

University of Liverpool

STUDENT CONDUCT POLICY

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Does this replace any previous policies?	No		
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Equality Impact Assessment	The amendments aim to ensure that the Student Conduct Policy and Procedures are fair and accessible to all students. The amendments refer to reasonable adjustments within the process. Following a review of the Equality Checklist there is no equality impact.		
Regulatory/Compliance	This Policy has been reviewed against the regulatory Frameworks of the OfS (OfS Framework) and the OIA (OIA Good		

	<p>Practice Framework) and is compliant. It is noted however that with complex misconduct cases and those involving Police Investigations, we may not meet the 90-day timeframe as stipulated by the OIA.</p> <p>The Policy does not restrict in any way, academic freedom or freedom of speech and upholds OfS Public interest Governance Principles.</p> <p>The University has a duty to secure freedom of speech within the law under Section 43 of the Education Act (1986), the Higher Education and Research Act 2017.</p> <p>This policy should be read alongside the University's Policy and Code of Practice Regarding Free Speech</p>
Data Protection	<p>A Data Protection Impact Assessment is not required for this Policy. All staff employed to administer this Policy and accompanying procedures should comply fully with all GDPR and Data Protection Act 2018 requirements and obligations.</p>
Communication	<p>Updated web pages which form part of the terms and conditions for students.</p> <p>Direct communication to University Disciplinary Panel Members</p>

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1. Introduction

- 1.1. This Policy sets out the standards of conduct that we require of our students and the University's approach to dealing with alleged student misconduct. The associated Procedures found in Appendix A, establish how alleged breaches of the standards of conduct are managed.
- 1.2. The University of Liverpool is a large institution with tens of thousands of individuals studying and working closely together as part of the University community. In order for such a community to function effectively, and to seek to ensure that all its members (students and staff alike) enjoy an environment which is conducive to teaching, learning, research and a positive experience, students are required to meet certain standards of conduct and to treat others with respect. By joining the University community, students agree to conduct themselves in accordance with its Policies and Procedures and to adhere to the standards of behaviour expected of every member of the University community. The Standards for Student Conduct are set out in Section 2 below.
- 1.3. This Policy includes two appendices, which underpin its terms, these are:
 - Appendix A – Contains the Procedures to be followed by the Investigating Officer, Disciplinary Authorities acting under Local Disciplinary action, the Risk Assessment Panel, the University Disciplinary Panel and the University Disciplinary Appeal Panel
 - Appendix B – Contains a list of examples of Student Misconduct Breaches and Indicative Sanctions.

2. Standards of Student Conduct

- 2.1 University of Liverpool students are required at all times (including during non-term time) to behave as responsible members of the University community, and to represent and uphold the good name of the University allowing all students and staff to study and work in a safe environment. This also applies, for example, to students whilst on University activities such as placements and field trips, when representing the University at events and both while on and off University premises, including behaviour taking place within University-managed and private accommodation. The University's duty in relation to Freedom of Speech will be considered when considering student conduct issues. It is expected that students' written and verbal communications will be within the law and will be respectful of others.
- 2.2 The following provides a substantive but not exhaustive list of behaviours and actions which the University regards as misconduct. More precise definitions and indicative sanctions for misconduct breaches are detailed in [Appendix B – Student Conduct Breaches and Indicative Sanctions](#)

- 2.2.1 Any breach of University Ordinances, Regulations, Codes of Practice or Policies.
- 2.2.2 Obstruction or interference with the functions, duties or legitimate activities of any student or members of staff of the University, or any visitor to the University.
- 2.2.3 Violent, indecent, disorderly, threatening, or intimidating behaviour or language (whether expressed orally, in writing or electronically including blogs, social networking websites and other electronic means).
- 2.2.4 Actions or behaviours that the University defines as sexual misconduct under Appendix B to this Policy.
- 2.2.5 Conduct which damages, or has the potential to damage, the University's relationship or reputation with its local communities or other bodies or organisations.
- 2.2.6 Distribution or publication of a poster, notice, sign, or any electronic publication including audio-visual material, social media post, blog, or webpage, which is intimidating, threatening, indecent or illegal.
- 2.2.7 Disclosure of another person's legitimate speech or activity that would place any person at risk of harm.
- 2.2.8 Any behaviour which could constitute discrimination or harassment on the grounds of sex, sexual orientation, gender, gender re-assignment, race, religion (including antisemitism¹), nationality, disability or age of any student or member of staff of the University, honorary staff, recognised teacher, or any visitor to the University.
- 2.2.9 Fraud, deceit, deception, or dishonesty in relation to the University, its staff, students, or visitors. This includes offering payment or reward for attendance codes or supplying attendance codes for payment or reward.
- 2.2.10 Bribery or attempted bribery including but not limited to offering or giving money, gifts or any other advantage to any student or employee of the University, honorary staff, recognised teacher, or any visitor to the University with the intention of inducing that person to perform their role improperly or of rewarding that person for performing their role improperly.
- 2.2.11 Misrepresentation or falsification of pre-entry qualifications, previous study, work experience, or personal statement which emerges post-admission to a programme of study.
- 2.2.12 Failure to declare a relevant, unspent criminal conviction during the admissions process.
- 2.2.13 Failure to inform the University, whilst registered on a programme of study, of a police investigation, an arrest, conviction, caution or

¹ The University adopts the IHRA definition of antisemitism, "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities." Find out more at https://www.holocaustremembrance.com/sites/default/files/press_release_document_antisemitism.pdf

reprimand or charged with any criminal offences including local / community resolution dealt with by the Police. This includes motoring offences (you do not need to declare parking or speeding offences which were subject to fixed penalties). *Conviction includes being put on probation or being given an absolute or conditional discharge or being bound over or being given a formal caution.*

- 2.2.14 Theft, misappropriation, unauthorised use or misuse of University property, or the property of its students, staff or visitors whilst on University premises or engaged in University business.
- 2.2.15 Falsification of student attendance records, using either manual or electronic systems. Including either using an attendance code while not in attendance or sharing an attendance code with a fellow student not in attendance.
- 2.2.16 Misuse of computers or the communications network, including the unauthorised use of the University logo or name, or any breach of the University's policies on the use of its information systems, including social media.
- 2.2.17 Intentional or reckless damage or defacement to University property or the property of students, staff or visitors whilst on University premises or engaged in University business.
- 2.2.18 Any anti social behaviour including noise nuisance and behaviour that is likely to cause nuisance and annoyance to students, staff, contractors and visitors.
- 2.2.19 Action which may cause injury or jeopardise the safety of others whilst on University premises or engaged in University business.
- 2.2.20 Unauthorised possession or use on University premises or whilst engaged in University business of any firearm or dangerous weapon.
- 2.2.21 Unauthorised or inappropriate use, whilst on University premises or whilst engaged in University business, of sporting equipment, or similar.
- 2.2.22 Unauthorised entry into another student's room within University accommodation.
- 2.2.23 Unauthorised use or occupation of University premises.
- 2.2.24 Any breach of a University Tenancy Agreement or Student Licence.
- 2.2.25 Failure to provide proof of identity when requested to do so by a member of staff of the University.
- 2.2.26 The possession, sale, supply or the misuse of any controlled drug.
- 2.2.27 Failure to comply with any penalties or sanctions imposed because of the University's Disciplinary or Risk Assessment Procedures or contempt of those procedures.
- 2.2.28 Any conduct which may be discreditable to the University or may bring the University into disrepute.
- 2.2.29 Failure to comply with the Freedom of Speech Policy and Procedure.
- 2.2.30 Failure to keep any personal property that may cause harm to others secure. Examples include sporting equipment or prescription medication.

3 Scope of Policy

- 3.1 The Policy and its Procedures apply to all students throughout their period of registration with the University including:
- 3.1.1 Students who have accepted an offer of a place at the University but who have not yet completed formal registration processes.
 - 3.1.2 Students who have completed their programme of study and who have graduated. *No student with an outstanding disciplinary matter against them can graduate, including those students who have registered an intention to appeal against a disciplinary decision taken against them.*
 - 3.1.3 Students studying for a University of Liverpool award who spend any time off campus (such as placement, year abroad/in industry, off-site research).
 - 3.1.4 Students who have interrupted their studies or had their studies suspended, but who are still registered students.
 - 3.1.5 Students who have had their studies suspended whilst a disciplinary investigation takes place, but who are still registered students.
 - 3.1.6 Students studying for a University of Liverpool award wholly online including those studying with our online partners.
 - 3.1.7 Students studying on an inbound exchange programme.
 - 3.1.8 The term “student” applies to apprentices on degree apprenticeship programmes.
- 3.2 The disciplinary arrangements for students studying for a single University of Liverpool award or a joint award of the University with one or more institutional partners, under a specific collaborative agreement, will be made explicit in that agreement and students will be informed of these arrangements when they register.
- 3.3 The Policy and Procedures are not limited to when students are on University premises or solely within term-time; it includes student behaviour off campus, and on social media or other forms of communication throughout their entire period of registration, including non-term time.
- 3.4 The Policy also applies to former students seeking a return to study whose registration has previously been interrupted, suspended or terminated when they were being investigated under the Policy or whose actions, if known, may have led to an investigation under the Policy at the time when they were registered.
- 3.5 Decisions made under this policy are taken on the balance of probabilities, the civil burden of proof, which is that “it is more likely than not that something happened.”
- 3.6 The University will consider any reasonable adjustments required by any party that will allow them to fully engage with this policy and its procedures.

3.7 The University expects all parties to comply with reasonable deadlines set by the University and advise the University about any difficulties they may face in meeting these deadlines. Where students fail to engage with this process in a timely manner, the University may proceed to reach conclusions in the absence of the student. The University will attempt contact by email / telephone numerous times before making any decisions regarding the matter.

3.8 Whilst the University anticipates that most matters involving student conduct are dealt with under this Policy and Procedure, matters may arise where it is appropriate for the University to implement other University processes as an alternative or in addition. These include:

- Student Charter
- Fitness to Practise Policy and Procedure
- Fitness to Study and Engage in Student Experience Policy
- Student Complaints Policy and Procedure
- Bullying and Harassment Policy
- Code of Practice and Policy on Freedom of Speech
- Student Alcohol and Drugs Policy
- Residencies Policies
- Code of Practice on Assessment and its appendices
- Code of Practice on Postgraduate Research Programmes
- Library Regulations
- Regulations for the Use of University IT Facilities
- Sport Liverpool Regulations
- Vehicle Parking Regulations
- Health and Safety Codes of Practice
- Employee Disciplinary Policy and Procedure (where the conduct occurred when the student was acting in their capacity as an employee).
- Liverpool Guild of Students Disciplinary Procedure
- Criminal Convictions Policy

3.9 This Policy and its Procedures do not apply to allegations of academic misconduct including Plagiarism, Collusion, Contract Cheating, Cheating in Examinations and Formal Assessments including Class Tests, Falsifying data, breach of Research or Ethics apart from in exceptional circumstances, for instance where the seriousness of the allegations warrants action under the Policy.

4 Terminology

4.1 **Reporting Party** is the person(s) who has (have) been subject to the alleged misconduct.

4.2 **Responding Party** is the person(s) whose behaviour it is alleged is in breach of the Student Conduct Policy.

5 How to Report Concerns About a Student's Conduct

5.1 The **Report and Support Online platform** provides advice and support about reporting for University staff and students. Concerns can be reported either with the reporting parties' contact details or anonymously. Please note that anonymous allegations cannot normally be investigated but do allow us to identify trends or patterns in specific areas of the University. Investigations may commence if there is evidence of an alleged breach, for example, CCTV footage or social media posts.

5.2 **Students who wish to raise a concern for investigation under this Policy can:** (either)

- Raise their concerns with the relevant Head of Department, Deans of Academic Schools and Institutes or nominees either by e-mail or using the Student Conduct Concerns – Reporting Form
- Make a report via the **Report and Support Online platform**
- Complete the **Student Conduct Concerns – Reporting Form**. Providing as much information as they feel comfortable doing and attaching any evidence available.
- or
- Contact the Student Conduct Team by email at **StudentConduct@liverpool.ac.uk**.

5.3 **Staff who wish to report concerns about a student's behaviour** should speak to their line manager or contact the Head of Student Services. If staff believe the student's behaviour breaches the standards expected of students, they should seek advice from the Student Conduct Team by e-mail as stated above in 5.2

6 Support Available

6.1 Students who are concerned about the behaviour of another student can access support whether or not they wish their concerns to be investigated through this Policy. Students can seek support from the University Advice and Guidance Team by emailing **advice@liverpool.ac.uk** or booking an appointment through the **[online hub](#)**.

6.2 The University Advice and Guidance Team provide a range of support for students who have been impacted by the conduct of another student. This includes personal support and where appropriate, and with student consent, liaison with the academic department if the reporting student's studies have

been affected. Students who report a serious breach of the Student Conduct Policy will be provided with details of a named contact in the Advice and Guidance Team.

6.3 The University Advice and Guidance Team provide a range of support for students who have had an allegation made against them including personal support. Students who have an allegation against them in relation to a serious breach of the Student Conduct Policy, such as sexual misconduct, will be provided with details of a named contact in the Advice and Guidance Team.

6.4 The Guild Advice Centre can provide independent, non-judgemental and confidential advice about any matter in this Policy and Procedure. They can support reporting and responding students at meetings throughout the process and can be contacted at guildadvice@liv.ac.uk

6.5 The University's duty of care extends to both the reporting and the responding students. However, the University will ensure that both parties are not represented or supported by the same member of staff to avoid conflict of interest. Liverpool Guild of Students have also made the same commitment.

6.6 The names of the reporting student(s) and responding student(s) may be provided to both the Guild of Students Advice Service and the University's Advice and Guidance Team by the Student Conduct Team in order that they might pro-actively contact the student(s) to offer support.

6.7 Students are encouraged, where appropriate, to seek support from relevant external sources (e.g. local GPs or mental health services) as well as from sources internal to the University (e.g. the Advice and Guidance Team, Disability Advice and Guidance, Learning and Teaching Support Officers).

6.8 University employees can access support from their Line Manager, local management or their HR Business Partner. The [University's Employee Assistance Scheme](#) is available 24 hours a day and includes a helpline and provision of free and confidential counselling.

7 Breaches and Sanctions

7.1 A list of breaches of the Policy for Student Conduct and potential sanctions can be found in Appendix B – Student Conduct Breaches and Indicative Sanctions.

7.2 The list of potential breaches listed in Appendix B should not be considered to be exhaustive: in cases where an alleged breach does not fit within one of the prescribed categories, the University Disciplinary Panel or those applying

Local Disciplinary Action will use their discretion to determine the category of the breach.

8 Stages of Action

8.1 The University has three stages for managing alleged student misconduct:

1. Informal Resolution
2. Local Disciplinary Action
3. University Disciplinary Action

8.2 Table 1 provides a structure for decision-makers and students regarding the stages at which allegations of misconduct are usually considered and identifies indicative sanctions which could be applied at each stage if misconduct is proven. Further detail about sanctions is provided in Appendix B. The table is intended to be illustrative and not exhaustive, and the University anticipates that there will be circumstances when alternative sanctions are appropriate.

8.3 Table 1. Stages of Action and Sanctions

Informal Resolution	
<p>Misconduct that is dealt with via informal resolution is usually defined as very minor incidents, such as poor levels of housekeeping, low-level anti-social behaviour in University residences such as excessive noise levels, smoking in unauthorised areas and very minor damage to property and discourteous behaviour in study environments.</p>	<p>The University will manage this at local level through advice and guidance by the appropriate person.</p> <p>Typical sanctions within informal resolution include:</p> <ul style="list-style-type: none"> - Imposition of a fine not exceeding £50.00 (which will normally be a suspended fine for a first breach) - Imposition of a financial charge in recompense for damage/loss/other charges incurred not exceeding the value of any such damage/loss - A verbal reprimand or written guidance which will act as a warning not to repeat the offence.
Local Disciplinary Action	
<p>Misconduct dealt with by Local Disciplinary Action are generally</p>	<p>The University will seek a full investigation of the misconduct for the</p>

<p>contained incidents and/or persistent minor incidents of misconduct.</p> <p>Examples of misconduct which will usually be considered at this level include:</p> <ul style="list-style-type: none"> - Rudeness and lack of courtesy to others - Infringements of specific rules and regulations including those relating to car parking, library, use of IT, use of social media, use of sports facilities and breaches in health and safety - Minor damage to or inappropriate use of property belonging to the University or others. - Petty theft - Falsification of student attendance records - Anti-social behaviour and that likely to damage the University's relationship or reputation with its local communities. - Disruption to classes - Persistent failure to comply with sanctions at Level 1 - Persistent breaches within University Accommodation in relation to health and safety and breaches to terms set out in the student accommodation licence. - Breaches of health and safety guidance in laboratory settings. 	<p>consideration of the appropriate person who has the authority to act under Local Disciplinary Action.</p> <p>Typical sanctions within Local Disciplinary Action include:</p> <ul style="list-style-type: none"> - A formal written warning or a final written warning (for a repeated offence) - A fine, not exceeding £200 (which will normally be a suspended fine for a first breach) - A requirement, in the event of non-accidental or wilful damage to or loss of property, that such damage or loss be made good, either in whole or in part, limited to a total value of £1500 - Withdrawal of access to specific University services or facilities or specific University premises (particularly any services, facilities or premises abused by the responding student) for a period not exceeding one month - Requirement to remove material published either in hard copy or electronically which is deemed to be inappropriate. - Requirement to undertake training or be re-trained in a relevant subject area (i.e. safe laboratory practice). <p>Imposition of any sanctions has to be fair, reasonable and proportionate and there is a right of appeal.</p>
<p>University Disciplinary</p>	
<p>Misconduct dealt with by a University Disciplinary Panel is usually defined as serious misconduct, or persistent incidents of misconduct that have originally been dealt with via Local Disciplinary Action.</p>	<p>The University will seek a full investigation of the misconduct for consideration at a Formal University Disciplinary Panel Hearing.</p> <p>Typical Sanctions include appropriate Informal Resolution and Local</p>

<p>Examples of misconduct which will usually be considered at this stage include:</p> <ul style="list-style-type: none"> - Sexual Misconduct - Physical Misconduct - Fraud and dishonesty - Abusive behaviour - Dealing illegal drugs and/or possession of quantities of drugs beyond that normally associated with personal use, and/or possession of paraphernalia used in dealing drugs 	<p>Disciplinary sanctions in addition to the following:</p> <ul style="list-style-type: none"> -Final written warning - Mandatory attendance at a workshop or course within a specified time period, this may be at the student's expense - Restorative action such as a reflective statement or project - Restricted ability to contact the complainant, where the complainant is a student or member of staff at this University - Requiring that the student does not represent the University in a paid or unpaid capacity for a specified period of time. This could include employment by the University on a contractual or casual basis, holding positions in University sports clubs, representing the University in sporting or other events, or voluntary roles such as student ambassador or similar. - Recommending that the Guild of Students consider whether the student should continue to hold a role in Guild societies or be allowed to engage in Guild activities or enter Guild premises. - Suspension or permanent debarment from facilities or services provided by the University or from specific University premises - Suspension from studies - A delay to graduation - Termination of studies, with or without the right to an exit award and with or without the right to re-register for any further award of the University of Liverpool - No right to an academic reference or a restriction on who can provide an academic reference. - Following suspension or termination of studies and where the student resides in University Accommodation, the student's accommodaton may require suspending and or terminating - Such other sanction as may be deemed appropriate, provided that the
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	sanction is both proportionate and relevant to the offence
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9 Informal Resolution

- 9.1 Informal Resolution is for very minor incidents as outlined in the table at 8.3 above.
- 9.2 Those with authority to act under Informal Resolution, such as Hall Wardens/Managers (within Halls of Residence) and within Schools the Dean and Head of Operations can issue verbal reprimands or written guidance.
- 9.3 The Procedure for Informal Resolution can be found in Appendix A – Student Conduct Procedures.
- 9.4 There is no right of appeal against sanctions given within informal resolution, although a responding student could, if they wished the matter to be considered further, request that the matter is reviewed using the Procedures for Local Disciplinary Action.

10 Local Disciplinary Action

- 10.1 Local Disciplinary Action is generally used for misconduct breaches that are generally contained incidents and/or persistent minor incidents of misconduct.
- 10.2 The following designated staff have the authority to act under the Policy and Procedure relating to Informal Resolution and Local Disciplinary Action:
- Heads of Department, and Deans of Academic Schools and Institutes or nominees
 - Directors of Professional Services or their nominees
 - Head of Accommodation, Hall Managers and Wardens
 - Organisations or individuals acting on behalf of the University for the purpose of student discipline under a specific institutional agreement.
- 10.3 In addition to the indicative sanctions listed in the table at 8.3 above, the named personnel in 10.2 may refer the case to the University Disciplinary Panel, via the Student Conduct Team for a hearing and, where appropriate, for a greater sanction to be imposed.
- 10.4 If during the investigation it becomes apparent the issue is more complex than first thought or where significant counter allegations are made, the named personnel in 10.2 should seek the advice of the Student Conduct Team for it to be investigated under University Disciplinary Action Procedures.

- 10.5 If the Student Conduct may relate to Freedom of Speech, the named personal in 10.2 should seek advice from the Student Conduct Team before commencing an investigation.
- 10.6 The Procedure for Local Disciplinary Action can be found in Appendix A – Student Conduct Procedures.
- 10.7 Responding students have the right of appeal against any sanctions given under Local Disciplinary Action. The grounds for appeal, how to appeal and the procedure to be followed once submitted can be found in Appendix A - Student Conduct Procedures.

11 University Disciplinary Action

- 11.1 Allegations of serious misconduct i.e. allegations that cannot be dealt with under Local Disciplinary Action, will be investigated by an appropriate Investigating Officer. The Student Conduct Manager will consider the Investigating Officer's report and recommendations and will decide whether to refer to a University Disciplinary Panel.
- 11.2 The University will establish and train a pool of staff (professional services and academic) of grade 7 and above to act as members of the Disciplinary Panel. The pool of staff will be trained and their suitability for the role assessed by the Student Conduct Manager and the Head of Student Conduct, Complaints and Compliance. Unsuccessful candidates will be provided with feedback.
- 11.3 The Panel will consist of:
- Two members of staff from this pool, one of whom will be Chair.
 - One Student Officer from the Guild of Students.
- The Panel will be supported by:
- A suitably experienced member of staff who will act as adviser to the panel on matters of process and precedent.
 - Another member of the Student Conduct Team or other professional services department will act as note taker.
- 11.4 The Procedure for University Disciplinary Action can be found in [Appendix A – Student Conduct Procedures](#).
- 11.5 Reporting and Responding students have the right of appeal against any sanctions given as a result of University Disciplinary Action. The grounds for appeal, how to appeal and the procedure to be followed once submitted can be found in Appendix A - Student Conduct Procedures.

12 Precautionary Measures - Risk Assessment Panel

12.1 A Risk Assessment Panel will be convened where it emerges that there are circumstances involving a student or students which suggest that a formal evaluation is needed of the risks associated with the situation, for their own health, safety and/or wellbeing and/or that of others, the wider University community, in the interest of public safety or the reputation of the University or an external partner or agency and/or its proper functioning and/or activities.

12.2 Situations which are likely to require a formal Risk Assessment Panel to be convened (although this does not constitute an exhaustive list) are:

- A student has declared, or the University has been made aware that they are subject to a police investigation, an arrest, conviction, caution or reprimand which requires further examination and evaluation.
- A report has been received of serious misconduct of a student which suggests that they could pose a risk to others.
- A concern is raised by an Investigating Officer, during an investigation into an allegation of misconduct under the Student Conduct Procedure that the circumstances being investigated suggest that a student poses a risk to others, themselves or the disciplinary process.

12.3 For students studying clinical programmes in the Faculty of Health and Life Sciences with professional or statutory body regulations the EPVC may determine that a Faculty led Risk Assessment Panel be more appropriate.

12.4 The purpose of the Risk Assessment Panel is to evaluate the specific circumstances presented, identify the risks, and consider what action, if any, should be taken to remove or mitigate those risks. The Risk Assessment Panel will act in the best interests of the student(s) and the University given the information available at the time.

12.5 When a student is referred to the Risk Assessment Panel the Student Conduct Team will notify the Guild Advice Service once the Risk Assessment has taken place but will not share the details of the allegation. The Guild will contact the responding student to offer independent and objective support including accompanying them to any subsequent Disciplinary Investigation Meetings or Disciplinary Panel Hearings. If there is a reporting student, the Guild will also contact them.

12.6 A Risk Assessment Panel will normally include the following people:

- Director of Student Life or nominee (Chair)
- A member of the Student Conduct, Complaints and Compliance Team
- An Academic Representative for Responding and Reporting parties.
- Representatives of relevant departments from within the University depending on the circumstances of the case such as Head of

Accommodation, Director of Sport Liverpool, relevant Head of Education and Student Experience, University Librarian, Hall Warden/Manager, member of the Student Services Team or a senior member of staff or representative from the Liverpool Guild of Students.

- In some circumstances it may also be appropriate to involve external parties such as probation or an external accommodation provider. External parties will only be involved where it is appropriate to do so to effectively understand and/or manage risks.
- A further member of staff from the Student Conduct Team will be in attendance for the purposes of notetaking.

12.7 The purpose of the Risk Assessment Panel is not to take disciplinary action against any student, but they can put in place measures to reduce and/or mitigate risks to others and/or to the University's reputation, pending any more formal action being taken, including imposing a temporary suspension from studies (see 12.8 below). Other potential outcomes include but are not limited to:

- Instruction to the Director of IT Services that the student's access to the University's IT facilities be suspended temporarily.
- Instructions to the student's academic department that specific measures are put in place in the student's programme of study, which might include adjustments to timetabled activities, field trips, placements, or access to specific spaces.
- Requirements and/or conditions on the student in relation to action to be taken or restrictions on access to specific spaces or contact with specified persons.
- A requirement that the student is not permitted to represent the University in a paid or unpaid capacity until the investigation has concluded. This could include employment by the University on a contractual or casual basis, holding positions in University sports clubs, representing the University in sporting or other events, or voluntary roles such as student ambassador.
- Recommending that the Guild of Students consider whether the student should continue to hold a role in Guild societies, engage in Guild activities or access Guild premises. The Guild will then follow their own procedures to decide if they will impose this restriction.
- Specific requirements and/or conditions on the student in relation to provision of further information and/or documentation including formal court documents.
- Instructions to the Head of Accommodation for specific measures to be put in place at the student's Halls of Residence including a move to alternative accommodation.
- A temporary suspension or termination from residing in University Accommodation as per the terms of the Student Accommodation Licence.
- Referral to the Student Conduct Team for formal disciplinary investigation under the Student Conduct Policy.

12.8 Serious cases of student misconduct or alleged misconduct which may require the temporary removal of a student from the campus or other University-related location or activity (e.g., University accommodation, placement, or fieldtrip) are specific in nature and are likely to emerge from a variety of situations. However, in considering such action against a student, the following considerations will apply:

- A temporary suspension from studies or any other location or activity is an exceptional action against a student because it is more likely than not to disrupt the student's studies for that year and may therefore have the effect of delaying the completion of their studies.
- A temporary suspension should only be enforced when there is good reason to suspect that there would be undesirable consequences if the student were to be permitted to continue with normal University activities on campus or in another setting.
- Consideration should always be given to the student's overall safety and well-being in deciding whether a required temporary suspension is appropriate.
- A temporary suspension will not be enforced as a punishment on a student, but to protect the interests of others, and/or the student themselves and/or the University.

12.9 The decision to impose a temporary suspension, pending further investigation, can only be taken following a meeting of a Risk Assessment Panel. The decision must be approved by the Chair of the Risk Assessment Panel.

12.10 The decision to impose a temporary suspension will be reviewed. For students under University Disciplinary Investigation, this will be reviewed every 2 months. For students under Police Investigation, this will be reviewed every 3 months. A student may request a review if there are any relevant changes to their circumstances.

12.11 If the student is suspended from University accommodation, or has their student accommodation licence terminated, they will be provided with notification in line with their student licence. Students who are suspended from accommodation will not be charged for the period of time they are unable to access their accommodation.

12.12 Any decision of the Risk Assessment Panel will be communicated in writing to the student and can be appealed to the relevant Faculty Executive Pro Vice Chancellor or their nominee who will hold an appropriate level of seniority within the University to make this decision. The student must be notified of this in the outcome letter. The grounds for appeal and the

procedure to be followed can be found in Appendix A Student Conduct Procedures.

13 Police and Criminal Investigations

- 13.1 Students are required to declare to the University if they are subject to a police investigation, an arrest, conviction, caution or reprimand or charged with any criminal offences including local / community resolution dealt with by the Police. The acquisition of a criminal record during their studies may lead to formal disciplinary action taken by the University under this Policy and its Procedure. This requirement applies to all students, including distance learners, and to investigations, charges, and convictions under any country's laws.
- 13.2 The University will cooperate with Police and other law enforcement agency investigations, and in some circumstances, may have a duty to or choose to share information with the Police where it is in the interest of student or public safety. Police investigations will normally take precedence over internal University disciplinary investigations which would not be initiated until the Police investigation is concluded, unless the status of the Police investigation is not clear, or the disciplinary case is based on different facts and matters to those under investigation by the Police.
- 13.3 If a student is convicted of a criminal offence through any country's criminal justice system, the University may initiate disciplinary proceedings based on the conduct or behaviour that the student has been found to have committed. A Risk Assessment Panel will consider the impact and effect of the criminal offence to determine the Policy and procedure (if any) to be followed by the University.
- 13.4 If a student is convicted of an offence which is likely to result in a custodial sentence of 12 months or more the PVC Education may take executive action to terminate the student's studies and access to University accommodation following an investigation of the facts.
- 13.5 If a student is convicted of a criminal offence, the Risk Assessment Panel may decide to refer the matter directly to a University Disciplinary Panel as an investigation into the circumstances of the conviction will not be required. The responding student will be able to provide information that they wish the panel to consider. If the reporting party is a member of the University community, they will be contacted to ask if they wish to provide an impact statement. Where a responding student has been convicted by a criminal court and is also found to have breached the Student Conduct Policy, the Disciplinary Panel may take the courts penalty into account when determining any relevant sanction.

- 13.6 In exceptional circumstances the PVC Education may take actions against a graduate of the University who has been convicted of an offence against another person which has resulted in a custodial sentence of 12 months or more. Such action may be considered where the offence impacts on members of the University community or the institution. Such action is likely to be in the form of making a public statement in relation to the offence and reviewing any Alumni privileges available to the graduate.
- 13.7 Where a student is accused of a breach of the Student Conduct Policy that may also constitute a crime under UK legislation, the University will only investigate the alleged disciplinary breach. For disciplinary breaches, decisions which determine whether allegations are proven or otherwise will be taken on the balance of probabilities, rather than the criminal justice principle of proving beyond reasonable doubt that the offence was committed. It is therefore possible that a student who has been acquitted by the criminal justice system may still be found in breach of this Policy.
- 13.8 Where a student is accused of a disciplinary breach that may also constitute a crime under UK legislation, but the reporting student does not wish to report the incident to the Police, the University may undertake a disciplinary investigation as described in this Policy and its accompanying Procedure. The University has the power to initiate Disciplinary Procedures against a student without a formal complaint from the reporting party, provided there is sufficient evidence to bring a case against the student. In circumstances where the University judges that there is sufficient risk to members of the University community or the public, referral to the Police may occur without the consent of the reporting party.

14 Confidentiality

- 14.1 Students should be aware that, in the course of dealing with allegations of student misconduct, as well as sharing information internally as necessary, the University may consider it appropriate to discuss and/or refer concerns and/or their outcomes to third parties such as Social Services, the Disclosure and Barring Service or the Police. The University will normally notify the student when doing so but may do so on occasion without notification to the student such as in situations deemed to be of risk and/or a safeguarding issue.

15 References

- 15.1 The University regularly provides student-related references to third parties (such as educational institutions and potential employers). When providing a reference for a student who has been subject to this Policy at University Disciplinary Action and is found to have breached the Policy, the University reserves the right depending on the circumstances of the case and the recommendation of the University Disciplinary Panel to refer to the matter

on the basis of there being legitimate and serious concerns about possible risks.

15.2 Students are actively encouraged to contact the organisation concerned and discuss full details of the case with the prospective employer.

15.3 The University will not normally refer to issues arising in connection with disciplinary proceedings under Informal Resolution and Local Disciplinary Action when providing references but reserves the right to do so when it considers it appropriate (for example, in a matter involving issues of safeguarding and/or client/service-user safety).

16 Leaving the University with an outstanding conduct issue

16.1 Where a student decides to withdraw from the programme, or is withdrawn on academic grounds, and there is an outstanding conduct concern, the disciplinary process will normally continue until completed so that a formal decision may be reached whether or not the student chooses to engage with the process. Where appropriate, outcomes may be shared with the Disclosure and Barring Service for those students on professional courses with regulated activity.

17 Oversight and Monitoring

17.1 Senate will regulate and oversee the conduct and discipline of students and exercises this authority through those persons and bodies identified within this Policy. Any changes to this Policy and its Procedure shall be approved by the Senate and the Council.

17.2 A report will be provided annually to Senate detailing all cases that have been dealt with under this policy and the subsequent action taken.