



General University Disciplinary Regulations

1. Application

1.1 These Regulations apply to all registered students¹ of the University, both undergraduate and postgraduate, other than those who are members of the staff of the University.

1.2 All references in these Regulations to the University Secretary shall, where the context so admits, include a nominee of the University Secretary² (herein after, the nominee).

1.3 All allegations and proceedings brought forward under this code shall be private to the accused student, members of the University who are directly concerned with the consideration of the offence, the student's Head of School, and such other members of staff as the nominee or the Chairman of the Committee on Student Discipline may decide³. All hearings shall be held in private. It will be for those conducting the hearing to determine, having regard to the needs of justice, whether or not the defending students and any witnesses or alleged victims will appear together or separately in any hearing.

In addition to determining the case and the penalty, if any, the Committee will rule whether or not its decision will be published in whole or in part and any restrictions that will apply. The decision of the Committee in the matter of publication will be final.

All penalties imposed shall be recorded upon the student's file and will remain current until the student either graduates or leaves the University permanently.

1.4 Students may seek independent advice and support from the LUU Student Advice Centre advice@luu.leeds.ac.uk.

2. Offences

These regulations apply to the following offences:

2.1 The breach of any University regulation (including these regulations)⁴.

2.2 Failure to observe a provision of any code of practice approved by the Senate, Council or other competent authority of the University

2.3 Failure to declare to the University any criminal conviction (excluding a motoring offence for which a fine and/or a maximum of three penalty points was imposed, and excluding also a sentence that is spent under the provisions of the Rehabilitation of Offenders Act 1974)

2.4 Riotous or disorderly behaviour

¹ Registered students will include full-time, part-time, students studying abroad and students externally registered for examinations.

² Until further notice, Ms Rebecca Dearden, Head of Student Cases.

³ It is expected that students will not refer to the proceedings on social media or otherwise publicise details of allegations. The University reserves the right to take action if this is not respected, including disclosing details of the case if necessary to correct factual inaccuracy. Disclosure will be also be made where necessary to progress your case or implement a decision (e.g. this may include informing a relevant professional body in the case of a registrable award) or where it is required by law or in the public interest.

⁴ This will include repeated minor offences such as repetitious antisocial activities, noise, cycling where it is prohibited, flyposting and general nuisance.



2.5 Wilful or negligent damage of University property or the property of others (including that of members of the public and public property) on or off University premises and the refusal to make good any wilful or negligent damage

2.6 Harassment or other inappropriate behaviour towards staff or students including through e-mail, telephone, writing or orally

2.7 Serious interference with any aspect of the University work of other members or employees of the University

2.8 Conduct (wherever occurring)⁵ likely to bring the University into disrepute.

3. Immediate Temporary Dismissal

Where the Deputy Vice-Chancellor: Student Education perceives that the continued presence of a student in the University could pose a significant danger to other members of the University or University property, he or she may require the student to withdraw immediately for a defined period. During that time, the student may return to the University only with the specific permission of the Deputy Vice-Chancellor, or to attend disciplinary hearing(s) called in connection with his or her case. If the Committee on Student Discipline confirms or imposes an exclusion, either permanent or temporary, this shall be enforced during the time preceding an appeal. If on appeal the exclusion is reduced or annulled the student can apply to the Committee for compensation for any loss suffered (in whole or in part) as a direct result of the exclusion.

4. Criminal Prosecution

4.1 When the Police proceed against a student, the University will suspend/not initiate disciplinary action other than, if the circumstances warrant, under 3 above, pending the outcome of Police investigations or the completion of the judicial process.

4.2 If the Police issue a student with a Police warning or caution or if the Police decide to act no further, then the University may, if it deems fit, proceed under the provisions of these Regulations. If the case is referred to the Courts, the University will await the outcome of the trial and will then act as follows:

(a) if the verdict is not guilty, the University will take no further action in respect of the specific offence;

(b) if a non-custodial sentence is imposed then the University may decide, in addition, to proceed under the provisions of these Regulations;

(c) if a custodial sentence is imposed then the student will have his or her current registration status rescinded. On receipt of a request from the student to be re-admitted, the University will take appropriate advice before the request is considered and determined by the Vice-Chancellor or a Deputy Vice-Chancellor acting on his behalf. If the student is permitted to

⁵ As well as on University premises, this would include in a public place, in the local community, on the premises of other educational institutions, when abroad as part of the requirement of a University course and when on work placement.



return this may include the imposition of additional penalties or conditions as the Vice-Chancellor or Deputy Vice-Chancellor acting on his behalf determines.

Note

The University has a duty of care to its students and staff. If at any time during your academic career at the University you are interviewed by the Police for a criminal offence you are **required** to report this **immediately** to the nominee.

If you are sent for trial the nominee must be kept informed at all stages either by you or your solicitor. If you are convicted by the Court this and any sentence imposed must be reported to the nominee.

Failure to make any of the above reports will render the student liable for action under the General University Disciplinary Regulations.

5. Preliminary

5.1 Every allegation of an offence under these Regulations shall first be investigated by the nominee, which may include a preliminary interview with any of the parties concerned. If the nominee decides that there is no case to answer, then no further action will be taken. If the nominee decides that there is a case to answer then the allegation will be addressed under either the Summary Procedure or the Non-Summary Procedure (6 and 7 below).

5.2 The nominee shall send to the student a statement of the allegation and state whether it is proposed that the allegation be heard summarily or by the Committee on Student Discipline.

5.3 The Committee on Student Discipline shall be a Committee of the Council whose Chairman shall be appointed by the Council for a term of three years, renewable. The Committee shall be constituted of members of the academic staff of the University and shall not be fewer than three nor normally more than five and shall neither have any direct or indirect connection with the allegation in question nor with the student(s) concerned.

6. Summary Offences: Minor and Serious Offences

6.1 All minor offences shall be dealt with summarily. The definition of a minor offence shall be at the discretion of the nominee, but would typically be incidents of lesser gravity than injury or threats to the person, extreme nuisance or serious damage to property and where it is likely that the offence would carry a penalty short of exclusion or suspension from the University.

6.2 Major or serious offences can also be dealt with summarily if the student so requests and the nominee agrees.

6.3 Where a serious or minor offence occurs in University residences and the alleged perpetrator(s) is a member of the residence, the allegation will be heard under the provisions of paragraphs 6 or 7, University Residences Disciplinary Regulations.

6.4 Where a serious or minor contravention of the IT Codes occurs, the allegation will be heard under the provisions of paragraphs 6 or 7, University Computer Systems (UCS) Disciplinary Regulations.



Procedure

6.5 Within ten working days of the date of the letter containing the statement referred to in paragraph 5.2, at the student's term-time/home address and University email address, the student shall send to the nominee his or her comments and state whether the offence is admitted or denied in full or in part.

6.6 If the allegation is both minor and admitted in full, the nominee may issue a penalty under 6.8.

6.7 If the student denies the allegation either in whole or in part, the case will be heard by the Committee on Student Discipline as in 7.2 below.

6.8 Examples of penalties to be imposed for a minor offence are as follows:

- (a) a formal warning;
- (b) a severe warning with any future offence being automatically treated as serious or major;
- (c) a fine not exceeding £100;
- (d) a combination of the above

7. Non-Summary Offences: Major or Serious Offences

7.1 Major or serious offences would be incidents where the student's continued presence in the University would be called into question. For such offences (except under 6.2 above), within ten working days of the date of the letter containing the statement referred to in paragraph 5.2, at the student's term-time/home address and University email address, the student shall send to the nominee his or her comments and state whether the offence is admitted or denied in full or in part.

7.2 As soon as reasonably practical thereafter, a meeting of the Committee on Student Discipline will be convened to hear the case. The Committee may proceed as it determines subject to the following:

- (a) the student(s) will be heard in person except if the student does not attend without good cause ('good cause' being interpreted as it is under the examination regulations) the case may be heard in his or her absence. In these circumstances the student's right of appeal from the decision of the Committee to the Vice-Chancellor or his/her nominee is forfeit;
- (b) the student may be accompanied by a single supporter of his or her choice who may or may not be a member of the University (but the supporter cannot represent the student, cannot attend if the student is not present in person and cannot be a co-accused or witness to the alleged offence);
- (c) the student may put his or her case. Members of the Committee may question the student. The student will respond to questions personally unless the Chairman permits otherwise;
- (d) all papers available to the Committee shall be made available to the student;



- (e) the Committee may not permit plea bargaining nor discussion of any penalty with anyone who is not a member of the Committee;
- (f) all hearings shall be in private and shall remain confidential (and see 1.3 above);
- (g) the Committee shall not be bound by the strict rules of evidence;
- (h) the Committee shall give its findings at the earliest opportunity;
- (i) where the offence has been denied, in the event of the charge being proved, the Committee shall allow the student to give a statement in mitigation in advance of determining the penalty.

7.3 The Committee shall reach a decision⁶ and shall give reasons for its decision if it finds that there has been a disciplinary offence. Subject to any mitigation, it may impose one of two penalties:

- (a) suspension of the student from membership of and/or attendance at the University for a specified period of time together with any or none of the following:
 - (i) a fine not exceeding £500
 - (ii) disqualification of the student from the use of or access to any University service or facility or premises for such period of time as the Committee may decide
 - (iii) imposition of such conditions as the Committee deems appropriate to the continued pursuit of the student's studies, or to the continued occupation of his or her living accommodation
 - (iv) ordering an apology to an aggrieved individual and/or compensation, and/or payment for damage to property
- (b) Expulsion from the University.

The above penalties will not constrain the Committee from making particular and specific decisions in individual and wholly exceptional cases.

8. Appeals

8.1 A student may appeal to the University Committee on Student Discipline from a decision of either the University Residences Disciplinary Committee (URDC) or the University Computer Systems Disciplinary Committee (UCSDC) (except as provided in paragraphs 8.3(a) URDC and UCSDC). Such appeals must be made in writing to the Office not later than ten working days after the decision has been issued. The student will not appear before the University Committee on Student Discipline unless that Committee so decides. The Committee's decision, which will follow the provisions of paragraph 8.3(a) to (c), will be final with no further right of appeal.

8.2 A student may appeal to the Vice-Chancellor or his/her nominee from either the finding of, or the penalty imposed by, the Committee on Student Discipline (except as provided in paragraph 7.2(a) above). Such appeals must be made in writing to the Office not later than twenty working days after the findings have been made known to the student.

⁶ Decisions will be reached on the basis of the balance of probabilities.



8.3 In determining the appeal, the Vice-Chancellor or his/her nominee may:

- (a) confirm the findings and penalty in all respects;
- (b) decrease, increase or vary the penalty;
- (c) uphold the appeal, and quash the findings of the Committee on Student Discipline.

9. General

9.1 If a student requires an adjustment to disciplinary proceedings due to disability or an accessibility need they are asked to contact the Office with details.

9.2 A student shall be entitled to object to any member of the Committee on Student Discipline on grounds that he or she may not be impartial by reason of personal knowledge of the student or otherwise. The objection shall be considered by the Chairman. If the objection is upheld by the Chairman of the Committee another person shall be appointed.

9.3 A record of all disciplinary proceedings shall be kept under the auspices of the University Secretary. The University holds and retains information about disciplinary proceedings in accordance with the University Student Privacy Notice. For more information see www.leeds.ac.uk/privacynotice. Personal information about third parties should not be submitted to the University as part of a disciplinary case at any stage unless necessary. If third party information is included it must be accompanied by consent to the University to process the data.

9.4 A student who is away from the University for reasons of study may be required to return to comply with the provisions of these regulations.

10. Advice, Contacting the Office and Receipts

10.1 The Office will be pleased to give procedural advice but will not comment on or offer advice upon any part of the case itself.

10.2 The Office cannot undertake to receive documents by hand. Papers for submission should be posted or sent by email in sufficient time to arrive within the time limits.

Contact details are as follows:

The Secretariat
Level 11, E C Stoner Building, University of Leeds, Leeds LS2 9JT

Tel: 0113 343 1276

Fax: 0113 343 3925

Email: studentcases@leeds.ac.uk

Web site http://www.leeds.ac.uk/secretariat/student_cases.html

10.3 Receipt of documents will be acknowledged but only through the student's University email account unless another email address has been provided for the purpose. It is recommended that appellants use their email account. Where an appeal has been properly submitted see 3.1, the Office will request that the student's email account remains open until the appeal is concluded in the University.



11. Office of the Independent Adjudicator

Under certain conditions the Office of the Independent Adjudicator may agree to review a case following a final decision of the University. The appropriate Complaint Form should be used which can be downloaded from the OIA's web site www.oiahe.org.uk, where further details can be found.

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