



# Non-Academic Misconduct Policy

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## Policy Owner: ACOO Health Gain and Student Experience and Director of Student

### Services

### Department: Student Conduct Team

Version	Effective From	Amendments	Equality Analysis	Stakeholders Consulted	Approval Date	Author	Date for Review
V1.2	01/09/2023	Minor procedural changes and updates to improve and clarify elements of this procedure in particular with appeals, Category 1 processes, Risk Assessments and bullying & harassment statement to enable even greater support and disciplinary pathways for reporting parties	10/05/2022	DDT, EEC, AB, Complaints and Appeals, the SU, Legal Counsel, DPO, EDI Student Policies Group	14/07/2022	Sam Liivar Nicole Redman	01/03/2024

This Policy is reviewed by **Education & Experience Committee** and approved by **Academic Board**



# 1 Purpose and Scope of the Policy

## 1.1 Purpose

- 1.1.1 The University of East London is committed to fostering a positive working and learning environment which celebrates diversity, challenges inequality and is committed to nurturing an inclusive and diverse community that is open to all and which ensures equality of opportunity for all its members.
- 1.1.2 We are committed to providing an environment free from inappropriate behaviour, including bullying and harassment, and require all our staff students, visitors, public and contractors to be treated, and to treat others, with dignity and respect.
- 1.1.3 The University recognises that students are responsible for their own behaviour and that in any community of adults' disputes between individuals will arise. This non-academic misconduct policy is not intended to address these interpersonal disputes.
- 1.1.4 This Non-Academic Misconduct Policy describes the University's disciplinary policy and procedures to be used when the University receives a written allegation that a student has broken the University's non-academic regulations, student codes of conduct, student contracts or other codes of practice.
- 1.1.5 Across the University there are a range of related procedures and policies which may offer a more relevant, effective and immediate means of influencing and managing student conduct. Where appropriate the University may choose to use one of the following policies and procedures in addition to, or instead of, the Non-Academic Misconduct disciplinary procedure (this list is not exhaustive).
- For academic misconduct the Academic Integrity and Academic Policy will be applied.
  - For allegations of sexual violence or sexual misconduct the Sexual Violence and Misconduct Policy will be applied.
  - For complaints against the University the Complaints Procedure will be applied.



- For students with health or mental health issues that are significantly impacting on their student experience the Responsibilities of Students and Fitness to Study or Practice may be applied.
- For students on professional courses the Suitability Procedure may be applied.
- For students in University residential accommodation the Accommodation Agreement and Residential Life Handbook may be applied.
- For students engaged in University of East London sports activities the Sports Code of Conduct may be applied.
- For students on some collaborative partnership courses, the collaborative partnership's disciplinary policy may supersede this policy.
- For misconduct that takes place on employer premises for work-based study (including apprenticeships), the employer's HR policies will supersede this policy.

## **1.2 Scope**

- 1.2.1 This policy applies to all students registered on any University module, or course (including apprenticeship courses). There may be some exceptions to this, i.e University Partnership Programmes.
- 1.2.2 This policy sets out how the University will address non-academic misconduct by students.
- 1.2.3 In broad terms this policy may be used when the University has received a report in writing of an allegation of;
- Misconduct which has caused actual or potential harm to people.
  - Misconduct which has caused actual or potential damage to property.
  - Misconduct which has disrupted or had the potential to disrupt the normal operations or safe use of the University.
  - Misconduct that has or could have caused reputational damage for the University in the community or has threatened/damaged the integrity of the University.



1.2.4 **And** where this misconduct has affected one or more of the following:

- The University of East London.
- A student or staff member of the University of East London.
- Members of public or visitors to the University of East London.

1.2.5 The University of East London may also take disciplinary action in response to misconduct which happens:

- During off-campus activities such as placements and field trips;
- On social media
- Whilst studying at partner organisations (though normally the partner institution disciplinary process will take priority);

## **2 Policy Statement and Principles**

### **2.1 Statement**

2.1.1 All University of East London students are expected to adhere to the standards of behaviour required of them as a member of the University community. The following explains in full the procedures undertaken by the University to address reported allegations of breaches of any applicable University policy by a University of East London student.

2.1.2 The University will usually appoint an Investigating Officer to investigate whether a student has breached the University of East London's non-academic regulations unless the Student Conduct Team deems that a reported incident would be more appropriately handled at Local Level.

2.1.3 If the allegation is a Category 1 minor misconduct offence the Student Conduct Team will aim to assign an Investigating Officer from the School or Service which aligns with the Responding Student or the incident.

2.1.4 If the allegation is classed as a Category 2 gross misconduct offence the Investigating Officer will be assigned by the Student Conduct Team from a pool of trained Investigating Officers.



2.1.5 Category 2 offences can include but are not limited to:

- Possession of weapons
- Possession of Class A drugs
- Distributing any class of drugs, including psychoactive substances (e.g. nitrous oxide gas)
- Sexual misconduct (see Sexual Violence and Misconduct Policy)
- Damage to safety equipment
- Repeated misconduct
- Physical and/or verbal violence
- Harassment
- Abusive behaviour
- Breaching self-isolation after a positive result of infectious or notifiable disease
- Breach of a Behaviour Contract

2.1.6 Category 2 offences may also include instances where the misconduct is frequent or repeated, or the Student fails to comply with disciplinary decisions or sanctions previously applied. The Student has the right of appeal at both levels. Category 2 offences may also include instances where the misconduct is frequent or repeated, or the Student fails to comply with disciplinary decisions or sanctions previously applied. The Student has the right of appeal at both levels.

2.1.7 A risk assessment may take place prior to or during any disciplinary processes. The Assistant Chief Operating Officer (Health Gain and Student Experience) & Director of Student Services, or nominee, will Chair the Risk Assessment Team. To support student safety and wellbeing, the Risk Assessment Team will determine proportionate mitigations to introduce prior to and during any disciplinary processes.



- 2.1.8 The Risk Assessment Team will include senior staff from within Student Services including representatives with clinical knowledge, safeguarding training, and conduct policies. The Risk Assessment Team processes will be conducted in line with Guidance agreed with the University Data Protection Officer.
- 2.1.9 If sanctions include expulsion, suspension or exclusion, a formal Disciplinary Panel will hear the case at a Category 2 gross misconduct Disciplinary Hearing.

## **2.2 Principles**

- 2.2.1 The core principles of this policy and procedure are that the process is accessible, clear, proportional, timely, fair, and of benefit to the wider student experience.
- 2.2.2 The University of East London's disciplinary process will operate in a fair and transparent manner in accordance with the principles of natural justice. It does not seek to reproduce elements of the criminal law and is not a formal legal process.
- 2.2.3 The University reserves the right to carry out any of its internal disciplinary processes. This includes but is not limited to circumstances where reported behaviour does not constitute a criminal matter or if following criminal proceedings, the defendant was acquitted.
- 2.2.4 The University of East London approaches the storing and sharing of any Party's data with utmost care, consideration and proportionality to ensure fair processing for all Parties under the University's disciplinary procedures.
- 2.2.5 Individuals raising allegations of misconduct will normally be asked to confirm their allegations in writing and identify themselves and provide contact details. The University will not normally act in response to anonymous allegations of misconduct.



- 2.2.6 The University may terminate consideration of an allegation of non-academic misconduct complaint if it considers it to be frivolous or vexatious. The Assistant Chief Operating Officer (Health Gain and Student Experience) and the Director of Student Services will review such instances and if appropriate, they will write to the student explaining why the University is terminating consideration of the matter.
- 2.2.7 The standard of proof required for this disciplinary process is whether, on the balance of probabilities or based on available evidence the misconduct was likely to have occurred.
- 2.2.8 In circumstances where the balance of probabilities is not satisfied or insufficient evidence has been provided, the University or the Disciplinary Panel may decide to take no further action in relation to the allegations.
- 2.2.9 A student who is alleged to have committed an act of misconduct will be informed of the nature of the allegation and will be given an opportunity to respond to the allegation. They will also be informed of the disciplinary process being followed and made aware of [support options](#) available.
- 2.2.10 The University will conduct the disciplinary process in a timely manner, aiming to complete the process within 90 working days from start of investigation but this will depend upon the unique circumstances of each case e.g. the disciplinary process may be paused if a criminal investigation is ongoing.
- 2.2.11 The University will conduct its investigation into alleged misconduct in a fair and impartial way.
- 2.2.12 A student who is being investigated under this policy (referred to henceforth as The Student) is entitled to be accompanied at any disciplinary meeting by a friend, relative or representative of the Students' Union. The accompanying person cannot be a professional legal representative who has been employed to act on The Student's behalf nor can they act in the capacity of a legal advisor. Students are encouraged to seek advice and representation from the UEL Students' Union.
- 2.2.13 Sanctions imposed under this Procedure will be reasonable, proportionate and consistent with standards applied across the University.





- 2.2.14 A student who is found, on the balance of probabilities, to have committed an act of non-academic misconduct has the right to appeal against any disciplinary finding or sanction.
- 2.2.15 The University believes that the purpose of a disciplinary process is to help raise the standard of behaviour in its community which is for the benefit of the wider student experience.

## 3 Procedure

### 3.1 Disclosure and Reporting of an Incident

- 3.1.1 Any incidents of non-academic misconduct can be reported directly to the Student Conduct Team via the [Report and Support](#) tool available to all students and staff of the University of East London. Additionally, incidents can be reported by emailing the Student Conduct Team directly at [studentconduct@uel.ac.uk](mailto:studentconduct@uel.ac.uk) or by reporting an incident to a staff member, who can then get in contact with the Student Conduct Team.
- 3.1.2 Any incidents of non-academic misconduct against staff can be reported via the [Report and Support](#) tool available to all students and staff of the University of East London. These reports will not be pursued under this policy, however, will be addressed and pursued by the appropriate team and process from within the University.

### 3.2 Precautionary Measures for Disciplinary Action

- 3.2.1 At times it may be necessary to mitigate risk and protect the University community by applying precautionary measures prior to the commencement of the non-academic misconduct process.
- 3.2.2 Any such action is a precautionary measure only; it is neither a penalty nor sanction and does not indicate that the University has decided that The Student has committed misconduct. Its aim is to protect all members of the University community. Precautionary measures can be imposed prior to an investigation starting.



3.2.3 The Assistant Chief Operating Officer (Health Gain and Student Experience) and the Director of Student Services, or nominee, makes the decision on whether to apply precautionary measures. As noted in [2.1.7](#) and [2.1.8](#). The Assistant Chief Operating Officer (Health Gain and Student Experience) and the Director of Student Services, or nominee, will undertake a risk assessment and relay the Risk Assessment Outcome via a Risk Assessment Request form to the Student Conduct Team before and outcome is applied.

3.2.4 If the Assistant Chief Operating Officer (Health Gain and Student Experience) and the Director of Student Services, or nominee, reasonably believes that The Student poses a risk, they may, acting under delegated authority from the Vice-Chancellor and President:

- Restrict the Students' access to certain parts of campus, e.g. particular buildings or residential halls.
- Restrict the Students' participation to certain academic and/or non-curricula activities.
- Restrict who The Student can contact (e.g. a non-contact order may be issued).
- Suspend the Student. Suspension means that The Student is prohibited from participating in the academic activity of the University and The Student's registration on their programme of study is put on hold. A suspension is usually applied together with an order of exclusion.
- Exclude the Student. Exclusion means that The Student is prohibited from taking part in University activities, using University facilities and/or entering University grounds or premises. A full or partial exclusion may be put in place where appropriate. For apprenticeship courses, the University has the authority to exclude the apprentice from University activities, however, the future employment status of the apprentice is at the discretion of their employer.



- 3.2.5 As part of their determination the Assistant Chief Operating Officer (Health Gain and Student Experience) and the Director of Student Services, or nominee, will consider whether specific arrangements can reasonably be put in place for any student subject to precautionary action, in order to minimise the impact on their studies and will liaise with The Student's Academic School as appropriate.
- 3.2.6 The University may impose a requirement on all parties (including a student reporting a disciplinary concern) not to have contact with each other and with named others. This is called a non-contact order.
- 3.2.7 The Student will be informed in writing when a precautionary measure has been applied to them and the reasons for this, normally within two working days of the decision.
- 3.2.8 The Student has the right to appeal the precautionary measures applied to them. The Student can appeal against the precautionary measures at any point during their application by writing to the Assistant Chief Operating Officer (Health Gain and Student Experience) and the Director of Student Services expressing their reasons for the appeal.
- 3.2.9 Any precautionary measures will be reviewed at regular intervals (and a minimum of every three months) to consider whether they should be revoked, extended or the terms amended. In the case of the University awaiting the outcome of any criminal proceedings or investigations the precautionary measures are likely to remain in place for the duration.
- 3.2.10 If The Student breaches the precautionary measures applied to them then this is non-academic misconduct and may be subject to further disciplinary action and/or any breach will be considered and addressed during the Non-Academic Misconduct hearing.

### **3.3 Category 1 Minor Misconduct Disciplinary Process**

- 3.3.1 The University of East London recognises that incidents may occur which do not need to be investigated through a central disciplinary process. Academic Schools and other local departments being able to recognise and intervene early in local incidents is likely to better improve the wider student experience, educate students on the required standards of behaviour and lead to more constructive resolutions.



- 3.3.2 The intention of the Category 1 process is to try and resolve less severe issues as constructively as possible in a timely manner to better equip students to adhere to the standards of behaviour expected of the University of East London community.
- 3.3.3 The Category 1 process should be pursued where an upheld allegation is likely to result in a disciplinary sanction.
- 3.3.4 Where it is not clear how the alleged offence should be categorised e.g., Category 1, Category 2 or Local Level, the Department/Staff member involved should contact the Student Conduct Team who will advise accordingly. The Student Conduct Team will have the authority to categorise allegations as they see fit.
- 3.3.5 The Investigating Officer will review the allegation and the evidence and/or witness statements provided. The Investigating Officer will contact The Student inviting them to discuss the case so they can provide their response to the allegation and to offer any evidence which supports their case.
- 3.3.6 The Investigating Officer will collect further evidence from relevant parties and make any further enquiries that they deem necessary for the investigation. The Investigating Officer is looking for evidence to determine whether, on the balance of probability, the alleged misconduct took place.
- 3.3.7 The Student may choose to admit to the allegation and this admission may be taken favourably into account when considering what sanction, if any, to apply.
- 3.3.8 If The Student does not take up the opportunity to speak to the Investigating Officer the disciplinary process will still proceed, and a finding will still be made based on the evidence available to Investigating Officer. It is strongly recommended that The Student engages with the Investigating Officer.
- 3.3.9 Once the investigation has concluded the Investigating Officer may make the following recommendations;
- Suggest the evidence is insufficient/inconclusive therefore no conclusion can be made.
  - Suggest the evidence shows that no misconduct has taken place.



- Suggest the evidence shows that misconduct has taken place but due to mitigating circumstances/information uncovered during the investigation either no penalty or a lighter penalty should be imposed.
  - Suggest the evidence shows that misconduct has taken place an a proportionate penalty should be imposed.
  - Suggest the evidence shows that gross misconduct has taken place and that the case should be reviewed to progress to a Category 2 Formal Disciplinary Hearing.
- 3.3.10 The Investigator should complete the Category 1 Investigation Outcome form and the finding should be sent to the Student Conduct Team at [studentconduct@uel.ac.uk](mailto:studentconduct@uel.ac.uk). The Investigating Officer can recommend a sanction, but it will be the Student Conduct Team who apply the sanction to ensure sanctions are proportionate.
- 3.3.11 Should the recommendation be to progress to a Disciplinary Hearing, this recommendation will be reviewed by the Assistant Chief Operating Officer (Health Gain and Student Experience) and the Director of Student Services or nominee.
- 3.3.12 The Student Conduct Team will aim to formally write to The Student within three working days of the Category 1 Investigation Outcome form being received, notifying them of the outcome of the investigation and any sanction applied. Situations may arise where the outcome may be delayed – in such instances, the Student Conduct Team will keep The Student informed of relevant updates.
- 3.3.13 The Student may appeal the finding and sanction by contacting the Student Conduct Team [studentconduct@uel.ac.uk](mailto:studentconduct@uel.ac.uk) within 10 working days of the date of their sanction letter. The appeal will only be accepted if it meets one or more of the following grounds:
- The University has failed to follow the procedure set out in this Procedure.
  - The decision was unreasonable and/or a disproportionate outcome has been imposed.



- The student has material new information/evidence which was not reasonably available before.
- 3.3.14 The appeal will be heard by a Reviewing Officer, who will be the Assistant Chief Operating Officer (Health Gain and Student Experience) and the Director of Student Services, or nominee. They will not re-investigate the whole case but will review whether the correct processes were followed, review the assembled evidence (including any new evidence provided) and review the sanction applied to assess if it was unreasonable or disproportionate.
- 3.3.15 Once the review has concluded the Reviewing Officer may;
- Uphold the appeal as the correct processes were not followed.
  - Uphold the appeal as the new evidence has changed the balance of probability so misconduct is now not found.
  - Reject the appeal and support the original finding and sanction.
  - Reject the appeal and support the original finding but recommend a lesser sanction.
  - Suggest a different University procedure be used to address the misconduct.
  - Refer the case to the Formal stage if the Reviewing Officer believed that the case required a panel hearing.
- 3.3.16 The Reviewing Officer will complete a written report, providing their decision and explanation for their decision. The Student Conduct Team will inform The Student of the outcome of the appeal within three working days.
- 3.3.17 The decision of the Reviewing Officer will be final and there shall be no right of appeal.



### **3.4 Category 2 Gross Misconduct Disciplinary Process**

- 3.4.1 The Student may find their misconduct elevated to the Category 2 process if it is unable to be resolved at the Category 1 level, if the student misconduct is frequent or repeated, if the student fails to comply with disciplinary decisions or sanctions previously applied, or if the allegation is a serious Category 2 offence. If The Student is faced with the possibility of suspension or exclusion their case will be heard by a Disciplinary Panel.
- 3.4.2 In the Category 2 process an Investigating Officer will be appointed centrally by the Student Conduct Team.
- 3.4.3 The Investigating Officer should not know the complainant, The Student or any witnesses.
- 3.4.4 The Investigating Officer will review the allegation and the evidence and/or witness statements provided. The Investigating Officer will contact The Student inviting them to discuss the case so they can provide their response to the allegation and to offer any evidence which supports their case.
- 3.4.5 The Investigating Officer will collect further evidence from relevant parties and make any further enquiries that they deem necessary for the investigation. The Investigating Officer is looking for evidence to determine whether, on the balance of probability, the alleged misconduct took place.
- 3.4.6 If The Student does not take up the opportunity to speak to the Investigating Officer the disciplinary process will still proceed, and a finding will still be made based on the evidence available to the Disciplinary Panel. It is strongly recommended that The Student engages with the Investigating Officer and the Disciplinary Panel.
- 3.4.7 Once the investigation is complete the Investigating Officer will write an Investigation Report which will be shared with the Student Conduct Team who in turn will relay the information to the Disciplinary Panel and The Student(s).



- 3.4.8 If The Student admits to an alleged breach throughout the investigation process and provides satisfactory explanation for the allegation made against them, the Student Conduct Team will present the findings to the Assistant Chief Operating Officer (Health Gain and Student Experience) and the Director of Student Services or nominee who will be able to decide whether the case needs to progress to a disciplinary hearing or whether an appropriate penalty can be applied at this stage.
- 3.4.9 If a Category 2 case is deemed to progress as normal, a Disciplinary Panel will be convened with administrative support provided by the Student Conduct Team for a Non-Academic Misconduct Disciplinary Hearing. The Disciplinary Panel members will be appointed by the Student Conduct Team.
- 3.4.10 The Chair of a Disciplinary Panel will usually be a senior member of staff, such as a Dean of School, Director of a Professional Service or Head of a Professional Service. Panel members will have had no prior involvement with the Student(s) and will be employed by the University of East London. Where possible we will seek to ensure the composition of the panel reflects the diversity of our institution.
- 3.4.11 The Student(s) will be notified in writing that they are requested to attend a Disciplinary Panel and will normally be provided with at least seven working days' notice of the hearing date.
- 3.4.12 The Disciplinary Hearing will be organised and carried out through Microsoft Teams unless otherwise requested or deemed necessary by the Chair of the Disciplinary Panel or the Student Conduct Team.
- 3.4.13 All relevant documentation available to the Disciplinary Hearing will be shared with The Student at least 3 working days before the hearing.
- 3.4.14 The Student is permitted to call witnesses to the hearing. The names of any witnesses must be provided to the Student Conduct Team in writing at least 5 days before the hearing date so logistical arrangements can be put in place, unless otherwise communicated by the Student Conduct Team. If any of the witnesses are new to the case, i.e. they were not called as witnesses during the investigation, the Chair of the Disciplinary Panel will decide whether to admit them.





- 3.4.15 The University may also invite witnesses to the hearing, including any complainants. If it does so, The Student will be informed of this in advance of the hearing. If any of the witnesses are new to the case, i.e. they were not called as witnesses during the investigation, the Chair of the Disciplinary Panel will decide whether to admit them.
- 3.4.16 The Student has the right to be accompanied at the hearing (as per section 1.9 above) but that this persons' name needs to be submitted in writing to the Student Conduct Team at least five days before the date of the hearing unless otherwise communicated by the Student Conduct Team.
- 3.4.17 If details of the accompanying person are not provided by a stipulated date then the Chair of the Disciplinary Panel can reserve the right to refuse admission to the accompanying person. If the accompanying person's behaviour at the hearing is deemed inappropriate, the Chair has the right to demand that they be removed or convene the hearing to be held at a later date.
- 3.4.18 It is in the best interest of The Student to attend the Disciplinary Hearing. If they choose not to appear before the panel, the panel has the right to hear the case in their absence.
- 3.4.19 The University strongly advises that a student attending a Disciplinary Hearing seeks the advice and support of the [Student Union Advice Team](#).
- 3.4.20 At the Disciplinary Hearing the Investigating Officer will present their findings. The Student will be invited to respond to the allegations of misconduct made. The panel will ask questions of the Investigating Officer, complainant (if invited to attend) and any witnesses.
- 3.4.21 At the conclusion of the hearing the Disciplinary Panel will discuss the case in private and will reach a decision based on the available evidence. The Panel will endeavour to make a decision on the same day as the hearing, but this may not always be possible.
- 3.4.22 The Disciplinary Panel may make one of the following decisions:
- Dismiss the allegation as on the balance of probability misconduct was not found.
  - Conclude that on the balance of probability the misconduct took place but take no further action.



- Conclude that on the balance of probability the misconduct took place and apply a proportionate sanction.
  - Conclude that on the balance of probability the misconduct took place and recommend The Student be fully excluded or expelled.
- 3.4.23 Should the Disciplinary Panel be unable to reach a consensus the Chair will have the determining voice. The Chair of the Panel, through the Student Conduct Team, will write to The Student conveying the Panel's decision, together with reasons and any associated conditions, in writing and normally within three working days of the date of the decision.
- 3.4.24 The complainant will, where appropriate, also be notified of the outcome.
- 3.4.25 In the event that the decision involves the suspension or extensive exclusion of the student then the relevant Dean of School will work with the Department of Student Services to devise and implement a plan to support The Student's study where that is possible and appropriate.
- 3.4.26 In the event that the Panel decides the Student should be expelled or fully excluded a full report should be submitted to the Provost (or nominee) by the Student Conduct Team, with the recommendation that any student concerned be expelled or fully excluded under the general disciplinary powers of the Provost. Should the Provost be conflicted through involvement in the matter concerned or be unavailable the report should be submitted to the Deputy Vice-Chancellor by the Student Conduct Team, with the recommendation that any student concerned be expelled or fully excluded under the general disciplinary powers of the Pro-Vice Chancellors. The response to this report initiates the Students' appeal process.

### **3.5 Appeal against a sanction (expulsion and non-expulsion)**

- 3.5.1 The Student can appeal the decision within ten working days of either the date of their outcome letter detailing the Disciplinary Panels decision or the date of the endorsement letter confirming endorsement of expulsion or full exclusion by the Provost or a Pro-Vice Chancellor.



- 3.5.2 The Student can appeal by contacting the Complaints and Appeals Team [complaints@uel.ac.uk](mailto:complaints@uel.ac.uk) detailing the reasons for their appeal. An appeal against any penalty can only be made because of one or more of the following grounds:
- The University has failed to follow the procedure set out in this Procedure.
  - The decision was unreasonable and/or a disproportionate outcome has been imposed.
  - The student has material new information/evidence which was not reasonably available before.
- 3.5.3 Pending the outcome of any appeal the decision and sanction of the Disciplinary Panel will remain in force (except in cases where the penalty could affect the student record, e.g., exclusion, suspension or expulsion). Any precautionary measures applied prior will remain in force throughout the appeals process.
- 3.5.4 The Complaints and Appeals Team will consider the appeal submission and determine whether there are valid grounds to proceed. The Student will be notified by the Complaints and Appeals Team within seven working days of their appeal being received whether there are valid grounds to proceed, or not.
- 3.5.5 Should the Appeals Team (in cases not involving expulsion) or the Vice-Chancellor and President (in cases involving expulsion) require further clarification on the case and/or the outcome recommended by the Disciplinary Panel a request can be issued to the Student Conduct Team to organise a further outcome meeting with the Disciplinary Panel in order to provide additional clarifications on how the recommended outcome was determined.
- 3.5.6 The report of the further outcome meeting will be submitted to the Appeals Team or the Vice-Chancellor and President within 7 working days from the date of the request for final consideration prior to reaching an outcome of the appeal.



3.5.7 **In cases not involving expulsion**, where valid grounds have been determined for an appeal, a nominated Head of School/ Director of Professional Service not previously involved in the case will determine the appeal solely by review of the documentary evidence available and will either:

- Dismiss the appeal (in whole or part), and/or
- Uphold the appeal (in whole or part) and
- Refer the matter back to an earlier Stage of this Procedure for reconsideration, e.g., if procedure had not been followed.
- Refer the matter back to an earlier Stage of this Procedure for fresh consideration, e.g. if material new information or evidence was made available, or
- Impose an alternative sanction.

3.5.8 **In cases involving an expulsion**, where valid grounds have been determined, the University Secretary will invite The Student to submit additional evidence for further consideration and may also invite the student to attend a meeting, if this is deemed appropriate based on the evidence presented. A report of this meeting and collective evidence will be submitted to the Vice-Chancellor and President to determine the appeal.

3.5.9 The Vice-Chancellor and President, or their nominated senior alternate, will determine the appeal, and will make one of the following decisions:

- Dismiss the appeal (in whole or part) and/or
- Uphold the appeal (in whole or part) and
- Refer the matter back to an earlier Stage or section of this Procedure for reconsideration, e.g., if procedure had not been followed
- Refer the matter back to an earlier Stage or section of this Procedure for fresh consideration, e.g., if material new information or evidence was made available, or
- Impose an alternative sanction.



- 3.5.10 The Student will be notified of the appeal outcome by the Complaints and Appeals Team within ten working days of the date of the letter informing the student that the appeal was being considered.
- 3.5.11 Any decision made regarding an appeal outcome will be final and will conclude this Procedure.

### **3.6 Completion of the University Student Disciplinary Procedure**

- 3.6.1 If the student appeals, a Completions of Procedures letter will be issued to The Student by the Complaints and Appeals Team within 28 days of the conclusion of the appeal. This conclusion will be one of the following:
- The Student's appeal will not proceed.
  - The Student's appeal has not been upheld.
  - The Student's appeal has been wholly upheld, and no further action is required.
- 3.6.2 If The Student does not appeal by the end of the appeal window, the disciplinary procedure will be considered complete. The Student may request a Completion of Procedures letter from the Student Conduct Team.
- 3.6.3 If either The Student or The Complainant are dissatisfied with the way the University have handled the disciplinary process they can raise a complaint through the Procedure. The University recommends any student wishing to raise a complaint receives support from the [Student Union Advice Team](#).
- 3.6.4 If a student is not satisfied with the way the University have handled their complaint, they can raise a complaint to the [Office of the Independent Adjudicator \(OIA\)](#). Complaints must normally be received by the OIA within twelve months of the date of the Completion of Procedures Letter; otherwise the OIA may consider the complaint to be out of time.



## 4 Links to other Institutional Policies and Procedures

### 4.1 Internal Policies

4.1.1 This Policy/Regulation relates to the following institutional regulations, policies or procedures:

[Student Code of Conduct](#)

[Non-Academic Misconduct Policy](#)

[Complaints Procedure](#)

[Appeals Procedure](#)

[Appeals Flowchart](#)

[Appeals Form](#)

[Equality and Diversity Policy](#)

[University Safeguarding Policy and Procedure](#)

For procedural guidance, refer to the [Appendices](#).

## 5 Links to Support Organisations and Networks

### 5.1 UEL Support

5.1.1 [Report and Support](#) – A reporting tool for both staff and students. You can choose to report anonymously or report and request a case worker to contact you.

5.1.2 **SU Advice Team** – [studentadvice@uel.ac.uk](mailto:studentadvice@uel.ac.uk) The Students' Union provides a confidential, non-judgemental and free advice service available to all UEL Students.

5.1.3 **Student Wellbeing Team** – [wellbeing@uel.ac.uk](mailto:wellbeing@uel.ac.uk) can provide emotional support to both the student and the complainant.

### 5.2 External Support

5.2.1 [Full list of External Support](#)



## 6 Definitions

### 6.1.1 Definitions of acronyms or phrases used within the policy;

**Expulsion** - refers to a students' complete removal from the University. Any access to the University systems would be halted and the student can no longer complete their degree within the University.

**Suspension** – refers to a halt on the students record, disabling them to continue with their academic studies for a specified amount of time.

**Exclusion** – refers to a ban set against an enrolled student, excluding them from specific University activities, spaces within campuses or campuses in whole.

**The Student** – is the University of East London student who has been accused of non-academic misconduct.

**The Complainant** – is the person(s) who reported a University of East London student for non-academic misconduct.

**Witness** – a person who has witnessed an incident and may be called to provide a statement and/or attend a disciplinary hearing. Witnesses may be called by The Student, The Complainant or The University.

## 7 Appendices

Appendix A [Precautionary Measures Risk Assessment form](#)

Appendix B [Non-Academic Misconduct Hearing Agenda](#)

Appendix C [FAQs on Non-Academic Misconduct processes](#)

Appendix D [Update to non PDF version](#)