

## University investigation

As a student, the University expect you to conduct yourself both on and off campus in a respectful manner. The University places great emphasis on the good behavior of its students and treats cases of misconduct seriously. The University list for [definitions of misconduct](#) can be found online.

The University's ability to monitor students' conduct is not limited to University premises or just within term-time, your behaviour off campus and during vacations, weekends, and evenings on placements and field trips may be taken into consideration. It also means that your behaviour in a social setting (for example in University residences, or on social media) may have consequences on your academic progress on your course whether or not it takes place during normal University opening hours.

If you have received a complaint from the University regarding your behaviour or have been informed that you are being investigated for non-academic misconduct then you should seek advice from the guild advice service at the earliest opportunity.

## What is the Process if you are investigated by the University

### Minor Offences

Various officers of the University such as Heads of Schools, Wardens of Halls and Hall Managers or Heads of University services have delegated powers to deal with less serious instances of misconduct within their area of responsibility.

Initial investigation into the conduct of a student can be undertaken, to avoid initiating formal investigation procedures for minor issues. The University carry out this investigation through a process called summary jurisdiction. If a minor complaint about your conduct has been raised, through summary jurisdiction, you may be invited to an investigation meeting with a head of school, warden of halls or other staff member who holds the specific area of responsibility.

You are entitled to bring someone with you to this meeting and Guild advice staff can provide this support. (if available).

### Formal disciplinary procedures

Should you commit a more serious instance of misconduct, your case will be considered and investigated formally by the University.

The University will appoint an investigating officer who has the ultimate responsibility of deciding whether or not your case should be referred to a Board of Discipline or summary jurisdiction.

You will be given the opportunity to contribute to the consideration of your case and the collection of evidence. This may be in form of a written statement or a meeting with the investigator. A Guild Adviser can accompany you to a meeting for support and can help read through your statement.

When the investigator has completed their investigation, you will be informed of both the charges being made and the Officer's final decision to how the case is to be considered.

## Board of Discipline

The Board of Discipline is a very serious and formal University procedure. We highly recommend that you take a Guild Adviser to the Board of Discipline hearing with you for advice and support.

The hearing itself is a very formal procedure so you should make sure that you dress smart and arrive 15 minutes before your hearing is due to start.

### Members of the Board of Discipline

Chair of the Board

Two members of senior University Staff

Guild Student Officer

### Also in attendance

|                           |  |
|---------------------------|--|
| Secretary to the Board    | Ensures that the hearing follows the correct procedure |
| Note-taker                | Records minutes of the meeting                         |
| The Investigating Officer | Presents the case against you to the Board             |

## The Hearing

At the start of the hearing the Chair will introduce everybody present and explain their roles. If there is a complainant in the case, they may also be present in the room with a supporter. They will ask you to confirm who you are and to also explain the role of anyone accompanying you to the meeting (i.e. a Guild Adviser would be there for advice and support).

The Chair will read out the charges against you and will ask you whether you admit or deny the charge.

### If you admit the charge:

- The Chair will ask the Investigating Officer to present the case against you to the Board. The Investigating Officer will provide a summary of their investigation and findings to the Board.
- The Chair will invite you to make a statement, explaining the situation from your point of view. They will also invite your friend to make a statement if you would like.
- You and the members of the Board will be given copies of your academic record, including your transcript and details of any previous record of misconduct.
- The Chair will then ask you if you have any other unreported offences that the Board should consider.
- The Chair will then invite you to make a "plea in mitigation". This is your opportunity to explain any mitigating circumstances that have been affecting you. The Board may ask you questions about this.
- If a complainant is present, the Chair will invite them to make a statement if they wish
- You will be asked if you anything further to add before the Board considers the penalty
- The Chair will ask you, the Investigating Officer and complainant (if present) to leave the room whilst the Board make a decision about what they will do.
- You will then be invited back into the room and the Chair will let you know the Board's decision.
- The Chair will then close the hearing

## If you deny the charge:

- The Chair will ask the Investigating Officer to present the case against you to the Board and the Investigating Officer will provide a summary of their investigation and findings to the Board.
- If the Investigating Officer is calling any witnesses, they will be invited into the room and can then be questioned in turn, by the Investigating Officer, you, the complainant (where present) and the Board
- The Chair will invite you to make a statement, explaining the situation from your point of view. They will also invite your friend to make a statement if you would like. The Chair will ask you if you are willing to answer questions from the Board (you can say no if you would prefer not to).
- If you are calling any witnesses, they will then be invited into the room and can then be questioned in turn, by the you, the Investigating Officer, the complainant (where present) and the Board
- The Chair will invite the Investigating Officer to sum up the case.
- The Chair will invite you to sum up your case.
- You, the Investigating Officer and the complainant (where present) will then be asked to leave the room so they can make a decision on whether the charge is found proven or not.
- You will then be invited back into the room and the Chair will let you know what they have decided. If the charge is dismissed, the hearing will finish.
- If the charge is found proven, the hearing will continue and you and the members of the Board will be given copies of your academic record, including your transcript and details of any previous record of misconduct.
- The Chair will then ask you if you have any other unreported offences that the Board should consider.
- The Chair will then invite you to make a “plea in mitigation”. This is your opportunity to explain any mitigating circumstances that have been affecting you. The Board may ask you questions about this.
- You will be asked if you anything further to add.
- The Chair will ask you and the Investigating Officer to leave the room whilst the Board make a decision about what they will do.
- You will then be invited back into the room and the Chair will let you know the Board’s decision.

## Outcomes

The Board has the power to impose a variety of different penalties and may decide to impose more than one penalty depending on the charge against you. The Board has the authority to;

- Suspend you from your studies (normally for 1 year)
- Delay your graduation (normally by 1 year)
- Terminate your studies (with or without the right to an exit award)
- Give you a mark of zero for a module or assessment
- Remove your right to re-sit a failed module or assessment
- Cap your mark for your year of study or for your overall degree classification
- Award you a lesser degree classification
- Remove mitigating circumstances that may been applied to your work
- Give you a formal reprimand
- Issue you a fine (no more than £500)
- Prevent you from accessing University facilities or services (e.g. Halls of Residence or Library)
- Any educative or restorative penalty such as compulsory attendance at training or a workshop

## Right of Appeal

If you admitted the charge, then you have the right to appeal against the penalty imposed by the Board of the Discipline.

You can only appeal on the following grounds;

- i. That new information exists, which for good reason, was not available during your hearing and which the Board of Discipline would have taken into account when deciding your penalty. (Good reason does not include withholding information because of sensitive, personal, family or cultural reasons)
- ii. There is compelling evidence that the penalty was disproportionate to the offence

If you denied the charge, then you can appeal against the finding and/or the penalty imposed by the Board of Discipline.

You can only appeal on the following grounds;

- i. That new information exists, which for good reason, was not available during your hearing and which the Board of Discipline would have taken into account when deciding the finding. (Good reason does not include withholding information because of sensitive, personal, family or cultural reasons)
- ii. That there were material irregularities in the conduct of the Board of Discipline hearing

You need to submit your appeal in writing to the Chief Operating Officer and also send a copy to the Secretary to the Board of Appeal **within ten working days** of receiving your outcome letter.

In your appeal you need to include the following;

- Your name and student ID number
- The date of your Board of Discipline hearing
- The date that you received your outcome letter
- A statement of appeal explaining which grounds you are appealing on and any evidence to support this

The Chief Operating Officer will review your appeal and decide whether or not you have presented grounds for your appeal to be considered.

If it is decided that you have presented no evidence that your appeal should be considered then you will be informed of this writing and you will have no further right of appeal.

If you have presented evidence of grounds for an appeal then the Secretary will organise a Board of Appeal to reconsider your case.

A Guild Adviser can support you through this process. Contact our Advice team by email: [guildadvice@liv.ac.uk](mailto:guildadvice@liv.ac.uk) or book an appointment with them by calling Reception on 0151 794 6868.