

## Procedure for Suspending a Student<sup>1</sup>

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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 or is going through criminal proceedings (where they have been arrested, are under police investigation, have been charged or they are awaiting the conclusion of a trial),
- 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](#) can 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**”)<sup>2</sup> as described in paragraphs 6 and 7 of the Regulation. Where cases arise from within the Division of Campus Life the DCL and AUO may be synonymous.
- 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 normally 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 Director for the Student Experience 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.

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

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

- 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, 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 Director for the Student Experience 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 and/or to allow a case to reach an appropriate stage of consideration.
- 3.2. Suspensions can be full suspensions (which fully pause a student's registration) or a partial suspension (which identifies conditions to be placed around a student's registration). Suspensions can also be immediate or non-immediate (i.e. prospective).
- 3.3. 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 Director for the Student Experience that the reported student be suspended. If the recommendation is approved by the Director for the Student Experience then the reported student will be notified (see section 4). Immediate suspensions are more common.
- 3.4. If the DCL determines that a suspension may be 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 circumstances indicate that the suspension may not be suitable to be applied immediately e.g. significant welfare issues, significantly limited information about a case etc suspension, then the DCL will notify the reported student (in keeping with section 4) so that they might first provide representations on the prospective suspension. This may still lead to the DCL recommending that the Director for the Student Experience suspends the student, or the DCL may determine not to proceed with the recommendation and alternative actions may be identified.
- 3.5. The recommendation should include reference to any conditions that may be necessary to attach to the suspension, including:
- 3.5.1. restriction of access to the University or a specified part thereof;

- 3.5.2. total or selective restriction of participation in University activities or access to University services (academic, residential, social or sporting facilities provided by the University), which may still give permission to sit University examinations;
  - 3.5.3. prohibition from exercising the functions or duties of any office or committee membership in the University or the Students' Union;
  - 3.5.4. no contact with a named person or persons; and/or
  - 3.5.5. compliance with University processes and information gathering.
- 3.6. If a recommendation is not approved by the Director for the Student Experience 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 Director for the Student Experience, the DCL will write to the student to notify them of the suspension and the reasons for it. Where a prospective suspension is being considered, the DCL will write to the student to notify them of the prospective 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 appropriate University staff about the case, such as the DCL and nominees (e.g. individuals from the Advice and Response Team), to provide their comments on the suspension (often referred to as the first review meeting). The student may be accompanied to the meeting by someone for support purposes, as per the principle outlined at paragraph 3.14 of the Regulation. The student may also submit a written statement, and any supporting evidence, responding to the suspension prior to the meeting. The default mode of the meeting will be online, but a student may request an in-person meeting. After the meeting, the allocated University staff will review the student's comments against the suspension and associated information. If considered necessary, the Director for the Student Experience may be re-consulted on any previous decision they have made.
- 4.3. If the student does not attend the meeting or submit any comments on the suspension, then the suspension will be reviewed in the student's absence.
- 4.4. The DCL will confirm the outcome of the meeting to the student. In the case of an immediate suspension the outcome to the meeting might be that the suspension remains in effect, that it is removed or that the suspension remains in place but is amended in some way. In the case of a non-immediate suspension, the outcome to the meeting might be that a full or partial suspension is 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 once and 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 Vice-President for

Teaching, Learning and Students and/or the Vice-President for Research for consideration.

- 5.3. The Vice-President for Teaching, Learning and Students and/or the Vice-President for Research will consider the matters raised at appeal against the permitted grounds and the wider case material. A student will normally receive an appeal outcome within 20 working days from receipt 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. Additionally, 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). The review may be paused where a student's appeal is being considered.
- 6.2. The review will normally only be considering new and substantial developments in the case and any written representations submitted by the student. In other respects there is unlikely to be any activity on the case.
- 6.3. The DCL will write to the student to inform them of the outcome of the review where there have been new and substantial developments in the case, changes to the suspension 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, or that section 7 of this procedure should be enacted. If considered necessary, the Director for the Student Experience may be re-consulted on any previous decision they have made.

## **7. Disciplinary action**

- 7.1. If the student has been suspended due to misconduct, but which is not linked to criminal proceedings, then the University will aim to investigate the alleged misconduct and/or allocate the student's case to a Summary Disciplinary Panel ("**SDP**") or University Disciplinary Panel ("**UDP**") hearing as soon as practicable. A suspension may remain in place pending the conclusion of internal proceedings.
- 7.2. If the student's suspension is linked to criminal proceedings, then any suspension will normally remain in effect until the conclusion of the criminal matters. Once this conclusion has been reached, then either through this procedure or the [Procedure for Student Criminal Offences](#), the outcome from those proceedings will be reviewed, to determine what action should be taken. This may, for example, mean the suspension ends without further disciplinary action or a case is further investigated by the University or proceeds to a disciplinary panel. A suspension may remain in place pending the conclusion of internal proceedings.
- 7.3. If the suspension is rescinded and a student is not referred for disciplinary action, the DCL may make recommendations or directions 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:	August 2024
Approving body:	Student Conduct and Discipline Committee
Version:	2
Supersedes:	September 2019
Previous review dates:	N/A
Next review date:	Summer 2026
Related Statutes, Ordinances, General Regulations:	<ul style="list-style-type: none"> <li>Statute XXI (Conduct, discipline and academic progress of students)</li> <li>Regulation XVII (Conduct and Discipline of Students)</li> </ul>
Equality relevance outcome:	High / Medium (delete as applicable)
Related policies/procedures/guidance:	<ul style="list-style-type: none"> <li>Procedure for Student Criminal Offences</li> <li>Procedure for the University Disciplinary Panel</li> <li>Procedure for Summary Disciplinary Panels</li> <li>Procedure for Handling Allegations of Sexual Misconduct</li> </ul>
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### Amendment history

Version	Date	Reason for change
2	August 2024	Updates agreed by Senate to suspension section of Regulation XVII e.g. some wording and phrasing, and change to the roles that approve suspensions and consider appeals. Updates to procedure reflect those broader changes and some further wording and phrasing changes.