



UCFB *

Student Code of Conduct

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*UCFB is a trading name of University Campus of Football Business Limited

1. Introduction and Context

- 1.1 UCFB is committed to creating a working, learning and social environment which is safe, inclusive, and welcoming for everyone. There is an expectation that all members of the UCFB community will uphold the principles of treating each other with dignity and respect. This Student Code of Conduct sets out the standard of conduct UCFB expects of its students so that everyone can undertake their studies in a supportive and non-threatening environment.
- 1.2 UCFB is committed to being an actively anti-racist institution. We acknowledge that racism, racial discrimination, racial harassment and microaggressions can have a significant impact on individuals and communities and have no place within the UCFB community. We expect all students to contribute to an inclusive, respectful and equitable environment in which people from all racial, ethnic and cultural backgrounds are valued and treated with dignity. Any behaviour that constitutes racism, racial harassment, discrimination or hate-related conduct will be taken seriously and may be addressed through this Student Code of Conduct and associated institutional procedures. UCFB encourages students to challenge racism where it is safe to do so and to report incidents so that appropriate support and action can be taken.
- 1.3 The Student Code of Conduct does not deal with academic misconduct which is addressed in the Academic Integrity and Academic Misconduct Policy. Similarly, the Code does not cover conduct by staff towards students. Students must make any complaint about the conduct of a member of staff through the [Student Complaint Procedure](#).
- 1.4 There are various other UCFB policies and regulations that apply to students and a breach of these policies will, where appropriate, be dealt with as breaches of the Student Code of Conduct. These regulations and policies include (but are not limited to) those listed in Section 7.
- 1.5 The Student Code of Conduct explicitly prohibits all forms of sexual misconduct and harassment. [Allegations](#) of such behaviour will be considered under this Code and may also be referred to the Harassment and Sexual Misconduct Policy where appropriate.
- 1.6 This policy applies to misconduct which occurs during off-campus activities, including work-based learning opportunities, and field trips.
- 1.7 UCFB will always seek to act reasonably in dealing with student misconduct. It has an obligation to deal with any alleged breaches of student conduct fairly, reasonably, consistently, transparently and proportionately based on evidence. It must also balance the interests of all members of the UCFB community and sometimes of wider communities with whom it must maintain good relationships.

2. The Student Code of Conduct

2.1 Behaviour that is expected of all students

- 2.1.1 UCFB students are expected to uphold high standards of conduct by showing respect for the institution, its staff, fellow students, and the wider community. This includes acting as positive ambassadors, adhering to the [UCFB Community Charter](#), recognising and valuing diversity, and ensuring safety both on and off UCFB premises. Specific conduct standards apply during learning, on UCFB and Unite Students premises, and at UCFB or Student Union social events, including sporting activities.

- 2.1.2 Whilst on campus, UCFB expects students:
- To behave in a responsible manner that will help foster mutual respect and understanding between all members of the UCFB community.
 - To act within the law and not to engage in any activity or behaviour that is likely to bring UCFB into disrepute.
 - To behave and communicate in ways that do not unreasonably offend others. Examples of unreasonably offensive behaviour include using abusive or obscene language and engaging in any form of discriminatory or anti-social behaviour.
 - To treat with respect everyone they have contact with, whether within UCFB or outside.
 - To treat all UCFB property with respect.
 - To comply with reasonable requests of members of staff, e.g. providing identification cards when asked.
 - To adhere to UCFB's Health and Safety policies.
 - To follow the rules laid down by UCFB for the use of the Library and Study Hubs.
 - To observe fire alarms and related procedures and evacuate buildings when alarms sound.
 - To disclose immediately to UCFB, via Student Administration, if they are charged with, and/or convicted of a criminal offence.
 - To be on time for classes and other appointments, online or in-person.
 - To not leave before the end of a session, online or in-person .
 - To do nothing to impair others' engagement or learning during teaching or seminar sessions.
 - To switch off mobile phones and refrain from use, unless directed.
- 2.1.3 Whilst off campus: UCFB works hard to build good relationships with its local communities. In that context students are expected to:
- Help to support these relationships in the way that they conduct themselves in the surrounding area.
 - Be considerate to their neighbours, especially in relation to noise levels and rubbish.
 - Act within the law and not engage in activity or behaviour that is likely to bring UCFB into disrepute.
- 2.1.4 Whilst involved in sporting activities, students must:
- Be a role model for others and show respect to others involved in the game, cooperating with others as required.
 - Place the wellbeing, safety and enjoyment of each player above everything else, including winning.
 - Respect the rights, dignity, and value of all participants.
 - Be respectful towards UCFB staff, officials and players. Act appropriately and in line with the standards with official governing bodies of the relevant sporting activity.
- 2.1.5 Whilst involved in Student Union activities, students must: conduct themselves in an orderly fashion whilst attending or taking part in an event in which they are involved, whether on Student Union premises, the UCFB campus or elsewhere
- 2.1.6 Most of the software supplied by UCFB is licensed for Educational Use only. Students wishing to use software or systems for consultancy or commercial activity should ensure that either the UCFB licenses permit this type of activity or that they arrange to licence a copy/copies of the appropriate software specifically

for the activities concerned. If in doubt, users should consult the IT Helpdesk. Whilst accessing UCFB computing systems, licensed software, and/or social media accounts, students:

- Are responsible for all activities carried out under their username.
- Must ensure that passwords are in line with accepted good practice.
- Must not jeopardise the integrity, performance or reliability of UCFB's computing resources.
- Must not interfere with information that belongs to another user.
- Must not copy software or information that does not belong to them without permission.
- Must not use UCFB's computing resources to create or distribute obscene, libellous, defamatory, malicious or illegal material.

2.2 Behaviour that will be regarded as misconduct

2.2.1 UCFB considers the forms of inappropriate conduct that are set out below to constitute misconduct that is likely to lead to disciplinary action under the Student Code of Conduct. However, the list should not be regarded as exhaustive.

- a) Unacceptable behaviour arising from the consumption of alcohol or other substances.
- b) The possession or use of illegal drugs or any substance that has a similar effect to illegal drugs.
- c) Failure to respect the rights of others to freedom of speech within the law, as required by s.43 of the Education Act (No.2) 1986.
- d) Disorderly, threatening, bullying or offensive behaviour or language whilst on UCFB premises, engaged in UCFB activities whether on or off the UCFB premises, or using UCFB computers or email accounts.
- e) Any action that caused, or could have caused, a health and safety concern on UCFB premises.
- f) Any behaviour that damages the UCFB relationship or reputation with its local communities, as evidenced by complaints from residents, residents' groups, local representatives or the police.
- g) Behaviour that damages UCFB's relationship or reputation with external organisations and groups.
- h) Disruption of, or improper interference with the academic, administrative, sporting, social or other activities of UCFB.
- i) Abusive behaviour or language, harassment or bullying of any kind, towards a student, a member of staff, or a visitor to UCFB by any means, including social media, whether on or off UCFB premises and whether conducted through UCFB or personal equipment.
- j) Actions that involve making defamatory statements and/or false claims about a member of the UCFB community.
- k) Any interference with fire detectors, fire alarms or fire extinguishing equipment.
- l) Damage to, defacement of, UCFB property or the property of other members of UCFB, whether caused intentionally or recklessly.
- m) Misuse or unauthorised use of UCFB premises and property, including computer misuse.
- n) Breaches of the Library Rules and Regulations.
- o) Breaches of the Student Regulations for the Use of UCFB Computing Facilities that are not otherwise specifically covered in the Student Code of Conduct.

- p) Breaches of any other codes, policies or regulations adopted by UCFB or the Student's Union.
- q) Recording lectures, other academic sessions or conversations without the agreement of the person(s) involved.
- r) Failure to disclose details of personal identification to a member of staff of UCFB in circumstances where it is reasonable to require that such information is given.
- s) Anti-social behaviour in designated partner accommodation managed by external providers.
- t) The use of drones on UCFB premises/sites, unless formally agreed for legitimate reasons.
- u) The practice of Parkour/free running or similar is not allowed on UCFB sites/premises.
- v) Breaches of the Unite Student Terms and Conditions is managed by Unite Students.
- w) Students use of UCFB's computing resources for business or significant personal purposes, without arrange to licence a copy/copies of the appropriate software specifically for the activities concerned.

2.3 **Behaviour that will be regarded as serious misconduct**

2.3.1 The following kinds of behaviour will normally be treated by UCFB as serious misconduct, where a misconduct panel can consider whether the student should be suspended, excluded or expelled from UCFB:

- a) Racist, discriminatory, hateful or abusive language, conduct, harassment or behaviour directed towards others on the grounds of their age, disability, sex, gender identity, pregnancy, maternity, race, ethnicity, nationality, religion, belief or sexual orientation. Such behaviour will normally be treated as serious misconduct
- b) Taking UCFB property, or the property of UCFB staff or students, without permission.
- c) Deceit, deception, or dishonesty (including engaging in or facilitating fraud) in relation to UCFB or its staff and students, or while on UCFB related activities.
- d) The supply of illegal drugs or any substance that has a similar effect to illegal drugs.
- e) Other behaviour that constitutes a potential criminal offence of relevance to UCFB or to the student's standing as a member of the UCFB community.
- f) Any action that did cause, or could have caused, serious harm on UCFB premises or during UCFB activities, or that creates a legal liability for UCFB.
- g) Physical violence towards others, or the threat of physical violence.
- h) Behaviour that compromises the reputation of UCFB.
- i) Making unwanted remarks of a sexual nature.
- j) Engaging in a sexual act involving UCFB staff or students without their consent.
- k) Serious and/or repeated harassment of staff or students.
- l) Attempting to force or coerce others, with or without their knowledge, to consume alcohol, illegal substances or any other substance that has a similar effect to illegal substances.

3. Procedure for dealing with alleged breaches of the Student Code of Conduct

3.1 General

- 3.1.1 Where it is alleged that a student has breached the Student Code of Conduct, the matter shall be dealt with in accordance with one of the procedures set out below. Separate guidelines are available for members of staff who are involved in managing and operating these procedures. In matters relating to accommodation, penalties that are imposed through the Student Code of Conduct cannot over-ride the provisions of the Terms and Conditions supplied by Unite Students.

3.2 Standard of Proof

- 3.2.1 The standard of proof that shall be used in all cases that are dealt with under this procedure shall be the balance of probabilities, which is the standard of proof that is used in Civil Law. This means that a disciplinary panel will be satisfied that an event occurred if the disciplinary panel considers that, on the evidence available, then occurrence of the event was more likely than not. The standard of proof shall not be varied according to the perceived seriousness of an allegation.
- 3.2.2 In applying the standard of proof, UCFB will seek to ensure that outcomes are fair, proportionate and evidence-based, and that decisions take account not only of whether misconduct occurred, but also of the impact of the behaviour, any mitigating circumstances, and whether there are opportunities for the student to learn from the process and modify future conduct, where appropriate.

3.3 Allegations

- 3.3.1 Allegations of misconduct in Unite Student accommodation should be reported to Unite Students directly. This can be done via email: for Wembley archviewhouse@unitestudents.com and Manchester Millpoint@team.unitestudents.com. All other allegations of misconduct should be reported to the Resolutions Team, via the online [Reporting Unacceptable Behaviour Form](#).
- 3.3.2 UCFB may terminate consideration of an allegation of Student Misconduct if it considers it to be frivolous or vexatious. The Director of Student and Academic Services will review such instances and if appropriate, they will write to the relevant party via the Resolutions Officer explaining why UCFB is terminating consideration of the matter.
- 3.3.3 In circumstances as outlined in 3.4 where the [Reporting Party](#) is a student and the claims submitted are considered to be frivolous or vexatious, the student may be referred for investigation in line with this process.
- 3.3.4 UCFB will not normally act in response to anonymous allegations of breaches of the Student Code of Conduct, however anonymous reports may be used to inform policy, generate further guidance and initiate awareness campaigns.
- 3.3.5 Students and/or staff who observe misconduct that may give cause for concern should complete the [Reporting Unacceptable Behaviour Form](#) in the first instance.

3.4 Initial Assessment

- 3.4.1 Any alleged breaches of the Student Code of Conduct can be reported via the online [Reporting Unacceptable Behaviour Form](#). Additionally, incidents can be reported by emailing the Resolutions Team directly at resolutions@ucfb.ac.uk or

by reporting an incident to a staff member, who can then get in contact with the Resolutions Team.

3.4.2 Resolutions will undertake an initial assessment and recommend one of the following options:

- a) there is no case to answer and no action should be taken.
- b) referral for local informal resolution in cases of minor misconduct.
- c) referral to Stage 1: Investigation in cases of major misconduct; or
- d) referral to the Resolutions Panel in cases repeated major/gross misconduct and/or student escalation.

3.5 **Precautionary Action**

3.5.1 At times, it may be necessary to mitigate risk and protect the UCFB community by applying precautionary measures prior to the commencement of the student disciplinary process. Any such action is a precautionary measure only; it is neither a penalty nor sanction and does not indicate that UCFB has decided that the student has committed misconduct. Precautionary measures can be imposed prior to commencement of a Stage 1 investigation. The aim of a precautionary measure is to protect all members of the UCFB community.

3.5.2 The Risk Assessment Group will determine proportionate measures to introduce prior to and during any disciplinary processes. The Risk Assessment Group will undertake a risk report before a decision is made.

3.5.3 If the Risk Assessment Group reasonably believes that the Student poses a risk, they may, acting under delegated authority from the UCFB Board of Directors:

- a) Restrict the Students' access to the campus or certain parts of the campus, e.g. particular buildings.
- b) Restrict the Students' participation to certain academic and/or non-curricular activities.
- c) We will issue a non-contact agreement to everyone involved. Everyone will be asked to sign a copy of identical agreements. This is to ensure the safety and wellbeing of all students involved, to ensure all students are supported and that they also understand the boundaries on any interactions.
- d) Suspend the Student. Suspension means that The Student is prohibited from participating in the academic activity of UCFB and The Student's registration on their programme of study is put on hold. A full or partial suspension may be put in place where appropriate.
- e) Exclude the student. Exclusion means that the student is prohibited from taking part in UCFB activities, using UCFB facilities and/or entering UCFB grounds or premises. A full or partial exclusion may be put in place where appropriate.

3.5.4 A student will be informed in writing from the Risk Assessment Group, via the Resolutions team that a risk assessment is being carried out. If precautionary measures are to be applied to them, the reason for this will be communicated, usually within three working days of the decision.

3.5.5 A student has the right to appeal the precautionary measures applied to them. The student can appeal at any point during the application of the precautionary measures by writing to the Resolutions team via Resolutions@ucfb.ac.uk expressing their reasons for the appeal.

3.5.6 Any precautionary measures will be reviewed at regular intervals by the Risk Assessment Group (with a maximum of two months between reviews) to consider whether they should be revoked, extended or the terms amended. In the case of UCFB awaiting the outcome of any criminal proceedings or investigations, the precautionary measures are likely to remain in place for the

duration of those proceedings/investigations. As the University investigation is focused exclusively on whether a breach of University policies has occurred, it may be possible to proceed with an investigation whilst criminal proceedings or Police investigations are ongoing. Alternatively, there may be cases where the University needs to pause any investigation or proceedings until the outcome of the criminal proceedings are known.

- 3.5.7 If the student breaches the precautionary measures applied to them, then this is a breach of the Student Code of Conduct, and the student may be subject to further disciplinary action through the Student Code of Conduct Policy.
- 3.5.8 Arrangements will be explored to see what can reasonably be put in place for any student subject to precautionary action, in order to minimise the impact on their studies.

3.6 **Local Level Disciplinary Process**

- 3.6.1 Misconduct may sometimes be addressed without initiating a formal process. In such cases, an informal meeting may be arranged between the student and a senior member of staff from the Academic Centre and/or relevant departments. Other staff, including academic representatives, may also be present.
- 3.6.2 Early intervention and restorative approaches are used to rebuild trust and support a constructive resolution. These processes are typically collaborative, bringing together the reporting student (the individual affected) and the responding student (the individual responsible) to agree on appropriate, shared outcomes.
- 3.6.3 Where possible and appropriate, concerns regarding student conduct should be raised directly with students at the earliest opportunity at a local level. This will usually be conducted by Senior Lecturers or Professional Services staff. These conversations should be held privately, refer to the Student Code of Conduct, explain the reason for any concerns and set expectations for future behaviour.
- 3.6.4 It will only be appropriate to deal with matters at a local level if this is the first time the concern has been raised. If the concern has been raised previously, this will automatically be considered within the formal disciplinary process (Stage 1).
- 3.6.5 The purpose of these local-level discussions is to:
- Ensure the student understands the nature of the concerns raised and the impact on others and the learning environment.
 - Support the student to reflect on their behaviour and identify steps to achieve positive conduct going forward, including agreed expectations and timescales where appropriate.
 - Ensure the student understands that support is available, if required.
- 3.6.6 In some cases, an informal verbal warning may be given, which will not form part of a formal disciplinary record. A note of any such informal discussions and verbal warnings will be communicated to Resolutions and held on file for 12 months. If after 12 months there are no further concerns, the matter will be considered resolved and the note removed.
- 3.6.7 Where an issue has been discussed with a student informally at a local-level and:
- The issue has not been resolved, and the problem persists; or
 - The required improvements in conduct are not achieved; or,
 - Further information becomes available which suggests the matter is more serious, the formal disciplinary procedure may be implemented.

3.7 **Formal Disciplinary Procedure - Stage 1: Investigation**

- 3.7.1 The formal disciplinary procedure is implemented when a breach in the Student Code of Conduct cannot be dealt with at a local level.
- 3.7.2 The intention of the Stage 1 process is to try and resolve less severe issues as constructively as possible, in a timely manner to better equip students to adhere to the standards of behaviour expected of the UCFB community and outlined in the UCFB Community Charter and the Student Code of Conduct.
- 3.7.3 UCFB aims to conduct the formal disciplinary process in a timely manner, aiming to complete the process within 90 working days from the start of the investigation. However, this may take longer during busier periods and upon the unique circumstances of each case.
- 3.7.4 The Director of Student and Academic Services will appoint an Investigating Officer to conduct the Stage 1 investigation.
- 3.7.5 The Investigating Officer should not know The Reporting Party The Responding Student, or any witnesses and must not have any prior involvement in the case.
- 3.7.6 The Resolutions Team will set out the allegation in writing to The Responding Student within five working days of the formal disciplinary procedure being raised. They will invite The Responding Student to provide evidence to rebut the allegation; The Responding Student must do this within five working days. On receipt of this information, The Resolutions Team will share all documentation with the appointed Investigating Officer within five working days.
- 3.7.7 The Investigating Officer will independently and impartially consider the facts of the allegations and assess the available evidence. Where there are witnesses to an incident, or where an allegation is made against another individual, the Investigating Officer will request written statements and/or, where appropriate, conduct interviews. Individuals interviewed will be asked to confirm the accuracy of any notes taken.
- 3.7.8 The responding student may be invited to participate in an interview as part of the investigation and will be given the opportunity to provide relevant evidence or representations.
- 3.7.9 The Responding Student may choose to admit to the allegation and this admission may be taken favourably into account when considering what sanction, if any, to apply.
- 3.7.10 If the Responding Student does not take up the opportunity to provide a rebuttal or speak to the Investigating Officer the disciplinary process will still proceed, and a finding will still be made based on the evidence available to the Investigating Officer. It is strongly recommended that The Responding Student engages with the Investigating Officer.
- 3.7.11 The Investigating Officer will determine whether, on the balance of probability, the alleged misconduct took place.
- 3.7.12 The Investigating Officer, within 20 working days from the start of the investigation (i.e. on receipt of the formal allegation from the Resolutions Team), will compile a formal report and return the report to the Resolutions Team. This action may take longer during busy periods or due to individual circumstances, and affected individuals will be informed accordingly. In determining outcomes, UCFB will ensure that any sanctions or actions are proportionate to the seriousness of the misconduct, taking account of the impact on individuals, the wider UCFB community and the institution, as well as any mitigating or aggravating factors. The Investigating Officer report may make the following recommendations:
- Suggest the evidence shows that no misconduct has taken place.
 - Suggest the evidence is insufficient/inconclusive therefore no conclusion can be made.

- Suggest the evidence shows that misconduct has taken place but due to mitigating circumstances/information uncovered during the investigation either no penalty or a lighter penalty should be imposed.
- Suggest the evidence shows that misconduct has taken place, and a proportionate sanction should be imposed e.g. completion of training, reflective written statements addressing behaviour or behavioural agreements.
- Suggest the evidence shows that gross misconduct has taken place and that the case should be reviewed to progress to a Stage 2 Misconduct Resolutions Panel.

- 3.7.13 The Investigating Officer can recommend a sanction, but it will be the Resolutions Team who apply the sanction to ensure sanctions are proportionate.
- 3.7.14 A recommendation from the Investigating Officer to progress to a Resolutions Panel will be reviewed by the Director of Student and Academic Services, or nominee.
- 3.7.15 The Resolutions team will aim to formally write to The Responding Student within five working days of receipt of the report from the Investigating Officer, notifying them of the outcome of the Stage 1 investigation. This could include a sanction or the recommendation to progress to a Resolutions Panel. Situations may arise where the outcome may be delayed – in such instances, the Resolutions team will keep The Responding Student informed of relevant updates and an expected timeline for an outcome. Reporting parties are not normally required to attend panel hearings. Where appropriate, reporting students may be invited to contribute evidence as part of the investigation, for example by providing a written statement or responding to questions through the Chair of the Panel.

3.8 **Resolutions Panel**

- 3.8.1 The Responding Student may find their misconduct elevated to the Resolutions Panel if:
- It is unable to be resolved at Stage 1: Investigation.
 - The Responding Student misconduct is frequent or repeated.
 - The Responding Student fails to comply with disciplinary decisions or sanctions previously applied.
 - The evidence suggests that serious misconduct has taken place.
 - The Responding Student is faced with the possibility of suspension or exclusion/restriction.
- 3.8.2 Where a Resolutions Panel is deemed necessary, the constitution of the Resolutions Panel should be three members of UCFB academic staff. The Chair will be a Course Leader or above, with appropriate expertise of student conduct procedures.
- 3.8.3 Where possible, UCFB will seek to ensure that the composition of the Panel reflects the character and diversity of our institution, including academic link tutors.
- 3.8.4 The Resolutions Panel shall, as far as is reasonably practicable, be constituted of persons who have no prior knowledge of The Responding Student or misconduct concerned.
- 3.8.5 The Responding Student(s) will be notified in writing that they are requested to attend a Resolutions Panel and will usually be provided with at least seven working days notice of the Panel date. The information provided to the student(s) will:

- Confirm the time and place of the hearing (normally through Microsoft Teams, unless an in-person meeting is requested or deemed necessary by the Chair of the Misconduct Panel)
- Detail the nature of the alleged misconduct and a summary of the evidence for the complaint
- Investigating Officers report subject to redactions to protect personal data where this information is not necessary to engage with the allegation meaningfully
- The Responding Student's entitlement to be accompanied at the meeting by a friend or representatives unconnected with the allegation
- The members and Chair of the Misconduct Panel
- The requirement that The Responding Student attends, including informing the Responding Student that if they fail to attend, without good reason, the disciplinary hearing will go ahead in their absence using the facts as recorded.

- 3.8.6 The Responding Student is permitted to call witnesses to the Panel. The names of any witnesses must be provided to the Resolutions team in writing at least three days before the Resolutions Panel. This timescale is to allow any logistical arrangements to be put in place, if any of the witnesses are new to the case, i.e. they were not called as witnesses during the investigation, the Chair of the Misconduct Panel will decide whether to admit them.
- 3.8.7 UCFB may also invite witnesses to the Resolutions Panel, including any reporting parties. If so, The Responding Student will be informed of this in advance of the Misconduct Panel. If any of the witnesses are new to the case, i.e. they were not called as witnesses during the investigation, the Chair of the Resolutions Panel will decide whether to admit them.
- 3.8.8 The Responding Student has the right to be accompanied at the Resolutions Panel; the details of which should be submitted in writing to the Resolutions team at least five working days before the date of the Misconduct Panel unless otherwise communicated by the Resolution team.
- 3.8.9 If details of the accompanying person are not provided by the stipulated date, the Chair of the Resolutions Panel can reserve the right to refuse admission to the accompanying person. If the accompanying person's behaviour at the Panel is deemed inappropriate, the Chair has the right to demand that they be removed or convene the Panel to be held at a later date.
- 3.8.10 It is in the best interests of The Responding Student to attend the Resolutions Panel. If they choose not to appear before the Panel, the Panel reserves the right to hear the case in their absence.
- 3.8.11 At the Resolutions Panel, the Investigating Officer will present their findings. The Responding Student will be invited to respond to the allegations of misconduct made. The Panel will ask questions of the Investigating Officer, the Reporting Party (if invited to attend) and any witnesses.
- 3.8.12 Following these initial discussions, the Resolutions Panel will discuss the case in private and reach a decision based on the available evidence. The Resolutions Panel will endeavour to make a decision on the same day as the hearing, but this may not always be possible.
- 3.8.13 The Resolutions Panel may make one of the following decisions:
- a) Dismiss the allegation as on the balance of probability misconduct was not found.
 - b) Conclude that on the balance of probability, the misconduct took place but take no further action.

- c) Conclude that on the balance of probability, the misconduct took place and apply a proportionate sanction.
- d) Conclude that on the balance of probability, the misconduct took place and recommend The Responding Student be fully excluded or expelled.

3.8.14 Should the Resolutions Panel be unable to reach a consensus; the Chair will have the decisive voice. The Chair, through the Resolutions Team, will write to the student conveying the Panel's decision, together with reasons and any associated conditions, in writing and usually within five working days of the date of the decision.

3.8.15 The Reporting Party will, where appropriate, also be notified of the outcome. Information provided will be limited to confirmation of whether the concern was upheld and appropriate action has been taken where a breach the Student Code of Conduct is identified.

3.9 **Categories of Sanctions**

3.9.1 The following outlines the possible sanctions available to UCFB should an investigation or a misconduct panel conclude sanctions are an appropriate outcome. Where possible sanctions will be educational and restorative while also recognising the severity of the breach at hand.

Sanctions available following a Stage 1 investigation:

- Team membership withdrawal.
- Agreement to a behavioural contract.
- Either an oral or a written warning, advising of the likely consequences of a further breach of the Student Code of Conduct and requiring The Responding Student to give a written undertaking as to their future good conduct.
- Requirement to submit a written apology.
- A requirement to participate in a programme identified by the Resolutions Panel to educate The Responding Student about misconduct and its consequences
- A requirement to pay reasonable costs for any damage and/or losses incurred by UCFB and/or any third parties as a result of the Responding Student's actions. Payment must be made to UCFB Finance within 14 calendar days of the date of the written notification to the student.
- Referral to a Resolutions Panel.

Sanctions available following a Resolutions Panel:

- A suspension from UCFB for a specific period of time, up to and including three academic semesters or an equivalent period.
- An exclusion from particular areas of UCFB, or UCFB activities, for the duration of a student's enrolment at UCFB.
- An expulsion from UCFB and the student can no longer complete their degree with UCFB.
- Additional sanctions, including those specific to Harassment and Sexual Misconduct may be applied in accordance with the Harassment and Sexual Misconduct Policy.

- 3.9.2 If a Responding Student fails to comply with a sanction imposed at conclusion of the Stage 1: Investigation or Stage 2: Misconduct Resolutions Panel, UCFB will impose further sanctions on The Responding Student. The Responding Student will be informed of the consequence of non-compliance in their written outcome. Where further sanctions are applied, the Responding Student will be informed in writing.

3.10 **Appeal Process**

- 3.10.1 The Responding Student may appeal the finding and sanction by contacting the Resolutions team within 10 working days of the date of the Outcome Letter. The appeal will only be accepted if it meets one or more of the following grounds:
- UCFB failed to follow the procedure set out in this Policy.
 - The decision was unreasonable and/or a disproportionate outcome has been imposed.
 - There is new information/evidence which was not reasonably available before and would have made a material difference to the outcome.
- 3.10.2 The Responding Student will receive an acknowledgement of the appeal from the Resolutions Team and will be informed that their appeal will or will not be considered by the Director of Student and Academic Services.
- 3.10.3 The appeal and corresponding evidence will be reviewed by the Director of Student and Academic Services, or nominee. They will not re-investigate the whole case but will review whether there has been a procedural irregularity or a breach by UCFB on the points under 3.10.1. This process is expected to take 10 working days; however, this will be dependent on the complexity of the disciplinary case and some appeals may take longer. Any significant delays will be communicated to the Responding Student by the Resolutions Team.
- 3.10.4 Once the review has concluded the Director of Student and Academic Services, or nominee, may;
- Uphold the appeal as the correct processes were not followed.
 - Uphold the appeal as the new evidence has changed the balance of probability so misconduct is now not found.
 - Reject the appeal and support the original finding and sanction.
 - Reject the appeal and support the original finding but recommend a lesser sanction.
 - Suggest a different procedure be used to address the misconduct.
 - Refer the case for review by a Resolutions Panel where it is believed that serious misconduct has taken place (only available if an appeal is requested following Stage 1: investigation).
- 3.10.5 The Director of Student and Academic Services, or nominee, will complete a written statement, providing their decision and explanation for their decision. The Resolutions team will inform The Student of the outcome of the appeal within five working days.
- 3.10.6 The decision of the Director of Student and Academic Services, or nominee, will be final and there shall be no right of appeal.
- 3.10.7 Any decision made regarding an appeal outcome will be final and will conclude this Procedure. If a Stage 1 appeal is rejected a Completion of Procedures (COP) Letter will be issued to the Responding Student within 29 days of notification (this is normally sent to The Responding Student with the appeal outcome).

3.10.8 If the Responding Student does not appeal by the end of the appeal window, the disciplinary procedure will be considered complete. The Responding Student may request a Completion of Procedures letter from the Resolutions team.

3.11 Students who are convicted of a criminal offence that results in the imposition of a custodial sentence

3.11.1 Where UCFB becomes aware that a student has been convicted of a criminal offence that has resulted in the imposition of a custodial sentence, the Director of Student and Academic Services shall immediately cancel the student's registration with UCFB and the student's current enrolment(s). If, at the end of the custodial period of his/ her sentence, the student wishes to return to the UCFB, s/he must submit a new application in the normal way. If at the time the new application is made, the conviction is not deemed to be spent under the Rehabilitation of Offenders Act 1974, the matter will be considered by a Risk Assessment Panel, in accordance with the UCFB's Admissions Policy.

4. Office for the Independent Adjudicator for Higher Education

4.1 In the event that the Responding Student remains dissatisfied with the final outcome or deems the institution to have not followed the procedures as outlined in this policy, following completion of internal procedures, they may lodge a request for external review directly with the Office of the Independent Adjudicator for Higher Education (OIA).

4.2 Any request for review to the OIA must be submitted within 12 months of receipt of the Completion of Procedures letter provided by UCFB. The OIA will not usually review complaints which have not previously been considered by UCFB.

4.3 The Office of the Independent Adjudicator for Higher Education may be contacted via:

Tel: 0118 959 9813

Email: enquiries@oiahe.org

Website: www.oiahe.org.uk/students/

Postal address: Office of the Independent Adjudicator, Second Floor, Abbey Gate, 57-75 Kings Road, Reading, RG1 3AB

5. Reporting and Monitoring

5.1 Records of all cases will be maintained for the purposes of monitoring and improvement. An annual report will be prepared for the Education and Student Experience Committee and Academic Board. This will detail any potential areas for enhancement, including relevant action points. The annual report will also be shared with the relevant validating body.

6. Updates

6.1 This Policy will be reviewed and updated by UCFB on a regular basis as directed by the Policy review schedule.

7. Related Policies and Procedures

7.1 This Policy/Regulation relates to the following institutional regulations, policies, or procedures. **N.B.** This is not an exhaustive list of all applicable regulations.

7.2 UCFB Policies and Codes of Practice:

- UCFB Athletics Union Code of Conduct
- UCFB Community Charter
- UCFB Student Disability Disclosure Policy and Procedure
- UCFB Freedom of Speech Policy
- UCFB Data Protection Policy
- UCFB Research Ethics Policy
- UCFB Safeguarding under 18s and Adults at Risk Policy
- UCFB Sexual Harassment and Misconduct Policy
- UCFB Social Media Policy

7.3 UEL Policies & Regulations:

- [UEL Manual of General Regulations](#)
- [UEL Student Policies and Procedures](#)
- [UEL Anti-Discrimination Statement](#)

8. Links to Support Organisations and Networks

- 8.1 Student Support team – studentsupport@ucfb.ac.uk can provide emotional support to both the Responding Student and the Reporting Party (where the Reporting Party is a registered student).
- 8.2 UCFB students have access to a Student Assistance Programme (SAP) which offers 24/7/365 free and confidential counselling through telephone and/or video as well as chat-messaging support, with no appointment necessary. You can reach out anytime via the app, or by calling free on **0800 243 458**.



9. Glossary

Definitions of acronyms or phrases used within the policy:

Educational Use License: The Educational Use of a Software Product or other Digital Content is the use by any person authorised under the terms of the Licensee for the purposes of the normal business of an Educational Establishment. Such use includes the following:

- Teaching.
- Research.
- Personal educational development.
- Administration and management of courses and the educational policy of the Educational Institution.
- Development and/or support activities associated with any of the above.

The following are excluded:

- Consultancy or services where the Software or Digital Content is commercially exploited.
- Work of significant benefit to the employer of students on work-based learning opportunities (WBLOs) or part-time courses.

Exclusion – refers to a ban set against an enrolled student, excluding them from specific University activities, spaces within campuses or campuses in whole.

Expulsion - refers to a students' complete removal from UCFB. Any access to UCFB systems would be halted and the student can no longer complete their degree within UCFB.

Harassment related to a relevant protected characteristic is unwanted conduct that has the purpose or effect of violating the individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Conduct may be verbal, non-verbal or physical, and could take place in person and/or online.

Sexual harassment is unwanted conduct of a sexual nature that has the purpose or effect of violating the individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Reporting Party – is the person(s) who reported a UCFB student for an alleged breach of student conduct.

Responding Party – is the person(s) who is/are alleged to have breached the student conduct policy.

Sanctions - A penalty for breaching the Student Code of Conduct. A list of potential sanctions is found below.

Serious-misconduct - A serious act by The Student which is so bad that UCFB will instigate a Stage 2 Misconduct Panel. The type of act that constitutes serious misconduct is listed in section 2.3

Suspension – refers to a halt on the student's record, preventing them to continue with their academic studies for a specified amount of time.

Witness – a person who has witnessed an incident and may be called to provide a statement and/or attend a disciplinary hearing. Witnesses may be called by the Responding Student, the Reporting Party or UCFB.