

Procedure for Suspending a Student¹

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1. Introduction

- 1.1. Section 5 of [Regulation XVII \(Conduct and Discipline of Students\)](#) (the “**Regulation**”) permits the President and Vice-Chancellor to suspend a student, as a precautionary act, where that student is the subject of an allegation of serious misconduct, where a criminal charge is pending against them or where they are the subject of a police investigation.
- 1.2. If a student is on a professional programme within the Faculty of Biology, Medicine and Health, and it is considered that the student’s health or conduct have given rise to serious fitness to practise concerns that may necessitate suspending the student, then the process outlined under the [Fitness to Practise Procedure](#) should be followed rather than this Procedure.

2. Information gathering

- 2.1. If any member of staff should become aware of circumstances that may necessitate a student being suspended (see paragraph 3.1 of this procedure), they should contact the Director of Campus Life (“**DCL**”). Prior to contacting the DCL, it is good practice to complete the [Student Suspension Request Form](#) and have the Form agreed by the member of staff’s Authorised University Officer (“**AUO**”)² as described in paragraphs 6 and 7 of the Regulation.
- 2.2. If the information about the student has come through a report from another student who has a substantial involvement in the issues being raised, then the member of staff should seek the reporting student’s consent if including any of their sensitive personal data when notifying the DCL.
- 2.3. Upon receipt of the necessary information, the DCL will take such steps as are appropriate to obtain any further information and evidence in order to determine whether or not a recommendation should be made to the President and Vice-Chancellor to temporarily suspend the student. The referral to the DCL should give an indication as to the urgency of the suspension to help determine whether the suspension needs to take immediate effect or whether the reported student should first have the opportunity to make representations.
- 2.4. If the DCL determines that suspension is not required, then they shall provide advice to the AUO on what action they consider is appropriate in the circumstances. This may include,

¹ Any reference to a named officer in this Procedure should also be read as a reference to their delegated nominee.

² Requests may come from within the Division of Campus Life so a separate AUO may not be involved.

but is not limited to, a recommendation that the case is not pursued, is investigated further or is allocated to a disciplinary hearing. Recommendations may also be made to a student, such as:

- 2.4.1. That the student receives a letter from, or attends a meeting with, an AUO (or nominee) to be advised of concerns having been raised and to remind the student of behavioural expectations.
- 2.4.2. That the student is referred to University support services.
- 2.4.3. Requiring the student to agree to an undertaking as to good future conduct at the University, including any conditions attached thereto e.g. not to contact a named person or engage in a particular activity.
- 2.4.4. Referral through the [Policy on Supporting Health, Fitness and Return to Study](#).

3. Approval

- 3.1. The power of temporary suspension can be exercised by the President and Vice-Chancellor only where necessary to:
 - 3.1.1. protect a member or members of the University community;
 - 3.1.2. protect the property of the University or of a member or members of the University;
 - 3.1.3. protect the reputation of the University;
 - 3.1.4. avoid the repetition of the circumstances which led to the allegation;
 - 3.1.5. prevent any disadvantage to the suspended student (e.g. where bail conditions prevent the student's presence on campus);
 - 3.1.6. ensure that any alleged victims or potential witnesses are not subject to interference;
 - 3.1.7. prevent the student's continued presence being a source of disruption to the University or any part thereof; and/or
 - 3.1.8. facilitate a proper investigation into the alleged misconduct.
- 3.2. If the DCL determines that an immediate suspension is appropriate and necessary based on the circumstances of the case and for one, or more, of the reasons described under paragraph 3.1 above, then the DCL will recommend to the President and Vice-Chancellor that the reported student be suspended. If the recommendation is approved by the President and Vice-Chancellor then the reported student will be notified (see section 4).
- 3.3. If the DCL determines that suspension is appropriate and necessary based on the circumstances of the case and for one, or more, of the reasons described under paragraph 3.1 above, but the issues do not require an immediate suspension, then the DCL will notify the reported student (in keeping with section 4) so that they might first provide representations on the potential suspension. This may still lead to the DCL recommending that the President and Vice-Chancellor suspends the student, or the DCL may determine not to proceed with the recommendation and alternative actions may be identified.
- 3.4. The recommendation should include reference to any conditions that may be necessary to attach to the suspension, including:
 - 3.4.1. restriction of access to the University or a specified part thereof;
 - 3.4.2. total or selective restriction of participation in University activities or access to University services (academic, residential, social or sporting facilities provided by the University) but with permission to sit University examinations;
 - 3.4.3. prohibition from exercising the functions or duties of any office or committee membership in the University or the Students' Union; and/or
 - 3.4.4. no contact with a named person or persons.
- 3.5. If a recommendation is not approved by the President and Vice-Chancellor then the DCL and AUO will decide whether any further action under the Regulation can, or should, be taken.

4. Notifying the reported student

- 4.1. Where an immediate suspension has been approved by the President and Vice-Chancellor, the DCL will write to the student to notify them of the suspension and the reasons for it. . Where a non-immediate suspension is being considered the DCL will write to the student to notify them of the potential suspension and the reasons for it.
- 4.2. As soon as reasonably practicable, or otherwise at an appropriate juncture of the case, the student will be given an opportunity to meet with the DCL and the AUO to provide their comments on the suspension. The student may be accompanied to the meeting, as per the principle outlined at paragraph 3.14 of the Regulation. The student may submit a written statement, and any supporting evidence, responding to the suspension prior to the meeting. Where it is not practicable for the student to attend, and alternative arrangements (e.g. video-conferencing) are not possible, then the meeting can proceed on the basis of the written statement. After the meeting, the DCL and AUO will review the student's comments against the suspension.
- 4.3. If the student does not attend the meeting or submit any comments on the suspension, then the suspension will be reviewed by the DCL and AUO in the student's absence.
- 4.4. The DCL will confirm the outcome of the meeting to the student and, where necessary, the President and Vice-Chancellor. In the case of an immediate suspension the outcome to the meeting might be that the suspension remains in effect or that the suspension has been amended in some way. In the case of a non-immediate suspension, the outcome to the meeting might be that suspension continues to be recommended and comes into effect or that alternative action is instead identified.

5. Appeal

- 5.1. A student may appeal against a decision to suspend them. An appeal must be raised within ten working days of the suspension decision being confirmed (following the conclusion of section 4 above). An appeal can only be made on one, or more, of the following grounds:
 - 5.1.1. procedural irregularity in the suspension process;
 - 5.1.2. availability of new evidence which could not reasonably have been expected to be presented prior to the suspension being confirmed;
 - 5.1.3. the disproportionate nature of the suspension.
- 5.2. The student should submit a statement of appeal which outlines their grounds of appeal, the reasons for the appeal and provide any supporting evidence. The submission should be sent to the DCL, who will then arrange for it to be forwarded to the Chair of the Board of Governors.
- 5.3. The Chair of the Board of Governors will normally write to the student within 20 working days from receipt of the appeal to inform them of the outcome of the appeal.
- 5.4. In accordance with section 5 of the Regulation, the student's suspension will remain in place pending the outcome of any appeal and the conclusion of any appeal is not viewed as the completion of the University's disciplinary procedures.

6. Review

- 6.1. A suspension will be reviewed by the DCL every 20 working days from the date of it being confirmed (following the conclusion of section 4 above).
- 6.2. The review will consider any new developments in the case and any written representations submitted by the student.

6.3. The DCL will write to the student to inform them of the outcome of the review where there have been developments in the case or correspondence from the student.

6.4. The outcome of a review may be that the suspension remains in place, it is subject to amendment (if agreed by the President and Vice-Chancellor), or that section 7 of this procedure should be enacted.

7. Disciplinary action

7.1. If the student has been suspended due to misconduct, but which is not linked to a criminal offence, then the University will aim to allocate the student's case to a Summary Disciplinary Panel ("SDP") or University Disciplinary Panel ("UDP") hearing as soon as practicable.

7.2. If the student has been suspended because of a criminal offence, or a decision by the police or courts is pending, then any suspension will normally remain in effect until the conclusion of the criminal matters. Once this decision has been reached, then the [Procedure for Student Criminal Offences](#) will be acted upon and which may lead to internal disciplinary action being taken against the student.

7.3. If the suspension is rescinded and a student is not referred for disciplinary action, the DCL may make recommendations to the student based on the circumstances of the case. Such recommendations may include:

7.3.1. Referral to University support services.

7.3.2. Requiring the student to agree to an undertaking as to good future conduct at the University, including any conditions attached thereto e.g. not to contact a named person or engage in a particular activity.

7.3.3. Determining when the student may be able to return to study (and the academic requirements upon their return).

7.3.4. Arranging a return to study meeting with the student's School.

7.3.5. Referral through the [Policy on Supporting Health, Fitness and Return to Study](#).

8. Document control

Document control box	
Policy / Procedure title:	Procedure for Suspending a Student
Date approved:	03 April 2019 (effective date 01 September 2019)
Approving body:	Student Conduct and Discipline Committee
Version:	1
Supersedes:	N/A
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Related Statutes, Ordinances, General Regulations:	<ul style="list-style-type: none"> Statute XXI (Conduct, discipline and academic progress of students) Regulation XVII (Conduct and Discipline of Students)
Equality relevance outcome:	High / Medium (delete as applicable)
Related policies/procedures/guidance:	<ul style="list-style-type: none"> Procedure for Student Criminal Offences Procedure for the University Disciplinary Panel Procedure for Summary Disciplinary Panels

	<ul style="list-style-type: none"> • Procedure for Handling Allegations of Sexual Misconduct
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Amendment history

Version	Date	Reason for change