

**THE WHITE BOOK
REGULATIONS (PROCEDURES)**

REGULATION P9¹

Student Discipline

Maintenance of College discipline

1. Further to Ordinance C,XIV,4(a)-(c), the Dean shall have authority to oversee the maintenance of discipline and good order among the students of the College. He or she shall be available, upon reasonable notice, to discuss any general matter of student discipline with any student, in particular with any officer of SSCSU; and may, under Statute C,VI,3, conduct any investigation, inquiry or meeting, formal or informal, that he or she considers necessary or desirable within the Dean's authority.
2. In support of the Dean, members of the College staff, in particular the Domestic Bursar and, in respect of the Students' Bar, the Premises Supervisor under Ordinance B,XXII,7-9, shall have authority to take reasonable action to promote good order in the College community, and to prevent or to minimise any conduct which may constitute a disciplinary incident under Ordinance C,XIV,2.
3. Members of College staff shall have authority to;
 - (a) monitor activity within the College buildings, grounds and other properties;
 - (b) monitor informal gatherings in the College, and parties and events for which permission has been given by the Domestic Bursar under Regulations;
 - (c) enforce compliance with any conditions set when such permission was granted;
 - (d) monitor, and report to the Domestic Bursar on, the general state of student discipline;
 - (e) inform the Domestic Bursar or the Dean of any disciplinary incident.
4. In accordance with Statute B,VIII,5(d), students shall co-operate with all members of the College staff in the maintenance of College discipline. In particular, where necessary a student shall, whether on his or her own behalf or as an officer and/or member of a club or society:
 - (a) take such action as is reasonable in the circumstances to prevent a disciplinary incident;

¹ Para 6 and 12 amended by Council on 4 December 2019

- (b) report any disciplinary incident to an appropriate member of staff, in particular the Domestic Bursar or the Dean;
- (c) contact the Domestic Bursar or the Dean, where the student is responsible for or involved in any disciplinary incident.

Failure to comply with this paragraph may itself constitute a disciplinary incident.

5. Where the Domestic Bursar reasonably considers that a disciplinary incident is not so serious as to warrant a disciplinary action by the Dean, he or she may accept a voluntary offer by the student or students concerned to undertake community service up to a maximum of five hours' commitment. Where no voluntary offer is made or a student fails to take the action agreed, the incident shall be referred to the Dean for further consideration. A student shall not be prejudiced by not volunteering for community service.

Investigations by the Dean

6. Where a disciplinary incident is referred to the Dean, he or she may take such action as seems reasonable in the circumstances, which shall normally include:
 - (a) making full enquiries of any person who may have relevant knowledge of the incident or its circumstances, whether by email or meetings in person or otherwise;
 - (b) establishing whether an incident is connected with the activities of the officers and/or members of a College club or society;
 - (c) establishing whether an incident involves harassment or sexual misconduct, in which case the Dean shall normally refer the incident to one of the College Anti-Harassment Officers;
 - (d) where the matter is not resolved informally, summoning the student or students who are alleged to have committed the disciplinary incident to an initial Investigation Meeting or Meetings under paragraphs 8-9;
 - (e) where necessary, holding a Formal Hearing under paragraphs 10-12.
7. Any student who is involved in an enquiry conducted by the Dean may request that any information they provide shall be treated in confidence, or that any Investigation Meeting shall be held in private. The Dean shall comply with such request as far reasonably practicable, but shall inform the student that if the case goes to a Formal Hearing it may not be possible to maintain full confidentiality, and that if the case is referred to a Student Disciplinary Committee under Ordinance C,XIV,4(e)(i) and paragraph 12(d) all relevant information shall be made available at the hearing.

8. An Investigation Meeting or Meetings shall be held where, after making initial enquiries, the Dean has *prima facie* grounds for believing that a student has committed a disciplinary offence, either on their own behalf or as an officer and/or member of a club or society. The meeting(s) may be held either with the student alone or together with other students alleged to have been involved in the incident. Except in an emergency, each student shall be given at least 24 hours' notice of the meeting(s) with a statement in writing of each offence alleged.
9. At an Investigation Meeting the Dean shall:
 - (a) explain the full nature of the offence(s) alleged and the existing evidence;
 - (b) explain the level of seriousness of each offence and the range of penalties that are applicable to it under paragraphs [15] and [16];
 - (c) invite each student to offer an explanation or defence, or to accept responsibility and, if so, to offer a plea in mitigation;
 - (d) decide whether to:
 - (i) dismiss the offence(s); or
 - (ii) make a decision on penalty, in accordance with paragraph 12(c) or 12(d), but only where the student admits that he or she has committed the offence(s); or
 - (iii) hold a Formal Hearing under paragraphs 10-12 for a student who does not admit the offence(s) alleged; or
 - (iv) invoke an alternative procedure, in accordance with paragraphs 12(e) or 12(f), and [14];
 - (e) explain the right under paragraph [18] to appeal against any penalty imposed at the Meeting.

Formal Hearings

10. At least 48 hours' notice shall be given of any Formal Hearing. Where more than one student is charged in respect of a disciplinary incident the Dean may hear the cases of all students charged at the same Formal Hearing. Each student may be accompanied by a member of the College, including any Officer of SSSU. Where it appears to the Dean that the disciplinary incident may be connected with the activities of a club or society, they shall invite the designated officer of the club or society to attend the meeting.
11. At a Formal Hearing, each student shall for each offence charged:
 - (a) state a defence, either orally and/or in writing;
 - (b) provide any evidence for that defence, either written or oral testimony;

- (c) if they wish, make a plea in mitigation in case the Dean should find that the offence is proved.
12. At the conclusion of a Formal Hearing the Dean may, in respect of any student or any club or society:
- (a) dismiss the offence alleged;
 - (b) find an offence proven, provided that they consider that an appropriate penalty for it falls within paragraph [15];
 - (c) impose on any student, or club or society, found guilty of an offence, any penalty specified under paragraph [15];
 - (d) refer a student or the designated officer of a club or society to a Student Disciplinary Committee under Ordinance C,XIV,4(e)(i) and Regulation P10,12, on the grounds that a penalty specified under paragraph [16], falling outside the Dean's authority, is likely to be appropriate in the circumstances;
 - (e) refer a student, but not a designated officer, to the Senior Tutor under Ordinance C,XIII,8-10 and Regulation P7 (fitness to study); in such case Regulation P7,55(c) shall apply.
13. As soon as practicable after a Formal Hearing, and not more than 48 hours later, the Dean shall record their decisions in writing, giving reasons. The Dean shall send a copy of the record to each student who attended the meeting, and to his or her Tutor, and, where relevant, to the designated officer of a club or society and its Senior Treasurer, if any. The Dean shall include a notice explaining the right under paragraph [18] to appeal against the decision(s).
14. Where the Dean makes a decision under paragraph 12(d), (e) or (f) he or she shall notify the Senior Tutor accordingly, and shall send them a copy of the record made under paragraph [13].

Penalties

15. The Dean may determine any case of an alleged disciplinary offence where they consider that an appropriate penalty for the offence, if admitted or proved, would be no greater than one or more of the following:
- (a) issuing a written warning which shall be noted on the student's file;
 - (b) a ban from specified College facilities, such as the Library, Gym or Bar, for a specified period of up to eight weeks, during a Full Term or Terms;
 - (c) a ban from participation in specified activities, such as but not limited to membership of a club or society, for a specified period of up to eight weeks, during a Full Term or Terms;

- (d) payment of a fine not exceeding £250;
- (e) removal as an officer of a college club or society (but not including removal as an officer of SSSCU);
- (f) community service not exceeding 10 hours;
- (g) payment of a fine by members of a club or society, not exceeding £500; to be collected and paid to the College by the designated officer;
- (h) appropriate conditions or restrictions placed upon the activities of a club or society, for a specified period;
- (i) any alternative or additional penalty or condition, of a like nature or severity, that is appropriate to and reasonable in all the circumstances;
- (j) payment of compensation for any damage to property, whether of the College, its members or staff, or lawful visitors.

16. Where the Dean considers that an appropriate penalty for a disciplinary offence, if admitted or proved, would be greater than any penalty that he or she may impose under paragraph [13], he or she shall refer the case to a Student Disciplinary Committee under Ordinance C,XIV,4(e)(i) and Regulation P10,12. In particular, the Dean shall refer a case to the Committee where he or she considers that an appropriate penalty would be:

- (a) a requirement to move from their room to another College room or to private accommodation;
- (b) a ban from specified College premises or facilities, for a specified period greater than eight weeks, during a Full Term or Terms;
- (c) a permanent ban from participation in specified activities, such as but not limited to membership of a club or society;
- (d) a fine exceeding £250;
- (e) payment of a fine by members of a club or society exceeding £500; to be collected and paid to the College by the designated officer;
- (f) community service exceeding 10 hours;
- (g) removal as an officer of SSSCU;
- (h) removal of a student from any Scholarship or other financial award made for academic merit;
- (i) rustication of a student temporarily, with or without the imposition of academic or non-academic conditions upon his or her return into residence (see Ordinance B,XXI,5-6);
- (j) permanent rustication.

17. In any case where the Dean wishes, in the interests of good discipline in the College, to impose a communal penalty, such as closing the Bar for a stated period or placing conditions or restrictions on the activities of club or society, which will affect students

other than those who have personally committed the disciplinary offence, the Dean shall first consult with the Bursar and/or the Senior Tutor.

Appeal

18. A student or the designated officer of a club or society may appeal to a Student Disciplinary Committee under Ordinance C,XIV,4(d) and Regulation P10,7 against a decision of or penalty imposed by the Dean under paragraphs 9(d)(ii), or 12(b) or 12(c), by giving notice in writing to the Senior Tutor within five calendar days of the date of the Dean's decision(s).