

## Part 12

# Student disciplinary regulations and procedures (incorporating the student code of conduct)

### **1 Introduction**

- 1.1 UEL's Vice-Chancellor and President is responsible under UEL's Articles of Government (Article 3.2(f) refers) for the maintenance of student discipline and, within the rules and procedures provided for within those Articles, for the suspension or expulsion of students on disciplinary grounds and for implementing decisions to expel students for academic reasons.

### **2 Scope of the Student Code of Conduct and Disciplinary Procedure**

- 2.1 Allegations of misconduct or of failure to comply with the standards of conduct in the [Student Code of Conduct](#) may result in the University taking action under the Student Disciplinary Procedure or such other University procedure as it considers reasonable and appropriate (2.5 below refers).
- 2.2 The Student Code of Conduct and Student Disciplinary Procedure apply to all UEL students at all times (i.e. whilst enrolled on a UEL programme of study not just during term time). This includes alleged misconduct which takes place in relation to any activity associated with or organised by the University, irrespective of whether any alleged misconduct takes place on or off University premises.
- 2.3 Students who are the subject of an allegation of misconduct in a placement or workplace setting which is part of their programme of study will normally be subject to the conduct and discipline policy and procedure of that Placement and/or employer in the first instance. UEL may, however, also decide to take action under these or other relevant University policies and procedures (paragraph 2.6 below refers) if it is considered appropriate to do so.
- 2.4 The Student Code of Conduct and Disciplinary Procedure do not apply to a student's employment by the University. The UEL Students' Union also has its own policy and procedures relating to student conduct. Furthermore, UEL will not normally intervene in disputes involving private contractual agreements e.g. between a student and a landlord. It is also not intended that this Policy will be used to limit lawful protest.
- 2.5 Across the University there are a range of related procedures and policies which may offer the most relevant, effective and immediate means of influencing and managing student conduct and which will usually be used in the first instance unless the nature of the allegations makes that inappropriate. UEL recognises that individuals may at times be unaware of the effect and consequences of their conduct on others and these rules provide for proportionate and positive local responses to misconduct.

2.6 Other relevant UEL policies and procedures include:

- Dignity at Work and Study Policy and Procedure
- Responsibilities of students and fitness to study
- Suitability Procedure
- Complaints Procedure
- Safeguarding Policy
- Sports Code of Conduct
- Accommodation Agreement and Residential Life Handbook
- UEL Policy Statement on Hate Crime and Sexual Violence
- Health and Safety Policy Statement

2.7 Where necessary the Student Conduct Officer will determine the appropriate procedure to be followed in each case.

The suggested level of action and examples of misconduct given in this Procedure at sections 7.1, 8.1 and 9.2 are illustrative only and UEL reserves the right to determine the level of action to be taken in accordance with the perceived risk, scale and severity of the alleged misconduct. The University may deal with a matter at any Stage without the need for an earlier Stage being exhausted or commenced.

### **3 Principles supporting the application of UEL's Disciplinary Procedures**

3.1 The following principles will be applied by UEL when implementing these Disciplinary Procedures across the University to help ensure that students are treated fairly, appropriately and transparently, and that matters are dealt with effectively and efficiently in the best interests of the student, the 'complainant', the University and its staff and students.

3.2 **The principles:**

- The standard of proof applied at every Stage of these Disciplinary Procedures is the balance of probabilities based on available evidence.
- 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 take action in response to anonymous allegations of misconduct.
- The University will not act on allegations of misconduct which it considers to be vexatious, spurious or malicious.
- A student who is alleged to have committed an act of misconduct has a right to be informed of and respond to those allegations, as set under this Procedure.
- Any action under this Procedure will be determined impartially.
- This Procedure will be conducted in a timely manner, though the University will give due consideration to the timing of any disciplinary proceedings where reasonable to do so; for example, where proceedings may have additional implications for the status of a student or to meet any reasonable adjustments under The Equality Act 2010. Time limits and periods of notice in this Procedure

may also be amended on a case-by-case basis by the University with good reason (such as in the matter of fairness).

- Sanctions imposed under this Procedure will be reasonable, proportionate and consistent with standards applied across the University.
- Students will have a right of appeal against decisions taken under Stages 2 and 3 as set out in the Procedure.
- Students who are dealt with under this Procedure are encouraged to seek advice and representation from the UEL Students' Union Advice Service.
- Students who are dealt with under this Procedure are entitled at any meeting or Disciplinary Hearing to be accompanied and/or represented by a staff member, friend, relative or representative of the Students' Union or its staff. This is in addition to any health professional or support worker who may usually accompany the student or who may attend at the University's discretion by way of making reasonable adjustments for a student.
- 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.
- All references within this Procedure to a post-holder shall be construed to include references to their deputies or nominees who may act within this Procedure on the authority of the post holder, for instance where s/he is unavailable or her/his prior involvement in a matter might be seen to affect her/his impartiality.

#### **4 Advice and Assistance**

4.1 A student may seek support and guidance from the following sources at any stage of this Procedure:

- UEL Students' Union – which can offer independent advice and, if necessary, representation and support for the student through a formal University procedure.
- UEL's Student and Academic Services Department is able to offer a range of support, practical advice, assistance and reasonable adjustments in relation to academic status, health, wellbeing, immigration issues and related matters.

#### **5 Precautionary Measures in Advance of Disciplinary Action**

5.1 This section refers to the use of a temporary suspension of a student from their studies and/or related learning activities, or temporary exclusion from UEL premises, and/or including UEL-managed residential accommodation, as a means of mitigating risk.

5.2 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 accused student has committed misconduct.

- 5.3 **Suspension** means that the student is prohibited from participating in the academic activity of the University and the student's registration on her/his programme of study is put on hold. A qualified or partial suspension may be put in place where appropriate.
- 5.4 **Exclusion** means that the student is prohibited from taking part in University activities, using University facilities and/or entering University grounds or premises. A qualified or partial exclusion may be put in place where appropriate.
- 5.5 When determining the type and extent of any precautionary action, the Director of Student and Academic Services will undertake a risk assessment on a case-by-case basis. Such an assessment will include the following:
- Type and nature of the alleged misconduct
  - Level of risk the reported student poses to their own health, safety and/or wellbeing and/or that of others; and/or UEL property; and/or the reputation of the University, and/or its proper functioning and/or its activities
  - Academic status and any potential academic adjustments
  - Any measures to best protect the investigation and/or the reporting student/others from harm whilst minimising any possible impact on the accused student
  - The interests and welfare of both students and the requirements to treat all parties fairly and equally; including any support arrangements
- 5.6 As part of her/his determination the Director of Student and Academic Services will consider whether specific arrangements can reasonably be put in place for the student to minimise the impact on her/his studies and will liaise with the student's Dean of School as appropriate and/or the Directors or Heads of other Professional Service areas as appropriate.
- 5.7 Where the Director of Student and Academic Services has assessed the evidence and reasonably believes that a student against whom an allegation of misconduct has been made does pose a risk, s/he may, acting under delegated authority from the Vice-Chancellor and President:
- suspend the student for a specified period of time, and/or
  - exclude the student from University premises, and/or University-managed residential accommodation, for a specified period pending steps being taken under this Procedure.
- 5.8 The student will be notified in writing of the decision, with reasons, normally within two working days of the date of the decision.
- 5.9 A student may appeal against a decision to suspend and/or exclude her/him within ten working days of the date of the written notification of the decision appeal in accordance with Section 10.3 below.
- 5.10 Where a student is suspended or excluded in accordance with section 5 of this Procedure, the Director of Student and Academic Services will review at regular intervals whether it is reasonable for the suspension/exclusion to continue or whether it should be revoked, or the terms amended or extended.

## **6 Criminal Offences and Legal Proceedings**

- 6.1 If an allegation of misconduct might constitute a criminal offence or where a police, criminal or other legal investigation or legal proceedings are likely or are under way, the Director of Student and Academic Service may give formal notice to the student of an intention to invoke the Disciplinary Procedures but may postpone further action until the investigation and/or proceedings have been concluded.
- 6.2 In such cases the student may be suspended and/or excluded under this Procedure in accordance with Section 5 above, pending the progression or outcome of any police, criminal or other legal investigation or proceedings.
- 6.3 UEL is not bound by the outcome of any criminal or other legal proceedings and is not precluded from taking action under any University procedures regarding the matter particularly where there is a risk to members of staff or other students.

### **Custodial Sentences and Students on Remand**

- 6.4 Where information is provided to the University that a student is convicted of an offence and given a custodial sentence or is remanded in custody pending the outcome of criminal proceedings, the matter is to be reported to the Director of Student and Academic Services as soon as possible.
- 6.5 The Director of Student and Academic Services will determine:
- whether or not to invoke the University's disciplinary procedures either at the time or deferred, and
  - the student's registration status, i.e. whether the student is withdrawn temporarily, or her/his registration terminated (which could have a bearing on the position relating to their fees and student loan).
- 6.6 Such matters will be decided on a case-by-case basis considering the length of the sentence, the crime committed and the academic status of the student. In reaching her/his decisions, the Director of Student and Academic Services will take advice as appropriate in the circumstances, but this will usually include the relevant Dean of School or Director of a Professional Services area. The Director of Student and Academic Services will notify the student in writing of her/his decisions and whether and how the student may be able to apply for re-admittance.
- 6.7 A former student who has served a custodial sentence or period of remand may wish to return to the University to complete her/his studies. S/he is required formally to request re-admittance in writing to the Director of Student and Academic Services and to provide as much information as possible about the conviction and terms of release. The Director of Student and Academic Services will arrange for other information to be gathered as necessary, including about the student's previous academic position and any external advice available regarding risks.
- 6.8 The Director of Student and Academic Services will consider the nature of the offence, any circumstances or any potential risks to the University and its members, and any other pertinent issues and decide (1) on re-admission and the timing of it, and (2) on any conditions associated with re-admission. S/he may wish to meet with the student concerned to discuss the issues (where that is possible). S/he will also consult with the relevant PVC/Dean, Dean of School or Director of a Professional Services area as appropriate.

## **7 Stage 1: Initial Formal Intervention**

- 7.1 Stage 1 normally involves intervention by members of academic or professional services staff at an early stage when an incident occurs, or issue arises which is relatively contained and minor, with the aim of addressing it as quickly and as close to the source as possible.
- 7.2 Reference should be made to UEL's Student Code of Conduct and examples of minor misconduct include:
- student conduct issues within the teaching environment or connected to academic activity may be best dealt with in the School or College Faculty, such as behaviour which disrupts learning activities
  - incidents between students or between students and staff, for instance which show a lack of respect or courtesy, or where informal attempts to deal with bad behaviour have not been successful
  - misuse of social media
  - misuse of University property, or the property of staff, students or visitors
  - misuse or unauthorised use of University premises
  - damage to University property, or the property of staff, students or visitors, caused intentionally or recklessly
  - early intervention where there is an allegation of bullying or harassment
  - action likely to cause injury or impair safety on University premises.
  - Breach of Universities health and safety regulations
  - Possession of psychoactive substances
- 7.3 Complaints or allegations about misconduct at this stage may also fall within the scope of other University procedures such as those listed in section 2.6 above. In such cases the University may consider it appropriate and reasonable in the circumstances for an alternative procedure to be used to deal with the matter. For example (not an exhaustive list):
- If there is conflict between students within a UEL residence, the rules for students in the University Accommodation Agreement may be the appropriate initial step.
  - Misconduct by a student while on a professionally accredited programme may be required to be dealt with in accordance with Professional requirements for that programme of study.
  - Where misconduct is related to a student's mental health then the Fitness to Study Policy may be more appropriate.
- 7.4 A matter dealt with in a School or Service will be undertaken and determined by the Dean of School, Head of Service or their nominee. The Dean of School, Head of Service or their nominee should inform the Student Conduct Team of the matter for it to be logged centrally and can liaise with the team for support and advice as necessary
- 7.5 Possible sanctions include but are not limited to:
- Verbal or written warnings
  - A formal apology to an individual
  - Reparation to the University or (an) individual(s) in respect of loss caused by the misconduct
  - Financial penalties of up to £200
  - Seizure and retention for a period of time, or confiscation without compensation, of items, for the purpose of maintaining the safety and wellbeing of others

- Removal of access to a service provided by the University or to the use of specified facilities for a given period of no longer than one week.
- 7.6 The outcome of any disciplinary action taken at Stage 1 should be reported to the Student Conduct Team.
- 7.7 If the student rejects the proposed sanction due to the grounds below, within 10 working days, the student can send a statement to the Student Conduct Team. The Student Conduct Team will forward this to an identified Responsible Officer (Student Conduct) (who has not been involved in the case so far). If the statement from the student is not received within this time frame, the Student Conduct Team will write to the student to inform them that a statement will not be considered, and the proposed penalty will be applied.
- 7.8 A statement 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.
- 7.9 Once a statement has been received by a Responsible Officer (Student Conduct), they will determine whether there are sufficient grounds to proceed to the next stage of the process.
- 7.10 Where a statement does not provide sufficient grounds to allow the student's case to proceed to the next stage, the reviewing Responsible Officer (Student Conduct) will, within ten working days of receiving the statement, complete a written report, providing their decision and explanation for their decision. This will be forwarded to the Student Conduct Team who will inform the student within three working days of receipt and confirm that the proposed penalty will be applied. The decision of the reviewing Responsible Officer (Student Conduct) will be final and there shall be no right of appeal.
- 7.11 If the statement is deemed valid by the reviewing Responsible Officer, the matter will proceed to the next stage. The student will be informed of this, in writing, by the Student Conduct Team within five working days. This written notification will also warn the student that any case proceeding to the next stage may result in the awarding of a more severe penalty than that originally proposed.

## **8 Stage 2: Formal Review**

- 8.1 Stage 2 is for cases where action at Stage 1 or an alternative procedure has failed to resolve matters, for persistent offenders or for behaviour which is too serious to be dealt with at Stage 1.
- 8.2 Allegations of misconduct are to be submitted in writing in the first instance to the Student Conduct Team
- 8.3 Examples of alleged misconduct which may be considered at Stage 2 include, but are not limited to:

- bullying, harassment or discrimination against another person;
  - physical or verbal abuse or intimidation against another person;
  - any act which brings or threatens to bring the University's reputation into disrepute;
  - disruption of or improper interference with the academic, administrative, sporting, social or other activities of the University;
  - reckless allegations against other students, staff or members of the public.
  - Possession or use of Class B and Class C drugs
- 8.4 If the alleged misconduct is such that it should be considered under another University policy or procedure or in some other way, the Student Conduct Team will refer the matter as appropriate. If the alleged misconduct is such that it would be considered gross misconduct (see 9.2 below), then the matter will be escalated to the Director of Student and Academic Services who will immediately refer the matter to Stage 3 of this Procedure.
- 8.5 For cases requiring an investigation, the Student Conduct Team will refer the matter to relevant Dean of School or Director of a Professional Services area as appropriate, who in turn will appoint an Investigating Officer to carry out that investigation. Guidance on investigations is available separately.
- 8.6 The Investigating Officer will provide a report and any evidence to the Student Conduct Team and Dean of School or Director of a Professional Services as appropriate, who will consider the report and any evidence, including the student's response to the allegation if provided. They may decide to meet the student to explore further matters raised in the investigation. The Student Conduct Team may, after taking any advice:
- dismiss the allegation, or
  - find that a breach of discipline did occur, but take no further action, or
  - decide to issue a further warning to the student, or
  - find that a breach of discipline did occur and impose an appropriate sanction, or
  - if after further investigation the alleged misconduct is such that it would be considered gross misconduct, then the Director of Student and Academic Services will refer the matter to Stage 3.
- 8.7 Possible sanctions at Stage 2 include but are not limited to:
- Verbal or written warnings
  - A formal apology to an individual
  - Reparation to the University or (an) individual(s) in respect of loss caused by the misconduct
  - Financial penalties of up to £200
  - Seizure and retention for a period of time, or confiscation without compensation, of items, for the purpose of maintaining the safety and wellbeing of others
  - Removal of access to a service provided by the University or to the use of specified facilities or from any part or parts of the University for a given period of no longer than one week.
- 8.8 The Student Conduct Team will write to the student(s) to inform them of the outcome of the stage 2 proceedings.
- 8.9 If the student rejects the proposed sanction due to the grounds below, within 10 working days, the student can send a statement to the Student Conduct Team. The

Student Conduct Team will forward this to an identified Responsible Officer (Student Conduct) (who has not been involved in the case so far). If the statement from the student is not received within this time frame, the Student Conduct Team will write to the student to inform them that a statement will not be considered, and the proposed penalty will be applied.

- 8.10 A statement 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.
- 8.11 Once a statement has been received by a Responsible Officer (Student Conduct), they will determine whether there are sufficient grounds to proceed to the next stage of the process.
- 8.12 Where a statement does not provide sufficient grounds to allow the student's case to proceed to the next stage, the reviewing Responsible Officer (Student Conduct) will, within ten working days of receiving the statement, complete a written report, providing their decision and explanation for their decision. This will be forwarded to the Student Conduct Team who will inform the student within three working days of receipt and confirm that the proposed penalty will be applied. The decision of the reviewing Responsible Officer (Student Conduct) will be final and there shall be no right of appeal.
- 8.13 If the statement is deemed valid by the reviewing Responsible Officer, the matter will proceed to the next stage. The student will be informed of this, in writing, by the Student Conduct Team within five working days. This written notification will also warn the student that any case proceeding to the next stage may result in the awarding of a more severe penalty than that originally proposed.

## **9 Stage 3: Formal Disciplinary Hearing**

- 9.1 A matter which cannot be concluded appropriately at Stage 2 or a matter concerning an allegation of gross misconduct will be dealt with by a Disciplinary Panel at a Disciplinary Hearing.

### **Gross misconduct**

- 9.2 Examples of what might constitute gross misconduct are as follows (this is not an exhaustive list):
- Criminal activities that have a bearing on the student's participation in the University or provide a risk to other students, staff or other users of the University's services or the reputation or functioning of the University or its activities;
  - Violence, including sexual violence;
  - Incidents involving weapons;
  - Repeated or persistent misconduct of a serious nature;

- Persistent failure to respond to or comply with formal disciplinary sanctions imposed under this Procedure or other University policies and procedures;
  - Vexatious or malicious allegations against other students, staff or members of the public;
  - Any serious breach of the Standards of Conduct in the Conduct Policy or behaviour that has, or may have, a serious adverse impact on the University's students, staff or members of the public or the reputation or functioning of the University or its activities.
- 9.3 Allegations of misconduct are to be submitted in writing to the Student Conduct Team who will assign an Investigating Officer who will be responsible for carrying out any investigations and will normally present the University's case at the Disciplinary Hearing. Guidance on investigations is available separately.
- 9.4 A Disciplinary Panel will be convened with appropriate administrative support. The Disciplinary Panel members will be appointed by the Director of Student and Academic Services. The Chair of a Disciplinary Panel will usually be a member of UEB, a Dean of School or Director of a Professional Service. Panel members will be impartial.
- 9.5 The Director of Student and Academic Services will also appoint a member of staff at an appropriate level and who has not previously been involved in the case to act as secretary to the Disciplinary Panel. The secretary will organise the Disciplinary Hearing in accordance with the Procedure and deal with queries from the student or the Panel on the procedure involved. The secretary will also ensure that information is shared as appropriate with the parties and that a record of the Hearing is taken.
- 9.6 As part of the investigation and in advance of the Hearing, the student alleged to have committed an act of misconduct will be advised by the Student Conduct Team of the nature of the allegation(s) and the supporting evidence, in writing.
- 9.7 The student will usually be invited to a meeting with the Investigating Officer, the purpose of which will be to gather facts about the alleged misconduct. The student will be given at least three working days' notice of any meeting and has the right to be accompanied to the meeting as set out in paragraph 4.1 above. Care will be taken to avoid placing the student in a position whereby s/he implicates him/herself unfairly.
- 9.8 The student will have a right to respond to the allegation(s) of misconduct and provide any evidence in support of her/his response, including witness statements, in writing and/or at a meeting with the Investigating Officer. S/he will also identify any witnesses to be interviewed as part of the investigation and/or appear at the hearing.
- 9.9 A student may choose not to attend a meeting with the Investigating Officer and/or not to respond to the allegations. In such circumstances the Student Conduct Team, in consultation with the Director of Student and Academic Services, may decide whether or not action under the Procedures should continue.
- 9.10 Once the investigation is completed and the date of the Disciplinary Panel hearing is arranged, the student will normally be provided with at least seven working days' notice of the date, other details of the hearing and the identity of the Panel members. The student has the right to be accompanied and/or represented at the hearing as set out in paragraph 3.1 above.

- 9.11 Any witnesses will normally also be given at least seven working days' notice of any hearing at which they are required to appear.
- 9.12 The Investigating Officer and the secretary will arrange for the information collected during the investigation to be provided to the Panel members and the student and/or the student's representative if she/he has one, at least five working days prior to the hearing.
- 9.13 The Disciplinary Panel will include:
- the presentation of the case
  - the right of the student to present her/his response to the allegations
  - the right of the case presenter and the student to call witnesses, to provide evidence, and to ask questions via the Chair.

Guidance on the procedure and conduct of a hearing is available from the Student Conduct Team.

- 9.14 After the case has been heard the Panel will determine its findings and reach a decision in the matter. It may make one of the following decisions:
- the allegation of misconduct is unfounded, or
  - the allegation of misconduct is founded but to take no further action, or
  - the allegation of misconduct is founded and to impose an appropriate sanction, or
  - the allegation of misconduct is founded and to recommend that the student be suspended, excluded or expelled.

### **Sanctions**

- 9.15 Possible sanctions at Stage 3 include but are not limited to:
- Verbal or written warnings
  - A formal apology to an individual
  - Reparation to the University or (an) individual(s) in respect of loss caused by the misconduct
  - Financial penalties of up to £200
  - Seizure and retention for a period of time, or confiscation without compensation, of items, for the purpose of maintaining the safety and wellbeing of others
  - Removal of access to a service provided by the University or to the use of specified facilities for a given period
  - Suspension from studies or related learning activities or exclusion from University premises for a specified period of time with or without conditions
  - Expulsion from the University

### **Communication of the Outcome**

- 9.16 The Chair of the Panel will write to the student conveying the Panel's decision, together with reasons and any associated conditions, in writing and normally within five working days of the date of the decision. The complainant, where appropriate, the Student Conduct Team and the relevant Dean of School within the student's College will also be notified of the outcome.

- 9.17 In the event that the decision involves the suspension or exclusion of the student then the relevant Dean of School will work with the Department of Student and Academic Services to devise and implement a plan to support the student's study where that is possible and appropriate. Other student services may also need to be informed of the outcome, such as Accommodation Services.
- 9.18 If the Disciplinary Panel recommends that a student should be subject to expulsion from UEL the University Secretary will also be notified.

## **10 Appeal against a sanction not involving expulsion**

- 10.1 Students may appeal to the Complaints and Appeals Managing Officer in writing within ten working days of the date of the written notification of any decision made under Stage 3 of this Procedure, or in the case of a temporary suspension or exclusion (Section 5 above refers), on 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.
- 10.2 Pending the outcome of any appeal the decision of the Director of Student and Academic Services or Disciplinary Panel will remain in force.
- 10.3 The Complaints and Appeals Managing Officer will consider the appeal submission and determine whether there are valid grounds to proceed.
- 10.4 Where valid grounds have been determined, a nominated Dean 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.
- 10.5 The outcome of the appeal will be notified to the student in writing, with reasons, within five working days of determination of the appeal.
- 10.6 If an appeal is not upheld or is not permitted to proceed under the grounds of appeal, a Completions of Procedures letter will be issued within 28 days.
- 10.7 The decision of the Dean of School/Director of Professional Service will be final and will conclude this Procedure.
- 10.8 The Complaints and Appeals Managing Officer will ensure that the outcome is notified to other relevant parties, the Director of Student and Academic Services and the Head of the Student's School/Service where appropriate.

## **Appeal against expulsion**

- 10.9 The University Secretary will consider the appeal submission and determine whether there are valid grounds to proceed.
- 10.10 Where valid grounds have been determined, the VC&P will invite the student to submit additional evidence within a specified timeframe for further consideration by the VC&P. A student may make a request in writing to the University Secretary to attend a meeting with the VC&P to discuss the appeal. The University Secretary may also invite the student to attend a meeting, if this is deemed appropriate based on the evidence presented.
- 10.11 The VC&P 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.
- 10.12 The outcome of the appeal will be notified to the student in writing, with reasons, within seven working days of determination of the appeal.
- 10.13 The decision of the VC&P will be final and will conclude this Procedure. The Complaints and Appeals Managing Officer will ensure that the outcome is notified to other relevant parties, the Director of Student and Academic Services and the Dean of School of the student's College where appropriate.

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

- 11.1 Following written notification to the student of the outcome of an appeal and conclusion of the internal procedures, UEL will provide the student with a Completion of Procedures letter which confirms that the University's internal procedures have been completed. If the student is dissatisfied with the outcome s/he may be able to raise a complaint before 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. Further information is available from the Students' Union Advice Centre and at: <http://www.oiahe.org.uk/>.
- 11.2 This Procedure will be reviewed at least every three years by the Director of Student and Academic Services to ensure that it remains fit for purpose.

## APPENDIX 1

### Indicative misconduct and possible penalties

The table below contains examples for guidance but is not an exhaustive list. For further information or details, please contact the Student Conduct Team.

Type of misconduct	Possible penalty
Verbal, written or online abuse	Formal warning or expulsion, depending on severity of incident
Refusal to comply with security/staff reasonable requests	Formal warning
Harassment/ aggressive/ threatening behaviour	Formal warning or expulsion, depending on severity of incident
Behaviour that can endanger others	Formal warning or expulsion, depending on severity of incident
Physical assault	Formal warning or expulsion, depending on severity of incident
Indecent behaviour or sexual harassment	Formal warning or expulsion, depending on severity of incident
Sexual assault	Expulsion
Possession of a firearm/weapon (licenced or otherwise), or other implement used as a weapon	Expulsion and may be reported to the police
Tampering with fire equipment	Informal warning, formal warning or expulsion, depending on severity of incident
Smoking indoors (includes e-cigarettes, vaping and shisha)	Formal warning and fine up to £100 for a first incident, to increase to a fine up to £150 for any subsequent incidents
Smoking cannabis	Formal warning and fine of £200 for a first incident, to increase to a fine up to £250 for any subsequent incidents
Possession/Use of psychoactive substances e.g. laughing gas	Formal warning and fine of £100 for a first incident, to increase to a fine up to £150 for any subsequent incidents
Possession of class B or C drug (e.g. cannabis)	Formal warning and fine of £100 for a first incident, to increase to a fine up to £150 for any subsequent incidents

Possession/Use of Class A drug	Expulsion and fine of £200. Police informed
Dealing drugs (of any class)	Expulsion and fine of £200. Police informed