



## UCL Academic Manual 2020-21

# Chapter 6: Student Casework Framework

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Chapter 6 is UCL's regulatory framework for Student Conduct, Complaints and related procedures.

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# 1 Code of Conduct for Students

UCL enjoys a reputation as a world-class university. It was founded on the basis of equal opportunity, being the first English university to admit students irrespective of their faith and cultural background. It was the first university in England to admit women. UCL expects its members to conduct themselves at all times in a manner that does not bring UCL into disrepute, this includes conduct whilst not on UCL premises.

## **Good conduct means:**

- In general realising that you are an ambassador for UCL and behaving accordingly. This applies anywhere and at any time but is particularly important in the local community around UCL, whilst on fieldwork, whilst on other study away from UCL, on the sports field and whilst engaged in any other UCL-related activity.
- Recognising the diversity of the UCL community and not discriminating against others on the basis of their age, ethnic origin, race, nationality, membership of a national minority, culture, language, religious faith or affiliation or lack thereof, political affiliation or opinions or lack thereof, sex, gender, gender identity, sexuality, sexual orientation, marital status, caring or parental responsibilities, illness, ability or disability, mental health status, medical condition, physical appearance, genetic features, parentage, descent, full or part-time student status, socio-economic background, employment status, trade union affiliation, spent or irrelevant criminal convictions or any other irrelevant distinction.
- Acting responsibly, being honest, being considerate, respectful and courteous towards others. Behaving in a respectful manner towards others so that they do not feel that they are being harassed or bullied and abiding by the law.

## **Whilst learning:**

- Following the rules laid down by UCL for academic activity, the use of the Library, Information Services and other services.
- Being punctual for classes and other appointments.
- Informing the relevant person if you are going to be absent or delayed for an activity where you are expected to attend.
- Being aware of the advice and assistance available on academic and other matters from sources such as personal, programme and Departmental Tutors.
- Seeking help for yourself when you need it.

## **Around UCL:**

- Showing respect for UCL property.
- Informing yourself of UCL health and safety policies and following them.
- Playing your part in maintaining security and being prepared to produce your identity card when requested.
- Caring for the environment at UCL by respecting buildings, spaces and facilities.
- Recycling and disposing of litter responsibly.
- Being aware of UCL's advice for saving energy.
- Showing consideration for others regarding noise (e.g. switching mobile phones off in classes).

## **Social and sporting behaviour:**

- Showing good sportsmanship whilst taking part in sporting activities.
- Refraining from exhibiting displays of drunken or loutish behaviour.
- Ensuring that any activity you engage in using the internet, including virtual learning environments (e.g. Moodle), social networking sites (e.g. Facebook,

Twitter etc.), blogs or other web resources, refrains from causing offence and could not be regarded as bullying or harassment.

- Respecting the right of freedom of speech provided it is within the law.

**Awareness and caring for others:**

- Being aware of the help and support available at UCL from sources such as [Student Psychological and Counselling Services](#), [the Disability, Mental Health and Wellbeing team in Student Support and Wellbeing \(SSW\)](#) and the [Students' Union Rights and Advice Centre](#).
- Showing consideration for the welfare of your friends and peers and, if appropriate, providing advice on seeking help.

**Links to other UCL policies that relate to conduct:**

- [Section 8: Student Disciplinary Code and Procedure](#)
- [Equalities](#)
- [Examinations and Awards](#)
- [Guidelines for Fieldwork](#)
- [Harassment and Bullying](#)
- [Health and Safety](#)
- [ISD Regulations](#)
- [Library Regulations](#)
- [Student Accommodation General Regulations](#)
- [Security](#)

**Links to sources of advice and assistance:**

- [Student Psychological and Counselling Services](#)
- [The Disability, Mental Health and Wellbeing team](#)
- [Students' Union UCL](#)
- [Students' Union Rights and Advice Centre](#)
- [Energy Saving Information](#)

## 2 Support to Study Policy

1. UCL is committed to maintaining high standards of performance for its students in terms of teaching, learning and assessment and to ensuring that the quality of its awards is not undermined or compromised.
2. UCL is also committed to supporting its students' academic abilities as well as their wellbeing, recognising a positive approach to the management of physical and mental health issues that may affect student learning, academic achievement and the wider student experience.
3. UCL is mindful of its duty of care and its obligations to students under the Equality Act 2010, to make reasonable adjustments, where possible and where appropriate. It is also aware that there may be occasions where a student's physical or mental health may give rise to concerns about the student's fitness to study and capacity to engage with his/her studies and/or the appropriateness of their behaviour in relation to the UCL community as a whole.
4. UCL is aware of its responsibility to maintain a safe and positive environment for all students and staff but expects students to study, work and live co-operatively and in close proximity with each other as well as conduct themselves in a manner which does not impact negatively on those around them. However, UCL also has to balance the needs and rights of an individual student against the need to protect the wellbeing of fellow students and staff.
5. In order to assist students to meet their academic obligations and maintain the quality of its degrees, whilst at the same time supporting the students' welfare needs, UCL has a range of procedures in place including:
  - Examination Adjustments, such as additional writing time, rest breaks and/or ergonomic aids
  - Extensions to deadlines for assessed coursework
  - Suspensions of regulations to facilitate a student's studies, although such suspensions would be considered carefully on a case by case basis, but would not automatically be approved
  - Variation of a programme of study or a module, although such variations would be considered carefully on a case by case basis, but would not automatically be approved
  - Advice and guidance from UCL professionals, including [the Disability, Mental Health and Wellbeing team in Student Support and Wellbeing \(SSW\)](#), [Student Psychological and Counselling Services](#), the [UCL Student Mediator](#), UCL Hall Wardens, and other resources such as the Gower Place Practice and the chaplains appointed to UCL
  - Support from academic staff, such as Faculty Tutors, Faculty Graduate Tutors, Departmental Tutors, Personal Tutors, Supervisors
  - Student Learning Agreements
  - Defined periods of interruption from studies or delaying the start of studies or a change of degree programme
  - Student Cause for Concern referrals
  - Student Support and Wellbeing welfare appointments.
6. Students with physical and/or mental health concerns should be encouraged to make contact with the available support services as early as possible in order to facilitate reasonable adjustments and to sustain their academic obligations and their wellbeing. Students should maintain regular engagement with the support services as recommended.
7. When studying away from UCL, including students on a period of study abroad, electives, placements, postgraduate research activities, students have an obligation to ensure their health and wellbeing. They should plan for their time away from UCL, seeking advice from their academic advisers and other UCL professionals, as appropriate. There may be occasions where a student may be deemed fit to study at

- UCL but not more remotely. In these cases, consideration would be given for a variation of the programme of study or a given module, or to a transfer from one degree programme to another.
8. Students, who are returning from a period of interruption or where permission has been given to delay the start of studies, may be required to provide medical information to indicate that their studies will not be detrimental to their health and their health to their studies, as well as have a welfare appointment with the Director of Student Support and Wellbeing. Students may also be required to sign up to a Student Learning Agreement.
  9. Where a student has been unable to maintain the levels of academic engagement required and/or where UCL considers that the needs, rights, safety and security of the UCL community outweigh those of an individual student, UCL may take action in a number of ways:
    - For cases of non-attendance and academic insufficiency [Section 4: Learning Agreements, Barring, Suspensions and Terminations of Study](#) applies.
    - For straightforward cases of misconduct [Section 8: Student Disciplinary Code and Procedures](#) applies.
    - For cases of serious mental ill-health requiring early intervention the [UCL Student Mental Health Policy](#) applies.
    - For cases of MBBS students and other students in the School of Life and Medical Sciences where there is a concern of fitness to practise, the [SLMS Fitness to Practise Policies](#) apply.
    - For cases where a student's health, wellbeing or behaviour is having a detrimental effect on the ability of an individual student to meet the academic requirements of study or impacting on the wellbeing of other students and staff, [Section 3: Fitness to Study Procedure](#) applies.
  10. There may be instances where a student has exhibited behaviour which would normally be handled under [Section 8: Student Disciplinary Code and Procedures](#), but this may be (or is suspected to be) the result of an underlying physical and/or mental health difficulty. Depending on the individual circumstances, this may be considered under [Section 3: Fitness to Study Procedure](#).
  11. The Support to Study Policy will be regularly reviewed by the Director of Student Support and Wellbeing.
  12. Cases considered under [Section 3: Fitness to Study Procedure](#) will be monitored and reviewed on an annual basis to identify where any improvements are required in the Policy, or in the procedures of the support services offered within UCL or on which UCL draws significantly.

## 3 Fitness to Study Procedure

This Procedure should be read in conjunction with [Section 2: Support to Study Policy](#).

### 3.1 Context

1. The UCL Fitness to Study Procedure is intended to be used where students are not able to continue or able to return to continue the level and intensity of study required in spite of reasonable adjustments having been put in place and cannot study, work and live co-operatively and in close proximity with others as well as conduct themselves in a manner which does not impact negatively on those around them. It also applies where UCL has been unable to balance the needs and rights of an individual student against the need to protect the wellbeing of fellow students and staff.
2. The Procedure aims to ensure that decisions about a student's ability to study are made through a supportive process, after appropriate consultation and in the best interests of the student.
3. The Procedure is to be used in the following circumstances:
  - Where a student exhibits behaviour that would usually be dealt with as a disciplinary matter but is considered to be the result of an underlying physical and/or mental health difficulty
  - The student's attendance record, academic sufficiency and/or behaviour are not satisfactory/acceptable and this is believed to be the result of a physical and/or mental health difficulty
  - The student's behaviour is at risk of affecting negatively the teaching and learning activities of fellow students and staff and/or the spirit of studying, working and living co-operatively and in close proximity with others as well as of conducting himself or herself in a manner which does impact negatively on others
  - The student's behaviour presents a serious and immediate risk to self or others and/or the University's reputation.
4. The Procedure is not intended to deal with (i) routine cases of non-attendance and/or academic insufficiency, which are covered elsewhere in the UCL Academic Manual or (ii) straightforward cases of misconduct handled under [Section 8: Student Disciplinary Code and Procedures](#) or (iii) cases considered under the [UCL Mental Health Policy](#), or (iv) cases of MBBS students and other students from the School of Life and Medical Sciences where the [SLMS Fitness to Practise Policies](#) apply.

### 3.2 Initial Stages

1. The Director of Student Support and Wellbeing (or nominee)<sup>1</sup> will review the medical information provided by the student's qualified medical /clinical practitioners, and any other information provided, which could include reports from a student's academic advisers and other members of the UCL community, student Cause for Concern referrals, a student's relatives or other external people. They will also draw on advice from medical advisers appointed by UCL and/or other healthcare specialists.
2. The student will usually be required to meet with the Director of Student Support and Wellbeing or another designated role holder, with UCL's appointed medical advisers, to ensure that the student's health is not detrimental to the academic studies or the academic studies detrimental to the student's health, and to determine what adjustments, or further adjustments, if some have already been put in place, can be sought.

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<sup>1</sup>Where the Procedure refers to a role holder, it should be understood that the action may be undertaken by a nominee

3. In reviewing the student, and having consulted healthcare specialists and all available information, the Director of Student Support and Wellbeing will discuss the student's situation with his/her academic advisers and other UCL officeholders, such as the Vice-Provost (Education & Student Affairs) and the Registrar, to determine whether any adjustments can be put in place to assist the student, or whether further information is required.
4. Possible outcomes might include:
  - The use of a student learning agreement
  - The seeking of other adjustments, such as a suspension of regulations, through the relevant UCL authority
  - Referral to a medical practitioner, either within UCL or externally, or referral back to the student's own medical advisers or specialists
  - A further meeting with the Director of Student Support and Wellbeing or another designated role holder, with UCL's appointed medical advisers
  - Referral of the case to another UCL procedure such as [Section 4: Learning Agreements, Barring, Suspensions and Terminations of Study](#), or [Section 8: Student Disciplinary Code and Procedure](#), or the [UCL Student Mental Health Policy](#)
  - Referral to the [UCL Student Mediator](#)
  - A recommendation to interrupt studies or delay the start of studies or withdraw from UCL or seek a change of degree programme
  - A recommendation to consider the student's case under the Further Stages of this procedure.
5. Students will be informed in writing of the outcome within 10 working days.
6. A review period will be set in discussion with the student, which will include the process for monitoring the student's situation and to ensure that the student is benefiting from the arrangements made.
7. Where the student fails to engage with this procedure, by not providing satisfactory documentation or non-attendance at meetings or refusal to engage with any referral, UCL reserves the right to revert to the appropriate set of regulations.

### 3.3 Further Stages

1. A student will be considered under a further stage of this procedure in the following circumstances:
  - If it has not been possible to put in place further adjustments
  - If the student did not take advantage of the adjustments put in place
  - If the student's health, wellbeing or behaviour worsens or has an adverse effect on the health or wellbeing of the UCL community.
2. The Director of Student Support and Wellbeing will prepare a report giving the reasons why the student should be considered under the Further Stages of the procedure. This report should include a summary of the medical information as well as information on the efforts made to facilitate a student's studies. This report will be sent to the Registrar, who will confirm that the case should be considered by the Fitness to Study Panel.
3. The student will be informed whether or not the case is to be considered by the Fitness to Study Panel.
4. If it is determined that the case will proceed, the student will be required to attend a Fitness to Study Panel and will be given at least 10 working days' notice of the meeting. The student must be provided with any documents to be considered by the Panel. The student can submit additional documentation but this must be received 3 working days before the Panel hearing.
5. Students should seek advice from [Students' Union Rights and Advice Centre](#) on attending a Panel hearing and seek support for preparation of this.
6. The Panel will be chaired by a Faculty Tutor or a Faculty Graduate Tutor from a Faculty other than that of the student and will also comprise a medical adviser appointed by UCL, a Students' Union UCL Sabbatical Officer, and a fourth member who will either be



- a Faculty Tutor or a Faculty Graduate Tutor from a Faculty other than that of the student, or the Director of Student Administration or the Registrar.
7. The Director of Student Support and Wellbeing will present the case to the Panel. The Faculty Tutor from the student's Faculty will also be present to provide information to the Panel as required.
  8. The student may be accompanied by a 'friend' who must be a member of staff at UCL or a student currently registered at UCL, provided that the person chosen is not legally representing the student nor a member of the Panel. If the student wishes to be accompanied by someone who does not meet this requirement, permission should be sought from the Chair of the Panel. The Chair of the Panel has the right to accept or refuse the request.
  9. The Panel can invite others to attend the Panel in order to provide information or to witness the proceedings.
  10. The purpose of the Panel is to:
    - Review the documentation and any oral statements made at the Panel hearing
    - Consider the views of the student
    - Agree the most appropriate way to proceed
    - Ensure that the student is aware of UCL's concerns and the impact of the student's situation either on their own health, wellbeing and behaviours or those of other members of the UCL community
    - Recommend a decision.
  11. The student, the student's friend, the Director of Student Support and Wellbeing, and the student's Faculty Tutor can be present while the Panel receives the evidence and hears the case, but they must all withdraw when the Panel deliberates and considers its decision.
  12. Where the student fails to engage with this procedure, by not providing satisfactory documentation or not attending the Panel hearing, the Panel can continue in the student's absence. Any lack of engagement of the student should not be construed against them.
  13. The decisions open to the Panel are as follows:
    - a) That no decision can be made pending further information within a specified period of time, at which point the Panel would have to reconsider its recommended outcome. The Panel can recommend whether the student can remain in registration or not during this time period;
    - b) That the student can continue in registration but additional measures need to be taken or further adjustments sought;
    - c) That the student can continue in registration but the academic requirements can be adjusted;
    - d) That the student must interrupt their studies, or remain on interruption, for a specified period of time, with requirements for the student's return being specified, if required;
    - e) That a recommendation is made that the student must withdraw from UCL, indicating whether reapplication at a future date is allowable or not.
  14. In the case of 13c), d) and e), this should be a recommendation to the Provost.
  15. The student should be informed of the decision in writing within 10 working days of the Panel.

## 3.4 Appeal

1. The student has the right to appeal through the procedures set out in Section 10: Student Complaints Procedure.

## 4 Learning Agreements, Barring, Suspensions and Termination of Study

### 4.1 Learning Agreements

1. Learning agreements are written agreements with a student meant to support students experiencing significant difficulties by agreeing a way to address problems such as, for example, coursework submission problems, communications problems, welfare concerns, problems with administrative requirements, etc.
2. Learning Agreements can be agreed by Departmental Tutors, Departmental Graduate Tutors<sup>1</sup>, Faculty Tutors, Faculty Graduate Tutors and the Vice-Provost (Education & Student Affairs).
3. Special arrangements for a student and/or measures subject to approval can be made conditional on concluding and abiding by the conditions of a learning agreement.
4. The learning agreement will set out what UCL will do to support the student as well as the conditions which the student agrees to meet. These conditions will usually cover some or all of, but are not limited to, the following:
  - Completion and timely submission of coursework and other forms of work, both summative and/or formative, assessed and/or unassessed.
  - Responding appropriately and in a timely manner to UCL communications and attending meetings with UCL staff as requested.
  - Completion of additional work to ensure sufficient coverage of the syllabus.
  - Providing requested information within a specified time period.
  - Supplying proof of continuing medical or specialist treatment.
5. Breach of a learning agreement will result in the revocation of any special arrangements made and/or measures approved and in the application of any penalties specified in the learning agreement.
6. Learning agreements should specify the duration of the agreement and when compliance with the agreement will be reviewed. Compliance should be reviewed at least once a year.

### 4.2 Barring Students from Assessment

**Covid-19 2020/21:**

UCL has agreed that the 70% minimum attendance requirement will be suspended for the 2020-21 academic session due to the Covid-19 pandemic. Therefore, students will not be barred from module assessments on the basis of attendance.

### 4.3 Suspensions of Studies on Grounds of Academic Insufficiency

1. Faculty Tutors/Graduate Faculty Tutors can suspend the studies of students in their Faculty on grounds of academic insufficiency as per paragraphs 14.1 and 14.2 of UCL's Regulations for Management.
2. Academic insufficiency occurs when a student's overall performance, rather than that in a particular module, is deemed to be unsatisfactory, so that it is not viable for the student to continue with his or her studies for the remainder of the session.

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<sup>1</sup>In Faculties organised on a divisional or other basis, rather than on a departmental basis, this applies to the equivalent officers.

3. All such cases must be referred to the Faculty Tutor/Faculty Graduate Tutor. If the Faculty Tutor confirms academic insufficiency, the expected outcome is that the Faculty Tutor suspends the student's enrolment for up to one year, specifying at the beginning of which term the student will be allowed to return to repeat.
4. Students must have had due warning prior to a suspension of studies.
5. Prior to a suspension on grounds of academic insufficiency, the Faculty Tutor must have summoned the student to a Faculty interview to allow for an explanation of the case.
6. To suspend a student on grounds of academic insufficiency, the Faculty Tutor must send a letter of notification to the student that includes details of the appeals mechanism, copying the home Department, all teaching Departments and examboards@ucl.ac.uk.
7. Suspensions of studies forfeit an attempt at assessment for all affected modules. A suspended student must repeat either the year or the term(s) in which the insufficiency occurred in the next academic year, repeating in attendance all modules for which the student has second attempts remaining. (Additional interruptions can be applied for, but are subject to scrutiny and approval.) If a suspension would permanently prevent progression or award of degree due to one or several forfeited second attempts at assessment, suspensions become terminations of study, unless UCL Academic Services on behalf of the Vice-Provost (Education & Student Affairs) suspends regulations to allow further attempts.
8. As a condition of returning to repeat after the suspension, the student must sign a learning agreement. Refusal to sign the learning agreement or breach of the learning agreement following an earlier suspension will usually result in termination of studies.
9. Suspended students have a right of appeal:
  - a) Appeals against a suspension on grounds of academic insufficiency must be submitted within five working days of the relevant notification and will be dealt with by UCL Academic Services on behalf of the Vice-Provost (Education & Student Affairs).
  - b) Should a student be dissatisfied with the outcome of the appeal, he or she may then go through the procedures set out in Section 10: Student Complaints Procedure.
10. In cases involving poor performance in Postgraduate Research Students, separate guidance applies (see Research Degrees: Guidance on Addressing Poor Performance in Research Students).

## 4.4 Termination of Study

1. Faculty Tutors/Graduate Faculty Tutors can also terminate the studies of students on grounds of academic insufficiency as per paragraphs 14.1 and 14.2 of UCL's Regulations for Management.
2. In such cases the academic insufficiency must be deemed to be irretrievable.
3. For any student whose studies are to be terminated in this way, it is essential that he or she has previously been referred to the Faculty Tutor/Faculty Graduate Tutor for a formal interview and received a written warning that their studies are at risk of being terminated should the insufficiency continue.
4. Should the insufficiency continue or should any conditions that were made for the continuation of the student's studies at the interview and/or in the written termination warning not have been met, the Faculty must interview the student again.
5. If the termination of studies is confirmed, the Faculty must issue a formal written notification of the termination of studies and the reasons for it, including a reference to the appeals procedure.
6. Students have a right of appeal:
  - a) Appeals against a termination of studies on grounds of irretrievable academic insufficiency must be submitted within fifteen working days of the relevant notification and will be dealt with by UCL Academic Services on behalf of the Vice-Provost (Education & Student Affairs).

- b) Should a student be dissatisfied with the outcome of the appeal, he or she may then go through the procedures set out in Section 10: Student Complaints Procedure.

## 4.5 Mandatory Faculty Interviews

1. Faculty Tutors and Faculty Graduate Tutors can summon students in their Faculty to mandatory Faculty interviews, requiring the student either to attend the interview at a set date and time or to make and keep an appointment by a set deadline.
2. If a student fails to do so, he or she will be written to by the Faculty Tutor or Faculty Graduate Tutor with a suspension warning, informing the student that failure to make and/or attend an alternative appointment by a set deadline will result in a suspension of studies.
3. If a student fails to make or attend the alternative appointment, the Faculty must send the student a formal letter confirming the suspension of studies and issuing a termination warning. The student must be informed that failure to make and/or attend a final appointment by a set deadline will result in a permanent termination of studies.
4. If a student fails to make or attend the final appointment, the Faculty must send the student a formal letter confirming the termination of studies and informing the student of the right to appeal.
5. Students have a right of appeal against a suspension or termination of studies for non-attendance at mandatory Faculty interviews:
  - a) Appeals must be submitted within five working days of the relevant notification and will be dealt with by UCL Academic Services on behalf of the Vice-Provost (Education & Student Affairs).
  - b) Should a student be dissatisfied with the outcome of the appeal, he or she may then go through the procedures set out in Section 10: Student Complaints Procedure.

# 5 Procedure for Student Fee Debts

It is a condition of the Student Relationship agreement with UCL that all fees are paid on time, and students are expected to arrange prompt payment to meet the required deadlines. Once an outstanding balance falls overdue, the student is deemed to be a debtor and UCL will undertake the appropriate measures for collection, as set out in the procedures below.

Overdue balances that result in debtor status will include, without limitation: tuition fees, accommodation charges, charges for childcare services, library charges, examination and submission fees, student loans and other fines and penalties.

It should be noted that students are individually responsible for the settlement of all charges, including those invoiced to a sponsor, and that the procedures outlined in this guidance will apply equally to all such amounts.

## **Tuition Fee Debts**

Students with a tuition fee debt to UCL will receive a series of e-mail reminders, via their UCL account, informing them of overdue balances and warning of possible future sanctions. Continued non-payment will lead to the withholding of access to selected services and facilities (library, computer access, building access) and may ultimately result in a suspension of registration. Debtor status relating to outstanding tuition fees will also affect a student's ability to re-enrol, graduate or receive any official UCL documentation. Once the balance of overdue tuition fees has been settled in full, a request is made for the sanctions to be lifted.

Students (current and former) are expected to monitor their Portico accounts for details of any tuition fee debts that might arise and to contact the Student Fees office with any queries, concerns or issues at the earliest opportunity.

## **Non-Tuition Fee Debts**

For the avoidance of doubt non-tuition fees include, without limitation: accommodation charges, charges for childcare services, library charges, examination and submission fees, student loans and other fines and penalties.

Academic sanctions (specifically those referred to in the section above) are not applied to non-tuition fee debts.

For such debts, students are expected to liaise with the relevant UCL Department to resolve outstanding issues and may be subject to other proportionate sanctions applied at a local level.

## **Further Procedures for the Collection of Debt**

Ultimately, UCL reserves the right to engage a third party debt collection agency to facilitate recovery of any overdue balances and to pursue a legal claim where it is deemed appropriate.

## 6 Material Irregularity Procedure

1. A Material Irregularity is an administrative or procedural error which has a significant, negative impact on a student's performance at summative assessment or a situation in which the integrity of summative assessment has been compromised. A Material Irregularity may affect one student or a group of students. It does not include disagreement with an academic judgement about the quality of student work submitted for assessment.
2. Where a student has a concern about a Material Irregularity, they *must* follow the procedure set out in Section 10: Student Complaints Procedure.
3. Where a UCL member of staff identifies a potential irregularity in the assessment process, it *must* be investigated to establish whether the circumstances are material, which students have been affected and how UCL will address the irregularity.
4. Where Industrial Action affects assessment, progression, and award, guidance for staff can be found within Annex 6.2: Managing the Impact of the Industrial Action on Assessment.
5. Where the investigation concludes that a material irregularity has occurred, the Faculty Board of Examiners is responsible for determining an appropriate course of action in consultation with UCL Academic Services. This can be done by Chair's Action if necessary.
6. The options open to the Faculty Board of Examiners include:
  - a) Where possible, rectifying or mitigating the irregularity before the assessment takes place, OR
  - b) Offering a coursework extension, OR
  - c) Suspending the late submission penalties, OR
  - d) Adjusting an existing exam paper or assessment (the External Examiner must be informed), OR
  - e) Offering an alternative method of assessment (approved by the External Examiner), OR
  - f) Offering the student another opportunity to take the assessment as if for the first time and without penalty (Deferral with or without Tuition), OR
  - g) Exclusion of the affected component/ module from Completion, Progression, Award or Classification decisions, OR
  - h) Making a recommendation to the Director of UCL Academic Services on behalf of the Vice-Provost (Education & Student Affairs) for a Suspension of Regulations, OR
  - i) Where the Board of Examiners has already made a decision on Progression or Award, recommending to the Director of UCL Academic Services on behalf of the Vice-Provost (Education & Student Affairs) that the decision is overturned and a new decision is put in its place, in consultation with the relevant External Examiner, OR
  - j) A combination of the above mitigations.
7. In no circumstances should a student be awarded additional marks to compensate for the irregularity.
8. All cases *must* be clearly recorded in the Faculty Board of Examiners minutes and any changes to student results recorded on Portico.

# 7 Suspension of Regulations Procedure

1. In exceptional circumstances it *may* be necessary to suspend the regulations temporarily for one or more students. Requests for suspensions *must* be made on a case-by-case basis via Student & Registry Services.
  - a) Suspensions of the Admissions regulations must be formally approved by the Director of Access and Admissions on behalf of the Vice Provost (Education & Student Affairs). Requests should be submitted to [Admissions in Student & Registry Services](#)
  - b) Suspensions of the Taught Programme regulations must be formally approved by the Director of UCL Academic Services on behalf of the Vice Provost (Education & Student Affairs). Requests should be submitted to Academic Services.
  - c) Suspensions of the Postgraduate Research Degree regulations must be formally approved by the Pro-Vice Provost (Doctoral School). Requests should be submitted to Research Degrees.
2. Suspensions of regulations are reported to the next meeting of Education Committee or Research Degrees Committee as appropriate, and an annual analysis conducted to identify common issues that should be incorporated into the main regulations.

# 8 Disciplinary Code and Procedure in Respect of Students

Contact: Casework Team, Student and Registry Services ([casework@ucl.ac.uk](mailto:casework@ucl.ac.uk))

UCL is a community and as members of this community students are expected to adhere to UCL's rules and regulations, to show respect for persons and property, and to behave in a way that does not interfere with the normal operations of UCL. Where there is reason to believe that rules and regulations have been broken, and/or when the behaviour of a student falls below the expected standards, as outlined below, the Disciplinary Code and Procedure will be instigated.

## Section 1: Disciplinary Code

1. UCL Statute 13 (Jurisdiction over Students) provides as follows:
  - (1) The Council shall be responsible for maintaining good order within the College and its precincts and other buildings and premises owned or occupied by the College and shall have disciplinary powers over the conduct of Students of the College which the Council considers to affect the interests of the College, its Staff or Students.
  - (2) The Council, on the advice of the Academic Board, and after consulting the Students' Union, shall approve a Disciplinary Code and Disciplinary Procedure and determine procedures, including a student complaints and appeals procedure, which shall be published and made available to all Students of the College. The Procedure shall provide for the arrangements governing the hearing of a case of disciplinary action against a Student and of an appeal to the Discipline Review Body prescribed in (3).
  - (3) There shall be a Discipline Review Body to which an appeal shall lie in cases where the punishment imposed by the College is expulsion from the College and its precincts and other buildings and premises owned or occupied by the College, or temporary exclusion for more than four weeks.
2. The Provost has the following disciplinary powers under UCL Statute 11:
  - (3) The Provost shall have power, in accordance with Regulations made by the Council on the advice of the Academic Board, to suspend a Student from any or all of his or her studies in the College and to exclude a Student from the College and its precincts and other buildings and premises owned or occupied by the College. In the case of suspension or exclusion for reasons other than academic insufficiency the Provost shall report such suspension or exclusion to the Academic Board and to the Council and shall ensure that appropriate action is taken forthwith under disciplinary or other appropriate procedure.
  - (4) The Provost shall have power to delegate any or all of the powers conferred by [paragraph (3)] of this Statute (as above) to such Officer of the College or persons or bodies as he/she may think fit.



## **Delegation by the Provost**

3. In accordance with Statute 11(4), the Provost has delegated her/his powers under Statute 11(3) to the Registrar.

## **Section 2: Jurisdiction and General Principles**

### **(a) Jurisdiction**

4. The Disciplinary Code applies to all registered students of UCL.
5. The jurisdiction of this Code will extend, where appropriate, beyond UCL's precincts and will cover, for example, the conduct of students attending another institution or a work placement in the United Kingdom or abroad, or taking part in approved field trips or other authorised external activities.

### **(b) Relationship and interface with other UCL policies and procedures**

6. This Code relates to matters of non-academic misconduct and any action taken under this Code automatically supersedes any disciplinary action being taken under other rules or regulations of UCL.
7. Where the alleged misconduct relates to an academic matter, it should be referred for action in accordance with UCL's Academic Regulations.
8. Where the alleged misconduct relates to research misconduct, it should be referred for action in accordance with UCL's Research Misconduct Procedure.
9. Where the alleged misconduct relates to harassment, bullying and/or intimidation then it should be referred for action under UCL's policy on Harassment and Bullying (Students).
10. Students registered on programmes leading to membership of a professional body should demonstrate appropriate behaviour and standards required for entry into that profession. Alleged misconduct which may be judged to fall short of the professional codes of conduct will be considered under the relevant Fitness to Practise Procedure.
11. Where there is a concern that mental health, illness or disability may have directly affected behaviour and/or conduct, the Director of Student Support and Wellbeing will be consulted as to whether it would be more appropriate to consider the matter under the Support to Study Policy or the Student Mental Health Policy as an alternative to disciplinary action.
12. Where it is not clear how the alleged misconduct should be classified the matter will be determined by the Registrar.

### **(c) General Principles**

13. Students involved in disciplinary procedures shall have the right to be accompanied to any meeting or hearing by a 'friend', who must be a UCL student or member of staff of UCL or [Students' Union UCL](#). The role of the friend is to provide moral support during a meeting or hearing. They cannot make representations nor cross-examine witnesses and must also not be a witness.
14. UCL will wherever possible seek to adhere to the time limits outlined in this procedure; however, in cases where there are special circumstances which require variance from specified time limits, students will be advised of the reasons for this by the Officer handling the investigation or hearing.
15. Students will be given the opportunity to attend disciplinary hearings in person. UCL reserves the right, however, to proceed with any investigation or disciplinary hearing in the absence of a student, subject to the student having been properly notified of the date and time of the hearing, or in cases where criminal proceedings do not allow the student to attend in person.
16. UCL reserves the right not to proceed with any investigation following an allegation against the behaviour of a student if it is considered that there are insufficient grounds or evidence to do so.
17. During the application of this Disciplinary Code and Procedure, UCL reserves the right to adjourn any disciplinary investigation or hearing and reconvene at a later date.
18. The standard of proof to be adopted during the application of this Disciplinary Code and Procedure will be the balance of probability.
19. Where misconduct has occurred, and wherever appropriate, the intention will be to provide a corrective response in addition to any reasonable and proportionate punitive response.

### **(d) Officers responsible for disciplinary matters**

20. The Registrar of UCL has the responsibility for dealing with disciplinary matters referred to her/him under the authority and with the powers granted to her/him in this procedure. Authority to refer a matter to the Discipline Committee rests with the Registrar. The Registrar may delegate this responsibility to the appropriate members of Student and Registry Services and all references to the Registrar in this Code and Procedure should be understood to include also such nominees.
21. The Registrar may also delegate authority for discipline in UCL Houses and Halls of Residence to Wardens of UCL Houses and Halls of Residence.
22. The Registrar may also delegate authority for discipline in UCL Libraries to the Director of UCL's Library Service or her/his nominee.

## Section 3: Definition of Misconduct<sup>1</sup>

23. Misconduct which may be the subject of disciplinary procedures under this Code is defined as improper interference with the proper functioning or activities of UCL, or of those who work or study in UCL, or action which otherwise damages UCL and/or its staff or students, including, but not limited to, the following:
- (1) disruption or improper interference, whether on UCL premises or elsewhere, with the academic, administrative, sporting, social, cultural or other activities of UCL;
  - (2) obstruction or improper interference on UCL premises or whilst engaged in any UCL activity with the functions, duties or activities of any student, member of staff or other employee of UCL or any authorised visitor of UCL;
  - (3) violent, indecent, disorderly, threatening or offensive behaviour or language on UCL premises or whilst engaged in any UCL activity;
  - (4) fraud, deceit, deception or dishonesty in relation to UCL or its staff or students;
  - (5) action likely to cause injury to, or impair the safety of, either themselves or others on UCL premises or whilst engaged in any UCL activity;
  - (6) sexual, racial or other kind of harassment of any student, member of staff or other employee of UCL or any authorised visitor to UCL;
  - (7) breach of the provisions of UCL's Code of Practice on Freedom of Speech or of any other code or UCL rule or regulation which provides for breaches to constitute misconduct under this code;
  - (8) damage to or defacement, caused intentionally or recklessly, or misappropriation of UCL property<sup>2</sup> or the property of other members of UCL and/or the UCL community, or any other property<sup>2</sup> into which the Student enters, or misappropriation of such property whilst engaged in UCL activities;
  - (9) misuse or unauthorised use of UCL premises or items of property, including computer misuse;
  - (10) distributing or publishing a poster, notice, sign or any publication which is offensive, intimidating, threatening, indecent or illegal, including the broadcasting and electronic distribution of such material;
  - (11) conduct which constitutes a criminal offence where that conduct took place on UCL premises or
    - (a) affected or concerned other members of the UCL community or
    - (b) damages the good name of UCL or
    - (c) itself constitutes misconduct within the terms of this Code or
    - (d) is an offence of dishonesty, where the Student holds an office of responsibility in UCL, or
    - (e) involves a student registered on a programme leading to membership of a professional body and where that conduct may fall short of the professional codes of conduct such as to render the Student unfit to practise, or

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<sup>1</sup> Examples of 'minor' or 'major' classifications of misconduct can be found at paragraphs 25 and 26 of this Procedure.

<sup>2</sup> Within this document property is defined as, but not limited to: computers; software; data; web pages; equipment (e.g. audio-visual equipment; laboratory equipment; instruments; tools); books; furniture; and personal belongings of individuals

- (f) resulted in the acquisition of a criminal conviction for an offence not involving members of UCL or its premises, which may affect the safety of a member of UCL or the premises of UCL or which could bring UCL into disrepute;
  - (12) failure to declare a criminal conviction to UCL, subject to the Rehabilitation of Offenders Act;
  - (13) behaviour which brings UCL into disrepute;
  - (14) failure to disclose name and other relevant details to an officer or employee of UCL in circumstances where it is reasonable to require that such information be given;
  - (15) failure to comply with a previously imposed penalty under this Code.
24. For the purpose of this Procedure, misconduct as defined at paragraph 23 above will be classified as either minor or major depending on the seriousness of the alleged misconduct. Where it is not clear whether the alleged offence should be classified as a minor or major offence the matter will be determined by the Registrar.
25. Examples of minor offences include but are not limited to:
- Anti-social behaviour
  - Refusal to identify yourself to UCL staff or using false ID
  - Failure to vacate during fire alarms
  - Excessive noise
  - Misuse of the fire equipment
  - Smoking in non-designated areas
26. Examples of major offences include but are not limited to:
- Possession of an offensive weapon
  - Assault
  - Threatening, offensive or indecent behaviour or language that causes distress to others
  - Harassment of any kind
  - Misappropriation of or damage to the property of any student or member of staff of UCL
  - Any action likely to cause injury or impair the safety of others
  - Use, possession, buying or selling of illegal drugs
  - Excessive use of alcohol that is likely to endanger the health and safety of others
  - A serious breach of UCL-approved Regulations

## Section 4: Disciplinary Procedure

### (a) Disciplinary offences which are also subject to criminal investigation

27. Where a disciplinary offence is also subject to a criminal investigation, UCL may suspend the disciplinary process until the criminal investigation and legal proceedings have been concluded. The fact that the police or other legal authorities might be unable, unwilling or not yet able to proceed will not automatically preclude UCL from instigating its own disciplinary action.
28. The student should be reminded that whilst criminal investigations are underway they will be obliged to keep UCL informed of any progress and/or change in status regarding their case. The Registrar will review the case on a monthly basis and will determine if any action is required during this review period.
29. When the criminal proceedings have concluded, the Registrar will decide whether UCL should instigate disciplinary action, taking into account the following guidance.
30. Where the student has been convicted of a criminal offence, UCL may seek to take action if there are outstanding matters of concern to UCL that have not been addressed. In this case the conviction in a criminal court shall be taken as conclusive evidence that the alleged offence has occurred, and no further investigation shall be required by UCL.
31. Where a criminal conviction has been made, the focus of UCL disciplinary proceedings may include an assessment of the risk posed to UCL staff or students. It may also include assessment of the material impact caused by reputational damage to UCL, particularly when this impedes or interferes with the normal operations of UCL, or when it affects important relationships between UCL and key individuals, agencies and stakeholders. If disciplinary action is taken, the penalty imposed by the court shall be taken into account when determining any further penalty.
32. In the case of a criminal conviction, where criminal proceedings (including bail conditions, period of time spent on remand, period of time served in custody following conviction) result in a student being absent from their study for a period of less than twelve months it will normally be the case that their studies will be interrupted for this period. In such circumstances it will be the responsibility of the student to notify the Registrar regarding the date of release from custody. The Registrar will then assess whether the nature of the offence committed poses an ongoing risk to the UCL community, and whether there are any outstanding matters of concern that have not been addressed. In the case of either UCL may instigate disciplinary proceedings.
33. In the case of a criminal conviction where criminal proceedings (including bail conditions, period of time spent on remand, period of time served in custody following conviction) result in a student being absent from their study for a period in excess of twelve months, the student will be deemed withdrawn from UCL. The student may then reapply for admission to UCL, and as part of the standard

admissions process will be required to declare criminal convictions to be considered prior to a decision regarding an offer of a place.

34. Where the student has been acquitted UCL will take into account the decision of the court. However, it may be the case that it is reasonable and within UCL's interests to pursue outstanding matters of concern to UCL that have not been addressed.
35. Where, following an initial investigation, a decision has been taken not to proceed to a criminal trial, this does not preclude UCL from conducting further investigations and/or instigating disciplinary proceedings in respect of outstanding matters of concern to UCL that have not been addressed.

**(b) Precautionary action in advance of a disciplinary hearing**

36. Where the nature of the alleged disciplinary offence suggests that there may be risk to the safety of others, or where the student accused of the offence may be at risk of harm, the Registrar will undertake a risk assessment which may result in action as follows:
  - (i) They may require the student to comply with specific conditions, for example agreeing not to contact another student or students. The consequence of any breach of these conditions may result in escalation to the steps outlined below; and/or
  - (ii) The Registrar may choose to exercise the delegated authority granted in accordance with Statute 11(3) and 11(4) to suspend the student from any class or classes and/or to exclude the student from any part or all of UCL's facilities, grounds and premises, until such a time as any criminal proceedings and/or UCL disciplinary proceedings have been concluded. A precautionary suspension and/or exclusion should not be regarded as a penalty and does not indicate that the student is presumed guilty of any offence.
37. For the purposes of this Code and Procedure suspension and exclusion are defined as follows:
  - (i) Suspension involves a total or partial prohibition on attendance at or access to UCL premises and from any participation in UCL activities for a fixed period. The terms of any suspension will be assessed and decided on a case-by-case basis.
  - (ii) Exclusion involves the withdrawal of the right of access to specified land, buildings, facilities or services of UCL for a fixed period or pending the fulfilment of certain conditions.
38. The decision by the Registrar to temporarily suspend and/or exclude the student from all or part of UCL, and the reasons why this action is being taken, may be communicated orally in the first instance. Where this is the case, written confirmation outlining the reasons for this decision and notice of the right of appeal should be provided within two working days.
39. The student may appeal against the decision to suspend and/or exclude them from all or parts of the UCL by submitting a written request stating the reason for the appeal

to the Provost within five working days of the date of issue of the notice of suspension/exclusion.

40. The Provost will consider the appeal and may take action as follows:
  - (i) uphold the original decision and confirm the terms of the suspension and/or exclusion;
  - (ii) uphold the original decision but reduce or restrict the terms of the suspension and/or exclusion;
  - (iii) overturn the original decision and remove the suspension and/or exclusion.
41. In cases where additional information presented as part of the appeal suggests that the level of risk is higher than previously assessed, the Provost may increase or extend the terms of the suspension and/or exclusion.
42. The student will be notified of the decision within ten working days of the receipt of the letter requesting an appeal.
43. Whilst the precautionary suspension and/or exclusion is in place, the student may request a review if there is a relevant change to their circumstances. This request should be made in writing to the Provost, who will respond within ten working days of the receipt of the letter.
44. In accordance with Statute 11(3) all cases of suspension and exclusion for reasons other than academic insufficiency shall be reported by the Registrar to UCL's Academic Board and Council.

## Section 5: Minor Offences

### **(a) Misconduct Involving a UCL House or Hall of Residence**

45. The Registrar may delegate to Wardens of UCL Houses or Halls of Residence power to deal with disciplinary matters within their house/hall of residence and to impose penalties up to and including any one or more of the following:
  - (i) an oral or written reprimand;
  - (ii) an order for service for a specified period to the house or hall of residence to be scheduled outside of teaching time;
  - (iii) an order for payment or compensation for damage to property;
  - (iv) withdrawal of house/hall of residence privileges e.g. no guests allowed, exclusion from bars;
  - (v) a fine of up to £100;
  - (vi) a recommendation to the Registrar that residence in UCL accommodation in future years be denied;
  - (vii) a recommendation to the Registrar that the student's misconduct be referred to the Discipline Committee and/or that UCL takes proceedings through the courts for eviction.
46. In a case where the Registrar decides there are grounds for eviction from a UCL House or Hall of Residence they will request that the Director of Student

Accommodation initiate court proceedings and will inform the student that the matter has been referred to the Director of Student Accommodation. The case may also be referred to the Discipline Committee.

47. In dealing with an allegation of misconduct the Warden will interview the student. The Warden will inform the student that they may appeal to the Registrar against any penalty imposed by the Warden on the following grounds:
  - (i) that the disciplinary process was not conducted in accordance with the above procedures;
  - (ii) that new evidence has become available which was not, and which could not reasonably have been made available at the time the case was considered;
  - (iii) the penalty imposed was disproportionate to the offence.
48. The appeal will be considered by the Registrar by a review of the relevant paperwork and must be submitted within ten working days of the date of notification of the penalty.

### **(b) Misconduct Involving UCL Library Services**

49. The Registrar may delegate to the Director of UCL Library Services (or their nominee) power to deal with disciplinary matters within UCL Library Services and to impose penalties up to and including any one or more of the following:
  - (i) an oral or written reprimand;
  - (ii) an order for service for a specified period to be scheduled outside of teaching time;
  - (iii) an order for payment or compensation for damage to property;
  - (iv) withdrawal of borrowing privileges;
  - (v) a fine of up to £100;
  - (vi) a recommendation to the Registrar that the Student's misconduct be referred to the Discipline Committee.
50. In dealing with an allegation of misconduct the Director of UCL's Library Services will interview the student. The Director will inform the student that they may appeal to the Registrar against any penalty imposed by the Director on the following grounds:
  - (i) that the disciplinary process was not conducted in accordance with the above procedures;
  - (ii) that new evidence has become available which was not, and which could not reasonably have been made available at the time the case was considered;
  - (iii) the penalty imposed was disproportionate to the offence.
51. The appeal will be considered by the Registrar by a review of the relevant paperwork and must be submitted within ten working days of the date of notification of the penalty.

### **(c) Disciplinary Action taken by the Registrar**

52. Where the alleged offence is referred to the Registrar, the Registrar will decide upon the following course of action:
  - (i) that the complaint be dismissed;
  - (ii) that the complaint should not be the subject of further action under the Disciplinary Code, but such a ruling will not preclude informal action by way of a caution or otherwise if appropriate which may be undertaken without reference to the person submitting the complaint;



- (iii) that the alleged offence be classified as a minor offence and is a matter for the Registrar to deal with;
  - (iv) that the alleged offence be classified as major offence and should be referred to the Discipline Committee.
53. At all times the Registrar will be mindful of any ongoing risk posed to students and staff relating to the alleged offence. In cases where a risk assessment suggests this may be the case, the Registrar may consult the Director of Student Support and Wellbeing (or nominee) in relation to the management of risk, and where appropriate may take precautionary action as outlined in Section 4(b). Amongst other possible actions, it may be necessary to agree a behavioural contract or a limited exclusion from a specific facility or service.
54. Where a complaint of misconduct has been made, and unless it is immediately dismissed, dealt with by way of informal action or referred to the Discipline Committee, the Registrar will hold a meeting with the student(s) concerned. The student(s) should receive an invitation to the meeting and should be advised of the nature of the alleged offence. Where possible this invitation should be written and should give the student(s) at least two working days' notice of the meeting. There may, however, be circumstances where an urgent meeting is required and in this case a verbal invitation with less than two days' notice will be given. Failure to attend without good cause may in itself be considered a disciplinary offence.
55. The student will be given an opportunity at the meeting to explain their behaviour and/or offer information in mitigation or explanation.
56. The Registrar will advise the student in writing of the outcome, within five working days, and will confirm the imposition of any sanction, which may include any one or more of the following:
- (i) an oral reprimand recorded by the Registrar;
  - (ii) a written reprimand recorded by the Registrar;
  - (iii) a written reprimand recorded on the Student's UCL file and copied to the Head of the Student's Department;
  - (iv) a payment of compensation for damages to person or property;
  - (v) a fine of up to £300;
  - (vi) an order of service to UCL for a specified period;
  - (vii) require a student to enter into a 'Good Behaviour' agreement;
  - (viii) exclusion from a part or parts of UCL for a specified period provided that such exclusion does not directly interfere with the student's academic work;
  - (ix) imposing conditions on a student's access to UCL facilities where the student has been convicted of a criminal conviction and where such conditions are deemed necessary for the safety and security of members of UCL provided that such conditions do not directly interfere with the student's academic work.
- In the case where the Registrar decides there are grounds for eviction from a UCL House or hall of Residence s/he will request that the Director of Student Accommodation initiate court proceedings and will inform the student that the matter has been referred to the Director of Student Accommodation.

57. In the event that, after the meeting, the Registrar decides that the matter is too serious to warrant one of the penalties set out above, the Registrar may instead refer the matter to the Discipline Committee.
58. A student wishing to appeal against the decision of the Registrar in relation to a penalty for a disciplinary offence shall write to the Secretary of the Discipline Committee giving the grounds for the appeal within ten working days from the date of receipt of the letter from the Registrar imposing the penalty.
59. An appeal against a sanction or sanctions imposed by the Registrar may be made on one or more of the following grounds:
  - (i) that the disciplinary process was not conducted in accordance with the above procedures;
  - (ii) that new evidence has become available which was not, and which could not reasonably have been made available at the time the case was considered;
  - (iii) the penalty imposed was disproportionate to the offence.
60. The Discipline Committee will consider appeals under these provisions by a review of the relevant paperwork.
61. In determining an appeal against a decision of the Registrar the Discipline Committee may confirm, amend or dismiss the penalty imposed by the Registrar.

## Section 6: Major Offences

62. Where the alleged offence is referred to the Registrar and s/he believes that it should be classified as a major offence in line with the guidance provided above, the Registrar will refer the case to the Secretary of UCL's Discipline Committee.
63. The membership of the Discipline Committee shall comprise the following:
  - (i) a Chair, who will be the Vice-Provost (Education & Student Affairs) (or her/his nominee)
  - (ii) a member of academic staff of UCL selected from a Panel appointed by the Faculties
  - (iii) an officer of UCL Student's Union
64. The secretary of the Committee will be a member of staff of UCL Student and Registry Services.
65. A single recording of the proceedings will be made by the Secretary to the Committee except when the Committee withdraws for private discussion.
66. In cases which involve alleged reputational damage to UCL, the Committee will also include an additional member who is independent from UCL, whose role will be to ensure the Committee adheres to the principles of impartiality in consideration of the alleged offence.

67. The student will be advised in writing of the nature of the alleged offence and the date of the hearing. This written notification will usually be provided not less than ten working days in advance of the hearing. Where the Chair deems there are special circumstances which require a shorter period of notice to be given, the reasons for this will be explained to the student.
68. The Registrar and/or the Student may wish to invite witnesses to appear before the Committee and/or to provide written statements. If this is the case the Registrar and/or the student should notify the Secretary of the Committee at least seven working days before the hearing of the details of any witnesses. Such notification will include any written statements.
69. Statements and other documentation will be circulated to the Committee and the student not less than five working days in advance of the hearing, although later circulation may be allowed at the discretion of the Chair.
70. The procedure of the meeting will be as follows:
- (i) Committee members meet without the student present to consider matters of process.
  - (ii) The student and 'friend' (where accompanied) will join the meeting.
  - (iii) The Registrar will join the meeting and outline the offence.
  - (iv) The student will be asked to make a statement in response to the alleged offence.
  - (v) The Committee may question the student and/or the Registrar.
  - (vi) Witnesses may be called by the Registrar.
  - (vii) Witnesses may be called by the student
  - (viii) In each case the witnesses will be asked to make a statement or confirm the contents of a written statement, and may be questioned by the Committee, the student and/or the Registrar.
  - (ix) Witness will be asked to withdraw.
  - (x) The Committee will hear further statements from the student regarding evidence submitted, witness statements etc.
  - (xi) The Committee will hear further statements and concluding remarks from the Registrar and the student respectively.
  - (xii) The student (and friend), along with the Registrar, will be asked to withdraw to allow the Committee to consider its decision.
71. At the conclusion of the hearing the Committee will determine the matter before it. The Committee may either dismiss the complaint on the ground that no disciplinary offence has been made out or may find on the evidence that a disciplinary offence has been committed. If the Discipline Committee determines that a disciplinary offence has been committed, it will have the power to impose one or more of the following penalties:
- (i) a reprimand to be administered by the Discipline Committee and conveyed to and recorded by the Head of the Student's Department;
  - (ii) a fine not exceeding £600;
  - (iii) an order of service to UCL to be determined by the Discipline Committee;

- (iv) exclusion, for such period or periods and subject to such conditions as the Committee shall think fit, from UCL or its precincts or other buildings or premises owned or occupied by UCL;
  - (v) payment of compensation for any damage to person or property which the Committee may find to have been occasioned by or in the course of the disciplinary offence;
  - (vi) requirement that a Student agree to specific conditions, determined by the Committee, to be necessary for their continued progress on their programme of study at UCL;
  - (vii) permanent expulsion from UCL. Expulsion involves depriving a student permanently of her or his membership of UCL.
72. If the Discipline Committee finds that a disciplinary offence has been committed, the penalty to be imposed will be determined by a majority vote. If there is an equality of votes, the Chair shall have a casting vote.
73. The decision of the Committee shall normally be communicated orally by the Chair to the student and the Registrar immediately at the conclusion of the hearing. The decision of the Committee will be communicated in writing to the student within five working days after the date of the hearing.
74. The implementation and consequences of a Discipline Committee hearing for the student will be monitored by the Registrar in consultation with whomever the Registrar considers appropriate.

## Section 7: Discipline Review Body

75. UCL Statute 13(3) provides as follows:
- 'There shall be a Discipline Review Body to which an appeal shall lie in cases where the punishment imposed by the College is expulsion from the College and its precincts and other buildings and premises owned or occupied by the College, or temporary exclusion for more than four weeks.'*
76. Appeals against other penalties imposed by the Discipline Committee may also be made to the Discipline Review Body.
77. An appeal to the Discipline Review Body must be received by the Secretary to the Discipline Review Body within twenty-eight days of the date of notification of the written communication of the decision of the Discipline Committee to the student concerned.
78. An appeal against a sanction or sanctions imposed by the Discipline Committee may be made on one or more of the following grounds:
- (i) that the disciplinary process was not conducted in accordance with the above procedures;
  - (ii) that new evidence has become available which was not, and which could not reasonably have been made available at the time the case was considered;

- (iii) that the penalty imposed was disproportionate to the offence.
79. The membership of the Discipline Review Body will comprise:
- (i) a Chair, who shall be appointed by the Council from among a panel of nominees approved by Council;
  - (ii) one person, not being a member of the UCL Council, UCL staff or a student, to be appointed by the Provost as and when the Discipline Review Body needs to be convened, from among a panel of nominees approved by Council;
  - (iii) an elected student officer of another University, normally from within the University of London, to be appointed by the Provost as and when the Discipline Review Body needs to be convened.
80. The Secretary of the Discipline Review Body will be an appropriate officer nominated by the Director of UCL Academic Services. Such officer shall not have acted as Secretary to the Discipline Committee in the case concerned.
81. Consideration of an appeal by the Discipline Review Body will be by way of a review of the material/evidence considered by the Discipline Committee, along with its findings and subsequent decision and/or penalties and will include the following, to be supplied by the Secretary of the Discipline Committee:
- (i) a note of evidence taken before the Discipline Committee;
  - (ii) any documents submitted to the Discipline Committee as documentary evidence;
  - (iii) a note of the submissions made by or on behalf of each party;
  - (iv) a note of the findings and decision of the Discipline Committee.
82. The Discipline Review Body will normally consider appeals by review of the relevant paperwork, although it may, exceptionally, decide to arrange a hearing of the appeal.

### **Procedure for a meeting of the Discipline Review Body**

83. In the event of a hearing all parties will be notified of the date not less than seven working days before the date of the hearing.
84. The Discipline Review Body will call the student and the chair of the Discipline Committee as witnesses. Other witnesses may also be called by the Discipline Review Body.
85. Copies of all documentation will be circulated to all parties not less than five working days in advance of the hearing, although later circulation may be allowed at the discretion of the Chair.
86. At the start of the hearing the Chair of the Discipline Review Body will invite the student to summarise the grounds for their appeal against the decision of the Discipline Committee.
87. The Chair of the Discipline Review Body will then invite the Chair of the Discipline Committee to state the case for upholding the findings and decisions of the Discipline Committee.

88. In each case any witnesses will be asked to make a statement or confirm the contents of a written statement.
89. After all parties have made their statements the Chair and other members of the Discipline Review Body may ask the student and/or the Chair of the Discipline Committee and any witnesses any such questions as the Chair deems appropriate.
90. Having completed their questioning the Chair of the Discipline Review Body will ask the parties to withdraw.
91. The Discipline Review Body shall reach decisions by a simple majority.
92. The Discipline Review Body, having completed its discussion of the appeal and having reached a decision on the matter, the Chair shall recall the student and the Chair of the Discipline Committee to the meeting.
93. The Chair shall then announce the decision of the Discipline Review Body to the student and Chair of the Discipline Committee.
94. The Chair shall then declare the meeting of the Discipline Review Body closed.

### **Decision of the Discipline Review Body**

95. The Discipline Review Body may allow the appeal wholly or in part or substitute its own findings and impose one or more of the penalties mentioned in paragraph 71 as the Discipline Review Body thinks appropriate. Otherwise the decision of the Discipline Committee will stand.
96. The Secretary to the Discipline Review Body will notify the student in writing of the outcome of the appeal within ten working days of the decision of the Discipline Review Body. The Secretary to the Discipline Review Body will also issue a Completion of Procedures letter to the student.

# 9 Student Academic Misconduct Procedure

## 9.1 Introduction and Scope of Application

1. The Student Academic Misconduct procedure sets out how UCL will investigate and penalise any conduct which is considered to breach UCL's assessment regulations and which is likely to give an unfair advantage to the candidate and/ or affect the security of assessments and/ or affect the integrity of the degrees awarded by UCL.

### Scope

2. These procedures apply to all current and former taught students of UCL, including Undergraduates, Taught Postgraduates and Postgraduate Research Students when undertaking taught elements.
3. All instances of Research Misconduct, whether by taught students, research students or members of staff will be investigated under UCL's Procedure for Investigating and Resolving Allegations of Misconduct in Academic Research.
4. These procedures apply to all methods of assessment and to both summative and formative assessment.
5. Incoming Intercollegiate and Affiliate students are normally subject to the procedures at their home institution. If UCL identifies Academic Misconduct, the information will be shared with the home institution.
6. UCL students studying modules at other institutions are subject to the host institution's Academic Misconduct procedures. The host institution should provide UCL with information on any cases of Academic Misconduct committed by a UCL student, including the penalty imposed. Resulting issues of progression and award on the UCL degree should be decided by the relevant UCL Board of Examiners.
7. Students studying at another institution with a formal Academic Partnership with UCL are subject to the procedures as outlined in the individual Memorandum of Agreement.
8. Wherever in the procedures a holder of office is referred to, or where there is an obvious conflict of interest, the words 'or their nominee' are to be understood.
9. Where the procedures refer to the 'Department', this should be taken to also mean any departmental equivalents within UCL's organisation structures, such as Division or Institute, and Departmental Tutor and Departmental Panel should be interpreted accordingly.
10. Where the procedures refer to the Departmental Tutor, this may be delegated to the Programme Leader or Exam Board Chair.
11. Students *may* seek advice on their case or the procedures from the [Students' Union UCL Advice Service](#).
12. Where successful completion of a programme of study will lead to part or full professional accreditation, membership of a professional body, or the right to practise professionally, UCL retains the rights to notify the relevant professional body and/or any UCL fitness to practise officer or panel to which such power has been delegated, of any proven Academic Misconduct.

### Guiding Principles

13. In considering allegations of Academic Misconduct adjudicators should apply "on the balance of probabilities" as the standard of proof.
14. Where allegations of suspected Academic Misconduct are being investigated, Departments should, where possible, check all available summative work the student has submitted within the same assessment period.
15. Under no circumstances during any stage of the Academic Misconduct procedure will a student be granted an additional attempt at assessment beyond those normally permitted.
16. In investigating allegations of Academic Misconduct adjudicators can make use of TurnItIn software and submit the work of the student to it.
17. If, after investigation, no case of Academic Misconduct is found against a student, no record will be kept on the student's official record. Where a student is found to have committed Academic Misconduct, this will be placed on their official record.

## 9.2 Definitions

1. Academic Misconduct is defined as any action or attempted action that may result in a student obtaining an unfair academic advantage. For the purposes of this procedure this includes, but will not necessarily be restricted to, the following:
  - a) Examination Room Misconduct, including:
    - i. The use or possession of unauthorised books, notes, software, electronic devices, paper, or other materials in an examination other than those permitted in Chapter 4, Section 4: Examinations.
    - ii. The unauthorised marking or annotation of any materials authorised for use in an examination (such as the Candidate Card Printout), or writing notes on hands, or other parts of the body.
    - iii. Reading or writing before the start of the examination (with the exception of student information on the answer book front cover and examination envelope), or writing after the one minute allowance has passed.
    - iv. The unauthorised removal of an examination script or stationery in any state from the examination room except by a person with the designated authority.
    - v. Any attempt to confer with or gain access to the script of any other candidate during the period of the examination.
    - vi. Any attempt to gain access to or tamper with examination envelopes, answer books, question papers or other examination stationery before or after submission.
    - vii. Removing oneself from the examination room during the period of an examination without permission from a member of staff.
    - viii. Impersonation or attempted impersonation of a candidate or soliciting or attempt to solicit such impersonation.
    - ix. Committing plagiarism or self-plagiarism.
    - x. Causing a disturbance or disrupting the examination process
    - xi. Any other behaviour that can reasonably be considered to have given a candidate an unfair advantage.
  - b) Plagiarism: defined as the representation of other people's work or ideas as the student's own without appropriate referencing or acknowledgement.
  - c) Self-Plagiarism: defined as the reproduction or resubmission of a student's own work which has been submitted for assessment at UCL or any other institution. This does not include earlier formative drafts of the particular assessment.
  - d) Collusion: defined as the unauthorised collaboration by two or more students on any assessment.
  - e) Any attempt to gain access to the assessed coursework of any other candidate with or without the knowledge of the other candidate, unless authorisation to do so has been given by the module convenor.
  - f) Falsification: defined as the fraudulent creation, alteration or misrepresentation of data, or any other information.
  - g) Contract Cheating: defined as commissioning a piece of assessment to be carried out by a third party, with the intention of submitting it as if it were the student's own.
  - h) Falsification of Extenuating Circumstances.
    - i) Any conduct that is likely to affect the security of assessments.
    - j) Any other conduct that would give an unfair academic advantage to a student.
2. For the purposes of this procedure, the following will not be considered Academic Misconduct:
  - a) Poor Academic Practice: Where it is established that the student has not yet received teaching or guidance on Academic Misconduct and the use of referencing protocols, instances of plagiarism may be considered under the Poor Academic Practice procedures in 9.4.1.
  - b) Language and Writing review: defined as having a third-party check areas of academic writing such as structure, fluency, presentation, grammar, spelling, and punctuation. However, this may be considered Academic Misconduct if substantive changes to content have been made by the reviewer or at their recommendation, which would suggest that the reviewer had either produced or determined the substantive content of the submission.



## 9.3 Adjudication and Penalty Guidance

1. The following guidance indicates who should adjudicate the offence being considered, and the penalties that are within scope.
2. The choice of penalty from within the permitted range will be a matter of academic judgment left to the discretion of the adjudicating body.
3. Academic Misconduct will be considered a second offence if a penalty has already been received for any prior offence which has taken place during the degree programme on which the student is registered.
4. "Component" in the guidance below refers to a Component as defined in Chapter 2, Section 3.1.1: Components.

UCL has approved the following amendment for 2020/21: In cases where it is felt that the penalty indicated in the guidance table is inappropriate, an exceptional circumstances application can be made to the Faculty Tutor who, in consultation with the Chair of Academic Misconduct Panel where necessary, can offer approval to deviate from the guidance.

Description of Offence	Extent of Misconduct	Procedure	Penalties within scope	Consequential considerations
Plagiarism (first offence) Collusion (first offence)	Up to and including 10% of the component consists of offending material AND the component is worth no more than 50% of the module weighting	Module Convenor	A reduction of marks for the component in which the offence took place by 10 percentage points or one letter grade.	The 10% mark reduction should be applied to both pass and fail marks.  Any plagiarised content should be excluded from the marking of the component.  If it is established, at the time or subsequently, that the penalty prevents the progression or award of a student, the misconduct must be referred to a Departmental Panel.
Plagiarism (first offence) Collusion (first offence)	More than 10% and up to and including one third of the component consists of offending material AND the component is worth no more than 50% of the module weighting	Programme Leader, Departmental Tutor or Exam Board Chair	The component in which the offence took place be given a mark of 0.00%/Grade F.	If it is established, at the time or subsequently, that the penalty prevents the progression or award of a student, the misconduct must be referred to a Departmental Panel.
Plagiarism (first offence) Collusion (first offence)	More than one third of the component consists of offending material. OR the component is worth more than 50% of the module weighting	Departmental Panel	1. The component in which the offence took place be given a mark of 0.00%/Grade F.  OR 2. The module in which the offence took place be given a mark of 0.00%/Grade F.	If there are remaining attempts, the student should be reassessed by the same Method as the first attempt, but a new Task must be set as outlined in Chapter 4, Section 11.4: Resitting a Module. The reassessment will be capped at the pass mark.  Under exceptional circumstances the Faculty Tutor may give approval to waive the reassessment requirement, or require the student to resubmit a revised version of their assessment.
Falsification (first offence)				

Description of Offence	Extent of Misconduct	Procedure	Penalties within scope	Consequential considerations
Plagiarism (second or subsequent offence) Collusion (second or subsequent offence)	Up to and including one third of the component consists of offending material.	Departmental Panel	The module in which the offence took place be given a mark of 0.00%/Grade F.	If there are remaining attempts, the student should be reassessed by the same Method as the first attempt, but a new Task must be set as outlined in Chapter 4, Section 11.4: Resitting a Module. The reassessment will be capped at the pass mark.
Plagiarism (second or subsequent offence) Collusion (second or subsequent offence)	More than one third of the component consists of offending material.	Academic Misconduct Panel	1. The module in which the offence took place be given a mark of 0.00%/Grade F. OR 2. The student is excluded from UCL and is not permitted to re-enrol on any other programme at UCL but may eligible for an interim qualification. OR 3. The student is excluded from UCL, and is not permitted to re-enrol on any other programme at UCL and will not be eligible for an interim qualification.	If there are remaining attempts, the student should be reassessed by the same Method as the first attempt, but a new Task must be set as outlined in Chapter 4, Section 11.4: Resitting a Module. The reassessment will be capped at the pass mark.
Falsification (second or subsequent offence)				
Examination Misconduct Any attempt to gain access to or use the assessed work of another candidate without that candidate's knowledge. Any attempt to tamper with coursework after submission.		Academic Misconduct Panel	1. The module in which the offence took place be given a mark of 0.00%/Grade F. OR 2. The student is excluded from UCL, and is not permitted to re-enrol on any other programme at UCL but may eligible for an interim qualification. OR 3. The student is excluded from UCL and is not permitted to re-enrol on any other programme at UCL and will not be eligible for an interim qualification.	If there are remaining attempts, the student should be reassessed by the same Method as the first attempt, but a new Task must be set as outlined in Chapter 4, Section 11.4: Resitting a Module. The reassessment will be capped at the pass mark.
Contract Cheating		Academic Misconduct Panel	1. The student is excluded from UCL and is not permitted re-enrol on any other programme at UCL. The student may be permitted to	

Description of Offence	Extent of Misconduct	Procedure	Penalties within scope	Consequential considerations
			receive an interim qualification if eligible. OR 2. The student is excluded from UCL and is not permitted re-enrol on any other programme at UCL. The student will not be permitted to receive a qualification, even if eligible.	
Any other conduct that would give an unfair academic advantage to a student.  Any conduct which was likely to affect the security of the assessment.		Academic Misconduct Panel	Any of the penalties mentioned above depending on the nature of the misconduct.	

## 9.4 Procedures

### 9.4.1 Module Convenor - Poor Academic Practice

1. Where the Module Convenor is presented with evidence of the representation of work or ideas as the student's own without appropriate referencing or acknowledgement, they must determine whether this amounts to Plagiarism or Poor Academic Practice with reference to 9.2.2 above.
2. Where the Module Convenor deems the evidence to amount to Poor Academic Practice, they must take the following action to address this:
  - i) Require the student to undertake UCL's Introduction to Academic Integrity course; and
  - ii) Require the student to meet with the Departmental Tutor, Departmental Graduate Tutor or Programme Leader to discuss the Poor Academic Practice and receive warning that any further instances of Poor Academic Practice would be deemed to amount to Academic Misconduct and penalised as outlined in 9.3; and
  - iii) Require the student to present the work in question with corrections to address all of the Poor Academic Practice. If the student fails to present such work the matter will be dealt with as one of plagiarism. Presenting the corrected work will not count as another assessment 'attempt'. The original mark awarded to the work prior to the corrections being made will stand but will only be entered formally on the record once the corrected version of the work has been presented.
  - iv) Ensure that the Poor Academic Practice is recorded on the module minutes in Portico.

### 9.4.2 Module Convenor - Standard Procedure

1. Where an allegation of Academic Misconduct is initially made, the Module Convenor must first determine the appropriate Adjudication process as outlined in 9.3.
2. Determination of the extent of plagiarised material is a matter of academic judgment to be made by the Module Convenor. TurnItIn reports will be relevant but not conclusive evidence in this regard.
3. Where the matter falls within the adjudication scope of the Module Convenor and, after investigation, Academic Misconduct is found to have been committed, the Module Convenor will apply the penalty indicated in the Adjudication and Penalty Guidance table (see 9.3 above).
4. Where the penalty imposed would prevent the progression or award of a student the misconduct must be referred to a Departmental Panel.
5. The Module Convenor should formally notify the student of the decision, or that the case has been referred onto a Departmental Panel, within 10 working days of the allegation being made.
6. Where a penalty is applied, the Module Convenor must ensure that this is recorded on the module minutes in Portico.
7. Where the matter falls outside the adjudication scope of the Module Convenor, the Module Convenor must refer the case to either the Departmental Tutor, a Departmental Panel, or the Academic Misconduct Panel, as prescribed in Section 9.3.
8. In referring a case onto the Departmental Tutor, Departmental Panel, or Academic Misconduct Panel for consideration, the Module Convenor must send the following:
  - i) An Academic Misconduct Report Form, with Parts 1 and 2 completed (see annex 6.1);
  - ii) A copy of the affected assessment, where applicable annotated or highlighted to identify the extent of the Academic Misconduct.
  - iii) Any other evidence relevant to the case.
9. Students may appeal against the decision of the Module Convenor under the procedures outlined under 9.5 Appeals Process.

### 9.4.3 Departmental Tutor – Standard Procedure

1. Where the matter falls within the adjudication scope of the Departmental Tutor and, after investigation, Academic Misconduct is found to have been committed, the Departmental Tutor or their nominee will apply the penalty indicated in the Adjudication and Penalty Guidance table (see 9.3 above), unless the penalty imposed would prevent the progression or award of a student, in which case the misconduct must be referred to a Departmental Panel.
2. Where the penalty imposed would prevent the progression or award of a student the misconduct must be referred to a Departmental Panel.
3. The Departmental Tutor should formally notify the student of the decision, or that the case has been referred onto a Departmental Panel, within 10 working days of the allegation being made.
4. Where a penalty is applied, the Departmental Tutor must ensure that this is recorded on the module minutes in Portico.
5. In referring a case onto a Departmental Panel or the Academic Misconduct Panel for consideration, the Departmental Tutor must send the following:
  - i) An Academic Misconduct Report Form, with Parts 1 and 2 completed (see annex 6.1);
  - ii) A copy of the affected assessment, where applicable annotated or highlighted to identify the extent of the Academic Misconduct;
  - iii) Any other evidence relevant to the case.
6. Students may appeal against the decision of the Departmental Tutor under the procedures outlined under 9.5 Appeals Process.

### 9.4.4 Departmental Panel

1. Where a case of Academic Misconduct is referred to a Departmental Panel, the Chair of the Board of Examiners for the module concerned should appoint a secretary from the same Department, who will be responsible for all communications, completion of Part 3 of the Academic Misconduct Report Form, circulation of documentary evidence, and organisation of the panel.
2. The Secretary must provide the student with the following:
  - i) A copy of all documentary evidence relating to the case;
  - ii) Part 1 of the Academic Misconduct Report Form;
  - iii) A link to these Student Academic Misconduct Procedures;
  - iv) An invitation to the Departmental Panel, outlining the date, time, and location;
  - v) A request to the student to submit a statement, which must be received no later than two working days before the Departmental Panel;
  - vi) A statement confirming that the student may bring a 'friend' who must be a member of staff at UCL, Students' Union Advisor, or a student currently registered at UCL. The person may be legally qualified but they will not be acting in a legal capacity. The person must not be a member of the Academic Misconduct decision or panel procedure.
3. A Departmental Panel should be organised within four working weeks of the student being informed of the alleged Academic Misconduct, unless either of the following applies:
  - i) There are reasonable circumstances that make this impractical, in which case the student must be kept informed of this; or
  - ii) The student has reasonable grounds to request a postponement of the panel hearing to a later date.
4. The Departmental Panel should be constituted as follows:
  - i) Chair of the Board of Examiners owning the affected module (acting as Chair); and
  - ii) At least two other members of staff from the Department not directly involved in the teaching of the affected module(s);
  - iii) Where possible, the Faculty Tutor, the Faculty Graduate Tutor, or their nominee, will be invited to act as an observer;

- iv) Where the affected module is delivered by a Department other than the student's own, the Chair of the Board of Examiners for the student's Home Department or their nominee.
- 5. The quorum for the Departmental Panel must be three including the Chair.
- 6. The Secretary must provide to the panel all documentary evidence and statements relating to the case.
- 7. There must be no communication in relation to the allegations, either written or oral, between the Departmental Panel and either the student or the member(s) of staff involved in the affected module.
- 8. The purpose of the Departmental Panel will be to investigate the grounds on which the allegation has been made; decide, on the balance of probabilities, whether Academic Misconduct has occurred and, if so, determine which penalty to impose as per the Adjudication and Penalty Guidance table (see 9.3 above).
- 9. Where a penalty is imposed on a student, the following action must also be taken:
  - i) Require the student to undertake UCL's Introduction to Academic Integrity course and
  - ii) Require the student to meet with the Departmental Tutor, Departmental Graduate Tutor or Programme Leader, to discuss the Academic Misconduct and receive warning that any further instances of Academic Misconduct may have severe consequences as outlined in 9.3.
- 10. The Secretary should inform the student of the Departmental Panel decision informally within one working day of the hearing, send formal notification including Part 4 of the Academic Misconduct Report Form within one working week and record this on the module minutes in Portico.
- 11. Students may appeal against the decision of the Departmental Panel under the procedures outlined under 9.5 Appeals Process.

#### 9.4.5 Departmental Panel – Contract Cheating

- 1. Where there is suspicion of Contract Cheating, the Chair of the Departmental Panel may, with the approval of the Faculty Tutor, initiate an investigatory viva to establish authorship.
- 2. The student should be informed that there is an allegation of Contract Cheating and be invited to an investigatory viva as soon as practicable, consideration being given to the timing of the student's other assessments.
- 3. The viva should be conducted by the Departmental Panel which should inform the student whether or not the case will proceed within five working days of the viva taking place.
- 4. If prima facie evidence of lack of authorship is found to exist, the Departmental Panel must forward all of the relevant documentation to the Secretary of the Academic Misconduct Panel to be considered under the Academic Misconduct Panel procedures (see 9.4.7 below).

#### 9.4.6 Academic Misconduct Panel – Examination Misconduct special procedure

- 1. Where an allegation of Examination Misconduct is made, UCL Examinations or the Department organising the examination must provide the Academic Misconduct Panel Secretary with the following:
  - i) For centrally-organised examinations, the Supervisor Report Form.
  - ii) For Departmentally-organised examinations, an Academic Misconduct Report Form, with Parts 1 and 2 completed (see annex 6.1);
  - iii) A student statement, taken at the time the misconduct is found;
  - iv) A supervisor statement, taken at the time the misconduct is found;
  - v) Any other evidence relevant to the case;
- 2. All cases of Examination Misconduct will be considered under the Academic Misconduct Panel procedures (see 9.4.8 below), with the exception of the following

minor Examination Hall Misconduct which will result in the student being issued with a Hall Warning:

- i) Opaque pencil cases or staplers;
  - ii) Food, hot drinks, alcoholic drinks or carbonated drinks (except on medical grounds with prior approval);
  - iii) Use of an E-cigarette;
  - iv) Use of ear plugs (except UCL-issued ear plugs provided on medical grounds with prior approval);
  - v) Wearing of headgear (except on religious grounds).
3. In consultation with the Director of Academic Services, some cases of Examination Misconduct may be considered to be of a minor or technical nature, and under those circumstances will not be considered under the Academic Misconduct Panel Procedures.
  4. The Academic Misconduct Panel Secretary will inform the student of this, and remind the student they must strictly to observe the examination regulations.

#### 9.4.7 Academic Misconduct Panel

1. Where a case of Academic Misconduct is referred to an Academic Misconduct Panel, the Secretary of the Academic Misconduct Panel (appointed by the Registrar, Student & Registry Services) will be responsible for all communications, circulation of documentary evidence, and organisation of the panel.
2. The Secretary must provide the student with the following:
  - i) A copy of all documentary evidence relating to the case;
  - ii) Where applicable, Part 1 of the Academic Misconduct Report Form;
  - iii) A link to these Student Academic Misconduct Procedures;
  - iv) An invitation to the Academic Misconduct Panel, outlining the date, time, and location;
  - v) A request to submit a statement, which must be received no later than two working days before the Academic Misconduct Panel;
  - vi) A statement confirming that the student may bring a 'friend' who must be a member of staff at UCL, Students' Union Advisor, or a student currently registered at UCL. The person may be legally qualified but they will not be acting in a legal capacity. The person must not be a member of the Academic Misconduct decision or panel procedure.
3. The student's statement, with any other information provided by the student, will be sent to the Chair of the Board of Examiners for the module concerned, who will be invited to reply to any points raised in the statement which have not been covered in the information so far received by the Secretary.
4. An Academic Misconduct Panel should be organised within four working weeks of the student being informed of the alleged Academic Misconduct, unless either of the following applies:
  - i) There are reasonable circumstances that make this impractical, in which case the student must be kept informed of this; or
  - ii) The student has reasonable grounds to request a postponement of the panel hearing to a later date.
5. The Academic Misconduct Panel should be constituted as follows:
  - i) The Pro Vice-Provost (Student Experience) who shall be Chair of the Panel. The Chair may delegate to a nominee and must do so if the case involves a student from the chair's faculty; and
  - ii) A Faculty Tutor or Faculty Graduate Tutor nominated by the Chair of the Panel who should neither be from any Department involved nor Chair of any Board of Examiners involved, unless it is determined that the disciplinary expertise is required on the panel; and
  - iii) A Sabbatical Officer of the [Students' Union UCL](#) and
  - iv) The Director of UCL Academic Services or his/her nominee.
6. The quorum for the Academic Misconduct Panel must be three including the Chair.
7. The Secretary must provide to the panel all documentary evidence relating to the case.

8. There must be no communication in relation to the allegations, either written or oral, between the Academic Misconduct Panel and either the student or the member(s) of staff involved in the affected module. Any such communication by any party directly with members of the Academic Misconduct Panel will not be admitted as part of the case documentation.
9. An audio recording of the hearing will be taken for the purpose of providing a factual record in the event of the hearing going to appeal.
10. The purpose of the Academic Misconduct Panel will be to investigate the grounds on which the allegation has been made, decide on the balance of probabilities whether Academic Misconduct has occurred and, if so, determine which penalty to impose as per the Adjudication and Penalty Guidance table (see 9.3 above).
11. Where a penalty other than expulsion is imposed on a student, the following action must also be taken:
  - i) Require the student to undertake UCL's Introduction to Academic Integrity course and
  - ii) Require the student to meet with the Department to discuss the Academic Misconduct and receive warning that any further instances of Academic Misconduct may have severe consequences as outlined in 9.3.
12. The Secretary should inform the student of the Academic Misconduct Panel decision informally within one working day of the hearing, send formal notification including Part 4 of the Academic Misconduct Report Form within one working week and record this on the module minutes in Portico.
13. Students may appeal against the decision of the Academic Misconduct Panel under the procedures outlined under 9.5 Appeals Process.

## 9.5 Appeals Process

1. An appeal against an Academic Misconduct decision will only be heard if it is based on one or more of the following grounds:
  - i) The decision or panel process was not conducted in accordance to the procedures;
  - ii) Fresh evidence has become available which was not available and could not reasonably be available for consideration during the decision or panel process.
2. Students must, within 10 working days of receiving formal notification of the decision, send notification to appeal to the Casework Team ([casework@ucl.ac.uk](mailto:casework@ucl.ac.uk)), providing all documentation regarding the appeal, any statements they wish to make, and the grounds on which the appeal is being made.
3. No further communications will be accepted for consideration under an appeal after 10 working days of the contested decision being made.
4. As soon as is practicable after receipt of such notification the Casework Team should present the documentation relevant to the appeal to the Chair of the UCL Academic Misconduct Appeals Panel who will decide on the evidence available whether or not the appeal should be taken forward, and notify the Casework Team to that effect, normally within 10 working days of receipt of the documentation.
5. If it is decided not to proceed with the appeal, the Casework Team will inform the student of the decision of the Chair of the Appeals Panel, giving reasons, normally within five working days of receiving it.
6. Where an appeal is being made against a Module Convenor decision, and it is decided that the appeal will be taken forward, the Casework Team must refer the case back to a Departmental Panel to be considered again under the process outlined in 9.4.4 above.
7. Where the appeal is being made against a Departmental Panel decision or Academic Misconduct Panel decision and it is decided that the appeal will be taken forward, the Casework Team will inform the student and make the necessary arrangements for the appeal to be held as early as possible, and in any case within three calendar months of receipt of the notification of intention to appeal. The student will be notified of the date of the appeal and will be invited to attend, accompanied by a 'friend' (see paragraph 9.5.2.4 above).
8. The constitution of an Appeals Panel should be as follows:



- i) the Chair of the UCL Education Committee, or their nominee, who should be Chair of the Appeals Panel; and
  - ii) two members of academic staff to be nominated by the Chair of Academic Board; and
  - iii) a [Students' Union UCL](#) Sabbatical Officer or nominee.
9. Members of the Appeals Panel must not have been involved in the decision or panel process against whose decision the appeal is made, nor a member of any Department involved, nor have assisted the student in any way with the presentation of their case at any stage.
  10. The Chair of the Appeals Panel must be different to the Chair of the original decision or panel process under consideration e.g. where the Pro Vice-Provost (Student Experience) chaired the original panel, they must nominate a different chair for the Appeals Panel).
  11. The quorum for the Appeals Panel is three including the Chair.
  12. The Secretary of the Appeals Panel will be appointed by the Registrar, Student & Registry Services, and must not have acted in any decision or panel process being appealed.
  13. The Registrar, Student & Registry Services, may also appoint a representative to act as an observer during the proceedings of the Appeals Panel and to provide the Panel with all relevant information relating to the student's academic position.
  14. The Chair of the original Panel or their nominee will also be invited to attend the Appeal hearing as a witness.
  15. The Appeals Panel and all other parties should receive a statement of the grounds for appeal and a copy of the Report of the original proceedings and any other evidence relevant to the allegations in question as is considered appropriate.
  16. A sound recording will be made by UCL of each hearing for the purpose of providing a factual record in the event of the matter going to further appeal with the Office of the Independent Adjudicator for Higher Education (OIA).
  17. An Appeals Panel has power to reverse or modify the decision appealed in any way that it thinks fit.
  18. In reaching its decision an Appeals Panel should take into consideration the evidence provided.
  19. The decision of an Appeals Panel must be reached by a majority vote of the members of the Panel and announced as the decision of the Panel.
  20. The votes of individual Panel members must always be treated as confidential and there must be no disclosure either of individual votes or of information showing whether the decision was reached by a unanimous or a majority vote.
  21. The Panel may adjourn for a period not exceeding seven days for the purpose of deciding upon the appropriate action to be taken upon the appeal.
  22. Within 10 working days of the conclusion of the hearing the Appeals Panel should notify the Casework Team, in writing, of the outcome of the appeal. The Casework Team will in turn notify all parties of the decision of the Appeals Panel and the decision will be included in an annual report on its proceedings submitted to UCL Education Committee.
  23. A decision of an Appeals Panel will be final as far as internal UCL procedures are concerned.
  24. Any further appeal must be made via the Office of the Independent Adjudicator for Higher Education (OIA), via their website (<http://www.oiahe.org.uk>).

# 10 UCL Student Complaints Procedure

Contact: Casework Team, Student and Registry Services ([casework@ucl.ac.uk](mailto:casework@ucl.ac.uk))

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7	<b>Stage Two: Complaints Review</b>
8	<b>Office of the Independent Adjudicator</b>
<b>APPENDICES</b>	
1	Guide to University procedures
2	Support Provisions
3	Unacceptable complainant behaviour; malicious, vexatious or frivolous complaints
4	Complaint Form and Complaint Review Form

UCL's Student Complaints Procedure ('the Procedure' hereafter) has been prepared in accordance with the QAA's Quality Code on Concerns, Complaints and Appeals (November 2018). It was drafted in consultation with the Students' Union UCL and the current version was approved by UCL Council on 2 September 2020 to apply to student complaints made from 1 January 2021. This version supersedes all previous versions. The Procedure is written and maintained by Academic Services.

## 1 INTRODUCTION

- 1.1 UCL is committed to providing a high-quality educational experience for all students. The university recognises however that from time to time problems do arise, and welcomes the opportunity to correct mistakes and to respond constructively when students are dissatisfied with a particular service or other aspect of UCL provision. Where a complaint is upheld, we will where possible seek to put things right for a student. If a complaint is not upheld, we will give reasons for the decision.
- 1.2 Many complaints can be resolved at an informal and/or local level. In the first instance, the most effective approach is usually for the student to take the matter directly to the member of staff best able to deal with it. Alternatively, the UCL Student Mediator is available to advise. Guidance on the services offered by the Student Mediator can be found at [Appendix 2](#). Students are generally expected to have pursued appropriate informal resolution prior to bringing a formal complaint.
- 1.3 Where informal resolution has not resolved the issue, students may enter the formal procedure at Stage One [see Section 5]. If, at the end of Stage One, a student is still not satisfied that a complaint has been adequately addressed, they may be able to request a Stage Two review of the outcome [see Section 7]. UCL's Student Complaints Procedure concludes with Stage Two. Once the UCL Procedure has been exhausted students have the right to submit their complaint for independent external review by the Office of the Independent Adjudicator for Higher Education (OIA) [see Section 8].
- 1.4 The Procedure is not a legal process. It serves primarily as the formal mechanism through which consideration can be given to whether or not UCL has applied its regulations and/or procedures correctly and/or delivered its services to students satisfactorily, and whether any decision arrived at was both reasonable and proportionate.
- 1.5 Where there is dispute over the facts of a case, the standard of proof to be applied shall be the balance of probabilities.
- 1.6 Legal representation is not permitted at any meeting held under this Procedure. If a student initiates legal proceedings against UCL, any complaint on the same or a related matter will normally be paused until those proceedings are complete.
- 1.7 Where appropriate, we will make reasonable adjustments at any stage of the proceedings to accommodate the needs of students with protected characteristics. Students with any particular requirements should write to [casework@ucl.ac.uk](mailto:casework@ucl.ac.uk) or submit an inquiry through [AskUCL](#) so that we can discuss any adjustments that may be necessary.
- 1.8 Responsibility for the day-to-day operation of this Procedure lies with the Student Casework Team, who are based in Student and Registry Services. The Student Casework Team can be contacted at any time at [casework@ucl.ac.uk](mailto:casework@ucl.ac.uk) or via [AskUCL](#).
- 1.9 Where an academic complaint has been submitted, the original decision of the relevant Examining Board or other formal academic body shall stand until the final outcome of the Procedure is known.

## 2 SCOPE AND TIME LIMITS

### Who may complain under this Procedure

- 2.1 This Procedure can be used by all registered students<sup>1</sup> of UCL. Recent graduates or students on interruption, placement or a year abroad may also submit complaints about UCL provision so long as they are within the timescales set out at Paragraph 2.6.
- 2.2 Complaints from students registered at partner institutions relating to provision by UCL, or from registered UCL students relating to the provision of another institution in the context of intercollegiate programmes, *may* be considered under this Procedure, depending on the circumstances and the nature of UCL's agreement with the relevant partner institution. Queries should be addressed in the first instance to [casework@ucl.ac.uk](mailto:casework@ucl.ac.uk) or (for UCL students) submitted via AskUCL.
- 2.3 Complaints from groups of students can be considered under this Procedure. Group complaints should be submitted on a single Complaint Form signed by all complainants, with one individual nominated to act as the point of contact for the process. We will communicate with the nominated student, who will be responsible for keeping the group informed about the progress of the complaint.

### Matters which cannot be addressed under this Procedure

- 2.4 The following matters cannot be considered under this Procedure:
  - a) complaints about Students' Union UCL. The Students' Union is a separate legal entity from UCL with its own complaints procedure;<sup>2</sup>
  - b) complaints from third parties, ie those who are not included in 2.1–2.3 above. Members of the public may use UCL's Public Complaints Procedure;<sup>3</sup>
  - c) complaints about bullying and/or harassment by members of UCL staff. Allegations of this nature will be dealt with under the [UCL Prevention of Bullying, Harassment and Sexual Misconduct Policy](#) and should be submitted to HR via [Report and Support](#);
  - d) complaints about other UCL students. Where appropriate, evidence of misconduct by other students will be considered under UCL's Disciplinary Code and Procedure in respect of Students<sup>4</sup> (in the case of non-academic misconduct) or the Student Academic Misconduct Procedure<sup>5</sup> (in the case of academic misconduct);

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<sup>1</sup> For the purposes of this Procedure a 'registered student' is defined as either a full-time, part-time, affiliate or intercollegiate student, including those on a flexible mode of attendance, taking a recognised programme of study leading to a formal award, or undertaking a 'short-course' under UCL's Life Learning Regulatory Framework (Academic Manual, Chapter 10). Complaints about intercollegiate modules are often most appropriately addressed in the first instance through the procedures of the institution responsible for delivering that module. Students on programmes delivered with an external organisation should use the procedures referred to in their programme-specific terms and conditions, where these apply to the programme. Students are invited to contact the Casework Team via AskUCL [casework@ucl.ac.uk](mailto:casework@ucl.ac.uk) for advice in such circumstances.

<sup>2</sup> <http://studentsunionucl.org/how-to-guides/how-to-make-complaints-about-union>

<sup>3</sup> <https://www.ucl.ac.uk/academic-manual/chapters/chapter-6-student-casework-framework/section-11-public-complaints-about-ucl>

<sup>4</sup> <https://www.ucl.ac.uk/academic-manual/chapters/chapter-6-student-casework-framework/section-8-disciplinary-code-and-procedure-respect>

<sup>5</sup> <https://www.ucl.ac.uk/academic-manual/chapters/chapter-6-student-casework-framework/section-9-student-academic-misconduct-procedure>

- e) complaints which, by their nature, are more appropriately addressed by third parties, for example a government organisation such as the Home Office or Student Finance England. Such organisations generally have their own complaints procedures and it is their organisational procedure which must be followed where UCL has no role in the decision-making process;
- f) anonymous complaints. Please refer to UCL's Public Interest Disclosure Policy<sup>6</sup> for information on how to address matters in this way.

2.5 Complaints founded on a student's disagreement with academic judgment in respect of their work cannot be considered under this Procedure. The term 'academic judgment' refers to decisions about a student's assessment or progression that can only be made by an appropriate academic expert. Complaints cannot be considered simply on the basis of disagreement with the examiners' assessment of the performance of a candidate in an examination or against academic decisions properly arrived at in accordance with approved procedures. In this context, disparities in a student's performance between examinations (or between examinations and a student's expectations) are not necessarily evidence of procedural irregularity or bias in the assessment process.

### Time Limits

- 2.6 Students are encouraged to submit a complaint as soon as possible after the event in question, as this facilitates timely investigation and enables UCL to take prompt corrective action where necessary. At the most, complaints *must* be submitted within **two calendar months** of the event giving rise to the complaint. Complaints submitted beyond this timeframe will be deemed to be out of time and will not be considered unless there is independent evidence to show compelling reasons as to why the complaint was not raised in a timely manner. Where a complaint is deemed out of time, UCL will issue a Completion of Procedures Letter on request, noting the reason why the complaint was not considered and advising the student that he/she may be able to make a complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 2.7 UCL is unable to consider under any circumstances academic complaints submitted more than 12 months after the relevant Examining Board meeting. UCL is unable to consider under any circumstances non-academic complaints where the main issues complained about took place more than 3 years before the complaint is received.
- 2.8 We are committed to dealing with all complaints as quickly as reasonably possible and will seek to follow the time limits set out in this Procedure. Students can expect that UCL will normally have completed its consideration of a complaint within 90 calendar days of its submission. However, from time to time there may be valid reason for a delay, particularly in more complex cases. In such circumstances students will be informed of any delay and the reason for it.

## 3. ADVICE AND SUPPORT

- 3.1 Students are welcome to seek advice or clarification on the operation of the Procedure from the Student Casework Team via AskUCL. The Casework Team however is not in a position to provide support with the drafting of complaints as this would conflict with their role in the process.
- 3.2 Where appropriate, a student may at any stage request mediation to help resolve their complaint. This can be done by contacting the UCL Student Mediator (see [Appendix 2](#)). The Student Mediator can also advise students on the submission of formal complaints where mediation is not an option.

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<sup>6</sup> [https://www.ucl.ac.uk/hr/docs/public\\_interest\\_disclosure.php](https://www.ucl.ac.uk/hr/docs/public_interest_disclosure.php)

- 3.3 In cases where the formal UCL Student Complaints Procedure has already commenced, the Student Mediator will liaise with the Student Casework Team regarding his/her involvement. The timescales set out in this Procedure will be put on hold until the mediation process has been completed. Students will be informed of this and, in cases where mediation is unsuccessful, will similarly be informed when the formal UCL Student Complaints Procedure recommences.
- 3.4 Most students accessing this Procedure are adults, and UCL's contract is with the student. For this reason, we request that students personally liaise with the relevant officers regarding their case unless there is good reason preventing them from doing so. We cannot accept complaints made on behalf of students by UCL staff, staff at partner providers (including providers of work placements), parents, or other third parties. In an exceptional case where a third party does represent a student, written consent is required from the student (except where they are incapacitated and unable to give consent) before any information in connection with the case is disclosed. UCL's consent to such arrangements may be withdrawn at any time if the behaviour of a third party is not appropriate. We will only communicate with one party at a time.
- 3.5 The sole purpose of any inquiries made under this Procedure will be to investigate the grounds of the complaint by the student; the Procedure will not in any way constitute or be seen to constitute a disciplinary process against the member(s) of staff or UCL department, faculty or service concerned.

#### **4. DISCLOSURE AND CONFIDENTIALITY**

- 4.1 We will deal with complaints discreetly and sensitively and students will be treated without discrimination or disadvantage. It is nevertheless necessary to provide a copy of the written complaint and supporting evidence to any members of staff whose response is required in order to address the complaint fully. Where a complaint is taken forward and concerns the actions of an individual member of UCL staff, that individual will be given the opportunity to respond. That individual will also have the right to be accompanied and/or assisted at any related meeting by a 'friend', who must be a member of the UCL community<sup>7</sup>. The role of the friend is to provide moral support during a meeting or hearing. They cannot make representations nor cross-examine any other party at a meeting of the Complaints Panel.
- 4.2 The outcome of the Procedure will be communicated to anyone who has been deemed the subject of the complaint by the Student Casework Team, following the issue of the decision to the student.
- 4.3 In some rare cases a duty to breach confidentiality may exist, typically where it is necessary for the safety of the student or of other people. Students will be required, as part of their submission of a complaint, to give explicit consent to the above approach to the operation of disclosure.
- 4.4 Advice has been taken to ensure that this Procedure complies with the standards set out in the General Data Protection Regulation (GDPR), which became effective in May 2018.

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<sup>7</sup> Defined as a person who is a currently enrolled student of UCL, a member of staff of UCL, or a member of the Students' Union UCL.

## 5. STAGE ONE: SUBMISSION AND CONSIDERATION OF COMPLAINT

- 5.1 If, following attempts to resolve the matter informally, a student wishes to pursue a formal complaint, they must complete a Complaint Form (available at <https://www.ucl.ac.uk/academic-manual/chapters/chapter-6-student-casework-framework/section-10-ucl-student-complaints-procedure>) and submit this via AskUCL with any relevant supporting documentation. We are not able to initiate this Procedure until a signed Complaint Form has been received. Simple notice of an intention to complain given in writing by a student within the prescribed timeframe shall not be deemed to constitute a formal complaint and will not be accepted.
- 5.2 This Procedure relates both to complaints about UCL (that is, about action or lack of action by the university, or about the standard of service provided), and appeals against decisions of an academic body, on the grounds of procedural irregularity, bias, or decisions being made without awareness of mitigating circumstances. In submitting a Complaint Form the student is requested to specify the nature of the matter complained about according to the following:
- an **academic complaint** may include any matter affecting the academic status of a student, such as: progression; the results of examinations; award/degree classification; inadequate supervision; or perceived maladministration of an academic programme.
  - a **non-academic complaint** relates to any matter which (i) falls outside the definition of an academic complaint, (ii) affects a student's experience at or of UCL and requires a response and (iii) is not covered by another UCL procedure.

### Grounds for Academic Complaint

- 5.3 Academic complaints which may be considered under this Procedure are restricted to one or more of the following areas:
- 5.3.1 **Alleged deficiency in teaching/supervision received for some or all parts of the programme;**
- 5.3.2 **Alleged unsatisfactory delivery/administration of a programme of study**, insofar as:
- published information about the programme was substantively misleading; or
  - the programme was not organised or delivered in accordance with the information and documentation provided to students on the programme.
- 5.3.3 **The results of examinations** (including alleged bias in the assessment or a decision not to permit transfer (i.e. upgrade) from MPhil to PhD), insofar as:
- either the examination and/or classification process was not conducted in accordance with the relevant regulations/procedures;
  - there has been an arithmetical or transcription error in the compilation of the marks and/or the result;
  - the examiners could not reasonably have been made formally aware of special circumstances (e.g. illness) notified by the candidate which significantly affected her/his performance in the examination;
  - there is substantive evidence that one or more of the examiners can be shown to have been biased or prejudiced against the candidate in one or more specific examinations.
- 5.3.4 **A decision not to readmit a student to UCL or to allow a student to continue on a programme of study on the grounds of unsatisfactory academic performance**, insofar as:



- (a) The decision rests on an examination outcome where any of the provisions set out in 5.3.3 apply, that is:
- (i) either the examination and/or classification process was not conducted in accordance with the relevant regulations/procedures;
  - (ii) there has been an arithmetical or transcription error in the compilation of the marks and/or the result;
  - (iii) the examiners could not reasonably have been made formally aware of special circumstances (e.g. illness) notified by the candidate, which significantly affected her/his performance in the examination; and
  - (iv) there is substantive evidence that one or more of the examiners can be shown to have been biased or prejudiced against the candidate in one or more specific examinations.
- (b) There is evidence that performance for part or all of the programme was significantly affected by special circumstances, which has not already been considered through the Extenuating Circumstances Policy or through support given under a Summary of Reasonable Adjustments.
- 5.4 Extenuating Circumstances not previously notified in accordance with UCL's Procedure for Extenuating Circumstances in force at the time of the complaint or relevant academic year will not be considered under this Procedure.
- 5.5 Complaints concerning alleged deficiency in teaching/supervision and/or unsatisfactory delivery/administration of a programme of study will not be considered if received after the student's results have been confirmed by UCL's Education Committee or Research Degrees Committee and published on Portico. Students dissatisfied with this aspect of UCL's delivery are expected to raise the issue at the time.
- 5.6 Complaints against unofficial results cannot be considered. Formal complaints against the results of examinations can be made only once they have been confirmed by UCL's Education Committee or Research Degrees Committee and published on Portico.

### **Submission of the Complaint Form**

- 5.7 In submitting a [Complaint Form](#), students should state clearly what it is that they are complaining about, why they are dissatisfied, and what it is that they would like to see done to resolve this issue. The complaint should encompass everything that the student would like to see addressed; new elements cannot be introduced later in the process. If a complaint relates to several different issues, students should ensure that these are clearly distinguished.
- 5.8 All sections of the Complaint Form must be completed by the student. If a form is incomplete or missing any necessary information, it will be returned to the student for completion. The timescales outlined in this Procedure will only begin once a fully completed Complaint Form has been received.
- 5.9 Students are encouraged to submit relevant supporting documentation and evidence with their Complaint Form. The Casework Team is unable to seek evidence on a student's behalf. It is the student's responsibility to provide this with the complaint. A translation (undertaken by an accredited translator) must be provided for any material not in English – untranslated documents cannot be considered. Where the Casework Team considers that supporting documentation does not inform the consideration of the complaint, that material may be set aside in taking the matter forward. In such circumstances the student will be informed of the reasons for this decision. Where the documentation includes data relating to third parties, we



reserve the right to redact or remove such material before proceeding, so far as is practicable without undermining the substance of the complaint.

- 5.10 The completed Complaint Form should be submitted via AskUCL. The Student Casework Team will acknowledge receipt and will conduct an initial assessment of the case against the scope and criteria set out at Sections 2 and 5.3 above. If, in the view of the Casework Team in consultation with the Chair of the Complaints Panel, this assessment indicates that there are no valid grounds for consideration of the matter under the Procedure, the student will be advised of the reasons for this within ten UCL working days<sup>8</sup> of receipt.
- 5.11 Where it is considered that the matter should more properly be considered under a different Procedure (Paragraph 2.4) the student will be informed of this within ten UCL working days and the complaint will not be progressed. By agreement with the student, the matter may be referred direct to the appropriate UCL office-holder for consideration under the relevant procedure.
- 5.12 In cases involving both academic and non-academic matters, it may be necessary to refer individual elements of the complaint to the academic and non-academic complaints panels (Paragraph 6.2). Wherever practicable, however, the complaint will be considered as a single entity and a single Outcome Letter or Completion of Procedures Letter issued. Where there is uncertainty or disagreement over the type of complaint then a final decision will be made by the Registrar or nominee<sup>9</sup>.

### **Consideration of the Complaint**

- 5.13 Where the initial assessment of a complaint shows that it is eligible for consideration under this Procedure, the Chair of the Complaints Panel will review the complaint. The student will be notified within ten UCL working days of receipt of the complaint whether the matter will be progressed. Where a complaint raises multiple issues, we reserve the right to progress part of a complaint.
- 5.14 If it is decided not to proceed with the complaint, the Chair of the Complaints Panel will inform the student in an Outcome Letter, giving reasons for this decision. A student who is dissatisfied with this decision may request a review under Stage Two (Section 7).
- 5.15 Where a complaint is progressed, the Casework Team will submit the Complaint Form and any supporting documentation to the relevant academic unit or Professional Services division with a request for a written response. This will normally be submitted to the Head of the unit or division concerned with a request that they co-ordinate a response from the relevant colleagues. Where the nature of the complaint is such that in the opinion of the Casework Team a named individual would be most able to respond, the complaint may be sent to that member of staff directly. In developing its response the department may consult any members of staff who are able to provide relevant information. In the case of academic complaints, the relevant Faculty Tutor will also receive a copy of the complaint.
- 5.16 The written response will be requested within ten UCL working days of notification. This timescale may be subject to extension where circumstances require and where the response is felt to be necessary in order to respond to the complaint satisfactorily. The Chair of the Complaints Panel reserves the right however to proceed to a decision if the department's response is not forthcoming by the stated deadline.

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<sup>8</sup> 'UCL Working Days' means all days except weekends, bank holidays, and periods of UCL closure at Easter and Christmas.

<sup>9</sup> The Registrar will normally delegate this responsibility to a member of the Student Casework Team, and all references to the Registrar in this Procedure should be understood to include also the Registrar's nominee.

- 5.17 The response from the department concerned will be forwarded to the student, who will be given five UCL working days to comment on any matters of factual accuracy. This does not constitute an opportunity to introduce new elements into the complaint which have not previously been considered and on which the members of staff concerned have not had an opportunity to comment. This timescale may be subject to extension where circumstances require and on the agreement of the Casework Team. The Chair of the Complaints Panel may however proceed with taking a decision if the response is not forthcoming by the stated deadline.
- 5.18 The Chair of the Complaints Panel will then determine whether a decision on the complaint can be reached on the basis of the written material. In cases where a decision can be taken, the Chair of the Complaints Panel will notify all parties, in the form of an Outcome Letter, normally within ten UCL working days of the student's comments on factual accuracy (Paragraph 5.17). The Outcome Letter will confirm whether the complaint has been upheld, partially upheld, or not upheld, and will give reasons for the decision and details of any action UCL proposes to take as a result.
- 5.19 Where a student is dissatisfied with the decision of the Chair of the Complaints Panel, they may apply for a review by the Complaints Review Panel (Section 7 below).
- 5.20 Where the Chair of the Complaints Panel conclude that further consideration of the complaint is necessary, or where it is not possible to reach a suitably informed decision without discussion with the parties concerned, the Chair will refer the matter to a meeting of the Complaints Panel (Section 6 – Complaints Panel refers).

## 6. THE COMPLAINTS PANEL

### Operation and Membership

6.1 Where the complaint is referred to a meeting of the Complaints Panel ('the Panel' hereafter), the Panel will consider the complaint and in so doing will:

- (i) accord equal procedural treatment to both or all parties concerned;
- (ii) seek further clarification of the written evidence from whomever it feels appropriate;
- (iii) interview the parties concerned.

6.2 The membership of the Panel will be as follows:

#### Academic complaints (taught students)

- the Pro-Vice-Provost (Student Experience) (or nominee) [*Chair*]
- a senior member of staff drawn from a list approved by Academic Committee, usually a Faculty Tutor from a Faculty other than that in which the student is registered
- a student representative (normally a Sabbatical Officer of Students' Union UCL).

#### Academic complaints (research students)

- the Pro-Vice-Provost (Doctoral School) (or nominee) [*Chair*]
- a senior member of staff drawn from a list approved by Academic Committee, usually a Faculty Graduate Tutor chosen from a Faculty other than that in which the student is registered
- a student representative (normally a Sabbatical Officer of Students' Union UCL).

#### Non-academic complaints

- the Chief Operations Officer (or nominee) [*Chair*]
- a senior manager selected from one of the Professional Services Divisions or Schools/Faculties
- a student representative (normally a Sabbatical Officer of Students' Union UCL).

6.3 The appointment of Panel members will be made with regard to considerations of an appropriate balance of diversity.

6.4 A member of staff from UCL Student and Registry Services will be appointed to act as Secretary to the Panel. All documentation will be passed through the Secretary and there will be no direct communication, either written or oral, between the Panel and either the student or the member or members of staff concerned.

6.5 An additional member of staff from UCL Student and Registry Services may be appointed by the Registrar to support and advise a Panel as necessary in respect of UCL's Academic Regulations for Students and/or other relevant UCL regulations and procedures, according to the nature of the complaint.

6.6 Where necessary, an independent expert in the field of study or related discipline may be appointed, subject to the agreement of all parties, to advise the Panel either orally or in writing.

### Conduct of Complaints Panel Meetings

6.7 The conduct of a Complaints Panel meeting will be determined by the Chair of the Panel in order to ensure that the complaint is heard in such manner as s/he considers appropriate and fair.

6.8 All documentation relating to the complaint will normally be received by all parties no later than ten UCL working days before the meeting of the Panel. No further communications of any sort

will be accepted for consideration by the Panel after this time except at the discretion of the Chair.

- 6.9 A single written record of the meeting will normally be made by UCL for the purpose of providing a factual record in the event of the decision going to Review.
- 6.10 Both the student and the member(s) of staff concerned are entitled to be present throughout a Panel meeting except when the Panel deliberates on its decision. Only in exceptional circumstances, and with the agreement of all parties, will individuals be heard separately. Each party will be entitled to be accompanied<sup>10</sup> during the Panel meeting by a 'friend' as defined at Paragraph 4.1.
- 6.11 Requests by either the student or member(s) of staff concerned to call witnesses will be decided by the Chair of the Panel. Where agreed, the presence of either party (or of witnesses) at a Panel may be through virtual means such as video or telephone conferencing.
- 6.12 If any party fails to attend the Panel meeting, the Panel may proceed and determine the complaint in the absence of that party.

### **The Decision of the Complaints Panel**

- 6.13 The decision of a Panel will be reached by a majority vote of the members of the Panel, and shall be announced as the decision of the Panel.
- 6.14 The votes of individual Panel members shall always be treated as confidential and there shall be no disclosure either of such votes or of information showing whether the decision was reached by a unanimous or a majority vote.
- 6.15 The Panel may adjourn for a period not exceeding five UCL working days for the purpose of reaching its decision and/or deciding upon the appropriate action to be taken.
- 6.16 The Panel will complete a written statement of its findings and decision, in the form of an Outcome Letter, normally to be issued within ten UCL working days of the date of the meeting. The Panel is authorised to impose a solution on the officers of the area of UCL in which the complaint occurred, including where appropriate a recommendation for a Suspension of the Regulations. Any compensating action proposed in the light of the complaint will not be implemented until it is clear if a review of the Panel's findings will be made and, if so, until the outcome of the review is known.
- 6.17 Subject to the rights of review, all decisions made in accordance with these procedures shall be binding on all parties.

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<sup>10</sup> Where a complainant is under 18 years of age they *must* be accompanied to any meeting by a parent, guardian or other responsible adult.

## 7. STAGE TWO: COMPLAINT REVIEW

- 7.1 Stage Two will only be initiated once Stage One has been completed. The purpose of the review stage is not to reinvestigate the complaint itself but to address concerns about the decision, on any of the grounds set out at 7.4 below.
- 7.2 A student holding an Outcome Letter, either following a meeting of the Complaints Panel or following a decision taken by the Chair of the Complaints Panel, may under certain circumstances apply for a review of that decision. In order to apply for a review the student must complete a Complaint Review Form and submit it to the Student Casework Team within ten UCL working days of the date of the Outcome Letter. A Complaint Review submitted beyond this timeframe will be deemed to be out of time and will not be considered unless there is independent evidence to show compelling reasons as to why the review was not requested in a timely manner. Where a Complaint Review is deemed out of time, UCL will issue a Completion of Procedures Letter on request, noting the reason why the Complaint Review was not considered and advising the student that he/she may be able to make a complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 7.3 The student must sign and date the Complaint Review Form (see [Appendix Four](#)), and include a statement explaining why they remain dissatisfied, attaching where appropriate any new evidence. All sections of the Complaint Review Form must be completed by the student and include a statement explaining why they remain dissatisfied, attaching where appropriate any new evidence. The Casework Team is unable to seek evidence on a student's behalf. It is the student's responsibility to provide this. A translation (undertaken by an accredited translator) must be provided for any material not in English – untranslated documents cannot be considered.
- 7.4 Students should note that a disagreement with the decision reached on their complaint does not in itself constitute grounds for seeking a review. Requests for a review of a decision can only be submitted on the grounds of:
- (i) *procedural irregularity* in the way in which the decision was reached;
  - (ii) *new evidence* that was not available during consideration of the complaint and where it would have been impossible for that evidence to have been made available at the time;
  - (iii) the decision was not reasonable given the circumstances of the case
- 7.5 If a Complaint Review Form is not received within 10 working days, we will assume that the student does not wish to request a review. Where a student subsequently requests a Completion of Procedures Letter, UCL will issue a Completion of Procedures Letter, noting that the student did not engage with the Complaint Review procedures in a timely manner and advising the student that he/she may be able to make a complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 7.6 The Student Casework Team will acknowledge receipt of the Complaint Review Form and will assess the application to determine whether there are grounds for a review under Paragraph 7.4.
- 7.7 Where, in the view of the Casework Team, the information submitted contains no grounds for further consideration of the complaint by a Complaints Review Panel, the student will be informed of this and will be issued with a Completion of Procedures letter within ten UCL working days of the receipt of the Review Form.
- 7.8 If the facts of the case indicate that the complaint decision did not take into account all the relevant information which had been provided by the student, the Casework Team, in consultation with the Chair of the Complaints Panel, may issue an Amended Outcome Letter which details any new or additional action UCL proposes to take.

- 7.9 There shall be no right to request a further review of the outcome as set out in the Amended Outcome Letter. On receipt of the Amended Outcome Letter, if the student is dissatisfied with the outcome, the student may request a Completion of Procedures Letter be issued which will advise the student that he/she may be able to make a complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 7.10 Where the information submitted contains grounds for further consideration of the complaint by a Complaints Review Panel, the Student Casework Team will refer the matter to the members of the Complaints Review Panel.
- 7.11 The constitution of the Panel will be as follows:
- a) a Vice-Provost or the Chief Operating Officer (Chair), or nominee;
  - b) a Students' Union UCL Sabbatical Officer;
  - c) a senior member of staff from a list approved by the Academic Committee.

Those appointed to the Panel will not have had any prior involvement in the case.

- 7.12 The Complaints Review Panel will proceed as follows:
- a) Where the Review is granted on the grounds of new evidence, the Chair of the Complaints Review Panel will determine within five UCL working days whether a further response from the Department, Faculty or Service concerned is required. Where such a response is deemed necessary, the review material will be sent to the Department within two UCL working days, together with a full copy of the original complaint and Outcome Letter, with a request for a response within ten UCL working days;
  - b) Where the Review is granted on the grounds of procedural irregularity or where a case is made that any compensating action was inadequate, the Review paperwork and original complaint will be sent within two UCL working days to the individual who was Chair of the Complaints Panel under Stage One, with a request for a response within ten UCL working days;
  - c) after receipt of any responses under (a) and (b) above, the Complaints Review Panel will consider the review application and the response.
- 7.13 The Complaints Review Panel may carry out its work by correspondence, or may arrange a meeting by agreement between its members. In either case, a member of staff from UCL Student and Registry Services will be appointed to act as Secretary to the Review Panel.
- 7.14 Where the Complaints Review Panel will carry out its work by correspondence, the Panel will make a determination which will be communicated to the student and all other relevant parties by the Secretary, normally within three working weeks of the receipt of the Complaints Review Form.
- 7.15 In cases where a meeting is deemed necessary, the procedures relating to the conduct of meetings and the confirmation of a decision by the Complaints Panel (Paragraphs 6.7 – 6.17) will apply, with the exception that the outcome will be confirmed in a Completion of Procedures letter rather than an Outcome Letter.
- 7.16 The Complaints Review Panel will have the power to reverse or modify the decision reviewed in any way that it thinks fit, or to direct that the matter be referred back to the original Panel for reconsideration.
- 7.17 A Completion of Procedures Letter will normally be issued five UCL working days after a decision is reached on the Stage Two review. If this timescale is to be extended for any reason, the student will be advised of this in writing.

## **8. OFFICE OF THE INDEPENDENT ADJUDICATOR**

- 8.1 The outcome of the Complaint Review will conclude UCL's consideration of the complaint and will be confirmed in the form of a Completion of Procedures letter.
- 8.2 When a student has received a Completion of Procedures letter confirming that the internal procedures of UCL have been concluded, they have the right to submit their complaint for review to the Office of the Independent Adjudicator for Higher Education (OIA) if they remain dissatisfied. A student choosing to do this must do so no later than twelve months from the date of the Completion of Procedures letter, using the OIA's Scheme Application form. The procedures and the form are available from the website of the OIA: <https://oiahe.org.uk> or from the UCL Students' Union Advice Service (who will also be able to provide advice and assistance).

# 11 Public Complaints about UCL

1. Persons other than current staff or students of UCL who wish to make a complaint about their experience of UCL should follow the advice below.
2. Anyone who wishes to make a complaint about her/his experience of UCL should try first to resolve the matter informally, in consultation with either the person who has caused the complaint, or with that person's line manager, or with another appropriate person within the area of UCL where the complaint has arisen. If a complaint cannot be resolved informally, the person wishing to make the complaint should put details of the matter causing complaint in writing to the Chief Operating Officer via [casework@ucl.ac.uk](mailto:casework@ucl.ac.uk). In order for a complaint to be considered, these details must normally be received by the Chief Operating Officer no later than one calendar month after the date on which the event causing the complaint occurred. If the form is received any later, the Chief Operating Officer will exercise discretion as to whether or not to investigate the matter.
3. The complainant is invited to indicate, if he/she wishes, the form of remedy which may be sought. While UCL will take such wishes into consideration in the resolution of the issue, this information is, nevertheless, given without prejudice to the final outcome.