

# Student Disciplinary Panel and Review of a student disciplinary panel decision

UPR SA15 Appendix II, version 07.0

## Policies superseded by this document

This document replaces version 06.0 of UPR SA15 Appendix II, with effect from 1 September 2022.

This document contains generic information concerning Student Disciplinary Panels and the review of Student Disciplinary Panel decisions. A Student Disciplinary Panel may be convened to hear a matter under the provisions of UPR SA13<sup>1</sup> or UPR SA15<sup>2</sup>.

The text in this document (Appendix II, UPR SA15) is identical to the text in Appendix II, UPR SA13<sup>3</sup>, save and except that cross-references have been revised, as necessary.

## Summary of significant changes to the previous version

None.

## Glossary

A glossary of approved University terminology can be found in [UPR GV08](#).

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<sup>1</sup> UPR SA13 ‘Student Discipline’

<sup>2</sup> UPR SA15 ‘Student Fitness to Practise’

<sup>3</sup> Appendix II, UPR SA13 ‘Student Disciplinary Panel and Review of a Student Disciplinary Panel Decision’

# 1 Student Disciplinary Panel – governance, composition and operation

**(Note for guidance:**

In constituting the Panel, the Chair will have regard for diversity within its membership

The term '**Letter**' is defined in section 3.5, UPR SA13<sup>1</sup> and means the Letter approved by the Secretary and Registrar for use at a specific point in this process.

**Letters** must be sent to the email address the student has provided to the University for all correspondence and, where possible, by Recorded Mail.)

- 1.1 The Student Disciplinary Panel is an ad hoc panel convened on the authority of the Vice-Chancellor and composed of three (**3**) members of staff, none of whom will have had previous involvement in the case. The Chair of the Panel is appointed by the Vice-Chancellor and will normally be the Dean of Students. The members of the Panel will be of appropriate standing.
- 1.2 The Secretary and Registrar is formally the Secretary to the Panel. The Student Procedures Co-ordinator will act as Clerk to the Panel.
- 1.3 A narrative (non-verbatim) record will be made of the Hearing by the Clerk.
- 1.4 Quorum: All members must be present.

# 2 Student Disciplinary Panel – hearing

- 2.1 The Hearing by the Panel will be conducted in accordance with the rules set out in Appendix V, UPR SA13<sup>4</sup>.
- 2.2 Where UPR SA13<sup>1</sup> is being applied, the Case Officer will normally be the member of staff who dealt with the matter at **Stage 1** (see section 9.2, UPR SA13<sup>1</sup>).
- 2.3 The Panel may resolve to:
  - i dismiss the matter;
  - ii admonish the student;
  - iii recommend that the Vice-Chancellor suspends or excludes the student from the University;
  - iv impose any other penalty specified in Appendix I, UPR SA13, or
  - v impose an alternative reasonable penalty, for example, a requirement on the student to apologise and/or to give an undertaking as to their future behaviour and/or fines or work by the offender to make good damage caused and may be linked to a recommendation to the Vice-Chancellor for suspension in default of the student complying with the penalty imposed;
  - vi add information concerning the matter to the student's personal file.

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<sup>4</sup> Appendix V, UPR SA13 'Conduct of Panels and Hearings'

2.4 The University expects that a student will bring forward to the Student Disciplinary Panel all relevant evidence that is available at the time of the Hearing.

2.5 The detailed deliberations of the Panel are confidential.

### **3 Student Disciplinary Panel – decision**

3.1 Within five (5) working days of the Hearing or as soon as possible thereafter, the decision of the Panel will be communicated to the student by means of a **Letter** (see Appendix VI, UPR SA13<sup>5</sup>).

3.2 Where appropriate, the **Letter** will be accompanied by a **Completion of Procedures Letter** (see Appendix VI, UPR SA13<sup>5</sup>) which may be used in relation to any future dealings with the Office of the Independent Adjudicator.

3.3 A copy of the **Letter** will be provided to the Dean of Students who will be responsible for instigating any consequent action, including, as appropriate, providing copies of the **Letter** to other relevant members of staff.

#### **3.4 Recommendation for Suspension or Exclusion from the University**

3.4.1 Where the Panel has recommended that the student be suspended or excluded from the University, the **Letter** will make clear that the matter has been referred for final decision by the Vice-Chancellor.

3.4.2 The Panel will make a written recommendation to the Vice-Chancellor (see section 11, UPR SA13<sup>1</sup> and Appendix IV, UPR SA13<sup>6</sup>).

#### **3.5 Other sanctions and penalties**

3.5.1 Where the allegation is proven to the satisfaction of the Panel, the Panel has discretion to impose the relevant sanction or penalty set out in Appendix I, UPR SA13<sup>7</sup>, or any other reasonable fine and/or other penalty, save and except that the Panel does not have the power to suspend or exclude a student from the University.

3.5.2 Examples of 'other reasonable fines and/or other penalty' would include a requirement on the student to apologise and/or to give an undertaking as to their future behaviour and/or fines or work by the offender to make good damage caused and may be linked to a recommendation to the Vice-Chancellor for suspension from the University in default of the student complying with the penalty imposed.

3.6 Where an alleged offence involves the use of central services or facilities such as those provided by Library and Computing Services those administering these procedures will, where appropriate, consult with the student's School before imposing penalties which will restrict the student's access to the service concerned.

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<sup>5</sup> UPR SA13, Appendix VI 'Approved Letters and Forms'

<sup>6</sup> UPR SA13, Appendix IV 'Suspension or Exclusion from the University by the Vice-Chancellor'

<sup>7</sup> UPR AA13, Appendix I 'University Schedule of Sanctions and Penalties for Academic and Non-Academic Disciplinary Offences'

## 4 Student Disciplinary Panel – grounds for requesting a review of a student disciplinary panel decision

**(Note for guidance:**

The procedure in this section does not apply to decisions taken by the Vice-Chancellor in relation to suspension or exclusion (see section 3.4). It applies only to Panel decisions in relation to other sanctions and penalties referred to in section 3.5 of this document.)

- 4.1 Following the decision of the Student Disciplinary Panel and in the following limited circumstances, a student may request a review of their case by the Deputy Vice-Chancellor:
- i where new and relevant information not already brought forward at an earlier stage becomes available provided the new and relevant information could not have legitimately been available and brought forward at the earlier stage and will be conclusive of an issue under review or

**(Note for guidance:**

For the avoidance of doubt, only new information, specifically relevant to the grounds on which the request is being made will be accepted.)

- ii where the student reasonably believes that there is a prima facie case of procedural irregularity or appearance of bias or actual bias.
- 4.2 The Deputy Vice-Chancellor has discretion to designate a nominee of appropriate standing to review a case on their behalf.

## 5 Student Disciplinary Panel – process for reviewing a panel decision

**(Note for guidance:**

The procedure in this section does not apply to decisions taken by the Vice-Chancellor in relation to suspension or exclusion (see section 3.4). It applies only to Panel decisions in relation to other sanctions and penalties referred to in section 3.5 of this document.)

### 5.1 Making a request

- 5.1.1 Requests for a review by the Deputy Vice-Chancellor under the provisions of section 4 of this document, must be made in writing and be **received** by the Student Procedures Co-ordinator not more than ten (**10**) working days following the date of the **Letter** referred to in section 3.1 of this document (this date is the date of the **Letter** and not the date of its receipt by the student). The request for a Review by the Deputy Vice-Chancellor will be acknowledged, in writing, by means of a **Letter** (see Appendix VI, UPR SA13<sup>5</sup>).
- 5.1.2 The request for a review will be denied in circumstances where the grounds cited by the student in their written request are other than those set out in section 4 of this document.

- 5.1.3 Where the grounds and evidence cited for the review are consistent with those set out in section 4 of this document, the Deputy Vice-Chancellor will consider the matter.
- 5.1.4 Where, at their absolute discretion, the Deputy Vice-Chancellor determines that the case warrants further consideration, they will refer the matter to a Student Disciplinary Panel composed of individuals who were not members of the Student Disciplinary Panel that heard the case initially.
- 5.1.5 The decision of the Panel will be final. Within five (5) working days of the Hearing or as soon as possible thereafter, the decision of the Panel will be communicated to the student by means of a **Letter** (see Appendix VI, UPR SA13<sup>5</sup>). The **Letter** will be accompanied by a **Completion of Procedures Letter** (see Appendix VI, UPR SA13<sup>5</sup>) which may be used in relation to any future dealings with the Office of the Independent Adjudicator.
- 5.1.6 A copy of the **Letter** will be provided to the Dean of Students who will be responsible for instigating any consequent action, including, as appropriate, providing copies of the **Letter** to other relevant members of staff.”

Signed:

Date: **1 August 2022**

Sharon Harrison-Barker  
Secretary and Registrar

#### **Alternative format**

If you need this document in an alternative format, please email us at [governanceservices@herts.ac.uk](mailto:governanceservices@herts.ac.uk) or telephone us on +44 (0)1707 28 6006.