



Student Misconduct and Disciplinary Policy

1. Overview

- 1.1 The University is committed to the values and behaviours within the Student Charter to provide all students with a considerate, inclusive and safe environment. The link to the Student Charter can be found here: [Student Charter \(dmu.ac.uk\)](https://www.dmu.ac.uk)
- 1.2 This policy sets out behaviours that we define as student misconduct and actions that we may take in response through the Student Misconduct and Disciplinary Procedure. There is a separate policy and procedure to investigate cases of alleged academic misconduct. The DMU Students' Union Code of Conduct applies to any alleged misconduct that takes place under its remit and activities.
- 1.3 This policy covers misconduct that occurs in-person or on-line, including through social media and all other forms of technology.
- 1.4 The policy applies to all students registered with the University, including those studying at partner institutions. The specific nature of the Student Misconduct and Disciplinary Procedure may vary if you are studying at a partner institution and any differences will be included in your Programme Handbook. Where there is variation, the University is responsible for ensuring that the principles of the partner institution's procedure align with the University's requirements.
- 1.5 A penalty will normally be given if an allegation of misconduct is upheld. The penalty will be dependent on the nature of the misconduct and its impact, and will normally range from a warning through to expulsion from the University. Examples of misconduct and associated penalties are provided in Appendix 1. If you (the alleged offender) are studying on a programme that leads to a qualification that includes the right to practice in a particular profession (e.g. nursing) and a case of misconduct against you is upheld, the penalty may include preventing you from practicing in that profession.



2. Support

- 2.1 If you have been subject to alleged misconduct by another student, or if you are reporting the alleged misconduct of another student, or if an allegation of misconduct has been made against you, confidential support is available from Registry Services. This includes support from The Mandala Project in cases of Sexual Misconduct and from No Space for Hate in cases linked to hate or harassment. It is important to seek support if the situation is impacting negatively on your wellbeing or mental health. The Wellbeing Team offer mental health support to students at DMU. The DMU Students' Union can also provide independent advice.

3. Misconduct Definitions

- 3.1 Misconduct is defined by the University as inappropriate behaviour, including but not limited to the following:

Towards other people: behaviours that negatively affect the working and learning environment of others; violent, threatening, abusive or anti-social behaviour or language; physical misconduct; coercion, sexual misconduct; harassment; bullying; victimisation; making malicious complaints or allegations; breach of the DMU Equality, Diversity and Inclusion Policy; use of weapons; hate crimes; distributing or publishing information that is offensive, threatening or illegal; initiation ceremonies or associated behaviours

Towards the University or its community: damage to University property; unauthorised use of University property including IT networks; theft, fraud, deceit, deception and bribery; creating an obstruction that prevents a person or the University from operating normally; causing a potential or actual health and safety incident; possession, supply and production of illegal drugs; causing unreasonable reputational damage to the University or to a member of the University; failure to comply with a penalty issued for previous misconduct; failure to produce ID or comply with a reasonable request from a member of staff; unauthorised possession of an offensive weapon.





4.1 Alleged or actual misconduct may be reported by:

Another student

A member of staff

A visitor to the University community

A person external to the University where your behaviour impacts on the reputation of the University and/or could harm members of the public or the University community.

4.2 The complainant will not be disadvantaged by the University by reporting the alleged or actual misconduct of another student other than if the complainant



6. Dignity and respect

- 6.1 All students and staff engaging in the Student Misconduct and Disciplinary Procedure must behave with dignity and respect for each other and in accordance with the Equality Act 2010. The process may be halted where unreasonable behaviours occur. The University may make further use of the Student Misconduct and Disciplinary Policy where behaviours constitute misconduct.

7. Student Misconduct and Disciplinary Procedure

- 7.1 This Procedure will be used to investigate and respond to any reports of misconduct and is designed to be fair and transparent.
- 7.2 If you plan to submit an allegation of misconduct, or if an allegation of misconduct has been made against you, please read the Student Misconduct and Disciplinary Policy and this Procedure so that you understand the process.
- 7.3 The DMU Students' Union is available to provide students with independent advice. Mental Health support is available from the Wellbeing Team.
- 7.4 If you decide to make an allegation of student misconduct, we ask that you do so normally within three months of the incident occurring, unless there are exceptional circumstances



7.7 Staff involved in the management of responding to a report of alleged misconduct, including the investigation, hearing and appeal stages, will have appropriate experience and/or training. Measures will also be put in place by the University to ensure that any members of staff involved in the process are trained and supported.





11.7 Where the alleged offender admits minor misconduct or where there is sufficient



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8. The alleged offender's fitness to study will be considered if there is evidence to suggest that that you are potentially not fit to engage with your programme at this time. The Student Misconduct and Disciplinary Procedure will normally be suspended temporarily if the University decides that fitness to study needs to be addressed first through the Students of Concern Policy. The University may still put in place Temporary Precautionary Measures.
9. The alleged offender's Fitness to Practice will be considered through the Fitness to Practice Policy if you are studying on a programme for which there are fitness to practice requirements and if the nature of the alleged misconduct suggests you may not be fit to practice. The University may still put in place Temporary Precautionary Measures.
10. Our engagement with the police or court process will occur where:

The alleged offender's alleged misconduct is a criminal offence against the University and where we decide to report this matter or

The University receives a report that you have allegedly committed a criminal offence off University premises

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16. The Disciplinary Committee will comprise the following people who must not have had any prior involvement with your case:

A member of the University Leadership Board who will chair the committee.

A member of the Students' Union Executive Committee (who does not also have a role or involvement in supporting any student involved in the case)

A member of academic staff who has been trained in the misconduct process or who has experience of such cases.

The Director of Registry Services or their nominee.

17. If the alleged offender is studying on a programme that leads to a qualification that includes the right to practice in a particular profession (e.g. nursing), the Student Misconduct and Disciplinary Procedure will normally be suspended temporarily if the University decides that fitness to study needs to be addressed first through the Fitness to Study process.



23. The alleged offender will normally be notified of the outcome of the Panel within 5 university working days of the hearing. You can appeal the Disciplinary Committee decision on the following grounds:

The University has failed to follow its procedure adequately
A disproportionate penalty has been imposed
The alleged offender has new information/evidence that was not available previously for good reason.

24. The alleged offender's appeal submission will be considered by Director of Registry Services who will either:

Dismiss the appeal
Uphold the appeal and either (i) refer the matter to a new Disciplinary Committee or (ii) impose an alternative penalty.

25. The alleged offender(s)