



HARTPURY

Student Disciplinary Policy - Hartpury University

1. Introduction

All students at the University are expected to conduct themselves in a manner that is responsible and respectful to others, whether they be other students, members of staff, visitors to the University or members of the local community.

Hartpury is committed to the fair and equal treatment of all individuals regardless of gender, age, disability, colour, race, ethnic or national origin, socio-economic group, sexual orientation, marital status, family responsibilities, religious or political beliefs. By accepting an offer of a place at the University, students agree to abide by all academic regulations, institutional policies and if a Hartpury Residential Student, the accommodation licence. These have been designed to support the University's key values.

All members of the University community have a responsibility to support each other in maintaining good order and creating a safe environment, which is conducive to study, living, wellbeing and working. Staff are encouraged to address minor cases through early intervention, positively supporting students to develop their understanding of what constitutes acceptable behaviour, before circumstances escalate towards disciplinary action.

2. Scope

This policy shall apply to all registered students at the University. It applies to behaviour by registered students wherever and whenever it may have taken place when it is considered by the University to be detrimental to another member of the University, University property or the interests and reputation of the University itself. It includes behaviour arising, at any time, when the student may be regarded as representing the University as an individual or as part of a team or group. It also applies when the student is studying on campus or at some location away from the University as part of their studies. For students living in halls of residence on the Hartpury Campus, the Non-Academic Behaviour Management Policy applies to unacceptable behaviour in Hartpury managed accommodation.

In addition to the processes set out in this policy, University staff are entitled to take immediate action to deal with disruptive or dangerous student behaviour. Such action may be in response to breaches against local codes of behaviour or conduct, and sanctions will usually consist of removal of the student for the duration of a specific activity. Reasonable and proportionate immediate action may also be taken by senior staff of the University in order to protect the safety of the campus community and prevent harm, restore order, safeguard the reputation of the University or gather evidence to support further disciplinary investigation under this regulation.

3. Overlap with criminal proceedings/police investigations and other University policies and regulations

The University may, in serious cases, decide to impose immediate conditions on a student and/or use its powers to temporarily exclude a student for a specific period of time or until the conclusion of criminal proceedings or until the conclusion of disciplinary proceedings in accordance with Appendix 1- Temporary Exclusion of Students.

The imposition of conditions and/or a temporary exclusion is precautionary; it is not a penalty and does not indicate that the University has concluded that the student has committed a disciplinary offence. Where a police investigation or criminal proceedings have been or are likely to be initiated in relation to the alleged act of misconduct, the University may suspend the disciplinary process (at any stage) until such investigation/proceedings have been concluded. The disciplinary process may be resumed at any stage should the University deem that to be necessary in the circumstances.

Where criminal proceedings have been initiated and concluded, the Pro Vice-Chancellor/ Vice Principal Resources or their nominee will make a decision whether further action under this policy is required.

For students registered on a programme of study that is covered by The Fitness to Practice Policy where such students are subject to action under this policy for an alleged or proven disciplinary offence, this shall be disclosed to the appropriate Head of Department, so that any implications regarding Fitness to Practice are adhered to.

4. Disciplinary Offences

Behaviour which improperly interferes with the functioning or activities of the University or of those who study or work at the University or damages the University or its reputation shall be considered as offences under this policy. This includes but is not limited to the behaviours listed below. Offences initially classed as minor may be pursued as major offences if this is deemed more appropriate by the University following an initial enquiry.

Minor offences

- a) a first or second minor breach of University regulations or policies /terms and conditions e.g. smoking in non-designated areas, ignoring fire alarms, using University IT equipment or their University IT account for downloading unauthorised material from the internet, misuse of social media;
- b) failure to respond to reasonable requests or directions by Hartpurv staff;
- c) conduct which, by whatever means, disrupts the work of students or staff of the University;
- d) anti-social, disorderly or reckless conduct which is causing minor damage to or on University property or premises or affecting good order or health and safety within or outside the University or which is uncondusive to study, work and/or rest;
- e) refusal to pay a fine or observe another penalty imposed under this policy;

Major offences

- a) a serious or persistent breach of University regulations or policies or terms and conditions;
- b) persistent minor offences, or multiple concurrent minor offences;
- c) vexatious complaints and/or statements against the University or its members including other students;
- d) verbal abuse or threats made against members of the University;

- e) significant breach of health and safety requirements, endangering the wellbeing of students, staff and visitors (including but not exclusive to tampering with fire alarms/smoke detectors or other safety equipment in a University building);
- f) possession of firearms, other weapons and explosives either real or imitation, on the University premises;
- g) theft, fraud, misapplication of or gross negligence in connection with funds or property of any kind;
- h) causing physical harm; threatening, offensive or indecent behaviour;
- i) offences against the criminal law, where these offences involve other students or directly affect the interests of the University;
- j) use and/or supply of drugs, or possession with intent to supply drugs that are prohibited by the University or the cultivation or preparation with the intent to supply such drugs within the Hartpury Campus;
- k) offences which are covered by the student anti-bullying or the harassment policies which include domestic and sexual abuse/assault or are otherwise in breach of the University's values expressed in the Hartpury 2025 Strategy and the Equality, Diversity and Inclusivity policy;
- l) conduct which is likely to bring the University into disrepute.

5. Enquiries and Investigations

All allegations of minor offences will be dealt with by the appropriate Head of Department or their nominee. Major offences will be investigated by an investigating officer. The Pro Vice-Chancellor / Vice Principal Resources will approve a list of investigating officers.

Investigation of Minor offences: in cases of alleged minor offences, the Head of Department or their nominee will conduct a timely, fair and reasonable enquiry into the alleged offence.

Any enquiry will ensure that the student is made aware of the details of any complaint or allegation against them and has the opportunity to respond before a decision is reached by the Head of Department or their nominee.

The Head of Department or their nominee are empowered to impose any of the penalties set out for minor offences in the Discipline Policy.

If at any point the Head of Department or their nominee believes that the offence merits a greater penalty or that the offence can no longer be classed as minor offence in accordance with this policy, then the matter will be referred for a full disciplinary investigation.

Subject to any successful appeal, decisions by the Head of Department or their nominee are final and the Head of Department or their nominee will inform the student of the outcome by letter and by email.

Investigation of Major offences: where a student's conduct suggests that a major offence under this policy may have been committed and disciplinary action may need to be taken an Investigating Officer is appointed. If it is determined by the Investigating Officer that the student's conduct may constitute a sufficiently serious breach of this policy then a formal investigation will be initiated.

The Pro Vice-Chancellor / Vice Principal Resources will appoint an Investigating Officer from the approved list who will carry out a detailed investigation.

As part of this investigation, the Investigating Officer will conduct formal interviews with the student concerned and any named witnesses and other persons who may be able to provide information which will assist the Investigating Officer to make their report. A record of each meeting will be taken. The Investigating Officer may also gather other forms of evidence and documentation that are relevant to the case, such as photographs or CCTV footage.

Upon completion of the investigation, the Investigating Officer will submit a written report to one of the nominated chairs of the disciplinary panel who will either dismiss the case or convene a full disciplinary panel.

6. The Discipline Panel

A Discipline Panel will consist of:

- a) a Chair (which will be a member of the Senior Management Team);
- b) two senior members of staff either academic or professional services nominated by the Pro Vice-Chancellor or Vice Principal Resources;

The student will be invited to the meeting of the Discipline Panel. The student will be provided, normally fourteen calendar days in advance of the meeting, with a letter or email which sets out the nature of the allegation and a copy of the documentation that will be presented to the panel.

The student will have a right to give evidence and provide any supporting documentation and to be accompanied. This can be an elected officer of The Hartpury University Students' Union, a member of staff, an advocate, friend or relative, but not by a legal or professional adviser unless the University otherwise agrees. A legal or other professional adviser will be allowed if the University intends to have an external adviser present.

The student shall normally be required to submit any statement they wish to make in response to the allegation, a copy of any documentation they wish to rely upon at least 2 working days before the meeting is to take place. The Panel may disregard any mitigation that is not accompanied by supporting evidence and/or any information or evidence, which is not provided to it within the prescribed time period (normally at least 2 working days before the meeting).

The Discipline Panel will consider the allegation and decide if an offence has been committed or if the allegation should be dismissed. Where the Panel decides that an offence has been committed, the Panel is empowered to impose any of the penalties set out for minor/major offences in the Discipline Procedure.

If a student fails to attend the meeting, the Panel may consider the case in the student's absence.

Subject to any successful appeal, the decisions of the Discipline Panel are final and the student will be informed of the outcome by letter and by email.

7. Standard of Proof

The Discipline Panel considering an allegation have to decide whether there is sufficient evidence to establish, on the balance of probabilities (that it is more likely than not), that an offence has been committed.

8. Confidentiality and Record Keeping

Cases will be handled with an appropriate level of confidentiality, where personal information is shared, this is released to only those who are part of the University's disciplinary procedures and other relevant officers of the University as appropriate.

If it is determined that an offence has been committed, the outcome of the disciplinary process will be placed on the student's file and will also be sent to the student concerned, the relevant Head(s) of Department and other relevant staff at the University.

9. Sanctions

Sanctions for minor and major disciplinary offences are approved by the Senior Management Team to ensure a consistent and transparent approach. The range of sanctions includes that of temporary or permanent exclusion from University facilities, including on campus halls of residence and temporary or permanent exclusion from the University. Sanctions are imposed by the Discipline Panel, or, in the case of minor offences, the Head of Department or their nominee.

Any outcome letters will specify the sanctions imposed. Failure to meet the terms set out for compliance with a penalty may lead to further disciplinary action.

10. Appeals

A student shall have the right to appeal against the final decision of a Head of Department or their nominee. In relation to minor offences, the appeal must be sent to the PA of the Pro Vice Chancellor within seven calendar days of the decision being made.

A student shall have the right to appeal against the final decision of a Discipline Panel in relation to major offences, the appeal must be sent to the PA of the Vice Chancellor within seven calendar days of the decision being made.

Appeals may only be made on one of both of the following grounds:

- a) procedural irregularity in the conduct of the case;
- b) there is new evidence that can be substantiated, including exceptional circumstances, which was not known at the time, and may have affected the outcome had it been known to the Investigating Officer/Discipline Panel and there is a valid reason for not making it known at the time.

Each appeal will be reviewed within twenty-one calendar days of receipt. The appeal will be responded to by the Pro Vice Chancellor or Vice-Chancellor depending upon the level of the offence, normal practice is for a written response to the appellant. The Pro Vice-Chancellor or Vice-Chancellor depending upon the level of the offence, can if deemed necessary, involve two senior managers not already involved in the case to respond to the appeal with them.

Where the Pro Vice-Chancellor or Vice-Chancellor, has been previously involved in the individual student's discipline process or is not available then the appeal will be responded to by members of the Senior Management Team not already involved in the case.

At the discretion of the Pro Vice-Chancellor or Vice-Chancellor, an Appeals Panel may be convened to hear the appeal to which the student will be invited; this will be instead of a written response to the appeal. In this case, the student has a right to be accompanied as detailed in point 6.

11. Completion of Procedures

A completion of procedures letter will be sent, students who remain dissatisfied may contact the Office of the Independent Adjudicator (OIA) for Higher Education, which provides an independent review of student complaints.

12. Reference to Other Policies

- Harassment Policy
- Academic Regulations
- Student Anti-bullying Policy
- IT Acceptable Use Policy
- Social Media Policy
- Accommodation licence and residential handbook
- Child Protection & Safeguarding Policy
- Non-Academic Behaviour Management Policy
- Equality, Diversity & Inclusivity Policy
- Fitness to Study & Reside

13. Equality, Diversity and Inclusion

As with all Hartpury policies and procedures, due care has been taken to ensure that this policy is appropriate to all members of staff and students regardless of their age, disability, ethnicity, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation and transgender status.

The policy will be applied fairly and consistently whilst upholding Hartpury's commitment to providing equality to all.

Hartpury is committed towards promoting positive mental health and aims to create a culture of support where staff and students can talk about mental health problems without the fear of stigma or discrimination.

Approval and Review Cycle

Date Last Approved	New Policy
Policy Owner	Pro-Vice Chancellor/ Vice Principal Resources
Approving Committee	SMT
Status	Approved
Effective from	February 2021
Next Review Date	February 2022

Appendix 1

Temporary Exclusion of Students

1. Risk-related Measures

Where an allegation of misconduct has been made against a student, the University may impose immediate conditions on that student to ensure that a full and proper investigation can be carried out and/or to safeguard the student or others whilst the allegation is being considered under the Student Disciplinary Policy. For example, a student may be required not to contact a named member of staff or student of the University.

In the event that the University believes that a student presents a threat of harm to themselves, other students and/or members of the University or to University property, the University may temporarily exclude the student. Temporary exclusions are precautionary, they are not a penalty and do not indicate that the student has committed an offence.

For the purposes of this policy, temporary exclusion is defined as a partial or total ban on attendance at the University and may include restrictions on:

- i. attendance at all or some learning, teaching or assessment activities, including placements;
- ii. participation in all or some University activities;
- iii. attendance at or access to all or specified facilities or parts of the University (including residential accommodation);
- iv. exercising the functions or duties of any office or committee membership in the University or the Students' Union;
- v. representing a Hartpury Sports Team
- vi. contact with individuals associated with the incident being investigated;
- vii. any other restriction deemed appropriate due to the incident being investigated.

Temporary exclusions will be kept to a minimum and will be on a risk assessed basis. This must be authorised by the Pro Vice-Chancellor or Vice Principal Resources.

All temporary exclusions will be for a specified period of time or until the outcome of the disciplinary process or criminal proceedings is known.

Students enrolled on a course that requires them to undertake practical training in a professional role involving patients, pupils, clients or service users, or where the end qualification provides a direct license to practise or is a requirement for a licence to practice may also be temporarily excluded from their studies in accordance with the Fitness to Practice Policy.

In each case of temporary exclusion, the student will be informed in writing of the specific restrictions placed upon them, of the timescale and manner by which the temporary exclusion will be reviewed.

All efforts will be made, as far as is possible, to reduce the impact of any temporary exclusion on the student's studies.

Students will be offered appropriate support during a temporary exclusion.