**Student Discipline Statement, Form and Guidance**

The University has a document called [Regulation XVII](http://documents.manchester.ac.uk/display.aspx?DocID=6530) (Conduct and Discipline of Students). This sets out the behavioural expectations of students whilst they are registered at the University and what might happen if those expectations aren’t met. The Regulation links to other processes which explain how the University handles cases of alleged misbehaviour.

If it is alleged that there has been misbehaviour, this may lead to a disciplinary hearing. The term disciplinary hearing can be quite daunting but, in summary, these allow for the University to have a managed meeting to discuss a particular issue with you. Whilst hearings are focussed on establishing if there has been misbehaviour, and to take appropriate action where this is the case, they also allow an opportunity for a student to learn, reflect and for support issues to be picked up on.

Prior to the Covid-19 pandemic the University held the majority of hearings in-person, but this was not possible during lockdown. Of course there is a still a need to maintain standards of behaviour at all times while you are a student and so disciplinary hearings have continued. To accomplish this, the University has adapted how disciplinary hearings were arranged, and this has led to a permanent change in the way we conduct disciplinary hearings, this being that the default position is that any meetings held that relate to a disciplinary matter will take place online, usually via Teams or Zoom.

You are still expected to engage with the disciplinary process. You have the opportunity to submit a written statement before a disciplinary hearing too. The University has put together a form in Appendix One which provides some guidance around questions that a panel might want to ask and checks to make. It is recommended that you submit a statement in advance of the hearing, but ultimately it is your choice whether you do.

If you do wish to request an in-person meeting, then it is important to give your reasons to the person arranging the meeting, so that the request can be properly considered.

* **Does opting for a remote hearing change how a decision is reached?**

No. Of course, you should give care and attention to how you present your case. Be factual, reflective and honest. The form in Appendix One has been designed to guide you in the preparation of a statement.

Panels are still required to approach a case impartially, reach decisions based on the information available, and to provide reasons for decisions.

* **What if I need extra time or I’m struggling to engage with the disciplinary process?**

The expectation is that you would prioritise engagement with the disciplinary process. However, if you have concerns about being able to engage with the disciplinary process, then it is best for you to be upfront as soon as possible so the person arranging the disciplinary hearing can consider these concerns. Where there might be concerns, it could lead to extra time. Alternatively, the hearing may need to continue as planned. It is unlikely that the need for a disciplinary hearing will go away indefinitely. The University wants to avoid the arrangements for disciplinary hearings from delaying you from obtaining our results and award.

* **What if I don’t attend or submit a statement?**

A panel can consider a case in a student’s absence. In other words, the panel will still look at a case and reach a decision, but it will do so using the information it has available on the day of the hearing.

* **Can I access support?**

Yes. The Students’ Union [Advice Service](https://manchesterstudentsunion.com/advice) can help in the preparation for a disciplinary hearing; the Advice Service is operating remotely at present. If you take part in a remote disciplinary hearing, then you can still have a supporter present; this includes someone from the Advice Service, a fellow student or a member of staff. If you want to seek assistance from a supporter you should do this as soon as possible after receiving the invite. If the supporter cannot be present on the day of the hearing, then you should ensure you seek their advice before and/or after the hearing. The role of supporter is described in additional [guidance](http://documents.manchester.ac.uk/display.aspx?DocID=38173).

If the news of the disciplinary hearing has come as a surprise and you’re worried, then you may also want to seek alternative support, such as from the Counselling Service. A range of support topics are described [online](http://www.studentsupport.manchester.ac.uk/).

* **How should I prepare?**
	+ Read the materials you’ve been sent, along with any University policy documents.
	+ Put your thoughts down on paper i.e. your statement, and collect supporting evidence that you wish to refer to.
	+ Access support if you need it.
	+ Engage fully and considerately with the disciplinary process and the staff involved.
* **How long can I talk to a disciplinary panel for?**

The timing of disciplinary panels can range in duration depending on the complexity of the case being considered, some may last an hour or less, others three hours, others a full day. If you attend a hearing then you will get the opportunity to address the panel by way of an opening and closing statement, plus at times in between. However, the length of any statements will be time limited and should usually last no longer than 15mins (most last less). If you feel you do need to address the panel at length then it would be better to do so in an advance written statement. The panel will have read your written statement beforehand, so you do not need to read from it at the hearing – instead try to pull out the key messages you want to put across.

* **I’m concerned about the timing of my case and my graduation**

Regulation XVII states that the starting point is that students will not be granted an award or attend graduation while a disciplinary case is ongoing. Particularly for very serious general misconduct cases and malpractice cases, where there is a concern that a student’s end result or award may change because of a potential disciplinary penalty, then this principle tends to be enforced. While the University can attempt to prioritise exceptional cases, it is often limited by the tight turnaround time between a case arising, balancing other cases, staff availability, giving sufficient notice periods for hearings, implementing the decision and then graduation. There may be some mitigations that are possible e.g. offering a later graduation, but unfortunately some graduations will not always be able to proceed as planned.

* **I want more detail on the arrangements for disciplinary hearings?**

This guidance summary for students captures some key messages you might need to know. For more information, You may find this short [video](https://video.manchester.ac.uk/faculties/04e1e8e6c7e1e09b3fce29a8cd7daee7/91e2a7bc-05d5-450c-9a59-6cc91ae50f6f/) on the University’s disciplinary process helpful. Regulation XVII also links to the various procedures that underpin how discipline works at the University.

**Appendix One: Student statement for a disciplinary hearing**

|  |
| --- |
| **Part 1: Personal/Student Details**  |
| **Name and ID number** |  |
| **School and programme** |  |
| **Address** |  |
| **University email address** |  |
| **Personal email address**  |  |
| **Telephone Number** |  |
|  |
| **Part 2: Procedural Questions - Disciplinary Hearing** |
| **Important Documents:**[Regulation XVII](http://documents.manchester.ac.uk/display.aspx?DocID=6530) (Conduct and Discipline of Students) Procedures outlining how disciplinary hearings take place (please read the appendix of relevant procedure below which lists the range of penalties that can be imposed):* [Procedure for Summary Disciplinary Panels](http://documents.manchester.ac.uk/display.aspx?DocID=42773)
* [Procedure for the University Disciplinary Panel](http://documents.manchester.ac.uk/display.aspx?DocID=42774)

Common associated disciplinary procedures (you only need to read those procedures which are related to misconduct that you are alleged to have committed):* [Academic Malpractice Procedure](http://documents.manchester.ac.uk/display.aspx?DocID=639)
* [University’s Dignity at Work and Study Policy](file:///C%3A/Users/s86860jh/AppData/Local/Microsoft/Windows/INetCache/Content.Outlook/GBQDVZSY/%28http%3A/documents.manchester.ac.uk/display.aspx)
* [Procedure for Handling Allegations of Sexual Misconduct](http://documents.manchester.ac.uk/display.aspx?DocID=42775)
* [Code of Practice on Freedom of Speech](http://documents.manchester.ac.uk/display.aspx?DocID=11846)
* [Acceptable Use Policy – IT Facilities and Services](http://documents.manchester.ac.uk/display.aspx?DocID=16277)
 |

|  |
| --- |
| **2.1 Please confirm that you have read Regulation XVII and other procedures relevant for your hearing?** |
| **Confirmed** | *(Tick or Mark X)* |
| **2.2 Do you understand the allegation that has been made against you?** |
| **Yes,** I understand. | *(Tick or Mark X)* |
| **No,** I do not understand. | *(Tick or Mark X and explain any why)* |
| **2.3 Have you been able to access the allegation information (i.e. invitation, email attachments etc)?** |
| **Yes** | *(Tick or mark X)* |
| **No** | *(Tick or mark X and explain any why)* |
| **2.4 Format of Hearing** *The default position is that the Hearing will take place remotely online. Please explain below if you wish for the University to consider an in-person meeting.* |
|  |
| **2.5 Have you been able to access** [**support**](http://www.studentsupport.manchester.ac.uk/) **for the hearing?** |
| **Yes,** I have been able to access supportNote: please indicate in the answer box who you have sought support from and if you require a supporter to be present as part of a hearing (please include their name and contact details) | *(Tick or mark X. Also add supporter information)* |
| **No,** I do not need/intend to access support | *(Tick or mark X)* |
| **No,** I have not been able to access support that I needNote: please write in the answer box the problems you have been having accessing support. | *(Tick or mark X. Explain what issues you have faced)* |
| **2.6 Do you need an extension to the hearing date?**Note: the Chair of the panel will decide if an extension is given. This request may be declined if it is considered that you have had sufficient time to prepare for the hearing. |
| **Yes,** I need an extension of the hearing date.Note: Please explain why in the answer box and attach any supporting evidence to this form. | *(Tick or mark X. Please include further detail below)* |
| **No,** I do not need an extension of the hearing date | *(Tick or mark X)* |
| **2.7 Do you require any reasonable adjustments to the disciplinary process as a result of a long term health condition or disability?** |
| **Yes,** I need reasonable adjustmentsNote: please detail what adjustments are needed in the answer box | *(Tick or mark X. Provide further information on proposed adjustments)* |
| **No,** I do not need reasonable adjustments | *(Tick or mark X)* |
| **2.8 Do you have any objections to the panel membership?**Note: The panel Chair will review whether the objections are reasonable. |
| **Yes,** I have objections against panel membersNote: please explain the objection and which panel member in the answer box | *(Tick or mark X. Provide further explanation below)* |
| **No,** I do not have any objections against panel members | *(Tick or mark X)* |
| **Part 3: Your Statement** |
| **3.1 Do you accept that you have breached the Regulation (i.e. committed misconduct) as alleged in the invitation?**Note: this is a direct question about whether you think you have or have not committed misconduct. This question is not about whether the misconduct was intentional or unintentional. You may wish to talk about intent under section 3.2.  |
| **Yes** | *(Tick or mark X and add further information)* |
| **No**If you are unsure as to whether you have or have not breached the Regulation, please select No. Selecting No means that the Panel will need to reach a decision either way and provide reasons for that decision. Selecting No will not normally be held against you. | *(Tick or mark X and add further information)* |
| **Partly**Note: the option of partly is for multiple accusations of misconduct (e.g. I caused property damage, but did not threaten anyone). Please clearly write which allegations you accept and which you do not in the answer box. | *(Tick or mark X and add further information)* |
| **3.2 Please provide a detailed statement giving your response to the issues raised.**For example:* If you didn’t commit misconduct why do you consider this to be the case?
* Do you have any personal reflections on the matter, would you do anything different?
* Is there a remedy you wish to propose?
* How would you stop the issues arising again in the future?
* For academic malpractice cases, please detail how you completed the work, describe how you usually approach a piece of academic writing (e.g. copy documents and paraphrase) etc.
 |
| *(Please provide your statement below)* |
| **3.3 Do you have any questions you wish to ask about the issues raised?** |
| *(Please outline any questions you have below)* |
| **3.4 Is there anyone else who you wish for the University to try and contact for input e.g. a witness?**Note: if you wish for input from an individual named in the paperwork e.g. complainant, staff will facilitate obtaining their input where appropriate. Where individuals have already contributed to an investigation then further input may not be deemed necessary. If an individual is not named in the paperwork, you may wish to consider contacting them yourself and including a statement from them as a piece of supporting evidence. |
| *(Please provide their name, contact details and what you believe they can contribute to the issues raised.)* |
| **3.5 Are there any mitigating circumstances (unforeseen events, health conditions etc) that you wish to alert the panel to?**For example, are there personal issues that arose close to the date of the alleged misconduct that you think may explain the misconduct or that a panel may wish to consider if applying a penalty. Where available, you should supply evidence of mitigating circumstances with your statement. If you do not have evidence, please explain why, whether it has been requested and potential timescales for when you might have it. |
| *(Please detail any mitigating circumstances below and what was their effect in relation to the misconduct)* |
| **3.6 How aware are/were you of the University’s behavioural expectations?**For example, how did you learn about malpractice, what is your understanding of the alleged behaviour? |
| *(Please provide your answer below)* |
| **3.7 Please list any supporting material you are supplying for this case and explain why it is relevant i.e. what it shows.** |
| *(Please outline your supporting material below)* |
| **3.8 Should you be found to have breached the Regulation, the panel may need to consider previous offences that you have on file when applying a penalty.** If you have any previous offences, please note anything you wish to say about the previous offence e.g. reflections.Note: this information will normally be relevant to a penalty decision rather than whether you have committed misconduct. |
| *(Please write your response below)* |
| **3.9 Is there anything else that you wish to alert the panel to e.g. from your academic record?** |
| *(Please write your response below)* |
| **Part 4: Final confirmations** |
| **4.1 Please confirm that you understand that the hearing, and material associated with it, are to be kept confidential, and only disclosed by you for the purpose of accessing legitimate advice/support for the hearing.**You should not directly/indirectly contact a person named in the material e.g. complainant, panel member.Note: within the University, the case will be kept confidential insofar as possible, and only disclosed on a need-to-know basis, usually for the purpose of putting the Regulation into effect.Failure to abide by this instruction could be a disciplinary matter. |
| **I understand and confirm** | *(Tick or mark X)* |
| **4.2 Disciplinary hearings are not routinely recorded by students using audio-visual means. Notes of hearings are made along with an outcome letter outlining the decision made.** If you are taking part in a remote hearing please confirm that you understand it must not be recorded by audio-visual means. Failure to abide by this instruction could be a disciplinary matter. |
| **I understand and confirm** | *(Tick or mark X)* |
| **4.3 Please confirm that the information you have supplied is truthful.**Being dishonest during a disciplinary hearing could be a disciplinary matter. |
| **I confirm that information supplied is truthful** | *(Tick or mark X)* |

To contact University support services / general support information, please use this link: <http://www.studentsupport.manchester.ac.uk/>

Please return this form to the Professional Services staff named in the invitation.