



## **Student Code of Conduct (Non-Academic)**

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# 1. Introduction

- 1.1 The University of Nottingham is committed to fostering an environment that values and respects all members of the university community. We expect everyone to conduct themselves in a manner that upholds the values of inclusivity, fairness and respect. The purpose of the Student Code of Conduct (Non-Academic) and the associated procedures is to provide information on student behaviours that are not acceptable at the University and provide a framework for addressing these.
- 1.2 The Student Code of Conduct (Non-Academic) links to the University [Ordinances](#) (specifically Ordinance XXIV: Discipline) and is detailed in the [Regulations](#) (Regulation 7, the Student Code of Conduct (Non-Academic), which all students agree to abide by when they accept an offer to study at the University. Senate, the academic authority of the University, is accountable to Council, the University's governing body and has responsibility for agreeing and supporting the implementation of the Student Code of Conduct (Non-Academic).

# 2. Scope

- 2.1 The Student Code of Conduct (Non-Academic) applies to all students from the point at which their place at the University of Nottingham is confirmed, until they complete or stop studying at the University. It covers all students studying at, living on, on placement at or visiting the UK campuses. It includes students at all levels of study (e.g. undergraduate, postgraduate, or on apprenticeship programmes), whether they are studying full time, part time or as a distance learner and if they are registered as a University of Nottingham student but studying elsewhere (e.g. Lincoln Medical School). It also covers Students' Union (SU) Sabbatical Officers during their period of office.
- 2.2 The University also reserves the right to take disciplinary action for alleged misconduct by students who have interrupted their studies, or who have been temporarily suspended, or excluded, or have their thesis pending or are in some other way still members of the University community. If disciplinary action under this code has been commenced against a student who then leaves the University, we reserve the right to continue with the disciplinary process.
- 2.3 Where allegations of misconduct are made against students who are on apprenticeship programmes or on a placement with a third-party provider, those students might also be subject to the disciplinary procedures of the employer / third party in addition to the disciplinary procedures of the University.
- 2.4 Where allegations of misconduct are made against students registered on relevant professional programmes of study, these will normally be considered under the Fitness to Practise policy and procedures in the first instance (see section 13 below).

- 2.5 In some cases, it might be more appropriate to support a student under the Support to Study policy, and in these cases, the disciplinary process may be paused or stopped to enable appropriate action to be taken under that policy.
- 2.6 Where there is more than one responding student, the University will decide on a case-by-case basis whether the allegations made against them should be managed individually or as a group and whether disciplinary action is taken under this code or the Students' Union Code of Conduct. Where alleged misconduct by a group of students took place in or at a SU society, event or affiliated group, disciplinary action will normally be taken under the SU Code of Conduct.
- 2.7 Students who are also members of University staff (i.e., those with an employment contract at the same time as a valid student registration) will be subject to disciplinary action under this code where the alleged misconduct occurred during activities related to their student registration. The outcomes of this will be shared with HR (Human Resources) for further action as required. If the alleged misconduct took place during the course of their contracted activities, this will be managed within the relevant HR policy and procedures and the outcomes shared with the relevant case manager for student misconduct.
- 2.8 Unless specifically stated below in the examples of misconduct in Appendix 1, the Student Code of Conduct (Non-Academic) covers misconduct both on and off campus. Most forms of misconduct can occur through a variety of means, including, but not limited to, online, face to face and/or via social media. Misconduct by any means is covered by this code.
- 2.9 Students are expected to take reasonable steps to ensure that any visitors / guests they bring on to a University of Nottingham campus behave in a way that would not amount to a breach of the Student Code of Conduct if they were a student at the University. Failure to take reasonable steps may result in disciplinary action against the student.
- 2.10 The following circumstances are not normally covered by the Student Code of Conduct (Non-Academic):
- allegations of misconduct against a third party who is not a registered student at the University of Nottingham
  - allegations of misconduct made against members of staff (these will be managed via the relevant [HR policies and procedures](#))
  - resolving disputes between students, either on or off campus, unless the alleged behaviour may constitute misconduct under this code
  - allegations of student misconduct that take place before a student has their place at the University of Nottingham confirmed or which come to light after a student has permanently stopped or finished studying at the University
  - academic misconduct which is covered by the [Academic Misconduct Policy and procedure](#)

- 2.11 The University will not ordinarily investigate the same allegation of misconduct twice, unless:
- new evidence emerges that suggests there was a different allegation of misconduct that was not originally investigated
  - new evidence emerges that was not reasonably available at the time of the earlier investigation which suggests a further investigation would be necessary, effective, and proportionate to the nature, severity, and impact of the misconduct in question.

### 3. Definitions

- 3.1 The **disciplinary process** refers to action taken under this code and associated procedures to identify and investigate allegations of misconduct, applying appropriate sanctions when those allegations are upheld.
- 3.2 **Misconduct** is defined as an act or failure to act by a student which is inappropriate and which negatively affects, could negatively affect, or has negatively affected the University (including its property and / or reputation) and / or any member of the University community and / or an entity associated with the University.
- 3.3 **Serious misconduct** is misconduct (as defined above) where the negative impact is, could have been, or could be, serious or significant. This may include sustained or repeated misconduct.
- 3.4 The **reporting party**, who may be a student at the University of Nottingham or someone outside of the University community, is the person who has made an allegation of, or raised a concern about, possible misconduct.
- 3.5 The **responding student** is the student, or students, about whom an allegation of misconduct has been made.
- 3.6 A **witness** is a person who has witnessed the alleged misconduct, or who has other information that is relevant to establishing whether the alleged misconduct has occurred. This includes information shared with them by either the reporting party or responding student.
- 3.7 The **University community** includes all students (at all levels and modes of study), all staff (with any form of contract to undertake work at or for the university), volunteers (those providing unpaid services for the university) and visitors to the University campuses.
- 3.9 Behaviours that could be considered as misconduct or serious misconduct under this code are included at **Appendix 1**. This is a guide and not an exhaustive list.
- 3.10 A list of actions and sanctions that may be applied in cases of misconduct and serious misconduct is included at **Appendix 2**. This is a guide and not an exhaustive list.
- 3.11 The guiding principles that will be adhered to throughout the disciplinary process are included at **Appendix 3**.

## 4. Support for Students

- 4.1 Reporting and responding students are able to access a range of support services through [Student Services](#), [Student Support & Wellbeing](#), [HealthyU](#) (for mental health and other services) or by talking to personal tutors or equivalent. Support for both reporting and responding students will be available throughout the disciplinary process and following its conclusion, where required, unless the student has permanently stopped / finished studying at the University.
- 4.2 The Students' Union (SU) Education Advisers offer independent advice and support to responding students subject to disciplinary action under this code. This support is available throughout the disciplinary process and includes the option to be supported at the Student Misconduct Panel. The responding student will be signposted to the SU Education Advisers and strongly encouraged to access support at the earliest opportunity.
- 4.3 Details outlining the core principles of the SU Advice Service and their contact details are available on [UoNSU webpages](#). Lincoln Medical Students should seek support from the University of Lincoln SU Advice Centre.
- 4.4 The University will only disclose information to the SU Advice Service once explicit, written consent has been provided by the responding student.
- 4.5 Both reporting and responding students are entitled to have someone supporting them at any meetings held as part of the disciplinary process. The person supporting them should be a member of the University community, or the SU Education Advisor (for responding students only), or a union representative. If a student requires support from someone outside of these groups, particularly in relation to any reasonable adjustments, a request can be made to the chair / lead for the meeting to be considered. The role of a supporter (other than the SU Education Advisor) is to provide emotional and practical support to the reporting or responding student and to take notes. They are not entitled to answer any questions on behalf of the reporting or responding students or to represent them in any way.
- 4.6 It is unlikely that legal representation will be necessary and / or appropriate for students taking part in the disciplinary process unless this is related to a reasonable adjustment for a disabled student, or if the disciplinary process may result in a student being debarred from practising a profession.
- 4.7 Students may ask the University whether they can be legally represented in the disciplinary process and it is at the University's sole discretion as to whether such a request will be granted and, if so, what the parameters of the legal representation will be. Requests will be considered on a case-by-case basis. The University will not communicate with a student's legal representative unless it has agreed a request for legal representation, but this does not prevent students from seeking their own legal advice.

- 4.8 The University may use a lawyer to provide advice at disciplinary meetings and panels, and / or to act on its behalf at any stage of the disciplinary process.

## 5 Initial Action

- 5.1 The Student Code of Conduct (Non-Academic) Procedures detail the roles and responsibilities of teams and individuals who will undertake the tasks set out in the following sections.
- 5.2 The flowcharts at **Appendix 4 & 5** provide a summary of the process of managing alleged misconduct. Action taken to manage misconduct under this code, including the initial action, the investigation and the decision-making process will normally be completed within 60 calendar days of the allegation being received. A revised timescale will be provided to both the reporting party and the responding student, in writing, where this is not possible.
- 5.3 Where appropriate, action will be taken to resolve minor issues in an informal way (described as level 1 in the Student Code of Conduct (Non-Academic) procedures), prior to initiating formal disciplinary action under this code. Informal action may include mediation; behaviour management in halls, classrooms, SU clubs / groups, or in the community; or providing individual training, education, support, and restorative approaches to improve students' awareness of behaviours and their impact.
- 5.4 Where formal action under this code is required, an initial discussion will normally be held with the reporting party within 3 working days of the allegation being received, unless the allegation suggests the need for immediate action. This discussion will focus on what support the reporting party requires (and, if they are a student at the University, how and where they can access this support), what options are available to them and an initial consideration of whether the allegation may constitute misconduct or serious misconduct. Consideration of support and reasonable adjustments relating to a disability will be considered at this stage and throughout the process.
- 5.5 Following an allegation of misconduct and where appropriate, an offer of support from a sexual violence liaison officer, a domestic abuse liaison officer, counsellor, mental health/wellbeing, academic or other support service should be made as soon as possible.
- 5.6 Clear information on the options available to the reporting party should be given, including the potential to report an allegation to the police (see section 12 below), an investigation under this code, raising a concern about a member of staff, postponing a decision or taking no further action.
- 5.7 At this stage, consideration should also be given to whether the allegation raises concerns about Academic Misconduct, Fitness to Practise, Support to Study or a breach of the Students' Union Code of Conduct (for incidents that happened in an SU society or group). There may be circumstances in which more than one of these procedures is applicable and when this occurs, a prompt decision will be made about how the process will be managed in line with the guidance in sections 13 and 14,

Quality Manual and the Support to Study / Fitness to Practise policies. For cases of serious misconduct, this agreement will be made at a triage meeting, which will plan the disciplinary process and any links to other processes. The reporting party and responding students, and others where required, will be notified about which procedures apply and the order in which they will be managed.

- 5.8 The responding student will be informed of the allegation after the reporting party has been spoken to and normally within 5 working days of receipt of the allegation, unless the allegation suggests there is a need for immediate action. This will normally involve a meeting with the responding student where consideration will be given to the impact of the allegation on them, any support they require, how and where this can be accessed and any reasonable adjustments relating to a disability. The allegation will be confirmed in writing, with a copy of the Student Code of Conduct (Non-Academic), associated procedures / guidance and next steps outlined.

## 6. Precautionary measures

- 6.1 At any point in the disciplinary process, where there is ongoing risk to the reporting party or others, or action is required to ensure a full and proper investigation can be conducted, a **risk assessment** should be completed to understand any precautionary measures required. Any measures agreed should be based on the circumstances of the individual allegation(s) and the impact on the reporting party and others and may include but are not limited to a temporary move from their Halls of Residence; prohibiting contact with the reporting party or others; temporary suspension from student groups, clubs, or extracurricular activities; temporary exclusion from specific parts or all UoN premises, or temporary suspension from the University.
- 6.2 Precautionary measures will be confirmed in writing and will remain in place until superseded by alternative precautionary measures, expressly ended by the University, or the disciplinary process is complete. The precautionary measures will be confirmed in writing and regular reviews will be undertaken throughout the period they are in place, with any amendments required confirmed to the responding student in writing. The responding student may request a review of the measures if there are changes in their circumstances. Any breaches of the measures will be considered as misconduct and managed under this code. Imposing precautionary measures does not mean that the allegation is true, or that the outcome of the investigation is known.
- 6.3 Where a responding student is party to a Licence Agreement with the University (e.g. for a University of Nottingham Hall of Residence) and consideration is being given to moving them as part of Precautionary Measures, any action taken must be in line with the terms and conditions of their Licence Agreement and other legislation/policy protecting tenants. Suitable, alternative accommodation should be put in place.

- 6.4 Students are able to appeal against a suspension or exclusion identified within precautionary measures. Details of the appeal should be put in writing to the Associate Director of Appeals, Complaints & Conduct within 5 working days of receipt of the measures being issued and will be responded to by the Academic Registrar or their nominee within 10 working days of receipt.

## 7. Investigation of Misconduct / Serious Misconduct

- 7.1 Where possible, action will be taken by the appropriate team (e.g. Residential Experience, Community Engagement, Estates, Libraries, Digital & Technology Services (DTS), etc) to investigate and manage alleged misconduct at a local level in line with the Student Code of Conduct (Non-Academic) procedures (described as level 2 in the Code of Conduct (Non-Academic) procedures). Where a case is more complex, or relates to serious misconduct, it will be referred to the central investigation team for support, advice and / or investigation, with all cases of serious misconduct (level 3 within the Student Code of Conduct (Non-Academic)) being investigated by this team.
- 7.2 A number of roles within the University have the designation of Authorised Person within the disciplinary process. The people in these roles are responsible for making a decision on the outcome and sanction for cases of misconduct where this is being managed at level 2 or 3 but does not meet the criteria for a Student Misconduct Panel. Members of a Student Misconduct Panel are responsible for decision making on outcomes and sanctions at that level.
- 7.3 Where possible, the outcome and actions / sanctions will be determined at the end of the investigation and decision-making process, with both the reporting party and responding student being informed of the outcome where appropriate and as detailed within the information sharing section of the code and the procedures.
- 7.4 For serious misconduct a **case review meeting** will normally be called after the investigation is complete (or whilst the investigation is ongoing if required), to support the decision making and evidence gathering within the case. The purpose of the meeting is to undertake a holistic review of the case to ensure a full understanding of the issues and support a decision on what, if any, further action is required.
- 7.5 Possible outcomes from the case review meeting are:
- there is insufficient evidence to support the allegations (and no further evidence is available) and therefore no further action will be taken
  - there is insufficient evidence to decide an outcome and further investigation is required
  - there is sufficient evidence to support an allegation of misconduct / serious misconduct, and a decision on outcome and appropriate action / sanctions can be determined by the case manager without the need for a Student Misconduct Panel
  - there is sufficient evidence to support an allegation of serious misconduct and it should be considered at a Student Misconduct Panel. In these circumstances, recommendations can be made as to the membership of and any considerations for the panel.



- 7.6 A **Student Misconduct Panel**, will review and assess the evidence, have the ability to question the reporting party, responding student and any witnesses identified, determine an outcome and confirm any sanctions / further actions in line with section 8 below.
- 7.7 Cases which will be considered at a Student Misconduct Panel include those where:
- the impact on the reporting party (or others) and / or the consequences for the responding student are serious
  - the allegation, if proven, would require a sanction only available to the Student Misconduct Panel, as detailed in the Student Code of Conduct (Non-Academic) Procedures
  - there are allegations of:
    - serious sexual misconduct
    - domestic abuse
    - serious violence, bullying, harassment or stalking, including hazing / initiation activity
    - unauthorised and/or inappropriate use and storage of weapons
    - supply or use of class A drugs; and/or ongoing serious concerns about other drug use / supply
    - significant fraud, theft, extortion, or deception
  - it is a particularly complex case or there is a pattern or history of allegations / previous findings against the responding student

## 8. Outcomes

- 8.1 There is a range of potential outcomes following the consideration of an allegation of misconduct. The decision will be one of the following:
- The allegation is not upheld, and no further action is required
  - The allegation is not upheld, but additional action is required (e.g., referral to another procedure, managing broader concerns identified as part of the investigation)
  - The allegation is upheld in full, or partially, and an appropriate sanction determined (with or without additional further action also being required)
- 8.2 The table at Appendix 2 provides information on the sanctions that can be applied when an allegation of misconduct is upheld, with further detail on these available in the Code of Conduct (Non-Academic) procedures.
- 8.3 In determining an appropriate sanction, mitigating and / or aggravating circumstances will be reviewed and considered. Consideration of how the sanction will support the responding student in their learning and development and in helping to change their behaviour will also be considered. Decision on sanctions will be made either at the Student Misconduct Panel, or by an Authorised Person in cases that are not considered by the panel. This decision will take into account:
- the seriousness of the misconduct, including considering the impact of it on the reporting party / the University / other

- whether it is the responding student's first breach of the Student Code of Conduct (Non-Academic)
- whether the responding student has:
  - admitted the breach at the earliest opportunity and/or
  - expressed remorse and/or
  - stated any compelling personal circumstances that affected their judgement
- if the misconduct relates specifically to a reporting party's vulnerability or protected characteristic under the Equality Act 2010
- any impact on the responding student's disability

8.4 Both reporting party and responding students will be informed of the outcome of the disciplinary process, as appropriate and in line with the information sharing principles in section 11 below and in the Student Code of Conduct (Non-Academic) Procedures.

8.5 A reporting student can request a review of a disciplinary decision where no further action is taken, or where they think the action taken doesn't reflect the seriousness of the allegation made and should contact the Associate Director of Appeals, Complaints and Conduct to request this.

## 9. Appeals

9.1 A responding student may appeal against a finding of misconduct and/or against the sanction they have been given. An appeal should be made within one calendar month of receipt of the outcome of their case. The appeal process will normally be concluded within 30 calendar days of receipt of the appeal.

9.2 An appeal can only be made on one or more of the following grounds:

- the Student Code of Conduct (Non-Academic) or procedures were not followed properly, and this resulted in unfairness to the responding student
- the decision made was clearly unreasonable (i.e. no reasonable person would find it acceptable or fair)
- there was evidence, or a real possibility, or a reasonable perception, of bias within the decision-making process
- the responding student has new evidence, which was not, for valid reasons, available during the investigation
- the sanction imposed was disproportionate or not permitted within the code.

9.3 Appeals may involve a review of the investigation and/or outcome, or in exceptional circumstances, a complete reconsideration of the case. Appeals will always be undertaken by someone independent of the original case. The Chair of the Student Misconduct Panel, or their nominee, can review cases that were not considered at a panel previously; appeals following a Student Misconduct Panel will be considered by the Registrar or their nominee.

- 9.4 If the appeal is upheld or partially upheld, the outcomes may include:
- the original outcome and / or sanction being overturned with no further action to be taken
  - the original outcome and / or sanction being overturned and an alternative outcome and / or sanction being imposed
  - the original outcome and / or sanction being overturned with the case being sent back for new investigation and/or consideration by the Case Manager or at a Student Misconduct Panel
  - consideration of whether any action to remedy any adverse impact on the responding student is appropriate.
- 9.5 Whether an appeal is upheld or not, the responding student will be informed of the outcome of the disciplinary process in a Completion of Procedures letter which will confirm that the University's internal procedure for reviewing and resolving non-academic misconduct has been completed. They will be directed to the Office of the Independent Adjudicator for Higher Education (OIA) in the event they remain dissatisfied with the outcome.
- 9.6 The reporting party will be informed of the outcome of any appeal, where appropriate and in line with the information sharing principles detailed in section 11 below.
- 9.7 Where the reporting party is a student, they can use the [Student Complaints Procedure](#) to raise concerns about how the alleged misconduct was managed under this code, but are not able to challenge the outcome of the disciplinary process. A complaint will not consider or result in a change to the outcome or any action / sanction.

## 10. Feedback

- 10.1 The reporting party and responding students will have the opportunity to provide feedback on the disciplinary process. This will include feeding back on the support received, timeliness, engagement, and information sharing. Where a sanction has been imposed, an evaluation of the impact of this will also be undertaken.
- 10.2 Feedback received will be used to inform the development of processes to manage misconduct, as well as programmes of support, awareness raising and education in relation to areas of misconduct that are being identified (e.g. substance use, sexual misconduct, etc).

## 11. Information Sharing

- 11.1 The University is committed to sharing information about the disciplinary process with both reporting and responding students, and other reporting parties, where it is appropriate to do so.

- 11.2 Relevant members of staff in the University may be notified that a responding student is part of a disciplinary process. If a responding student is studying an apprenticeship course, the University may be required to notify the employer.
- 11.3 The University reserves the right to disclose any penalty imposed under the Student Code of Conduct (Non-Academic) (including suspension or termination of studies) in order to comply with any regulatory reporting requirements.

## 12. Potential Criminal Offences

- 12.1 If, at any point in the process, a reporting party who is a student at the University, decides to notify the police of an allegation of misconduct as a potential criminal offence, they will be supported with this. Both reporting and responding students will be offered ongoing pastoral and well-being support whilst the matter is being investigated by the police.
- 12.2 The University may, at any time, refer a matter to the police, but is unlikely to do so if the reporting party (where there is one) is not in support of taking this action, unless it is deemed necessary to protect the reporting party and/or others from harm or to prevent further crimes taking place, for example. In making any decision to report to the police, the University will consider any potential harm the disclosure may cause to the reporting party and assess if it is possible to refer the matter to the police without sharing the reporting party's details.
- 12.3 Where a potential criminal offence is committed against the University (including but not limited to: theft, damage to property), a decision will be made on a case-by-case basis as to whether to report the matter to the police and the reporting party and responding student will be notified accordingly.
- 12.4 If an allegation of misconduct is reported to the police, whether by the University or a reporting party, the University will assess whether:
- any precautionary measures are needed in accordance with section 6 above
  - the disciplinary process should be paused until such time as the criminal process is complete. When the process is paused, regular reviews of the situation will be undertaken, including consideration of restarting the process at any time even if the criminal process has not yet been completed.
- 12.5 If the criminal process results in a conviction or caution, the University will usually take that to be conclusive proof that the offence in question has been committed and may seek to take action or apply sanctions under this code. Consideration will be given to any further investigation required into other potential breaches of the code arising out of or related to the criminal conviction or caution.

- 12.6 If the criminal process does not result in a criminal conviction or caution, the University may still initiate or continue the disciplinary process if the behaviour may constitute misconduct.
- 12.7 The University reserves the right to request from the police, courts, other third parties, relevant students, as applicable, information relating to and arising out of the criminal process to assist with its consideration of a case under this policy.

## 13. Fitness to Practise

- 13.1 There will be occasions where incidents of misconduct also give rise to concerns about professional conduct, specifically for those students who are on programmes of study covered by the Fitness to Practise policy / procedures (e.g. education, medicine, midwifery, nursing, nutrition, pharmacy, physiotherapy, social work, accountancy, and veterinary medicine).
- 13.2 In these cases, the concern will generally be managed through the Fitness to Practise policy and procedures. If the case has elements of serious misconduct or complexity, where additional expertise is required to support the investigation (e.g. sexual misconduct, domestic abuse, harassment), it may be considered under the Student Code of Conduct (Non-Academic) first. A joint investigation may be undertaken involving a fitness to practise investigating officer and an investigating officer from the central investigations team and the case will be considered at a Student Misconduct Panel. The responding student (and the reporting party where relevant) will be informed of how the process will be managed and under which policy.
- 13.3 Once the Student Code of Conduct (Non-Academic) procedure has concluded, including the opportunity for appeal, the outcomes should be shared with the relevant fitness to practise lead and investigation used to inform any fitness to practise decisions required, without the need for additional investigation unless this is deemed necessary.
- 13.4 Where a case is managed through the fitness to practise process and the concerns would also amount to a breach of the Student Code of Conduct (Non-Academic), where those concerns are upheld or partially upheld, the outcome (including any action / sanctions) will be referred for consideration at a case review meeting or a Student Misconduct Panel to consider if any additional action or further sanctions are required under the Student Code of Conduct (Non-Academic).

## 14. Students' Union Code of Conduct

- 14.1 Where the alleged misconduct took place at a Students' Union group, society or activity/meeting, consideration should be given, on a case-by-case basis, as to whether it is managed through the Students' Union Code of Conduct and / or the University's Student Code of Conduct (Non-Academic).
- 14.2 Generally, if the allegation is likely to meet the threshold for consideration at a Student Misconduct Panel, then the University's Student Code of Conduct (Non-Academic) will be followed and the

outcome of this will be passed to the Students' Union for consideration of any additional action required.

14.3 In all other cases, the allegation will normally be managed through the Students' Union Code of Conduct, with the outcomes notified to the University's central investigation team once the process is complete for consideration of any additional action required.

14.4 The responding student (and reporting party where relevant) will be informed of how the process will be managed and under which policy.

## 15. Related policies, procedures, standards, and guidance

15.1 The Student Code of Conduct (Non-Academic) is part of a suite of documents supporting work in this area, including:

- Student Code of Conduct (Non-Academic) Procedures
- [Academic Misconduct Policy & Procedures](#)
- [Dignity at Nottingham Policy](#)
- [Free Speech and Academic Freedom](#)
- [Domestic abuse](#)
- [Fitness to Practise procedures](#)
- [Support to Study Policy](#)
- [Code of Practice on Meetings or other activities on University premises](#)
- [Regulations covering the use of university library and compute room / area facilities and services.](#)
- [Information Security & Compliance policies](#)
- [Social Media Protocol for staff and students](#)
- [University Health & Safety Policy and framework](#)
- [University of Nottingham Traffic Regulations](#)
- Halls Licence Agreement

## Appendix 1 – Examples of misconduct

No.	Example area of misconduct	Level 2 Misconduct	Level 3 Serious Misconduct
	<p>This is not intended to be an exhaustive list of misconduct and the University is able to take action under this code for any type of misconduct.</p> <p>It is recognised that these examples might fall into the category of either misconduct or serious misconduct, depending on the circumstances of the allegation and the impact on others. The categorisation of the examples provided below is intended to be indicative rather than prescriptive. There will be occasions where an investigation highlights that the misconduct is more, or less, serious than first assessed and it should be escalated or de-escalated as appropriate.</p>		
1	Disruption (as described above) to, or improper interference with, the academic, administrative, sporting, social or other activities of the University or a University society.	X	
2	Disruption (as described above) to, or obstruction of / improper interference with, the functions, duties, or activities of any member of the university community.	X	
3	The use of physical violence, force, or power, either threatened or actual, against another person, group or community.		X
4	Sexual misconduct encompasses any unwanted behaviour of a sexual nature to which a person has not consented or the person engaging in the behaviour does not have a reasonable belief as to that other person's consent. Sexual misconduct can happen within any kind of relationship or between people who do not know each other. Sexual harassment is a form of sexual misconduct.		X
5	Domestic abuse where this is defined as behaviour that is intended to, or does, dominate, threaten, coerce, and control someone else in an intimate relationship. It can involve physical violence, harassment, stalking, coercive control, emotional, psychological, sexual, economic, or financial abuse.		X
6	Any activity that meets the definition of unacceptable behaviours relating to bullying, harassment and victimisation, as defined in the <a href="#">Dignity at Nottingham Policy</a> , against any member of the University community. Hazing / initiation activity fall within this example.	X	X
7	The possession, use or discharge of any weapon, explosive or detonator unless this is authorised by the University. (e.g., Head of Security, SU Society, etc) and in a place approved for that purpose. Unauthorised use or storage of authorised weapons, outside of the purpose for which they are authorised. Unauthorised use or storage of fireworks.		X

8	Possession, use, cultivation, production, sale, supply or other trafficking of illegal drugs or controlled substances, including prescription drugs where they are not prescribed to that student.	X	X
9	Unauthorised use of, theft of, or damage to, University property / premises or the property of a member of the University Community.	X	
10	Behaviour that is intimidating, threatening, disorderly or in any way antisocial, including noise nuisance and any other behaviour that causes or is likely to cause, harassment, alarm, or distress.	X	X
11	Behaviour which amounts to a breach of the criminal law, or conviction of a criminal offence.	X	X
12	Behaviour which is fraudulent, dishonest, deceitful or involves the extortion of others, including the fraudulent scanning of QR codes to indicate physical attendance at a lecture / seminar or other learning activity.	X	
13	Breaches of the University's Health and Safety policy framework or any Faculty / Halls of Residence safety and security policies / regulations. Any act or omission that causes, or is likely to cause, injury or impair the safety or security of persons on university premises, including the misuse or disabling of fire-prevention or fire-fighting equipment.	X	
14	Breach of the terms of the Codes of Practice and policies on Free Speech, Dignity at Nottingham, Equal Opportunities and other University codes and policies.	X	X
15	Failure to disclose the student's own name, ID number, address and School to an officer or employee of the University in circumstances where it is reasonable that such information be given.	X	
16	Failure to leave any part of University premises (e.g. accommodation, teaching & learning spaces, libraries, sporting facilities) when reasonably required to do so.	X	
17	Failure to comply with a previously imposed warning (either verbally or in writing), Precautionary Measures or sanction imposed under this code.	X	
18	The making of vexatious or malicious complaints.	X	
19	Encouraging or assisting any person to commit misconduct against this code or the Academic Misconduct Policy and procedures.	X	X
20	Failure to take reasonable steps to prevent a visitor from engaging in conduct that would be a breach of this code if they were a University of Nottingham student.	X	
21	Any action which constitutes a breach of the policies, rules or regulations of the Library, or Digital & Technology Services, or the Halls of Residence Licence Agreement.	X	



## Appendix 2 – Possible sanctions following a disciplinary process.

**The following is a list of actions & sanctions that may be applied in cases of misconduct or serious misconduct.**

The specific action / sanction to be applied will be determined individually for each case, based on the circumstances and seriousness of the misconduct, along with any relevant mitigating / aggravating factors.

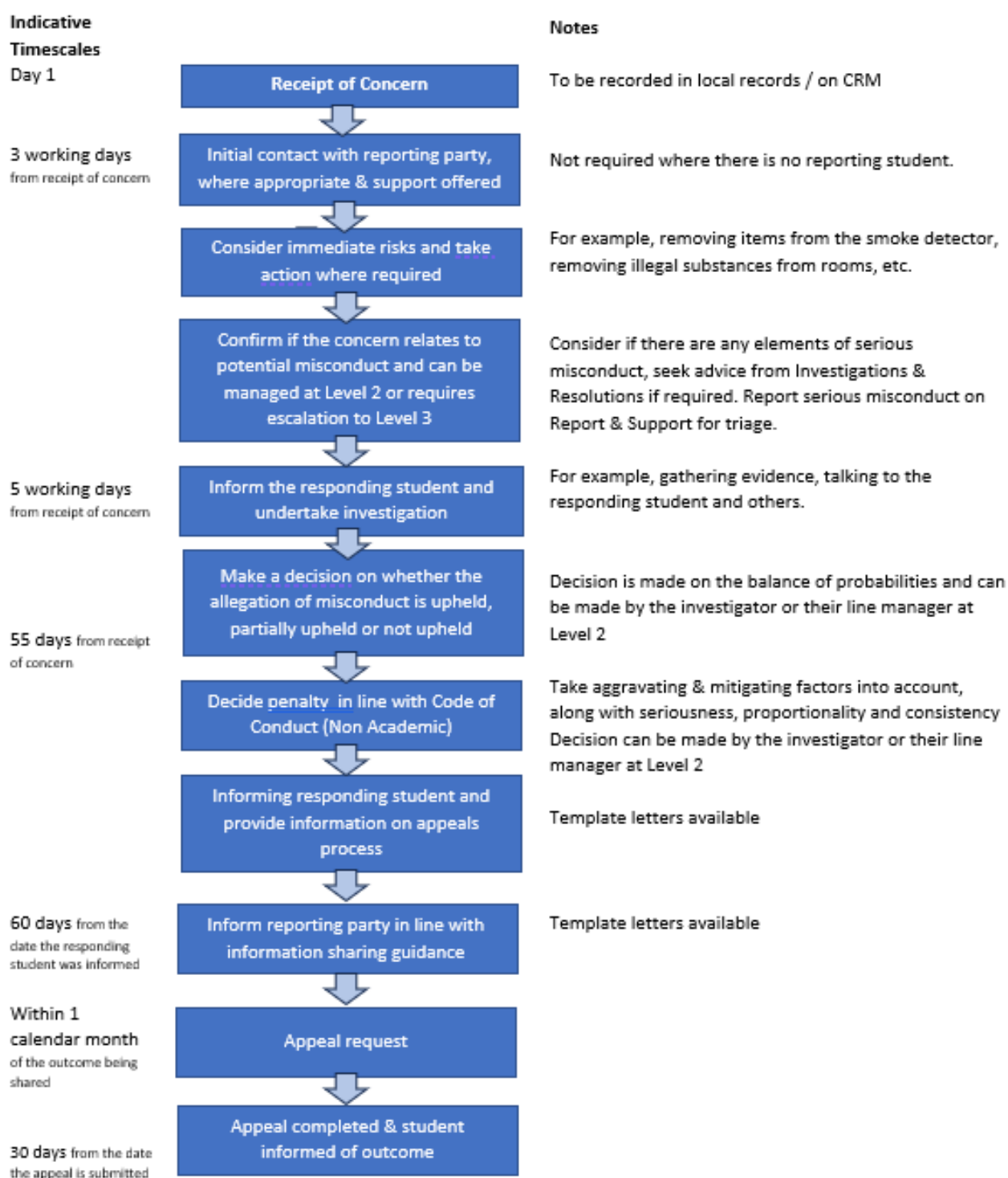
The University may deem it appropriate to employ restorative practices, education, and training at all levels, instead of or alongside sanctions.

- Written apology / reflection
- Written warning
- Behaviour Agreement
- Training & awareness raising in a relevant area, including:
  - consent
  - appropriate behaviours
  - healthy relationships
  - drug / substance use
  - health & safety issues
- Fines
- Restorative Practice
- Paying for any repairs / replacement / refurbishment as required
- Repayment of any monies fraudulently obtained
- Compliance with original sanction / actions
- Suspension from the University for a fixed period
- Temporary or permanent exclusion from specific parts of or all University premises
- Permanent expulsion from the University
- Permanent removal from university accommodation in line with the terms & conditions of the Licence agreement

## Appendix 3 - Principles

<b>Improving the student experience</b>	The identification and effective management of misconduct, along with the promotion of positive behaviours and the education of students in appropriate behaviours / boundaries, is essential in providing a safe and inclusive student experience. Feedback from reporting and responding students will be captured, along with learning from the cases of misconduct heard, to improve the process of managing misconduct and determine areas for development across the student experience. Restorative practices will be used where appropriate.
<b>Accessibility</b>	The Student Code of Conduct (Non-Academic) and supporting procedures on managing misconduct will be visible and easy to navigate. Students will be supported to engage with the process and can be accompanied by a friend / supporter in all meetings. Responding students can also access support from the Students Union. Reasonable adjustments for disabled students must be considered to support them in accessing the process and any sanctions imposed.
<b>Clarity</b>	Expected standards of behaviour for students are clearly laid out, aligned to action that will be taken if there are breaches of these, the potential sanctions to be used and how information will be recorded. Alignment with other processes (e.g. Fitness to Practise, Fitness to Study, criminal investigations) is detailed.
<b>Proportionality</b>	Action taken to manage misconduct and serious misconduct (including sanctions and any precautionary measures used) will be proportionate and specific to the alleged breach. As an internal, university process for managing misconduct, this is different to and distinct from a criminal investigation undertaken by the police.
<b>Timeliness</b>	Action taken to manage misconduct will be undertaken in a timely way, with the aim that all processes are concluded within 90 days, unless there are specific circumstances in individual cases that do not allow this to be achieved (e.g. police investigation or court proceedings). The process will be supported by clear and timely information to update both the reporting party and responding student, including notice of expected attendance at meetings / panels and submission of evidence.
<b>Fairness</b>	Ensuring students are treated fairly is at the heart of this process. This includes applying the process consistently for all students; informing responding students of allegations made against them and providing a fair opportunity to respond; providing support for all students involved; deciding outcomes based on the 'balance of probabilities' where the burden of proof is on the University; providing clear reasons for decisions made and sanctions imposed; and allowing responding students to appeal against the outcomes.
<b>Independence</b>	There will be a level of independence within all action taken to manage misconduct to minimise the presence or perception of bias.
<b>Information Sharing &amp; Confidentiality</b>	Information sharing with reporting parties and responding students is governed by the Data Protection Act 2018 and University information sharing protocols. An appropriate level of confidentiality to support the reporting party and responding student, and undertake an effective investigation, will be maintained.

## Appendix 4 – Flowchart - level 2



# Appendix 5 – Flowchart - level 3

**Indicative Timescales**  
Day 1

3 working days from receipt of concern

5 working days from decision to proceed

35 days from receipt of concern

45 days from receipt of concern

55 days from receipt of concern

60 days from the date the responding student is informed of concerns

30 days from the date appeal made

