

# Student Disciplinary Policy

Effective from 1 September 2025

## Purpose

1. The Student Disciplinary Policy (**'the Policy'**) sets out how reports of student misconduct will be managed and investigated so that the University can provide a safe and secure environment for all its students, University employees and visitors.
2. It aims to ensure that student disciplinary matters are dealt with fairly and in reasonable time, at the appropriate level.
3. The Student Behavioural Code of Conduct within the Student Charter outlines the University's expectations of its students. Any breach of the Behavioural Code of Conduct may be considered 'misconduct' and investigated in line with this policy.
4. The Policy should be read in conjunction with the [Student Disciplinary Procedure](#) (non-academic) (**'the Disciplinary Procedure'**) the [Academic Misconduct Procedure](#), and the [Student Conduct Risk Management Procedure](#).
5. For the avoidance of doubt: if, for any reason, there is a conflict between the Policy and any related procedures or protocols, the Policy will take precedence.
6. Nothing in this policy should be read as undermining or conflicting with the University's [Code of Practice for Freedom of Speech](#). In the case of any conflict, particular regard must be given to the Free Speech Code of Practice. Newcastle University Code of Practice for Freedom of Speech is available on the University Governance webpages and contains details on how to make a complaint

## Scope

7. This Policy relates to all reports of misconduct, which appear to breach the University's Student Charter or Regulations, made against a registered student.
8. Reports against admitted students not currently registered at the University will be investigated at the discretion of the Academic Registrar.
9. The policy is not intended to address minor student disputes or disagreements between students.
10. The University protects and promotes freedom of speech and freedom of academic thought within the law. This Policy is not intended to investigate the expression of controversial, offensive or alternative views or beliefs unless such expression

breaches the [University's Code of Practice for Freedom of Speech](#).

11. The University will conduct a preliminary investigation upon receipt of any report to ascertain whether the reported behaviours appear to constitute misconduct. Where there is insufficient evidence that the reported behaviours are likely to constitute misconduct, any Student Reporter(s) will be informed in writing that their report is not in scope of the Policy and be given the right to appeal.

## Roles, responsibilities and terms

12. The key roles, responsibilities and terms in this Policy are:

- **The Academic Registrar** is the senior member of staff in the University with overall responsibility for ensuring a proper outcome of a disciplinary investigation.
- **An Authorised Person** is a senior University employee (usually a Head of Academic Unit/Service or their nominee, or the Chair of the Board of Examiners) authorised to undertake student disciplinary investigations under Level 1 of the [Student Disciplinary Procedure](#) or the [Academic Misconduct Procedure](#).
- **The Chair of the Board of Examiners** is the academic member of staff who is responsible for overseeing all academic assessments within an academic unit.
- A **Friend/Supporter** may accompany a student during any formal meeting held under the Student Disciplinary Procedure or Assessment Irregularities Procedure. A friend/supporter may not represent the student or answer questions on their behalf; their role is to provide moral and emotional support to the student. Guidance on the role of a friend or supporter may be found here: [Guidance on the role of a friend or supporter](#).
- The **Disciplinary Convenor**, or nominee, is an appointed academic member of staff responsible for convening Disciplinary Committees and Disciplinary Appeal Committees.
- **Registry and Education Services** is the service appointed by the Academic Registrar to act on the Academic Registrar's behalf, with the Director of Service and Case Officers, being responsible for undertaking formal Level 2 investigations into all reports of student misconduct both on and off campus and reporting any Level 3 cases at the Student Disciplinary Committee, convened to hear the case.
- A **Sanction** is a penalty applied by the authorised person or Committee when misconduct is found to have taken place. Please see the individual procedures/protocol for relevant sanctions.
- **Students** are responsible for reading and adhering to the [Student Charter](#), which sets out the University's expectations of students. Students who are being investigated under this policy are responsible for cooperating with any

investigation into alleged misconduct, for example by attending disciplinary interviews, or providing a statement in response to alleged misconduct.

- A **Student Disciplinary Committee** convened to hear a case is responsible for considering allegations of misconduct at a Disciplinary Hearing and deciding whether to uphold or dismiss the allegations.
- The Students' Union is primarily responsible for the discipline of students within the Students' Union building, and during activities of student societies operating with the support of the Students' Union, but which may be forwarded for consideration under this Policy. Where a risk assessment determines that there are possible safeguarding concerns relating to a Student Disciplinary investigation, the University may share appropriate information with the Students' Union, in confidence, to allow them to discharge their own safeguarding duties.

## Policy

### A: Fairness

13. All allegations of student misconduct will be investigated thoroughly, fairly and within a reasonable timeframe.
14. All University disciplinary investigations are conducted in line with the principles of natural justice. This means that any student about whom a report of misconduct is received will have the right to:
  - Be informed of the formal report made about them, including the relevant charge(s) of misconduct;
  - Be made aware of all available evidence against them;
  - Make a written statement or attend a meeting to respond in person to the report.
15. To ensure there is no conflict of interest, each disciplinary situation is handled by an Authorised Person or Case Officer who has no prior involvement in the case.
16. In line with the principles of natural justice, the University does not investigate reports of misconduct submitted anonymously. However, where, as a result of an appropriate risk assessment process, the University deems it necessary to protect any person's identity and/or personal information, documentation may be redacted before it is shared with the Student Responder, any Student Reporter and, where relevant, any Student Disciplinary Committee. This is without prejudice to the outcome of any investigation.
17. Any student providing evidence during an investigation, whether as a Reporter, Responder or witness, should ensure that they do so honestly and objectively. Failure to be honest may, of itself, be an act of misconduct.
18. The Academic Registrar will consider the case evidence provided and determine an appropriate outcome, unless the reported misconduct is serious enough or sufficiently complex to warrant consideration by a Student Disciplinary Committee.

In this event, The University Disciplinary Convenor will be requested to select members from the panel of suitably experienced and trained staff appointed by the University Education Committee (UEC). Members of the Committee will be asked to confirm that they have no conflict of interest, so as to allow an impartial hearing and decision.

19. The Student Responder and, where applicable, any Student Reporter will be notified in writing of the constitution of the Student Disciplinary Committee. If either the Student Responder or a Student Reporter has any concerns about the impartiality of a member of the Student Disciplinary Committee convened to hear the case, they can write to the Director of Registry and Education Services via [Casework@ncl.ac.uk](mailto:Casework@ncl.ac.uk) within 5 working days to request a review of the Committee membership by the Disciplinary Convenor.
20. University disciplinary investigations are civil cases and the standard of proof required is 'on the balance of probabilities.' This means that the Academic Registrar or Disciplinary Committee will make a reasoned judgement as to whether the facts are more likely than not to have happened, based on the evidence available to them.
21. To ensure that reports are investigated fairly and in a way that protects the impartiality of the process, counter-reports made during the course of an investigation will be placed on hold until the conclusion of the original investigation. This is without prejudice to the outcome of any investigation and should not preclude any interim precautionary action to be taken, as deemed necessary under the [Student Conduct Risk Management Procedure](#).

#### B: Student participation in the process

22. If a Student Responder does not engage with the disciplinary process or attend a disciplinary meeting when asked to do so, the case may still be heard and concluded in their absence on the available evidence.
23. The Academic Registrar or Student Disciplinary Committee may take account of any non-engagement in determining an appropriate outcome to the case.
24. Where a Student Reporter decides not to actively participate in any Disciplinary Committee hearing, they will still be given the opportunity to provide a statement for consideration by the Committee members but will not receive copies of the hearing papers. They will be informed of the outcome of the investigation in writing, including any sanctions that have been given to the Student Responder.

#### D: Evidence

25. The Student Responder and any Student Reporter may submit any evidence they wish to be considered during the course of an investigation. It is for the Authorised Person, Academic Registrar or, in the event of the case being referred to a Student Disciplinary Committee, the Committee members, to determine the weight that should be given to any submitted evidence.

26. All evidence considered by the Authorised Person, Academic Registrar or Student Disciplinary Committee members will also be shared with the Student Responder.
27. The Student Responder and any Student Reporter may request witnesses to provide supporting statements, and these should be sent via email, directly from the witness(es) to [casework@ncl.ac.uk](mailto:casework@ncl.ac.uk) for inclusion in the case file.
28. Where a case has been referred to a Level 3 Student Disciplinary Committee, all material evidence should be received by the Committee Secretary at least five working days prior to the scheduled hearing. Evidence received after this deadline will be forwarded to the Chair of the Committee who may decide to allow its late admission or, conversely, to postpone the hearing until such a time as the Committee members and the Student Responder/Reporter have had the opportunity to appropriately review the new evidence.

#### E: Confidentiality

29. All University employees and students involved in any investigation of reported misconduct by a student have a duty of confidentiality to the Student Responder and any Student Reporter. This means that all parties should refrain from discussing the case with anyone other than people who can be deemed to have a legitimate need to know.
30. The Student Responder's personal tutor or PhD supervisor will be informed of the investigation, so that appropriate pastoral care may be offered, but will not be given specific details of the charges of misconduct unless the Student Responder explicitly consents to such information being shared.
31. The Student Responder, Student Reporter - and any friends or supporters who are asked to accompany them to meetings - are also expected to respect the confidentiality of the process.
32. Students should avoid disclosing unnecessary personal information during the course of the Student Disciplinary investigation or any resultant appeals, unless they feel it is relevant to the issues raised.
33. The outcome and associated statement of reasons of the Disciplinary Investigation will be sent in confidence to the Student Responder, and may be copied to the Student Reporter, where both parties are expected to respect the confidentiality of the contents.
34. The outcome of the Disciplinary Investigation and any sanctions issued will be copied, in confidence, to the Student Responder's personal tutor or (in the case of Postgraduate Research students) supervisor and any relevant University employees, such as the Student Responder's Head of Academic Unit/Degree Programme Director.

#### F: Risk assessment and precautionary action

35. In some cases, the nature of the reported misconduct may indicate that there is a

real or potential risk to a member of the University community, the wider community or the University's reputation. In such instances, a risk assessment will be carried out.

36. The purpose of a risk assessment is to establish any factors which may contribute to or exacerbate risk and to agree appropriate actions to mitigate against such risks.
37. Risk Assessments are carried out in line with the University's Student Conduct Risk Management Procedure, which sets out the interim precautionary measures which may be taken as a result of any risk assessment exercise.
38. Interim precautionary actions are temporary and non-judgemental measures, which may be put in place immediately to ensure the safety of everyone involved in the investigation or within the University or Placement. Interim precautionary measures may include:
  - No contact instructions, which prohibit the Student Responder from contacting a Student Reporter and any witnesses, and vice-versa;
  - The decision to allow a Student Reporter's identity to be concealed from the Student Responder;
  - Temporary bans on the Student Responder from accessing the University campus or named relevant buildings which make up the University Campus;
  - Temporary suspensions on the Student Responder entering any part of the Students' Union, following consultation with the relevant Students' Union representatives;
  - Temporary suspension of studies of the Student Responder, following consultation with the relevant Head of Academic Unit or nominee.
39. Precautionary measures (other than some no-contact instructions) are temporary and will be reviewed at key stages within the University investigation period (for example, if any relevant police investigations are concluded; if there is a reported breach of a precautionary measure; or if the University investigation is concluded).
40. If you are the subject of a temporary suspension, you have the right to apply to have your interim suspension reviewed. You should apply in writing to the Academic Registrar (via [casework@ncl.ac.uk](mailto:casework@ncl.ac.uk)), clearly stating the reasons why you would like your suspension to be reviewed.
41. Appeals against interim precautionary measures will be handled in line with the Student Conduct Risk Assessment Procedure and will be considered by the Academic Registrar or appropriate impartial nominee.

#### G: Criminal investigations

42. Where a report of misconduct is being considered under the criminal process, the University may put its Student Disciplinary Proceedings on hold until the criminal process has concluded. The Student Responder will be informed of this action and given the opportunity to request a review.



43. Interim preliminary measures, including but not limited to temporary suspensions, barring from campus and no-contact instructions, may be imposed whilst the case is on hold, in line with the Student Conduct Risk Management Procedure.
44. The Student Responder's final profile of marks will not normally be considered by a Board of Examiners while a disciplinary case is on hold. Should the student wish the University investigation to proceed with its internal investigations, notwithstanding the criminal process, an application to this effect must be made in writing to the Academic Registrar (via [casework@ncl.ac.uk](mailto:casework@ncl.ac.uk)). If the application is accepted the student will be made aware of the possible implications of this decision.
45. The Student Responder may request an interruption to their studies whilst a Police investigation is carried out but will be required to engage with the Student Disciplinary Procedure before re-commencing their programme.
46. Where a Student Responder is remanded in custody awaiting trial or has received a custodial sentence as a result of a criminal trial, they will be temporarily suspended from their academic programme until the case is considered by the Academic Registrar (or nominee) or Student Disciplinary Committee on their release and before any return to studies.
47. The University and any Student Disciplinary Committee or Student Disciplinary Appeals Committee retains the right to investigate allegations of misconduct/breaches of the Student Charter and is not bound by the outcome of any police or criminal proceedings but it may take this into account when determining the outcome of a case. University disciplinary investigations seek to establish if there has been a breach of University procedures and are not limited to the investigation of unlawful conduct.
48. The University applies the civil standard of proof ('on the balance of probabilities'), rather than the criminal standard ('beyond reasonable doubt').
49. The burden of proof lies with the University to demonstrate where they believe misconduct has occurred, rather than with the student to demonstrate their innocence of any charge against them.

#### H: Student Disciplinary Committees

See also: [Operational Guide for Student Committee Hearings](#)

50. If a disciplinary case is referred to a Level 3 Student Disciplinary Committee, the Student Responder and, where applicable, the Student Reporter will be invited to attend.
51. The Student Responder has the right to hear all evidence against them and to be present for the duration of the Student Disciplinary Committee hearing.
52. A Student Responder may choose to waive their right to attend, and the Student Disciplinary Committee will proceed in their absence, using the evidence available from the disciplinary investigation.

53. The Student Disciplinary Committee may also proceed if the Student Responder fails to attend or give any advance notification of absence for the Chair of the Committee to assess whether there is good cause for an adjournment of the hearing to a later date.
54. A written but not word for word record of the Student Disciplinary Committee will be made by the Secretary. The hearing must not otherwise be recorded by any attendees without prior permission from the Chair of the Committee.

#### I: Sanctions

55. If, under the procedures, misconduct by the Student Responder is found to have occurred, the Authorised Person, Academic Registrar or the Student Disciplinary Committee (as appropriate) will decide which of the available sanctions should be imposed.
56. Multiple sanctions may be imposed simultaneously where this is deemed to be appropriate.

#### J: Appeals

57. Only the Student Responder and any Student Reporter have the right to appeal any decision or sanction imposed under the Student Disciplinary Procedure.
58. To submit an appeal, the student should write to [casework@ncl.ac.uk](mailto:casework@ncl.ac.uk) within 21 days of the Decision Letter or Statement of Reasons (outcome from a Student Disciplinary Committee) and they should clearly outline their reasons for appeal.
59. Where the appealed sanction includes a fine, the fine must be paid by the given date and shall be refunded if the appeal is successful.
60. Where the decision under appeal involves partial or full suspension or expulsion, the sanction will remain in place while the appeal is being considered and an outcome determined.
61. However, where the decision against which a student is appealing involves occupation of a University Residence, the student shall normally be entitled to remain in occupation of University accommodation (although not necessarily within the same room/flat) whilst an appeal within the University is being considered.
62. Appeals against disciplinary decisions or sanctions will be considered by the Disciplinary Convenor (or impartial nominee) who will determine whether the appeal meets the specified grounds to be admitted.
63. The appellant shall be informed in writing as to whether their appeal has been dismissed or admitted for consideration and, where admitted, whether there will be a reconsideration of the sanction only or if the full case should be referred for reinvestigation.
64. Where an appeal is admitted to consider the disciplinary outcome, one member or a committee of three members of the University's Disciplinary Panel with no previous



involvement in the case may undertake a review of the case based on paperwork alone or may convene an appeal hearing.

65. Where an appeal is not admitted or where the appeal has been admitted but has considered the sanction only, the student will have no further right to appeal through the University and will be issued with a Completion of Procedures Letter. Where the case is referred for a full reinvestigation and the student remains dissatisfied with the outcome, an appeal may be submitted regarding the reinvestigation.

<b>Document control</b>	
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