

Code of Student Conduct – key changes from 16 January 2023

The notes below summarise key changes made to the Code. For the full and authoritative version of the Code, please refer to the Academic Services website: [Code of Student Conduct on the Academic Services website](#)

Subject matter	Section of revised Code	Key change
<p>Providing greater clarity around the role of the Reporting Party in the process</p>	<p>53-54;</p> <p>55</p> <p>61</p> <p>67</p> <p>81</p>	<p>These changes aim to ensure that both the Respondent and Reporting Party have appropriate opportunities to provide evidence and comment on evidence, and clarifies the Reporting Party’s right to complain about the process.</p> <p>1. During the investigation</p> <p>Sections 53 and 54 confirm that the Conduct Investigator will normally invite both the Respondent and Reporting Party to provide details of any witnesses whom they wish the Conduct Investigator to approach for evidence, and to submit any documentary evidence they wish the Conduct Investigator to consider.</p> <p>Section 55 confirms that the Conduct Investigator will offer the Reporting Party and Respondent the opportunity to comment on new evidence obtained during the course of the investigation, where it is appropriate to do so.</p> <p>Section 61 confirms that the Conduct Investigator will notify the Reporting Party of their decision regarding any allegations which have been referred to a Student Discipline Officer or the Student Discipline Committee for disciplinary action to be considered, and where any allegations are not upheld. The Reporting Party is informed after the Respondent.</p> <p>Section 67 confirms that the Reporting Party will be informed, in the event that a Student Discipline Officer decides to refer a case to the Student Discipline Committee. The Reporting Party is informed after the Respondent.</p> <p>2. Evidence brought to the Student Discipline Committee</p> <p>Section 81 explains that where the Respondent brings additional documentary evidence to the Student Discipline Committee, the Committee will give the Reporting Party the opportunity to respond to this evidence, where it is reasonable to expect that they should have this opportunity.</p>

	<p>95</p> <p>118</p>	<p>3. Asking questions of the Reporting Party and other witnesses at a Student Discipline Committee hearing</p> <p>The Code of Student Conduct (including prior to January 2023) states that at Student Discipline Committee hearings, the Convener can withdraw from the Respondent the right to cross-examine, or question directly, the Reporting Party, or other witnesses, where it is reasonable and proportionate in the circumstances of the case. In cases relating to allegations of sexual misconduct, the Respondent or their representative will not normally be permitted to cross-examine the Reporting Party.</p> <p>Section 95 has been amended to clarify that where the right of the Respondent or their representatives to cross-examine, or directly question witnesses has been withdrawn, the Respondent or their representative may be given the opportunity to suggest questions for the Student Discipline Committee to put to the Reporting Party, or other witnesses. The Committee, subject to its obligation to ensure the hearing is fair, retains a discretion not to refer these questions to the Reporting Party, or other witnesses, if it considers them unnecessary in deciding the issues of before it.</p> <p>4. The right to complain about the process</p> <p>Section 118 has been added. This explains that if the Reporting Party is dissatisfied with the way the Code of Student Conduct procedure has been followed, they may be able to raise a complaint using the University’s Complaints Handling Procedure. It remains the case that only the Respondent has the right to submit an appeal under the Student Appeal Regulations against a decision by a Student Discipline Officer or the Student Discipline Committee.</p>
<p>Clarifying the nature of the decision taken by the Conduct Investigator</p>	<p>60</p>	<p>Section 60 clarifies that if a case is referred to the Student Discipline Committee, the Committee comes to its own determination on whether the alleged misconduct occurred and constituted a breach of the Code of Student Conduct and, if so, what, if any, disciplinary action to take.</p>
<p>Notice period in advance of Student Discipline Committee hearings</p>	<p>74</p>	<p>The period of notice given to Respondents in advance of Student Discipline Committee hearings has been extended from seven days to ten working days. The revised notice period allows Respondents a more appropriate length of time to prepare for the hearing and is intended to reduce the likelihood of hearings being postponed at short notice.</p>

Calling of witnesses to the Student Discipline Committee	76	Section 76 clarifies the role of the Student Discipline Committee in deciding which witnesses named by the Conduct Investigator during the investigation should be invited to the hearing.
	96	Section 96 clarifies that the Student Discipline Committee can adjourn a hearing to request evidence from a witness who is not in attendance, where this evidence may be relevant to a decision they are making.
Arrangements for bringing forward new witnesses/evidence to the Student Discipline Committee; notification of procedural issues	82-3	Sections 82 and 83 updated to state that the Student Discipline Committee will only admit new witnesses and/or evidence at the hearing stage where it is satisfied that the Respondent could not reasonably have been expected to identify the witness and/or submit the evidence during the conduct investigation, and the witness and/or evidence is likely to provide information of relevance to the allegations.
	79	To ensure adequate preparation for hearings, the deadline for Respondents to provide the Committee with details of any witnesses to be brought forward, or new documentary evidence to be submitted, has been extended from two to five working days in advance of the hearing.
	84	The Respondent is required to notify the Committee five working days in advance of the hearing of any procedural or preliminary issues they would like to raise.
Suspension of specified privileges as a penalty	101.c	The Student Discipline Committee's power to apply a suspension of specified privileges is no longer limited to one year, except where they wish to apply a complete suspension from study, research and attendance at the University: this remains limited to one year, and any extension would require a new Student Disciplinary Committee hearing (see paragraph 103).
Requiring a written apology as a penalty removed	68 / 101	"Require the Respondent to write an approved apology to any wronged party" has been removed from the range of penalties available to Student Discipline Officers and the Student Discipline Committee.
Relationship with Fitness to Practise procedures	106	Where the Student Discipline Committee finds that a student who is studying on a programme which is subject to fitness to practise requirements has breached the Code of Student Conduct, the Code now states that the Student Discipline Committee will remit the matter to the relevant Fitness to Practise Committee for action or advice, prior to determining the appropriate penalty, if any.