

UCO Policy and Procedure

HE Student Conduct and Disciplinary

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1. INTRODUCTION

This Policy and Procedure applies to any student enrolled on a course delivered by University Campus Oldham (UCO), Higher Education at Oldham College. This Policy and Procedure has been designed in accordance with the Good Practice Framework for Disciplinary Procedures (Part B) published by the Office of the Independent Adjudicator for Higher Education (OIA), and other sector guidance published by the Quality Assurance Agency (QAA), the Office for Students (OfS) and Universities UK (UUK).

UCO is committed to providing a learning environment that is conducive to the academic and social wellbeing of the student community. We will aim to provide all students with the support and guidance they need to achieve success. All students, at enrolment, undertake to abide by UCO and its Partner Institution's regulations, rules, procedures and policies. Behaviour which may adversely affect the good standing of UCO, its staff, students or the wider community will not be tolerated.

Alongside the requirements set out within this document, students are also advised to familiarise themselves with the Policies, Rules and Regulations of their Partner Institution:

- **University of Lancashire**
<https://www.lancashire.ac.uk/legal/student-policies>
- **Sheffield Hallam University**
<https://www.shu.ac.uk/myhallam/university-life/university-rules-and-regulations>
- **University of Huddersfield**
<https://www.hud.ac.uk/policies/registry/regs-taught/>
- **Pearson**
<https://qualifications.pearson.com/en/support/support-topics/understanding-our-qualifications/policies-for-centres-learners-and-employees.html>
- **Open University**
<https://www.uco.oldham.ac.uk/wp-content/uploads/2024/04/OU-Validation-Regulations-Single-Awards-2023-24-Final-1.pdf>

2. GENERAL REQUIREMENTS

2.1. Enrolment

Students are required to enrol or re-enrol for each successive academic year or other relevant part of a course as determined by UCO. Before being permitted to enrol or re-enrol, students are required to pay fees in accordance with the [Oldham College Tuition Fees Policy](#) or produce evidence of financial support to cover their fees.

All students must produce at or before enrolment, evidence of having satisfied the relevant entry requirements. Enrolment will not be complete until such evidence has been accepted by UCO.

Anyone who is not enrolled as a student will have no right of access to UCO buildings or facilities as a student.

Students must notify UCO of any changes occurring during the academic year in the information supplied at enrolment or re-enrolment (e.g., changes to address).

2.2. Criminal Convictions

Students are required to declare any relevant criminal convictions, cautions or warnings that they become subject to during their period of application and enrolment to the HE Admissions Team, details of which will then be passed to the Head of Student Support and Wellbeing Services for review. This is to enable UCO to safeguard its community.

The Head of Student Support and Wellbeing Services, along with the Designated Safeguarding Lead Officer (DSLO), will decide whether there are implications for the student's course at UCO. UCO may take action where the conviction contravenes the HE Student Conduct and Disciplinary Policy. The failure to disclose a relevant criminal conviction during the application and enrolment period may constitute a disciplinary offence. Any information relating to a criminal conviction will be handled in accordance with data protection legislation and advice from relevant external agencies.

2.3. Safety

Students are required to take reasonable care for the health and safety of themselves and others who may be affected by their activities. Students should not endanger themselves or others by intentionally or carelessly interfering with, or misusing, any article, substance or material provided by UCO or on its premises, or whilst engaged in related activities, such as a field trip or work placement. Students should use any protective equipment provided and ensure that they understand and abide by safe systems of work and any safety procedures established by UCO.

2.4. Tuition Fees

Students' attention is drawn to the [Oldham College Tuition Fees Policy](#). If a student has not paid their tuition fees or made satisfactory arrangements, UCO may apply one or more of the specified sanctions.

Students who withdraw or are withdrawn from a course of study will be subject to the terms of the Tuition Fees Policy.

2.5. Non-Tuition fee debts

If a student has failed to pay an account or make satisfactory arrangements, UCO may withdraw services of the same type (for example withdraw library facilities in respect of outstanding library

finer) until the outstanding amount is settled. Where appropriate, UCO may pursue a debt claim through the Courts in respect of the outstanding amount and appoint debt collectors to enforce any judgment obtained.

2.6. Academic Misconduct

Academic Misconduct or Unfair Means is defined as any conduct by a student which enables them to gain an illegitimate advantage, whether deliberate or unintentionally, which creates an advantage over others. This could include, but is not limited to; plagiarism, self-plagiarism, collusion, cheating, contract cheating, and false authorship (including the use of generative Artificial Intelligence software). The Academic Regulations of your awarding Partner Institution will outline how you may be sanctioned or withdrawn as an outcome of an Academic Misconduct investigation.

2.7. Sexual Misconduct and Harassment

All students are bound by UCO's [Policies on Harassment and Sexual Misconduct](#). Where it is reported that a student has been involved in misconduct related to harassment or sexual misconduct action may be taken under the HE Student Conduct and Disciplinary Procedure as set out below.

2.8. Fitness to Practise Procedure

For students enrolled on a course which leads to a professional qualification where there are statutory, professional or regulatory body requirements relating to health and attitude, the Academic Regulations of your awarding Partner Institution will outline how you may be sanctioned or withdrawn as an outcome of a Fitness to Practise investigation.

2.9. Capacity to Study Procedure

In instances where concerns about academic performance may be linked to underlying health related issues, the HE Capacity to Study Policy informs and guides our response to situations where there are concerns that a student is not well enough to study.

3. HE STUDENT DISCIPLINARY PROCEDURE

This procedure will normally be applied in respect of alleged misconduct which occurred on UCO premises or the immediate environs or whilst engaged in any UCO activity. However, disciplinary action may be taken against any student in respect of any misconduct, wherever it may have occurred, where the behaviour raises a question about the student's suitability to remain a member of the UCO community because the alleged behaviour may adversely affect the good standing of UCO, its staff, students or the wider community, including where the student has been convicted of a criminal offence.

If a student withdraws from UCO part way through a disciplinary process, UCO has the right to continue that process, or where a disciplinary issue is discovered after a student has left, to hear that process in full and reach conclusion. The outcome would be taken into account if the student chose to return for further study.

3.1. Code of Conduct

Students are expected to conduct themselves at all times in a manner which demonstrates respect for UCO, its staff, students and property. The following is a list of behaviours that are prohibited, but is not intended to be exhaustive:

- a) Behaving in manner which is dangerous or is likely to lead to a breach of the peace or damage to property.
- b) Disruption of, or improper interference with, the academic, administrative, social or other activities of UCO.
- c) Obstruction of, or improper interference with the functions, duties or activities of any student, member of staff or any authorised visitor to UCO.
- d) Violent, indecent, disorderly, aggressive, threatening or offensive behaviour or language by any means, including on social networking sites.
- e) Distributing or publishing a poster, notice, sign, publication or any material which is threatening, abusive, insulting, obscene, offensive or constitutes harassment or is illegal or makes others fear violence.
- f) Fraud, deceit, deception, misrepresentation, bribery, falsification of records or dishonesty in relation to UCO, its staff or students, including misuse of the attendance monitoring system.
- g) Making defamatory and/or false claims about other students or staff which are not substantiated and where there is reason to believe they are malicious or vexatious.
- h) Action likely to cause injury or impair safety on UCO premises or whilst on placement, including tampering with fire-safety equipment and alcohol/drug misuse.
- i) Smoking, including using e-cigarettes, in UCO buildings or other prohibited areas.
- j) Harassment of any student, member of staff, any third party while on placement, or any visitor to UCO.
- k) Sexual misconduct including any behaviour or attempted behaviour of a sexual nature, as defined by the [Policies on Harassment and Sexual Misconduct](#).
- l) Domestic abuse including any incident or pattern of incidents of controlling, coercive, threatening, degrading behaviour, violence or abuse.
- m) Breach of the provisions contained within any of UCO or its Partner Institution's regulations, rules, procedures or policies, including failure to comply with the outcomes of any such proceedings.
- n) Assessment offences not covered by the applicable Academic Misconduct Procedure which may include, theft, falsification, impersonation, bribery, advertising or contacting services which promote academic dishonesty.
- o) Damage to, defacement or misappropriation of UCO property or the property of other members of UCO, caused intentionally or recklessly.

- p) Misuse or unauthorised use of UCO premises or items of property, including computer misuse.
- q) Deliberate disclosure of privileged and confidential information to unauthorised people; failure to adhere to intellectual property rights and/or breach of copyright.
- r) Where there has been a conviction for a criminal offence and where that conduct:
 - i. took place on UCO premises; or
 - ii. affected any student, member of staff or agent of UCO; or
 - iii. damages or may damage the good name of UCO; or
 - iv. renders the student unfit to practise any particular profession or calling to which that student's course directly leads; or
 - v. raises questions about a student's suitability for a particular course or whether a student should remain a member of the UCO community because they pose a risk to others.
- s) Failure to declare a relevant criminal conviction incurred whilst enrolled as a student.
- t) Behaviour which brings or may bring UCO into disrepute, irrespective of where the behaviour took place, including behaviour which damages or may damage UCO's relationship or reputation with local communities or external organisations.
- u) Failure to comply with the reasonable instruction of any member of staff, including failure to disclose personal identification details or carry a Student ID card whilst on campus or engaged in a UCO activity.
- v) Entering parts of UCO premises that are not open for academic or student activity, unless invited to do so by a member of staff.
- w) Engaging in any trade, business or employment on UCO premises, without the express consent of UCO.
- x) Conduct which renders a student enrolled on a course leading directly to a professional qualification or to the right to practise a particular profession, not fit to be admitted to and practise that profession.
- y) Making or publishing a recording of a member of staff in the course of their duties without express permission.
- z) Conduct which is intended to or has the effect of inciting or enticing, aiding or abetting another student in the breach of any UCO or relevant Partner Institution's regulations, rules, procedures or policies.

3.2. Criminal Offences

Where the alleged misconduct may also constitute a criminal offence and has been reported to the police, UCO will normally defer action under this procedure until any police investigation or prosecution has been concluded. UCO may put interim precautionary measures in place, in the interests of the safety, academic and support needs of UCO, its staff and students.

3.3. Classroom Behaviour

Students are expected to behave in a professional and respectful manner during learning and teaching sessions, whether in person or remotely. Students should not disrupt the activities of staff or students, for example, by arriving late, talking at inappropriate times or texting/playing on a mobile device.

Any student who is disruptive will be issued with an informal warning by the member of staff responsible for the session and may be required to leave for the duration of the session. Students may be asked to meet with a senior member of staff who may issue a pre-regulatory warning and/or require an undertaking of good conduct (see Stage 1 below).

Serious or repeat instances of classroom disruption will be notified to the HE Quality and Standards Manager to consider in line with the formal procedure (see Stage 2 below).

All such instances will be placed on the student's record and may be referred to in the event of a reference request.

3.4. Off Campus Activities

Students are expected to behave in a professional and respectful manner at all times, including during off-campus activities such as placements, field trips or overseas visits. Students should comply with all rules, regulations and risk assessments that are relevant to the specific off-campus activity. This includes maintaining regular 'touch points' with designated staff and using recommended technologies.

Where the behaviour of any student on an off-campus activity raises concerns for the health, safety, wellbeing and/or learning of themselves or others, the matter will be dealt with by the responsible member of staff. If the matter is serious or the student fails to respond to informal warnings, the member of staff may arrange for the student to return from the activity, pending the application of the HE Student Conduct and Disciplinary Procedure.

3.5. Student Support and Representation

UCO is committed to supporting any students who are affected in terms of reporting, witnessing or responding to allegations of disciplinary or criminal misconduct. Expert advice and support including support for personal wellbeing and access to internal and external specialist services, is available from UCO HE Student Services.

Any student who is involved in this Procedure is entitled to be accompanied at any stage of the proceedings by a person of their choosing. This Procedure is intended to be fair and to comply with the rules of natural justice. It is not a formal court process, and therefore should not be adversarial or overly legalistic, and there is no need for anyone to have formal legal representation. However, there is no objection if the person chosen happens to be legally qualified, so long as they understand and respect the nature of the process and do not adopt an overly adversarial or legalistic stance. Students must notify UCO at least 2 days in advance of any meeting of the name and designation of the person who will accompany them.

3.6. Timescales

Reports of student misconduct will be dealt with in a timely manner that is proportionate to the seriousness and complexity of the case. Cases will normally be resolved no longer than 90 calendar days from receipt, as recommended by the OIA.

There may be circumstances when, for good reason, UCO will need to extend the timescales set out in this Procedure, for example, if the police or another third party is involved. When this is the case, all interested parties will be informed of any delay and the reasons and will be kept regularly updated about progress.

3.7. Mediation

Mediation is a method of dispute resolution that brings the parties together with a neutral third person (the mediator) to facilitate communication with the aim of helping to find a solution. It is a voluntary process that requires the consent of all parties.

Many misunderstandings or disputes can be resolved quickly and confidentially via mediation, without invoking the formal disciplinary process. Although it is not suitable for everybody or for all forms of dispute, mediation may help to resolve some issues, for example, where a disagreement has arisen between students working together in class.

Where a report of misconduct is made, UCO may recommend mediation or any of the parties involved may request mediation at any stage.

3.8. Allegations

Allegations of inappropriate behaviour should, wherever possible, be dealt with informally by discussion between the responding student(s) and relevant member of staff. Students may be advised or informally warned about their behaviour and the potential consequences and be sign-posted to support services.

In urgent situations where it is necessary to protect the safety of anyone attending UCO, a member of staff may ask the HE Quality and Standards Manager (or nominee) to immediately suspend or partially exclude a student pending application of the formal HE Student Conduct and Disciplinary Procedure as an interim precautionary measure.

Allegations of misconduct should be submitted in writing to the HE Quality Team at: UCOHE.QualityDepartment@oldham.ac.uk. The written allegation should include a chronology of the alleged incident(s) including times and dates, together with any supporting evidence, such as screenshots, e-mails or witness statements. If the police have been involved, the report should include the crime reference number and the details of any action taken to date by the police.

The details provided by anyone making a report of misconduct will be shared with the responding student, to enable a full and fair enquiry. If permission is not given for information to be shared, the case may not be able to proceed. In exceptional circumstances where there is a clear risk of harm, the Assistant Principal – HE & Higher Skills (or nominee) may agree to vary this position.

The HE Quality and Standards Manager will undertake an initial assessment of the allegation to determine the appropriate course of action. In serious, complex or sensitive cases (such as allegations of criminal or sexual misconduct), a meeting may be convened comprising the HE Quality and Standards Manager and the Head of Student Support and Wellbeing Services to decide on the most appropriate course of action.

Potential courses of action may include one or more of the following:

- a) that there is no case to answer and no action should be taken;

- b) that some form of alternative, informal resolution should take place, such as mediation;
- c) that the matter should be referred to an alternative procedure, such as Academic Misconduct, Fitness to Practise or Capacity to Study;
- d) that the matter should be referred for action at Stage 1 of the Disciplinary Procedure;
- e) that the matter should be referred to a Stage 2 Disciplinary Interview;
- f) that the matter should be referred to a Stage 3 Disciplinary Hearing;
- g) that an investigation is required because there is a dispute about the facts or further information is required;
- h) that an interim suspension or other interim precautionary measures should be put in place.

3.9. Interim Precautionary Measures

The HE Quality and Standards Manager and the Head of Student Support and Wellbeing Services may decide to put interim precautionary measures in place where:

- a) the responding student is alleged to have committed a serious offence which contravenes any of UCO or its Institutional Partner's rules, regulations, procedures or policies;
- b) the responding student is subject to an investigation by the police or other relevant authority or has a criminal charge pending against them;
- c) there are significant concerns regarding the responding student's health, safety or wellbeing and/or that they are putting themselves or others at risk.

Interim precautionary measures may include one or more of the following:

- a) that the responding student has no or limited contact with student(s), either directly or indirectly via any means including social media;
- b) that the responding student has no or limited contact with specific staff member(s), either directly or indirectly via any means including social media;
- c) that the responding student can only access buildings or facilities at specified times;
- d) temporary exclusion from a club or society;
- e) restrictions on engaging with learning activities e.g., that the student can only participate online or via recordings;
- f) a partial suspension where the student is prohibited from entering UCO premises and engaging with specific activities, but is permitted to engage with studies remotely;
- g) a full suspension which prohibits the student from entering UCO premises or engaging with any UCO activity and may include the withdrawal of network access.

Interim precautionary measures are intended to secure the safety, wellbeing and academic integrity of all parties involved, whilst an internal or external investigation is carried out. They are not intended to be punitive and do not indicate that the UCO has made a finding of wrongdoing.

The responding student will be given:

- a) a written summary of the allegation;
- b) details of the interim precautionary measures that have been agreed;
- c) information about the process, potential outcomes and what will happen next;
- d) information about support for their wellbeing and to enable them to participate fairly in the disciplinary process.

Any precautionary measures implemented will be reviewed regularly and updated as necessary. A review will take place every 4 weeks or in the light of any developments in the internal or external investigation if this occurs sooner. The reported student is responsible for informing UCO of the

outcome of any external proceedings with suitable official documents. Where external proceedings may take an extended period of time to conclude, a formal interruption of studies may be put in place.

There will be an opportunity for the responding student to ask questions about the process and to make representations about the precautionary measures if they consider that these might have a disproportionate impact on their work or studies. The measures will be reviewed in the light of any such representations. It will not be appropriate to discuss the allegation at this meeting, as there will be an opportunity for this during the disciplinary process.

The HE Quality and Standards Manager will contact any reporting student to inform them of any interim precautionary measures and any support arrangements that have been put in place to protect and support them, whilst the disciplinary process is carried out.

A student who has returned to study after an interim suspension or partial exclusion will be offered appropriate support to remedy the effects of the absence.

3.10. Investigation

An investigation may be required in serious, complex or sensitive cases, where there is a dispute about the facts and/or where further information is required.

An Investigating Officer will be appointed, depending on the nature and complexity of the case. They will normally be a senior member of UCO staff who have not been involved with the parties or the alleged incident. Exceptionally, an external investigating officer may be appointed.

The HE Quality and Standards Team will support the investigation to advise on process and ensure that a record is taken.

The purpose of the investigation will be:

- a) to provide the responding student and anyone else involved with a full and fair opportunity to explain their perspective; and
- b) to establish the facts about the circumstances giving rise to the alleged misconduct.

The investigation is an evidence-based process and decisions will be made on the balance of probabilities. The investigation will consider whether there is evidence that it is more likely than not that a disciplinary offence has occurred.

All students involved in an investigation will be entitled to be accompanied for support by a friend or another student who is not involved as a witness in the case. The role of the accompanying person will be to provide support. The parties will normally be required to give their own account of events and to respond to questions.

The Investigating Officer will determine the scope of the investigation which will be proportionate to the seriousness and complexity of the case. This will normally involve:

- a) meeting with the person who reported the alleged misconduct to hear their account of events and to identify any witnesses or other evidence which may be relevant to the case
- b) meeting with the responding student who will be asked to give their version of events and comment on the evidence, and to identify any witnesses or other evidence which may be relevant to the case
- c) inviting any witness(es) to attend an interview or to provide a written statement

- d) collating and reviewing relevant evidence, for example, statements, screenshots, security reports or CCTV footage.

All those interviewed will be reminded of the need to maintain confidentiality and will be informed that any evidence they give will normally be shared with the responding student, in the interest of fairness and natural justice.

The Investigating Officer will provide a safe, comfortable and supportive environment for all parties to discuss the alleged incident(s), with opportunities for breaks if required. A welfare check will be conducted at each meeting to ensure that all students involved are aware of the support services available for them at UCO.

The Investigating Officer may consult with external parties to obtain specialist advice as required, whilst maintaining confidentiality.

UCO will aim to conduct the investigation in a timely manner and normally within 4 weeks, although this period may be adjusted depending on the complexity of the case. The Investigating Officer will draw up a timeline and will inform the responding student and any reporting student of the proposed timescale for the investigation. Where there is an unavoidable delay, this will be communicated with the reasons and a revised timeframe.

The notes of meetings will be sent to the interviewees within 5 working days of the interview who will have the opportunity to make any comments. Any comments will be incorporated or held on file alongside the original notes.

The Investigating Officer will prepare a report of their findings. This will normally include: an overview of the alleged behaviour; a chronology of events; a summary of the case including those facts which have been established and any points which remain in dispute; any mitigating factors, for example, any health condition which may have affected the behaviour; any aggravating factors, for example, if the responding person has failed to adhere to an undertaking of good conduct; and details of the behaviors which are alleged to have breached the UCO Student Code of Conduct (Section 3.1).

Copies of all interview summaries, statements and other evidence, such as e- mails, screenshots or security reports will be cross-referenced and included as appendices. Any information that is not relevant to the case or otherwise confidential, will be redacted.

The Investigating Officer will prepare a report for the HE Quality and Standards Manager who will determine the appropriate course of action in line with section 3.8 above.

4. DISCIPLINARY PROCESS

4.1. STAGE 1: INFORMAL STAGE

Where the HE Quality and Standards Manager considers that there has been a breach of the HE Student Code of Conduct, but that the misconduct is minor in nature or there are mitigating factors, they may arrange for the responding student to attend an informal meeting with a senior member of staff.

The invitation letter will include a summary of the alleged misconduct. Copies of any available supporting evidence will be shared at the meeting. The student will have the opportunity to respond at the meeting and will be made aware of the expected standards of behaviour and the availability of

support services.

Should the allegations be found to be proven, the outcome of the meeting will be recorded in a pre-regulatory warning letter, and the student may also be required to sign an undertaking of good conduct agreement, which may include conditions such as a requirement (e.g., to have no contact with another student(s)). An undertaking of good conduct agreement will remain on the student's record for the duration of their time at UCO.

It will be made clear that failure to adhere to the undertaking may lead to formal action under the HE Student Conduct and Disciplinary Procedure. The letter and the undertaking will be placed on the student's file and may be referred to if there are further concerns about the student's conduct.

Other potential outcomes at Stage 1 of the HE Student Conduct and Disciplinary Procedure are: case dismissed due to insufficient evidence or grounds to progress; or informal advice and guidance given.

If the student does not attend the Stage 1 informal meeting without good reason or declines to sign an undertaking of good conduct, the senior member of staff may decide to issue a pre-regulatory warning letter in the student's absence or to refer the matter to a Stage 2 Disciplinary Interview.

4.2. STAGE 2: DISCIPLINARY INTERVIEW

Where the alleged offence, if proven, is likely to incur a penalty up to and including a final written warning, the matter will be referred to the Head of HE Curriculum, who will conduct enquiries as they see fit to investigate the facts of the case. The responding student will be required to attend a Disciplinary Interview with the Head of HE Curriculum.

4.2.1. Notice Of Disciplinary Interview

The responding student will normally be given 5 working days' notice of the date, time and place of the Disciplinary Interview and may be accompanied by a friend or other student for support. The responding student will be provided with details of the allegation prior to the interview, informed of the potential outcome(s), and be provided with a link to the Disciplinary Procedure. Copies of supporting evidence will be shared with the responding student.

4.2.2. Protocol For a Disciplinary Hearing

The Head of HE Curriculum may invite relevant members of staff from UCO to attend the interview to present details of the alleged offence or provide advice. A representative of the HE Quality and Standards Team will also be present to advise on the process and take formal notes of the interview.

The purpose of the Disciplinary Interview will be to discuss the alleged offence. The student will have the opportunity to respond to the allegation and will be made aware of the expected standards of behaviour and the availability of support services.

4.2.3. Outcomes and Sanctions

The Head of HE Curriculum may impose any of the following outcomes:

- a) that there are no grounds for concern and the case should be dismissed;
- b) to impose one of the following sanctions:
 - a. to issue an informal, pre-regulatory warning with advice as to future behaviour and the consequences of further misconduct;

- b. to require the responding student to sign an undertaking of good conduct which will remain on the responding student's record for the duration of their time at UCO;
- c. to issue a written warning which will be held on the responding student's record for the duration of their time at UCO;
- d. to issue a final written warning which will be held on the responding student's record for the duration of their time at UCO;
- e. to require the responding student to pay costs for any damages and/or losses incurred by the University or any third party as a consequence of their actions;
- f. to withdraw specified services and/or exclude the responding student from particular areas of the University (e.g., the Library). Alternative reasonable arrangements will be made to facilitate their on-going studies;
- g. to require the responding student to engage with a relevant support service
- h. to require the responding student to attend a mediation session;
- i. to impose reasonable restrictions on communication with named students or staff, both verbally or via written, electronic or other means, either directly or indirectly;
- j. to refer the matter for action under another policy or procedure, such as Fitness to Practise, Capacity to Study or Academic Misconduct;
- c) to recommend to the HE Quality and Standards Manager that interim precautionary measures are put in place, pending further action under this procedure;
- d) that the matter is more serious than first thought and should be referred to a Stage 3 Disciplinary Hearing.

If the student does not attend the Disciplinary Interview without good cause, the Interview may proceed and any of the above outcomes may be imposed in the student's absence.

The responding student will normally be informed verbally of the outcome and subsequently in writing within 5 working days of the Hearing. The written confirmation will include a summary of the reasons for the decision and information on the Appeals Procedure.

If the responding student does not comply with any sanction within the stipulated timeframe, the matter will be referred to the Head of HE Quality and Standards for consideration.

Where there is a reporting student, they will normally be informed of the outcome including whether the alleged behaviour has been proven on the balance of probabilities, the reasons for the decision and any remedies or actions that directly affect them. The details of any sanctions imposed will not normally be disclosed, as these are personal to the responding student. However, information about a sanction may be shared where it directly affects the reporting student and their feelings of safety on campus.

The responding student will have the right to request a review of a disciplinary outcome in line with the Appeals Procedure (Section 5).

4.3. STAGE 3: DISCIPLINARY HEARING

Where the alleged offence is of a serious nature and may, if proven, incur a penalty up to and including expulsion, the matter will be referred to a Disciplinary Committee, who will conduct enquiries as they see fit to investigate the facts of the case. An investigation may be required in serious, complex or sensitive cases, where there is a dispute about the facts and/or where further information is required (see Section 3.10).

The matter will then be referred to a Disciplinary Hearing to be heard by a Disciplinary Committee comprising:

- a) the Assistant Principal – HE and Higher Skills (Chair)
- b) a senior member of staff who will normally be a Head of Service
- c) a representative of the HE Quality and Standards Team to advise on the process and take formal notes of the Disciplinary Hearing.

The Disciplinary Committee may co-opt additional members and/or seek specialist advice where required, including from external parties, whilst maintaining confidentiality.

Members of the Disciplinary Committee will be selected on the basis that they have no direct interest or previous involvement in the case.

4.3.1. Notice Of Disciplinary Hearing

Arrangements for a Disciplinary Hearing will be made by the HE Quality and Standards Team. The responding student will be given at least 5 working days' notice of the Disciplinary Hearing. The notice will include the following:

- a) a clear specification of the allegation
- b) the time, date and location of the Hearing
- c) the responding student's right to be accompanied by any one person for support
- d) the responding student's right to bring forward any additional evidence including witness statements (witnesses may be invited to give evidence in person at the discretion of the Chair of the Disciplinary Committee)
- e) a copy of the investigation report or other documentation that will inform the Hearing
- f) details of independent advice services and wellbeing support services
- g) the names of the Disciplinary Committee members and other parties present at the Hearing
- h) the potential outcomes of the Hearing
- i) a link to the Student Disciplinary Procedure.

The responding student will normally be expected to attend the Disciplinary Hearing. If they do not attend without good reason, the evidence will be considered and a decision made in their absence.

4.3.2. Protocol For a Disciplinary Hearing

The following protocol will normally apply at a Disciplinary Hearing:

- a) The Chair will invite all those present to introduce themselves and confirm their role in the Hearing, explain the purpose of the Hearing and the order of events, and confirm the potential outcomes.
- b) The Investigating Officer will present the case on behalf of UCO.
- c) The Chair, members of the Disciplinary Committee, and the responding student will have the opportunity to question the Investigating Officer.
- d) The responding student will present their response.
- e) Witnesses will be invited to give evidence where applicable and if previously agreed by the Chair.
- f) The Chair, members of the Disciplinary Committee and the Investigating Officer will have the opportunity to question the responding student and any witnesses.
- g) The Chair and members of the Disciplinary Committee may ask questions of either party at any stage during the Hearing.
- h) Summing up by the Investigating Officer.

- i) Summing up by the responding student.
- j) The Disciplinary Committee may retire to consider the outcome, or seek further information, and/or adjourn to a later date.
- k) The responding student and any representative or witnesses and Investigating Officer will withdraw while the Disciplinary Committee deliberates the issue. The representative of the HE Quality and Standards Team will stay but has no voting rights.

The Disciplinary Committee will decide whether the allegation is proven based on the facts and the evidence presented. The civil standard of proof will apply, which is that 'on a balance of probabilities', the facts of an allegation are more likely than not to have happened.

The Disciplinary Committee will decide on a sanction that satisfactorily addresses the misconduct, having due regard for: the seriousness of the offence; the interests of the wider UCO community including any reporting student; any mitigating or aggravating factors; and any previous findings of misconduct, which will normally be disclosed by the representative of the HE Quality and Standards Team before a decision on the sanction is made; and the degree to which any misconduct is of a persistent nature. A Disciplinary Committee may decide to expel a student on the grounds of the severity of one act of misconduct or where there has been persistent misconduct giving rise to an unsatisfactory disciplinary record.

The Disciplinary Committee will decide on the effective date and duration of the sanction.

The responding student will normally be informed verbally of the outcome and subsequently in writing within 5 working days of the Hearing. The written confirmation will include a summary of the reasons for the decision and information on the Appeals Procedure.

If the responding student does not comply with any sanction within the stipulated timeframe, the matter will be referred to the HE Quality and Standards Manager for consideration.

4.3.3. Sanctions

If the alleged offence is admitted by the responding student or is found to be proven, the decision may be made to impose one or more of the following:

- a) to issue an informal, pre-regulatory warning with advice as to future behaviour and the consequences of further misconduct;
- b) to require the responding student to sign an undertaking of good conduct which will remain on the responding student's record for the duration of their time at UCO;
- c) to issue a written warning which will be held on the responding student's record for the duration of their time at UCO;
- d) to issue a final written warning which will be held on the responding student's record for the duration of their time at UCO;
- e) to require the responding student to pay costs for any damages and/or losses incurred by the University or any third party as a consequence of their actions;
- f) to withdraw specified services and/or exclude the responding student from particular areas of the University (e.g., the Library). Alternative reasonable arrangements will be made to facilitate their on-going studies;
- g) to require the responding student to engage with a relevant support service
- h) to require the responding student to attend a mediation session;
- i) to impose reasonable restrictions on communication with named students or staff, both verbally or via written, electronic or other means, either directly or indirectly;
- j) to refer the matter for action under another policy or procedure, such as Fitness to

- Practise, Capacity to Study or Academic Misconduct;
- k) that the responding student be suspended from UCO for a specified period of time, and to demonstrate that certain conditions have been fulfilled before re-admission;
- l) that the responding student be withdrawn from UCO, and to demonstrate that certain conditions have been fulfilled before re-admission;
- m) that the responding student be expelled from UCO.

The outcome letter will state reasons for the sanction(s) chosen.

Where there is a reporting student, they will normally be informed of the outcome including whether the alleged behaviour has been proven on the balance of probabilities, the reasons for the decision and any remedies or actions that directly affect them. The details of any sanctions imposed will not normally be disclosed, as these are personal to the responding student. However, information about a sanction may be shared where it directly affects the reporting student and their feelings of safety on campus.

Where a responding student is required to fulfil conditions before returning to study after a period of suspension or withdrawal, the matter will be referred to a Disciplinary Committee to consider whether the conditions have been met. The Committee may request further information and/or seek specialist advice.

The responding student will have the right to request a review of a disciplinary outcome in line with the Appeals Procedure (Section 5).

5. APPEALS PROCEDURE

The responding student will have a right of appeal against any of the following outcomes:

- a) any decision under the HE Student Conduct and Disciplinary Procedure taken by the Head of HE Curriculum (Stage 2); or
- b) any decision under the HE Student Conduct and Disciplinary Procedure taken by a Disciplinary Committee (Stage 3).

The responding student may appeal against the decision that the allegation was proven (except where a decision was taken by a Court or where the student has admitted the misconduct in writing), or the decision on the sanction, or both decisions.

The appeal must be based on one or more of the following grounds:

- a) that relevant new evidence or circumstances have become known, which the student could not have reasonably made known at the time of the investigation or interview/hearing/case conference;
- b) that there was an irregularity or unfairness in the conduct of the procedure, and this materially affected the outcome;
- c) that the decision and outcome were unreasonable in the light of the evidence provided.

5.1. Appeal Process

An appeal should be submitted in writing, within 10 working days of the date of the outcome letter, to the HE Quality and Standards Team at: UCOHE.QualityDepartment@oldham.ac.uk. The written statement should set out what decision is being appealed, the grounds for appeal in reasonable detail, and include any new evidence that was not available at the time of the original interview/hearing.

The appeal will be considered by the Oldham College Deputy Principal, who will receive: a copy of the student's appeal and supporting evidence; documents generated by the original procedure including the investigation report and outcome letter; and relevant contextual information such as the student's academic profile or record of reasonable adjustments. Further information may be requested from the original decision maker or the student.

The Oldham College Deputy Principal will decide on the appropriate action as follows:

- a) to decline the appeal and uphold the original decision, in which case the student will be notified of the decision and summary reasons, and their right to refer the matter to the OIA;
- b) to uphold the appeal and determine a suitable outcome or sanction as specified in the original procedure;
- c) to refer the matter back for re-consideration by a different decision-maker, normally in cases where there is evidence of a material procedural irregularity or where valid new information has been submitted.

Written notification of the decision and the reasons will be sent to the student within 10 working days.

6. INDEPENDENT REVIEW

If the responding student is not satisfied, having completed UCO's internal appeals procedure, they will be entitled to request a review of the case under the rules of the scheme of the Office of the Independent Adjudicator for Higher Education (OIA) as set out in the Completion of Procedures letter that will be sent to the student.

7. RECORD OF ACTION

Any finding of misconduct against a student which incurs a penalty will be:

- a) recorded on the student's EBS record and may be taken into account in the event of any future misconduct. Where a decision is made to expel a student, a note will be retained indefinitely.
- b) reported on an anonymous basis to the relevant committees of UCO and the Oldham College, for the purposes of monitoring and enhancement.

The University reserves the right to disclose to any third party, by whom a reference is sought, any matters on a student's record which UCO considers to be relevant. The student will be informed that a reference has been provided in such circumstances.

UCO will handle all information, including sensitive information, in a confidential manner. It will, however, be necessary for all parties involved in the disciplinary and appeal process to have access to all information to enable them to make a judgment based on the full facts. This may include sensitive information relating, for example, to a student's health or criminal convictions. Certain professional courses may require that this information is notified to relevant professional bodies or partner agencies. In these circumstances, the student will be notified at the time of the disclosure.

8. MONITORING AND REVIEW

The prevalence of student misconduct will be monitored for the purposes of ensuring a safe and inclusive environment, improving guidance for students on acceptable behaviour, and creating cultural change.

An annual report on the occurrence of student misconduct will be submitted to the UCO Curriculum, Quality, and Standards Committee. The report will identify themes, trends and lessons and recommend actions.

This Procedure will be kept under review in the light of sector guidance.

9. RELATED POLICIES AND PROCEDURES

- HE Capacity to Study Policy and Procedure
- HE Attendance & Engagement Policy
- Academic Misconduct Policies
- Fitness to Practise Policies
- Tuition Fee Policy
- Health and Safety Policy
- IT Acceptable Use Policy
- Safeguarding Policy
- Sexual Misconduct and Harassment Policy

Version History:

Issue	Changes	Author	Approved at	Date of Issue
1	Policy and Procedure implemented, replacing previous UCOQH-CP006 - HE Code of Practice - Student Code of Conduct	HE Quality and Standards Manager	Governors Curriculum and Quality	October 2025

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