

NORWICH UNIVERSITY OF THE ARTS

**STUDENT REGULATIONS AND PROCEDURES
2024-25**

**SECTION M — DISCIPLINARY PROCEDURES,
INCLUDING FOR ACADEMIC MISCONDUCT**

Academic Year 2024-25

SECTION M — DISCIPLINARY PROCEDURES, INCLUDING FOR ACADEMIC MISCONDUCT

This section tells you how we look into issues that we consider to be disciplinary matters, and what action we will take as a result. Section L provides more detail about the types of behaviour which would lead to disciplinary action.

- The first stage of all our disciplinary procedures is normally an **initial investigation**. We will always attempt to resolve the issue at this stage unless we think the matter is so serious that we need to move straight to our **formal disciplinary procedures**. If you are involved in a disciplinary matter, we will keep you informed about the process at each stage.
- If we ask you to attend a meeting to discuss a disciplinary matter, **it's always in your interests to attend – even if the meeting has to take place during a student vacation**. To enable us to investigate matters promptly, we'll ask you to attend an initial investigation meeting as soon as it can be arranged, but for all other formal meetings we'll give you at least five working days' (one week's) notice. Please be aware too that a formal meeting about a disciplinary matter will take place whether or not you choose to attend.
- Our *Bullying, Harassment and Sexual Misconduct Policy* sets out how we respond to allegations and incidents of this nature. [Click here for the Bullying, Harassment and Sexual Misconduct Policy](#), or search the intranet for 'Bullying, Harassment and Sexual Misconduct Policy'. You can report any incidents of this nature at <https://our.norwichuni.ac.uk>. [You can also click here for the Student Support pages on the VLE](#), or email support@norwichuni.ac.uk.
- These procedures also include how we deal with **academic misconduct**, which is the term we give to any act which could give you or someone you know an undeserved academic advantage – but note that **we don't accept extenuating circumstances as a reason for committing academic misconduct**. See section F for more information about other occasions when we might accept extenuating circumstances, and section L for more about academic misconduct.
- For more information about **how we keep original copies of documentation relating to disciplinary matters in the long-term**, please see **section N**. Any paper copies of documentation we make for the purposes of discussing disciplinary matters within the University are destroyed confidentially at the first opportunity.
- We keep notes and records of all stages of our disciplinary processes, and **we report to our Academic Board all disciplinary matters which we consider beyond the initial investigation stage**.

Disciplinary action and criminal offences

The relationship between a disciplinary and a criminal matter can be a complicated one, and where cases like this are presented to us, we may need to refer them to the Academic

Registrar and Student Support staff for guidance. In these cases, the University would however act in line with the following general principles.

- If a disciplinary matter is also the subject of a criminal investigation, we'll delay taking action using these procedures until the criminal investigation and any subsequent legal and judicial processes have been completed.
- We may take precautionary action while a criminal investigation is taking place, such as suspending a student from their course and/or our accommodation if we have reason to believe that there is a risk to staff or other students. If we suspended a student in these circumstances, it would be to give us the opportunity to investigate the matter fully, and/or to protect anyone involved in the matter.

Please note that any precautionary actions we take:

- are not penalties we impose because someone has been accused of a crime; and
- they don't mean we are assuming someone who has been accused of a crime is guilty.
- We could take disciplinary action at the same time as the criminal process if the disciplinary case is based on different facts and matters to the criminal case.
- If you are convicted of a criminal offence while you are a student, we may take formal action if we believe that your conviction will have an impact on your suitability for, or your ability to continue with, your course.

In these circumstances, the Academic Registrar will review the details of your conviction and, where appropriate, seek the advice of other senior managers at the University. If we decide we need to take further action, we will contact you to confirm that we will deal with your case using the relevant section of our disciplinary procedures as set out in this section of the *Student Regulations and Procedures*. We may also take action to suspend you from your course or from University accommodation while we carry out the disciplinary proceedings.

- If a criminal offence is committed against the University, we could decide to consider the matter through our disciplinary procedures, rather than report the matter to the police.
- A student who is the victim of a crime has several options. They could:
 - report the matter to the police; or
 - not report the matter to the police and ask us to consider the matter using these disciplinary procedures; or
 - take no further action.

Criminal investigations and our disciplinary procedures operate in different ways and have potentially very different outcomes, so it would be up to the student to decide

what they wanted to do. We would try and support any student in these circumstances, without putting pressure on them to take a particular course of action.

There may also be circumstances where we can't consider a matter using our disciplinary procedures because the incident reported to us is so serious that it could be reported to the police. We will explain if this is the case.

- In exceptional circumstances, we may need to report a matter to the police that the alleged victim has chosen not to report, taking into account the need to protect the alleged victim and the wider public.

If you need advice on a disciplinary matter that may also be a criminal offence, contact the Academic Support Office in the first instance by emailing aso@norwichuni.ac.uk.

1 Initial investigation

- 1.1 To look into a disciplinary matter, we will normally carry out an initial investigation first of all. In the case of allegations of bullying, harassment or sexual misconduct, we will always carry out an initial investigation.

For more information about how we respond to incidents of this nature, [click here for the *Bullying, Harassment and Sexual Misconduct Policy*](#), or search the intranet for 'Bullying, Harassment and Sexual Misconduct Policy'.

On the advice of the Academic Support Office, and depending on the nature of the incident, the following member of staff will normally organise the initial investigation:

- **your Course Leader (or equivalent) or the Year 0 Pathways Leader** if the incident concerns your course or a breach of one of our policies or regulations, including academic misconduct;
- **the Dean of Research and Knowledge Exchange (or nominee)** if the matter relates to any aspect of research activity at the University;
- **the Head of Technical Services** if it's connected to one of our workshops;
- **the Library Manager** if it concerns the Library;
- **the Chair of the Ethics Panel** if it concerns a breach of the *Code of Ethics for Undergraduate and Postgraduate Taught Students*; or
- **the Accommodation Officer** if it concerns an incident in student accommodation – either University-managed or privately owned – or incidents in the local community.

For matters not directly connected with these areas of the University, and where one student presents significant concerns about the behaviour of another, **the Mental Health and Safeguarding Manager** or a nominee will organise the initial investigation.

1.2 As part of the initial investigation, the member of staff will arrange a meeting to discuss the incident with you. In making the arrangements for this meeting, the relevant member of staff will:

- organise the meeting as soon as is practical after being notified of the incident;
- tell you in advance what the meeting is about; and
- at the meeting itself, give you a summary of the incident.

Where a Course Leader (or equivalent) is investigating an allegation of academic misconduct, they will also do the following at the initial investigation meeting:

- explain in full the allegation against you;
- explore the allegations with you with direct reference to your work; and
- give you an opportunity to explain those areas of your work which we believe are subject to academic misconduct.

We would also use an initial investigation meeting to discuss your work with you where there were allegations of unauthorised or unacknowledged use of AI or related technological aids.

1.3 The outcome of the initial investigation determines the next steps the University will take. The member of staff responsible for the initial investigation will send a brief report of the meeting to the Academic Registrar (or nominee), who will decide on one of two possible outcomes below. In the case of an investigation into academic misconduct, the Course Leader (or equivalent) will include in their report a percentage estimate of the amount of work affected by the academic misconduct for the unit or units in question.

1.4 If you don't attend an initial investigation meeting, the member of staff responsible for organising the meeting can decide – depending on the circumstances – whether to reschedule the meeting, or whether to report the available details of the disciplinary matter directly to the Academic Registrar (or nominee).

1.5 **If we believe that the incident was a one-off with no significant harm done to others or to the reputation of the University**, the member of staff who has organised the meeting will write to confirm that we are not taking formal action against you. We may though still give you advice about your future behaviour, and will warn you that if you are involved in a similar incident again, we will use our formal disciplinary procedures to investigate the matter with you.

This also applies to cases of suspected academic misconduct which we decide, having considered the evidence, are better described as cases of poor academic practice – for example, if you haven't referenced external sources correctly in your work. This decision would also mean that your course team would assess your work as it stands, provide you with feedback, and award a provisional mark.

See section D for more about how we assess your work and about provisional marks.

1.6 If we believe the matter is more serious or if it hasn't been resolved during the initial investigation meeting, we may move to the next stage of our disciplinary procedures set out below, depending on the nature of the incident. Breaches of our Accommodation Licence Agreement and cases of unacceptable behaviour in private rented accommodation (including private halls of residence) are usually referred to a meeting with the Academic Registrar in the first instance; all other cases are considered under our formal disciplinary procedures by being referred to a meeting of the Student Conduct Committee. Information about both these processes appears in the sections that follow.

1.7 In cases of academic misconduct:

- If you accept at the initial investigation meeting that you have carried out academic misconduct, the Academic Registrar (or nominee) will decide whether or not the case should also be referred to a meeting of the Student Conduct Committee.
- If you don't accept at the initial investigation meeting that you have carried out academic misconduct – or if the matter is unresolved at the meeting – the Academic Registrar (or nominee) will refer the matter to a meeting of the Student Conduct Committee.

1.8 Where a student admits to academic misconduct at the initial investigation meeting, the course team:

- will assess and provide feedback on the unit affected by academic misconduct; but
- won't award a provisional mark.

The relevant assessment board will then make the decision on the penalty to be applied.

Where a student doesn't admit to academic misconduct at the initial investigation meeting, or the matter is unresolved, the course team will take no further action assessing the work or providing feedback until the Student Conduct Committee has considered the case.

See section L for more about the penalties an assessment board can impose in cases of academic misconduct.

1.9 We'll always write to you after an initial investigation meeting to tell you the outcome and will let you know if we need to take any further action.

2 Breaches of the University's Accommodation Licence Agreement

- 2.1 Our Accommodation Licence Agreement is the document you sign when you move into University-managed accommodation. If you are in breach of any of the terms or conditions of the Licence Agreement, we can use this formal procedure to consider the matter. If you are living at All Saints Green, any breaches of your Assured Shorthold Tenancy will be dealt with by the management company in charge of the property. You can still be investigated by our Student Conduct Committee if your behaviour at All Saints Green is also considered to be a disciplinary matter under these procedures.
- 2.2 If a breach of the Accommodation Licence Agreement hasn't been resolved during the initial investigation, the Accommodation Officer will provide a report on the incident to the Academic Registrar. At this point, the Academic Registrar may decide not to pursue the matter formally, in which case the Accommodation Officer will write to let you know this. If the Academic Registrar decides to take the matter forward using this formal procedure, they will investigate the matter with a University senior manager.
- 2.3 During this period, the Academic Registrar may choose to suspend you from your accommodation. If this happens, you will be suspended until the investigation has been concluded, after which the Academic Registrar will refer the matter to the Vice-Chancellor for review if appropriate.
- 2.4 The Accommodation Officer will write to provide you with full details of the issue and to invite you to a meeting to discuss the case. The meeting will be with the Academic Registrar and a University senior manager. If you want to bring a friend or other supporter, or any witnesses, to this meeting, you are welcome to but you will need to organise their attendance yourself. You must tell us in advance if you are bringing anyone with you to this meeting by emailing aro@norwichuni.ac.uk.
- 2.5 At the meeting, the Academic Registrar and the senior manager will talk to you and your witness or witnesses (if present) and will consider the evidence. At the end of the meeting they will ask you to leave and will make their decision on the matter. The Academic Registrar will write to let you know the decision as soon as possible and within five working days (one week) of this meeting.
- 2.6 If there is no evidence, or not enough, the Academic Registrar will write to let you know that the case has been dismissed.
- 2.7 If the case against you is upheld, the Academic Registrar may take one or more of the following actions listed below.
- 2.8 We can issue you with a warning, for example if the matter is a first or minor offence.

- 2.9 We can issue you with a final warning, for example if you have repeated an offence or if your behaviour has been very serious. If you breach the Accommodation Licence Agreement again after we give you a final warning, we will end the Agreement with you which means you will be permanently excluded from the University's accommodation. This means that we will evict you and you will have to find somewhere else to live.
- 2.10 We can issue you with a fine of up to but not more than £500.
- 2.11 We can exclude you from University accommodation for a fixed period.
- 2.12 We can exclude you from University accommodation permanently by ending our Accommodation Licence Agreement with you. This means that we will evict you and you will have to find somewhere else to live.
- 2.13 We can put in place another appropriate penalty, such as writing a formal letter of apology to other individuals involved in the matter. The Academic Registrar will be responsible for deciding on any penalty of this nature.
- 2.14 We can refer the case to a meeting of the Student Conduct Committee if the matter isn't resolved at the meeting with the Academic Registrar and the senior manager.
- 2.15 If you choose to, you can make an appeal against the outcome of this formal meeting.

See section J for more about making an appeal.

3 Unacceptable behaviour in private rented accommodation, including private halls of residence

- 3.1 If we receive a report that your behaviour in privately rented accommodation is poor, inappropriate, or in any other way unacceptable, the Academic Registrar will review the information we receive about your behaviour and we will consider the matter in the same way that we consider a breach of the University Accommodation Agreement as set out above.

See section L for more about how we define unacceptable behaviour.

- 3.2 If we uphold the case against you we can issue you with a warning, a final warning, or another outcome which the Academic Registrar considers appropriate to the circumstances of the case. If you continue with unacceptable behaviour, you may be referred to the full Student Conduct Committee as set out below.

4 Formal disciplinary procedures: Student Conduct Committee

4.1 The University will hold a meeting of the Student Conduct Committee for formal consideration of any of the following disciplinary matters:

- cases which we haven't been able to resolve at the initial investigation stage;
- cases where a student has breached our Accommodation Licence Agreement but the matter has not been resolved at the meeting with the Academic Registrar and the University senior manager described in the section above;
- cases where a student has continued with unacceptable behaviour in private rented accommodation after we have given them a warning or a final warning as detailed in the section above;
- issues which the Academic Registrar believes are serious enough to need a meeting of the Student Conduct Committee without an initial investigation taking place; and
- allegations of historic academic misconduct made against one of our students who has already graduated and is no longer studying at the University.

4.2 If the disciplinary matter we are considering would be an offence under criminal law if proved in a court of law, the University may choose to delay a meeting of the Student Conduct Committee while any police investigation or prosecution is taking place.

4.3 As part of our **duty of care** towards you and other members of the University community, the Vice-Chancellor or a senior member of staff acting on the Vice-Chancellor's behalf may choose to suspend you from the University while we are carrying out our formal disciplinary procedures. By duty of care, we mean the University's obligation to ensure the safety and wellbeing of everyone at the University. The period of suspension would run up to the point at which the Student Conduct Committee takes place, unless we have chosen to delay our disciplinary procedures until a police investigation or prosecution has been completed. In this event, we may suspend you for the full period of the police's actions. We can also extend any period of suspension we have put in place, if we believe the circumstances of the matter make this appropriate. If we do this, we will write to you with the full details of why we have made this decision, and at what point we would review your suspension.

4.4 The Academic Registrar makes the final decision on whether or at what point a Student Conduct Committee should consider a case.

5 Arrangements for a meeting of the Student Conduct Committee

5.1 The members of the Student Conduct Committee are:

- a Pro Vice-Chancellor (Chair);
- a Director not connected with the course or study area of any student involved in the case; and
- a member of academic staff not connected with the course or study area of any student involved in the case.

If the Academic Support Office identifies any conflict of interest arising from any of these members of staff considering the matter, they will raise the issue with the Academic Registrar for advice with a view to finding another senior member of staff to take part in the meeting.

A member of the Academic Support Office attends meetings of the Student Conduct Committee to provide advice on regulatory and other matters. The Administrator to the Academic Registrar organises the meetings and takes the minutes.

5.2 If the Student Conduct Committee meets to discuss a disciplinary matter involving you, the Administrator to the Academic Registrar will:

- write to you asking you to attend the meeting in person, giving you notice of at least five working days (one week) of the time and place;
- tell you who will be attending the meeting; and
- give you the chance to write to us with your own account of what has happened and why. This is to help Committee members understand the case in advance of the meeting.

It's up to you whether you wish to attend the meeting, but our advice is that it's always in your interests to give the Committee the opportunity to discuss your case with you. Please be aware too that the Student Conduct Committee will take place and make a decision on your case whether or not you attend.

If we decide that it would be appropriate for you to attend the meeting by video or conference call, we'll confirm this with you in advance.

5.3 The University may also ask one or more staff witnesses to attend the meeting if appropriate – for example, your Course Leader (or equivalent). If the staff witness or witnesses cannot attend, the Administrator to the Academic Registrar will ask them to make a written statement to the Student Conduct Committee instead. This means the meeting can take place in their absence if necessary.

5.4 You can bring a friend or supporter to the Student Conduct Committee. The role of the supporter is to:

- see that the meeting is carried out fairly; and
- if they wish to, to address the Committee or ask questions.

You can also bring one or more witnesses to the meeting to support what you have told us about the case, but it's your responsibility to organise their attendance.

If you want to bring a formally trained legal representative to the Student Conduct Committee – either instead of, or as well as a friend or supporter – you must write to the Chair of the Student Conduct Committee at least two working days before the meeting. The Chair will decide whether or not to allow the legal representative to attend. The Chair can also postpone the meeting so that the University can make its own legal representations at the meeting when it is rescheduled.

A witness, friend, supporter or legal representative can't act on your behalf at the Student Conduct Committee if you cannot or choose not to attend. If we decide that it would be appropriate for your witness, friend, supporter or legal representative to attend the meeting by video or conference call, we'll confirm this with you in advance.

5.5 Once you have decided if you are going to attend the Student Conduct Committee, please email aro@norwichuni.ac.uk at least two working days before the meeting to confirm your decision. In the same email, please also let us know if anyone else will be attending with you and in what capacity they are attending – for example, as a supporter or as a witness.

5.6 After you have told us if you are attending the meeting, the Administrator to the Academic Registrar will send copies of documentation about the case to everyone due to attend the meeting of the Student Conduct Committee. The Administrator will do this in advance and as soon as it is practical, and everyone attending the meeting will receive the same information. This includes you, whether or not you choose to attend the meeting, and your friend or supporter. Typically, this documentation will include:

- a copy of all relevant documentation on the case to date;
- a copy of your account of the matter, if you have sent one to us;
- copies of the relevant regulations – for example, a copy of this section of the *Student Regulations and Procedures*; and
- any other relevant information. This might be information from the University's own records about you, and information from your course area.

6 What happens at a meeting of the Student Conduct Committee?

6.1 The Student Conduct Committee will consider a disciplinary matter as follows:

- the members of the Committee meet in private to review and hold an initial discussion about the case;
- the Committee invites the student or students the case is about into the meeting, together with any witnesses, friends, supporters or legal representatives as appropriate. Where one student has made allegations about one or more students, the student who has reported the matter will

be asked into the meeting first of all, before – and separately to – the responding student or students are invited in;

- the Committee discusses the case with the student or students and other individuals as appropriate, depending on the circumstances of the case;
- the Committee asks the student or students and any witnesses, friends, supporters or legal representatives as appropriate to leave the meeting;
- the Committee meets in private to agree a decision on the case.

6.2 In asking you to attend a meeting of Student Conduct Committee, the University is seeking only to establish the facts of a matter, and to give you an opportunity to put your side of the case. We understand that meetings of this type can be stressful for students involved, and if you attend a meeting, the Committee will do all they can to put you at your ease and allow you to talk about the details of the case they are considering.

6.3 Within five working days (one week) of the meeting, we will write to you with the outcome of the case. We may be able to let you know the outcome of the Student Conduct Committee verbally before confirming the outcome in writing, but we can't guarantee this.

7 The possible outcomes of a meeting of the Student Conduct Committee

7.1 **If the Committee decides there is no evidence in the case, or not enough,** we will write to let you know that the case has been dismissed. If the Committee was looking at a case of academic misconduct, this decision would also mean that your course team would assess your work as it stands, provide feedback, and award a provisional mark.

See section D for more about how we assess your work and about provisional marks.

7.2 **If the Committee upholds the case against you,** they may take one or more of the actions listed below.

7.3 We can issue you with a warning, for example if the matter is a first or minor offence.

7.4 We can issue you with a final warning, for example if you have repeated an offence or if the incident and your part in it has been very serious.

7.5 We can terminate your place on the course if the incident is serious enough for us to consider that this is appropriate.

7.6 We can put in place another appropriate penalty which the Committee would decide, such as writing a formal letter of apology to other individuals involved in the matter.

7.7 We can agree any other course of action if the Committee believes you have presented reasonable evidence to explain your actions. This may give the Committee the opportunity to act more sympathetically in a case where they have upheld the matter against you but accept that you have a compelling case in your defence. Please note that this does not apply to cases of academic misconduct.

7.8 If the Committee has considered a case of academic misconduct, their role is to decide whether or not there is enough evidence to confirm the allegation. Regardless of their final decision on the allegations, the Committee is also able to ask a student to attend one or more Study Skills sessions at the University. We will report the Committee's final decision on the allegations of academic misconduct to the appropriate assessment or award board – see below for more information on the actions an individual board may take.

If the Committee confirms the allegation, and the case under consideration was not one of historic academic misconduct, the course team:

- will assess and provide feedback on the unit affected by academic misconduct; but
- won't award a provisional mark.

The relevant assessment board will make the decision on the penalty to be applied. We will also provide the relevant external examiner with information about confirmed cases of academic misconduct before the relevant board meets.

7.9 If you choose to, you can make an appeal against any decision the Student Conduct Committee has made about you.

See section J for more about making an appeal.

8 The actions an assessment or award board can take if you have committed academic misconduct

8.1 The relevant assessment or award board will consider the following when deciding what action to take on proven cases of academic misconduct:

- how much work is the result of the academic misconduct;
- the student's level of study; and
- whether the student has any previous history of academic misconduct.

8.2 If you are a student currently registered at the University and the Student Conduct Committee has decided that you have committed academic misconduct, the relevant assessment or award board can take one of the actions listed below.

- 8.3 We give you a Fail mark (0%) for the unit but we allow you to resubmit the unit. The relevant assessment or award board will decide the terms of your resubmission.
- 8.4 We reassess the unit but cap the mark. This means that if you pass, you could only receive a maximum mark of 40% for a unit on a percentage-based marking scheme, or a Pass for a unit on a Pass/Marginal Fail/Fail marking scheme. If you fail the unit, we may terminate your place on the course.
- 8.5 We ask you to repeat the unit with attendance. The relevant assessment or award board will decide the terms of your repeat unit.
- 8.6 We ask you to repeat the year of study with attendance. The relevant assessment or award board will decide the terms of your repeat year of study.
- 8.7 We give you a lower degree classification or grade at final award.
- 8.8 We terminate your place on the course and award credit in the relevant year of study but not for the unit affected by academic misconduct.
- 8.9 We terminate your place on the course and do not award credit for any units in the year of study.
- 8.10 If the board terminates your place on the course, or if you are no longer a student registered at the University, the University can review any credit or any academic award we have previously made to you and could offer you a lower qualification. For example, we could take back your Bachelor degree with Honours and award you a Bachelor degree (Unclassified).
- 8.11 If the board wishes to take back an award we have previously made to you, the Chair of the relevant board will make a recommendation in writing to the Vice-Chancellor. The Vice-Chancellor then takes the final decision on the matter as Chair of the Academic Board.
- 8.12 If you choose to, you can appeal as follows against any decision we have made about you in relation to academic misconduct:
- If we have taken away academic credit or an award from you, you can appeal to the University's Council, which meets three times a year. If you are in this position, the Academic Registrar will tell you at the first opportunity how to make your appeal and will estimate the timescale in which the Council would consider your appeal. Contact aro@norwichuni.ac.uk for more information about this.
 - For all other decisions relating to academic misconduct, you can use the appeals procedures in these regulations.

See section J for more about making an appeal.