of receipt of the Dean's decision.

4.19 If the student decides to appeal then the Dean shall be entitled, if appropriate, to suspend

the student (or continue an existing suspension) from residence and/or the use of College facilities pending the determination of the appeal and in consultation with the CRG.

## 5. STAGE 2 (DISCIPLINARY AND APPEALS COMMITTEE)

- 5.1 The Senior Tutor, as Chair of the DAC, will be informed by the Dean in writing:
- Where there is a **reference** under point 4.12(d), of the particulars of the alleged breach of the Code;
  - Where there is an **appeal** after the initial stage (4.18) or following a decision of the DAC (5.17), of the particulars of the breach and of the penalty imposed and the reasons for the penalty;
  - In either event, of the name(s) of the student(s) involved and of any known witnesses;
  - Copies of any documents used by the student or others during the investigation.
- 5.2 No person who has an actual or apparent interest in the outcome of the case before the DAC, and no person who may reasonably be considered to possess prior knowledge of the circumstances of the case such as to give rise to a perception of bias, may be a member of the DAC considering the case. If for these reasons the Senior Tutor declines the chair then the DAC shall elect a chair.
- 5.3 The DAC may regulate its proceedings as it sees fit.
- 5.4 The Chair shall appoint a person to act as clerk to the DAC for the purpose of making any administrative arrangements, for such matters as the summoning of witnesses and the production of documents, and for the keeping of a record of the hearing. The DAC may request the attendance of a Legal Adviser to advise on procedure, but who shall take no part in the decision-making process.
- 5.5 Within a maximum of five working days after the reference or appeal, the DAC shall require in writing (usually by email) the student concerned and witnesses to attend for a hearing at a time and place stipulated, normally with not less than five working days' notice. The notice shall state the membership of the DAC.
- 5.6 In the case of a reference such notice shall state the details of the alleged breach of the Code. The DAC shall provide copies of all documentation (including a copy of the Code) and evidence to the student not less than five working days before the date of the hearing.
- 5.7 The student may be accompanied by another St Antony's student or a representative from the Oxford University Student Union (OUSU).
- 5.8 The hearing shall be in private unless the DAC declares that they will sit in public.
- 5.9 If either the Dean or the student wishes to submit fresh evidence to the DAC then at least three working days before the hearing date they must:
- inform the Chair of the DAC in writing of their intentions to make application at the hearing;
- and*
- inform the other party in writing of such intention and provide copies of any new documents or the details of any witness(es) they seek to present to the DAC.
- 5.10 The DAC shall as a preliminary point at the hearing decide whether or not to admit the fresh evidence and shall consider in so doing relevance, the reasons why the evidence was not submitted during the investigation and fairness to those concerned in the matter.
- 5.11 If any person required to attend such a hearing before the DAC fails to make an appearance, the DAC may at its discretion may adjourn the proceedings. If the student(s) concerned fails to appear, the DAC may deal with the case in the student's(s) absence if satisfied that proper notice has been given and that there is no reasonable explanation for

the non-appearance of the student(s).

5.12 At the hearing the Chair shall explain the procedure to be followed and shall read out, in the case of a reference, the complaint of alleged breach of the Code against the student; and in the case of an appeal, the finding of breach and/or the penalty imposed against which the appeal is directed. In the case of a reference the student will be invited to admit or deny the breach.

5.13 The procedure to be followed at the hearing is as follows:

- a) If, in the case of a reference, the breach is denied, the Dean will present the facts alleged and present material in support of the allegation;
- b) the student may then make a statement and reply to matters stated by the Dean;
- c) the DAC may ask questions of either party;
- d) the DAC may invite any accepted witnesses to address the DAC and may ask questions of the witness(es);
- e) the DAC may seek additional material that seems relevant from the cases presented;
- f) either party may address the DAC on matters arising from the DAC's questions and/or the statements of the witness(es) and/or any additional material gathered.

5.14 The DAC may adjourn the proceedings from time to time as it sees fit.

5.15 At the conclusion of the hearing and after the parties have left the room, the DAC shall determine whether, for a reference, any breach of the Code has been established, and for an appeal, whether the penalty imposed by the Dean is appropriate, taking into account any representations made by or on behalf of the student. The DAC may:

- a) dismiss or allow the reference or appeal in whole or part;
- b) substitute such other finding of misconduct as the DAC determines is supported by the evidence before the Dean and/or the DAC;
- c) vary the penalty(ies) already imposed by the Dean. The DAC shall have the further option to expel the student, which means the permanent loss of membership of the College, or to rusticate the student (i.e. sending down temporarily), which means the withdrawal of the right of access to all of the premises or facilities of the College for a fixed period or pending the fulfilment of certain conditions. This will also result in suspension from University premises and facilities (University Statute Xi, Part E, section 41(1)).

5.16 Within five working days of the conclusion of the matter, the Chair shall write to the complainant and the Dean to explain the outcome. In the case of a reference the Chair shall let the complainant know that they have the right of appeal. As appropriate, the Chair shall consider writing to any witnesses and/or the member(s) of the College who initiated the allegation of misconduct to provide an anonymised summary of the steps taken by the DAC and the outcome of the DAC's investigations.

5.17 In the case of a reference the **student may appeal** to an Appeals Committee (AC) by notifying the Chair in writing by email of their intention to appeal within seven working days of receipt of the decision (Stage 3 below).

5.18 If the student decides to appeal then the Chair shall be entitled, if appropriate, to suspend the student (or continue an existing suspension) from residence and/or the use of College facilities pending the determination of the appeal.

5.19 If obligated to do so the Dean shall inform the University or any relevant Department or Faculty.

5.20 A written record of complaints and all documentation involved in the disciplinary procedure including details of the allegation, any witness statements, records of disciplinary hearings and details of any penalties imposed, shall be kept by an appropriate



College officer, normally the College Registrar, in accordance with the College's Data Protection Policy. The College Registrar will act as the source of procedural guidance to the Dean, complainants and students who are involved in any disciplinary process.

- 5.21 The DAC shall notify the Governing Body of the outcomes of a DAC investigation. Such notification will always be anonymised.
- 5.22 After the conclusion of an Appeal if a student has reason to believe that the DAC has not followed the procedures laid down in the Code, or in cases where the student has been expelled, the student may **appeal** to the Conference of Colleges Appeal Tribunal.

## 6. STAGE 3 (APPEALS COMMITTEE)

- 6.1 The Warden will be informed by the Chair of the DAC in writing where there is an **appeal** following a decision of the DAC (5.17), of the particulars of the breach and of the penalty imposed and the reasons for the penalty, of the name(s) of the student(s) involved and of any known witnesses, and copies of any documents used by the student or others during the investigation.
- 6.2 The Warden will appoint a Chair for the AC and three further Governing Body Fellows. No person who has an actual or apparent interest in the outcome of the case before the AC, and no person who may reasonably be considered to possess prior knowledge of the circumstances of the case such as to give rise to a perception of bias, may be a member of the AC considering the case.
- 6.3 The AC may regulate its proceedings as it sees fit.
- 6.4 The Chair shall appoint a person to act as clerk to the AC for the purpose of making any administrative arrangements, for such matters as the summoning of witnesses and the production of documents, and for the keeping of a record of the hearing. The AC may request the attendance of a Legal Adviser to advise on procedure, but who shall take no part in the decision-making process.
- 6.5 Within a maximum of five working days after the appeal, the AC shall require in writing (usually by email) the student concerned and witnesses to attend for a hearing at a time and place stipulated, normally with not less than five working days' notice. The notice shall state the membership of the AC.
- 6.6 The student may be accompanied by another St Antony's student or a representative from the Oxford University Student Union (OUSU).
- 6.7 The hearing shall be in private unless the AC declares that they will sit in public.
- 6.8 If either the DAC or the student wishes to submit fresh evidence to the AC then at least three working days before the hearing date they must:
  - a) inform the Chair of the AC in writing of their intentions to make application at the hearing;

*and*

  - b) inform the other party in writing of such intention and provide copies of any new documents or the details of any witness(es) they seek to present to the AC.
- 6.9 The AC shall as a preliminary point at the hearing decide whether or not to admit the fresh evidence and shall consider in so doing relevance, the reasons why the evidence was not submitted during the investigation and fairness to those concerned in the matter.
- 6.10 If any person required to attend such a hearing before the AC fails to make an appearance, the AC may at its discretion adjourn the proceedings. If the student(s) concerned fails to appear, the AC may deal with the case in the student's(s) absence if

satisfied that proper notice has been given and that there is no reasonable explanation for the non-appearance of the student(s).

- 6.11 At the hearing the Chair shall explain the procedure to be followed and shall read out the finding of breach and/or the penalty imposed against which the appeal is directed.
- 6.12 The procedure to be followed at the hearing is as follows:
- a) the student may make a statement as to the grounds for their appeal;
  - b) the AC may ask questions of the student;
  - c) the AC may invite any accepted witnesses to address the AC and may ask questions of the witness(es);
  - d) the AC may seek additional material that seems relevant from the cases presented;
  - e) either party may address the AC on matters arising from the DAC's questions and/or the statements of the witness(es) and/or any additional material gathered.
- 6.13 The AC may adjourn the proceedings from time to time as it sees fit.
- 6.14 At the conclusion of the hearing and after the parties have left the room, the AC shall determine whether the penalty imposed by the Dean or as amended by the DAC is appropriate, taking into account any representations made by or on behalf of the student. The AC may:
- a) dismiss or allow the appeal in whole or part;
  - b) substitute such other finding of misconduct as the AC determines is supported by the evidence before the AC;
  - c) vary the penalty(ies) already imposed by the Dean or DAC.
- 6.15 Within five working days of the conclusion of the matter, the Chair shall write to the complainant, the Dean and the Chair of the DAC to explain the outcome. As appropriate, the Chair shall consider writing to any witnesses and/or the member(s) of the College who initiated the allegation of misconduct to provide an anonymised summary of the steps taken by the AC and the outcome of the AC's deliberations.
- 6.16 If obligated to do so the Dean shall inform the University or any relevant Department or Faculty.
- 6.17 A written record of complaints and all documentation involved in the disciplinary procedure including details of the allegation, any witness statements, records of disciplinary hearings and details of any penalties imposed, shall be kept by an appropriate College officer, normally the College Registrar, in accordance with the College's Data Protection Policy. The College Registrar will act as the source of procedural guidance to the Dean, complainants and students who are involved in any disciplinary process.
- 6.18 The AC shall notify the Governing Body of the outcomes of an AC hearing. Such notification will always be anonymised.
- 6.19 If a student has reason to believe that the AC has not followed the procedures laid down in the Code, or in cases where the student has been expelled, the student may **appeal** to the Conference of Colleges Appeal Tribunal.

## Appendix 1: Summary of College Procedures

