

# **Rules, Regulations and Procedures for students**

**University Centre Peterborough**

**4<sup>th</sup> Edition**

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**The UCP Council can change the rules, regulations and procedures for students as it sees fit. We will consult the Student Council before we do so.**

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## Foreword

At University Centre Peterborough we endeavour to meet the needs of our students and ensure that your academic and social experience is positive. In order to do this, it is necessary for us to outline our rules, regulations and procedures that both staff and students will adhere to.

When we agree to accept you as a student, this is on the understanding that you accept these rules, regulations and procedures.

These Rules, Regulations and Procedures adhere to our legal obligations as a Higher Education provider whilst still ensuring that academic freedom and freedom of speech are maintained; further details of which can be found in our *“Policy Statement on Academic Freedom”*.

### **HE Student Charter**

The expectations for both students and UCP are outlined within the Higher Education Student Charter. This is available at <https://www.ucp.ac.uk/policies/> or copies can be obtained from University Centre Peterborough Reception.

### **Academic and Assessment Regulations**

These rules and regulations do not supersede the Academic and Assessment Regulations of awarding and accrediting bodies which identify all academic procedures for continuation of study and rights of academic appeal.

## Glossary of terms

- 1 **Suspended / Suspension**– restricting attendance at, or, access to, UCP or not allowing someone to carry out the duties of any office or committee membership in UCP or the Student Council. We will confirm the exact details to the individual in writing.
- 2 **Expelled** – permanently excluding someone from UCP and ending their status as a student or member of UCP.
- 3 **Intermit** – temporarily leaving your studies in line with our rules.
- 4 **Maladministration** – where we have not correctly followed our own procedures or we have discriminated unfairly.
- 5 **PRC** – Peterborough Regional College. As the UCP building is within the PRC campus, there will be regard to PRC procedures which relate to estates, staff conduct and safeguarding requirements.
- 6 **UCP** – University Centre Peterborough
- 7 **ARU** – Anglia Ruskin University is the awarding body for UCP and as such *you* are bound by the Academic Regulations of ARU and will adhere to their rules and procedures when accessing library, IT and VLE resources.
- 8 **We** - UCP and any of our wholly owned subsidiary companies.
- 9 **You** – a student who is registered and studying at UCP. Your membership of UCP will end, unless we end it earlier under these rules, at the end of the Award Ceremony we invite you to attend. If you intermit your studies, in line with our rules, you will still be covered by these rules, regulations and procedures for students. However, you do not have to pay tuition fees.
- 10 **Student Council / Student Representative / Student Officer** – UCP does not currently have an NUS and instead operates a Student Council, trains elected Student Representatives from each course and in addition has a Student Officer. The Student Officer is a student who is paid to represent student issues and attends a range of committees and sits on the UCP Council

## Code of conduct for students

- 1 As a student of UCP we expect you to behave in a responsible manner that allows us to foster a community of freedom and mutual respect. You are an ambassador of UCP and as such we require you to help support the good relationships between the University Centre and its local communities. We also have a duty to ensure that we meet your expectations and provide a community whose foundations are built on courtesy and consideration where difference is valued and diversity respected. Expectations are clearly outlined in your Student Charter.
- 2 Misconduct is defined as behaviour whereby you damage UCP's reputation by any deliberate, negligent or reckless act or statement that enters the public domain. It also includes behaviour that is deemed to be violent, offensive and illegal which will encompass both acts against the person or property.
- 3 We may treat the following as misconduct:
  - a If you disrupt, or interfere with, our academic, administrative, sporting, social or other activities, whether on university premises or elsewhere such as during a work placement.
  - b If you obstruct, or interfere with, the work, duties or activities of any governor, student, member of staff or other employee or authorised visitor to UCP or PRC.
  - c If your behaviour is violent, indecent, disorderly, threatening or offensive, or if you use this kind of language while on our premises or while involved in any activity linked to the university.
  - d If you act fraudulently, deceptively or dishonestly towards us or our staff or in connection with holding any office in UCP or in relation to being our student. This will include details pertaining to qualifications and/or experience provided during the Admission process.
  - e If you do anything which is likely to injure anyone or damage our premises and contravenes health and safety guidance such as fire evacuation procedures.
  - f If you harass any student, member of staff, employee or any visitor of UCP or PRC for any reason.
  - g If you break our code of practice on the freedom of speech or any of our rules or regulations.
  - h If you are dishonest in any way when it comes to academic assessments and examinations.
  - i If you damage our property or the property of other members of the UCP or PRC community, whether deliberately or recklessly. This includes taking property.
  - j If you misuse our premises or items of property, including IT systems.
  - k If you take part in a criminal offence that:
    - i takes place on our premises, or at an event we control;

- ii affects or concerns other members of our community;
  - iii damages our name;
  - iv is treated as misconduct under the terms of this code, or
  - v is one of dishonesty, if you hold a responsible position in UCP.
- I If you do anything which affects our reputation.
- m If you fail to give your name and other relevant details to us if it is reasonable for us to ask for that information.
- n If you fail to display your UCP ID badge at all times whilst on our premises and the PRC campus.
- o If you fail to keep to a previously-imposed penalty under this code.
- p If you use social media or electronic communication in any way that causes offence, is illegal and/or damages the reputation of the University Centre or its stakeholders

## Rules, regulations and procedures for students

We have created these rules, regulations and procedures so we can run this university centre effectively. If you break any of them, we may take disciplinary action against you under our student disciplinary procedure.

### 1 Attending the University Centre

- a We will take all reasonable steps to provide the teaching, assessment and other educational services set out in our prospectus and handbooks. However, we cannot guarantee to provide these services.
- b If industrial action or some other cause beyond our control affects our ability to provide educational services, we will take reasonable steps to reduce, as far as possible, any disruption to those services.
- c You must attend all lectures and do so regularly and on time. It should be noted that employers will ask for such details within reference requests.
- d If your behaviour, attendance or academic record is not satisfactory, we may take disciplinary action against you under our disciplinary procedure.
- e We can close a course unless an appropriate minimum number of students attend the course regularly and will abide by our Terms and Conditions in terms of communication, notice, refunds and support offered to you.
- f You must let us know about any changes to your enrolment information, such as your name, home address, term-time address, sponsor and employer. If you do not provide this information, you are breaking our rules and we may take disciplinary action against you.
- g If you take leave of absence or withdraw (temporarily or permanently) from UCP, you must give us a properly filled-in withdrawal form signed by an appropriate member of staff and attend a meeting. This is also to ensure you are aware of alternative modes of study, here at UCP or alternative institutions, and advise you of your financial liabilities.

### 2 University fees

#### a General

- i Details on tuition fees are in section 2b. You can pay any other fees within 30 days of the invoice date. If you do not, we will charge you a late-payment fee. You must also pay debt-recovery fees, if they apply.
- ii A self-paying student is someone who is responsible for paying the tuition fee.
- iii A sponsored student is someone whose employer, government agency, embassy or similar organisation is responsible for paying the tuition fee.

#### b Tuition fees

##### Sponsored students

- i If you are sponsored, you must produce, within 10 working days of registering, the full name and address of your sponsor who will be responsible for paying your tuition fees.
- ii We must receive your tuition fees within 30 days of the date on our invoice. If your sponsor does not pay or if we do not receive details of your sponsor you will have to pay any tuition fees due. You will then become a self-paying student – see C below.

- iii If you are changing your sponsor, you must give us the full name and address of your sponsor who will be responsible for paying your tuition fees. If you do not, you will become responsible for paying any fees due. You will then become a self-paying student – see C below.

**c All students**

- i If you have applied for tuition fee loans or grants through the UK Government, you must produce a financial notice, supplied by Student Finance, as close to the registration process as possible. If you are already a student, you must renew your application with Student Finance Direct for each year of study and produce the financial notice supplied by Student Finance.
- ii If you owe us any money, we will not allow you, other than in exceptional circumstances, to come back to this university centre until you have paid us all amounts you owe.
- iii If you are not eligible for UK Government support or sponsorship (see 2b1), you must pay the full tuition fees when you register, or before you register, unless we have agreed to let you pay by instalments.
- iv If you are returning for another year of your study, you must complete a registration process before you begin your studies again. If you do not register in this way, we will not count any assessment results you receive in a period for which you have not been registered at an Awards Board.

**d Self-paying students**

- i You must pay the full tuition fees at or before you register unless we have agreed to payment by instalments.
- ii We can arrange for you to pay by instalments if you want to. This is the only situation where instalments will apply.
- iii If we agree for you to pay in instalments, you must pay one-third of the fee when you register, or before you register. You must then pay the rest in equal instalments (using a credit or debit card) on our web-payment facility. The number of instalments will depend on the length of your course and will be agreed by the Finance Team.
- iv You cannot pay by instalments for courses of less than five months.

**e If you fail to pay**

- i If you fail to make a payment on the due date, you will be charged a late-payment fee. (The UCP Council will decide on the level of this fee.)
- ii If you further delay to pay, we will ask you to pay the total amount immediately and charge an extra payment default charge. (The UCP Council will decide on the level of this fee.)
- iii You must pay all fees promptly. If you fail to pay fees by the date they are due, we may suspend you from the University Centre. If we plan to suspend a student for not paying fees, we will issue a notice. The notice will give a deadline for payment. If you ask us before that deadline, we will interview you; and:
  - accept payment in full;
  - agree a proposal for payment after the deadline; or
  - decide to suspend you.
- iv If you do not ask for an interview or pay what you owe in full, we may decide to suspend you.
- v If you are suspended and do not make the payment by the deadline in the notice, we will expel you. If you ask us before that deadline, we will interview you, and:
  - accept payment in full;
  - agree a proposal for payment after the deadline; or



- decide to expel you.
- vi If you do not ask for an interview or pay what you owe in full, we may decide to expel you from the University Centre.
- vii You can appeal to the Academic Director within 10 working days of receiving notice of your suspension. The Academic Director will take any advice they feel is appropriate when considering your appeal.
- viii You have a right to appeal to the Academic Director within 10 working days of receiving notice of being expelled. There is a copy of the appeals procedure in this document.
- ix If you do not pay the fees, unless the law says differently, we will not grant your academic award or any certificate or diploma that may be due until you have paid the fees in full. We will also not confirm your assessment results to anyone else. And, we will report European Union and overseas students to our international office.
- x We may, at any time, begin legal proceedings to recover any amounts you owe, including costs to recover the debt.

### 3 Refunding tuition fees – as stated in our Terms and Conditions

- a We will not refund your tuition fee other than for the reasons shown in b below.
- b The circumstances when we will give a refund are:
  - i if you are ill and receive a doctor's certificate which confirms your illness is likely to disrupt or prevent you from continuing your studies (we will refund any remaining weeks of your course from the date we received your doctor's certificate);
  - ii if we cancel your course; or
  - iii if you withdraw during the first three weeks of a course. We must receive a properly authorised and dated withdrawal or intermitting notice form (forms R1a and R1b).
- c If you leave during or at the end of your first semester after the initial 3 weeks, we will refund only the second semester. If you leave during your second semester, you will not get a refund.
- d If you are from outside the European Union or the European Economic Area, we will only make refunds into a bank account in your home country if you show us evidence (which proves in our reasonable opinion) that you have transferred to another UK further- or higher-education institution or have left the United Kingdom and no longer plan to study at the University Centre. In these cases, we may take from any refund a fee to cover our administrative expenses in processing your application and refund.

### 4 Buildings and property

#### a Refreshments

- i We only allow eating and drinking in those areas of our buildings set aside for these purposes. You cannot eat and drink in areas such as computing suites, laboratories, workshops or the library. Drinks can be taken into standard teaching rooms including the lecture theatre, but if litter or damage is caused, we reserve the right to amend this guidance.

#### b Smoking

- i You cannot smoke or vape in any of our buildings. You can only smoke or vape in designated areas on the campus.

**c Damage to equipment and premises**

- i If you damage our property, you must, when we demand, pay the full cost of the repair or replacement.

**d Security**

- i When we register you, we will give you with a student identity card. You must wear this card at all times on our premises or those of Peterborough Regional College and produce it if any member of our staff or other authorised representatives ask to see it.

**e Parking cars**

- i You cannot park a car, cycle or motorcycle depending on the campus concerned, anywhere other than in designated areas. You must also keep to on-campus speed restrictions.
- ii Disabled spaces on campus are reserved for those with blue badges and as such action will be taken if this is abused.
- iii Security and other members of our staff will carry out spot checks to make sure that nobody is breaking parking control regulations. If you do break regulations, we will warn you and take immediate action.
- iv If you continue to break the regulations after receiving a warning, we may take disciplinary action under our disciplinary procedures. This may lead to expelling you.
- v We will investigate all claims of the regulations being broken and, where appropriate, take necessary disciplinary action in line with our disciplinary procedure.

**f Mobile phones**

- i You must make sure your mobile phone is set to silent in teaching areas, open-access areas identified for silent study and the library.

**5 Health and safety****a Medical condition**

- i You should alert staff to any medical condition which may affect your performance. You must let us know (UCP Student Support Centre) if you are in contact with another person with a notifiable disease (for example, mumps, meningitis, TB or any other condition that a doctor legally has to report to a 'proper officer' of the local authority).

**b Safety**

- i You must keep to our safety regulations. You must report any accident, as quickly as possible, to UCP Reception, and fill in an accident report form.

**c Protective clothing**

- i If you go to workshops or laboratory practical classes, you must wear appropriate protective clothing and abide by all health and safety procedures.

**d Emergency precautions**

- i You must make yourself aware of the procedures in a fire or other emergency.

**e Students working away from the university centre premises**

- i If you are working on other premises, you will still need to follow our rules and regulations. However, you will still have to follow rules on health and safety laid down by the institution where you are working.

## f IT and electrical equipment

- i Any personal IT or electrical equipment used on the campus must have appropriate PAT (Portable Appliance Testing) testing before being connected to our infrastructure. You may be liable for any damage caused by not adhering to this.

## 6 University disciplinary procedures and appeals procedures

- a If you commit an act of misconduct (or alleged misconduct) and we cannot allow you to continue at this university, the Deputy Director may suspend you while an investigation takes place. You can appeal against a suspension of three weeks or more. You should make your appeal in writing and address it to the Academic Director. You can find details of this procedure in this document.

## 7 Loss of, or damage to, personal property

- a You will be responsible for all property (which includes clothing, computers and other electrical and electronic equipment, cars, cycles and motorcycles, and their contents) brought to or left on our premises. We will not accept any responsibility for your property or for loss or damage to it.
- b You must take out adequate insurance for your personal belongings and property while on our premises.
- c We will cover direct damage to your property if it is caused by our negligence, action or failure to act.
- d We will not be legally responsible for any special or consequential loss or damage which you may suffer.

## 8 Harassment

- a Harassment, bullying and victimisation are illegal and never acceptable. We can also treat them as misconduct, which may result in you being suspended or expelled from this university. You can find a copy of our policy and the procedure for dealing with unacceptable behaviour under the heading Dignity at Work and Study Policy and Procedures elsewhere in this document.

## 9 Work placements / industry or commissioned projects

- a If you are removed, dismissed or rejected from work experience because of your lack of competence, poor behaviour, health, attendance or otherwise and if there is no other reasonable alternative, we will end your place on your course and ask you to withdraw from UCP. Disciplinary action may also be taken against you if during a project your behaviour and application contravenes these Rules, Regulations and Procedures.

## 10 Awards, certificates and diplomas

- a We will issue all certificates, diplomas and awards in the name in which you registered.
- b We will only replace a lost certificate or diploma if you give us the appropriate form (from Anglia Ruskin's Conferment Unit) sworn in front of a Commissioner for Oaths, and pay a fee of £25. A damaged certificate or diploma will be replaced free of charge if you return it to the Anglia Ruskin Conferment Unit.
- c Anglia Ruskin will only issue a replacement certificate or diploma which involves a change of name, in exceptional circumstances. However, you must give us evidence and the original certificate or diploma.

- d Edexcel and other awarding bodies will also have similar procedures which students must adhere to.

#### 11 Attending award ceremonies

- a Invitation to attend the graduation ceremony is subject to completion of your award and good standing as a student. Disciplinary and / or action taken regarding misconduct may result in us not extending an invitation to graduation (please note this will not affect awarding of your qualification).
- b Degrees are awarded at an award ceremony which we hold at least once a year for that purpose.
- c You cannot attend the award ceremony until you have paid all fees you owe us.
- d You do not have to come to the award ceremony and if you do not, it will not affect you getting a degree.
- e You will be invited to attend the award ceremony in line with arrangements set out and publicised by UCP.
- f We are not responsible for any correspondence you send us or we send you if it is not delivered.

#### 12 General (and not academic appeals which are specified in Academic and Assessment Regulations of the awarding body)

- a If you appeal, we will consider you to be a student until the appeal is over. As a result, you are legally responsible for paying fees during the appeal period. We may assess you, but we will hold the outcomes of your assessment temporarily until we know the outcome of the appeal. If the outcome of the appeal leads to your period of study at the university centre ending, we will set aside the assessment and refund any fees paid for the appeal period.
- b Any rule or regulation which refers to an individual student will equally apply to groups of students and vice versa.

## Meetings on university property

### Code of practice on the freedom of speech general

- 1 The Education Act 1986 states that we must take any reasonable steps to make sure that members, students, employees and visiting speakers have freedom of speech. It includes our further duty of making sure that we do not deny any person or organisation the right to use our premises or any reason connected with:
  - a the beliefs or views of that individual or of any member of that organisation; or
  - b the policies or aims of that organisation.
- 2 As a result, we must have an up-to-date code of practice for our members, students and employees in connection with meetings or similar events held on our property. All those concerned with governing this University Centre must make sure, through disciplinary measures if needed, that people keep to the terms of the code of practice.
- 3 For the purposes of this code, 'meeting' refers to any gathering, event or similar activity, of 20 or more people, organised by this University Centre (including the Student Council and clubs and societies linked to the Student Council).
- 4 A smaller meeting will involve giving notice to the Academic Director if the meeting may be addressed by a person who people could or will object to.
- 5 The code of practice in this document applies to the following situations.
  - a Events arranged by our staff, outside the normal teaching programme.
  - b Events arranged by the Student Council or a linked society.
  - c Events outside the normal teaching programme arranged by any person or group not covered by a or b above.
  - d Any other related matter which the UCP Council says will fall within the code.
- 6 We are responsible for maintaining good order on our premises. As a result, we can regulate and, if necessary, place conditions or restrictions on meetings and demonstrations on our property.

### Organising meetings and giving notice

- 7 The events described in paragraph 2 must have a named 'organiser' who will have to:
  - a arrange to book the room;
  - b take all reasonable steps to make sure that the meeting stays within the law; and
  - c be at the meeting.

**8** Meeting organisers or members of staff responsible for taking the accommodation booking must consider whether any proposed meeting might place freedom of speech at risk or general good order. If there are reasons for concern, you must tell Academic Director at least four weeks before the proposed meeting is to be held. The notice will require the completion of the external speaker procedure stating:

- the name of the speaker;
- the name of the organisation arranging the event;
- the nature of the address;
- the precise times for when the speaker will arrive and leave; and
- the proposed location of the event.

Within five working days of receiving the notice, the Academic Director will tell the organiser whether permission is granted.

**9** The Academic Director may say the organiser must keep to certain conditions. These conditions may include the following.

- A requirement to issue tickets, particularly if the meeting is open to the general public.
- Making sure there are enough stewards available.
- Consulting the police about the arrangements.

The organiser will be responsible for the cost of meeting any requirements, and for fulfilling them.

### Reasons for refusing permission to hold a meeting

**10** It would not be right to refuse to allow a meeting to take place simply because controversial views might be expressed. However, we need to decide whether the meeting might:

- a encourage a criminal act;
- b be in direct support of an organisation whose aims are illegal;
- c put at risk the safety of people at the meeting or others nearby; or
- d threaten our security.
- e contrary to The Prevent Agenda

If it seems likely that any of points a to e might take place, the Academic Director can withhold permission.

### Appealing against our refusal

**11** If you believe our refusal is based on the beliefs, views, policies or aims of the individual or organisation you can appeal to the UCP Council.

### Penalties

- 12** All our members, students and employees must keep to this code of practice. We will consider it a disciplinary offence if you:
- a** deliberately or recklessly disrupt or try to disrupt our activities and functions; or
  - b** deliberately or recklessly affect anyone's freedom of speech or the right to meet on our property.

### Notes Enforcement

- 13** We may not have the resources to identify all those who might be taking part in the sort of misconduct we deal with in this document. We cannot make witnesses attend any disciplinary proceedings. However, if someone does break this policy at a university event, we will take all reasonable steps to identify them and to press charges.
- 14** If you break the law, we will be ready to help the prosecuting authorities.

### Public Order Act 1986

- 15** If you are organising a public meeting, you should be aware of sections 11 and 14 of the Public Order Act 1986, to do with processions and assemblies and, in certain circumstances, the need to tell the police. We have attached relevant extracts of this act.
- a** Part II of the Public Order Act 1986 deals with processions and assemblies.
  - b** Under section 11 of the act, you must give written notice, to a police station in the area in which a procession will start, of any proposal to hold a public procession, which is aimed at:
    - demonstrating support for or against the views or action of a person or organisation;
    - publicising a cause or campaign; or
    - marking an event;

unless it is not reasonably possible to give this notice.

The notice must give the date of the procession, the time when it is planned to start, the proposed route and the name and address of the person organising it. If not delivered by recorded delivery six or more days before the date when the procession is to be held, the notice must be delivered by hand at least six days before the date of the procession. If that is not reasonably possible, it must be given as soon as is reasonably possible.

- 16** Under section 12 of the act, a senior police officer may give directions needed to prevent disorder, damage, disruption or intimidation. This can include conditions on the route of the procession or preventing it from entering any particular public place.
- 17** Under section 14 of the act a senior police officer may give directions on the place at which the assembly may be held (or continue to be held), how long it can last, or the maximum number of people who may attend.

- 18** The addresses to send notices are shown below.

In the Peterborough area:

Cambridgeshire Constabulary Headquarters, Hinchingsbrooke Park, Huntingdon,  
Cambridgeshire, PE29 6NP







## Anglia Ruskin University library rules

### Introduction

UCP Students have access to libraries at Anglia Ruskin University. The following are Anglia Ruskin's rules by which UCP students are bound.

We have designed these rules to make sure that our staff and students get the most benefit from the resources and facilities of the university library. The rules cover all of the libraries within Anglia Ruskin University. Separate rules apply to the use of PRC libraries.

### 1 Membership

You can take out one of the following categories of membership.

#### a Internal membership

- i Staff membership, including others the University Librarian decides may have this

The University Librarian will decide who can have staff membership as shown on our website.

- ii Student membership

Current students registered at Anglia Ruskin University are entitled to student membership.

#### b External membership

- i Subscription membership

Subscription membership is available at a charge. We review charges each year.

- ii Associate membership

Associate membership is available to people associated with Anglia Ruskin University and our activities.

- iii Reference membership

The University Librarian may allow other people to have reference membership.

As such they can only use the resources and facilities in the library.

#### c Eligibility for membership

You must prove you are eligible to be a member.

#### d You must:

- keep your membership card while you are a member;
- let the University Librarian know about any change of address;
- renew your membership each year, unless you have student membership and keep to the following rules.

### 2 Borrowing

#### a Membership cards

You cannot transfer your card and you will be responsible for any items issued against your card unless you report the loss of the card to the University Librarian. You must report any loss immediately.

#### b Loan allowances

You may borrow up to the limit of items allowed in your category of membership but we may limit the number of items we loan in certain types of materials. We can increase the maximum number of loans allowed for each person in exceptional circumstances.

#### c Period of loan

You must return all books on or before the date due or earlier if we tell you that an item is needed by another reader.

#### **d Special conditions**

The University Librarian can place special conditions on using or loaning any item.

#### **e Overdue items**

For the university library to be effective all members need to return items promptly.

- i** The date or time of return will be shown for each item issued.
- ii** A fine will apply as soon as the item becomes overdue. It will be charged for each day (or part of a day) or hour (or part of an hour) whichever is appropriate to the type of loan. If you report an item lost after it is overdue, we will charge you as in rule 5b. You will also have to pay the fines due.
- iii** We display the scale of fines in all libraries and on the library's website. The University Librarian can decide not to charge fines and penalties under rule 2e2 if there are exceptional circumstances.
- iv** If you have items overdue or you owe money for fines, you will not be able to loan any items.

#### **f Licence agreements and copyright restrictions**

Information resources, software applications and recordings will be governed by licence agreements and copyright restrictions. When you use these resources, you must make sure that you keep to any advisory notices provided. We may restrict access to certain electronic or digital services for certain categories of membership due to licence.

### **3 Inter-library loans**

- a** We may loan books and other materials in the university library to other libraries.
- b** We may borrow books and other materials from other libraries for our members to use. We will charge you for this service according to your category of membership.

### **4 Photocopying**

- a** When you use photocopiers, you must keep to the terms of current copyright law.
- b** The University Librarian will set the charges for photocopying. We will review charges each year and make sure they are enough to cover costs and associated overheads.

### **5 Damage to or loss of books and materials**

- a** We may charge for any damage to or loss of books or materials from the libraries at the current replacement value or repair cost. The University Librarian will decide whether to repair or replace the item and may also make an administration charge.
- b** We will consider any overdue item which is not returned after sending a final overdue reminder as lost. The University Librarian will assess the cost of replacing the item and charge you accordingly.

### **6 Security**

- a** You cannot take any materials out of the library unless they have been issued.
- b** You must allow members of the library staff to examine any items which you are taking with you when you leave the library.

## 7 General rules

- a We provide the libraries of Anglia Ruskin University for the benefit of our members. If we believe you are acting in a way which means this is not possible, we will exclude you from the facilities.
- b You must be silent in all quiet areas.
- c You cannot drink except from bottled or lidded drinks, or eat in the libraries, except in the designated refreshment areas. Alcohol is strictly forbidden.
- d You should remove all belongings from tables or rooms whenever you leave the library. We will not be responsible for any personal property you leave the library.
- e No animals are allowed in the library buildings except assistance dogs.
- f You cannot make or take phone calls in the library except in designated areas. You must switch mobile phones to silent at all times.

## 8 Closing a library in an emergency

- a If an emergency means we need to close the library, you must leave immediately when asked to do so by the member of staff in charge. While we recommend that you take coats and other personal belongings, this must not delay you from leaving the library premises. You will not be allowed back on to the premises until we confirm that the emergency is over.

## 9 Library staff work areas

- a You are not allowed in staff work areas unless a member of the library staff is with you.

## 10 Withdrawing library facilities

- a If you do not keep to these rules, we may withdraw any library privileges you have. If you keep breaking the rules, we will report you to the University Librarian, who will discuss the matter with the appropriate Dean of Faculty. They may take further disciplinary action.

Approved April 1996  
Amended October 2000  
Amended June 2001  
Amended April 2004  
Amended April 2005  
Amended April 2006  
Amended July 2007  
Amended July 2008  
Amended April 2009

## Using Information Communication Technology (ICT) facilities

UCP Students have access to ICT facilities at University Centre Peterborough, Peterborough Regional College, and remotely, Anglia Ruskin University. The following are IT rules by which UCP students are bound whether on our campus or those of PRC and ARU.

### 1 Rules

- a These rules should help make best use of a valuable resource while respecting your rights. They apply to all computer hardware and software (whether our property or not), which you use on our premises or premises we control.
- b You must not use our ICT facilities for any illegal activity.
- c By registering as a student with us, you are accepting these regulations, our information security policy posted on our website and the Joint Academic Network (JANET) Acceptable Use Policy as currently defined at [www.ja.net/services/publications/policy/aup.pdf](http://www.ja.net/services/publications/policy/aup.pdf)

### 2 General

- a We may occasionally need to monitor communications such as phone calls and e-mails, and to monitor student access to the internet. We do this for a range of legitimate reasons, for instance to monitor abuse of the internet, or to make sure inappropriate e-mails are not being sent. While we do not monitor regularly, we can intercept e-mail messages and phone calls to help protect our interests. By becoming, or continuing as, a student of University Centre Peterborough, you give your permission for us to do this. For this reason, you may prefer not to use our IT systems for personal communications.
- b If you deliberately do or fail to do something that could cause a general loss of the service or interfere with the work of another user, you will have broken our rules. This includes:
  - i using ICT to allow one user to pretend to be another or as the system operators;
  - ii sending offensive or unnecessary messages;
  - iii disrupting the service through carelessly introducing a 'virus', a Trojan horse or another harmful program or malware; and
  - iv similar acts or failures to act.

We may take disciplinary action against you if you break our rules.

### 3 Borrowing IT and other learning resource equipment from UCP

- a You can borrow laptops and other learning resources onsite at University Centre Peterborough from reception.

- b** We will loan equipment to you in person and you must provide your student identification number, a contact telephone number and sign the equipment in and out. You are responsible for it, and only you may use it.
- c** You must return the equipment in person on the same day as loaned.
- d** You must return the equipment in the same condition you borrowed it in.
- e** If the equipment will need you to receive training or health-and-safety advice, you must prove you have received the necessary training or advice.

#### 4 Copyright

- a** It is illegal to store or publish unlicensed copyright material.
- b** You must keep to the terms and conditions of all licence agreements relating to IT facilities which you use, including software, equipment, services, documents and other goods.
- c** You must not modify any software or include any part of it into your own work without permission from the licensor.

#### 5 Data protection (GDPR) and other laws

- a** If you hold or process personal information on our computers, you must do so in line with the Data Protection Act 1998 as well as the GDPR Act 2018.
- b** You must not use another student's user name or password, or allow any password issued to you to become known to any other person.
- c** Having logged in, you must not leave IT facilities unattended.
- d** If you connect equipment to our networks, you must do so in line with our policy. You can find details on our website. In particular this means you cannot set up unauthorised subnets or ad-hoc networks.
- e** You must not try to gain access to our systems management facilities or other IT facilities which are not available for student use.

#### 6 Privacy and privileged information

- a** You must treat any information which becomes available to you through using our computers as privileged. This means you cannot copy, change, pass it on or use it in any other way without the permission of the owner or appropriate organisation.

#### 7 Penalties

- a** If you break these rules, we may ban you from using certain facilities for up to seven days. We may also take other action against you, as allowed in the rules and regulations.

- b** If you damage files or hardware, we may also charge you the full cost of replacing it, including labour and related costs.

## Rules and procedures for borrowing PRC media equipment and using media facilities

In order to ensure there is sufficient equipment for all students we ask that you abide by the following rules. It is also important that you plan and allocate sufficient time to undertake production work as failure to do so will impact on your ability to achieve your deadline and does not demonstrate the required production planning skills industry requires.

### 1 Borrowing equipment

- a You can only borrow and return equipment during the hours advertised at the Media and Journalism Centre.
- b We will loan equipment to you in person. You are responsible for it, and only you may use it. In the case of people in a production crew, all members of the crew are equally responsible, and all inducted members of that crew may use the equipment.
- c You must return the equipment in person at the time given when making the booking.
- d You must return the equipment in the same condition you borrowed it in.
- e If the equipment will need you to receive training or health-and-safety advice, you, and each member of the crew, must prove you have received the necessary training or advice.

### 2 Overdue items

- a We may fine you, if an item is overdue, damaged or lost.
- b We display the scale of fines in the Media and Journalism Centre. The Head of Faculty for Media can decide not to charge fines and penalties under rule (2a) if there are exceptional circumstances.
- c If you have items overdue, or you owe money for fines, you will not be able to book or loan any items until you have paid your debt and returned the items.

### 3 Damage to or loss of items

- a We may charge for any loss of or damage to loaned equipment at the current replacement value or repair cost. The Head of Faculty for Media will decide whether to repair or replace the item, and may also make an administration charge.
- b We will consider as lost any overdue item that is not returned after we have sent you a final overdue reminder. The Head of Faculty for Media will assess the cost of replacing the item and charge you as a result.

### 4 Problems with equipment

- a You must report all problems with equipment either to the issue desk or to any member of the Media staff.
- b You must get technical advice from those members of staff named.

## 5 Working on location

- a** You must get permission from the owner before filming, photographing, or carrying out radio interviews on or in private property.
- b** You should not film, photograph or record members of the public, even in public places without permission.
- c** Children should not be filmed, photographed or recorded without the express written permission of parents or guardians. Schools, colleges and other educational establishments will have clear guidelines which you will need to adhere to.
- d** If you are working on location, you must pay attention to good health-and-safety practice. You must never place yourself or others in situations which could be dangerous, confrontational or be deemed illegal. You should also be mindful of your safety and seek clear guidance on any instance of lone working.

## 6 Media facilities

- a** You must book media facilities (for example, edit suites and studios). If the facilities involve training or advice on health and safety, you must prove you have received this training or advice.
- b** You must begin using an edit suite or studio no later than 15 minutes after the time the booking began. We may cancel bookings for facilities which you do not use within this time.

## 7 Keeping to the rules

If you break these rules, we may take action against you as allowed in our rules and regulations.



## Fitness to practise policy and procedures

### 1 Introduction

Any issues raised under these regulations will be dealt with promptly, sympathetically and with respect for privacy and confidentiality. Information will only be disclosed to other parties as is necessary for the investigation of a case, or for safeguarding reasons, or as required by law, or as is required by the relevant professional, regulatory or statutory body. For courses which qualify students for professional accreditation by another organisation, we have a duty to protect the public by setting standards for professional practice, overseeing the education of students and taking action when we doubt whether they are fit to practise.

This policy applies if concern is raised about your fitness to practise. It is designed to make sure that we take appropriate action in the best interests of the public, the profession and you. It is not appropriate for us to enrol you or allow you to continue to study on a programme when you would be unable to enter that profession such as education where you must be able to hold a full DBS.

### 2 Possible issues which could cause concern

- a Issues which could cause concern will vary from profession to profession but may include:
  - i criminal convictions;
  - ii criminal convictions which prevent you from obtaining a DBS;
  - iii information previously not declared which raises questions of your suitability;
  - iv allegations of inappropriate behaviour; and
  - v illness. This is not a full list.

### 3 Procedure for dealing with a concern

- a If there is, for whatever reason, concern about your fitness to practise, this must be reported to UCP's Academic Director.
- b The Academic Director will investigate the concern and outcomes could be:
  - I. Apology and agreement to abide by the UCP code of conduct
  - II. Verbal warning
  - III. Written warning
  - IV. Or escalation to the Fitness to Practise Committee
- c If, as a result of the investigation, the Academic Director considers that there are reasons for calling a meeting of the Fitness to Practise Committee, they will pass, to the committee secretary, a written statement with the reason for concern.
- d Once the Academic Director has lodged a concern with the committee secretary, you may continue with your course, without affecting the outcome of the hearing, as long as you do not put yourself or others at risk. The final decision on whether you can carry on attending the University Centre or a placement will be with the Academic Director.

### 4 Procedure when concern for a student is referred to the Fitness to Practise Committee

- a** The committee secretary will refer the concern to the Fitness to Practise Committee.
- b** At least seven working days before the hearing, the committee secretary will give to the Academic Director and to you, two copies of any documents which are to be placed before the committee.
- c** The committee secretary will do the following.
  - i** They will call a meeting of the committee, normally within 20 working days from the day on which they receive the written statement in section 3c above.
  - ii** They will ask you if you object to the Student Officer or a member of the Student Council/Student Representative being at the meeting of the committee.
  - iii** At least 15 working days before the meeting, they will give notice to the Academic Director and the Student Officer or a member of the Student Council/Student Representative of the date, time and place of the meeting.
  - iv** At least 15 working days before the meeting, they will give you notice in writing and by hand or if this is not possible by recorded or special delivery to your last known address. The notice will give details of:
    - the reasons for concern;
    - the date, time and place of the committee hearing;
    - your right to be heard at the hearing;
    - your right to be accompanied by a friend (who may not also be a witness) or by a representative of the Student Council;
    - your right to provide a written statement or written evidence for the committee to consider (this must be received at least two working days before the hearing);
    - your responsibility to let witnesses know about the hearing and to make sure they attend; and
    - your responsibility to let the committee secretary know, as soon as possible and at least two working days before the hearing, the names of the witnesses you plan to call and, if you want to be accompanied by a friend, the name of the friend or name of the representative of the Student Council.

## 5 The hearing

- a** The chair will be elected. The chair may invite other people to be at the hearing for the purpose of maintaining security or safety.
- b** The committee secretary will keep a record of the proceedings and may, for this purpose, appoint a recording clerk.
- c** If two or more students are the subject of the hearing, the committee will decide whether it would affect the interests of either by hearing the complaint against them jointly. If, in the committee's opinion, interests might be affected or proceedings could not be easily or fairly carried out against two or more students together, they will continue the hearing against them individually.
- d** Evidence will be taken in the following order.

- From the Academic Director.
- From witnesses called by the Academic Director.
- From you or your friend or representative of the Student Council.
- From your witnesses.

The Academic Director will then give a final statement.

You or your friend or representative of the Student Council will then give a final statement.

- e The committee can put questions to anyone at the hearing.
- f You and the Academic Director will have the right to be present when evidence is taken and you can put questions to the witnesses and to each other. However, you cannot ask any questions after each other's final statement.
- g The Student Officer or a member of the Student Council/Student Representative, depending on **4 c ii**, can be present when evidence is taken but not during the committee's decision.
- h If you do not appear at the hearing, the committee may deal with the matter without you, as long as they are satisfied that the committee secretary has given proper notice to you of the hearing.
- i The committee will sit in private to make its decision. The committee secretary will be present.
- j If you go to the hearing, the committee will give you their decision at the end of the hearing. Normally within five working days, the committee secretary will inform you in writing of the committee's decision, and let you know that you have a right to appeal against the decision, to the UCP Council. If you want to use this right, you must give notice within 10 working days of the date of the committee's decision.
- k After sending you notice of the committee's decision normally within 10 working days, the committee secretary will send you a set of formal minutes taken at the hearing.

## 6 Powers

- a The committee will, by majority, have the power to:
  - i decide that there are no reasons for concern; or
  - ii decide that there are reasons for concern, but they are not serious enough to recommend that you are not fit to practise (in this case, the committee may recommend to the Academic Director a course of action to take); or
  - iii decide that you are not fit to practise and recommend to the Academic Director that you withdraw from your course at this University Centre (unless there is a reasonable alternative).

## 7 Appeal

You will have the right of appeal to the UCP Council as shown in Appeals Committee Procedure for appeals by students. We will only consider appeals if the student claims alleged maladministration or if new information is presented.

## 8 Fitness to Practise Committee Constitution

- a The committee is made up of:
- An independent Academic (see 1 below);
  - two members of UCP's or ARU's staff (see 2 below); and
  - an independent member who is not a current member of staff or a current student of UCP or Anglia Ruskin University (see 2 below).
- b The independent academic will normally be an individual with experience of teaching on a relevant course in a UK university.
- c The two members of staff and the independent member will be members of the profession which accredits your course of study or will be suitably qualified in the reasonable opinion of the Academic Director.

### i Quorum

The quorum is the minimum number of committee members needed to make decisions. For this committee the quorum is three.

If fewer than three committee members are present and notice has been properly given, the secretary will call another meeting, normally within 20 days.

### ii Chair

The chair will be elected by the Committee.

### iii Secretary

The Secretary and Clerk (or their nominee) is the secretary to the committee.

## Dignity at work, study policy and procedures

### 1 Statement of commitment

- a** We are an educational institution whose mission and values form the background to our activities.

We want to develop and ensure:

- high-quality and excellence in learning and teaching;
  - an excellent organisation in terms of forming partnerships with the business sector, the community, the public sector, industry and the region;
  - customer satisfaction that exceeds expectation;
  - excellence in research;
  - academic freedom;
  - a professional approach, across the University Centre
  - quality staff who are motivated and skilled; and
  - working relationships with regional, national and international clients who can benefit from our involvement.
- b** To support this mission, we are committed to developing a culture in which treating colleagues, students and others with dignity and respect is standard. We will achieve this by doing everything reasonably possible to provide a supportive working and learning environment which is free from all forms of harassment, discrimination, bullying and victimisation (unacceptable behaviour). We will also achieve this when staff and students are confident that, if unacceptable behaviour does take place, we will identify and deal with it quickly, fairly and effectively.
- c** We also have a duty of care to our staff, students and visitors. We are legally responsible for making sure that the behaviour of our staff and students is acceptable. If we fail to recognise or investigate incidents of unacceptable behaviour, it does not excuse us from liability and could have serious legal consequences under health-and-safety, employment, and anti-discrimination laws.
- d** Our staff and students come from a wide range of backgrounds, cultures and nationalities, who may all have different views of what is, and what is not, acceptable behaviour at work and at study. This policy aims to clarify what we believe is unacceptable behaviour. All staff and students are personally responsible for their behaviour towards others and we expect them to show an active commitment to this policy and its aims.
- e** If a complaint arises, we will deal with it informally wherever possible. However, we know that there will be times when we may need to follow formal procedures. In these circumstances, if a complaint is upheld, we may take disciplinary action. If we find unacceptable behaviour exists, we may treat it as gross misconduct which justifies dismissing a member of staff or expelling a student.

### 2 Important points

- a** We know that if staff and students feel they are treated with dignity and respect, there is a positive effect on the quality of life for all. As well as the personal benefit to individuals,

it will improve our reputation as a desirable place to work and study, which can lead to higher levels of staff morale and student satisfaction.

- b** The effects of unacceptable behaviour can be very severe and should not be underestimated. As well as the personal distress and anxiety, its effects can be damaging to morale and standards of service within this university centre. It can also be expensive to deal with, and can harm our image and reputation.
- c** We know that an offence may not be deliberate. However, the person on the receiving end may well believe they have been the victim of unacceptable behaviour. It is important to remember this fact.
- d** Differences in culture, attitudes and experience, or the misinterpretation of social signals, can result in differences in people's view of a situation. What may be seen as unacceptable to one person may be seen by others as normal social behaviour. If these differences exist, we need to take account of how reasonable each person's view of the situation is.

### 3 Definitions

- a** Respect for people should form the backbone of the way every person working or studying at UCP is treated. Everyone is entitled to fair treatment. Examples of acceptable behaviour include:
  - appropriate levels of communication and supervision;
  - making sure people have the information they need to carry out their work or study; and
  - acknowledging achievement.
- b** Unacceptable behaviour can range from violence and bullying to more subtle behaviour such as excluding an individual from workplace activities. It can mean an individual or a group receives unwelcome attention, is intimidated, ridiculed, offended, or loses their privacy. It is unwanted by the person on the receiving end and continues after they make an objection. However, single incidents may be serious enough to be treated as harassment and justify a complaint. It can happen between any group of people or one person.

There are certain forms of unacceptable behaviour referred to in paragraph 1a which, in the interests of clarity, we explain below. They are harassment, bullying, and victimisation.

- c** Harassment, as defined in UK law, is: 'unwanted conduct that creates the effect of violating people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.'

Harassment can take many forms and can exist where any of the circumstances outlined in 3b above apply. It interferes with learning, working and social environments and can induce stress, anxiety, fear or sickness on the part of the harassed person. Harassment can be visual (including electronic transmission), verbal or physical. It may include behaviour, language, direct action, exclusion, or physical contact.

In most cases, harassment is a form of direct discrimination. Direct discrimination happens when someone is treated less favourably than others. Intentions and motives are not relevant in cases of direct discrimination, because it is the effect of the act that is important, not the intention behind it.

We describe the most common forms of harassment in the following paragraphs.

- d** Sexual harassment – any unwanted sexual attention ranging from suggestive looks or comments to indecent assault and rape. It includes:
- displaying sexually suggestive or offensive material;
  - sexual advances or demand for sexual favours;
  - jeering, ridicule or comment on appearance or dress;
  - aggressive, foul or lewd language;
  - sexual innuendo; and
  - sending pornographic, indecent or degrading material by e-mail or other form of electronic communication.

It also includes allocating work unfairly, or refusing to work with someone because of their sex.

- e** Racial harassment – any hostile, offensive or demeaning language or behaviour which is directed towards a person of one racial, ethnic or national group by a person of another racial, ethnic or national group. This includes:
- name-calling;
  - insults and racially offensive jokes;
  - verbal abuse or a physical attack;
  - threats;
  - racially offensive graffiti;
  - ridiculing cultural and national differences;
  - unwanted comments about dress or physical characteristics;
  - referring to a person's skin colour; and
  - deliberately excluding or refusing to work with someone for reasons related to their race, ethnic background or nationality.
- f** Harassment for reasons of disability – any behaviour, language or behaviour towards a person or people with disabilities which is demeaning or intimidating, or which undermines their dignity or confidence, or denies them opportunities. It includes:
- impractical or unfair work expectations;
  - unwanted, patronising or unnecessary help;
  - deliberately excluding or refusing to work with someone for reasons related to their disability;
  - mockery and offensive name-calling; and
  - refusing to communicate with a person direct.

It is important to remember that many disabilities are 'hidden', that is, they are not immediately clear to the observer. These include dyslexia, some sensory impairments, and conditions such as HIV or Aids, cancer, and mental-health conditions.

- g** Harassment for reasons of sexuality – any behaviour, language or behaviour related to a person's sexuality, or what is believed to be your sexuality. This includes:
- offensive remarks or jokes;
  - 'outing' a person without their permission;
  - deliberately refusing to work with someone for reasons related to their sexuality;
  - excluding someone from workplace activities;
  - innuendo or gossip; and
  - displaying or transmitting offensive, homophobic, transphobic or abusive material.



- h** Harassment for reasons of religion or belief – any behaviour, language or behaviour relating to a person’s religion or belief, or to their not following a particular religion or belief, that meets the above definition of harassment. This includes:
- offensive remarks or jokes;
  - refusing to work with a person because of their religion or belief; or
  - excluding someone from workplace activities.

It also includes preaching to colleagues or students during times meant for work or study.

- i** Harassment for reasons of age – any behaviour, language or behaviour related to a person’s age that meets the above definition of harassment. This can include:
- offensive ageist remarks;
  - making assumptions about a person’s ability or potential based only on their age; or
  - actions that deliberately exclude a person from doing certain things because of their age, without fair justification. This includes workplace activities, staff training or entering a course of study.

- j** Bullying is a psychological form of persecution present behind all forms of harassment and direct discrimination. A defining characteristic of bullying is that it involves the misuse of power, position or knowledge. However, it may not have such an obvious focus as race, sex, disability or other personal characteristics. Bullying tends to happen persistently, often without witnesses, over a period of time. Victims of bullying often feel unfairly humiliated, threatened or undermined. However, they may not always recognise what is happening and so feel trapped, isolated and powerless. They may even blame themselves for the behaviour they are experiencing. This can result in increased incidents of sickness and other forms of non-attendance and – if left unchecked – psychological damage.

- The following are examples of behaviour which could be treated as bullying. This is not a full list
- Personal insults or unjustified criticism
- Name calling
- Spontaneous outbursts of anger
- Shouting or swearing at an individual
- Public humiliation
- Excluding or ignoring an individual
- Setting unrealistic targets or deadlines
- Making changes to, or removing, responsibilities without consultation
- Unjustified disciplinary action
- Unfair or excessive supervision or monitoring
- Unfair blaming for mistakes
- Unjustified fault-finding
- Singling out or treating one person differently
- Inappropriate posts on social media sites or via electronic communication

As with harassment, it is the view of the person on the receiving end and the effect of the action that are important, not the intention behind it.

It is important to make the difference clear between bullying and firm management. Bullying, by its nature, is unfair and can undermine a person’s best efforts to perform well. Firm management, on the other hand, may involve setting demanding – but fair and achievable – targets and standards of behaviour appropriate to a person’s job, grade and level of



responsibility. It is also important for line managers to make sure that when it is necessary to tackle poor performance, give critical feedback, or take disciplinary action against a member of staff or student, it is done fairly at all times, constructively wherever possible, and in line with our appraisal and disciplinary procedures.

**k Other forms of unacceptable behaviour**

- Any behaviour or language that causes distress, patronises, belittles, offends, unfairly excludes, or is humiliating to others, and so is inappropriate.
- Making inappropriate references to a person's appearance or characteristics, invading their privacy, or carrying out practical jokes which cause physical or psychological distress.

**l** Victimisation is when a person is punished or treated unfairly because they have made a complaint, are believed to have made a complaint, or have supported someone who has made a complaint against this University Centre a faculty or department, or an individual. Victimisation is unlawful under employment protection law.

We will:

- support and protect anyone making a complaint of unacceptable behaviour; and
- help in an investigation, or get advice.

Retaliation against an individual involved in these proceedings is a form of victimisation which is a disciplinary offence and we will not accept this. Our 'whistle-blowing' policy will apply alongside this policy where appropriate.

#### **4 Managers' responsibilities**

- a** Managers at all levels are responsible for letting people know about this policy in their particular areas. We expect them to lead by example, take positive steps in maintaining an environment which is free from unacceptable behaviour, and to treat those they are responsible for fairly and with dignity and respect at all times. This includes identifying unacceptable behaviour in themselves and others when it happens, and taking reasonable action. It is not acceptable for any manager to ignore unacceptable behaviour, as this could be seen as allowing it to happen.
- b** Managers at all levels have a particular duty to make sure that any allegation of unacceptable behaviour is investigated promptly and procedures are followed as specified within PRC HR policies.
- c** We will take action to raise the awareness of all employees about issues to do with their behaviour at work and make sure that key members of staff are fully informed and know about their personal role responsibilities.
- d** We, with the Student Council, will take action to raise the awareness of all students about their behaviour, and make sure that they are fully aware of their personal responsibilities.

#### **5 Contractors and partner organisations**

- a** Anyone hiring contractors, negotiating partnership arrangements, and arranging work placements for us, should tell these organisations about our dignity at work and study policy. It is a reasonable expectation of our staff and students going about their work or study – whether or not on our premises – that they will be treated with dignity and

respect. If you have a complaint about unacceptable behaviour from contractors, partner organisations or their employees, you should let the Academic Director know. They will be responsible for making sure that an acceptable response is received from those accused.

## 6 General points

- a** We train staff and Student representatives, and provide counselling and support to all our staff and students involved in incidents of alleged harassment, bullying, or other forms of unacceptable behaviour.
- b** Normally, any reported incidents of unacceptable behaviour and any future investigation will not affect the opportunities for study, employment, future training or promotion available to the person making the complaint. We will investigate complaints fairly to make sure we are sensitive to all sides.
- c** However, we know there is the possibility that complaints can be made maliciously, or for reasons which are not genuine. If this happens, we may take disciplinary action against the person making them. It can result in the person being dismissed or expelled from UCP.
- d** We will maintain confidentiality wherever possible in dealing with cases of alleged unacceptable behaviour. This means, we will only release information on a 'need to know' basis.
- e** Wherever possible we will keep to requests for people to remain anonymous, when dealing with cases of alleged unacceptable behaviour. However, this may prevent us from taking any action.
- f** We know that the decision to make a complaint will normally rest with the person on the receiving end of the unacceptable behaviour. However, in the interests of our duty of care, and our responsibilities obligations under health-and-safety, employment and anti-discrimination laws, senior managers have the right to begin an investigation without someone having made a complaint, if they feel this is necessary.
- g** Nothing in this policy will prevent any of our members from enforcing their legal rights.

## Dignity at work and study

### Coping with unacceptable behaviour – a procedure for students

#### 1 Introduction

- a** If you feel you are being harassed, bullied or are the victim of any other form of unacceptable behaviour which distresses you, you do not have to put up with it, and you are not to blame. There are a number of ways in which you can deal with the problem, from simply saying that you find someone's behaviour unacceptable and asking them to stop, to making a formal complaint.
- b** Incidents of alleged unacceptable behaviour are best and usually sorted out informally and we encourage this wherever possible. The person who is causing you distress may not be aware that you find their behaviour offensive or intimidating and a simple explanation may be enough to deal with the matter. If you feel it is not appropriate, or you would prefer not to tackle the problem informally, you can start formal procedures.
- c** You should keep a written record of the incidents that have caused you distress including the time, date, place and a full description of what happened, including the names of the people concerned and the names of any witnesses.
- d** We also encourage you to act promptly. Try not to wait until the situation is so unbearable that you feel you must leave this university or that your personal wellbeing is at risk. The Student Council will give you help and protect your interests in trying to deal with the problem.
- e** Any complaints you make of alleged unacceptable behaviour, and any investigation, no matter what the result, will not affect your ability to continue on your course of study. However, if we find out that any complaint is malicious or made for reasons which are not genuine, we may take disciplinary action (see part 1, section 6c).
- f** We will maintain confidentiality wherever possible in dealing with cases of alleged unacceptable behaviour. This means we will only release information on a 'need-to-know' basis.
- g** You may ask us to keep your name anonymous when making a complaint of alleged unacceptable behaviour, but this may prevent us from taking any action.

#### 2 Where to get support and advice

- a** You should contact the Student Support Centre, who provide guidance and help to all our registered students. The Student Support Centre can give you independent advice and support. The Student Support Centre has a team of professionally trained and widely experienced counsellors and experienced personnel to support your mental health and wellbeing. They use a referral service when necessary. The service is confidential, and you can make an appointment to see a counsellor at the Student Support Centre. You can find contact details for student services and the Student Officer, as well as other sources of advice and support in your student handbook, Student Charter and on our website.

- b** However, for physical and sexual assault, or if you feel your personal safety is at risk, take action immediately. You should report these incidents immediately to UCP reception. Physical and sexual assault are criminal offences, and your case may be taken up by the police and dealt with in the criminal courts.
- c** Whether or not this is the case, we will give you appropriate advice and support. We will normally suspend the person you say has committed the offence, in line with the conditions of our staff and student disciplinary procedures. Our actions will be informed by guidance sought from the Police.

### 3 Taking action informally

- a** There are a number of ways you can sort the matter out. You should consider your options carefully before you decide which action you want to take.
- b** If you feel able to, approach the person and make it clear that their behaviour is offensive to you and that you want it to stop. If you want to, you can do this with the support of a fellow student, or a Student Council representative, or the Student Officer or a member of staff from the Student Support Centre. You may want to tell your personal tutor or another member of academic staff on your course that a situation has developed which you are trying to sort out informally in the first instance.
- c** You may feel more comfortable writing a letter to the person concerned, explaining that their behaviour is causing you distress and telling them you want it to stop. A friend, the Student Officer or Student Council representative can help you write this if you want.
- d** This may be enough to sort the problem out. If it does not, or if you do not want to tackle the problem in this way, you can refer it directly to the Deputy Director. They will then tell the alleged harasser, informally on your behalf, that their behaviour is unwelcome and should stop immediately.
- e** You can, at any stage, make a formal complaint to management. However, you will not be able to go back to an informal approach to sorting out the alleged harassment or bullying once formal proceedings begin.

### 4 Making a formal complaint

- a** If you prefer to sort the situation out more formally, or if the situation is so severe that dealing with it informally is not appropriate, you can make a formal complaint. If the alleged harasser is a member of staff, you should use our student complaints procedure. If the complaint is about another student, you should use our student disciplinary procedure. You can find both in the 'rules, regulations and procedures for students' document and online. We may be able to extend the normal three-month time limit for sending in complaints under the dignity at work and study policy, depending on current laws.
- b** If you make a complaint of sexual harassment, you can complain to a senior member of staff of your own sex. In these cases, you should approach the Student Officer or the Deputy Director to identify an appropriate manager. When we receive a formal complaint, the investigating manager will send a written acknowledgement, telling you where you can get advice and support.

- c** We will treat any complaint raised with a member of management very seriously and keep a careful, accurate record of the complaint.
- d** In serious cases, we will consider briefly suspending the alleged harasser while we investigate the case. The suspension will be on the authority of the Academic Director or as otherwise arranged. The alleged harasser has a right of appeal in line with the procedures approved by the UCP Council.
- e** We will investigate the matter to see how best we can sort out the complaint, taking into account all available facts. Depending on the outcome of the investigation, the investigating manager will decide whether the best course of action is to:
  - take no further action – where the facts of the case suggest the complaint cannot be proved, felt to be unjustified or the evidence is not sufficiently clear;
  - hold a conciliatory meeting – where we believe that a meeting between the two sides, accompanied by appropriate members of management, could lead to a satisfactory solution;
  - arrange counselling or training for the alleged offender– where we feel this will correct the behaviour or sort the situation out; or
  - take disciplinary action – if the facts of the case suggest that disciplinary action is appropriate. If the alleged offender is a member of staff, the investigating manager will refer the case to Human Resources Department at PRC. If the alleged offender is a student, the investigating manager will refer the matter to the Academic Director.
- f** Any disciplinary action will reflect how serious the offence is. We will take this action in line with the appropriate disciplinary procedures for staff or students. We will treat incidents of serious harassment or bullying as gross misconduct in the case of staff. This may result in dismissing them. If a student is involved, we will treat the incidents as misconduct, which may result in them being suspended or expelled.
- g** We treat any resulting victimisation or retaliation by the offender as a highly serious matter. If this happens, you should, as soon as possible, inform the Student Support Centre.

## 5 Appeals

- a** A student whom we take any action against will have the right of appeal to the UCP Council. A copy of the appeals procedure is in the rules, regulations and procedures for students.

## 6 More information

- a** This procedure will apply alongside the procedure for dealing with complaints of alleged unacceptable behaviour made by staff, if a student is involved.
- b** This procedure will apply equally to cases of alleged unacceptable behaviour by, or of, groups of students as well as individuals.
- c** The decision to take action to deal with a case of alleged unacceptable behaviour normally rests with the individual concerned. However, senior managers have the right to

begin an investigation without someone having made a complaint. (See our statement of policy in section 6.)

## Fitness to study policy and procedures

### 1 Purpose of this policy

- a** We have a responsibility for the health, safety and wellbeing of all of our students and as such we will take steps to provide a supportive learning environment and facilities to promote this. This will include awareness raising events for mental health, debt management and wellbeing. Fitness to Study, as a term, encompasses the ability to engage with studying, to live independently and harmoniously with others and not to have an adverse impact on others.
- b** This policy sets out how we will respond when a student is either in significant distress or is causing significant concern to those around them as a result of possible mental health difficulties. In such circumstances a student might be in breach of our Student Code of Conduct and this policy enables us to take a supportive approach wherever possible.
- c** The procedure under this policy is intended to help us address the issues giving serious cause for concern and aim to find agreed ways for the student to continue their study, with appropriate support, or to take a break from their studies until they are fit to return and engage with student life and study.
- d** This policy and procedure should be used in reference to our Student Charter, and our Rules, Regulations and Procedures for Students. Other procedures may also be relevant including Fitness to Practice and disciplinary procedures. UCP reserves the right to decide the appropriate procedure to use in any given student case and at any point in the consideration.

### 2 Use of this policy and procedure

- a** This policy and procedure is only intended for use where the behaviour, disruption or risk presented by the student is perceived to be of a serious or potentially serious nature. This will include situations where a student appears unaware of the consequences of their behaviour on others e.g. causing disruption or distress, and/or where concerns exist about the safety of the student or of others.
- b** Our response will aim to protect the interests of the student and balance these with the needs of other students and staff, ensuring that we continue to provide an appropriate environment for the purposes of higher education.
- c** Wherever possible the usual support services available to students will be used before any response is made in line with this policy.
- d** Where it is believed that a student's behaviour presents an immediate risk to themselves or others. In such situations the Emergency Services should be contacted by dialling 999 and UCP Reception should also be contacted on 01733 214466. A log of this action should be taken and reported immediately to Student Support. UCP will also inform the student's next of kin.

### 3 The Procedure



- a** Fitness to Study procedures will typically be invoked:
- i** When behaviours or disruption are sufficiently serious and/or there is a potentially serious risk of harm to self or others.
  - ii** If previous reports of concern have resulted in offers of support and encouragement to engage with support but the student does not respond and concerning behaviours continue or escalate.
  - iii** If disciplinary procedures have previously been invoked for related concerns or a student has been suspended and there is reason to believe that behaviours are due to a mental health condition.
  - iv** If the Fitness to Study Policy and Procedure has previously been used but concerning behaviours have returned or escalated.
  - v** If a student has engaged with Student Support and a risk assessment indicates a risk of harm to self or others that cannot be adequately supported and managed through internal support frameworks and the student does not willingly engage with external support or is unable to accept that there is a concern. At this point and/or at the point of emergency referral we will contact the student's next of kin as we believe this is in the best interest of the student.

#### 4 Suspension

- a** At any point in the procedure we may need to consider suspending a student where there are serious concerns about the safety and wellbeing of the student or those around them, or serious disruption to our university business. If a student is suspended, we will implement this procedure at either the Meeting or the Review stage as appropriate. Suspension may be up to 6 months in this instance but can be shortened if the student is able to provide appropriate medical evidence.

#### 5 Decision to call a Fitness to Study meeting.

- a** The Head of Student Support will consult as appropriate with the HE Manager to establish the full extent and context of the concerns and a decision will be taken on whether to proceed with these formal procedures.

#### 6 Fitness to Study Meeting

- a** Purpose:
- i** To ensure the student is aware of the concerns
  - ii** To enable the student's view to be heard and considered
  - iii** To consider any relevant medical evidence
  - iv** To agree an action plan to manage risks or bring about changes in unacceptable behaviour.
  - v** To explore possible intermission to allow for a student to recuperate. To explain possible outcomes if serious concerns remain.
  - vi** To ensure that the student is aware of crisis phone numbers and contacts



- b** The Head of Student Support or HE Manager, as appropriate, will write to the student to require them to attend for a Fitness to Study meeting.
- c** The student will generally be given at least 7 days' notice however shorter notice may be given if risk is considered high. They will be informed of the nature of the concerns and the purpose of the meeting. The supportive nature of the meeting will be explained and the student will be invited to bring a friend or the Student Officer. This will not include a lawyer or legal adviser.
- d** The student may request an alternative date for the meeting and this will be agreed wherever possible. If a student fails to attend or requests a date in the future that may mean an excessive delay, the meeting may take place in the absence of the student. In these circumstances we will always seek to protect the interests of the student and balance these with the needs of other students and staff.
- e** The Fitness to Study Meeting will be chaired by the Deputy Director or designated other. The panel will usually consist of no more than three members of university staff drawn from the following:
  - Head of Student Support;
  - HE Manager;
  - Chair
  - Student;
  - Student Representative;
- f** In certain circumstances additional staff from the Student Support Team or wider referral services may attend the meeting if their specific professional expertise is required.

## 7 Possible outcomes from the Fitness to Study meeting will be:

- a** No issues or concerns to answer/no actions
- b** Action Plan- this may include:
  - i. Conditions/undertakings of appropriate behaviour or conduct
  - ii. Requirement for the student to engage with appropriate internal and/or external support services, including external medical services.
  - iii. Requirement for the student to seek medical assessment to enable our University Centre to address the student's difficulties in the most effective manner possible. The student will be asked to authorise full disclosure to UCP of the results of any assessment. UCP recognises that any such information disclosed will constitute "sensitive data" for the purposes of the GDPR Act 2018 and will be handled, processed and stored accordingly.
  - iv. Should the student decline to undertake a medical assessment, UCP may either continue this policy based on the information already in its possession, or as previously stated, reserve the right to address the current issues under our Disciplinary Procedures.

- v. Intermission is advised and the student agrees to action this. If intermission is discussed at the meeting, the student will be given formal guidance on any financial or Academic Regulatory implications of this option.
- c Recommendation to suspend
  - i Where warranted by the level of concern or risk, an outcome of the meeting may be a recommendation that the student is suspended pending medical evidence of fitness to study.
- d Recommendation for the case to be dealt with under disciplinary procedures.
- e A review date for the Action Plan will be agreed at the Fitness to Study Meeting. This will not be longer than 6 weeks and may be shorter. All parties may agree to an appropriate 'check-in' arrangement in the interim, as appropriate to the circumstances.
- f Following the Fitness to Study Meeting, a record of the decisions, the action plan and, if relevant, a record of any guidance given regarding intermission will be sent to the student within 7 working days by the Chair of the meeting.

## 8 Action Plan Review

- a After the agreed review period, the staff involved in the original Fitness to Study Meeting, or their nominated deputies, will consider achievement of the Action Plan.
- b The Review may be held sooner than the agreed period if concerns or disruption escalate.

## 9 Outcomes of the Review

Outcomes of the Review will be:

- a The action plan is complete. No further actions.
- b The Action Plan is extended for a further 6 weeks.

This will apply where there is partial achievement of the original Action Plan, sufficient to reduce any risk to the student or others, and/or remove disruption to the learning of others.

- c Action Plan not met. Further or additional actions/recommendations required.
  - i. In this situation the student will be invited to a Review Meeting. This meeting will be held in the absence of the student if they decline or fail to attend
  - ii. At this stage the likely outcomes of the review are:
    - iii. The student is advised to intermit and agrees to action.
    - iv. A recommendation is made to Academic Director to suspend the student.
    - v. The student may be asked to seek a medical assessment of their wellbeing and their fitness to study. Before a return to study date and plan can be agreed.

## 10 Support and guidance for students who intermit or who are suspended

- a Students who intermit or who are suspended will be given the opportunity to talk to staff within the Student Support Centre to discuss financial, support and study implications and other issues that may arise.
- b The student will also be informed of the 'Return to Study' procedure and process and an agreement made about how we will keep in contact with the student during their absence.

## 11 Return to Study

- a It is hoped that after the required time, a student covered by this policy will feel ready to return and engage with study at our university.
- b Each case will depend upon the specific circumstances but in all cases return to study will be dependent upon a) satisfactory medical evidence of fitness to study and b) an assessment of need to determine what support would be necessary or of benefit, and whether this can be reasonably provided.
- c In cases where we have any continuing concerns about the student's fitness to study, we may require a second medical opinion. In this case a student may be asked to submit themselves for medical examinations by doctors/specialists nominated by UCP (at our expense). Students will only be permitted to return if, after receiving medical advice UCP is satisfied that the individual is fit to study and able to comply with any conditions or expectations stated by our university and in keeping with our Rules, Regulations and Procedures for students.
- d The decision to permit return to study will be made by the Head of Student Support and the Deputy Director, in consultation with the HE Course Leader, taking into account medical evidence provided and a statement from the student. Depending on the circumstances that led to study being interrupted we may also require agreement from the Academic Director.
- e If the student is not deemed to be medically well and does not withdraw we will expel.
- f In any case where a student returns to study following the implementation of the Fitness to Study Policy, our University may decide that there should be regular review meetings with the student that can be used to support and monitor a return to study plan and on-going support. If so, the student must provide their continued co-operation in this respect and such review meetings may continue for part or all of their remaining time at our University. This is likely to be with a member of the Student Support Team.

## Student complaints procedure (reviewed in light of The OIA Good Practice Framework for Handling complaints and academic appeals). Revised October 2018.

### 1 Introduction

- a** It is our policy to deal as quickly and fairly as possible with any complaint you may have about your treatment by one of our employees or departments or if you feel you have suffered as a result of maladministration by a committee of this university. The purpose of this procedure is to give you an opportunity to sort out any such problem. We will sort out complaints at the earliest possible stage in the procedure. However, some complaints may be difficult to deal with quickly.
- b** We will deal with a complaint made by one student about another using the student disciplinary procedure.
- c** Any issues raised during the process of disciplinary action will be dealt with as part of the appeal process within the disciplinary procedure.
- d** This procedure runs alongside the academic appeals procedure. As a result, it only deals with:
  - i** complaints about a student's educational experience at University Centre Peterborough, including relationships with any non-teaching department;
  - ii** complaints to do with discrimination by us; and
  - iii** complaints for reasons of maladministration.
- e** We will not deal with matters which may be dealt with through academic appeals or other regulations relating to courses of study or how they are assessed using this procedure.
- f** In cases where it is not clear whether we should deal with a complaint through the student complaints procedure or academic appeals or other regulations, the Deputy Director will decide. You can appeal against a decision of the Deputy Director to an appeals committee of the UCP Council within 10 working days of the Deputy Director's decision.
- g** The Deputy Director will be able to refer back complaints to the person who made the complaint if they are not satisfied that the person has tried to sort out the complaint informally. If we take this action, we will give you enough time to sort the matter out informally. However, the Deputy Director will give a deadline for sending in a CS1 form if this is needed.

### 2 Informal Stage – Early Resolution and mediation

- a** The initial concern / dissatisfaction is dealt with locally by the course team and/or HE support team and a Record of Meeting with Student form is completed. UCP is best placed to deal with complaints that arise in relation to the day-to-day matters which are within our control. All course handbooks clearly show the informal communication and concern process. If a resolution cannot be found, a CS1 form should be completed by the student. This must be done within 3 calendar months of the incident and the complaints process moves onto Stage 1 – Formal Stage.

### 3 Stage 1 – Formal Stage

- a** All complaints will be raised by you completing a CS1 form and sending this to the Deputy Director of UCP or Anglia Ruskin University as outlined below within three calendar months of the incident or the event the complaint is about. If the complaint relates to a series of incidents or events, you must make the complaint within three calendar months of the first incident or event.
- b** When we receive the completed CS1 form, the Deputy Director or Anglia Ruskin University will send it to the relevant HE Manager / designated member of ARU staff, who will then investigate the complaint. They will normally reply in writing within 20 working days of receiving the complaint. Both sides will have the chance to state their case. A copy of the reply will be sent to the Deputy Director.
- c** Complaints will not be considered unless the appropriate forms are submitted.
- d** The following Formal Stage (CS1) complaints will be dealt with by UCP:
  - i** Quality of teaching
  - ii** Quality of support services
  - iii** Onsite learning resources provided directly by UCP
  - iv** Staff behaviour
  - v** Virtual Learning Environments provided by UCP
  - vi** Inaccuracies in promotional material
- e** The following Formal Stage (CS1) complaints will be dealt with by ARU
  - i** Academic Standards of the course
  - ii** Maladministration of academic standards
  - iii** Maladministration of exams
  - iv** Virtual Learning Environments and resources provided by ARU
  - v** Other issues determined by the Deputy Director

### 4 Stage 2 – Review Stage

- a** If the complaint is not resolved, it may move to stage 2. You will then complete a CS2 form and send this to the Deputy Director of UCP (3d) or Anglia Ruskin University (3e) as outlined above. This should be within 20 working days of the date of the written notice in section 3b above. The sides may change the time limit to take account of the difficulties of either or both sides being able to access information over holiday periods.
- b** When we receive the completed CS2 form, the Deputy Director of UCP or Anglia Ruskin University will send it to the Accountable Officer at UCP or ARU designated other. Having considered the complaint, they will give you their decision in writing, normally within 20 working days of receiving a completed CS2 form. A copy of the reply will be sent to the Deputy Director of UCP should it be necessary to enhance, review or amend any practices or procedures in light of the outcome.
- c** In considering the complaint the Accountable Officer at UCP or ARU designated other will not reinvestigate the complaint. They will review;
  - i** The procedures followed at the formal stage;
  - ii** Whether the outcome was reasonable;
  - iii** New material which the student was unable, for valid reasons, to provide earlier in the process
- d** Complaints will not be considered unless the appropriate forms are submitted.

- d** The stage 2 decision made by the Accountable Officer at UCP will end the UCP process. A Completion of Procedures letter will be issued. If the student remains dissatisfied, they may refer their complaint to the Office of the Independent Adjudicator (OIA).
- e** If ARU has received and investigated the CS1 and any subsequent CS2, then they will issue the completion of procedures letter. The student will retain the same rights of recourse to the OIA.

## 5 Notes

- a** If, due to genuine and unforeseen circumstances it is not possible to deal with a complaint within the set period, the Accountable Officer at UCP or ARU designated other will tell you in writing when they expect to be able to give you their decision.
- b** The above does not affect the students right of recourse to the appropriate awarding body.

## Student Discipline Committee

### Procedure for a meeting of the Student Discipline Committee

#### Preliminary procedure

- 1 We will deal with any complaint about students' behaviour in the following way.
  - a Any complaint made by a student or a member of our staff or by a member of staff of an agency providing a placement will, in the first instance, be referred to the appropriate HE Manager of the student concerned. If this is not appropriate for any reason, it will be referred to another HE Manager or nominated Manager. Any complaint must normally be made within 20 working days of the incident it is about.
  - b A complaint made by a member of the public will, in the first instance, be referred to the Academic Director.
  - c A complaint made by one student about another will be dealt with using this procedure.
- 2 Unless there are exceptional circumstances, a member of staff can only make a complaint if they have previously given the student a warning, either face to face or in writing, about the behaviour the complaint relates to.
- 3 Any complaint about a student must be made to us in writing. We will give, or send by recorded delivery to both addresses on record, a copy of the complaint to the student. If the student is under 18 years of age, we will give, or send by recorded delivery, a copy to the parents or guardian of the student and explain the action taken.
- 4 The Deputy Director
  - a The Deputy Director will appoint a member of staff to act on their behalf in the investigation or any other part of this procedure. This investigation will normally be carried out within 15 working days.
  - b The Deputy Director has the power to impose one of the following penalties.
    - i A formal spoken warning in which you will be told the reason for the caution and that it is a stage of the disciplinary procedure. This may be delegated to the relevant HE Manager
    - ii A written warning which will give details of the complaint, the improvement needed and, if appropriate, the timescale. The student must sign and return a copy of the written warning as a record that they have received and understood it. We will keep records of all warnings for 12 months after which time if there is no further breach or warnings this will be removed.
    - iii A fine set by the UCP Council.
    - iv A student may have to pay an amount toward any damage, loss or harm we have suffered or suffered by an agency providing a placement. The amount will not be more than a maximum set by the UCP Council. If this amount has to be paid to another person or organisation, this will not affect the student's rights in law.

We will keep records of this for 12 months unless a further complaint is under investigation.



- c If the student does not accept the Deputy Director's decision, the case will go to the Student Disciplinary Committee.
- d If the Deputy Director believes the complaint is serious enough, they may do the following
  - i They may decide that the complaint should be passed to the Secretary for the Student Disciplinary Committee to consider. The Deputy Director must identify which parts of the code of conduct the student has broken. The Deputy Director will provide:
    - a written record of the complaint which is signed by the person making the complaint;
    - a report of the investigation;
    - any evidence the report is based on;
    - any statements that go with the report will normally be prepared by the individuals concerned and signed and dated by them.
  - ii The Deputy Director may recommend to the Academic Director that the student is suspended. If the complaint is deemed serious enough the Academic Director may recommend that the student is excluded. If the complaint warrants expulsion the complaint will be passed to the Student Discipline Committee for resolution. The student can appeal against a suspension of three weeks or more. When suspension is considered a risk assessment will be undertaken to determine the impact on all parties.

### Procedure when a complaint is referred to the Student Discipline Committee

- 5 The committee secretary will refer the complaint to the Student Discipline Committee as long as they are satisfied that the complaint is not of a trivial nature and does relate to student discipline or professional conduct.
- 6 At least five working days before the hearing, the committee secretary will give the student, the HE Manager or designated other who undertook the investigation and the person making the complaint, a copy of any documents which will be placed before the committee.
- 7 The committee secretary will do the following:
  - 8 They will call a meeting of the committee normally 25 working days from the day on which they have received the written report in section 4 above (except in trivial cases or those relation to academic matters which may not be referred to the committee.
  - 9 They will ask the student if they object to the Student Officer, or their nominee being at the committee meeting.
- 10 At least 15 working days before the meeting, the committee secretary will give notice to the Student Officer of the date, time and place of the meeting.
- 11 15 working days before the meeting, the committee secretary will give notice, in writing and by hand, to the person making the complaint or, if this is not possible, by recorded or special delivery to their last known term-time and home address. The notice will explain that a sitting of the committee is being held to consider their complaint. It will give the



date, and the time and the place of the sitting. It will also explain that they need to attend, and they may bring a friend.

- 12 At least 15 working days before the meeting, the committee secretary will give notice, in writing and by hand, or, if this is not possible, by recorded or special postal delivery to the last known local and home address of the student the complaint is about. The notice will give details of:

### The complaint(s)

- the names or names of the person or people making the complaint
- the name or names of the witnesses to be called
- the date, time and place of the committee meeting
- the student's right to be heard at the hearing
- the student's right to bring a friend, who may be legally qualified (but not also a witness) or a representative of the Student Council
- the student's right to send in a written statement or written evidence for the committee to consider and that we must receive this at a least seven working days before the hearing.
- the student's responsibility to give any witnesses they are planning to call details of the hearing, and to make sure they come to the hearing; and
- the student's responsibility to tell the committee secretary as soon as possible (and in any case no less than two working days before the hearing) the names of the witnesses they are planning to call and, whether they wish to be accompanied by a friend. The student will need to provide the name of the friend or the name of the representative of the Student Council.

### The hearing

- 1 The committee will choose a chair from among its members. The chair will decide who can be at the hearing for the purpose of maintaining security or safety.
- 2 The committee secretary will keep a record of the proceedings and may appoint someone to take minutes.
- 3 If two or more students are being complained about, the committee will decide whether the interests of any one of them would be answered by hearing the complaint against them jointly. If the committee believes that the person's interests might be affected or that the proceedings could not be easily or fairly heard against two or more students together, they will hear the matter individually.
- 4 In deciding whether a witness will be called in alone or with others, the committee will decide.
- 5 We will take evidence in the following order.
  - a. From the HE Manager or designated nominee who carried out the investigation.
  - b. From the person making the complaint.
  - c. From witnesses for the person making the complaint.

- d. From the student the complaint is made about or their friend or representative of the Student Council.
  - e. From witnesses on behalf of the student the complaint is made about. We will then accept a final statement from:
    - f. the person making the complaint;
    - g. the student about whom the complaint is made or their representative; or
    - h. the HE Manager or their representative.
- 6 The committee will have the right to ask questions of any person at the hearing.
  - 7 All the above can be present while the evidence is taken and ask questions at this stage (but not after final statements).
  - 8 The Student Officer or a member of the Student Council or someone they have chosen, who must be another elected member of the student representative body, will have the right to be present while evidence is taken but not during the committee's decisions.
  - 9 If the student the complaint is about does not go to the hearing, the committee may still deal with the complaint. This can only happen if the committee are satisfied that the committee secretary has given proper notice about the hearing.
  - 10 The committee will sit in private to make decisions and the committee secretary will be present.
  - 11 At the end of the hearing, the committee will give their decision. Normally, within five working days, the committee secretary will send the written decision to the student the complaint is made about, and let them know they have a right to appeal against the decision. If they decide to appeal, they must give notice to the UCP Council within 10 working days of the date of the committee's decision.
  - 12 Normally, within 10 working days of the hearing, the secretary will send a formal set of minutes taken at the hearing.

## Powers

- 13 The committee will have the power to:
  - a. recommend to the Academic Director that the student is suspended for a certain period or that they should award some other penalty (for example, a reprimand or fine);
  - b. recommend to the Academic Director that the student is expelled;
  - c. decide that there is no case to answer; or
  - d. recommend that the outcome of the procedure should or should not be published. If they give this recommendation, they will suggest what form the publicity should take.

## Appeal

- 14 The student who has been complained about will have the right to appeal to the UCP Council in line with the procedure shown in this document. (See Appeals Committee:

Procedure for Appeals by Students where provided in UCP Board Procedures.) We will only consider appeals if the student claims alleged maladministration.

### Footnote

- 1 If we learn that a student has committed a criminal offence, we can report the matter to the police.
- 2 If the offence committed is against us and there is no other victim, we will normally report the crime to the police, whether or not we know who is responsible.
- 3 We have informal links with the local police and often ask their advice about whether an offence has been committed.

### Student Discipline Committee Constitution

- 1 The committee is made up of:
  - three members of staff of UCP, chosen by the Academic Director, who are not Governors; and
  - two students.
- 2 The secretary to the Student Discipline Committee.
- 3 An elected Student Representative has the right to be at sittings of the committee while taking evidence but not while the committee make decisions, unless the student disciplinary proceedings relate to objects.

### Quorum

- 1 The quorum is the minimum number of committee members needed to make decisions. For this committee the quorum is three.
- 2 If fewer than three committee members are present and notice has been properly given, the secretary will call another meeting, normally within 20 days. At any further meeting, the quorum will be those members of the committee (not necessarily those who attended the earlier meeting) who attend. However, at least one elected Student Representative chosen by the Student Officer / Student Council and one chosen by the Academic Director must be present.

### Chair

The Chair will be elected from among the members of the committee.

## Appeals Committee

### Procedure for appeals by students

#### Procedure

- 1 If you want to appeal against a decision of the Student Disciplinary Committee or for reasons of maladministration (other than in cases where you have failed to make a payment where the appeal will be to the Academic Director), you must make your appeal in writing within 10 working days of the decision, and send it to the clerk / secretary to the UCP Council.

Your request should clearly give the reasons for the appeal.

- 2 When they receive your request, the clerk / secretary to the UCP Council will:
  - a. call a meeting of the committee as soon as possible;
  - b. make available to the members of the committee copies of all papers to do with the case;
  - c. ask you if you object to an elected Student Representative being at the committee hearing;
  - d. at least five working days before the meeting give notice to the Member of the Student Council of the date, time and place of the meeting;
  - e. invite you and our representative, at least seven working days before the hearing, to give a statement of your and our case and reveal any relevant documents you want to rely on at the hearing (if you or we miss the deadline or do not limit the size of documents you provide, it may lead to an adjournment or other delays); and
  - f. at least 15 working days before the meeting, give you notice in writing and by hand or if this is not possible by recorded or special delivery to your last known address. The notice will give details of:
    - i. the date, time and place of the committee hearing;
    - ii. the names of the witnesses to be called by our representative;
    - iii. your right to be accompanied by a friend or elected Student Representative (but they may not also be a witness);
    - iv. your right to decide whether or not to attend the hearing;
    - v. your responsibility to give witnesses, that you plan to call, details of the hearing, and to make sure they attend;
    - vi. your responsibility to let the committee secretary know, as soon as possible and in any case not less than two working days before the hearing, the names of the witnesses you plan to call; and

- vii. your responsibility if you want to be accompanied by a friend, to give the name of the friend or elected Student Representative to the committee secretary.

- 3 The sides may agree to change the time limits to suit the circumstances of the case.

### The hearing

- 1 The committee will choose a chair from among its members.
- 2 The committee secretary will keep a record of the proceedings and may appoint a record clerk for this purpose.
- 3 The committee will consider any written evidence.
- 4 Your and our witnesses will receive equal treatment throughout the proceedings.
- 5 The committee will hear representations and evidence in the following order.
  - i From you or your friend or elected Student Representative
  - ii From your witnesses
  - iii From our representative
  - iv From our witnesses
- 6 You or your friend or your elected Student Representative can give a final statement. We will give a final statement.
- 7 Members of the committee will have the right to put questions to any person at the hearing.
- 8 You and our representative will have the right to be present when taking evidence. You and our representative will have the right to put questions to the other and to witnesses. However, you and our representative cannot ask questions relating to final statements.
- 9 A member of the Student Council or their representative will have the right to be present, as an observer, when evidence is taken but not during the committee's decision.
- 10 The committee may call for other documents, explanations or evidence they decide they need. The committee may seek any other advice in the hearing and in any subsequent consideration from UCP's solicitors and/or any such other source as the committee may determine.
- 11 If you or our representative do not appear at the hearing, the committee may go ahead, as long as they are satisfied that the committee secretary has given you notice properly.
- 12 In considering its decision, the committee will sit in private. The committee secretary will be present.
- 13 The committee secretary will tell you the committee's decision at the end of the hearing. Normally within five working days of the end of the hearing, the committee secretary will confirm in writing the committee's decision and send you a letter of 'completion of procedures'.

- 14 Following this notice, normally within 10 working days, the committee secretary will send you a formal set of minutes taken at the hearing.

## Powers

- 1 The committee will, by majority, have the power to:
  - a confirm the decision of the Academic Director;
  - b withdraw the decision of the Academic Director; or
  - c change the decision of the Academic Director.

## Decision

- 1 The decision of the appeals committee of the UCP Council will be final. However, you may have a right of complaint to the Office of the Independent Adjudicator (OIA) and your rights as an individual in law.

## Appeals Committee

The Appeals Committee will be made up of the following.

- A member of the UCP Council.
  - Two other members who are either members of UCP Council or members of the PRC Board of Governors.
  - Staff Governors, student Governors and the PRC Principal cannot serve as members of this committee.
- 1 The aims of the committee are to:
    - a consider, hear and decide on appeals in line with procedures approved by the UCP Council;
    - b confirm, cancel or amend decisions which are referred to the committee in line with appeals procedures approved by the UCP Council;
    - c consider, hear and decide on appeals to do with maladministration when applying university rules, regulations or procedures; and
    - d use all powers shown above, for complaints or appeals made to the committee by students of regional university member institutions in line with the rules of those institutions.
  - 2 The committee will not deal with appeals which dispute the academic or professional judgement of a member of our staff or an external examiner. It will also not deal with judgements pertaining to the Fitness to Study Committee.

## Quorum

The quorum will be three members of the committee.



University Centre  
Peterborough

#### Rules for the committee

The committee will be governed by the rules for the committees of the UCP Council.

#### Chair

The chair will be elected from among the members of the committee.