

# **The University of Manchester**

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## **Regulation I**

### **Election of members of the Senate in Category 3 (members of the academic and research staff)**

1. The election of members of the Senate in Category 3, on a Faculty by Faculty basis, shall be held in the Second Semester of each academic year on a date (the 'appointed date') to be fixed by the Registrar and Secretary, who shall also act as the Returning Officer. The date selected shall make due allowance for the provisions of paragraph 3 below to be properly fulfilled. The members elected shall normally take up their seats at the commencement of the academic year immediately following their election.
2. Subject to Statute VII.4, those entitled to nominate, vote and stand in the election in each of the Faculties shall be the members of the academic or research staff, full-time or part-time, who hold paid appointments assigned to the Faculty which are:
  - (a) of a duration greater than twelve months; or
  - (b) of a duration of twelve months or less, provided that each such member has an accumulated length of continuous service in excess of twelve months.
3. A roll of the persons eligible to nominate, vote or stand for election, as at 31 January in the academic year of election, shall be maintained, in consultation with the Registrar and Secretary, for each of the several Faculties by the respective Head of Faculty Administration, and shall be conclusive evidence that any person whose name appears therein is entitled to nominate, vote or stand in the election, and that any person whose name does not appear therein is not so entitled. Any matters relating to the eligibility of persons to nominate, vote or stand for election shall be determined by the Registrar and Secretary.
4. The election shall be conducted in each Faculty by the Head of Faculty Administration, in consultation with the Returning Officer, provided that in each Faculty:
  - (a) each candidate shall be nominated by no fewer than two eligible electors, and shall confirm, in writing, his or her willingness to stand for election;
  - (b) a period of no fewer than two weeks shall elapse between an announcement of the number of vacancies to be filled and the closing date for receipt of nominations;
  - (c) if on the expiration of the time for the receipt of nominations the number of valid nominations received does not exceed the number of vacancies declared, the Head of Faculty Administration shall inform the Returning Officer, who shall declare those candidates nominated to be duly elected. If in such instances nominations have been invited for periods of office of varying duration, the allocation of seats shall be determined by lot;
  - (d) if on the expiration of the time for the receipt of nominations the number of nominations received exceeds the number of vacancies declared, the election shall be determined by secret ballot. In such circumstances, the Head of Faculty Administration shall make available to each elector, no fewer than two

weeks before the appointed date, information giving the names and styles of the candidates, and the appointment each holds;

- (e) each elector shall be at liberty to vote for as many candidates as there are vacancies, and shall vote via an approved electronic voting system. On the expiration of the period for electronic voting the Head of Faculty Administration shall count the votes;
- (f) if ballots are being held for seats which include a number having periods of office of varying duration, the allocation of these seats shall be determined by the number of votes cast, the candidate with the greater number of votes taking the seat of longer duration, unless there is an equality in the number of votes cast for such seat, in which case the allocation of the seat shall be determined by lot. In the event that there is an equality in the number of votes cast for the final seat between two or more candidates, the allocation of that seat shall be determined by lot;
- (g) on completion of the counting of the votes cast and the allocation of seats, the Head of Faculty Administration shall forward the result to the Returning Officer, who shall publish the names of the successful candidates forthwith;
- (h) a scrutiny shall be held if demanded by ten electors within seven days of the publication of the name or names of those elected, one proposer of each candidate to act as a scrutineer, such scrutineer to be selected by the candidate.

## **Regulation II**

### **Election of members of the General Assembly in Category 11 (members of the Senate)**

1. The election of members of the General Assembly in Category 11 shall be held in the Second Semester of each academic year on a date (the 'appointed date') to be fixed by the Registrar and Secretary, who shall also act as the Returning Officer. The date selected shall make due allowance for the provisions of paragraph 3 below to be properly fulfilled. The members elected shall normally take up their seats at the commencement of the academic year immediately following their election.
2. Those entitled to nominate and vote in the election shall be the members of the Senate in Categories 1, 2, 3 and 4, but, subject to Ordinance V.7, only those members of the Senate in Categories 2 and 3 may stand for election.
3. The rolls of the persons eligible to nominate and vote, and to stand for election, as at 30 April in the academic year of election, shall be maintained by the Registrar and Secretary and shall be conclusive evidence that any person whose name appears therein is entitled to nominate, vote or stand in the election, and that any person whose name does not appear therein is not so entitled. Any matters relating to the eligibility of persons to nominate, vote or stand for election shall be determined by the Registrar and Secretary.
4. The election shall be conducted by the Returning Officer, provided that:
  - (a) each candidate shall be nominated by no fewer than two eligible electors, and shall confirm, in writing, his or her willingness to stand for election;

- (b) a period of no fewer than two weeks shall elapse between an announcement of the number of vacancies to be filled and the closing date for receipt of nominations;
- (c) if on the expiration of the time for the receipt of nominations the number of valid nominations received does not exceed the number of vacancies declared, the Returning Officer shall declare those candidates nominated to be duly elected. If in such instances nominations have been invited for periods of office of varying duration, the allocation of seats shall be determined by lot;
- (d) if on the expiration of the time for the receipt of nominations the number of nominations received exceeds the number of vacancies declared, the election shall be determined by secret ballot. In such circumstances, the Returning Officer shall make available to each elector, no fewer than two weeks before the appointed date, information giving the names and styles of the candidates, and the appointment each holds;
- (e) each elector shall be at liberty to vote for as many candidates as there are vacancies, and shall vote via an approved electronic voting system. On the expiration of the period for electronic voting the Returning Officer shall count the votes;
- (f) if ballots are being held for periods of office of varying duration, the allocation of seats shall be determined by the number of votes cast, the candidate with the greater number of votes taking the seat of longer duration, unless there is an equality in the number of votes cast for such seat, in which case the allocation of the seat shall be determined by lot. In the event that there is an equality in the number of votes cast for the final seat between two or more candidates, the allocation of that seat shall be determined by lot;
- (g) on completion of the counting of the votes cast and the allocation of seats, the Returning Officer shall publish the names of the successful candidates forthwith;
- (h) a scrutiny shall be held if demanded by ten electors within seven days of the publication of the name or names of those elected, one proposer of each candidate to act as a scrutineer, such scrutineer to be selected by the candidate.

### **Regulation III**

#### **Election of members of the General Assembly in Category 12 (members of the staff)**

1. The election of members of the General Assembly in Category 12 shall be held in the Second Semester of each academic year on a date (the 'appointed date') to be fixed by the Registrar and Secretary, who shall also act as the Returning Officer. The date selected shall make due allowance for the provisions of paragraph 3 below to be properly fulfilled. The members elected shall normally take up their seats at the commencement of the academic year immediately following their election.

2. Subject to Ordinance V.7, those entitled to nominate, vote and stand in the election in each of the electoral categories designated in Ordinance V.10 shall be the members of the staff, full-time or part-time, who hold paid, superannuable appointments within the electoral category which are:
  - (a) of a duration greater than twelve months; or
  - (b) of a duration of twelve months or less, provided that each such staff member has an accumulated length of continuous service in excess of twelve months.
3. A roll of the persons eligible to nominate, vote or stand for election, as at 31 January in the academic year of election, shall be maintained by the Registrar and Secretary and shall be conclusive evidence that any person whose name appears therein is entitled to nominate, vote or stand in the election, and that any person whose name does not appear therein is not so entitled. Any matters relating to the eligibility of persons to nominate, vote or stand for election shall be determined by the Registrar and Secretary.
4. The election shall be conducted in each electoral category by the Returning Officer, provided that in each electoral category:
  - (a) each candidate shall be nominated by no fewer than ten eligible electors, and shall confirm, in writing, his or her willingness to stand for election;
  - (b) a period of no fewer than two weeks shall elapse between an announcement of the number of vacancies to be filled and the closing date for receipt of nominations;
  - (c) if on the expiration of the time for the receipt of nominations the number of valid nominations received does not exceed the number of vacancies declared, the Returning Officer shall declare those candidates nominated to be duly elected. If in such instances nominations have been invited for periods of office of varying duration, the allocation of seats shall be determined by lot;
  - (d) if on the expiration of the time for the receipt of nominations the number of nominations received exceeds the number of vacancies declared, the election shall be determined by secret ballot. In such circumstances, the Returning Officer shall make available to each elector, no fewer than two weeks before the appointed date, information giving the names and styles of the candidates, and the appointment each holds;
  - (e) each elector shall be at liberty to vote for as many candidates as there are vacancies, and shall vote via an approved electronic voting system. On the expiration of the period for electronic voting the Returning Officer shall count the votes;
  - (f) if ballots are being held for seats which include a number having periods of office of varying duration, the allocation of these seats shall be determined by the number of votes cast, the candidate with the greater number of votes taking the seat of longer duration, unless there is an equality in the number of votes cast for such seat, in which case the allocation of the seat shall be determined by lot. In the event that there is an equality in the number of votes cast for the

final seat between two or more candidates, the allocation of that seat shall be determined by lot;

- (g) on completion of the counting of the votes cast and the allocation of seats, the Returning Officer shall publish the names of the successful candidates forthwith;
- (h) a scrutiny shall be held if demanded by twenty electors within seven days of the publication of the name or names of those elected, one proposer of each candidate to act as a scrutineer, such scrutineer to be selected by the candidate.

#### **Regulation IV**

##### **Election of members of the General Assembly in Category 13 (members of the Alumni Association)**

1. The election of members of the General Assembly in Category 13 shall be held in the Second Semester of each academic year on a date to be fixed by the Registrar, Secretary and Chief Operating Officer in consultation with the Officers of the Association. The date selected shall make due allowance for the provisions of paragraphs 3 and 4 below to be properly fulfilled. The Returning Officer for the election shall be appointed by the Officers of the Association, and shall not be a candidate for election. The members elected shall normally take up their seats at the commencement of the academic year immediately following their election.
2. Those entitled to nominate and vote in the election shall be the members of the Association whose names appear on the list of members compiled pursuant to Statute XVIII.3, but, subject to Ordinance V.7, only those members of the Association who are members under the provisions of Statute XVIII.2(a) and (b), and whose names appear on the aforementioned list, may stand for election.
3. The rolls of the persons eligible to nominate and vote, and to stand for election, as at 31 January in the academic year of election, shall be maintained by the Officers of the Association, with any necessary assistance provided by the Registrar, Secretary, and Chief Operating Officer and shall be conclusive evidence that, subject to paragraph 2 above, any person whose name appears therein is entitled to nominate, vote (subject to paragraph 4(d) below) or stand in the election, and that any person whose name does not appear therein is not so entitled. Any matters relating to the eligibility of persons to nominate, vote or stand for election shall be determined by the Officers of the Association, in consultation with the Registrar and Secretary.
4. The election shall be conducted by the Returning Officer, provided that:
  - (a) each candidate shall be nominated by no fewer than five eligible electors, and shall confirm, in writing, his or her willingness to stand for election;
  - (b) a period of no fewer than four weeks shall elapse between an announcement of the number of vacancies to be filled and the closing date for receipt of nominations;

- (c) if on the expiration of the time for the receipt of nominations the number of valid nominations received does not exceed the number of vacancies declared, the Returning Officer shall declare those candidates nominated to be duly elected. If in such instances nominations have been invited for periods of office of varying duration, the allocation of seats shall be determined by lot;
- (d) if on the expiration of the time for the receipt of nominations the number of nominations received exceeds the number of vacancies declared, the election shall be determined by an online ballot (accommodating postal votes for those request them) , to take place over a suitable time frame, agreed by the Officers of the Association . The Returning Officer shall make available information to each elector giving the names and styles of the candidates, and such other information as the Officers of the Association may from time to time determine;
- (e) each elector shall be at liberty to vote for as many candidates as there are vacancies;
- (f) if ballots are being held for seats which include a number having periods of office of varying duration, the allocation of these seats shall be determined by the number of votes cast, the candidate with the greater number of votes taking the seat of longer duration, unless there is an equality in the number of votes cast for such seat, in which case the allocation of the seat shall be determined by lot. In the event that there is an equality in the number of votes cast for the final seat between two or more candidates, the allocation of that seat shall be determined by lot;
- (g) on completion of the counting of the votes cast and the allocation of seats, the Returning Officer shall publish the names of the successful candidates forthwith, and without further delay send a copy of the result to the Registrar, Secretary and Chief Operating Officer.

## **Regulation V**

### **Election of members of the Board of Governors in Category 3 (members of the Senate)**

1. The election of members of the Board in Category 3 shall be held in the Second Semester of each academic year on a date (the 'appointed date') to be fixed by the Registrar and Secretary, who shall also act as the Returning Officer. The date selected shall make due allowance for the provisions of paragraph 3 below to be properly fulfilled. The members elected shall normally take up their seats at the commencement of the academic year immediately following their election.
2. Those entitled to nominate and vote in the election shall be the members of the Senate in Categories 1, 2, 3 and 4, but, subject to Ordinance V.4(b), only those members of the Senate in Categories 2 and 3 may stand for election.

3. The rolls of the persons eligible to nominate and vote, and to stand for election, as at 30 April in the academic year of election, shall be maintained by the Registrar and Secretary and shall be conclusive evidence that any person whose name appears therein is entitled to nominate, vote or stand in the election, and that any person whose name does not appear therein is not so entitled. Any matters relating to the eligibility of persons to nominate, vote or stand for election shall be determined by the Registrar and Secretary.
4. The election shall be conducted by the Returning Officer, provided that:
  - (a) each candidate shall be nominated by no fewer than two eligible electors, and shall confirm, in writing, his or her willingness to stand for election;
  - (b) a period of no fewer than two weeks shall elapse between an announcement of the number of vacancies to be filled and the closing date for receipt of nominations;
  - (c) if on the expiration of the time for the receipt of nominations the number of valid nominations received does not exceed the number of vacancies declared, the Returning Officer shall declare those candidates nominated to be duly elected, having regard to the requirements of Statute VI.1(c), and then of Ordinance V.4(a). If in such instances nominations have been invited for periods of office of varying duration, the allocation of seats shall, where necessary, be determined by lot;
  - (d) if on the expiration of the time for the receipt of nominations the number of nominations received exceeds the number of vacancies declared, the election shall be determined by secret ballot. In such circumstances, the Returning Officer shall make available to each elector, no fewer than two weeks before the appointed date, information giving the names and styles of the candidates, and the appointment each holds;
  - (e) each elector shall be at liberty to vote for as many candidates as there are vacancies, and shall vote via an approved electronic voting system ;
  - (f) on the expiration of the period for electronic voting the Returning Officer shall count the votes and determine the allocation of the available seats amongst the various candidates in conformity with the requirements of Statute VI.1(c). In doing so, he or she shall first have regard to the number of votes cast for each candidate, then to fulfilling the requirements specified in Statute VI.1(c), and finally to fulfilling the requirements specified in Ordinance V.4(a);
  - (g) if ballots are being held for seats which include a number having periods of office of varying duration, the allocation of these seats shall be determined by the number of votes cast, the candidate with the greater number of votes taking the seat of longer duration, unless there is an equality in the number of votes cast for such seat, in which case the allocation of the seat shall be determined by lot. In the event that there is an equality in the number of votes



cast for the final seat between two or more candidates, the allocation of that seat shall be determined by lot;

- (h) on completion of the counting of the votes cast and the allocation of seats, the Returning Officer shall publish the names of the successful candidates forthwith;
- (i) a scrutiny shall be held if demanded by ten electors within seven days of the publication of the name or names of those elected, one proposer of each candidate to act as a scrutineer, such scrutineer to be selected by the candidate.

## **Regulation VI**

### **Election of members of the Board of Governors in Category 4 (members of the staff serving on the General Assembly)**

1. The election of members of the Board in Category 4 shall be held in the Second Semester of each academic year on a date (the 'appointed date') to be fixed by the Registrar and Secretary, who shall also act as the Returning Officer. The date selected shall make due allowance for the provisions of paragraph 3 below to be properly fulfilled. The members elected shall normally take up their seats at the commencement of the academic year immediately following their election.
2. Those entitled to nominate and vote in the election shall be the members of the General Assembly, but only those members of the General Assembly in Category 12, except those holding academic or research appointments, may stand for election.
3. The rolls of the persons eligible to nominate and vote, and to stand for election, as at 30 April in the academic year of election, shall be maintained by the Registrar and Secretary and shall be conclusive evidence that any person whose name appears therein is entitled to nominate, vote or stand in the election, and that any person whose name does not appear therein is not so entitled. Any matters relating to the eligibility of persons to nominate, vote or stand for election shall be determined by the Registrar and Secretary.
4. The election shall be conducted by the Returning Officer, provided that:
  - (a) each candidate shall be nominated by no fewer than four eligible electors, and shall confirm, in writing, his or her willingness to stand for election;
  - (b) a period of no fewer than two weeks shall elapse between an announcement of the number of vacancies to be filled and the closing date for receipt of nominations;
  - (c) if on the expiration of the time for the receipt of nominations the number of valid nominations received does not exceed the number of vacancies declared, the Returning Officer shall declare those candidates nominated to be duly elected, having regard to the requirements of Statute VI.1(d). If in such

instances nominations have been invited for periods of office of varying duration, the allocation of seats shall, where necessary, be determined by lot;

- (d) if on the expiration of the time for the receipt of nominations the number of nominations received exceeds the number of vacancies declared, the election shall be determined by secret ballot. In such circumstances, the Returning Officer shall make available to each elector, no fewer than three weeks before the appointed date, information giving the names and styles of the candidates, and the appointment each holds;
- (e) each elector shall be at liberty to vote for as many candidates as there are vacancies, and shall vote via an approved electronic voting system;
- (f) on the expiration of the time for the receipt of voting papers the Returning Officer shall count the votes and determine the allocation of the available seats amongst the various candidates in conformity with the requirements of Statute VI.1(d). In doing so, he or she shall first have regard to the number of votes cast for each candidate, then to fulfilling the requirements specified in Statute VI.1(d);
- (g) if ballots are being held for seats which include a number having periods of office of varying duration, the allocation of these seats shall be determined by the number of votes cast, the candidate with the greater number of votes taking the seat of longer duration, unless there is an equality in the number of votes cast for such seat, in which case the allocation of the seat shall be determined by lot. In the event that there is an equality in the number of votes cast for the final seat between two or more candidates, the allocation of that seat shall be determined by lot;
- (h) on completion of the counting of the votes cast and the allocation of seats, the Returning Officer shall publish the names of the successful candidates forthwith;
- (i) a scrutiny shall be held if demanded by ten electors within seven days of the publication of the name or names of those elected, one proposer of each candidate to act as a scrutineer, such scrutineer to be selected by the candidate.

## **Regulation VII**

### **The Common Seal of the University**

1. The Common Seal (hereinafter referred to as the ‘Seal’) shall have placed upon it the words ‘The University of Manchester’ and the arms of the University, and shall be kept at the University at the direction of the Board in the custody of the Registrar, Secretary and Chief Operating Officer who may, at his or her discretion, delegate custody to the Director of Finance.

2. Further to the provisions of Article V.1, and using the powers of delegation provided for in Statute VIII.5, the Board, through the provisions of this Regulation, grants to each of the following Officers authority and discretion to affix the Seal as circumstances require:

The Chair of the Board

The Deputy Chair (or Deputy Chairs) of the Board

The President and Vice-Chancellor

The Deputy President and Deputy Vice-Chancellor

The Vice-Presidents appointed by the Board pursuant to Statute III.6

and this authority shall endure from the coming into force of this Regulation until it may formally be rescinded or amended by the Board.

3. On each occasion on which the Seal is affixed by one of the Officers to whom authority and discretion has been granted in accordance with the provisions of paragraph 2 above, it shall be attested by one of the following:

The Registrar, Secretary and Chief Operating Officer

The Deputy Secretary

The General Counsel

The Director of Estates and Facilities

The Director of Finance

The Deputy Director of Finance

4. Each occasion on and circumstances in which the Seal is affixed shall be reported to the next meeting of the Board.

## **Regulation VIII**

### **Public Interest Disclosure Procedure**

#### **Introduction**

1. The Public Interest Disclosure Act 1998 ('the Act') gives legal protection to workers against being dismissed or suffering any other detriment as a consequence of raising, with appropriate senior personnel, concerns which they believe indicate malpractice within the organisation. In response to the Act, the University has established appropriate channels through which staff can express such concerns ('the procedures') and emphasises that the position in the University of the individual expressing such concerns ('the discloser') which they reasonably believe to be true in good faith and in accordance with this procedure, should not be jeopardised as a result. It is further emphasised that the procedures are intended to provide guidance to employees and other workers at the University who believe that they have discovered evidence of malpractice. They are not designed to permit the questioning of business decisions taken by the University, nor may they be used to seek reconsideration of any matter that has already been addressed under any other established procedure.

## **General Principles**

2. The University, like other public bodies, has a duty to conduct its affairs in a responsible and transparent way, and to take into account in so doing the requirements of funding bodies and the standards in public life set out by the Nolan Committee. In addition, the University corporately is committed in a demonstrable way to the principles of academic freedom and equality of opportunity which are embodied in its Charter and Statutes.
3. In return, the University has a reasonable expectation that all its employees, students and members of the Board and General Assembly will conduct themselves in a manner which is consistent with and conducive to the maintenance of these high standards, as befits those who, at all levels, have a responsibility to fulfil in connection with the use of public funds.

## **Scope and Application**

4. The procedures are intended to cover concerns that are in the public interest. Such concerns may include:
  - (a) financial malpractice, impropriety or fraud;
  - (b) failure to comply with a legal obligation, regulatory requirements, or with the laws of the University;
  - (c) serious danger to the health and safety of the individual or the environment;
  - (d) criminal activity;
  - (e) academic or professional malpractice;
  - (f) miscarriage of justice;
  - (g) attempts to conceal any of the above.
5. The procedures are not intended to replace or provide alternatives to remedies or procedures that already exist and are appropriate to the circumstances. For example, allegations of injustice or discrimination made by one member of staff against another should be dealt with under the appropriate grievance procedures established by the Board for the category of staff to which the discloser belongs, or for the specific nature of the complaint. Other matters for which established procedures are in place (for example allegations of misconduct in research) should be raised through those procedures.
6. Disclosers are normally expected to identify themselves and action will not normally be taken in response to anonymous disclosures. However, anonymous disclosures may be considered under these procedures depending on:
  - (a) the seriousness of the issues raised;
  - (b) the credibility of the concern; and
  - (c) the likelihood of being able to verify the circumstances via alternative, credible sources.
7. If a disclosure is made in the public interest but the circumstances are not confirmed by subsequent investigation, no management action will be taken against the discloser, and any reprisals against, or victimisation of, him or her will be considered to be a

serious disciplinary offence. If, however, a person makes a disclosure which s/he does not reasonably believe to be in the public interest for malicious or frivolous reasons, in bad faith or with a view to personal gain, such person may become the subject of disciplinary action

## Procedures

8. In most cases, employees or other workers should be able to raise any concerns with a manager. However, should the potential discloser consider that it may be necessary or appropriate to raise the matter formally, for example, where he or she may fear that his or her position in the University may be jeopardised, or where the usual channels may be inappropriate or ineffective concerns should be raised in the first instance with the Deputy Secretary (unless the concerns relate to that individual). The role of the Deputy Secretary will be to provide initial guidance and assistance, which may include guidance on the appropriate procedure through which the disclosure should be progressed. If having discussed the matter with the Deputy Secretary the discloser considers that the disclosure should be investigated formally through this procedure, the concern should, subject to paragraph 12 below, be disclosed in writing to the Registrar and Secretary, whose principal initial purpose will be to establish whether or not there are *prima facie* grounds for the concern and if so, the appropriate means for dealing with it. When making a disclosure, the discloser should provide as much information and detail as possible.
9. If the Registrar and Secretary considers that the information disclosed does not potentially concern information covered by this procedure, he or she may choose to take no further action. Alternatively, he or she may find that the matter should be dealt with under a different University procedure, in which case he or she will advise the person making the disclosure as to the appropriate steps which should be taken.
10. If, following the initial consideration, the Registrar and Secretary believes the disclosure does potentially concern matters covered by this procedure and that there are *prima facie* grounds for concern, he or she will decide whether an investigation should be conducted and what form it should take. This will depend on the nature of the matter raised and may or may not take the form of an investigation under this procedure.
11. If the Registrar and Secretary believes it is appropriate, he or she will investigate the concern that has been raised and, subject to paragraph 13 below, will prepare a report for the President and Vice-Chancellor, who will consider the report and if he or she considers that the concerns raised are justified will direct that appropriate action should be taken according to established procedures (for example, disciplinary) or by appropriate managerial intervention. The Registrar and Secretary may appoint another person to undertake the detailed investigation on his or her behalf, provided that the conclusions of the person so appointed are reported to, and endorsed by, the Registrar and Secretary before a report is made to the President and Vice-Chancellor.
12. Where the concern relates to the Registrar and Secretary, or it is otherwise inappropriate to raise the disclosure with the Registrar and Secretary it should be raised with the President and Vice-Chancellor who will nominate a member of the University's senior management or other suitable person to consider the issues raised.

In such circumstances, all references in paragraphs 8 to 11 above to the Registrar and Secretary should be deemed to refer to the nominee.

13. Where a concern relates to the President and Vice-Chancellor, the Registrar and Secretary will report to the Chair of the Board who will consider the report and if he or she considers that the concerns raised are justified will direct that appropriate action should be taken according to established procedures (for example, disciplinary) or by appropriate managerial intervention.
14. In all cases where a concern has been raised under this procedure, the person with whom it has been raised will make a record of its receipt and of the subsequent action taken. Such records shall be retained in the University by the Deputy Secretary for a minimum period of three years.
15. If on initial consideration the matter is judged not to require further investigation under this procedure in accordance with paragraph 9 or 10, the discloser will be so informed and given the opportunity to refer it to the Chair of the Board, who will take such steps as he or she deems necessary to review the case. Decisions by the President and Vice-Chancellor under paragraph 11 or the Chair of the Board under paragraph 13 will be final.
16. All matters raised formally under this procedure, including those dismissed after initial consideration under paragraph 9 or 10, and the results of their investigation, must be reported to the Audit Committee. The outcome of all investigations into matters raised or any reviews under paragraph 15 will, if appropriate, be reported to the discloser on a strictly confidential basis. However, sometimes the need for confidentiality may prevent the University from giving to the discloser specific details of the investigation or any action taken as a result.
17. In the conduct of the initial consideration of any concerns raised under this procedure, all reasonable steps will be taken not to breach confidentiality or to reveal the identity of the discloser until a formal investigation is initiated. Thereafter reasonable steps will be taken to maintain confidentiality in so far as it is consistent with a fair investigation and with the right of the person or persons being investigated to be aware of the nature of the matter raised. Potential disclosers who are concerned about possible repercussions if their identity is revealed should contact the Deputy Secretary so that appropriate measures can be considered to preserve confidentiality as far as possible.

### **External Disclosures**

18. The aim of this procedure is to provide an internal mechanism for reporting, investigating and remedying any malpractice in the University. However, the law recognises that in some circumstances it may be appropriate to report concerns to an external body such as a regulator. Disclosers should normally seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline and has a list of prescribed regulators for reporting certain types of concern. Their contact details are found at [www.pcaw.org.uk](http://www.pcaw.org.uk)

## **Review**

19. The operation of these procedures shall be reviewed periodically by the Board.

## **Regulation IX**

### **Procedure for the Calling of Special Meetings of the Staff**

1. Pursuant to the provisions of Statute XIX(d), the Dean of a Faculty or the Head of an academic-related Office or Service shall call a Special Meeting of all staff assigned to the Faculty, Office or Service if he or she is requested to do so, in writing, by:
  - (a) at least 250 or 15% of such staff who hold paid, superannuable appointments, whichever is the fewer, in the case of a Faculty or the Registrar and Secretary's Department; or
  - (b) at least 30% of such staff who hold paid, superannuable appointments in the case of Library Services; or
  - (c) at least 40% of such staff who hold paid, superannuable appointments in the case of the Manchester Museum or the Whitworth Art Gallery.

The request to the Dean of the Faculty, or to the Head of the Office or Service, shall also include a statement detailing the nature of the business it is desired to discuss at the Special Meeting.

2. Pursuant to the provisions of Statute XIX(b), the President and Vice-Chancellor shall call a Special Meeting of all staff of the University if he or she is requested to do so, in writing, by at least 500 members of staff who hold paid, superannuable appointments in the University, and who shall include at least fifty such members of staff from each of any three of the Faculties and academic-related Offices or Services in the University.
3. The request to the President and Vice-Chancellor shall also include a statement detailing the nature of the business it is desired to discuss at the Special Meeting, and whether or not such business has been discussed at a meeting(s) called in accordance with the provisions of paragraph 1 of this Regulation, and the outcome thereof. If, where such a meeting(s) has not taken place, the President and Vice-Chancellor believes that it is appropriate, given the nature of the business, that it should take place before calling a University-wide meeting, he or she may require the Dean of the appropriate Faculty or the Head of the appropriate academic-related Office or Service to call an additional meeting of the staff in the Faculty, Office or Service pursuant to the provisions of Statute XIX(d), and to report on the outcome of such meeting. After considering such report, the President and Vice-Chancellor may decide to continue with the arrangements for holding a University-wide meeting, or that some other form of action is more appropriate to deal with the matters raised, and shall advise those making the request accordingly.

4. Members of staff shall be given at least ten working days notice of all meetings called in accordance with the provisions of the above paragraphs, and each such meeting shall take place within twenty working days of the request being received.

## **Regulation X**

### **The Schools of the University**

Pursuant to the provisions of Ordinance XII.1, the Schools of the University shall be:

#### *Faculty of Science and Engineering*

School of Chemical Engineering and Analytical Science  
School of Chemistry  
School of Computer Science  
School of Earth and Environmental Sciences  
School of Electrical and Electronic Engineering  
School of Materials  
School of Mathematics  
School of Mechanical, Aerospace and Civil Engineering  
School of Physics and Astronomy

#### *Faculty of Humanities*

School of Arts, Languages and Cultures  
School of Environment, Education and Development  
School of Law  
Alliance Manchester Business School  
School of Social Sciences

#### *Faculty of Biology, Medicine and Health*

School of Biological Sciences  
School of Medical Sciences  
School of Health Sciences

## **Regulation XI**

### **Titles of Degrees and other Distinctions**

1. Pursuant to the provisions of Statute XX.1, the University may award and confer the degrees of doctor, master and bachelor, and may award undergraduate, graduate and postgraduate diplomas and certificates, in each case under arrangements determined from time to time by the Senate.
2. The degrees of Doctor of Philosophy (abbreviated PhD) and Master of Philosophy (abbreviated MPhil) may be awarded in any of the Faculties of the University, and



under the arrangements for validated programmes, in such manner as the Senate shall from time to time determine.

3. The Diploma and Certificate of Higher Education (abbreviated DpHE and CertHE, respectively) may be awarded, under such arrangements as the Senate shall from time to time determine, to students who have completed part but not all of a bachelor degree programme of the University.
4. Otherwise, the titles of degrees, diplomas and certificates awarded by the University in the various Faculties, and in respect of its validated programmes, and the abbreviations which may be used to designate their holders, shall be as follows:

**(a) Faculty of Science and Engineering**

+ Doctor of Engineering	DEng
* Doctor of Engineering	EngD
Doctor of Enterprise	EntD
Doctor of Science	DSc
Master of Enterprise	MEnt
Master of Environmental Science	MEnvSci
Master of Research	MRes
Master of Science	MSc
Bachelor of Engineering	BEng
Bachelor of Science	BSc
Master of Chemistry	MChem
Master of Chemistry and Physics	MChem&Phys
Master of Chemistry and Polymer Science and Technology	MChemPST
Master of Earth Science	MEarthSci
Master of Engineering	MEng
Master of Mathematics	MMath
Master of Mathematics and Physics	MMath&Phys
Master of Physics	MPhys
Master of Science by Research	MSc by Research
Master of Technology	MTech
Diploma in Statistics	DpStats
Postgraduate Diploma	PGDip
Postgraduate Certificate	PGCert
Professional Doctorate	DProf
Doctor of Engineering	EngD
Doctor of Enterprise	EntD
Doctor of Professional Management	DProfPM or DProfREAM

+ denotes higher doctorate, awarded in recognition of published work and/or other material of high distinction resulting from research.

\* denotes degree awarded to candidates who have been registered as students in the Faculty for, and who have successfully completed, a programme of study and research.

**(b) Faculty of Humanities**

Doctor of Business Administration	DBA
Doctor in Counselling	DCouns
Doctor of Counselling Psychology	DCounsPsych
Doctor of Divinity	DD
Doctor in Education	EdD
Doctor of Educational and Child Psychology	D.Ed.Ch.Psychol
Doctor of Educational Psychology	DEdPsy
Doctor of Laws	LLD
Doctor of Letters	LittD
Doctor of Music	MusD
Doctor of Practical Theology	DPT
Doctor of Social Science	DSocSc
Professional Doctorate in Museology	DMP
Professional Doctorate	DProf
Master of Arts	MA
Master of Arts in Economic and Social Studies	MA(Econ)
Master of Business	MBus
Master of Business Administration	MBA
Master of Business Science	MBSc
Master in Education	MEd
Master of Enterprise	MEnt
Master of Informatics	MInf
Master of Geography	MGeog
Master of Landscape Planning and Management	MLPM
Master of Language Engineering	MLangEng
Master of Language Translation	MLangTrans
Master of Laws	LLM
Master of Modern Languages	MML
Master of Music	MusM
Master of Music in Composition	MusM(Comp)
Master of Music in Performance	MusM(Perf)
Master of Public Administration	MPA
Master of Planning	MPlan
Master of Planning and Real Estate	MPRE
Master of Research	MRes
Master of Science	MSc
Master of Town and Country Planning	MTCP
Master of Town Planning	MTPI
Integrated Professional Master in Languages	IPML
Bachelor of Architecture	BArch
Bachelor of Arts	BA
Bachelor of Arts in Economic and Social Studies	BA(Econ)
Bachelor of Economic Science	BEconSc
Bachelor of Engineering	BEng
Bachelor of Laws	LLB
Bachelor of Linguistics	BLing
Bachelor of Music	MusB
Bachelor of Philosophy	BPhil

Bachelor of Science	BSc
Bachelor of Social Science	BSocSc
Bachelor of Town Planning	BTP
Diploma in Business Administration	DpBA
Diploma in Drama	DpDrama
Diploma in Advanced Study in Education	DpAdvStudEd
Diploma in Advanced Study in Communications, Education and Technology	DpAdvStudComms, Educ&Tech
Diploma in Advanced Study in the Teaching of English to Speakers of Other Languages	DpAdvStudTESOL
Diploma in Educational Leadership and School Improvement	DpEducLdrship&School Improvement
Diploma in Advanced Studies in Musical Composition	DpAdvStudMusComp
Diploma in Advanced Studies in Musical Performance	DpAdvStudMusPerf
Diploma in Social Policy and Social Work	DpSocPolSocWk
Diploma in Urban Planning	DpUP
Certificate in Business Administration	CertBA
Certificate in Legal Studies	CertLegalStud
Certificate in the Supervision of Counselling and in the Helping Professions	CertSupervisofCounsell & in HelpingProfs
Postgraduate Diploma in Education	PGDE
Postgraduate Certificate in Education	PGCE
Postgraduate Diploma	PGDip
Postgraduate Certificate	PGCert
Undergraduate Certificate	UGCert
Undergraduate Diploma	UGDIP

**(c) Faculty of Biology, Medicine and Health**

Doctor of Clinical Psychology	ClinPsyD
Doctor of Clinical Science	DClinSci
Doctor of Dental Science	DDSc
Doctor of Medical Science	DMedSc
Doctor of Medicine	MD
Doctor of Philosophy in Clinical Dentistry	PhD (Clin)
Doctor of Science	DSc
Master of Neuroscience	MNeurosci
Master of Optometry	MOptom
Master of Research	MRes
Master of Science	MSc
Bachelor of Science	BSc
Postgraduate Diploma	PGDip
Postgraduate Certificate	PGCert
Master of Arts	MA
Master of Clinical Research	MClin Res

Master of Dental Science	MDS
Master of Health Science	MHSc
Master of Population Health Evidence	MPHE
Master of Public Health	MPH
Master of Psychology	MPsy
Master of Research	MRes
Master of Science	MSc
Master in Science	MSCi
Master of Science in Clinical Dentistry	MSc (Clin)
Master of Surgery	ChM
Bachelor of Arts	BA
Bachelor of Dental Surgery	BDS
Bachelor of Medical Sciences	BMedSc
Bachelor of Medical Sciences (Dentistry)	BMedSc(Dent)
Bachelor of Medicine, Bachelor of Surgery	MB,ChB
Bachelor of Midwifery	BMidwif
Bachelor of Nursing	BNurs
Bachelor of Science	BSc
Master of Pharmacy	MPharm
Diploma in Advanced Study in the Education of Hearing Impaired Children	DpAdvStudEdHear ImpChild
Diploma in Bacteriology	DpBact
Diploma in Clinical and Health Service Pharmacy	DpClinHlthServPharm
Diploma in Industrial Pharmaceutical Sciences	DpIndPharmSc
Diploma in Pharmaceutical Engineering	DpPharmEng
Diploma in Psychiatric Social Work	DpPsychSocWk
Diploma in Systemic Family Therapy	DpSystFamTher
Postgraduate Diploma	PGDip
Postgraduate Certificate	PGCert

**(d) Validated Programmes**

Master of Arts	MA
Master in Education	MEd
Master of Laws	LLM
Master of Music	MusM
Master of Science	MSc
Master of Theology	MTheol
Bachelor of Arts	BA
Bachelor of Medicine, Bachelor of Surgery	MB,ChB
Bachelor of Music	BMus
Bachelor of Science	BSc
Bachelor of Theology	BTheol
Diploma in Counselling	DpCounsell
Certificate in Counselling	CertCounsell
Certificate in Education	CertEd
Postgraduate Certificate in Education	PostgradCertEd
Postgraduate Diploma	PGDip
Postgraduate Certificate	PGCert

5. References in official publications of the University to any persons as holders of a degree, diploma or certificate shall specify, where relevant, the Faculty in which, or the validated programme under which, the qualification was awarded.
6. Pursuant to the provisions of Statute XX.5(a), the University may confer *honoris causa* on persons of distinction the degree of Doctor of the University (abbreviated DUniv), in addition to such degrees taken from the lists set out in paragraph 4 above as may be specified from time to time by the Board, on the recommendation of the Senate.

## **Regulation XII**

### **Arrangements leading to the award of degrees and other academic distinctions**

#### **General**

1. This Regulation is made on the recommendation of the Senate, pursuant to the provisions of Statute XX.1.
2. A programme of study for a degree or other academic distinction ('the programme') shall be pursued in the University unless:
  - (a) the Regulations for the programme that have been prescribed by the Senate pursuant to Statute XXII.3 allow for all or part of the programme to be pursued outside the University; or
  - (b) the Senate, at its discretion deems that a programme of study completed satisfactorily by a student elsewhere may be treated as being equivalent to any element or elements of the programme.
3. The language of instruction in the University shall be English, unless the Regulations prescribed by the Senate for a particular programme make other provision. A student on a programme conducted in English whose first language is not English, and who does not make reasonable progress during his or her first semester owing to an inadequate knowledge of English, shall normally be required to receive tuition in the language. Unless satisfactory progress in the study of the language is made, the continuing attendance of the student on his or her programme may not be approved.
4. On the recommendation of the Senate, the Board has approved the following general arrangements in relation to first degree, diploma and certificate programmes and the taught component of higher degree programmes of the University governing:
  - (a) attendance requirements for programmes;
  - (b) the conduct of examinations and other forms of assessment (hereinafter referred to as 'assessments');
  - (c) the determination of the results of such assessments.

5. Comparable arrangements in relation to programmes for higher degrees by research and for other academic distinctions shall be prescribed by the Senate in Regulations made pursuant to the provisions of Statute XXII.3.
6. No new title for a degree or other academic distinction shall be approved, and no such title shall be abolished, other than by the Board, on the recommendation of the Senate.

### **Attendance requirements**

7. A programme for a first degree shall be of at least three academic years duration (or its equivalent in part-time study) provided that the Senate may, at its discretion, reduce such period to not less than one academic year (or its equivalent in part-time study) in instances where a student has completed a period of study elsewhere that has been approved under the provisions of paragraph 2(b) above.
8. The Senate may, at its discretion, grant exemption from parts of a programme, or from prescribed assessments, in instances where a student has completed a period of study elsewhere that has been approved under the provisions of paragraph 2(b) above.
9. The Senate may in any individual case relax the conditions prescribed by Regulation relating to attendance on programmes, and to assessments, if it is satisfied that the essential requirements of the Regulations have been or will be fulfilled.

### **Conduct of assessments**

10. The periods during each academic year when assessments may be conducted centrally shall be approved under arrangements determined from time to time by the Senate.
11. Assessments shall be conducted jointly, in a manner determined, and from time to time reviewed, by the Senate, by internal examiners, who are holders of academic posts or who are recognised teachers in the University, and by external examiners, who are, pursuant to the provisions of Statute XX.1, persons independent of the University.
12. Internal examiners shall be appointed by the Senate in such manner and for such duration as it may determine in accordance with a scheme for making such appointments that the Senate shall devise, and from time to time review.
13. External examiners for each programme shall be appointed by the Board on the recommendation of the Senate, following report from the Dean(s) of the Faculty(ies) concerned, and in accordance with a scheme for making such appointments approved, and from time to time reviewed, by the Board on report from the Senate, except that no external examiner shall hold office for a continuous period exceeding four years, or be reappointed until the expiry of a period equal to the period during which he or she last held such office, other than for special reasons reported to the Board by the Senate. For each programme, one of the external examiners so appointed shall be designated the 'Programme External Examiner'.
14. The President and Vice-Chancellor shall have the power, for good cause shown, to suspend or remove an examiner from his or her appointment as such for negligence or

misconduct, or, in an emergency, to appoint any appropriately qualified person to fill a vacancy among the examiners.

15. No student shall be admitted to any assessment unless he or she:
  - (a) has satisfied, or has been deemed to have satisfied, the requirements as to work and attendance prescribed by Regulation for such assessment, unless exempted by the Senate under paragraphs 8 or 9 of this Regulation;
  - (b) has paid such fees as may have been prescribed by the Board for the purposes of assessment.
16. Subject to the Regulations, for each subject or group of subjects comprising a programme, the form and style of assessment shall be determined by the Programme Committee concerned.
17. For each programme, the form and content of examination papers and statements of other requirements to be assessed, and the determination of the results, shall be the joint responsibility of the examiners (sitting as a Board of Examiners) appointed pursuant to paragraphs 12 and 13 of this Regulation.

### **Results of assessments**

18. The results of the assessments prescribed for each programme shall be drawn up by the appropriate Board of Examiners and signed by the Chair of such Board, who shall be one of the internal examiners for the programme, and also, where the results relate to the award or non-award of degrees, by at least one of the external examiners for the programme, normally the Programme External Examiner. The signed results shall be forwarded to the Registrar and Secretary, who shall submit them to the Senate for confirmation.
19. The Registrar and Secretary shall be empowered to publish provisional lists of successful students before confirmation by the Senate.
20. The President and Vice-Chancellor shall have the power to direct that the assessment result for any student who has not paid in full all fees, loans, charges or other sums due to the University shall not be published, nor submitted to the Senate for confirmation, until all such debts have been paid in full.
21. A student may, in accordance with procedures and within limits of applicability prescribed by Regulation submit a request for a review of a decision of a Board of Examiners, provided that any such request may not question the judgment of the examiners on the student's academic or professional performance.

## **Regulation XIII**

### **Academic Dress**

1. Those Members of the University who are entitled to wear academic dress shall do so at the ceremonials of the University.
2. The academic dress for graduates of the University shall be as follows:
  - (a) the gowns for all Masters and Bachelors and all holders of Diplomas and Certificates shall be of black material (of stuff or silk) and shall be of the same shape and special to this University;
  - (b) Doctors of Business Administration, Doctors of Clinical Psychology, Doctors in Counselling, Doctors in Education, Doctors of Educational and Child Psychology, Doctors of Educational Psychology, Doctors of Engineering, Doctors of Enterprise, Doctors of Medicine, Doctors of Philosophy and Doctors of Practical Theology are entitled to wear a maroon robe of an “Oxford” shape, having purple sleeves and facings trimmed with gold ribbon;
  - (c) Doctors of Dental Science, Doctors of Divinity, Doctors of Laws, Doctors of Letters, Doctors of Music, Doctors of Medical Science, Doctors of Science and Doctors of Social Science are entitled to wear a scarlet robe of an “Oxford” shape, having purple sleeves and facings trimmed with gold ribbon;
  - (d) all hoods of the University shall have a neckband of purple with a centrally-placed band of gold ribbon set thereon, but being differentiated in shape as follows:
    - (i) for Doctors, Masters and Bachelors - of a “Cambridge” full shape;
    - (ii) for holders of Diplomas and Certificates - of a modified “Aberdeen” shape;
  - (e) the hoods for all Masters and Bachelors shall be of black corded material, lined and/or trimmed in the following manner:
    - (i) for the degree of Master of Philosophy - a full lining of purple trimmed with a broad band of gold ribbon within the cowl and a maroon edging on the cape;
    - (ii) for all other Masters, where the degree is conferred following completion of a postgraduate programme of study - a full lining of purple carried over as an edging on the cape;
    - (iii) for undergraduate Masters - a full lining of purple trimmed with two bands of gold ribbon within the cowl;
    - (iv) for Bachelors, where the degree is conferred following completion of a programme requiring five or more years of study - a full lining of



purple, trimmed within the cowl with two ribbons, the outer of gold and the inner of red;

- (v) for all other Bachelors - a broad facing of purple within the cowl, trimmed with a single band of gold ribbon;
- (f) the hoods for holders of Diplomas and Certificates shall be self-lined and of black corded material, with a narrow band of purple within the cowl;
- (g) the hoods for Doctors specified in paragraph 2(b) shall be of maroon (woollen) material, fully lined with purple carried over as an edging on the cape;
- (h) the hoods for Doctors specified in paragraph 2(c) shall be of scarlet (woollen) material, fully lined with purple, and shall have the cape edged with gold ribbon;
- (i) the caps for all graduates and holders of Diplomas and Certificates shall be the ordinary black academic caps; Doctors wear black velvet bonnets with gold cord and tassels.

## **Regulation XIV**

### **Use of Library and Information Services**

#### **Application and scope**

1. The John Rylands University Library of Manchester (the 'Library') shall comprise such premises and library resources as may be designated from time to time by the Board. For the time being, these include the:

Main Library Building  
John Rylands Library, Deansgate  
Joule Library  
Eddie Davies Library (Manchester Business School)  
Kantorowich Library  
Lewis Library  
Precinct Library  
Stopford Library (Faculty of Medical and Human Sciences)  
School of Computer Science Library  
School of Environment and Development Library  
Lenagan Library  
School of Physics and Astronomy Library  
Gateway House Library and associated sites  
Stores and depositories

2. This Regulation shall apply to all constituent parts of the Library, unless specific provisions to the contrary are included within it, in official Library Policy Statements, or published in the particular Library concerned.

3. The Library is open for the purpose of study and research to (the ‘users’):
- (a) members of the Board of Governors and of the General Assembly of the University of Manchester;
  - (b) current members of staff of the University of Manchester;
  - (c) registered students of the University of Manchester;
  - (d) such other students taking courses in the University as from time to time agreed by the University Librarian or an authorised representative;
  - (e) graduates and retired staff members of the University of Manchester, and of the former Universities;
  - (f) members of Manchester Medical Society;
  - (g) members of institutions affiliated with the University of Manchester, as from time to time agreed by the Librarian;
  - (h) members of the academic staffs of other universities;
  - (i) persons satisfying the Librarian that they are engaged in academic research;
  - (j) staff and students of institutions making up the North West Academic Libraries Consortium (NOWAL) on reciprocal terms as from time to time agreed by the Consortium;
  - (k) students of other universities (in the University of Manchester vacations only or as authorised by the University Librarian);
  - (l) members of non-University profit and non-profit organisations on a negotiated basis;
  - (m) such other persons as may, on application to the Librarian, be granted authority to use the Library.

If it appears that their presence in the Library will impair the use of the Library by members of the University of Manchester, users specified in categories (g) to (m) above may, at certain times, be refused access to the Library or parts of the Library at the discretion of the Librarian.

- 4 (a) All users must possess a current John Rylands University Library Membership Card, or approved identity document, and are required to show it on request. Admission may be refused to any user who does not do so. Use of Library facilities and borrowing rights are personal to the cardholder and are not transferable.

- (b) Applicants for a Library Membership Card who are not members of the University of Manchester may be required to provide evidence of status, or a letter of recommendation.
- (c) The Librarian may, from time to time, prescribe fees to be charged to certain categories of cardholders, or for certain Library services.
- (d) Exhibitions and lectures held in the John Rylands Library, Deansgate, shall normally open to the public.

### **Hours of Opening**

- 5. The opening hours of the Library and its associated facilities shall be displayed on notices throughout the Library, in University publications, and on the Library web pages. Opening hours may be reviewed from time to time by the Librarian acting after appropriate consultation.
- 6. The Library shall normally be closed on days on which the University is closed.

### **Policies and procedures**

- 7. The Librarian shall have the authority to issue, and from time to time review, policy statements and procedures, which shall be deemed to be part of this Regulation, in respect of the following:
  - (a) the use of Library materials, within the Library or elsewhere, including the use of rare books, manuscripts, archives, other special collections material and electronic information resources;
  - (b) the use of allocated special study areas;
  - (c) the terms on which Library material may be borrowed;
  - (d) loan procedures and loan periods;
  - (e) lost items of Library material;
  - (f) the bringing of personal belongings into Library premises;
  - (g) the conduct of users in the Library.

### **Copyright**

- 8. The provisions of the Copyright, Designs and Patents Act 1988 and, where appropriate, the copyright licensing agreements which the University has from time to time entered into must be observed in all copying of Library material and in all copying carried out on Library premises.

## **Infringement and enforcement**

9. All members of the Library staff are authorised to require compliance with the provisions of this Regulation on request, in particular those relating to conduct within the Library. Failure by a user to comply with such a request shall normally be reported to the Librarian or an authorised deputy, who, subject to the laws of the University, shall determine the action to be taken.
10. Where there is a formal agreement between the University of Manchester and other institutions whereby a user of either institution may use the library facilities of the other, the University of Manchester user may be subject to penalties set out hereunder, or elsewhere in the laws of the University, for a serious breach of the regulations of the other institution (provided that the user is not penalised twice for the same breach).
11. Failure to observe any of the foregoing provisions by any user who is not subject to the laws of the University, or to formal institutional agreements with the Library as referred to in paragraph 3 above, may result in the user being excluded by the Librarian from using the Library's facilities and services on a temporary or a permanent basis.
12. Subject to the laws of the University, fines will be levied for failure to return books or other library materials either by the due date, or when recalled for the use of another user. The Librarian may also levy a fine on any user who fails to comply with other provisions of this Regulation, up to a maximum amount determined from time to time by the Board but not exceeding £500, according to the seriousness of the offence. Failure to pay fines levied as above may result in the user being excluded by the Librarian from using the Library's facilities and services on a temporary or a permanent basis.
13. Pursuant to the provisions of Regulation XII, the assessment result for any student may be withheld if he or she, on completion of his or her programme of study, fails to return all items borrowed from the Library, or fails to pay all outstanding charges or fines.
14. Any user to whom such penalties as provided for above have been applied may appeal to the Registrar and Secretary.

## **Regulation XV**

### **Use of IT facilities and services**

#### **Application and scope**

1. This Regulation is made pursuant to the provisions of Ordinance XIV.4 and applies to all members of staff, students, and other persons duly authorised to have access to the University's IT facilities and services. It applies to all personal computers, whether physical or virtual, server, desktop, portable or mobile, terminals, peripherals and computer networks (including wireless and telecommunications networks); all software and data thereon; all computer-based information systems provided for any

purpose, whether located in the University or elsewhere and accessed using network services.

2. Equipment not owned, leased, hired or otherwise provided by the University shall not be connected in any way to any network or other IT facility of the University without the prior written agreement of the Director of IT Services, unless the connection is to a network access point or wireless network designed and offered, under the terms of an agreement with the University, for the connection of portable or privately owned equipment.
3. The use of all the University's IT facilities and services is subject to all relevant legal and statutory requirements, and this Regulation applies in addition to such requirements. In cases involving a breach of the law, the University may also refer the matter to the due processes of the law.
4. The University reserves the right to monitor and/or investigate general computer and network usage, including email traffic and the use of the Internet, in order to detect any breach of this Regulation or of the law.
5. Users connecting University IT equipment in both physical and virtual environments may be required to install and use software as directed by the University.
6. Users shall take all reasonable care to maintain the security of IT facilities, IT services and data to which they have been given access.
7. Authorised users are responsible for ensuring that they are sufficiently familiar with the operation of any equipment that they use to the extent that their usage is safe, and avoids damage to the equipment or interference with other users.

### **Policies and procedures**

8. The Director of IT Services shall have the authority to issue, and from time to time review, policy statements and procedures, which shall be deemed to be part of this Regulation, in respect of the following:
  - (a) the authorisation and registration of users;
  - (b) classes of user;
  - (c) the acceptable use of IT facilities and services;
  - (d) charges for the use of IT facilities and services;
  - (e) network connectivity;
  - (f) codes of user behaviour;
  - (g) IT security;
  - (h) non-institutional use.

## **Copyright**

9. The provisions of the Copyright, Designs and Patents Act 1988 and, where appropriate, the copyright licensing agreements which the University has from time to time entered into must be observed in all usage of the University's IT facilities and services.

## **Infringement and enforcement**

10. All members of staff of the Directorate of IT Services are authorised to require compliance with the provisions of this Regulation on request, in particular those relating to codes of behaviour for the use of IT facilities and services. Failure by a user to comply with such a request shall normally be reported to the Director of IT Services, or an authorised deputy, who, subject to the laws of the University, shall determine the action to be taken.
11. Failure to observe any of the foregoing provisions by any user who is not subject to the laws of the University may result in the user being excluded by the Director of IT Services from using the University's IT facilities and services on a temporary or a permanent basis.
12. Subject to the laws of the University, and to a maximum amount determined from time to time by the Board, the Director of IT Services may levy a fine on a user who fails to comply with the provisions of this Regulation, according to the seriousness of the offence. Failure to pay such a fine may result in the user being excluded by the Director of IT Services from using the University's IT facilities and services on a temporary or a permanent basis.

## **Regulation XVI**

### **The University Press**

1. Pursuant to the provisions of Ordinance XIX.3, the membership of the Press Board shall comprise:
  - (i) as ex officio members: the Chief Executive Officer (CEO) of the Press, the University Librarian, and a member of the Directorate of Finance, nominated by the Director of Finance;
  - (ii) one person appointed by the Board of Governors to chair the Press Board and line manage the CEO; this individual should be a senior member of University staff, ideally a member of PRC or with equivalent experience of how The University of Manchester is managed, and should also have an understanding of academic publishing and its importance to The University; this individual should be appointed for periods of three years renewable up to a maximum of nine years;

- (iii) a second individual appointed by the Board of Governors with a broad understanding of the governance of The University of Manchester;
  - (iv) the Chair of the Editorial Committee of the Press Board, appointed as provided for in paragraph 2 below; and an academic member of The University of Manchester who is a series editor for the Press, appointed by the CEO of the Press, advised by the Editorial Committee;
  - (v) up to four other persons who are external to The University of Manchester and MUP, who have broad understanding of developments in academic publishing and knowledge dissemination, and who shall be appointed by the Board of Governors, for a period of 3-6 years, with an appropriate pattern of rotation.
2. The Press Board shall ensure the establishment of an Editorial Committee, whose Chair shall be appointed by the Press Board following consultation with Senate. The Press Board shall also have power to appoint such other committees on such terms as it may from time to time determine.
  3. The Press Board shall report to the Board of Governors, through the Planning and Resources Committee, at least once each year.

## **Regulation XVII**

### **Conduct and Discipline of Students**

Note: any reference in this Regulation to named officers should be read also as a reference in each case to a delegated nominee;

#### **Powers**

1. Statute XXI requires that every student shall maintain at all times and in all places an acceptable standard of conduct and shall comply with regulations made by the University or by the authorities of any institution or organisation which a student may be required to work in or visit as part of his or her prescribed programme of study. In accordance with Statute XXI, Senate has the power to expel or to suspend or to exclude from programmes of study or to impose a fine or other lesser penalty upon any student found guilty of misconduct or breach of discipline. Senate's power in this matter is delegated through this Regulation and through the Student Conduct and Discipline Committee to University Student Disciplinary Panels.

#### **Student Conduct and Discipline Committee**

2. The Student Conduct and Discipline Committee is responsible to Senate for the operation and review of all matters relating to student conduct and discipline. The Committee has two key purposes in particular:
  - a) To have oversight on all matters relating to student conduct and discipline, and to report and to make recommendations to Senate as appropriate. This role is carried out through:

- annual reviews of student discipline, misconduct and appeal cases (to include, for example, nature of cases, emerging trends, consistency of penalties, ways of reducing incidents of academic misconduct);
  - periodic reviews of the various regulatory and supporting procedural documents to ensure that they remain fit for purpose;
  - considering student conduct and discipline issues more broadly: eg procedures for handling students with criminal convictions, scope of University disciplinary powers.
- b) To establish University Student Disciplinary Panels to investigate and hear allegations of misconduct against students and to impose penalties on students.
3. The Student Conduct and Discipline Committee shall be composed as follows:
- Vice-President for Teaching, Learning and Students (Chair)
  - Associate Vice-President for Research (or nominee)\*
  - Associate Dean (UG)\*
  - Associate Dean (PGT)\*
  - Twelve members of academic staff\*
  - Two members of Professional Services (to be nominated by the Registrar, Secretary and Chief Operating Officer)
  - Senior Residential Life Coordinator (to be nominated by the Director of Residential Services)
  - Two Officers of the Students' Union
  - Students' Union Advice Centre Manager
  - Those marked with \* can act as chairs of University Student Disciplinary Panels

The membership of the Committee will be reported annually to Senate for information.

### **Scope and applicability**

4. The essence of misconduct under this Regulation is the improper interference, in the broadest sense, with the proper functioning or activities of the University or of those who work or study in the University, or action which otherwise damages the University or its reputation. The provisions of this Regulation define that behaviour which constitutes misconduct as it relates to students studying or registered at the University and the consequences of that misconduct. This Regulation does not apply to students registered at a Partner Organisation on programmes of study approved or accredited by the University. Such students are subject to the disciplinary procedures of the Partner Organisation.
5. With the exception of paragraph 8(g) which relates to misconduct in the local communities and paragraph 8(n) which concerns misconduct that constitutes a criminal offence, the conduct covered by paragraph 8 shall constitute misconduct only if it took place on University property or premises, or elsewhere if the student was involved in a University activity, was representing the University, was present at that place by virtue of his or her status as a student of the University or if the conduct raises questions about the fitness of the student on a programme leading directly to a professional qualification or calling to be admitted to and practise that profession or calling.



6. The University shall take no account of misconduct prior to enrolling as a student, which has subsequently been revealed or is still in the process of being dealt with by other authorities, unless:
  - (a) the conduct is of such a serious kind and character that it raises questions about the fitness of the student to remain a member of the University, for example, with regard to the safety of other students; or
  - (b) the conduct raises questions about the fitness of the student on a programme leading directly to a professional qualification or calling to be admitted to and practise that profession or calling.
7. This Regulation does not cover action to be taken, pursuant to Statute XXI.4, against students following failure in examinations or lack of diligence in their studies or failure to meet other academic requirements.

### **Definition of misconduct**

8. Without prejudice to the generality of Statute XXI.1, a student may be liable to disciplinary action in respect of conduct which:
  - (a) disrupts, or improperly interferes with, the academic, administrative, sporting, social or other activities of the University, whether on University premises or elsewhere;
  - (b) obstructs, or improperly interferes with, the legitimate functions, duties or activities of any student, member of staff or other employee of the University or any authorised visitor to the University;
  - (c) involves violent, indecent, disorderly, threatening or offensive behaviour or language (whether expressed orally or in writing, including electronically) whilst on University premises or engaged in any University activity;
  - (d) involves distributing or publishing a poster, notice, sign or any publication which is offensive, intimidating, threatening, indecent or illegal, including the broadcasting and electronic distribution of such material;
  - (e) involves fraud, deceit, deception or dishonesty in relation to the University or its staff or students or in connection with holding any office in the University, in a residents' association or equivalent body, in the Students' Union or the Athletic Union, or in relation to being a student of the University;
  - (f) involves action likely to cause injury or impair safety on University premises;
  - (g) damages the University's relationship or reputation with its local communities, as evidenced by substantiated complaints from residents, residents' groups, local authority representatives or the police;
  - (h) constitutes a breach of the University Dignity at Work and Study Policy/Procedures against any student, member of staff or other employee of the University or any authorised visitor to the University;

- (i) breaches the provisions of the University's Code of Practice on Freedom of Speech or of any other Regulation or University rule which provides for breaches which would constitute misconduct under this Regulation, including the submission of a complaint found to be frivolous, vexatious or motivated by malice;
- (j) has been found to be misconduct in research following an investigation under the Code of Practice for Investigating Concerns about the Conduct of Research;
- (k) involves the possession of unauthorised material or the use or attempted use of unauthorised or unfair means (including academic malpractice such as plagiarism or collusion with other students or fabrication or falsification of results) in connection with any examination or assessment;
- (l) causes damage to or defaces University property or the property of other Members of the University caused intentionally or recklessly, and/or misappropriation of such property;
- (m) constitutes the misuse or unauthorised use of University premises or items of property, including misuse of computers and the communications network or any other breach of the University policy on use of information systems;
- (n) constitutes a criminal offence where that conduct or the offence:
  - (i) takes place on University premises; or
  - (ii) affects or concerns other Members of the University; or
  - (iii) damages the good name of the University; or
  - (iv) itself constitutes misconduct within the provisions of this Regulation; or
  - (v) is an offence of dishonesty, where the student holds an office of responsibility in the University, a residents' association, the Students' Union or the Athletic Union; or
  - (vi) is such as to render the student unfit to practise any particular profession or calling to which that student's programme of study leads directly;
- (o) involves failure to disclose name(s) and other relevant information to an officer or employee of the University in circumstances when it is reasonable to require that such information be given;
- (p) constitutes a failure to comply with a previously-imposed penalty or reasonable instruction under this Regulation or any other University Code, rule or regulation;
- (q) renders a student who is enrolled on a programme of study leading directly to a professional qualification or eligibility for registration to practise, or to the right to practise a particular profession or calling not fit to be admitted to and practise that profession or calling. This specifically applies to students on the following programmes:
  - BDS Dentistry
  - BNurs
  - BMidWif
  - BSc Healthcare Science (Audiology)
  - BSc in Nursing Practice

BSc Oral Health Science  
BSc Speech and Language Therapy  
ClinPsyD  
Dip/MSc in Psychiatric Social Work  
MBChB  
MPharm  
MA Social Work  
MEd Psychology of Education  
MSc Advanced Leadership for Professional Practice (Social Work)  
MSc Audiology  
MSc Optometry  
PGCE  
PG Dip Physician Associate

and to such other programmes as the Senate shall from time to time determine.

[Note: This relates to instances of general misconduct and not to matters of professional conduct or behaviour. Such professional matters will normally be dealt with by the appropriate authority through the Programme Regulations.]

## **Penalties**

9. If the misconduct or breach of discipline is admitted by the student or is found to be proved, one or more of the following penalties may be imposed (except for misconduct in respect of examinations and assessments as covered in paragraph 8(k), for which the penalties are set out in paragraph 10):

In respect of Summary action:

- (a) a reprimand and warning about future behaviour;
- (b) a requirement upon the student to give an undertaking as to his or her future good conduct within the University;
- (c) a requirement upon the student to pay for any damage to property he or she may have caused or to recompense the University for any loss it may have suffered arising from the student's misconduct;
- (d) a requirement upon the student to pay compensation;
- (e) a fine of not more than £500;
- (f) a requirement upon the student to undertake specified tasks or services for the benefit of the School or hall of residence or the University community up to a maximum of forty hours;

In respect of University Student Disciplinary Panels: any of the above and the following:

- (g) a fine of not more than £1000;

- (h) restriction of access to the University or a specified part thereof for a fixed period ('exclusion'). A student who receives such a penalty will have restricted rights to enter University premises and/or to participate in University activities or access to University services, the terms of the restriction being notified to the student. An order of restricted access may include a requirement that the student shall have no contact with a named person or persons;
  - (i) suspension from the University for a fixed period. A student who is so suspended will be prohibited from entering University premises and from participating in University activities although the suspension may be subject to qualification, such as permission to take an examination. An order of suspension may include a requirement that the student shall have no contact with a named person or persons;
  - (j) expulsion from the University, which means that the student shall cease to be a Member of the University and will lose all rights and privileges of Membership.
10. If a breach under paragraph 8(k) has been established, the penalties imposed may be one or more of the following. When determining the penalty to be imposed, account shall be taken of the consequences which the penalty will have for the academic progress of the student concerned, as laid out in the relevant degree regulations:

[Note: guidance on the procedure for handling cases of alleged academic malpractice in accordance with this regulation is set down in the document 'Academic Malpractice: Procedure on the Handling of Cases', available on line at [www.manchester.ac.uk/policies](http://www.manchester.ac.uk/policies).]

In respect of Summary action by Schools:

- (a) a reprimand and warning about future behaviour;
- (b) Requirement to undertake a piece of work, not connected to the student's academic programme but related to the offence committed;
- (c) the Examining authority to be informed that the piece of work be marked, if not already marked, and the mark awarded for the piece of work or for the course unit be reduced by a specified amount;
- (d) Recorded mark of zero for the examination paper or other assessed work in which unfair practice occurred;\*
- (e) Recorded mark of zero for the course units(s) in which the unfair practice occurred;\*

In respect of Summary action by Faculties, any of the above and (f) – (g) below:

- (f) the student being not allowed a re-assessment of the piece of work or course unit(s) in which the unfair practice occurred;

- (g) the student being not allowed a re-assessment and being not allowed to substitute any other assessed work;

In respect of the University Student Disciplinary Panel, any of the above and the following:

- (h) Recorded mark of zero for all examination papers and other assessed work taken during the particular examination period (i.e. end of first semester (January); end of second semester (May/June); resit (August/September)) in which unfair practice occurred;\*
  - (i) Recorded mark of zero for all examination papers and other assessed work taken during the academic year;\*
  - (j) the Examining authority to be required to reduce the class of degree by one or more classes from that which would have been awarded on the basis of the student's academic progress, or to award a lesser qualification;
  - (k) suspension from the University for a fixed period, up to a maximum of twelve months. A student who is so suspended will be prohibited from entering University premises and from participating in University activities although the suspension may be subject to qualification;
  - (l) expulsion from the University, which means that the student shall cease to be a Member of the University and will lose all rights and privileges of Membership.
11. In imposing a penalty on a student pursuing one of the programmes listed in paragraph 8(q), an officer authorised under paragraph 15 to deal summarily with alleged offences, or the University Student Disciplinary Panel shall, if appropriate, have regard to the relevance of the misconduct in relation to the student's fitness on graduation to be registered in the profession or calling to which the programme leads and shall in this connection seek the advice of the Dean of the appropriate Faculty or the Head of the appropriate School before deciding on the penalty to be imposed.

### **Disciplinary Procedures**

12. Cases of alleged misconduct or breach of discipline may be dealt with either summarily as set out in paragraphs 15 to 18 below or by a University Student Disciplinary Panel established in accordance with paragraph 20 of this Regulation.
13. Disciplinary procedures may be adjourned at any time if it is known or suspected that the student concerned is not fit to participate in them. In such circumstances, the proceedings may be suspended or terminated subject to specified conditions.
14. The procedures to be followed where the alleged misconduct would also constitute an offence under the criminal law if proved in a court of law and for arrangements to suspend or exclude a student pending a disciplinary hearing are set out in paragraphs 39-45.

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\* This penalty may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence. See 'Academic Malpractice: Procedure on Handling Cases' for further advice

## Summary Procedures

15. Pursuant to Statute XXI.3, the following University officers (or their delegated nominees) are empowered to deal summarily with alleged offences as follows:
  - (a) Heads of Schools or Deans of Faculties  
in respect of breaches of published School, Faculty or Programme Regulations, misconduct occurring within Schools or Faculties, or misconduct occurring while on external placement, or other similar activity undertaken as part of a programme of study;
  - (b) Residential Life Manager  
in respect of breaches of Student Residence Regulations or Conditions of Residence or Licence Agreement, or misconduct occurring within the Residence concerned as they apply to a student of that residence;
  - (c) The Librarian  
in respect of breaches of Library Regulations or misconduct occurring on the Library premises;
  - (d) Chief Information Officer  
in respect of breaches of Regulations concerning the use of the University's information systems;
  - (e) The Registrar, Secretary and Chief Operating Officer  
in respect of breaches of other published University rules and regulations and other misconduct described in paragraph 8 not covered by the above officers. The Registrar, Secretary and Chief Operating Officer may also act summarily in the absence of the appropriate officer in (a) to (d) above. Where an officer authorised under (a) to (d) above is of the view that an allegation of misconduct or breach of regulations made against a student is of such seriousness that the matter should be dealt with at a higher level (eg where it is considered that the alleged offence might warrant a greater penalty than can be imposed by the officer concerned), he or she shall refer the matter to the Registrar, Secretary and Chief Operating Officer and the student shall be notified accordingly. In such cases the Registrar, Secretary and Chief Operating Officer shall decide whether to deal with the matter summarily or to refer it to the University Student Disciplinary Panel. (In the case of research students accused of academic malpractice, the Registrar, Secretary and Chief Operating Officer will refer the matter to the Vice President for Research for handling in accordance with the Code of Practice for Investigating Concerns about the Conduct of Research)
16. In all instances dealt with summarily, the student concerned shall be given the opportunity to state his or her case prior to any decision being made. The officer dealing with the matter shall consider written or oral evidence as he or she thinks fit. The student shall be informed in writing within five working days of the decision and of their right of appeal against such decision.

17. In the case of disorderly or improper conduct in a room being used for academic purposes, any member of the academic staff may, if he or she deems it necessary, require any student to withdraw from the class and shall bring details of the offence, in writing, to the notice of the Head of School concerned.
18. The officers listed in paragraph 15 are empowered to impose the penalties (a)-(f) of paragraph 9, or in the case of academic malpractice the penalties (a)-(e) of paragraph 10, under these summary procedures, within the scope of their respective jurisdictions. Deans of Faculties are additionally empowered to impose penalties (f) – (g) of paragraph 10. The Residential Life Manager is also empowered to impose a penalty under (h) of paragraph 9 where this refers to exclusion from a residence, or from use of the premises or facilities of the Residence, for serious breach of the regulation applicable, or of the conditions of residence or licence agreement, or where the presence of the student constitutes a source of danger or disruption to the residential community. Such exclusion shall remain in force pending an appeal (see paragraphs 32-38), unless the Director of Residential Services determines otherwise.

### **University Student Disciplinary Panel**

19. If the Registrar, Secretary and Chief Operating Officer considers it appropriate, he or she shall refer any instance of misconduct or breach of regulation to a University Student Disciplinary Panel for the purpose of investigating and hearing evidence relating to such instances. If two or more students are involved in related misconduct or breaches of regulations, the Panel may at its discretion deal with their cases together.
20. The University Student Disciplinary Panel shall comprise the following, except that no person who is a party to or is a potential witness at a hearing before the Panel, or who is in the same School as the student concerned shall be a member of the Panel:

Chair (selected from the eligible membership of the Student Conduct and Discipline Committee)

At least four members of the academic staff, drawn from a list established for the purpose by the Student Conduct and Discipline Committee

A registered student of the University nominated by the Students' Union

The Panel shall have a quorum of any five members and shall have the power to co-opt additional members as appropriate.

21. With respect to misconduct in research (paragraph 8(j)) the University Student Disciplinary Panel will determine the penalty to be imposed where, following due process, a finding of misconduct in research has been established under the Code of Practice for Investigating Concerns about the Conduct of Research.
22. Any student who is the subject of disciplinary proceedings shall receive a fair hearing and shall have the opportunity to present his or her case at the hearing. The student may call witnesses and question witnesses upon whose evidence the case against him or her is based. The student may, and is encouraged to, be accompanied or represented at the hearing by a fellow student, a Students' Union Officer or member of staff of the University of his or her own choice, who may speak on his or her behalf.

23. However, in particularly serious or complex cases, the student may be given permission at the discretion of the Chair of the Disciplinary Panel to be accompanied or represented by a legal representative. A request to permit legal representation must be submitted to the Chair of the Panel not less than five working days before the date of the hearing. Factors to be taken into account when considering such a request will include the seriousness of the alleged offence and potential penalty, capacity of the student to present his or her case, procedural complexity (eg in questioning witnesses), and the need for fairness between parties.
24. The Panel is empowered to require the attendance before it of a student who is the subject of an allegation to be considered by the Panel. If the student, having been given the opportunity to attend the hearing or being required to do so, fails to attend without good cause shown, the hearing may be conducted in his or her absence. Failure to attend when required to do so without good cause itself shall constitute a disciplinary offence.
25. The written notification to the student about the hearing shall include details of the allegations against him or her and the names of the members of the Panel, together with any documentary evidence to be made available to the Panel in advance of the hearing. Any objection to the membership of any person or persons listed shall be made in writing to the Secretary to the Panel with good cause shown not later than the fifth working day before that on which the meeting of the Panel is to be held. The Chair of the Panel shall have power to decide upon the validity of any such objection and may appoint an alternative member or members to the Panel.
26. The University Student Disciplinary Panel shall meet to hear the evidence without undue delay and the student concerned shall be given at least ten working days notice in writing to prepare for the hearing. If the student is able to show good cause, the Chair may delay the hearing for not more than five working days beyond the day on which the meeting of the Panel was to have taken place. The student may submit a written statement about the allegation for circulation to the Panel; any such statement must be received by the Secretary no later than three working days before the meeting.
27. The University Student Disciplinary Panel shall have power to require the attendance as a witness of any Member of the University who it has reason to believe is able to assist in its inquiry, and it shall be the duty of any such person to attend and give evidence accordingly. It may also request the attendance of any other person if such attendance is material to the case. The Panel may accept a witness's written statement in evidence where the student agrees that the witness need not attend, or where it is impractical for the witness to attend, or where in the opinion of the Panel it is for some other reason in the interests of natural justice to do so.
28. The University Student Disciplinary Panel shall conduct its hearings in accordance with the rules of natural justice. Those deciding on the issues should be satisfied on the evidence before them; findings shall normally be made on the balance of probabilities (the standard of proof "beyond all reasonable doubt" need not be observed). Decisions may be by a majority. The Chair may vote and shall have in addition a casting vote.
29. The penalty or penalties imposed by the University Student Disciplinary Panel may be any of those specified in paragraphs 9 and 10. The student shall have the opportunity prior to the penalty being decided to present evidence in mitigation.



30. The decision of the University Student Disciplinary Panel shall normally be announced to the student at the conclusion of the hearing. A written statement giving the findings of fact, decisions, reasons for the decisions and any recommendations of the Panel shall be sent to the student against whom the allegations have been brought within five working days of the Panel reaching its decision. Decisions of the Panel may be published although the identity of the student(s) involved shall normally be withheld.
31. The University Student Disciplinary Panel has the power to adjourn a hearing to another date, as it thinks fit.

## **Appeals**

32. Following a finding of guilt, the student shall have the right of appeal against both the finding of guilt and any penalty imposed as a consequence on one or more of the following grounds:
  - (a) procedural irregularity;
  - (b) availability of new evidence which could not reasonably have been expected to be presented to the original hearing;
  - (c) the disproportionate nature of the penalty.
33. Appeals shall be submitted as follows:
  - (a) when any penalty has been imposed summarily by an officer authorised under paragraph 15, the appeal shall be:
    - (i) to the Director of Teaching and Learning Support if the penalty has been imposed by a Dean of a Faculty or a Head of School, or the Librarian or the Chief Operating Officer;
    - (ii) to the Director of Residential and Sport Services, who shall convene a panel of three members to hear the appeal, if the penalty has been imposed by the Residential Life Manager [Note: the panel shall comprise a nominee of the Director of Residential Services, a member of academic staff, drawn from a list established for the purpose by the Student Conduct and Discipline Committee, and a nominee of the Director of Campus Life];
    - (iii) to the Chair of the University Student Disciplinary Panel if the penalty has been imposed by the Registrar, Secretary and Chief Operating Officer;
  - (b) appeals against decisions of the University Student Disciplinary Panel shall be to an Appeal Board.
34. An appeal, including a statement of the grounds on which the appeal is being made, shall be submitted by the student concerned in writing within fifteen working days of the date on which written notification of the decision is sent to the student. A request for an appeal received after this time with good cause shown for its late submission shall only be granted at the discretion of the person(s) or Appeal Board designated to hear the appeal. Any student who has failed to participate in the original disciplinary hearing when invited or required to do so shall be entitled to appeal only by special permission of the person(s) or Board hearing the appeal.

35. The person(s) or Appeal Board hearing an appeal shall not re-hear the case afresh, but shall consider whether the initial hearing and outcome were fair by:
- (a) reviewing the procedures followed;
  - (b) establishing whether the appellant has presented any new evidence that could not reasonably have been expected to be presented to the original hearing and that this evidence is material and substantial to the findings;
  - (c) reviewing the penalty imposed.

The person(s) or the Appeal Board hearing an appeal shall seek to deal with the case on the basis of documentary evidence and may, at their discretion, call a meeting to which the appellant is invited to present his or her appeal in person. In such an event, the appellant may be accompanied by a fellow student, a Students' Union officer or a member of staff of the University of his or her own choice, who may speak on his or her behalf.

36. The Appeal Board shall comprise:

A Vice-President, Dean of a Faculty, Associate Vice-President, or Associate Dean (in the Chair)

A Head of School

One professorial member and one non-professorial member of the academic staff, drawn in each case from a list established for the purpose by the Student Conduct and Discipline Committee

A registered student of the University nominated by the Students' Union.

Members of the University Student Disciplinary Panel that has reported on the case, or any person who has in any other way been closely connected with the case, or any person who is in the same School as the student concerned, shall not be a member of the Appeal Board.

37. The Appeal Board shall conduct its business in accordance with the rules of natural justice. Findings shall normally be made on the balance of probabilities and decisions may be by a majority. The Chair may vote and shall have in addition a casting vote.
38. The person(s) or Appeal Board considering an appeal shall have the authority to confirm, set aside, reduce or increase the penalty previously imposed or, if new evidence that is material and substantial has been established by an Appeal Board, to refer the case back for consideration by a newly constituted University Student Disciplinary Panel. The decision of the person(s) or the Board hearing the appeal shall be final and there shall be no further opportunity for appeal against that decision within the University.

### **Misconduct that is also a Criminal Offence**

39. The following procedures shall apply where the alleged misconduct would also constitute a criminal offence if proved in a court of law:
- (a) Where an offence is considered by the Registrar, Secretary and Chief Operating Officer to be serious, no internal disciplinary action other than suspension or

exclusion from the University shall normally be taken under this Regulation unless the matter has been reported to the police and either a prosecution has been completed or a decision not to prosecute has been taken, at which time the Registrar, Secretary and Chief Operating Officer may decide whether disciplinary action under this Regulation shall be taken. [Note: a serious offence is one that is likely to attract an immediate custodial sentence if proved in a criminal court, or one that can be tried as a criminal offence only in the Crown Court.];

- (b) where such an offence is considered by the Registrar, Secretary and Chief Operating Officer to be not serious, action under this Regulation may be taken, but such action may subsequently be deferred pending any police investigation or prosecution;
- (c) the University reserves the right to report any criminal offence allegedly committed by a student to the police. However, if a person claiming to be the victim of a serious offence committed by a student does not wish the police to be involved, the Registrar, Secretary and Chief Operating Officer shall normally respect such wish;
- (d) where a finding of misconduct is made and the student has also been sentenced by a criminal court in respect of the same circumstances, the court's penalty shall be taken into consideration in determining the penalty under this Regulation.

#### **Suspension or exclusion pending a hearing**

- 40. A student who is the subject of a complaint of misconduct, or against whom a criminal charge is pending, or who is the subject of police investigation may be suspended or excluded by the President and Vice-Chancellor pending the disciplinary hearing or the trial. The President and Vice-Chancellor may delegate his or her power under this paragraph, but a full report shall be made to him or her of any suspension or exclusion under this section made by delegated authority.
- 41.
  - (a) Suspension involves a total prohibition on attendance at or access to the University and on any participation in University activities; but it may be subject to qualification, such as permission to attend for the purpose of an examination.
  - (b) Exclusion involves either total or selective restriction on attendance at or access to the University or prohibition on exercising the functions or duties of any office or committee membership in the University or the Students' Union, the exact details to be specified in writing by the President and Vice-Chancellor or delegated authority.
- 42. An order of suspension or exclusion may include a requirement that the student should have no contact of any kind with a named person or persons.
- 43. The powers of temporary suspension or exclusion granted to the President and Vice-Chancellor under paragraph 40 shall be exercised only where necessary to protect a member or members of the University community, or the property of the University or of a member or members of the University, or where the student's continued presence

might be a source of disruption to the University or any part thereof. Written reasons for the decision shall be recorded and made available to the student.

44. Unless the matter is deemed to be urgent by the President and Vice-Chancellor, no student shall be suspended or excluded unless he or she has been given an opportunity to make representations to the President and Vice-Chancellor or his or her delegated nominee. The representations may be made in person or in writing, as the student chooses, and may be put forward by the student or through his or her adviser, or representative. In cases deemed by the President and Vice-Chancellor to be urgent, a student may be suspended or excluded with immediate effect. In such circumstances, an opportunity will be given to the student to make representations as soon as reasonably practicable.
45. The President and Vice-Chancellor or other person who took the original decision shall review the suspension or exclusion every four weeks in the light of any developments and of any written representations made by the student either personally or through his or her representative.
46. A student may appeal to the Chair of the Board against an order of suspension or exclusion pending a hearing.

### **Annual Report**

47. Each year, the Director of Teaching and Learning Support shall prepare a report for the Student Conduct and Discipline Committee and the Senate on the number and nature of cases referred to the University Student Disciplinary Panel, identifying any general issues that may have arisen.

[Note: students who believe that their case has not been dealt with properly by the University or that the outcome is unreasonable may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) if the complaint is eligible under its rules and once all internal procedures have been concluded. Information about the role of the OIA and the procedure for submitting complaints can be obtained from the Teaching and Learning Support Office, from the Students' Union Advice Centre or from the OIA website: [www.oiahe.org.uk](http://www.oiahe.org.uk) ]

## **Regulation XVIII**

### **Student Complaints Procedure**

*Note: any reference in this Regulation to named officers should be read also as a reference in each case to a delegated nominee;*

#### **A. Introduction and Principles**

1. As part of its commitment to ensuring the standard and quality of its programmes of study, services, and facilities, and a collegial University environment, the University has established this Procedure to deal with complaints from students. Complaints provide useful feedback, information and, where appropriate, will be used to improve the student experience.

2. This Procedure is available for students registered for programmes of study at the University. For the purposes of this Procedure, the term “student” will include also those who have recently been registered as a student at the University, who may submit a complaint within the timescale specified in the Procedure.
3. The Procedure is not available to students registered in a partner organisation on recognised programmes of study. Those students should use the mechanisms and procedures for considering complaints which are in place within the partner organisation. However, such students may be able to submit a final request to the University for a review of the partner organisation’s final decision in accordance with the Partner Institution Procedures (<http://documents.manchester.ac.uk/display.aspx?DocID=28682>).
4. The Procedure comprises a number of stages, both informal and formal. Students who have a complaint to make should, whenever appropriate, raise it directly with the individual(s) concerned at the earliest opportunity, as matters that are dealt with informally at an early stage have the best chance of being resolved effectively. Where informal resolution has been attempted but the complainant remains dissatisfied, the formal stage may be instituted. The recipient of a formal complaint may recommend that a student pursues informal channels prior to the formal process, based on the nature and circumstances of the complaint, but it is recognised that there may be occasions where an informal approach is not appropriate and the student may wish to proceed directly to the formal stage of the Procedure.
5. If it has not been possible, or it is not appropriate, to resolve matters informally, a formal complaint should be made as soon as possible, and in any case within 40 working days of the events or actions (or lack of actions) which have prompted the complaint. The University will not normally consider complaints made after this period, unless there is a credible and compelling reason for the delay.
6. Every reasonable effort will be made to deal promptly and efficiently with all complaints, to investigate them thoroughly and objectively and to seek to resolve them satisfactorily. Complaints will be dealt with positively and constructively. If a complaint is upheld, the University will seek to provide an appropriate response and will correct any mistakes or misunderstandings and will take any other action as appropriate. If a complaint is not upheld then reasons for that decision will be given.
7. The University will have due regard towards maintaining confidentiality in relation to any complaint but, in order for it to be considered fully, the content may need to be disclosed to members of staff who are involved in putting the Procedure into effect e.g. a Faculty, the Teaching and Learning Support Office, the relevant Faculty/School office, as well as individual(s) whose input may be required to respond to the issues that a student has raised e.g. a School, persons named in the complaint, the Disability Advisory and Support Service etc. By submitting a complaint the student consents to the disclosure, storage and sharing of information relevant to the complaint within the University at all stages of the Procedure. If this presents a problem for the student, they may wish to seek advice from the complaint case handler; not providing consent may however affect the University’s

ability to consider the complaint fully. A copy of the complaint casefile will also be retained in accordance with the University's Records Retention Schedule<sup>1</sup>.

8. The effectiveness of this Procedure depends on the University being able to collect appropriate information from the parties involved in order to investigate the matter properly. For this reason, anonymous complaints will not be dealt with under this Procedure. It is at the discretion of the member of staff receiving an anonymous complaint to determine how the matter is handled, e.g., by taking no further action or by direction to the Public Interest Disclosure Procedure (<http://documents.manchester.ac.uk/display.aspx?DocID=28>).
9. The University will treat all complaints seriously and will deal with them without recrimination. When complaints are submitted, complainants and respondents should act reasonably and fairly towards each other and respectfully adhere to this Procedure. Where a complaint is shown to be frivolous, vexatious or motivated by malice, disciplinary action may be taken against the complainant under the provisions of Regulation XVII (Conduct and Discipline of Students) (<http://documents.manchester.ac.uk/DocuInfo.aspx?DocID=6530>).
  - (a) The University reserves the right to terminate consideration of a complaint at any stage of this Procedure and/or restrict access to individual(s) or procedures for complainants who seek, by pursuing an unreasonable course of conduct:
    - i. To be, or are, disruptive; and/or
    - ii. Whose requests are disproportionate and/or unnecessary and/or cause disproportionate and/or repeated efforts by members of staff.
  - (b) Where a complaint is found to meet the above criteria, the recipient of the complaint should inform the complainant accordingly and direct them to the next appropriate stage of the Procedure.
10. The time limits set out in this Procedure will normally be followed. However, where, for good reason, this is not possible, the complainant will be kept informed of progress.
11. The Director of Teaching & Learning Support reserves the right to postpone considering, dealing with and/or responding to a complaint when the student is pursuing legal proceedings in relation to the matter or where the issues are being considered under another University regulation, policy or procedure..
12. The student may seek independent and impartial advice and guidance in preparing a complaint from the Students' Union Advice Service (<https://manchesterstudentsunion.com/top-navigation/advice-service/academic-advice>). Procedural information can also be sought from his or her Faculty or School Office, or from the Information, Advice and Guidance Service in the Atrium (<https://uomtheatrium.wordpress.com/>). A quick guide to Student Complaints is also available online: <http://documents.manchester.ac.uk/display.aspx?DocID=23875>

## **B. Definition and Scope of the Procedure**

13. The University defines a complaint as 'an expression of dissatisfaction by one or more students about the University's action or lack of action, the standard of service provided

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<sup>1</sup> <http://www.dataprotection.manchester.ac.uk/>

by or on behalf of the University,<sup>2</sup> or unacceptable behaviours as defined by the Policy on Dignity at Work and Study.

14. The Procedure is designed for complaints in respect of the student's experience at the University related to:
- (a) the provision of programmes, or parts of programmes of study, services or facilities by the University;
  - (b) the actions or lack of actions by the University or its staff;
  - (c) allegations of harassment, discrimination, victimisation and/or bullying by a student or member of staff (Dignity at Work and Study Policy: <http://www.staffnet.manchester.ac.uk/equality-and-diversity/policies-and-guidance/dignity-at-work-and-study/>).
15. The Procedure does not cover the following, for which separate procedures exist (as noted in brackets):
- (a) appeals against decisions of an Examination Board (or equivalent body) where a student is seeking an academic remedy (Regulation XIX, Academic Appeals Procedure: <http://documents.manchester.ac.uk/display.aspx?DocID=1872>);
  - (b) complaints involving an allegation of general misconduct by a student (Regulation XVII, Conduct and Discipline of Students: <http://documents.manchester.ac.uk/display.aspx?DocID=6530>);
  - (c) complaints against the Students' Union (Code of Practice on the Students' Union: <http://documents.manchester.ac.uk/display.aspx?DocID=12019>), other than through requesting a review of the outcome of any complaint against the Students' Union having exhausted the Students' Union complaints procedure.
  - (d) If a student wishes to complain about specific accommodation issues, then complaints in this regard can be submitted directly to the Division of Residential and Sports Services as detailed on the following website: <http://www.accommodation.manchester.ac.uk/essential-information/youvearrived/complaints/>

Information about these separate procedures can be obtained from the student or programme handbook, the Students' Union Advice Service or the Information, Advice and Guidance Service.

16. If there is any overlap between the issues raised in a complaint, and a related matter, such as those outlined in paragraph 15, the allocated case handler(s) will determine how such cases are to be handled e.g. by pausing an academic appeal so that the complaint can be considered first, by amalgamating the cases together etc. A student will be given notification of such arrangements.
17. This Procedure can be used by students for both individual or collective complaints. It is expected that the student(s) concerned will pursue the complaint personally; complaints submitted by a third party will not be accepted unless accompanied by written authorisation from the student(s). Complaints by a group of students are often of a general nature where it is usually more appropriate for the students to raise the matter with a student representative on the relevant School or service committee in the first instance. Complaints may then be made by the group of students if the relevant representation system has not achieved a satisfactory outcome, or if this is not thought to be an

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<sup>2</sup> Paragraph 14, OIA Good Practice Framework: <http://www.oiahe.org.uk/providers-and-good-practice/good-practice-framework.aspx> .

appropriate route. For formal group complaints, it is expected that there will be one student nominated to pursue the complaint on behalf of the group (i.e. a spokesperson who has the consent of all members of the group to act in this capacity). Only one outcome letter will be issued in response to the complaint; it will be for the spokesperson to communicate the outcome to the rest of the group.

### **C. Informal Stage – Local Resolution**

18. Many complaints can be resolved informally and, where practicable, a complaint should be dealt with as close as possible to the point at which it arises. The complaint should therefore be made initially to the appropriate individual(s) who seems best placed to respond (e.g. Academic Adviser, Personal Tutor, Programme Director, Supervisor, PGR Director, Head of School, Adviser or Tutor in the Hall of Residence, local service provider, or a Professional Support Service Head of the office). The process followed at the informal stage will be determined by reference to the nature of the issues raised and any outcomes sought by the student. Students are encouraged to commence such discussions at their earliest opportunity to enable the issues to be considered in advance of the 40 working day deadline for invoking the Formal Procedure referred to in section D below.
19. The informal stage of complaints which arise as a result of issues relating to alleged harassment, bullying, discrimination and/or victimisation is detailed in the Policy on Dignity at Work and Study, Staff and Student Informal Procedure. The procedure provides information on sources of support and advice and can be found at: <https://www.staffnet.manchester.ac.uk/equality-and-diversity/policies-and-guidance/dignity-at-work-and-study/>
20. Some complaints may also be amenable to discussion and resolution via the University's Mediation Service (<http://www.staffnet.manchester.ac.uk/equality-and-diversity/mediation/>). Complainants may wish to approach the Mediation Service for information in this regard.

### **D. Formal Procedure**

21. If the student is not satisfied with the response at the informal stage, or it is not appropriate to seek to resolve matters informally, he or she may initiate a formal complaint by completing a Complaints Form (<http://documents.manchester.ac.uk/DocuInfo.aspx?DocID=1894>) and submitting it to the relevant Faculty Office. The information to be given on the Complaints Form is as follows:
  - (a) details of the complaint;
  - (b) Evidence pertaining to the complaint. This needs to be sufficiently contemporaneous and independent (where necessary), to support and evidence the veracity of the circumstances described in the complaint. All evidence should allow for verification that it is accurate e.g. provided on letter headed paper, written in English (or certifiably translated), clearly state the name and author of the material, include relevant dates, have the student's name visible etc. Evidence will not be accepted at later stages of the Procedure except if requested from the case handler or without a credible and compelling explanation for its late provision.



- (c) a statement of the steps already taken to try to resolve the complaint informally and why the response has not been considered to be satisfactory, or if informal resolution has not been attempted, the reasons why not;
  - (d) the form of resolution or redress sought.
22. The Faculty Office will acknowledge receipt of the Complaints Form within five working days. If the complaint has been submitted beyond 40 working days from the issue that prompted the complaint, without a credible and compelling explanation for the late submission, the student will be issued with a Completion of Procedures letter by the Faculty.
23. If the complaint has been submitted within time, the Faculty will determine whether the complaint should be dealt with in the Faculty or whether the complaint should more appropriately be investigated by the head of a service provider (e.g., Director of Residential Services, the Director of IT Services, the Librarian or the Director of a professional support service). In the event that the complaint is referred to a service provider, the student will be informed accordingly. Where a complaint is referred for investigation to a service provider the complaint should still be treated in accordance with the Procedure by the service provider; it is also good practice for the Faculty to be informed of the outcome to a complaint. In the case of complaints of bullying, harassment, discrimination and/or victimisation alleged to have been committed by a member of staff, the appropriate HR Partner will be consulted and the matter will be investigated jointly.
24. The person or persons dealing with the formal complaint (hereafter referred to as the 'Investigator(s)'), who must be independent of the source of the complaint, will undertake an investigation into the substance of the complaint using whatever means are appropriate. Usually this will involve the collection of information from within the University and a decision then being reached following a consideration of the relevant material. Where a student is asked for any additional information by the Investigator(s), they will be given a period of five working days to respond to such a request. If a meeting with the student takes place, the student may be accompanied by a fellow student, a Students' Union officer or a member of staff. If a meeting with a respondent member of staff takes place, he/she may be accompanied by a colleague or trade union representative.
25. The Investigator(s) will attempt resolution of the complaint by a means appropriate to its nature and circumstances. Such means may include:
- (a) correspondence between the parties;
  - (b) negotiation with the student or with other individual(s) or with both;
  - (c) facilitation of a conciliation meeting between the student and other individual(s) concerned;
  - (d) if both parties agree, referral for mediation.
26. It is expected that the formal procedure should normally be completed and a written response sent to the student (and, if appropriate, other relevant individual(s)) within 30 working days of receipt of the completed Complaints Form. The possible outcomes at this stage include:
- (a) specific action to resolve the matter;
  - (b) provision to the student of information in explanation of the circumstances which led to the complaint;

- (c) referral of the matter to the Complaints Panel if the complaint raises serious or complex matters which require further investigation and enquiry;
- (d) for complaints of bullying, harassment, discrimination and/or victimisation which are found to be justified, a recommendation that the matter is considered further under a relevant staff or student disciplinary procedure;
- (e) dismissal of the complaint as being without substance, with reasons given to the student in writing.

27. If the student is not satisfied with the outcome of the formal complaint and believes that his or her complaint has not been handled properly or fairly according to the Procedure, or if the student has new evidence which they were unable (for credible and compelling reasons) to provide with the formal complaint, the student may request a Review (see section E).

#### **E. Review**

28. If a student's complaint has been dismissed by the Faculty (or service provider) as being without substance they can request a Review on one or more of the following grounds:

- a) The complaint has not been handled properly in accordance with the Procedure;
- b) The outcome is not reasonable on the basis of the evidence available;
- c) The student has new evidence which they were unable (for credible and compelling reasons) to provide to the Faculty or service provider and which has a material effect on the outcome.

29. To commence the Review a student should submit a review form detailing the grounds for Review, their reasons, proposed resolution and any supporting material to the Director of Teaching and Learning Support (Director) within 10 working days of the letter (or email) from the Faculty or service provider informing them of the outcome to their formal complaint. A student's request for a Review will be acknowledged within five working days of receipt.

30. The Director (or nominee) will review the documentary material relating to the case to determine whether the grounds for Review have been met. The Review is not a re-investigation of the complaint. However during the Review, further information may need to be sought from the student and/or from others concerned. Where a student is asked for any additional information during the review, they will be given a period of five working days to respond to such a request.

31. The student will be informed of the outcome of the Review, in writing, normally within 20 working days of the Review request having been received. The outcome will normally be limited to a determination envisaged under paragraph 26 of the Procedure. The student will be given reasons for any decision reached. The decision of the Director will be final in the University.

#### **F. Complaints Panel**

32. The Investigator(s) or the Director may refer a complaint or review request to a Complaints Panel for consideration as they consider necessary for cases that raise serious or complex matters which require further investigation and enquiry.

33. The composition of the Complaints Panel will be as follows, the members being drawn from areas other than those to which the complaint relates:
  - a) A Dean of a Faculty, Vice Dean, Associate Dean, Vice President or Associate Vice President (in the Chair);
  - b) A member of Senate;
  - c) A member of academic staff;
  - d) A student member (nominated by the Students' Union).
34. The Complaints Panel will be serviced by an Investigator or the Director in the role of Secretary.
35. The student will be given 10 working days' notice of the date and time of the Complaints Panel meeting and will be invited to attend the meeting to present his or her case. Where the student does not attend, the Panel may proceed in the student's absence.
36. The student may be accompanied to the meeting by a fellow student, member of staff or person from the Students' Union. It is expected that a student will speak to the Complaints Panel directly, and so any person attending with the student will be there only to support the student, not present the case on their behalf.
37. If the complaint is one of alleged bullying, harassment, discrimination and/or victimisation, the respondent(s) shall also be invited to attend the meeting, in order to respond to the allegations. The respondent(s) will be given 10 working days' notice of the date and time of the Complaints Panel meeting. Where the respondent(s) does not attend, the Panel may proceed in his or her absence. The arrangements for the respondent(s) attendance shall take into account the nature and circumstances of the complaint.
38. If a student, the respondent(s) may be accompanied to the meeting by a fellow student, member of staff or person from the Student's Union, or if the respondent(s) is a member of staff, the respondent(s) may be accompanied by a colleague or trade union representative. It is expected that a respondent will speak to the Complaints Panel directly, and so any person attending with the respondent(s) will be there only to support the respondent(s), not present the case on their behalf.
39. The Complaints Panel may call other individual(s) with knowledge of the issues raised in the complaint to attend the meeting of the Complaints Panel or to supply it with information prior to, or after, the meeting. This may include School, Faculty or service area representatives. The individual(s) attending should be given 10 working days' notice of the meeting.
40. The paperwork for the meeting should include any material submitted by the student or that has been collected prior to the notice of the meeting. The material should normally be provided with the meeting invitation.
41. The student and any individual(s) called to the Complaints Panel meeting will be invited to make oral statements to the Complaints Panel. The student, other individual(s) in attendance and Complaints Panel may then ask questions of those giving oral evidence, directed through the Chair as necessary.

42. After oral statements have been made, the meeting will close, and the Complaints Panel will retire to make a decision in private by reviewing the documentary material and statements made. The decision should focus on the substance of the complaint and any procedural issues in the handling of the complaint. If the Complaints Panel is unable to reach a decision on the day of the meeting, it will reconvene as soon as reasonably practicable.
43. Options open to the Complaints Panel include those as described at paragraph 26 of the Procedure.
44. The student and Complaints Panel attendees will normally receive written notification of the Panel's decision within 10 working days of the decision being made. The decision will take the form of a Completion of Procedures letter.

### **G. Conclusion of the Procedure**

45. At the conclusion of the Procedure, the student will be issued with a Completion of Procedures Letter. There are no other complaints procedures within the University beyond those detailed above. Students who believe that their case has not been dealt with properly by the University or that the outcome is unreasonable may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) if the complaint is eligible under its rules and once all internal procedures have been concluded.

[*Note:* information about the role of the OIA and the procedure for submitting complaints can be obtained from the Students' Union Advice Service or from the OIA website: [www.oiahe.org.uk](http://www.oiahe.org.uk).]

### **H. Annual Report**

46. Each year, the Director will prepare a report for the Senate on the number and nature of complaints,

## **Regulation XIX**

### **Academic Appeals Procedure**

#### ***Notes:***

- (i) This Procedure may be used only when there are eligible grounds for doing so (as specified in paragraph 2 below) and may not be used simply because a student is dissatisfied with the outcome of his or her assessment or other decision concerning their academic position or progress.
- (ii) This Procedure is available to students registered on programmes of study at the University. For the purposes of this Procedure, the term "student" will include also those who have recently been registered as a student at the University.
- (iii) The Procedure is not available to students registered in a partner organisation on recognised programmes of study. Those students should use the mechanisms and procedures for considering academic appeals which are in place within the partner organisation. However, such students may be able to submit a final request to the University for a review of the partner organisation's final decision within ten working

days of the decision being issued if they believe that their case has not been dealt with appropriately by the partner organisation (see paragraph 10 of this Procedure).

- (iv) An appeal which questions the academic or professional judgement of those charged with the responsibility for assessing a student's academic performance or professional competence will not be permitted.
- (v) A student may submit an appeal only on his or her own behalf; an appeal submitted by a third party will not be accepted unless accompanied by written authorisation from the student.
- (vi) A student thinking of appealing should discuss the matter with his or her academic adviser, personal tutor, supervisor, programme director or other appropriate person in the School before doing so in order to better understand the reason for the result or decision against which they wish to appeal. A formal appeal should only be submitted if a student remains dissatisfied once informal avenues have been exhausted.
- (vii) Any reference in these procedures to named officers should be read also as a reference in each case to a delegated nominee.
- (viii) The University reserves the right to postpone considering, dealing with and/or responding to an academic appeal when the student is pursuing legal proceedings against the University.
- (ix) All appeals will be dealt with in confidence with the proviso that enquiries will have to be made to investigate the matters that are the subject of the appeal.

## **Scope**

1. This Procedure may be used by students who wish to appeal against a final decision of an Examination Board, or a progress committee, or a graduate committee or equivalent body ("equivalent body") which affects a student's academic status or progress in the University, including (but not limited to) the following:
  - a) a decision that the student be expelled from the University or be excluded from his or her programme, or element of programme, of study on grounds of unsatisfactory progress or failure to meet academic or professional requirements, or arising from unsatisfactory work and attendance;
  - b) a requirement that the student interrupt his or her studies on grounds of unsatisfactory progress or failure to meet academic or professional requirements;
  - c) a requirement that the student transfers to a programme offering a qualification of lower rank, for example:
    - (i) Doctor to Master's degree;
    - (ii) Master's degree to Diploma;
    - (iii) Honours degree to Ordinary degree;
  - d) a decision not to allow the student to progress from Diploma to Master's degree or from a Master's to a Doctoral degree;
  - e) a decision not to award a postgraduate qualification and, if appropriate, not to allow resubmission of a thesis or dissertation for a Doctoral or Master's degree;
  - f) the result of a formal assessment or the award of a particular degree classification;
  - g) a decision not to allow the student to interrupt his or her studies.

## **Grounds for Appeal**

2. An appeal may be made only on grounds alleging:

- a) that there exists or existed circumstances affecting the student's performance of which, for a credible and compelling reason, the Examination Board or equivalent body may not have been made aware when the decision was taken and which might have had a material effect on the decision [*Note: if students wish to appeal on such grounds, they must give credible and compelling reasons with supporting documentation explaining why this information was not made available prior to the decision being made.*];
- b) that there had been a material administrative error or procedural irregularity in the assessment process or in putting into effect the regulations for the programme of study of such a nature as to cause significant doubt whether the decision might have been different if the error or irregularity had not occurred;
- c) that there is evidence of prejudice or bias or lack of proper assessment on the part of one or more of the examiners;
- d) that the supervision or training of the student in respect of research for a dissertation or thesis or equivalent work was unsatisfactory to the point that his or her performance was seriously affected [*Note: if students wish to appeal on such grounds but the supervisory concerns arose significantly before the assessment result against which they are appealing, and without it having been raised in writing with the School before the appeal, the student must provide credible and compelling reasons for only raising these concerns at appeal.*].

An appeal which questions the academic or professional judgement of those charged with the responsibility for assessing a student's academic performance or professional competence will not be permitted.

### Formal Procedure

3. If a student remains dissatisfied with the result or decision once informal avenues have been exhausted and believes there are valid grounds for appeal (as specified in paragraph 2 above), he/she may invoke the formal appeal procedure. The student may seek advice and guidance in preparing the appeal from the Students' Union Advice Service (<http://manchesterstudentsunion.com/advice-service>), or from his or her Faculty or School Office, or from the Information, Advice and Guidance Service in the Atrium (<https://uomtheatrium.wordpress.com/>). A quick guide to Academic Appeals is also available online (<http://documents.manchester.ac.uk/display.aspx?DocID=23874>).
4. A formal appeal may be initiated by completing an Appeals Form and submitting it to the appropriate Faculty Office within 20 working days of notification of the result or decision. The student should submit with the Form any relevant supporting evidence, e.g., emails and other correspondence that he or she wishes to be considered in the appeal. Such evidence should normally be contemporaneous, and capable of verification. All evidence should be written in English or, if not, certifiably translated.  
[*Note: in respect of appeals against refusal to allow a student permission to take an examination or other form of assessment on grounds of unsatisfactory work and attendance, the appeal must be submitted within ten working days of notification of that decision in order to allow sufficient time for the appeal to be considered.*]
5. On receipt of the formal appeal, a nominated member of staff in the Faculty Office will initially consider whether the appeal is made on one or more of the grounds specified in paragraph 2 above and if it has been submitted in the timeframe specified in paragraph 4

above. If this test fails, the student will be notified within ten working days of the appeal being received that the appeal is not eligible, with reasons given. There will be no opportunity for the student to appeal against this decision within the University and the student will be issued with a Completion of Procedures Letter (see paragraph 15).

6. If the appeal is shown to have been made on one or more of the grounds set out in paragraph 2, then the Faculty Officer will obtain comments on the appeal from the Head of School, Programme Director, Supervisor or other appropriate person. The student will be sent a copy of the comments obtained by the Faculty Officer and invited to submit a response usually within five working days. The appeal will then be considered by the Dean of the Faculty (or his/her nominee) and the Faculty Officer.  
[Note: in situations where the Dean was party to the original decision against which the student is appealing, his or her role in considering the appeal will be taken by another senior academic member of staff in the Faculty or, if necessary, from another Faculty.]
7. If, at any time during these enquiries, the School or other appropriate body decides, on the basis of the information contained in the appeal, to reconsider the matter about which the appeal has been made and to substitute an alternative outcome, the student will be notified accordingly, the appeal procedure will cease and the student will be issued with a Completion of Procedures Letter (see paragraph 15).
8. The Faculty Officers, having considered the formal appeal, may determine that:
  - a) the appeal does not have substance, in which event the student will be informed of this decision in writing, normally within 30 working days of the appeal having been received. The student will be given reasons for the decision. If the student believes that their appeal has not been dealt with properly and fairly, he/she has the right to request a review of the handling of their appeal (see paragraph 10).
  - b) the appeal has identified relevant matters that were not known to those making the original decision or that there had been procedural or administrative errors which might have affected that decision, in which event the case will be referred back to the original Examination Board or equivalent body for reconsideration taking into account any new information, or any guidance and/or recommendations, from the Faculty Officers. The Faculty Officers should normally inform the student of their findings within 30 working days of the appeal having been received. The reconvened Examination Board or equivalent body will have the power to confirm or alter its original decision. Where the original decision is confirmed, the student will be given reasons for that decision. There will be no opportunity for the student to appeal against the decision of the reconvened Examination Board or equivalent body and the student will be issued with a Completion of Procedures Letter (see paragraph 15).
  - c) the appeal has raised serious or complex matters which require further investigation and enquiry, in which event the case will be referred to an Appeal Panel (see paragraph 10).
9. Except in matters concerning academic judgement, in making a determination under section 8 of the Procedure, the Dean of the Faculty (or his/her nominee) and the Faculty Officer may make recommendations to address issues that have been identified through the consideration of the academic appeal.
10. Students whose appeal has been dismissed by the Faculty as being without substance, can request a Review if they believe that their appeal has not been handled properly or fairly or

if the student has new evidence which they were unable (for credible and compelling reasons) to provide to the Faculty. Requests for Review, with reasons given, should be submitted in writing to the Director of Teaching and Learning Support in the Teaching and Learning Support Office (TLSO) within ten working days of receipt of the letter from the Faculty informing them of the outcome. The Director of Teaching and Learning Support will review the documents relating to the case in order to determine whether the case has been handled properly and the decision is reasonable in the light of the available evidence or if any new evidence should be accepted. During the Review, further information may be sought from the student and/or from others concerned. The student will be informed of the outcome of the Review in writing, normally within 20 working days of the Request for Review having been received. The Director of Teaching and Learning Support may make a determination as outlined under paragraphs 8 and 9 of this Procedure; the student will be given reasons for the decision. The decision of the Director of Teaching and Learning Support or nominee will be final in the University (see paragraph 15).

### **Appeal Panel**

11. Appeals which are considered by the Faculty Officers or by the Director of Teaching and Learning Support to raise serious or complex matters which require further investigation and enquiry will be referred to an Appeal Panel. The composition of the Appeal Panel will be as follows, the members being drawn from Faculties other than those in which the appellant is or has been registered:
  - A Dean of a Faculty or an Associate Dean (in the Chair);
  - A chair of a Faculty or School Graduate Committee, a Research Degrees Committee, or an Undergraduate Committee, or equivalent as appropriate;
  - One other member of academic staff drawn from a panel of such staff appointed from time to time by the Senate.
  - A student member (nominated by the Students' Union)
12. The student will be given ten working days' notice of the date and time of the Appeal Panel meeting and will be invited to attend the meeting of the Appeal Panel to present his or her case. Where the student decides not to attend, the Panel may proceed in his or her absence. The student may be accompanied at the meeting by a fellow student, a member of staff or an Officer or member of staff of the Students' Union. The student will be sent copies of all documents to be made available to the Appeal Panel. The Appeal Panel is empowered to call members of staff with knowledge of the case to attend the meeting to give evidence and to correspond with external examiners or others as appropriate. The student and the accompanying person will be permitted to speak and to question any persons giving oral evidence to the Panel.
13. Having considered the evidence, the Appeal Panel may:
  - a) reject the appeal, in which case the student will be given reasons for the decision. If the appeal is rejected, there is no further right of appeal within the University; or
  - b) refer the appeal back to the original Examination Board or equivalent body for reconsideration taking into account any new information, or any guidance and/or recommendations, from the Appeal Panel. The reconvened Examination Board or equivalent body will have the power to confirm or alter its original decision; or
  - c) revoke the original decision of the Examination Board or equivalent body and, as appropriate, require the appropriate School to allow the student a further opportunity



- to satisfy the requirements for continuation on the programme or element of the programme; or
- d) revoke the original decision not to award a postgraduate research degree or not allow resubmission for a Doctor or Master's degree and to direct that the examiners reconsider their decision for reasons stated; or direct that a fresh examination be held with new examiners to be appointed in accordance with new procedures; or direct that the student be given permission to resubmit the thesis for examination following revision.
14. The student will be informed of the Appeal Panel's decision, with reasons, within ten working days and will be issued with a Completion of Procedures Letter (see paragraph 15).

### **Conclusion of the Academic Appeals Procedure**

15. At the conclusion of the Procedure, students will be issued with a Completion of Procedures Letter. There are no other appeals procedures within the University beyond those detailed above. Students who believe that their case has not been dealt with properly by the University or that the outcome is unreasonable may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) if the complaint is eligible under its rules and once all internal procedures have been concluded.
- [*Note:* information about the role of the OIA and the procedure for submitting complaints can be obtained from the Students' Union Advice Service or from the OIA website: [www.oiahe.org.uk](http://www.oiahe.org.uk).]

### **Annual Report**

16. Each year, the Director of Teaching and Learning Support will prepare a report for the Senate on the number and nature of appeals, identifying any general issues that may have arisen.

## **Regulation XX**

### **Monitoring Attendance and Wellbeing of Students**

1. The University records and monitors the attendance of **all** students to:
  - a) support academic attainment and progression;
  - b) ensure student wellbeing; and
  - c) satisfy external reporting/accreditation requirements.
2. Each School shall determine, for each programme it provides, the attendance requirements and the criteria for indicating when non-attendance has become a concern. These requirements and criteria will take account of the mode of study.
3. Programme/Student Handbooks, both printed and online, and any relevant websites must include a clear statement of attendance requirements and how attendance is recorded and monitored.

4. Programme/Student Handbooks, both printed and online, and any relevant websites must also include a statement on the consequences and penalties for students who fail to meet academic and professional attendance requirements.
5. All Programme/Student Handbooks, both printed and online, and any relevant websites must include information on sources of advice and support available to students if they are experiencing problems with attendance.