

# **Student Disciplinary Regulations and Procedure 2023-2024**

The purpose of these Regulations is to provide a constructive framework for dealing with allegations of misconduct made against students and to ensure that disciplinary action, where necessary, is applied fairly and consistently.

## **1. Authority for the Regulations**

- 1.1. These Regulations are made under Ordinance 6.2.1.2 of the University of Bristol, by which Senate has the power to provide for the discipline of the students of the University and has delegated power to the Executive Director for Education and Student Success to draw up and publish local rules and regulations for misconduct in University residences and in the community. These are contained in Annex 2.
- 1.2. Unless the context indicates otherwise, references within these Regulations to the Disciplinary Decision-Maker refers to a member of University staff trained in making disciplinary decisions.

## **2. Application and Scope**

- 2.1. This procedure applies to all registered students.
- 2.2. Any student studying or registered at the University of Bristol may be subject to disciplinary measures if they are found to be guilty of misconduct as defined in Annex 1.
- 2.3. Misconduct relating to cheating, plagiarism and any other academic misconduct will be dealt with under the [Assessment Regulations](#).
- 2.4. Disciplinary action under this procedure can only be taken once against a student (the "Responding Student") for the same allegations of misconduct save that students on professional programmes may also be subject to [Fitness to Practise](#) procedures.
- 2.5. If it appears that the Responding Student is experiencing health issues, any disciplinary proceedings may be adjourned whilst a referral is made to the Support to Study Policy, under which medical evidence can be obtained see [Support to Study](#).
- 2.6. The Disciplinary Decision-Maker or the Disciplinary Committee (under section 12 onwards) may, if appropriate, adjourn, suspend or terminate any disciplinary proceedings.
- 2.7. Any reference to a 'day' within these Regulations refers to a calendar day that the University is generally open and so includes weekends but does not include UK public holidays or university closure days, unless otherwise stated.
- 2.8. References in these Regulations to the holders of any post shall be construed to refer either to the post-holder or to their respective nominee.

## **3. Safeguards and Confidentiality**

### **Confidentiality**

- 3.1. An appropriate level of confidentiality is fundamental to the operation of an effective disciplinary process and must balance transparency and the requirements of natural justice against a

legitimate expectation of personal privacy. To ensure the integrity of the process all parties involved in the operation of these Regulations including the Responding Student and any student, member of staff or third party, where the allegation does not fall within Annex 2, raising a formal report (“Reporting Party”), any witnesses and those operating the Regulations must ensure that they maintain an appropriate level of confidentiality during operation of the procedure and afterwards.

**3.2.** In imposing an expectation of confidentiality, the University recognises that it may be necessary and therefore appropriate for those involved in these Regulations to share certain confidential information with third parties, as set out below.

**3.3.** The University may disclose information:

- a) to those who need to know in order to discharge their responsibilities at work;
- b) where it considers that disclosure is necessary in the interests of health and safety at work or the welfare of other staff, students or the public interest;
- c) where disclosure is required by law;
- d) to witnesses and/or attendees at the meetings within these Regulations and any other procedure relating to the complaint;
- e) to its professional advisers for the purposes of obtaining advice;
- f) to relevant external bodies such as the police, Office of the Independent Adjudicator (OIA(HE)) or the University’s regulator, the Office for Students (OfS).

**3.4** Students and staff (who make a disclosure and/or formal report which is being considered under these Regulations) and the Responding Student may disclose information:

- a) to professional advisers including Trade Union Representatives and Bristol SU Academic Advice Service for the purpose of obtaining advice;
- b) to family members (on the basis that those family members maintain confidentiality), academic or support services for the purpose of obtaining guidance and support and when submitting extenuating circumstances;
- c) to relevant external bodies such as the police, OIA(HE) or the OfS.

## **Safeguards**

**3.5** The University aims to promote a culture in which students and staff feel confident to raise their concerns. Consequently, anyone raising a formal report is expected to identify themselves. No action will be taken against a student about any matter that has been reported anonymously unless it is possible to verify the matter reported.

**3.6** The investigation process under these Regulations will require that the Reporting Party provides a statement and/or attends an investigatory interview. The Reporting Party may also be required to attend any disciplinary committee hearing as a witness. It is normally expected that such information is given without being anonymised. Unless there are exceptional circumstances, a Reporting Party should expect to be identified in the investigation process.

## **4. Involvement of the Police and Criminal Courts**

**4.1** This section applies where the alleged misconduct also constitutes an offence under the criminal law.

**4.2** If allegations of misconduct have been reported to the police, any University investigation will be adjourned pending the outcome of the police investigation.

**4.3** The University can only investigate whether there has been a breach of these Regulations, within the definition of misconduct as set out in [Annex 1](#). Any University investigation is not a substitute

for a police investigation or criminal proceedings. The University cannot make a determination of criminal guilt.

- 4.4 If appropriate, risk assessment procedures may take place under section 8 onwards.
- 4.5 Students who are subject to a police investigation or prosecution are required to inform the University of any investigation; if they are charged with a criminal offence; when police or court involvement has come to an end; and the outcome of the investigation or prosecution. Failure to do so may be treated as misconduct and may be dealt with under these Regulations.
- 4.6 The University may report any criminal offence to the police following an assessment of risk.
- 4.7 The fact that the police decide not to proceed with a case or that criminal proceedings have returned a 'not guilty' verdict does not preclude the University from taking action under these Regulations.
- 4.8 If a student has been convicted of a criminal offence or accepts a police caution in relation to behaviour that falls within the scope of the definition of misconduct in [Annex 1](#), the University will accept this as conclusive evidence that the behaviour took place.
- 4.9 Where a finding of misconduct has been made under these Regulations, and a student has also been sentenced by a criminal court on the same facts, the penalty imposed by the criminal court will be taken into account in deciding the penalty under these Regulations.

## 5. Disciplinary Procedure

### Making a disclosure

- 5.1. Allegations of misconduct may be disclosed by any member of staff or student.
- 5.2. A **disclosure** of allegations of misconduct can be made by any student to any member of University staff. A disclosure can be made in person, online via the University's Report and Support tool or via other means such as telephone or digital communication such as Teams or email.
- 5.3. Students can make an anonymous disclosure of misconduct via the University's Report and Support online reporting tool. However, no formal action under these Regulations against a particular student will be taken about any matter that has been reported anonymously unless it is possible to verify the matter reported. Anonymous information may be used to identify trends and shape our prevention and support provision.
- 5.4. A disclosure will not create a formal report and is not an instruction for the University to take action.

### Disclosures relating to sexual misconduct

- 5.5. Students can contact the Student Resolution Service (SRS) by email [srs-casework@bristol.ac.uk](mailto:srs-casework@bristol.ac.uk) for advice regarding making a disclosure relating to sexual misconduct and how to access support. Information and support is also available at [Sexual misconduct | Current students | University of Bristol](#)

## 6. Making a Formal Report about misconduct

- 6.1 Information about how to submit a formal report can be found [here](#). A Reporting Party must make a **formal report** before any action will be taken under these Regulations. However, if there is a concern about immediate risk to the University Community or if the University has a safeguarding obligation to consider the risk, the University's risk assessment procedures may be utilised before a formal report is submitted by the Reporting Party (see section 8 for more details of the University's Risk Assessment procedures).

- 6.2 Staff and Student(s) who wish to make a formal report about misconduct relating to student(s) behaviour should use the [Unacceptable Behaviour form](#) and send to [SRS-casework@bristol.ac.uk](mailto:SRS-casework@bristol.ac.uk)

### **Sexual Misconduct**

- 6.3 Formal reports relating to sexual misconduct should be made using the [sexual misconduct form](#) and sent to [SRS-casework@bristol.ac.uk](mailto:SRS-casework@bristol.ac.uk)

## **7. Informal Resolution**

- 7.1 The University has a [Mediation Service](#) which can be used for informal resolution where appropriate and both parties agree to take part. Informal resolution is not appropriate for sexual misconduct cases.

## **8. Risk Assessment Procedures**

- 8.1. If, the person receiving the disclosure believes that there is a risk of harm to the Reporting Party or anyone in the University community including the Responding Student, they will refer the disclosure for a risk assessment and consideration of Precautionary Action.
- 8.2. Precautionary Action (such as Orders of suspension, including Non-Contact Orders) is not a sanction or penalty. It is to be used only where following the risk assessment process it is considered necessary to protect a member or members of the University community; the property of the University; or the property of a member or members of the University community.
- 8.3. **Initial Risk Assessment Group (IRAG).** The members of IRAG are the Head of the Student Resolution Service, the Head of Complex Student Casework and Safeguarding and one of either the Director of Student Health and Inclusion or Director of Student Life and Wellbeing, with advice from the Secretary's Office. Other members of staff may be invited to provide advice or information to the Panel.
- 8.4. IRAG will decide whether any Precautionary Action such as Non-Contact Order(s) is appropriate to protect the parties involved and whether a referral should be made to the Risk Assessment Panel (RAP) for consideration of matters such as suspension or restriction of access to University premises.
- 8.5. **Risk Assessment Panel (RAP)** The members of the RAP are the Executive Director of Education and Student Success, one of the Director of Student Health and Inclusion or Director of Student Life and Wellbeing, the Head of the Student Resolution Service and the Chief People Officer if the disclosure is made by a member of University staff, with advice from the Secretary's Office. Other members of staff may be invited to provide advice or information to the Panel.
- 8.6. RAP will make decisions relating to Precautionary Action such as suspension or restriction of access to University premises or reporting to the police or safeguarding agencies.
- 8.7. If IRAG or RAP decides to take precautionary action, a Student Liaison Officer (SLO) will be assigned to the Responding Student and will deliver any correspondence and guide the student through the procedures.

## **9. Suspension and Non-Contact Orders**

- 9.1.** A Non-Contact Order (NCO) is an order requiring a student to have no contact with a specified person. The NCO may allow a student to continue with their studies but prohibit them from contacting the specified person.
- 9.2.** If allegations are made against a student or they are the subject of a police investigation, they may be suspended from the University pending the conclusion of the disciplinary proceedings or any criminal process. A student who is suspended from the University pending investigation, hearing or trial may have restricted rights to enter University premises and to take part in University activities and may also be subject to a NCO.
- 9.3.** Students who are suspended under these Regulations will still be able to contact the [Academic Advice Team](#) in the Students' Union for independent advice and may receive support from [Student Wellbeing](#).
- 9.4.** A decision to suspend a student pending investigation, hearing or trial or to issue a NCO may be subject to review at the request of the student after four weeks. A review can be requested by emailing their SLO. Such a review will not involve a hearing, but the student, either personally or through their adviser, friend or representative, will be entitled to make written representations.
- 9.5.** The review will be conducted by either IRAG or RAP depending on which group made the decision and the outcome of the review will be communicated to the student. In addition to the initial review, IRAG or RAP shall review the suspension on receipt of evidence of altered circumstances which might affect the suspension or order.

## **10. Student Liaison Officer (SLO)**

- 10.1.** A SLO will be assigned to the Responding Student and the Reporting Party if they are a registered student. The SLO will be the main point of contact throughout the procedure.

## **11. The Investigation**

- 11.1.** Any action taken under these procedures will be concluded as quickly as possible and normally within 90 days from the start of the investigation. This time frame would normally exclude any time taken by a criminal investigation or prosecution.
- 11.2.** When a formal report is referred to the SRS for action, an Investigating Officer (IO) will be appointed to investigate the report. The IO will keep the SLOs updated as to progress.
- 11.3.** The IO has the power to carry out the investigation as they deem appropriate, including interviewing the Reporting Party and Responding Student, any other witnesses and collecting any available evidence. Consideration will be given to the appropriate timing and method of communication, in particular in relation to examination dates.
- 11.4.** On receipt of the formal report from the Reporting Party or other evidence of misconduct, the IO shall inform the Responding Student of the allegations.
- 11.5.** The IO shall give the Responding Student the opportunity to respond to the allegations. This response may be in writing and/or the IO may meet with the Responding Student.

**11.6.** When the IO is satisfied that sufficient evidence has been obtained, the IO shall prepare a report containing all of the available evidence and summarising the facts and the potential misconduct under Annex 1 and giving their view as to whether or not there is a case to answer.

**11.7.** The IO will deliver this report to the Disciplinary Decision-Maker for consideration.

## **12. Summary stage - Consideration by the Disciplinary Decision-Maker**

**12.1.** The Disciplinary Decision-Maker will review the Investigation Report prepared by the IO and may:

- a) Request that further investigation be carried out;
- b) Decide that no further action should be taken, in which case both parties will receive a letter informing them of this and highlighting the support available to them;
- c) Decide that the matter should be dealt with informally by issuing an informal warning letter to the Responding Student. An informal warning letter will not be disclosed outside of the disciplinary process and therefore will not be recorded on the Responding Student's University record or referred to in references;
- d) Decide that the matter should be dealt with formally either:
  - summarily by the Disciplinary Decision-Maker; or
  - by referring the matter to a Disciplinary Committee.

**12.2.** The Disciplinary Decision-Maker may be advised by a representative from the Student Resolution Service or the Secretary's Office.

## **13. Summary Jurisdiction**

**13.1.** The Disciplinary Decision-Maker can resolve the matter without referral to a Disciplinary Committee. This will normally be when the Responding Student has admitted guilt or when the matter is straight forward.

**13.2.** After considering the Investigation Report, the Disciplinary Decision-Maker can make a summary decision as to guilt and sanction. The Disciplinary Decision-Maker can find the Responding Student guilty of misconduct if, on the balance of probabilities, they are satisfied of the student's guilt. If a finding of guilt is made, they may impose any of the penalties set out in Annex 3 of these Regulations, other than expulsion from the University.

**13.3.** The Responding Student will receive an outcome letter detailing the decision and penalty imposed and has the right to appeal the outcome. See section 16 below.

**13.4.** The Reporting Party will be informed of the outcome of any disciplinary action taken, including whether there was found to be a case to answer and whether the matter was dealt with summarily or referred to a Disciplinary Committee. The Reporting Party will also be informed if the Responding Student was found to be guilty or not guilty. The Reporting Party will normally be informed of penalties imposed on the Responding Student where the penalty has a direct impact on the Reporting Party, such as a Non-Contact Order or letter of apology. The disclosure of further penalty information will be considered on a case-by-case basis. If the Reporting Party is a registered student they may submit a [student complaint](#) if they are dissatisfied with the way that the formal report was dealt with.

## **14. Disciplinary Committee**

**14.1.** If the Disciplinary Decision-Maker decides to refer the matter to a Disciplinary Committee, the SRS will be asked to convene a committee and arrange a hearing as soon as possible.

- 14.2.** The Committee will be made up of three Disciplinary Decision-Makers who have had no prior involvement with the case and are not in the same faculty as either student. The Responding Student may request that a representative from the Students' Union sit on the Committee. The Committee should not include members of the Board of Trustees, as an appeal from a decision of the Disciplinary Committee is heard by a Committee of the Board of Trustees under Section 16 of these Regulations.
- 14.3.** One of the members will be appointed as Chair of the Committee. This cannot be the Students' Union representative. The order of the Committee hearing, evidence to be considered and witnesses to be called will be at the discretion of the Committee. The Committee may ask questions of anyone present.
- 14.4.** A representative from the Secretary's Office will act as Clerk to the Committee. The role of the clerk is to assist the Committee, take a note of the proceedings and advise the Committee. The IO or a representative from the Secretary's Office will present the case on behalf of the University.
- 14.5.** The Responding Student will be invited to attend the hearing. The hearing may take place via digital conferencing and not in person. The Reporting Party may be invited to attend the hearing as a witness and asked to give evidence; they are not a party to the proceedings. The Reporting Party will not attend all of the hearing and may give evidence via video link if appropriate. If two or more Responding Students are involved in related misconduct, the Committee may at its discretion deal with their cases together.
- 14.6.** The Reporting Party and Responding Student can bring someone for support or to represent them to the hearing. Both parties are normally expected to answer any questions put to them, unless they have a good reason for not doing so. The [Academic Advice Team](#) in the Students' Union offers advice and representation to students involved in University procedures such as this.
- 14.7.** The Committee will rely only on evidence presented at the hearing, either orally or in the hearing bundle. The Responding Student will receive a copy of the hearing bundle, but the Reporting Party will not.
- 14.8.** The Committee may impose time limits on oral addresses and submissions. The Committee shall have power to adjourn a hearing to another date, as it thinks fit.
- 14.9.** The Committee may find a student guilty of misconduct if, on the evidence before it, it is satisfied on the balance of probabilities of the student's guilt. This means that the Committee must be satisfied that, on the evidence available, the student's guilt is more likely than not. Once a finding of guilt has been established, the Committee can impose any of the penalties listed at Annex 3, including expulsion.
- 14.10.** If the members of the Committee cannot agree, the decision of the Committee will be that of the majority of its members. If there is a split decision, the Chair will have the casting vote.
- 14.11.** All proceedings under this section and documents relating to the proceedings are confidential.
- 14.12.** The Responding Student will receive an outcome letter detailing the decision and penalty imposed usually within 21 days of the hearing. The Responding Student has a right of appeal, as set out in section 16.

**14.13.** The Reporting Party will receive a letter stating that the matter was dealt with by a Committee. The Reporting Party will also be informed if the Responding Student was found to be guilty or not guilty. The Reporting Party will normally be informed of penalties imposed on the Responding Student where the penalty has a direct impact on the Reporting Party, such as a Non-Contact Order or letter of apology. The disclosure of further penalty information will be considered on a case-by-case basis. If the Reporting Party is a registered student they may submit a [student complaint](#) if they are dissatisfied with the way that the formal report was dealt with.

## **15. Penalties**

**15.1.** The penalties are set out in Annex 3. The Responding Student or their representative shall be entitled to make representations in mitigation before the penalty is decided.

**15.2.** When determining penalties, consideration will be given to the seriousness and circumstances of the misconduct, the Responding Student's means and any other mitigating circumstances raised by the Responding Student or their representative.

**15.3.** If found guilty of misconduct, details of the misconduct and the penalty imposed will be sent to the student's school and faculty. The record will be kept on the student's files for at least one year after graduation and may be referred to for the purpose of references.

**15.4.** The Student Resolution Service will keep a record of student misconduct and penalties imposed and will report to Senate annually.

## **16. Appeals**

**16.1.** A Responding Student may appeal against a finding of guilt or against a penalty imposed following a finding of guilt imposed under section 13 and 14 of these Regulations. The appeal must be made to the University Secretary within 21 days of the conclusion of the proceedings by email ([university-secretary@bristol.ac.uk](mailto:university-secretary@bristol.ac.uk)). The student must set out in writing the grounds on which the appeal is based. The student is encouraged to seek assistance from [Academic Advice Team](#) in the Students' Union when preparing the letter of appeal.

**16.2.** The appeal will be heard by a Committee constituted under the provisions set out in the Student Complaints Procedure.

**16.3.** The grounds of appeal are:

- i) That the decision was not reasonable;
- ii) That the procedure was not correctly followed when making the decision;
- iii) That new evidence has come to light that was not available to the original decision maker which may have materially affected the decision.

**16.4.** There is no entitlement to a rehearing of the case. The student may present the appeal in person or in writing, and may be represented by an adviser, friend or other representative.

**16.5.** The Committee considering the appeal may:

- a) reject the appeal and confirm the original penalty;
- b) uphold the appeal and revoke the original decision and penalty;

- c) partially uphold the appeal and confirm the finding of guilt but amend the penalty to impose a lesser or greater penalty.

**17. Office of the Independent Adjudicator for Higher Education (OIA)**

If the student is still dissatisfied, they may take the case to the Office of the Independent Adjudicator for Higher Education, which provides an independent scheme for the review of student complaints. The OIA will consider cases only when the University's own internal complaints procedure has been exhausted. It will not intervene on matters which turn purely on academic judgment. Further information about this scheme is available at [www.oiahe.org.uk](http://www.oiahe.org.uk)

*Approved by Senate 2023*

## **Annex 1 Types of Misconduct**

- a. Any conduct which constitutes a criminal offence;
- b. Any conduct which constitutes sexual misconduct;
- c. Disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University;
- d. Obstruction of, or improper interference with, the functions, duties or activities of any student or member of staff of the University, or any visitor to the University;
- e. Violent, indecent, disorderly, threatening, intimidating or offensive behaviour or language, whether expressed verbally or in writing, including online behaviour in electronic form;
- f. Bullying, harassment or unacceptable behaviour of any student or member of staff of the University, or any visitor to the University, including on the grounds of sex, race, religion or belief, disability, sexual orientation, gender reassignment, age or other grounds, including online bullying and harassment;
- g. Fraud, deceit, deception or dishonesty in relation to the University or its staff, students or visitors;
- h. Cheating or plagiarism in academic course work or in examinations;
- i. Theft, misappropriation or misuse of University property, or the property of the University's staff, students or visitors, including computer misuse;
- j. Misuse or unauthorised use of University premises;
- k. Damage to University property, or the property of the University's staff, students or visitors, caused intentionally or recklessly;
- l. Action likely to cause injury or impair safety on University premises, at University organised events or on any other site associated with the University;
- m. Failure to respect the rights of others to freedom of belief and freedom of speech;
- n. Breach of the provisions of any University code, rule or regulation, including any student code of conduct;
- o. Failure to disclose personal details to a member of staff of the University in circumstances in which it is reasonable to require that such information be given;
- p. Failure to comply with a reasonable instruction relating to discipline, issued by the Disciplinary Decision-Maker, IRAG or RAP

### **A.1.2 Definition of Sexual Misconduct**

Sexual Misconduct covers a broad range of inappropriate and unwanted or attempted unwanted behaviours of a sexual nature. It covers all forms of sexual violence, including sex without consent, sexual abuse (including online and image-based abuse), non-consensual sexual touching, sexual harassment (unwanted behaviour of a sexual nature which violates your dignity; makes you feel intimidated, degraded or humiliated or creates a hostile or offensive environment), stalking, abusive or degrading remarks of a sexual nature.

## **Annex 2 Local Rules and Regulations for Misconduct in University Residences and the Community**

The University expects students to behave in a way that is respectful and courteous of their neighbours and other members of their community and not to engage in anti-social behaviour.

### **A2.1 Types of Misconduct under the Local Rules and Regulations**

The University may investigate concerns raised by any Reporting Party or members of the local community relating to allegations of:

- Excessive noise or gatherings that cause a disturbance to members of the local community;
- Violent, indecent, disorderly, threatening, intimidating or offensive behaviour or language addressed to members of the community whether expressed orally or in writing, including online behaviour in electronic form;
- Bullying, harassment or unacceptable behaviour affecting any member of the local community;
- Breaches of the Tenancy Agreement for those students in University residences including residences owned by third parties and leased to the University.

### **A2.2 Disciplinary Procedure**

#### **Misconduct in accommodation in the community**

The Community Liaison Officer is authorised to investigate allegations of misconduct and will produce an Investigation Report.

A Disciplinary Decision-Maker will make decisions regarding guilt and penalty.

#### **Misconduct relating to students residing in University residences, whether committed in residences or in the community**

The Senior Residential Life Managers are authorised to investigate allegations of misconduct and will produce an Investigation Report.

A Senior Residential Life Manager, not involved with the investigation, will make decisions regarding guilt and penalty.

If, the person authorised to investigate the allegation(s) believes that there is a risk of harm to the University community including the Responding Student, they will refer the allegations, in accordance with Section 8, for a risk assessment and consideration of Precautionary Action.

On receipt of a formal report regarding misconduct in University residences or the community the person authorised to investigate shall inform the Responding Student of the allegation(s). They have the power to carry out the investigation as they deem appropriate, including interviewing the individual making the formal report and the Responding Student, any other witnesses and collecting any available evidence. Consideration will be given to the appropriate timing and method of communication, in particular in relation to examination dates. They shall give the Responding Student the opportunity to respond to the allegations.

When the person authorised to investigate is satisfied that sufficient evidence has been obtained they will produce an Investigation report. The person authorised to make a disciplinary decision can:

1. Decide that no further action should be taken, in which case the Responding Student will receive a letter informing them of this and highlighting the support available to them; or
2. Decide that the Responding Student is guilty of misconduct if, on the balance of probabilities they are satisfied of the student's guilt. If a finding of guilt is made, they may impose any of the penalties outlined below;
3. Make a referral to the SRS to be considered under the Regulations. The Head of the SRS will determine if the matter is sufficient for referral to the formal proceedings.

## A2.3 Penalties

- a. A written reprimand;
- b. A requirement to write a letter of apology to a specified person or persons;
- c. A requirement to attend a specified course or programme and to pay the reasonable cost as determined at the relevant time by the University;
- d. A caution, which means that no further penalty is imposed, but if the student is found guilty of misconduct on a subsequent occasion in the following twelve months or some other specified period, they will then be dealt with for both offences;
- e. A fine not exceeding £250. The only exception is in relation to behaviour which is likely to cause injury or impair safety on University premises where a fine of up to £400 can be imposed;
- f. The requirement to pay a reasonable sum by way of compensation for identified and quantified loss;
- g. The requirement to give and comply with a written undertaking as to future behaviour;
- h. Exclusion, either permanently or for a specified period, from the use of a specified University service or facility (including specified residential facilities) to which the misconduct relates;
- i. The requirement to perform unpaid services for the University or local community for a maximum of 20 hours.

Any of the above penalties may be suspended for a fixed period of time. If the Responding Student is found guilty of subsequent misconduct within that period the suspended penalty will immediately take effect.

When determining penalties, consideration will be given to the seriousness and circumstances of the misconduct, the Responding Student's means and any other mitigating circumstances raised by the Responding Student or their representative.

Where the breach or misconduct is also a breach of the terms of residence of University accommodation, the student may be referred to the Executive Director for Education and Student Success and the Director of Student Life and Wellbeing, who may take steps to evict the student.

## A2.4 Appeals

A Responding Student may appeal against a finding of guilt or against a penalty imposed following a finding of guilt. The student may raise their appeal formally by completing a Local Rules and Regulations Appeal Form and submitting it to the SRS within 21 days of the conclusion of the proceedings by email to [appeals-behaviour@bristol.ac.uk](mailto:appeals-behaviour@bristol.ac.uk). The student must set out in writing the grounds on which the appeal is based. The student is encouraged to seek assistance from [Academic Advice Team](#) in the Students' Union when preparing the letter of appeal.

The grounds of appeal are:

- i) That the decision was not reasonable;
- ii) That the procedure was not correctly followed when making the decision;
- iii) That new evidence has come to light that was not available to the original decision maker which may have materially affected the decision.

There is no entitlement to a rehearing of the case. There is no entitlement to a hearing, the review of the decision will be a paper exercise only.

The person considering the appeal may:

- a) reject the appeal and confirm the original penalty;
- b) uphold the appeal and revoke the original decision and penalty;
- c) partially uphold the appeal and confirm the finding of guilt but amend the penalty to impose

a lesser or greater penalty.

**A2.5** The Community Liaison Officer and Senior Residential Life Managers will report annually at the end of each academic year to the SRS with details of all misconduct dealt with and penalties imposed under this section.

## Annex 3

### Penalties for breaches of the Student Disciplinary Regulations

#### A3.1 Types of penalty

A student found guilty of misconduct may be given one or more of the following penalties:

- a. **A formal written warning;**
- b. **Absolute discharge**, which means that although the student may be technically guilty of the misconduct alleged, no blame should be attached to their actions;
- c. **Caution**, which means that no further penalty is imposed, but if the student is found guilty of misconduct on a subsequent occasion in the following twelve months, or some other specified period, they will then be dealt with for both offences;
- d. **Conditional discharge**, which means that no immediate punishment is imposed, subject to the student fulfilling certain stipulated conditions including future good behaviour over the following twelve months or some other specified period. If the conditions are not met, a punishment may be imposed following a further hearing;
- e. **Fine**, up to a maximum of £800. This maximum figure will be subject to periodic review by Senate;
- f. **Required to write a letter of apology to a specified person or persons;**
- g. **Required to attend a specified course or programme** and to pay the reasonable cost as determined at the relevant time by the University;
- h. **Required to pay a reasonable sum by way of compensation** for identified and quantified loss;
- i. **Required to perform unpaid services for the University community** to a maximum of 40 hours;
- j. **Required to have no contact, or restricted contact, with a specified person or persons;**
- k. **Required to move to another room or another residence within University residences;**
- l. **Suspended from enjoying specified privileges for a fixed period of time;**
- m. **Excluded from the University for a fixed period of time**, up to a maximum of twelve months. A student who is excluded from the University has restricted rights to enter University premises, and to participate in University activities. The terms of the exclusion will be notified to the student in writing. An order of exclusion does not affect the student's status as a member of the University;
- n. **Suspended from the University for a fixed period of time**, up to a maximum of twelve months. A student who is suspended ceases to be a member of the University for the duration of the suspension and is prohibited from entering University premises, and from participating in University activities. Suspension may be subject to qualification, such as permission to take an examination. The terms of the suspension will be notified to the student in writing;
- o. **Expelled from the University**, which means that the student ceases to be a member of the University, and loses all rights and privileges of membership;
- p. Any other reasonable penalty deemed to be appropriate by the Disciplinary Decision-Maker or Disciplinary Committee.

#### A3.2 Suspended Penalty

Any of the above penalties may be suspended for a fixed period of time. If the student is found guilty of subsequent misconduct within that period the suspended penalty will immediately take effect.

*Approved by Senate 2023*