DISCIPLINARY PROCEDURES FOR UNIVERSITY RESIDENCES

1. Introduction

a) These Procedures form part of the University’s Policy on Student Conduct and Discipline and should be operated alongside this Policy and its other Procedures, in order to achieve consistency in operating the procedures across all University residences and alignment with all other procedures associated with student discipline.

b) The Procedures are designed to:

- Deal quickly and informally with minor offences for which a warning, reprimand and/or a fine may be given;
- Deal formally with more serious incidents for which more serious penalties may be applied and/or whereby a resident may be required to leave the accommodation;
- Allow students to appeal against decisions made and penalties imposed and for those appeals to be handled fairly and in a timely manner;
- To refer appropriate cases to the Chief Operating Officer under the University’s formal disciplinary procedures described in Appendix A of the Policy on Student Conduct and Discipline.

c) ‘University Residence’ refers to any owned or managed accommodation provided by the University, this includes: traditional halls of residence, self-catered residences and other residential accommodation provided by a third party which the University manages on their behalf.

d) For the purposes of these Procedures, ‘University Residence’ also includes private facilities which the University has contracted to deliver accommodation to students under the terms of the University’s Tenancy Agreement.

e) Separate agreements will be put in place to deal with misconduct by a resident who is not a student of the University, normally in residence under the auspices of a commercial agreement between the University and a partner.

f) These Procedures do not cover members of staff who are residents (except where a member of staff is also a student of the University).

g) Delegated powers and responsibilities by the Senate for disciplinary action within University Residences are assigned to:

- Director of Residential, Sport and Commercial Services
- Deputy Director of Residential, Sport and Commercial Services
- Operational Manager, Residential Services
- Accommodation Office Manager
- Hall Wardens
- Hall Managers
• Accommodation Officers

h) This level of jurisdiction within these Procedures is limited to the ‘sphere of responsibility’ of those listed above, and allows for a more effective means of dealing with offences related to University Residences, such as less serious breaches in the Tenancy Agreement and less serious offences. Different levels of jurisdiction are required so that cases can be handled according to their severity and, where appropriately, with an appropriate speed, to ensure that minor breaches, such as excessive noise, unacceptable behaviour or discourtesy to staff, can be checked to avoid any escalation of misconduct.

i) Students who are residents in University residential accommodation are bound by the terms of the Tenancy Agreement which sets out the limits of acceptable behaviour in the Residences, which have the force of Regulations under the Policy on Student Conduct and Discipline.

j) Complaints about student misconduct in University Residences may be brought to Hall Wardens and Hall Managers by Residential Advisers, Residences staff, other University staff, other residents, the Emergency Services or members of the public who are affected by students’ misbehaviour.

k) From time to time, the behaviour of individual students in the residential setting may raise concerns about their general health and well-being, which may extend beyond concerns about their conduct to be dealt with using disciplinary procedures. Residential staff are encouraged to seek advice from appropriate parties where they have such concerns.

l) Under these Procedures, Wardens and Hall Managers should be aware that instances of serious misconduct by students who are studying on professional programmes, (eg Medicine, Dentistry, Veterinary Science, Health Sciences) may have significant implications for their fitness to continue to train in these clinical disciplines, and appropriate advice should be sought.

2. Limits of jurisdiction in University Residences

a) Under the University’s Policy on Student Conduct and Discipline and under these Procedures, the Director and Deputy Director of Residential, Sport and Commercial Services have authority to apply all permissible penalties within the jurisdiction of the Hall Warden or Manager and up to but not exceeding the following penalties against students whose behaviour is deemed to warrant such measures:

- Suspension from University Residences under conditions which are appropriate to the case;
- Relocation to alternative University accommodation;
- Termination of the Tenancy Agreement by issuing a section 8 notice to quit (section 8 possession notice). This will set out the grounds for seeking a possession order from the courts and expulsion from the Residence;
- Imposition of a fine not exceeding £500.

The imposition of any penalties has to be fair, reasonable and proportionate.

b) Hall Wardens and Hall Managers have the power of jurisdiction within their own Residences. However, if they feel compelled to make a complaint about a student’s
behaviour themselves, they should submit this complaint to the Deputy Director of Residential, Sport and Commercial Services, who may appoint a Warden or a Manager from another University Residence to judge the case, unless the alleged offence falls outside the normal sphere of responsibility of a Warden or Manager, in which case, the matter should be referred, via the Director of Residential, Sport and Commercial Services, to the Chief Operating Officer, under the University’s formal disciplinary procedures.

c) Hall Wardens and Managers have jurisdiction over students who are resident in their own Residences, providing the offence does not merit penalties outside their powers of jurisdiction. This jurisdiction includes residents’ conduct inside and in the vicinity of the relevant Residence and residents’ conduct where it is associated with their Residence. Where a visitor of a student misbehaves whilst in the University Residence, the student themselves will be held responsible and would be the subject of any disciplinary action.

d) The limits to the penalties which can be applied by Hall Wardens and Managers are:

- Imposition of a fine; and/or
- Imposition of a charge for damage caused and/or loss incurred by a student and/or for associated other charges incurred by the University but not in excess of the actual cost of repair or replacement (this may be in place of or in addition to a fine); and/or
- Withdrawal of hall privileges for a period of up to one month or longer if deemed appropriate; and/or
- Delivery of a Reprimand which will act as a warning not to repeat the offence; or
- Delivery of a Final Warning for a repeated offence.

e) A fine is defined as a sum of money imposed as a penalty following disciplinary action. A charge is defined as a sum of money imposed on the student in recompense for damage caused or loss incurred. Both fines and charges are payable in accordance with the Policy on Payment of Fees, Fines and Charges (URL). A fine can be levied in addition to a charge following disciplinary action.

f) Hall Wardens and Managers may forbid a student who is not a resident in their Residence to enter the Residence either temporarily or permanently and they may forbid a student who has been expelled from the Residence to enter the Residence as a visitor either temporarily or permanently. Should a student disobey the Hall Wardens or Managers in these circumstances, disciplinary action may be taken as below.

3. Dealing with students’ engagement with routine housekeeping requirements and membership of the student residential community

a) As part of the Tenancy Agreement and by virtue of being a member of the University community, students are expected to exercise courtesy to other residences at all times. This includes keeping noise to a minimum, especially at night, to respect other people’s property and to maintain an appropriate level of cleanliness in communal areas such as kitchens. Students are also expected to maintain courteous and polite relationships with members of staff and are expected to follow instructions of staff when asked to do so.
b) In order to deal swiftly with general poor levels of housekeeping and low-level antisocial behaviour such as noise, Hall Wardens/Managers may impose sanctions not exceeding the following:

- Imposition of fine not exceeding £50.00
- Imposition of a financial charge in recompense for damage/loss/other charges incurred not exceeding the value of any such damage/loss
- Delivery of a warning
- Delivery of a reprimand
- Removal of hall privileges for a period to be determined fair and reasonable under the circumstances

c) This provision is permitted in order that general standards of behaviour are maintained and the process is sufficiently light-touch to deal effectively with low-level anti-social behaviour.

d) In all cases, however, Wardens/Managers are required to establish the facts and to investigate any counter-claim made by the perpetrators, and, if necessary, use the Stage One procedures (below) where it emerges that this informal approach will not resolve the issue. There is no right of appeal against actions taken under these circumstances, although a student could, if they wished the matter to be considered further, request that the matter is reviewed using the Stage One procedures below.

e) Hall Warden/Managers are required to inform any student who is subject to any procedure for handling misconduct of their right to advice and representation by the Guild of Students.

4. **Stage One – Procedure for dealing with more serious misconduct or repeated minor infringements**

a) Stage One of the procedures is designed to allow more serious incidents or repeated bad behaviour to be dealt with quickly by the Hall Warden or Manager to prevent further breaches and sustain appropriate standards of conduct and behaviour of all students in University residences. Any complaint about more serious student misconduct or repeated offences should be submitted to the Hall Warden or Manager in writing, together with any relevant documentation or other evidence.

b) The Hall Warden or Manager will invite the student for an interview, setting out clearly, in writing, the nature of the infringement, alongside any evidence which has been collected. Under normal circumstances, at least 24 hours’ notice should be provided to the student unless there is a substantial body of evidence in which case it is advised that at least 48 hours’ notice is provided. Where a student wishes to obtain advice and/or representation from the Guild of Students, the timing of such a meeting should take account of this.

c) The student should be informed of the time and location of the meeting and the people who will be present at the meeting. This would normally be the Hall Warden or Manager, and at least one other person who would also act as note-taker. The student should be permitted to bring a friend as a supporter. Normally, this would be fellow student or a member of the Guild of Students. Where a student wishes to be accompanied to the meeting by other people who are acting as witnesses, the Hall Warden or Manager may ask other staff members to be present.
d) The notes of the meeting should provide a summary of the issues which were discussed and record of the decision(s) taken by the Hall Warden or Manager.

e) At the meeting the Hall Warden or Manager will hear from the complainant, where present, and the student. The student should be given the opportunity to either admit or deny the allegation(s) made against them. Under all circumstances, the Warden/Hall Manager will take into consideration all the information and evidence presented and any mitigation offered by the student, and will only then decide whether or not the case against the student is proven.

f) If the case against the student is proven or the student has admitted to the allegation of misconduct, the Hall Warden or Manager may impose a penalty which may include one or more of the following:

- Removal of hall privilege for a period to be determined fair and reasonable under the circumstances
- Removal of right of access to specific locations within the specific residence, for a period to be determined fair and reasonable under the circumstances
- Impose a fine not exceeding £100
- Impose a financial charge in recompense for damage/loss/other charges incurred not exceeding the value of any such damage/loss

g) The imposition of a penalty is at the discretion of the Hall Warden or Manager and, whilst the limits of those penalties are set out in this Policy, there is no ‘tariff’ system in operation. Penalties imposed must be proportionate and be applied consistently and Hall Wardens and Managers must take into account the implications for the student of imposing a specific penalty.

h) The Hall Warden or Manager will also issue a warning to indicate to the student that further breaches or infringements are likely to lead to more serious disciplinary action. This warning will be included in the outcome letter (see below).

i) Wardens may not impose any other penalty than those listed above when using Stage One of these procedures as this would constitute a procedural irregularity and thus provide grounds for appeal. Hall Wardens or Managers may impose a suspended fine where they believe it is the best course of action under the circumstances.

j) If the case against the student is not proven, this decision should be provided to the student in writing, and no record of misconduct would be kept on the student’s file. Where the original complaint was made by another student, the Hall Warden or Manager should consider how best to inform the complainant to avoid any undesirable consequences.

k) A copy of the notes of a Stage One disciplinary hearing and the outcome letter to the student should be retained by the Hall Warden or Manager. The outcome of the hearing and the details of the penalty should be set out, in writing, to the student. A warning should also be included in this outcome letter to indicate to the student that further breaches or infringements are likely to lead to more serious disciplinary action. In the letter, the student should be provided with their right of appeal and details about the grounds and procedures for appeal. The student should also be
informed that if they choose not to appeal, they may request a Completion of Procedures letter, but such a letter will not be issued automatically.

l) The outcome letter and all related documentation should be retained by the Hall Warden or Manager against the student file in a secure location. Such records should be destroyed 6 years after the student has left the University.

m) The Hall Warden or Manager will inform the Accommodation Office if any fine or charge should be raised and this process will be undertaken in accordance with the University’s Policy on Payment for Fees, Fines and Charges, which can be found at:

http://www.liv.ac.uk/feespayment/index.htm

5. Stage One appeal procedure

a) A student may appeal against the Hall Warden or Manager’s decision within five calendar days of receiving the outcome letter. An appeal must be submitted in writing to the Accommodation Office Manager and should be submitted only on one or more of the following grounds accompanied by any evidence:

i. That there was a material procedural irregularity in determining the outcome;
ii. That new information is now available which, for good reason, was not available at the time that the Warden/Hall Manager had made their decision, and which, had it been available, would have materially affected the outcome;
iii. That the penalty applied out-with the jurisdiction of the Warden/Hall Manager under Stage One of the procedures.

b) If the student admitted to the allegation of misconduct, they are not permitted to appeal on the grounds of (ii) above.

c) The Accommodation Office Manager will review the appeal statement and any evidence submitted and will determine whether or not the student has provided evidence that they have grounds for appeal.

d) If the Accommodation Office Manager determines that the student has not provided evidence that they have grounds for appeal, he/she will write to the student within fifteen working days informing them of the decision and the reasons, and will issue a Completion of Procedures letter¹. There is no further right of appeal to the student.

e) If the Accommodation Office Manager determines that the student does present information which suggests they have grounds for appeal, they will ask a Hall Warden or a Manager from another Residence, who has no previous knowledge of the case, to convene a Stage One disciplinary appeal hearing.

f) The Accommodation Office Manager will write to the student to inform them of the decision and to indicate that they will be contacted by the relevant Hall Warden or Manager.

g) The new presiding Hall Warden/Manager will appoint normally two Residential Advisers to form an appeal panel. No member of the appeal panel should have had

¹ Advice on this can be obtained from the Academic Compliance Team in SAS
any prior dealings with the case in question. The Residential Advisers can be from any University residence.

h) The presiding Hall Warden/Manager will appoint a note-taker.

i) Where the appeal is heard on grounds 4(i) and 4(ii), the appeal hearing will be heard in accordance with the Procedures for a Stage One disciplinary hearing ‘de novo’. The outcome of the hearing will be made in accordance with Sections 3(e) and 3(f) above.

j) Where the appeal is heard on grounds 4(iii), the appeal panel will sit in private to decide whether or not the penalty originally was disproportionate.

k) The possible outcomes of the appeal are as follows:
   - To reject the appeal and confirm that the penalties remain in place;
   - To reject the appeal and increase the penalties, if appropriate;
   - To uphold the appeal and wipe off the record any penalties imposed;
   - To uphold the appeal and reduce the penalties imposed.

l) Increases to penalties can only be made if this can be justified as fair and reasonable and they do not exceed the Hall Warden/Manager’s jurisdiction under Stage One.

m) The appeal outcome will be provided in writing to the student with a copy of the notes of the meeting.

n) The student has no further right of appeal and will be issued with a Completion of Procedures letter as part of the formal outcome letter, which should be copied to the Hall Warden/Manager of the student’s Residence and the Accommodation Office Manager.

o) The Presiding Hall Warden/Manager will contact the Accommodation Office to inform them of any change to any fine or charge.

6. **Stage Two – Procedures for serious incidents**

a) Where a Hall Warden or Manager receives a complaint of serious misconduct the Warden/Hall Manager should initiate Stage Two of these Procedures.

b) Serious misconduct to be handled under Stage Two includes behaviour which shows evidence of malice or reckless disregard for others or dishonesty, within the context of University Residential life and which could reasonably be expected to be handled under the jurisdiction of the Hall Warden or Manager. Serious misconduct to be handled under Stage Two also includes offences alleged to have been committed by students who have already received two warnings under Stage One of the procedures.

c) Where a student’s behaviour is of such a nature that it appears that it constitutes a serious breach in the University’s rules regulating the conduct of students, the Hall Warden or Manager should seek advice from the Director of Residential, Sport and Commercial Services in the first instance, who will decide whether the breach should be considered, under the jurisdiction of the Hall Warden/Manager or under the formal
disciplinary procedures under the University’s Policy on Student Conduct and Discipline.

d) If such serious behaviour places other residents and staff at risk, the Warden/Hall Manager may recommend to the Director of Residential, Sport and Commercial Services to consider that the student is suspended (removed temporarily) from the Residence. Where the case suggests that other people are at risk if the student remains in the Residence, the Director of Residential, Sport and Commercial Services will convene a Risk Assessment Panel to assess the risks and decide whether or not the student should be removed temporarily from the Residence. The Risk Assessment Panel may comprise the Director of Legal, Risk and Compliance, Director of Student Administration and Support, Academic Compliance Manager, relevant Head of School, relevant School Manager, and any other person whose input is required. The Risk Assessment Panel should also consider whether the student poses a risk to the wider University community, and if so, a suspension from studies, initiated under Appendix F of the Policy for Student Conduct and Discipline should be considered.

e) Where the decision is taken to remove the student temporarily from the Residence, the implications for the student’s on-going studies and their welfare should be considered and steps taken to avoid any undue disadvantage or prejudging of the disciplinary case.

f) If the Director of Residential, Sport and Commercial Services decides that the breach is of sufficient seriousness to warrant consideration under the University’s formal disciplinary procedures, he/she should write a formal complaint to the Chief Operating Officer, or nominee, providing the available evidence and requesting that the matter is investigated formally under Appendix A of the Policy on Student Conduct and Discipline.

g) Where the Hall Warden/Manager themselves wishes to complain about serious misconduct of a student in their Residence, the Deputy Director of Residential, Sport and Commercial Services shall ask a Hall Warden/Manager of another Residence to act as the Hall Warden/Manager under Stage Two of these procedures. This may be the case where a student has already received repeated warnings and the Hall Warden/Manager may already have handled previous misconduct allegations under Stage Two.

h) Where the Director of Residential, Sport and Commercial Services decides that the breach should be handled by the Hall Warden/Manager under Stage Two, the Hall Warden/Manager will convene a Residential Disciplinary Panel.

i) The Residential Disciplinary Panel should include at least two other independent parties to include at least one student (drawn from the Warden/Hall Manager’s HSC Pool) and one member of Residential staff. The Hall Warden/Manager will act as Chair of the Disciplinary Panel. The complainant cannot be a member of the Disciplinary Panel.

j) The Hall Warden/Manager should invite the student to the hearing, setting out clearly, in writing, the nature of the infringement(s), alongside any evidence which has been collected. At least 48 hours’ notice should be provided to the student. The student should be informed of the time and location of the meeting and of those who will be present. The student should be permitted to bring one person who would act as a friend or supporter and who would normally be a fellow student or a
representative of the Guild of Students. The student will also be invited to call witnesses if they intend to deny the allegations. The complainant also may wish to bring witnesses. Both parties should inform the Hall Warden/Manager, in advance of the meeting of the names of the witnesses that are being called. Witnesses will only be called into the hearing at the appropriate time in the procedures.

k) Also present would be the complainant (or their representative) and an independent note-taker.

l) The procedure for the hearing is as follows:

i. The Hall Warden/Manager will introduce the Disciplinary Panel members, the complainant and the note-taker and will ask the student to introduce themselves and anyone else present who is accompanying them.

ii. The Hall Warden/Manager will state clearly the allegation(s) of serious misconduct and will ask the student to confirm that they have received written confirmation of this allegation and all relevant evidence.

iii. The Hall Warden/Manager will ask the student if they admit or deny the allegation. If the student denies the allegation, the Warden/Manager will go to Section (v) of these procedures (ie leaving out the next step).

iv. If the student admits to the allegation, the Hall Warden/Manager will invite the student to explain the circumstances surrounding the incident(s) and provide information of any mitigating factors. The Panel members may ask questions of the student. Once this is done, the student, their supporter and the complainant will be asked to withdraw from the room while the Disciplinary Panel decides what action, if any, to take. Section xiii of these procedures should then be followed.

v. If the student denies the allegation(s), the Hall Warden/Manager will ask the complainant first to set out their complaint, calling witnesses if they so wish. The Disciplinary Panel members may ask questions of both the complainant and the witnesses.

vi. The Hall Warden/Manager will then ask the student to respond to the allegations, and to state their case, calling witnesses if they so wish. The Disciplinary Panel members may ask questions of both the student and the witnesses.

vii. Where the Disciplinary Panel requires further clarification on any point which is in dispute, they may ask questions of both the complainant and the student, but the student should be given the opportunity of making the last statement.

viii. After both the complainant and the student have stated their case, the Hall Warden/Manager will ask both parties (and any supporters) to leave the room whilst the Disciplinary Panel considers whether or not the case against the student is proven.

ix. The Disciplinary Panel will then deliberate over the merits of the case and will decide whether or not, and on the balance of probabilities, the case against the student is proven.
x. The student and the complainant will then be invited back into the room for the Hall Warden/Manager to inform the parties of the decision.

xi. Where the case against the student is not proven, the case will be dismissed and this decision will be conveyed in writing to both the student and the complainant within 5 working days of the Disciplinary Hearing. No disciplinary record will be held on the student’s record under these circumstances, although a record of the Disciplinary Hearing should be kept by the Warden/Hall Manager for a period of at least 6 years.

xii. Where the Panel has decided that the allegation(s) against the student are proven, the student will be asked if he/she wishes for any undisclosed offences to be taken into consideration. This means that any other undisclosed offences can be considered in the determination of any penalty at this stage, rather than at any time in the future.

xiii. The student and complainant will be asked to leave the room again while the Disciplinary Panel decides what penalty, if any, to impose. The Disciplinary Panel may not impose any penalty which exceeds the following:

- Removal of hall privilege for a period to be determined fair and reasonable under the circumstances
- Removal of right of access to specific locations within the specific residence, for a period to be determined fair and reasonable under the circumstances
- Imposition of a fine not exceeding £500
- Imposition of a financial charge in recompense for damage/loss incurred not exceeding the value of any such damage/loss.

m) The Warden/Hall Manager will write to the student confirming the outcome of the Disciplinary Hearing which will include details of any penalty that has been imposed and the student’s right of appeal and the grounds on which the student may appeal. The letter will also contain a Final Warning to the student that if there is any further misconduct, the student may face more serious sanctions or penalties which could include expulsion from the Residence and/or further referral under the disciplinary procedures.

n) A record of the disciplinary outcome will be retained on the student file by the Hall Warden/Manager for a period of 10 years, and a copy of the outcome letter and final warning will be sent to the Director of Student Administration and Support to be retained on the student’s central student record. Any Stage Two disciplinary record held against a student’s record may be disclosed to the University’s Board of Discipline should the student be referred under the University’s Disciplinary Procedures at a future date.

o) Where a student has appeared before a Formal Residential Disciplinary Panel on more than one occasion and the allegations were proven, a copy of the outcome letter will be sent to the student’s Head of Department.

p) The Hall Warden/Manager will inform the Accommodation Office if any fine or charge should be raised and this process will be undertaken in accordance with the University’s Payment for Fees, Fines and Charges which can be found at:

http://www.liv.ac.uk/feespayment/index.htm
q) Exceptionally, where the Disciplinary Panel believes that the proven misconduct warrants a penalty which exceeds the limits of the jurisdiction as set out above, such as expulsion from the Residences, the Hall Warden/Manager will defer the decision about what penalty to impose and will make a recommendation to the Deputy Director of Residential, Sport and Commercial Services. The Hall Warden/Hall Manager will notify the student and the complainant verbally at the end of the Disciplinary Hearing that the decision has been thus deferred.

r) The Hall Warden/Manager will then make a recommendation to the Deputy Director of Residential, Sport and Commercial Services, providing all relevant documents including the original letter of complaint, the notes of the Formal Disciplinary Hearing, all documentary evidence considered and the student’s full disciplinary record at the Residence.

s) On receipt of this recommendation, the Deputy Director of Residential, Sport and Commercial Services will decide, taking advice as necessary, whether or not to approve the recommendation or refer the matter back to the Disciplinary Panel to impose an alternative penalty within the sphere of the Hall Warden/Manager’s jurisdiction. There will be no further Disciplinary Hearing but the student and the complainant will be informed in writing of the outcome, either by the Deputy Director of Residential, Sport and Commercial Services if expulsion is approved, or by the Hall Warden/Manager if an alternative penalty is to be imposed.

t) The Deputy Director of Residential, Sport and Commercial Services will then proceed with the expulsion of the student from the Residence under the terms of the Tenancy Agreement by issuing a section 8 Notice to Quit (section 8 possession notice). This will set out the grounds for seeking a possession order from the courts and expulsion from the Residence.

7. Stage Two Appeal Procedure

a) A student may appeal against a decision made by a Formal Disciplinary Panel within 10 working days of receiving the formal outcome letter. The student must submit an appeal, in writing, to the Operational Manager, Residential Services. An appeal can only be made on one of more of the following grounds:

   i. That there was a material procedural irregularity in determining the outcome;
   ii. That new information is now available which, for good reason, was not available at the time that the Formal Disciplinary Panel made their decision, and which, had it been available, would have materially affected the outcome;
   iii. That the penalty applied is disproportionate or out-with the jurisdiction of the Disciplinary Panel under Stage Two of the procedures.

b) If a student admitted the allegation(s), they are not entitled to appeal on grounds 6(a)(ii) above.

c) The student should set out the reasons for their appeal and provide any relevant evidence.

d) On receiving the appeal, the Operational Manager, Residential Services, will determine whether or not the student has provided evidence that they have grounds for appeal. If they determine that they have not, they will dismiss the appeal and
inform the student, in writing, setting out the reasons. The letter will also contain a Completion of Procedures letter.

e) Where the Operational Manager, Residential Services, determines that the information provided does constitute grounds for appeal, they will write to confirm this to the student and refer the matter to the Director of Residential, Sport and Commercial Services, who will convene a Residential Disciplinary Appeal Panel.

f) The membership of the Residential Disciplinary Appeal Panel will be constituted as follows:

- Director of Residential, Sport and Commercial Services (or nominee) (Chair)
- Hall Warden/Manager of a different Residence to that of the student and who has not chaired the Formal Residential Disciplinary Panel whose decision is subject of the appeal
- Student Representative Officer of the Guild of Students

g) The Accommodation Office Manager will act as Secretary to the Residential Disciplinary Appeal Panel.

h) Where the appeal is to be heard on the grounds of procedural irregularity or on the basis that new information is now available (ie grounds 1 and 2), the appeal hearing will be conducted in accordance with the procedures for Stage Two.

i) Where the appeal is to be heard on the grounds that the penalty is disproportionate, the following procedures will be followed:

i. The student will be invited to attend an appeal hearing of the Residential Disciplinary Appeal Panel, the appeal hearing and will be invited to be accompanied to the hearing by a friend or supporter who would normally be a fellow student or a representative of the Guild of Students.

ii. All relevant papers will be available to all parties at least five working days prior to the meeting.

iii. At the hearing, the Chair of the Board will introduce all parties present and will invite the student to state their case. Members of the Board may wish to ask the student questions.

iv. When all questioning has taken place, the student will be asked to make a final statement, and will then be asked to leave the room while the Board makes its decision in private.

j) The decision of the Residential Disciplinary Appeal Panel will be given verbally to the student and confirmed in writing in a formal outcome letter.

k) The student is entitled to submit an appeal against the decision of the Residential Disciplinary Appeal Panel but only on the grounds that they did not receive a fair hearing as a result of some procedural irregularity. If a student does not exercise their right to appeal, the Secretary will issue a Completion of Procedures letter after the period of time for appeal has elapsed.
l) An appeal may be submitted within 10 working days of receipt of the formal outcome letter and should be sent to the Secretary to the University's Board of Discipline, who, in consultation with the Chair of the University's Board of Discipline, will decide whether or not the student has presented evidence of grounds for appeal. If it is determined that the student does have grounds for appeal, the matter will be referred back to the Director of Residential, Sport and Commercial Services to re-convene the Residential Disciplinary Appeal Panel with a different membership to re-hear the case.

m) If it is determined that the student has not presented evidence that they have grounds for appeal, the Secretary to the Board of Discipline will inform the student in writing and issue a Completion of Procedures letter.

n) There is no further right of appeal to the student.