

University of Liverpool

STUDENT CONDUCT POLICY

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Responsible Department	Student Conduct, Complaints and Compliance Department Student Conduct, Complaints and Compliance Manager		
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	FSLT	13.06.22	Yes
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Linked Documents	Appendix A Student Conduct Procedures Appendix B Student Conduct Breaches and Indicative Sanctions		
Does this replace any previous policies?	Replaces Student Conduct and Discipline Policy and accompanying appendices		
Consultation	Safe and Welcoming Campus Group Leadership Forum Liverpool Guild of Students Advice Team Liverpool Guild of Students, Student Officers Consulted via schools and departments through the Faculties Equality and Diversity Team Heads of Department/Schools and Institutes		
Equality Impact Assessment	The Policy has a medium positive impact on the equality of students and no negative impact		
Regulatory/Compliance	This Policy has been reviewed against the regulatory Frameworks of the OfS (OfS Framework) and the OIA (OIA Good 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
Data Protection	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
Communication	<p>Combined student news story early in the next Academic year</p> <p>Updated web pages which form part of the terms and conditions for students</p> <p>Direct communication to current Board of Discipline Panel Members and new 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 allegations of 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. 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 the list 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.

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, intimidating or offensive 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 offensive, 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), 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.
- 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. Offences which are spent under the provision of the Rehabilitation of Offenders Act 1974 should also be declared as they may affect the right to practise for students following programmes leading to a professional qualification.
- 2.2.13 Failure to inform the University, whilst registered on a programme of study, of a police investigation, an arrest, conviction, caution or reprimand or charged with any criminal offences including local resolution dealt with by the Police. This includes motoring offences (you do not need to declare parking or speeding offences which were

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

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.
- 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 their 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.
- 2.2.26 The possession, sale, supply or the misuse of any controlled drug on University premises including University Accommodation.
- 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.

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 studying for a University of Liverpool award wholly online including those studying with our online partners.
 - 3.1.5. Students studying on an inbound exchange programme.
 - 3.1.6. 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 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 Policy
 - Student Complaints Policy and Procedure
 - Dignity at Work and Study Policy and Procedure
 - Code of Practice and Policy on Freedom of Speech
 - University Drugs Policy
 - Residencies Policies
 - Joint Liverpool Student’s Community Pledge

- 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).

3.6 This Policy and 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. How to Report Concerns About a Student's Conduct

4.1. A reporting party can be any person, including a member of the public or partner institutions, who makes a report to the University in relation to a student's behaviour. The reporting party need not necessarily be the person(s) directly affected by the alleged report.

4.2. The **Report and Support Online platform** provides advice and support about reporting. 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.

4.3. **Students who wish to raise a concern for investigation under this Policy can:**

- 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.
- Contact the Student Conduct, Complaints and Compliance Team by email at StudentConduct@liverpool.ac.uk

4.4. **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, Complaints and Compliance Team either by phone or e-mail as stated above in 4.3.

5. Support Available

- 5.1. 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](#).
- 5.2. Students can also seek advice from the Guild of Students Advice Centre guildadvice@liv.ac.uk. These services will offer support and advise on the options for raising the concern within the University or where appropriate with the Police.
- 5.3. 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 Policy for Student Conduct will be provided with details of a named contact in the Advice and Guidance Team.
- 5.4. 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.
- 5.5. 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
- 5.6. 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.
- 5.7. The names of the reporting student(s) and responding student(s) may be provided to both the Guild of Students Advice Centre and the University's Advice and Guidance Team by the Student Conduct, Complaints and Compliance Team in order that they might pro-actively contact the student(s)

to offer support. No specific details about the allegation will be provided.

5.8. 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 and Disability Advice and Guidance).

5.9. 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.

6. Breaches and Sanctions

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

6.2. The way in which the University of Liverpool categorises breaches of this Policy is by consideration of both the severity of the alleged breach and the appropriateness of certain sanctions to certain types of breach. Penalties listed are indicative only, non-exhaustive and will be applied on a case-by-case basis (i.e., considering the context of each alleged breach), at the discretion of the University Disciplinary Panel.

6.3. There may be some circumstances where, if aggravating factors are present, the category of a confirmed breach may be increased and therefore subject to more severe sanctions. Similarly, there may be circumstances where, if mitigating factors are present, the category of a confirmed breach may be reduced and therefore subject to less severe sanctions.

6.4. 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 offence.

7. Stages of Action

7.1. The University has three stages for managing alleged student misconduct:

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

7.2. 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.

7.3 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 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 <p>There is no right of appeal against sanctions given within informal resolution, although a student could, if they wished the matter to be considered further, request that the matter is reviewed using the Procedures for Local Disciplinary Action.</p> <p>Students should be made aware further displays of such behaviour may result in disciplinary action being taken at a different level.</p>
Local Disciplinary Action	
<p>Misconduct dealt with by Local Disciplinary Action is generally contained incidents and/or persistent minor incidents of misconduct.</p> <p>Examples of misconduct which will usually be considered at this level include:</p>	<p>The University will seek a full investigation of the misconduct for the 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 reprimand

<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 	<ul style="list-style-type: none"> - A formal warning or a final warning (for a repeated offence) - A requirement to make a written apology to any party concerned - 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 - Restorative action such as a reflective statement <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>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 	<p>The University will seek a full investigation of the misconduct for consideration at a Formal University Disciplinary Hearing.</p> <p>Typical Sanctions include appropriate Informal Resolution and Local Disciplinary sanctions in addition to the following:</p> <ul style="list-style-type: none"> - 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

<p>beyond that normally associated with personal use, and/or possession of paraphernalia used in dealing drugs</p>	<ul style="list-style-type: none"> - 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 clubs or societies - 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 - 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 penalty as may be deemed appropriate, provided that the penalty is both proportionate and relevant to the offence
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8. Informal Resolution

8.1. Informal Resolution is for very minor incidents, such as poor levels of housekeeping, low-level anti-social behaviour, excessive noise levels, smoking in unauthorised areas and very minor damage to property in University residences and discourteous behaviour in study environments.

8.2. Those with authority to act under Informal Resolution action such as within Halls of Residence the Hall Wardens/Managers and within Schools the Dean and Head of Operations can issue a written warning and guidance.

- 8.3. Students should be made aware that further displays of such behaviour may result in disciplinary action being taken.
- 8.4. The Procedure for Informal Resolution can be found in Appendix A – Student Conduct Procedures.
- 8.5. There is no right of appeal against sanctions given within informal resolution, although a student could, if they wished the matter to be considered further, request that the matter is reviewed using the Procedures for Local Disciplinary Action.

9. Local Disciplinary Action

- 9.1. Local Disciplinary Action is generally used for misconduct breaches that are generally contained incidents and/or persistent minor incidents of misconduct.
- 9.2. 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
- 9.3. In addition to the indicative sanctions listed in the table at 7.3 above, the named personnel in 9.2 may refer the case to the University Disciplinary Panel, via the Student Conduct, Complaints and Compliance Team for a hearing and, where appropriate, for a greater sanction to be imposed.
- 9.4. 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 9.2 may seek the advice of the Student Conduct, Complaints and Compliance Team for it to be investigated under University Disciplinary Action Procedures.
- 9.5. The Procedure for Local Disciplinary Action can be found in [Appendix A – Student Conduct Procedures](#).
- 9.6. 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.

10. University Disciplinary Action

10.1. 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, Complaints and Compliance Manager will consider the Investigating Officer's report and recommendations and will decide whether to refer to a University Disciplinary Panel.

10.2. The University will establish and train a pool of at least six staff (professional services and academic) of grade 7 and above to act as members of the Disciplinary Panel. Grade 6 staff will also be eligible for training and can act as an additional member of the panel or observer. The pool of staff will be trained and their suitability for the role assessed by the Student Conduct Complaints and Compliance Manager and the Director of Student Administration and Support. Unsuccessful candidates will be provided with feedback.

10.3. 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.
- From time to time a third member of staff may be part of the panel to provide a development opportunity for a Grade 6 member of staff or to create a more diverse panel with relevant understanding of the issues in a given case.

The Panel will be supported by:

- A suitably experienced member of staff from the Student Conduct, Complaints and Compliance Team will act as advisor to the panel on matters of process and precedent.
- Another member of the Student Conduct, Complaints and Compliance Team or other professional services department will act as note taker.

10.4. The Procedure for University Disciplinary Action can be found in [Appendix A – Student Conduct Procedures](#).

10.5. 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](#).

11. Precautionary Measures - Risk Assessment Panel

11.1. 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.

- 11.2. 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.
- 11.3. For students studying 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. The procedure is the same, but reference should be made to the Fitness to Practise Policy.
- 11.4. 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.
- 11.5. When a student is referred to the Risk Assessment Panel the Student Conduct Complaints and Compliance 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.
- 11.6. A Risk Assessment Panel will normally include the following people:
- Director of Student Administration and Support or nominee (Chair)
 - A member of the Student Complaints, Conduct and Compliance Team
 - An Academic Representative
 - 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, Complaints and Compliance Team will be in attendance for the purposes of notetaking.

11.7. 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 11.8 below). Other potential outcomes are:

- 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 Head of Department or Head of School 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 clubs or societies. 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.
- Referral to the Student Conduct, Complaints and Compliance Team for formal disciplinary investigation under the Student Conduct Policy.
- A temporary suspension or termination from residing in University Accommodation as per the terms of the Student Accommodation Licence

11.8. 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 them self and/or the University.

11.9. 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.

11.10. 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.

11.11. 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 and 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.

12. Police and Criminal Investigations

12.1. Students are required to declare to the University if they subject to a police investigation, an arrest, conviction, caution or reprimand or charged with any criminal offences including local 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.

- 12.2. 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.
- 12.3. 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 (if any) to be followed by the University.
- 12.4. 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.
- 12.5. 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 rescinding the academic award and/ or making a public statement in relation to the offence.
- 12.6. Where a student is accused of a disciplinary breach 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 of a student (or students) 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.
- 12.7. 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.

13. Confidentiality

13.1. 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 agencies 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.

14. References

14.1. 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 University Disciplinary Panel to refer to the matter on the basis of there being legitimate and serious concerns about possible risks.

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

14.3. 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).

15. Leaving the University with an outstanding conduct issue

15.1. 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.

16. Oversight and Monitoring

- 16.1. 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.

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