Guidance for reporting an incident of unacceptable behaviours by a student

# In this document

[How to get advice on or report unacceptable behaviour](#_How_to_get)

[What to expect when talking to the Student Resolution Services (SRS)](#_What_to_expect)

[What is a Student Liaison Officer (SLO)](#_What_is_a)

[What is a Sexual Violence Advisor (SVS)](#_What_is_a_1)

[Reporting to the police](#_Reporting_to_the)

[Who can support you in the meetings](#_Who_can_support)

[How your safety is supported and what is precautionary action](#_How_your_safety)

[What you can and cannot share about the process](#_What_you_can)

[Information that will be shared with you about the case](#_Information_that_will)

[Information that is shared with the responding student](#_Information_that_will_1)

[The disciplinary process](#_The_disciplinary_process)

1. [Report and acknowledgement](#_report_and_acknowledgment)
2. [Initial assessment](#_initial_assessment)
3. [Formal investigation](#_formal_investigation)
   1. [Unacceptable behaviours investigation](#_Unacceptable_behaviours)
   2. [Sexual misconduct investigation](#_Sexual_misconduct_investigation)
4. [Decision making](#_Decision_making)
5. [Appeal process](#_Appeal_process)

[Disciplinary committee](#_Disciplinary_committee)

## How to get advice on or report unacceptable behaviour

1. Complete the form on our [“Get advice on or report unacceptable behaviour” page.](https://www.bristol.ac.uk/students/support/health/report-unacceptable-behaviour/how-to-report/)
2. A member of the Student Resolution Service will contact you to help progress your report.
3. You will be assigned a Student Liaison Officer who will be your main point of contact. They will support you to understand the process and keep you updated.

## What to expect when talking to the Student Resolution Service (SRS)

We know it can be difficult and emotional to talk about negative experiences, and we will always treat you with respect and compassion. We can:

* explain your options for example formal investigation or informal resolution
* explain the reporting process and what it would look like for you
* explain how you can report to the police. We can support you in meeting with the University Police Officer to discuss your options
* refer you to a SVA and/or wellbeing support
* make you aware of support services within the University.

We can talk to you in person at Senate House, over the phone, by email or on Microsoft Teams. We may ask for some detail about the allegation to support us in identifying your options. We won’t ask you to tell us in detail about what happened, you only need to share what you are comfortable talking about. We will ask you a few questions around your wellbeing and safety to inform our risk assessment process.

We want to make sure that at the end of the conversation, you have as much information as you need to make the right decision for you. You will be under no obligation to make a formal report; this is your decision.

## What is a Student Liaison Officer (SLO)

SLOs will support you to understand the reporting process, keep you informed and be your point of contact. Your SLO will normally be the person you first speak to in the SRS. Your SLO can also refer you to a SVA and advise you of other support available.

## What is a Sexual Violence Advisor (SVA)

SVAs in [Sexual Violence Support Service](https://www.bristol.ac.uk/students/support/health/sexual-violence-support-service/) have had specialist training to support and advise students who have experienced any [form of sexual misconduct](https://www.bristol.ac.uk/students/support/health/report-unacceptable-behaviour/sexual-misconduct/#types). They will:

* listen to you and discuss the options available to you
* help you decide what support you need going forward
* help you access that support
* provide you with information about possible next steps.

If you have a preference for who you would feel most comfortable talking to, for example a man instead of a woman, please let us know, and we will do our best to accommodate your request.

## Reporting to the police

If you are considering reporting to the police, you can talk about this with your Student Liaison Officer (SLO). Your SLO can advise on the differences between a police and University investigation. Primarily the police determine if a criminal offence has been committed and have broader investigatory powers than the University, whereas the University investigates whether a student’s behaviour has fallen below that expected standards of behaviour and is focused on maintaining a safe and respectful learning environment.

Your Student Liaison Officer can arrange for you to meet with the University Police Officer, who can explain your options and outline the police process to you.

When the allegation has also been reported to the police, we will normally pause a University investigation. This is to reduce the risk of any impact our investigation might have on the integrity of the police case. We will take action to assess risk and consider precautionary action.

## Who can support you in the meetings

Someone can support you in meetings. This could be a friend or family member, your Student Liaison Officer or a member of staff. The person supporting you should not be a witness to the incident as they may be asked to give a statement or provide evidence.

## How your safety is supported and what is precautionary action

Your Student Liaison Officer will complete a risk assessment to review the risk of harm to you or anyone in the University community, including the student that has been reported. Where there is deemed to be a risk, our risk assessment processes will be followed so that precautionary action can be considered.

Precautionary action is when the University takes steps to mitigate risk, for example putting in place a non-contact order, restricting access to certain University premises or suspension. Precautionary action is not a sanction or penalty and does not indicate that the University has made any judgement regarding the allegation.

Where the responding student holds a leadership/representative position in the Students’ Union or where the context of the case requires the Students Union will conduct a risk assessment in accordance with its risk assessment procedures.

## What you can and cannot share about the process

Everyone involved in the disciplinary process must ensure they maintain an appropriate level of confidentiality to enable an effective disciplinary process that balances transparency and the requirements of natural justice with the legitimate expectation of personal privacy. This expectation is set out in [section 3 of the Student Disciplinary Regulations](https://www.bristol.ac.uk/secretary/student-rules-regs/#:~:text=6.%20Student%20Disciplinary%20Regulations%20(PDF%2C%20295kB)).

## Information that will be shared with you about the case

When the University investigates as a witness, you will not be able to see what the responding student or witnesses submit. However, you will have a fair opportunity to outline the allegation and submit all relevant evidence. Your Student Liaison Officer (SLO) will keep you informed throughout the disciplinary process. Your SLO will inform you whether the student reported was found guilty or not guilty. Where they are found guilty you will be informed of penalties that would have a direct impact on you. For example, if the student is expelled, it impacts you to know that you will not see them again, so you will be told.

## Information that will be shared with the responding student

The responding student will see everything which forms a part of the case and the Disciplinary Decision-Makers decision. This includes your statement, evidence and witness statements. If there is anything in your report, statement or evidence that you are uncomfortable with the responding student seeing, you can have it removed from your statement. You can discuss this with your SLO.

# The disciplinary process

Detailed description of the process.

## Report and acknowledgment

* Complete the request contact from an adviser form.
* An advisor will contact you to acknowledge your report and arrange to meet with you.
  + They will normally be your assigned Student Liaison Officer (SLO) who will be your main point of contact.
  + They will make sure you understand the process and are kept updated.
* If you are reporting sexual misconduct, your SLO won’t ask you detailed questions about the incident but will get enough information to understand the allegation and support an assessment of the appropriate next steps.
* Your SLO will advise you on support available, including Student Violent Support Service.

## Initial assessment

An initial assessment will be conducted to determine the appropriate next steps. This includes confirmation that:

* the person being reported is a registered student at the University.
* you are aware that when making a formal report you are expected to identify yourself.
* the reported behaviour aligns with the types of misconduct outlined in the Student Disciplinary Regulations.

We will review and advise you on next steps, which could be:

* a formal investigation should be initiated by the us.
* a local stage investigation should be initiated by Residential Life team or the Community Liaison Office.
* informal resolution processes such as words of advice to the student reported or mediation.
* precautionary action to mitigate risk.
* referral to the appropriate policy or process where the report does not fall within the remit of the Student Disciplinary Regulations.
* referral to support services such as Sexual Violence Liaison Officer.
* not to investigate as the reported behaviour does not fall within the within the remit of the Student Disciplinary Regulations.

Your SLO will advise you of the course of action available to you and support you with any questions you might have.

In the event that informal resolution is deemed appropriate, we would typically contact the student that you have reported to make them aware of your report. We will explain to the responding student that no formal action will be taken, and will provide them with guidance on appropriate behaviour. They would typically be warned that any further allegations of inappropriate behaviour may result in more formal action being taken.

## Formal investigation

### Unacceptable behaviour investigation

* Your SLO will assess the risk of harm to you or anyone in the University community, including the student that has been reported.
* Risk assessment processes will be followed and precautionary action considered.
* We will appoint an Investigating Officer who will investigate your allegations. They will read the information that you have provided and arrange to meet with you to discuss your allegations.
* The SRS will also assign an SLO to the responding student.

#### **The investigation meeting**

* This meeting can be on Microsoft Teams or in person. Let your SLO know how you would like to meet and they can arrange this with the Investigating Officer.
* Your SLO will attend the meeting to ensure notes of the meeting are taken. This is usually done by the transcription function on Teams.
* You are welcome to have someone in this meeting to support you, and this could be a friend or family member, your Student Liaison Officer or a member of staff. The person supporting you should not be a witness to the case as they may be asked to give a statement or provide evidence separately.
* The purpose of an investigation meeting is to gather a detailed account of the incident reported and to have a clear understanding of what occurred.
  + This involves:
    - going through the incident in detail to gather specific and pertinent information
    - clarifying any uncertainties
    - gathering evidence that can be tested with the responding student.
  + You will be asked detailed questions about the incident, the purpose of this is to gather a comprehensive understanding of the situation.
* During the investigation meeting you will be asked if there are any witnesses to the incident or the events leading up to or after the incident. You will be asked to provide contact details for each witness.
* During the meeting you may discuss evidence that the Investigating Officer asks you to share after the meeting. If you have any questions about this you can contact the Investigating Officer or ask for your SLO to support you.
* After the meeting, you will be sent a copy of the meeting notes for you to check, confirm and return to your SLO.
* Your SLO will contact all relevant witnesses and ask if they are willing to be part of the investigation.
  + We cannot force witnesses to give a statement.
  + Where a witness agrees they will attend a meeting with the Investigating Officer their statement and evidence will form part of the investigation report.
* After you have confirmed your meeting notes and any witness statements and evidence have been collected, this will be sent to the responding student. They will be asked to provided a response to allegation.
* An investigation meeting with the responding student will be arranged.
* The Investigating Officer will ask them questions based on their response to the allegation and put questions to them based on:
  + your report
  + witness statements
  + other evidence.
* The responding student will be able to provide evidence and witness details. Relevant witnesses will be contacted to see if they are willing to provide a statement.
* The Investigating Officer may contact you during the course of the investigation for additional information but normally you will have provided all they need in your investigation meeting.
* Once the Investigating Officer has all the information and evidence they need, they will write a report which is referred to a Disciplinary Decision-Maker at the University. A Disciplinary Decision-Maker is a member of academic or professional services staff trained in the role.

### Sexual misconduct investigation

* For allegations of sexual misconduct, we may instruct a third party organisation (TPO) which works with the University investigating reports of sexual misconduct.
* We will put you in touch with the Investigating Officer.
* The Investigating Officer will arrange a phone call with you to introduce themselves, explain the investigation process and discuss your upcoming meeting.
  + You can ask questions, and they will check that you feel comfortable and informed.
  + Remember you can have someone with you on the call and at all meetings for support.
* After the phone call, the Investigating Officer will schedule an investigation meeting where they will ask you to tell them what happened.

#### **The investigation meeting**

* This meeting will normally be on Microsoft Teams but we can arrange an in-person meeting if you would prefer.
  + Let your SLO know if you would like an in-person meeting and they can arrange this with the TPO.
  + We can book a room in Senate House for you to have this meeting in private away from your home. Let your SLO know and they can arrange this.
* The Investigating Officer will normally be accompanied by another person from the TPO who will be there to take a written record of the meeting.
* You are welcome to have someone in this meeting to support you, and this could be a friend or family member, your Student Liaison Officer or a member of staff.
  + The person supporting you should not be a witness to the case as they may be asked to give a statement or provide evidence separately.
* The purpose of an investigation meeting is to gather a detailed account of the incident reported and to have a clear understanding of what occurred.
  + This involves:
    - going through the incident in detail to gather specific and pertinent information
    - clarifying any uncertainties
    - gathering evidence that can be tested with the responding student.
  + You will be asked detailed questions about the incident, the purpose of this is to gather a comprehensive understanding of the situation and these questions in no way attribute any blame to you.
  + Due to the nature of the events being discussed this process can feel uncomfortable so discuss with your SLO what would make this meeting most comfortable for you. For example:
    - where to have the meeting
    - who could support you
    - you can take rest breaks during the meeting.
* During the investigation meeting you will be asked if there are any witnesses to the incident or the events leading up to or after the incident. You will be asked to provide contact details for each witness.
* During the meeting you may discuss evidence that the Investigating Officer asks you to share after the meeting. If you have any questions about this you can contact the Investigating Officer, or ask for your SLO to support you.
* After the meeting, the Investigating Officer will draft a statement based on what you said.
  + The statement will be emailed to your University email account.
  + You will be asked to check the statement to make sure it is accurate or set out any amendments.
  + Your statement will form part of the investigation report.
  + You will normally be asked to respond in 3 days; however you can ask for more time if you need.
  + It may be difficult to read the statement so you may want more time and this is ok, let your SLO know and they can advise the Investigating Officer.
* Your Student Liaison Officer will contact all relevant witnesses and ask if they are willing to be part of the investigation. We cannot force witnesses to give a statement.
  + Where a witness agrees they will attend a meeting with the Investigating Officer their statement and evidence will form part of the investigation report.
* After your agreed statement and any witness statements and evidence have been collected, an investigation meeting with the responding student will be arranged.
* The Investigating Officer will gather their response to the allegation and put questions to them based on your statement, witness statements and/or other evidence.
* The responding student will be able to provide evidence and witness details. Relevant witnesses will be contacted to see if they are willing to provide a statement.
* The Investigating Officer may contact you during the course of the investigation for additional information but normally you will have provided all they need in your investigation meeting.
* Once the Investigating Officer has all the information and evidence they need, they will write a report which is referred to a Disciplinary Decision-Maker at the University. A Disciplinary Decision-Maker is a member of academic or professional services staff trained in the role.

## Decision making

* A Disciplinary Decision-Maker reviews the report and all supporting evidence and determines if there is sufficient evidence that the allegation occurred, and where there is, whether the Disciplinary Decision-Maker should determine guilt and penalty or if the case should be referred to a disciplinary committee.
* A Disciplinary Decision-Maker will normally make a decision where the allegation is admitted or when the matter is straightforward.
* Cases of sexual misconduct, due to the complexity and seriousness of the allegations, are normally referred to a disciplinary committee. A committee is composed of three Disciplinary Decision-Makers who have had no prior involvement in the case.
* Your SLO will inform you whether the student reported was found guilty or not guilty.
  + Where they are found guilty you will be informed of penalties that would have a direct impact on you.
  + For example, if the student is expelled, it impacts you to know that you will not see them again, so you will be told.

## Appeal process

* The responding student can appeal the disciplinary decision.
* If you are a registered student and are dissatisfied with the way that your formal report was dealt with you may submit a complaint.

# Disciplinary committee

* Should your case proceed to a disciplinary committee you will be given the option to attend to answer questions from the committee and responding student and to read an impact statement, should you wish to write one.
* We are committed to taking a trauma informed approach and will not compel you to attend a committee, rather we give you the option to attend and put supportive measures in place to reduce the potential impact of attending.
* If you attend, all questions would be posed to you from the Chair of the committee, and this could be in a separate meeting from the student you reported so you would not have to see or hear them, and they would not be able to hear or see you.
* Questions can be shared in advance of the committee and you could choose to respond in writing instead of, or in addition to, attending a committee.
* There is no requirement to respond to question. But this would be noted by the Committee when determining the outcome.
* You can have someone attend the committee with you as support.
* If the case does proceed to a disciplinary committee, your SLO will let you know, and if you would like, arrange to meet with you to discuss this and answer any questions you have.