



In partnership with



# **Student Code of Behavior & Disciplinary Procedures**

## STUDENT CODE OF BEHAVIOR & DISCIPLINARY PROCEDURES

<b>Department</b>	<b>Academic Registry</b>	<b>Document No.</b>	<b>S05</b>
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<b>Prepared by</b>	<b>President and Executive Board Member Project and Compliance Lead</b>		
<b>Reviewed by</b>	<b>President and Executive Board Member Head of Student Experience and Academic Registry Project and Compliance Lead</b>		
<b>Approved by</b>	<b>President and Executive Board Member</b>		
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<b>Custodian</b>	<b>Academic Registry</b>		

### Revision History

<b>Revision No.</b>	<b>Revision Date</b>	<b>Section No.</b>	<b>Remarks</b>
1.0	August, 2022	All Sections	New Document

### Dissemination

Through OUC Support Service Portal and website to all OUC students.

### Internal Control and Validation

To ensure compliance with this policy and procedure:

- The Dean, Academic Affairs is responsible for the implementation.
- The Academic Registry will maintain the control and compliance.

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## **1.1. Policy Objective**

- 1.1.1. Oryx Universal College (OUC) is committed to providing a learning environment that is conducive to the academic and social well-being of the College community.
- 1.1.2. Students are required to abide by the standards of behavior expected by the College as detailed below in the Code of Behavior.
- 1.1.3. The College will not condone or tolerate behavior which may adversely affect the good standing of the College, its students, staff, and the wider community.
- 1.1.4. Under the College's guideline, the Dean of Academic Affairs, along with Academic Registry, is responsible for overlooking code of behaviour and for the suspension or expulsion of students on disciplinary grounds.
- 1.1.5. The office of the Academic Registry, in consultation with the Academic Governance Committee and the Senior Management will facilitate behavioral disciplinary concerns.
- 1.1.6. First, second and third level of actionable steps will be taken to investigate behavioral concerns.
- 1.1.7. When and if a formal complaint is filed Behaviour Disciplinary Panel (BDP) or the Academic Governance Committee will investigate the case thoroughly and make recommendations to the Office of the President through the Academic Registry.
- 1.1.8. The Academic Registry reserves the right to review and amend the Student Code of Behavior and Student Disciplinary Procedures at any time, in consultation with the relevant stake holders and with the approval of the Board of Trustees or its nominee, in the light of operating experience and/or prevailing circumstances to ensure best practice.

## **1.2. Scope and Statement**

- 1.2.1. The Student Code of Behavior and Student Disciplinary Procedures are applicable to all current students of OUC on programmes of study operated by the College. This includes staff who are also students, but only in their capacity as students.
- 1.2.2. The College may take disciplinary action against students where their behavior has affected the College in some capacity, including its facilities, activities, interests, and reputation, the College community (including other students, staff, and visitors), or a member of the public.

- 1.2.3. The Student Disciplinary Procedures apply wherever alleged misbehavior occurs, including on campus, during off campus activities such as placements and field trips, on social media or in any other activity associated with the campus.
- 1.2.4. The Student Code of Behavior and Student Disciplinary Procedures are not used to address concerns of academic misconduct except in cases which also involve a breach of the Student Code of Behavior.
- 1.2.5. Allegations of inappropriate student behavior should, wherever possible, be dealt with informally by discussion between the student(s) and the relevant staff concerned, as first level of problem solving.
- 1.2.6. Students should be advised of the potential consequences of inappropriate behavior. Where it is not appropriate or practical for the member of staff to do this, staff should refer the matter to their Programme Coordinator and/or Academic Registry for action.
- 1.2.7. The formal procedure should be invoked where informal action has failed to address the matter or where the allegation is of such a serious nature that informal action would not be appropriate.
- 1.2.8. The Academic Registry may seek advice from the other internal stakeholders, throughout the Student Disciplinary Procedures. Where appropriate the outcome of disciplinary proceedings may be referred to other related OUC procedures.
- 1.2.9. The burden of proof is on the OUC and will normally decide the case on the balance of probability. The Academic Registry may convene a specially appointed Behavioral Disciplinary Panel (BDP) or the Academic Governance Committee to provide recommendations for cases that they don't find resolutions otherwise or require additional perspectives or cases that requires unbiased judgement of circumstances.
- 1.2.10. The Dean of Academic Affairs will be notified of the outcome of disciplinary procedures to make sure that the members of the Academic Affairs department are informed of such outcomes and to ensure necessary action taken accordingly. Where relevant the outcome will be reported to relevant Professional, Statutory and Regulatory Bodies (PSRBs).
- 1.2.11. A student studying on a university program who is to be suspended or who is excluded or expelled from the programme shall be reported to the LJMU Compliance Officer for advice and guidance. The decision will remain unchanged. The Academic Registry will report this as appropriate to the relevant authorities.

1.2.12. Reference to ‘parties’ in this document is taken to mean the individual(s) bringing the allegations and the student(s) against whom the allegation is made.

### 1.3. Definitions

<i>Allegation</i>	A claim or assertion that someone has done something illegal or wrong, typically one made without proof.
<i>Offence</i>	A breach of a law or rule; an illegal act.
<i>Penalty</i>	A punishment, or the usual punishment, for doing something that is against a law.
<i>Suspension</i>	Imposed by college but not enforced as long as no further offence is committed within a specified period.

### 1.4. Abbreviations

OUC	Oryx Universal College
GDPR	General Data Protection Regulations
BDP	Behavioral Disciplinary Panel
PSRB	Professional, Statutory and Regulatory Bodies

### 1.5. Criminal Proceedings

- 1.5.1. The College will seek advice from legal advisors and the Compliance Officer of LJMU (if applicable) where a potential criminal offence is committed against the College by a student. The decision about whether to report the incident to the police lies with the College.
- 1.5.2. Where a potential criminal offence is alleged against a student by another student, the decision of whether to report the matter to the police lies with the victim / reporting student. Students can obtain advice from the Office of the Academic Registry and Student Experience and further advice is available in Appendix 2 and 3.
- 1.5.3. Only in exceptional circumstances will the College report an alleged crime to the police contrary to the wishes of the victim for example if the disclosure of the information is to protect the reporting students (or others) from harm or to prevent a further crime taking place. This decision will be made on assessment of the information and after discussion with the victim.

- 1.5.4. Where a student is subject to police investigation and/or criminal proceedings the Student Disciplinary Procedures will normally be deferred pending the conclusion of the police investigations and the outcome of criminal proceedings.
- 1.5.5. Where a student is subject to police investigation and/or criminal proceedings (as a victim or alleged perpetrator) the College will consider whether any interim precautionary action is required (See Section 1.9.3) and will advise the students involved of the support services available (See Appendix 2 and 3).

## **1.6. Operating principles**

- 1.6.1. OUC is committed to fair and equitable Student Disciplinary Procedures; to ensure a full and fair assessment of the circumstances of the case and avoiding unnecessary delay.
- 1.6.2. OUC undertakes to ensure that the Student Disciplinary Procedures:
  - 1.6.2.1. are timely and efficient, to facilitate a speedy resolution.
  - 1.6.2.2. are fair, impartial, and transparent to all parties.
  - 1.6.2.3. are conducted in a professional manner.
  - 1.6.2.4. meet the principles of natural justice.
- 1.6.3. This means that:
  - 1.6.3.1. Reasonable time will be allowed for the investigation of the allegation(s) and the preparation of representations by the relevant parties.
  - 1.6.3.2. Where applicable and appropriate to do so, consideration will be given to a student's assessment schedule.
  - 1.6.3.3. Relevant parties are given the opportunity to provide evidence to substantiate their version of the issue or incident.
  - 1.6.3.4. Full disclosure of any allegations and evidence will be made to relevant parties involved in the procedure (subject to the requirements of the General Data Protection Regulations GDPR).
  - 1.6.3.5. All parties have the right to be accompanied by a 'Friend' at each stage of the procedures.
  - 1.6.3.6. The College will not normally accept anonymous complaints regarding the behaviour of student(s). Exceptions to this may be made where the complaint raises serious issues of concern for the health & safety of students, staff, & the public.

- 1.6.4. Information disclosed during the Student Disciplinary Procedures is confidential to all parties. Further information is available in the Student Governance Privacy Notice at - <https://www.ljmu.ac.uk/legal/privacy-andcookies/external-stakeholders-privacy-policy/student-governance-privacynotice>.
- 1.6.5. Breaches of confidentiality may lead to further disciplinary action being taken.
- 1.6.6. The Academic Registry and Members of Academic Registry have delegated responsibility related to (Student Governance) for:
  - 1.6.6.1. The management and operation of the Student Code of Behaviour and Student Disciplinary Procedures.
  - 1.6.6.2. The provision of advice and guidance on disciplinary matters to staff and students.
  - 1.6.6.3. The suspension of students pending further investigation of the relevant circumstances.
  - 1.6.6.4. The issuing of penalties in accordance with the Student Disciplinary Procedures; and
  - 1.6.6.5. Ensuring that the code and associated procedures are up to date, fit for purpose and subject to review as appropriate.
- 1.6.7. Where there is more than one student against whom allegations are made, the College will determine, based on the circumstances of the case, whether the parties will be required to attend any meeting or hearing under this procedure separately or as a group.
- 1.6.8. A written (non-verbatim) record of discipline meetings, investigation meetings and discipline hearings will be taken.
- 1.6.9. The College endeavors to complete the processing of a formal student discipline case and any associated appeal within 90 calendar days. This timeframe requires students to meet any College deadlines for the submission of materials or attendance at meetings or hearings.
- 1.6.10. If, for good reason, such as the availability of essential witnesses or external proceedings, the College needs to extend the timeframe, the student will be notified and kept regularly informed of the progress of the complaint.

## **1.7. Student Code of Behaviour**

- 1.7.1. Students are expected to conduct themselves in a manner which demonstrates respect for self, the College, its staff, fellow students, property and equipment, and the wider community.



- 1.7.2. The College may take disciplinary action against students where their behaviour has affected the College (its facilities, activities, interests, and reputation), the College community (including self, other students, staff, and visitors), or a member of the public.
- 1.7.3. The Student Disciplinary Procedures apply wherever alleged misbehavior occurs, including on campus, during off campus activities such as placements and field trips, on social media or in any other activity associated with students being at the college.
- 1.7.4. The students are advised for their responsibilities and what the college expects of students when accessing and using social media. Students should be aware that both their college and personal usage of social media can be considered as a discipline offence under this procedure.
- 1.7.5. Breaches of the Student Code of Behaviour may result in disciplinary proceedings. **Appendix 1** outlines examples of discipline offences, unacceptable behaviour, and examples of sanctions for such behaviour.

## **1.8. Discipline offences**

The list below is not exhaustive, and examples of such offences are outlined in Appendix 1. The decision about whether the offence is serious will rest with the College, following consideration of the full circumstances of each case. Discipline offences include:

### **1.8.1. Discipline offences: people**

- 1.8.1.1. Physical Misconduct.
- 1.8.1.2. Sexual Misconduct
- 1.8.1.3. Abusive, Threatening or Offensive Behaviour (including bullying and harassment and anti-social behaviour).

### **1.8.2. Discipline offences: property and health & safety**

- 1.8.2.1. Damage to property
- 1.8.2.2. Unauthorized taking or use of property (physical or intellectual).
- 1.8.2.3. Causing a health or safety concern.
- 1.8.2.4. Possessing, using, or supplying controlled drugs.

### **1.8.3. Discipline offences: university & college**

- 1.8.3.1. Operational obstruction
- 1.8.3.2. Reputational damage

## 1.9. Student Disciplinary Procedures

- 1.9.1. The Student Disciplinary Procedures will be invoked following an allegation on a Disciplinary Offence and is notified to the Student Governance by Academic Registry.
- 1.9.2. Allegations should be made in writing to Academic Registry (registry@oryx.edu.qa), with full details of the incidents and should include any evidence available. Students should utilize the student complaints form to report complaints about another student.
- 1.9.3. **Precautionary measures:** Following consideration of the relevant circumstances and at any time during the procedures, the Academic Registry (or nominee) will determine whether interim precautionary measures are necessary.
- 1.9.4. Any such action is not a penalty or sanction and does not indicate that the College has concluded that the accused student has committed a breach of discipline or a criminal offence. The Precautionary measures may be necessary to:
  - 1.9.4.1. Ensure that a full and proper investigation can be carried out (either by the police or the college).
  - 1.9.4.2. Protect all parties whilst the allegation is being dealt with as part of a criminal process or college process.
  - 1.9.4.3. Ensure the safety of members of the college community.
- 1.9.5. Precautionary Action can include one or more of the following: (The following list is not exhaustive as precautionary measures are dependent on the circumstances of the case):
  - 1.9.5.1. Support arrangements for example referral to Student Advice and Wellbeing, academic adjustments, and support (such as alternative attendance, assessment, marking and supervisory arrangements), deferral of formal processes referral to the OUC Compliance Officer, notification of incident to Security etc.
  - 1.9.5.2. Conditions and undertakings for example agreement to not contact or communicate with another person
  - 1.9.5.3. Prohibited from specified college activities and/or removal of access from specified college premises.
  - 1.9.5.4. Suspension from the college (this can be a full suspension which prohibits the student from engaging in any activity of the college and registration is on hold or a partial suspension where a student will be prohibited from attendance and

entering college premises but will be provided with an academic contact and may be allowed to submit or partake in assessments). Further information on Suspension is available at Appendix 4.

- 1.9.6. A failure to comply with specified precautionary measures will be considered by the college as a disciplinary offence. The college will reassess precautionary measures at regular intervals or where there is a material change in the circumstances.
- 1.9.7. **Initial assessment and discipline meetings:** Upon receipt of the allegation, Academic Registry will conduct an initial assessment of the matter. This may include consideration of precautionary measures (Section 1.9.3), obtaining further written and/or verbal information, discipline meetings with the parties, and/or determining whether the matter should be considered under other OUC procedures.
- 1.9.8. The student(s) will be notified in writing of the allegation(s) and the next stage in the procedure including details of any suspension or other interim precautionary measures as determined by the Academic Registry or nominee.
- 1.9.9. Students who are subject to allegations of a discipline offence may be invited to attend a discipline meeting with the Academic Registry, or nominee or a committee. The student who is invited to such meeting has the right to bring another person to this meeting, but the details of the person accompanying the student must be provided to the Academic Registry at least 24 hours prior to the meeting and approval shall be sought to bring that person to the meeting.
- 1.9.10. Where relevant the OUC Compliance Officers, college Health and Safety Advisers, Environmental Health Officers or other appropriate staff may also be consulted and attend any Discipline Meetings.
- 1.9.11. Following the initial assessment and any discipline meetings, the OUC will determine whether one or more of the following is appropriate to the circumstances:
  - 1.9.11.1. No further action is required.
  - 1.9.11.2. The matter should be referred to other OUC procedures or committees.
  - 1.9.11.3. That mediation is appropriate to the circumstances and should be offered to the parties.
  - 1.9.11.4. The student(s) should be counselled regarding the Student Code of Behaviour.
  - 1.9.11.5. The matter will be referred for formal investigation (Section 1.10).

- 1.9.11.6. The matter should be referred to another department (Section 1.11).
- 1.9.11.7. The matter will be referred to a Behavioral Disciplinary Panel or the Academic Governance Committee (Section 1.12).
- 1.9.11.8. Depending upon the circumstances of the case, Academic Registry may issue one or more of the Sanctions & Penalties listed in Section 1.12.

## **1.10. Formal investigation**

- 1.10.1. Where there is a dispute about the facts or further information is required, then the matter may be referred to the formal investigation procedure. Formal investigations can also be conducted under the Student Complaints Procedures and the matters referred to the Student Discipline Procedure.
- 1.10.2. An Investigating Officer (IO) or an Investigation Committee (IC) will be appointed by the Academic Registry and mandated to investigate the circumstances of the case and will submit a written report of their findings to the Academic Registry or nominee. The IO or IC can be a part of Academic Registry or a member of staff from across the college.
- 1.10.3. An IO/ IC may meet with students, staff, witnesses, and other parties relevant to the case. Non-verbatim notes of such meetings will be taken and disclosed to relevant parties. Appendix 7 provides information on witnesses and character references in this procedure.
- 1.10.4. The IO/ IC Report will specify whether the allegation is proven, proven in part, or not proven. The IO/IC Report may also include recommendations for further action, which will be subject to the approval of the Academic Registry or nominee.
- 1.10.5. The findings of the IO/IC Report will be referred to and considered by the Academic Registry (or nominee) (Section 1.11).
- 1.10.6. The student(s) subject to investigation will be advised of the next stage of the procedures by the Academic Registry. Those bringing a complaint or allegation will be notified of the summary of the report, subject to the requirements of the General Data Protection Act.

## **1.11. Referral to the Academic Registry (or nominee)**

- 1.11.1. The purpose of this referral is to consider the findings of the Initial Assessment or any formal investigation ((Section 1.10)) to determine whether there is any further action required or to determine an appropriate penalty/sanction.
- 1.11.2. As an outcome of this referral, the Academic Registry (or nominee) will determine one of the following:
  - 1.11.2.1. That there is no further action, but the student(s) will be counselled as appropriate.
  - 1.11.2.2. That following an Initial Assessment, the matter is referred for a formal investigation (Section 1.10).
  - 1.11.2.3. That following an Initial Assessment or Formal Investigation a sanction will be applied (Section 1.13).
  - 1.11.2.4. That the matter is referred to a Student Disciplinary Hearing (Section 1.12)

### **1.11.3. Behavioral Disciplinary Panel**

- 1.11.3.1. The full Student Disciplinary Hearing through **Behavioral Disciplinary Panel** protocol is outlined in Appendix 5.
- 1.11.3.2. Membership of the Panel
  - 1.11.3.2.1. Chair of the panel will be appointed by the Head of the Academic Registry.
  - 1.11.3.2.2. Maximum of 3 OUC staff members with appropriate seniority and experience from management team.
  - 1.11.3.2.3. Quoracy is the chair, one other member.
  - 1.11.3.2.4. A member of the Board of Trustees may be invited to the panel as an advisor.
- 1.11.3.3. A Student Disciplinary Hearing is the consideration by an independent panel of the findings of any initial assessments or disciplinary meetings or formal investigations, and if applicable, to determine an appropriate penalty/sanction. (See Section 1.13)
- 1.11.3.4. A Student Disciplinary Hearing is held in cases where the allegations against the student are very serious and the potential consequences for the student are severe (including expulsion from the college), or where there is a significant dispute to the facts.

- 1.11.3.5. Students will be given the opportunity to submit in writing representations for consideration by the panel. Students will be notified of the deadline for submission of their representations and such representations will form part of the bundle of Panel Papers.
- 1.11.3.6. A Student Disciplinary Hearing will normally be convened within 28 days unless varied by mutual agreement. Students shall receive at least 10 working days' written notice of the Student Disciplinary Hearing and all documentary evidence will be issued to the parties at least 5 working days in advance of the hearing.
- 1.11.3.7. The panel will be advised on matters of procedure by a member and/or staff of Academic Registry. The panel may seek advice from legal advisers or other internal or external people.
- 1.11.3.8. Also, in attendance at the Student Disciplinary Hearing will be:
- 1.11.3.8.1. A Presenting Officer (who, where applicable will be advised on matters of procedure by another member of Academic Registry)
  - 1.11.3.8.2. The student against whom the allegation is made, who has the right to be accompanied by a Student Representative.
  - 1.11.3.8.3. A note taker.
- 1.11.3.9. If the student is unable to attend the Hearing for good reason, then they should contact Academic Registry at the earliest opportunity, who will consider alternative arrangements if applicable. Students are required to provide evidence to support their reasons for non-attendance and be aware that this may cause a delay in the process. If the student who is the subject of the investigation chooses not to attend, the Hearing may, at the discretion of the chair, continue in the student's absence.
- 1.11.3.10. Witnesses may also be called by either party. Witnesses called must be a witness to the actual events or incidents. The hearing is not a reopening of any investigations and witnesses who have been interviewed as part of any investigations will not normally be required to attend a hearing. It is at the discretion of chair of the hearing whether a witness is relevant to the proceedings.
- 1.11.3.11. All parties have the responsibility to indicate an intention to call witnesses by providing the list of names to Academic Registry **at least 3 working days** before the hearing. Witnesses called by the Presenting Officer will be notified of their requirement to attend. Students who wish to call witnesses must make their own arrangements.

- 1.11.3.12. Where appropriate the chair may also call witnesses or request further information to clarify the circumstances of the case. Students can provide written character references. Character referees may not be called as witnesses. Appendix 7 provides further information in relation to witnesses and character references.
- 1.11.3.13. Based on the evidence presented, the panel will determine whether the findings of the disciplinary investigations are reasonable and where applicable will determine an appropriate outcome as specified in 1.11.3.15.
- 1.11.3.14. The Panel will decide upon one or more of the following outcomes:
- 1.11.3.14.1. No penalty or sanction.
  - 1.11.3.14.2. The student is counselled as appropriate.
  - 1.11.3.14.3. A sanction or penalty is issued (Section 1.12)
- 1.11.3.15. If the Panel recommends exclusion or expulsion from the programme or the college this will be referred to the President of the college via the office of Academic Registry for consideration.
- 1.11.3.16. The decision of the President will be notified to the panel and to the student, via Academic Registry. Students will be advised about the appropriate appeals procedure by Academic Registry if such option is available with respect to the case. (See Section 1.13)

## 1.12. Penalties and Sanctions

Following consideration of the relevant circumstances, the college may issue one or more of the following sanctions/penalties:

- 1.12.1. Require the student to give a **written undertaking** as to his/her subsequent conduct.
- 1.12.2. Require the student to give a written or verbal **apology** to the relevant party.
- 1.12.3. Require the student to **pay for any damage** to property he/she has caused or recompense the college for any loss suffered or any costs incurred directly or indirectly from the student's misconduct.
- 1.12.4. Impose a fine up to a maximum of Semester Fee.
- 1.12.5. **Withdraw privileges**, e.g., through exclusion from a college service, Learning Resources, or computer network for a specified period, or such other sanction that the college considers appropriate.
- 1.12.6. Issue a **Grade 1\* Warning** that will be effective for a specified period. The Grade 1\* Warning will be confirmed in writing normally within 3 working days of the warning being issued. A copy of the warning will be retained on file until the period has expired, after which time the warning will be expunged.

- 1.12.7. Issue a **Grade 2\* Warning** which will be effective for a specified period. The Grade 2\* Warning will be confirmed in writing normally within 3 working days of the warning being issued. A copy of the warning will be retained on file until the specified period has expired, after which time the warning will be expunged.
- 1.12.8. **Issue a Final Warning\*** which will be effective for a specified period. The Final Warning\* will be confirmed in writing normally within 3 working days of the warning being issued. A copy of the warning will be retained on file until the specified period has expired, after which time the warning will be expunged.
- 1.12.9. Recommend to the President that the student be **excluded** from his/her Programme of Study and/or from the college for a specified period.
- 1.12.10. Recommend to the President that the student be **expelled** from the college. (An offence during the currency of a Final Warning may lead to expulsion, following a Hearing)  
\* **Note:** *Grade 1, Grade 2 and Final Warnings are determined by the severity of the circumstances and not the number of offences.*
- 1.12.11. If a student commits a further disciplinary offence during the currency of a sanction / penalty, the Academic Registry (or nominee) may decide to impose / recommend a more severe penalty. **Appendix 1** outlines examples of Unacceptable Behaviour and Examples of Sanctions for such behaviour.
- 1.12.12. The Academic Registry (or nominee) will confirm the outcome & any sanction / penalty in writing to the student. Acceptance of the sanction / penalty will be presumed unless the Student Appeals the Sanction. (See Section 1.13)
- 1.12.13. The penalties or sanctions imposed upon a student will not normally be disclosed unless there are exceptional reasons for doing so (e.g., where the outcome has a direct effect on the health, wellbeing and safeguarding of other students and staff). The decision to disclose this information will lie with the Academic Registry or nominee.

### 1.13. Appeals

- 1.13.1. A student against whom disciplinary action has been taken shall have the right of appeal. The appeals procedure for students who, as a result of disciplinary proceedings, have received a penalty other than expulsion is outlined in Section 1.13.3.
- 1.13.2. The appeals procedure for students who, as a result of disciplinary proceedings, have been expelled from the programme and/or the college is outlined in Appeal against Exclusion and Expulsion Procedure at <https://www.ljmu.ac.uk/-/media/sample-sharepoint-libraries/policy-documents/205.pdf>



### **1.13.3. Appeal (other than against expulsion)**

- 1.13.3.1. If a student considers that the procedures have not been conducted properly and/or that the decisions or sanctions made were unreasonable, then the student can submit a student disciplinary appeal.
- 1.13.3.2. Appeals will only be accepted where the student can demonstrate that the procedures were not followed or that the decision was unreasonable.
- 1.13.3.3. The appeal is not a reopening of the investigation and will not consider new evidence.
- 1.13.3.4. The request for such an appeal shall be made in writing, to Academic Registry **within 10 working days of the date of the decision letter**. The appeal should state the grounds for appeal and give full supporting evidence and explanations why the student considers the procedures were not followed correctly and/or why the student considers that the decisions or sanctions made were unreasonable.
- 1.13.3.5. The appeal will be considered by an Appeals Committee comprising of at least 2 members appointed by the President of the college for the case and the members shall have had no previous involvement with the case. The appeal will be reviewed via the case file as a paper-based exercise and the student will not be required to attend a meeting.
- 1.13.3.6. The appeal respondent will be advised on matters of procedure by a staff of Academic Registry who has had no previous involvement with the case.
- 1.13.3.7. The appeal respondent will consider whether the procedures were followed correctly and whether the decisions made were reasonable in the circumstances.
- 1.13.3.8. The appeal respondent will determine whether the appeal is upheld, upheld in part or not upheld and determine one or more of the following:
  - 1.13.3.8.1. No further action (decision and sanction remain the same).
  - 1.13.3.8.2. Defer the decision pending further information.
  - 1.13.3.8.3. Remove sanctions.
  - 1.13.3.8.4. Amend outcome/findings.
  - 1.13.3.8.5. Amend sanctions.
  - 1.13.3.8.6. Refer the matter back to an earlier stage in the process.

### **1.14. Completion of Procedures**

- 1.14.1. A Completion of Procedures (COP) letter may be filed to students personal file when the internal procedures have been exhausted.

- 1.14.2. Students who have completed the internal procedures and remain dissatisfied with the outcome and/or considers that the college has failed to follow this procedure may take their case to the President's Office or the Ministry of Education and Higher Education of the State of Qatar.
- 1.14.3. If a student is unhappy with the outcome, they may be able to ask the President's Office to review their complaint. Students can find more information about making a complaint in the Student's Handbook.
- 1.14.4. A student normally needs to have completed the Disciplinary procedure before they can complain to the Office of the President. After consideration the office of the president will send the student a letter called a "Completion of Procedures Letter" when they have reached the end of college processes and there are no further steps the student can take internally.
- 1.14.5. If the student's appeal is not upheld, college will file in the student record with a Completion of Procedures Letter automatically. If the appeal is upheld or partly upheld the student can ask for a Completion of Procedures Letter if they want one.

## **1.15. Records**

- 1.15.1. Notes (not verbatim minutes) will be taken at all relevant stages of the disciplinary procedures. The Academic Registry or nominee will make these available to the relevant parties on request.
- 1.15.2. All files relating to an individual student's disciplinary outcome will be held by Academic Registry.
- 1.15.3. Records will be retained for the duration of internal and external processes.
- 1.15.4. Following the completion of these processes the files will be retained for a period of 3 years after the date of the last action on file, in line with the college and university's Retention Schedule but will no longer form part of the student's extant record.

## 1.16. Advice and Information

- 1.16.1. The OUC Academic Registry Staff are available to advise Students on matters such as concerns about their behaviour, conduct, discipline, etc. procedures. If students wish to contact, they can do so at Academic Registry.
- 1.16.2. Information on this Policy and Procedures are available on the College's Webpages at <https://www.oryx.edu.qa/policies/> or by contacting the Academic Registry via telephone numbers +974 4021 0000 or via email at [registry@oryx.edu.qa](mailto:registry@oryx.edu.qa).
- 1.16.3. Further information and contact details are available on the College Web pages at <https://www.oryx.edu.qa/>.

## 1.17. Appendices

### List of Appendices

<b>Appendix 1</b>	Examples of unacceptable behaviour, discipline offences and sanctions
<b>Appendix 2</b>	Support and advice available to students
<b>Appendix 3</b>	Advice for students where Incidents may constitute a criminal offence
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<b>Appendix 7</b>	Witnesses and references

## **Appendix 1: Examples of unacceptable behaviour and applicable sanctions.**

A1.1. The following examples of unacceptable behaviour are not exhaustive and the College can bring action in relation to other unacceptable behaviour.

A1.2. The following indications of penalties and sanctions is for guidance and a full list of the penalties / sanctions that may be imposed by the College is set out in Section 1.12 of the Disciplinary procedure.

A1.3. The college may impose one or more sanctions and / or penalties dependent on the circumstances; for example, a student may be given a formal warning and may also be required to submit a written apology to a named individual(s) and agree to certain conditions or undertakings.

A1.4. The college will determine whether the behaviour is considered minor or serious based on the circumstances of the case. The penalty / sanction may be more or less severe than the examples listed.

A1.5. Behaviors which are considered very serious and could result in exclusion or expulsion from the college, are normally considered by a Student Disciplinary Hearing Panel (Section 8.3).

A1.6. Multiple or repeated incidents of misconduct may be more serious than a single act of misconduct and previous findings may be considered when determining the penalty / sanction to be imposed.

A1.7. \*Academic Misconduct, for example cheating in examinations, will be considered under the Academic Misconduct Procedure and will be handled by the relevant panel of Liverpool John Moores University. .

## Discipline Offences: People (Section 1.8.1)

Disciplinary Offence	Examples of Unacceptable Behaviour	Examples of sanctions
<b>Physical Misconduct</b>	Violent behaviour or action that causes injury to others, e.g., punching, kicking, slapping, pulling hair, biting. Etc.	<ul style="list-style-type: none"> <li>• Restrictions</li> <li>• Written apology</li> <li>• Conditions/undertaking</li> <li>• Formal Warning (Grad1,2/Final)</li> <li>• Expulsion</li> <li>• Exclusion</li> </ul>
	Behaviour or action to others e.g., pushing or shoving.	<ul style="list-style-type: none"> <li>• Restrictions</li> <li>• Conditions/Undertaking</li> <li>• Written Apology</li> <li>• Formal Warning (Grade1,2/Final)</li> </ul>
<b>Sexual Misconduct</b>	<p>Engaging or attempting to engage in sexual intercourse or sexual acts without consent.</p> <p>Sharing private sexual materials of another person without consent.</p> <p>Distributing indecent images or accessing pornographic materials via college computing systems and network.</p> <p>Kissing or any other inappropriate physical touching without consent</p> <p>Inappropriately showing sexual organs to another person.</p> <p>Conduct of a sexual nature which creates (or could create) an intimidating, hostile, degrading, humiliating, or offensive environment for others including making unwanted remarks of a sexual nature.</p> <p>Arranging or participating in events aimed at degrading or humiliating those who have experienced sexual misconduct, for example inappropriately themed social events or initiations.</p>	<ul style="list-style-type: none"> <li>• Restrictions</li> <li>• Written apology</li> <li>• Conditions/undertaking</li> <li>• Formal Warning (Grade 1,2/Final)</li> <li>• Expulsion</li> <li>• Exclusion</li> </ul>
<b>Abusive, Threatening or Offensive Behaviour (Including Bullying and Harassment and Anti-Social Behaviour)</b>	<p>Bullying and harassment of students or staff by whatever means, including social media.</p> <p>Breaches of the college's Equality and Diversity Policy e.g., abusive, or offensive behaviour or comments relating to an individual's sexual orientation, religion or belief, race, pregnancy / maternity, marriage / civil partnership, gender reassignment, disability, or age.</p> <p>Indecent, threatening, or offensive behaviour.</p> <p>Intentional breach of the Social Media Guidelines for Students</p>	<ul style="list-style-type: none"> <li>• Restrictions</li> <li>• Written apology</li> <li>• Conditions/undertaking</li> <li>• Formal Warning (Grade 1, 2 or Final)</li> <li>• Expulsion</li> <li>• Exclusion</li> </ul>
	<p>Offensive or inappropriate behaviour or language or dress, including via social networking sites.</p> <p>Repeatedly following another person or contacting another person without good reason.</p> <p>Anti-social behaviour, including excessive noise, parties etc.</p> <p>Any other action deemed disruptive or detrimental to other students' studies or wellbeing</p>	<ul style="list-style-type: none"> <li>• Restrictions</li> <li>• Written apology</li> <li>• Conditions/undertaking</li> <li>• Formal Warning (Grade 1, 2 or Final)</li> </ul>

## Discipline Offences: Property and Health & Safety (Section 1.8.2)

Disciplinary Offence	Examples of Unacceptable Behaviour	Examples of Sanctions
<b>Damage to Property</b>	Causing significant damage to college property or the property of other members of the college community (including partner accommodation), whether such damage is caused intentionally or recklessly.	<ul style="list-style-type: none"> <li>• Restrictions</li> <li>• Conditions/undertaking</li> <li>• Written apology</li> <li>• Requirement to make good the damage or pay for damage caused</li> <li>Formal warning (Grade 1, 2 or Final)</li> <li>• Expulsion</li> <li>• Exclusion</li> </ul>
	Causing minor damage to College property or the property of other members of the college community (including partner accommodation), whether such damage is caused intentionally or recklessly.	<ul style="list-style-type: none"> <li>• Counselling about Behaviour</li> <li>• Formal warning (Grade 1, 2 / Final)</li> <li>• Restrictions</li> <li>• Conditions/Undertaking</li> <li>• Written apology</li> <li>• Requirement to make good the damage or pay for damage caused at his/her expense</li> </ul>
<b>Unauthorized Taking or Use of Property</b>	Unauthorized entry onto or unauthorized use of college premises. Taking property belonging to another without permission Misuse of college property (for example computers and laboratory equipment)	<ul style="list-style-type: none"> <li>• Restrictions</li> <li>• Conditions/undertaking</li> <li>• Written apology</li> <li>• Return of property</li> <li>• Formal Warning (Grade 1, 2 /Final)</li> <li>• Expulsion</li> <li>• Exclusion</li> </ul>
<b>Causing a Health or Safety Concern</b>	<ul style="list-style-type: none"> <li>• Act/omission that did cause or could have caused serious harm on college premises and partner</li> <li>• Accommodation or during college activities e.g., disabling fire extinguishers, failure to comply with public health laws and college health and safety procedures and regulations).</li> <li>• Possessing, distributing, supply or production of controlled drugs</li> </ul>	<ul style="list-style-type: none"> <li>• Restrictions</li> <li>• Conditions / undertaking</li> <li>Formal Warning (Grade 1, 2 / Final)</li> <li>• Expulsion</li> <li>• Exclusion</li> </ul>
	Act/omission that did cause or could have caused a health and safety concern on college premises (including partner accommodation) e.g., for example, smoking cigarettes in non-designated areas, or tampering with fire safety equipment)	<ul style="list-style-type: none"> <li>• Counselling about behaviour</li> <li>• Written apology</li> <li>• Restrictions</li> <li>• Conditions/undertaking</li> <li>• Formal Warning (Grade 1,2 /Final)</li> </ul>

### Discipline Offences: College (Section 1.8.3)

Disciplinary Offence	Examples of Unacceptable Behaviour	Examples of Sanctions
<b>Operational Obstruction</b>	<p>Fraud, bribery, deceit, or dishonesty Actions / statements intended to deceive the college e.g., failure to disclose relevant criminal convictions, fraudulent signatures on official letters/documents, fraudulent research, and fraudulent qualification certificates etc.</p> <p>Disruption of the activities of the college (Including academic, administrative, sporting, and social) on College premises or elsewhere including examination or assessment offences*.</p> <p>Unfounded, vexatious and/or malicious complaints brought against a member of the college.</p> <p>Failure to engage with disciplinary procedures, including failure to respond to request for meeting and inappropriate or abusive behaviour to staff involved in the management and operation of the procedures.</p> <p>Failure to comply with public-health legislation and college regulations e.g., social distancing measures etc.</p> <p>Failure to comply with a previously imposed precautionary measure or penalty under the Student Disciplinary Procedures.</p>	<ul style="list-style-type: none"> <li>• Restrictions</li> <li>• Conditions/undertaking</li> <li>• Written apology caused at his/her expense</li> <li>• Formal warning (Grade 1, 2 or Final)</li> <li>• Expulsion</li> <li>• Exclusion</li> </ul> <p>*Academic Misconduct for example cheating in exams will be considered under the Academic Misconduct Procedure.</p>
	<p>Improper interference with the activities of the College (including academic, administrative, sporting, &amp; social) on College premises or elsewhere.</p> <p>Improper interference with the functions, duties or activities of any student or employee of the university or any authorized visitor to the college.</p>	<ul style="list-style-type: none"> <li>• Counsellor about behaviour</li> <li>• Restrictions</li> <li>• Conditions/Undertaking</li> <li>• Written Apology</li> <li>• Requirement to make good the damage caused at his/her expense</li> <li>• Formal Warning (Grade 1, 2 or Final)</li> </ul>
<b>Reputational Damage</b>	<p>Behaviour which has caused serious damage or could have caused serious damage to the reputation of the college.</p> <p>Behaviour which has damaged or could have damaged the reputation of the college.</p>	<ul style="list-style-type: none"> <li>• Written Apology</li> <li>• Restrictions</li> <li>• Conditions/Undertaking</li> <li>• Formal Warning (Grade 1, 2 or Final)</li> <li>• Expulsion</li> <li>• Exclusion</li> </ul> <ul style="list-style-type: none"> <li>• Counsellor about behaviour</li> <li>• Restrictions</li> <li>• Conditions/undertaking</li> <li>• Written apology</li> <li>• Formal Warning (Grade 1, 2 or Final)</li> </ul>

## **Appendix 2: Advice and Support for Students**

### **A2.1. OUC Students Representative**

Independent Advice on student related processes can be obtained from OUC Student Representatives.

### **A2.2. Student Wellbeing and Success Department**

Students involved in the Student Discipline Process can seek advice and support from the OUC Student Wellbeing and Success department and the Associate Dean for Student Wellbeing and Success on a range of issues such as: Health and wellbeing issues, disability support, student wellbeing, counselling services and assistance and advice relating to access to specialist support services provided by external agencies and resources.

### **A2.3. Academic Support**

Academic Advice and Support is available from Personal Tutors or Module/Programme Leaders, where students have concerns relating to the impact of the incident and any subsequent discipline or police proceedings they can discuss with their academic contact the possibility of additional support, adjustments and processes such as extension of deadlines, alternative assessments, extenuating circumstances claims or Leave of Absence (where a student instigates a Leave of Absence the Student Disciplinary Procedures may be suspended until which time the student returns to formal study).

### **A2.4. Security**

To ensure the safety of students on and around campus, Academic Registry Staff and OUC Security can be notified of the concerns. Students should be aware that if there are any incidents, emergencies, or concerns about their safety they should contact the College security.

### **A2.5. Legal advice**

The College does not have a College Solicitor for students seeking legal advice. Students should contact an external solicitor of their choosing for legal advice. Students should note that it is not normally necessary for a student to have legal representation to bring a complaint to the College. The Student Discipline Procedures are internal procedures and not legal procedures.



### Appendix 3: Advice for students where incidents may constitute a criminal offence refers.

A3.1. Where incidents occur that may also constitute a criminal offence reporting students and Academic Registry have a few options available to them, such as:

A3.1.1. They can make a report to the police.

A3.1.2. Not report the matter to the police but report the matter to the College for consideration under the Student Disciplinary Procedures.

A3.1.3. Report the matter to the police and report matter to the College for consideration under internal College procedures. In such circumstances, students should be aware that the College will normally suspend consideration of the matter until formal police investigations have concluded.

A3.2. In all cases the student can take some time to consider their options and seek advice from Student Wellbeing and Success team (See Appendix 2).

A3.3. Students who wish to take some time to consider their options and seek advice and support should note that attendance at a relevant medical center, can enable forensic evidence to be collected whilst they decide about whether to make a report to the police.

A3.4. To aid in this decision the following advice is provided to students regarding the key differences between criminal investigations/proceedings and OUC investigations/proceedings:

	<b>Criminal Process</b>	<b>OUC Process</b>
<b>Allegations</b>	Treated as a potential criminal offence	Treated as a potential disciplinary offence (See Appendix 1)
<b>Investigation</b>	Will use forensic analysis & medical examinations, witnesses are normally required to provide statements etc.	Unable to compel external witnesses to give evidence, unable to analyze forensic evidence or medical evidence.
<b>Decision Makers</b>	Police, Crime Prosecution Service, Judges, Jury, and any competent authority.	Student Support, Academic Registry, Student Advice and Wellbeing, Legal Services, Chair of Discipline Hearing Panel and Dean.
<b>Decision</b>	Beyond all reasonable doubt	On the balance of probabilities
<b>Sanctions</b>	Wide range of sanctions including imprisonment	Sanctions listed in Appendix 1; the most severe sanction available is expulsion from the college.
<b>Impact and Disclosure</b>	Reporting student notified of outcome and sentence.  Criminal Record, notes on Police Computer and may be disclosed to third parties e.g., future employees and through Disclosure & Barring Service checks	- On leaving the college restrictions / conditions no longer applicable. - Unless on a professional programme, students are not under any obligation to disclose and on leaving the college conditions/or restrictions not applicable. - Very limited circumstances when the college can disclose any information to third parties. - The college will not normally disclose the specific details of the decision made or sanction given to another student, except in exceptional circumstances.

#### **Appendix 4: Suspension of a student**

**A4.1.** Under the governance, the President of the College is responsible for the maintenance of student discipline and for the suspension or expulsion of students on disciplinary grounds, including expulsion for Academic Misconduct.

**A4.2.** The President of the College delegates responsibility for disciplinary matters to the Academic Registry and members of Academic Registry who may nominate others to act.

**A4.3.** A student who is the subject of an allegation of misconduct, including criminal proceedings, may be suspended from the college pending further investigation, the outcome of a disciplinary hearing and/or the conclusion of criminal proceedings.

**A4.4.** Suspension will be used where it is considered essential to do so and to allow time to ensure a full and appropriate investigation of the matter. Suspension may also be used where there are concerns with respect to the safety and welfare of members of the college community, including the student who is the subject of the allegation(s).

**A4.5.** Suspension means withdrawal of a student's rights of access to specified college premises and/or participation in specified college activities, including placements.

**A4.6.** Suspension will be subject to conditions, such as permission to enter college buildings or to take an examination or submit coursework and may include a requirement that the student should have no contact of any kind with a named person or persons.

**A4.7.** Where possible and subject to the safety and welfare of students and staff, arrangements will be made to minimize the disruption to the student's programme of study.

**A4.8.** Where possible, and subject to the safety and welfare of students and staff, arrangements will be made to allow a suspended student to complete outstanding academic work and sit examinations.

**A4.9.** A formal notification of suspension & any terms and conditions will be given in writing to the student.

**A4.10.** Where a decision is made to suspend a student as a precautionary measure the student can:

**A4.10.1. Make representations** before the decision is made or as soon as possible thereafter.

Where possible they will normally be invited to a meeting.

**A4.10.1. Request a review** at any stage if there is any **material change** in the circumstances of the case. Students should contact Compliance Officer to request a review.

**A4.11.** The college will reassess the decision to suspend a student or any other precautionary measures at regular intervals or where there is a material change in the circumstances.

**A4.12.** A breach in a student's suspension agreement will result in further Disciplinary Action.

## **Appendix 5: Student Disciplinary Hearing protocol**

- A.5.1.** The purpose of the Disciplinary Hearing is to consider the findings of any disciplinary investigations and to determine if applicable an appropriate penalty/sanction.
- A.5.2.** The chair will explain the purpose of the hearing and the extent of his/her delegated powers in taking decisions on behalf of the College and the disciplinary sanctions / penalties which are a possible outcome from the hearing.
- A.5.3.** The chair will ascertain the names and roles of all present and confirm the names of the witnesses (if any) which either party proposes to call in support of their case. Where appropriate the Chair will confirm, for the record, that a student has chosen not to be represented by a friend.
- A.5.4.** The hearing may proceed in the absence of the student. Where this occurs, it will be confirmed and explained for the record.
- A.5.5.** The allegation(s) against the student will be read out by the chair.
- A.5.6.** Following this the Presenting Officer will present the findings of the investigation, calling witnesses, as appropriate.
- A.5.7.** Through the Chair, the student may ask questions of the Presenting Officer and witnesses.
- A.5.8.** The panel may ask questions of the Presenting Officer and witnesses at any appropriate time.
- A.5.9.** The student (or representative) may then respond to the findings of the investigation, calling witnesses as appropriate.
- A.5.10.** Through the chair the Presenting Officer may ask questions of the student and witnesses
- A.5.11.** The panel may ask questions of the student and witnesses at any appropriate time
- A.5.12.** The chair will invite the Presenting Officer to summarize their case and summarize any mitigating or aggravating circumstances or factors that they wish the Panel to consider.

- A.5.13.** The Chair will invite the student (or representative) to summarize their case and summarize any mitigating circumstances or factors that they wish the Panel to consider.
- A.5.14.** The Chair will then adjourn the hearing. Everyone, except the Chair, other members of the Panel and Student Wellbeing Adviser, will withdraw from the room to allow the Panel to consider the case put by both sides.
- A.5.15.** The Panel may at any time require additional evidence or information from other parties. Should this be the case, all parties will be informed about the nature of the enquiry.
- A.5.16.** Panel members will advise the Chair of their opinion of the case. The Panel will determine whether based on the evidence available:
- a. The findings of the disciplinary investigations are reasonable.
  - b. Where relevant, an appropriate outcome and/or penalty. (See Section 9)
- A.5.17.** Panel members will advise the Chair of their opinion of the case. Following this discussion, the Chair will act as final arbiter in the matter.
- A.5.18.** Following this discussion, the Chair will inform the findings and the recommended action in writing to the Academic Registry with a copy to the office of the President. The decision will then be communicated in writing to Presenting Officer and the student (and representative, if present) within 5 working days of the Hearing. The registry may also inform all participants who were involved in the procedure. An authorized officer of the Academic Registry will advise the student about the relevant appeals procedures. (Section 10).
- A.5.19.** If there is a delay in the process, the person presenting the case and the student (and representative) will be told when the decision will be given.

## **Appendix 6: Glossary of Terms**

In the context of the OUC Student Disciplinary Procedures, the college uses the following definitions:

### **A6.1. Suspension**

Suspension normally means the withdrawal of a student's right of access to specified college premises and/or participation in specified college activities for a period. Note:

**A6.1.1.** Where possible and subject to the safety and welfare of others, arrangements will be made to minimize disruption to the student's programme of study and allow him/her to undertake formal assessment.

**A6.1.2.** Exclusion and suspension may include a requirement that the student undertakes to have no contact of any kind with a named person or persons, or category of person.

### **A6.2. Exclusion**

Exclusion normally means total prohibition from all OUC premises and activities for a defined period.

### **A6.3. Expulsion**

Expulsion normally means permanent removal from the college and university following serious or persistent misconduct.

## **Appendix 7: Witnesses and Character References**

**A7.1. Witnesses:** Within the governance procedures, the college considers a witness to be a person who has witnessed the actual events or incidents under consideration, not character witnesses or referees; and only be accepted for written statements & will not be party to meetings or hearings.

**A7.2. Investigation:** As part of the process those staff investigating the matter and/or making a finding on the matter will assess the relevance and weighting of any witness statements.

**A7.3.** Students, staff, & witnesses are advised that matters are confidential to the parties involved.

**A7.4.** It is a serious disciplinary offence for any person to attempt in any way to influence a witness in relation to their evidence, or to request any other person to do so.

**A7.5.** Students or staff who provide false information in their witness statements may be subject to disciplinary procedures.

**A7.6.** Witnesses may be asked by Academic Registry to attend a meeting with Student Compliance Officer and / or the Investigation Officer In charge. Meeting notes will be taken, and the witness will be required to confirm and comment on the notes.

**A7.7.** The college will normally only interview witnesses who are employed by OUC or who are students at OUC and with their agreement.

**A7.8.** Witnesses may be asked by Student Compliance Officer to submit signed witness statements and to respond to any queries in relation to their statement.

**A7.9.** Staff and Students may also submit a signed written statement from external witnesses.

**A7.10. Hearings:** Witnesses will not normally be required to attend Hearings unless there are exceptional reasons for their attendance. It is at the discretion of Chair of the Hearing to determine whether the attendance of a witness is relevant to the proceedings.

**A7.11. Personal and medical circumstances, character references:** Students can submit evidence of extenuating circumstances, personal circumstances, and other mitigating factors that they wish the college to consider in relation to the case.

**A7.12.** Evidence can include Medical Letters, Character References and Testimonials etc.