

NON-ACADEMIC MISCONDUCT FAQs (FREQUENTLY ASKED QUESTIONS)

This leaflet provides answers to frequently asked questions concerning the University's Disciplinary Procedure for Non-Academic Misconduct. The full detail can be found in the University's Policy and Regulation (UPR) [UPR SA13, 'Student Discipline'](#). The full UPR series is published on the University's Governance website: <https://www.herts.ac.uk/about-us/governance/university-policies-and-regulations-uprs/uprs>

Q1. What is Non-Academic Misconduct?

The University is a large and complex organisation of more than 30,000 students and staff. It is a community whose members work and study in close proximity with each other. The University owes a duty of care to, and has responsibilities towards, each member of that community. For such a community to continue to be successful, it is essential that its individual members adhere to certain standards of good behaviour. It is also an important part of the local community, particularly Hatfield. For things to run smoothly everybody is expected to conduct themselves in a reasonable manner. This is explained in more detail in the [Student Charter](#), the [Student Code of Conduct \(UPR SA01\)](#) and the supporting [Statement of Responsibilities and Commitments \(UPR SA01, Appendix I\)](#). There is a disciplinary procedure that can be applied to those who do not follow these regulations.

Q2. What about Hertfordshire Students' Union?

Hertfordshire Students' Union runs many events and services on campus and is independent of the University but, like the University, it expects a reasonable standard of conduct within its facilities. The Students' Union has its own disciplinary procedures for those that breach its regulations, as detailed in its [Governance Documents](#).

Q3. What should I do if am involved in an incident on or off campus e.g. being arrested?

You should always report this to the University, usually the Office of the Dean of Students. If you are on a course that has professional body membership and/or licences to practise standards (such as Nursing or Teaching) then it is essential that you speak to your academic staff no matter how small an incident and no matter whether it is on or off campus. If you are charged with a criminal offence, you are required to report the matter formally and immediately to the Dean of Students ([see section 8.5 of UPR SA13, 'Criminal offences by students'](#) for full details).

Q4. What is the University's attitude to incidents on social media, such as Twitter or Facebook?

Incidents on social media can be just as serious as physical incidents and can incur just the same sanctions/penalties, this is particularly important on a course that has professional body membership and/or licences to practise standards. For your own well-being you are strongly advised to be very careful about your use of social media.

Q5. Where do I go for help if I am accused of Non-Academic Misconduct?

You should always seek advice and help as soon as possible. In the first instance you can approach [Hertfordshire Students' Union Advice and Support Centre](#). You can contact the Advice and Support Centre on e-mail: advice@hertfordshire.su, tel. 01707 285022. Students can access a number of [support services](#) and remember that if you do require any emotional support, you may wish to make contact with the [University's Counselling Service](#) in Student Wellbeing.

Q6. What happens if I am suspected of Non-Academic Misconduct?

If there is an allegation(s) of non-academic misconduct then an independent person, nominated by the Office of the Dean of Students, will investigate the allegation(s). You will be made aware of any allegation(s) that have been made against you. The investigation can have one of three outcomes:

1. Firstly, there may be no case to answer in which case there will be no further action and no record will be kept on your Student File.
2. Secondly, there may be a case to answer but it may be seen as a minor offence matter. In this case you will be invited to accept the outcome and a minor sanction (e.g. informal warning) may be applied although a record will be kept.
3. Finally, the case may be considered to be so serious and/or if it is not a first offence it will be referred to a Student Disciplinary Panel (SDP). If the case is considered to be minor but you do not accept that outcome, then the matter will also be referred to an SDP (see Q8.)

Q7. What happens if I withdraw from the University prior to the matter being resolved?

The University reserves the right, at its absolute discretion, to proceed with a Hearing and/or any other processes permitted by University regulations.

Q8. What happens at a Student Disciplinary Panel (SDP)?

An SDP is a disciplinary Panel consisting of three (3) members of staff of appropriate standing, none of whom shall have had earlier involvement in the case. The Chair of the Panel will normally be the Dean of Students. The Case Officer will normally be the member of staff who dealt with the matter at the preliminary stage and will present the case before the Panel. You will be given the opportunity to present your case and submit additional documents and material for consideration at the Hearing, and to call witnesses. The Panel will come to a decision based on the evidence before it. If the evidence is not conclusive the Panel will work on the basis of the balance of probability i.e. is it more or less probable that the allegation(s) is correct. A written record of proceedings will be made by the Clerk.

Q9. Am I entitled to be represented?

You are entitled to have support at any meeting or hearing that you attend. You must remember that the person accompanying you is there as your supporter and not your advocate/spokesperson. Your supporter will only be allowed to speak if directly asked a question. You are strongly advised to seek support if you are called before a Student Disciplinary Panel (SDP). You may elect to be represented at the meeting or hearing by a member or nominee of the Students' Union Executive. Hertfordshire Union Advice and Support Centre can help you.

Q10. What decisions can a Student Disciplinary Panel (SDP) make?

An SDP may find the case not proven in which case there will be no further action and no record will be kept on your Student File. If an allegation(s) is proven to the Panel's satisfaction, it has powers to impose disciplinary sanctions/penalties up to and including a final warning, or any other reasonable fine and/or other penalty. More serious sanctions (suspension or permanent exclusion) can only be imposed by the Vice-Chancellor but an SDP can recommend that the Vice-Chancellor suspends or permanently excludes. The University treats non-academic misconduct very seriously and sanctions/penalties can be severe. Sanctions and penalties are based on a previously published [‘Schedule of Sanctions and Penalties’ \(UPR SA13, Appendix I\)](#).

Q11. What does suspended or permanently excluded mean?

If you are suspended or permanently excluded from the University then you may no longer be present in any building or facility owned or managed by the University or the Students' Union. This includes all teaching and assessment sessions as well as social events such as those at The Forum. Fourteen (14) calendar days' notice will be given of the termination of any agreement/licence of residential accommodation. If you have a legitimate reason to be present in a University or Students' Union facility you will need the prior permission of the relevant person, usually the Dean of Students. The Vice-Chancellor may, at his sole discretion, lift a suspension temporarily to enable a student to take any assessments.

Q12. Can I appeal against the decision of a Student Disciplinary Panel (SDP)?

Yes, provided this is done in accordance with the permitted grounds for requesting a review of a Panel decision (see Q. 14). If you have been suspended or excluded by the Vice-Chancellor then you can appeal to the *Board of Governors*. If a lesser sanction has applied, then you can appeal to the *Deputy Vice-Chancellor*. You should remember that the Board of Governors cannot overrule the Vice-Chancellor, but it can recommend that the Vice-Chancellor reviews the decision. Appeals must always be made, in writing, on the correct appeal form which is available from the Dean of Students Help and Support Page on [StudyNet](#). Appeals not made on the correct form will not be considered. With regard to the requirement to submit requests using the appropriate forms, the University will make reasonable adjustments for disabled students; you may also seek support from the [University's Disability Services](#) in Student Wellbeing.

Q13. Are there any time limits on appeals against the decision of a Student Disciplinary Panel (SDP)?

Yes. Appeals must be made not more than ten (10) working days* of the date of the Letter of Decision from the Chair of the SDP, or Letter of Suspension or Exclusion from the Vice-Chancellor (where applicable). * Please note that this is *not* the date the letter was received by you.

Q14. Are there limited grounds for an appeal against the decision of a Student Disciplinary Panel (SDP)?

Yes. In making a request for a review the student will need to state the ground(s) for the review and provide independent evidence in support. The only two grounds that will lead to a request being considered are:

- (i) where new and relevant information not already brought forward at an earlier stage becomes available provided the new and relevant information could not have legitimately been available and brought forward at the earlier stage and will be conclusive of an issue under review or
- (ii) where the student reasonably believes that there is a prima facie case of procedural irregularity or appearance of bias or actual bias.

Q15. What happens if I am still dissatisfied after an appeal?

You have now completed all of the internal procedures and there are no further options within the University but you can approach the [Office of the Independent Adjudicator \(OIA\)](#) for a further review. To approach the OIA you will need a 'Completion of Procedures Letter'. The Office of the Dean of Students will provide this and advise you of the details of the OIA. You can use the Courts at any time.