



## UCL Academic Manual 2020-21

### Chapter 6: Student Casework Framework

# Section 8: Disciplinary Code and Procedure in Respect of Students

Section 1: Disciplinary Code .....	2
Section 2: Jurisdiction and General Principles .....	3
Section 3: Definition of Misconduct .....	5
Section 4: Disciplinary Procedure .....	7
Section 5: Minor Offences.....	10
Section 6: Major Offences.....	13
Section 7: Discipline Review Body.....	15

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>3</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

---

<sup>2</sup> Examples of 'minor' or 'major' classifications of misconduct can be found at paragraphs 25 and 26 of this Procedure.

<sup>3</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

- 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
- (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:
- (v) an oral reprimand recorded by the Registrar;
  - (vi) 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.