

15. STUDENT MISCONDUCT PROCEDURE

15.1 Introduction

1. Plymouth Marjon University is committed to upholding the highest standards of behaviour in an atmosphere conducive to learning, and in accordance with its Values. Students are expected to conduct themselves in ways which ensure that this is the case. These procedures provide a mechanism for dealing with conduct which falls short of what is acceptable (hereafter referred to as 'misconduct') and harms the good order and discipline of the University in so doing. They operate in the context of the University's general and specific rules, regulations, policies and strategies.
2. Please note that the University's interest in misconduct is not limited to the time spent on its premises and that, therefore, students are deemed to be members of the University at all times and in all media, including electronic transmission of information and publishing to the Internet.
3. The University recognises three particular areas of misconduct, as follows:
 - General misconduct
 - Programme-specific misconduct
 - Academic misconduct

The Student Misconduct Procedure covers general and programme-specific misconduct. Academic misconduct is covered in the University's Academic Integrity Procedure, which constitutes Section 14 of this Framework. A particular case of alleged misconduct might span more than one of these areas.

4. Cases of alleged general and programme-specific misconduct are dealt with by way of a three-stage process. The first stage focusses on supporting students to address their behaviour. The second stage introduces a range of penalties; the most serious penalties of suspension and expulsion become available at the third and final stage. In the case of repeated misconduct, the

University reserves the right to escalate a case of misconduct to a subsequent stage.

5. These Procedures only apply to students. Any student seeking to make an allegation of inappropriate conduct against an employee of the University should pursue the allegation initially with the Director of People and Organisational Development (see Section 17.2.5 of this Framework).

15.2 Examples of Misconduct

1. Examples of unacceptable behaviour which involve a potential offence of general misconduct include:
 - Physical aggression (whether or not this results in physical injury).
 - Verbal aggression (to include all forms of communication including face-to-face and telephone conversations, letters, e-mails, social media and all other forms of electronic media). Please see the University's Social Media Policy for further guidance.
 - Threatening behaviour.
 - Harassment (conduct towards others which is perceived as a negative act and which is unwanted, offensive, worrying, stressful or intimidating to the recipient: see Section 15.4 of this Framework for a fuller definition).
 - Anti-social, disruptive and/or offensive behaviour (including drunken behaviour and/or excessive noise), even where there is no evidence of any deliberate intention to cause harassment or inconvenience.
 - Theft or deception, including the use of forged, falsified or fraudulent documentation to gain an advantage.
 - Involvement with illegal drugs, either as a consumer and/or supplier.

- Bringing the University or its staff or students into disrepute with partner organisations and/or the wider community or via social media. Please see the University's Social Media Policy for further guidance.
- Harming or attempting to harm the good order and discipline of the University.
- Compromising the safety of and/or wellbeing of staff, other students, or visitors.
- Damage to University property or the property of others.
- Misuse of computing or University network facilities.
- Misuse of the University's fire-fighting or other safety equipment.
- Unauthorised recording of any University-related activity, event or meeting.
- A persistent refusal to pay a fine.
- Infringements of a Tenancy Agreement to reside on the campus not covered by the above.

2. Examples of behaviour that could be construed as programme-specific misconduct, in addition to the examples given above, are as follows:

- Behaviour that would bring the programme or associated profession (if applicable) into disrepute.
- Inappropriate behaviour towards staff and/or students in a programme-specific context (including, but not confined to, the examples set out in Section 15.2.2 of this Framework).
- Inappropriate behaviour on placement or in work-based learning activities including:
 - abuse (physical, sexual or emotional);

- any action or omission on placement that may place a client's / pupil's safety at risk;
 - aggressive or threatening behaviour;
 - alcohol or drug abuse;
 - breach of confidentiality (except under the provisions of the Public Interest Disclosure Act 1998);
 - behaviour that indicates a lack of honesty and trustworthiness, e.g. misrepresentation of qualifications at the time of admission, forging of documents or signatures;
 - acceptance of gifts, hospitality and other considerations, apart from small tokens of appreciation, or allowing any gift to influence the quality of care provided to the donor or to others;
 - malicious or wilful damage to practice placement premises;
 - unjustified refusal to carry out a reasonable and lawful instruction;
 - failure to respect clients as individuals and/or failure to protect the interests and dignity of clients irrespective of gender, age, race, ability, sexuality, economic status, lifestyle, culture, religion or of any other irrelevant distinction;
 - forming an inappropriate relationship with a client or acting in an inappropriate way with or towards a client.
- Malicious or wilful misuse of social media in a programme-specific context (please see the University's [Social Media Policy](#) for further guidance).
 - Unauthorised contact with an External Examiner or external professionals involved with a student's programme of study.
 - Disruption of an examination or other formal assessment.

- Unauthorised recording of any programme-specific activity, event or meeting.
3. Please note that these are not exhaustive. Moreover, specific instances of misconduct might combine two or more of these examples.
 4. Issues of professional unsuitability, where these do not involve allegations of misconduct, are dealt with by way of separate Fitness to Practice procedures (see Section 10 of this Framework).

15.3 Student Misconduct - Interim Measures

1. In exceptional circumstances, students charged with misconduct may be denied access to the University in whole or in part, including any accommodation they occupy, with immediate effect. This will take account of students' rights under the legislation protecting tenants and licensees and suitable alternative accommodation will be provided if the denial of access is likely to lead to hardship.
2. This power will only be exercised, however if the Vice-Chancellor (or, in the Vice-Chancellor's absence, the Deputy Vice-Chancellor or Pro Vice-Chancellor (Academic)) decides, on the joint recommendation of the Head of Student Support or nominee and University Secretary and Registrar, that the presence of that student on the campus would jeopardise the physical and/or mental well-being of any members of staff or of the student body, or otherwise harm the good order and discipline of the University.
3. Denial of access will normally apply where a student has been charged with a major criminal offence (i.e. an offence for which a custodial sentence is possible) relating to the alleged misconduct. Any denial of access, under this provision, will automatically cease to apply when a decision letter relating to the alleged misconduct has been issued. Denial of access will be subject to regular review (normally at monthly intervals) and a student can challenge the denial of access by sending a written submission to the Vice-Chancellor (or

nominee): the challenge will be referred to a member of the Senior Management Team who has had no involvement with the student or the case for review. The decision of this senior colleague will be final and there will be no further right of appeal.

4. If a risk to client / pupil care is perceived at any point in these Procedures the Director of School, on the joint recommendation of the Head of Student Support or nominee and University Secretary and Registrar, may authorise the removal of a student from a current or prospective placement or work-based learning activity until this risk is no longer perceived to apply. Under the terms of the Disclosure and Barring Scheme, which is administered by the Independent Safeguarding Authority (ISA) under the Safeguarding Vulnerable Groups Act 2006, the University is also required to notify the ISA of any such cases, as well as the outcome of its procedures; this duty is absolute, and overrides any concerns about data protection.
5. Students charged with a criminal offence may also be subject to the Student Misconduct Procedures with regard to the same offence; proceedings will be opened but suspended until such time as the criminal case has been resolved. This does not affect the capacity of the University to remove a student from the campus, or from placement, as above.
6. The University reserves the right to invoke these Procedures, irrespective of the outcome of a related criminal case. This is because it determines allegations of misconduct on the basis of 'the balance of probabilities', rather than the criteria of 'beyond reasonable doubt' which applies in criminal cases.

15.4 Harassment and Discrimination

1. The University defines harassment and discrimination, in the context of these procedures, as conduct or behaviour which is unwanted by the recipient and is offensive, intimidating or hostile; which interferes with the recipient's study performance; and/or induces stress, anxiety, fear or sickness in the recipient. What is perceived as harassment by one person may not seem so to another;

however, if conduct is perceived as a negative act and is unwanted, offensive, worrying, stressful, and/or intimidating to the recipient then these procedures may be invoked.

2. **The University will not tolerate harassment under any circumstances or however motivated.** All members of the University community have a responsibility, therefore, to ensure that they do not perpetrate, incite, encourage or condone any form of harassment within the University.
3. Individuals may fear victimisation if they complain of harassment. It should be remembered that victimisation of the complainant is itself unlawful even if it is subsequently found that no harassment occurred.
4. The Equality Act 2010 prohibits three types of harassment that the University uses to guide its understanding. These are:-
 - Harassment related to a 'relevant protected characteristic'
 - Sexual harassment and
 - Less favourable treatment of a student because they submit to or reject sexual harassment or harassment related to sex or gender reassignment

The following is broadly taken from the Equality and Human Rights Commission (EHRC) on the meaning and understanding of harassment derived from the Equality Act 2010 Guidance.

Harassment related to a 'relevant protected characteristic'

5. Following advice in the Equality Act 2010, the University includes the following as 'relevant protected characteristics':-
 - Age
 - Disability
 - Gender Reassignment
 - Race
 - Religion or Belief

- Sex
- Sexual Orientation

Pregnancy and maternity are not protected directly under the harassment provisions. However, harassment related to pregnancy and maternity would amount to harassment related to sex

6. Harassment occurs when unwanted conduct, which is related to a relevant protected characteristic, has the purpose or effect of:-
 - violating the student's dignity, or
 - creating an intimidating, hostile, degrading, humiliating or offensive environment for the student
7. Unwanted conduct covers a very wide range of behaviour, including spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a student's surroundings or other physical behaviour.
8. The word unwanted means essentially the same as 'unwelcome' or 'uninvited'. 'Unwanted' does not mean that express objection must be made to the conduct before it is deemed to be 'unwanted'. A serious one-off incident can amount to harassment.
9. Unwanted conduct 'related' to a protected characteristic has a broad meaning and includes the following situations:-
 - where the student has a protected characteristic
 - where there is **any** connection with a protected characteristic (whether or not the student has that protected characteristic themselves) or it is assumed there is a connection with a protected characteristic

Sexual Harassment

10. Sexual harassment occurs when a person engages in unwanted conduct (as defined in paragraph 6 above) which is of a sexual nature.
11. Conduct 'of a sexual nature' can cover verbal, non-verbal or physical conduct including unwelcome sexual advances, touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings or sending emails or sharing social media posts with material of a sexual nature.

Less favourable treatment for rejecting or submitting to unwanted conduct

12. The third type of harassment occurs when a student is treated less favourably by an education provider because the student has submitted to, or rejected, unwanted conduct of a sexual nature or unwanted conduct which is related to sex or gender reassignment. This applies when the unwanted conduct creates for them any of the circumstances defined in paragraph 6 above. Under this type of harassment, the initial unwanted conduct may be committed by the education provider who treats the student less favourably, or by another person.
13. Any student wishing to report an act of harassment should contact Student Support via studentsupport@marjon.ac.uk. Where a discriminatory incident is considered to have taken place this can be reported using the [Report and Support Form](#). Any such complaint should set out as specifically as possible the nature of the harassment/discrimination, the identity of the harasser(s), dates of occurrence etc. The complaint will be dealt with thereafter in accordance with these Procedures, inclusive of any right of appeal.
14. A student who considers that they have been harassed: receives a complaint of alleged harassment: or witnesses harassment may wish to seek advice, support and/or counselling before deciding how to proceed. In such

circumstances, students should contact their Personal Development Tutor, Student Support or the Student Union.

15. In dealing with allegations of harassment, the Head of Student Support or nominee will ensure that complainants are kept informed of the progress of a case, including its outcome. However, this does not extend to an automatic right to receive copies of correspondence between the University and the alleged harasser. If a complainant has any concerns about how the matter was handled, or the outcome, they will be directed to the Student Complaints Procedure (see Section 17 of this Framework). If the harasser's behaviour is found to have had an adverse impact on the complainant, then a discretionary remedy might be offered by the University.
16. The complainant will not be exposed unwillingly to any face-to-face meeting with the alleged harasser(s). If a hearing is convened, then the alleged harasser(s) (and or their representative) will be allowed to challenge any points made by the complainant, as relayed to them by the Chair, in offering their defence. Moreover, the complainant will have exactly the same right to be accompanied by a 'friend', where applicable, as the alleged harasser.
17. If, following a complaint, an investigation determines that a claim of harassment is malicious and fictitious and that the allegations have been brought in order to cause harm or detriment to the alleged offender(s), this in itself may constitute a serious act of harassment which will be dealt with in accordance with these Procedures.
18. Whatever the outcome of any investigations, the University will not tolerate any form of intimidation, victimisation or discrimination against any complainant(s), alleged offender(s) or members of the University community involved in these investigations. Any form of retaliatory behaviour against another member of the University in any of these situations will be liable to these procedures.
19. There will be no time bar, exclusion or redemption allowed for acts of past harassment that have continued undetected or unreported until an event prompts it to be detected or reported - provided the reason for institutional

ignorance has been through the tolerance and/or fear of retribution on the part of the individual(s) subjected to the harassment.

15.5 Acceptable Behaviour

The University recognises that involvement in the Student Misconduct Procedure can be a stressful experience for students. However, it also has a duty to ensure the safety and well-being of its staff and will, for example, not accept communication that is abusive, offensive or defamatory: aggressive, threatening, coercive or intimidating: and/or unreasonably persistent or demanding. Where such behaviour is displayed, therefore, it might constitute an instance of student misconduct in its own right.

15.6 Student Misconduct – Stage One procedures

1. Staff or students should refer all cases of alleged student misconduct to the Head of Student Support or nominee in the first instance. Where a potential offence of misconduct is reported by a visitor to the University, a member of staff or a student will need to instigate the procedures on their behalf.
2. Stage One focuses on supporting students and, accordingly, no sanctions can be imposed at this stage of the procedure. Instead, the Head of Student Support or nominee will discuss the allegations with the student, in person, and advise them with regard to their future conduct.
3. Accordingly, students are expected to co-operate with the Head of Student Support or nominee. Should the student not respond to the request for an interview or fail to attend the interview without good reason, this might be sufficient grounds in itself for escalation to Stage Two.
4. The Head of Student Support or nominee will write to the student after interview to confirm the outcome and any recommendations with regard to future conduct. This will be copied to the Academic Standards Officer, so that

a central record can be kept, and a record will be kept on the Student Support database.

15.7 Student Misconduct – Stage Two procedures

1. In cases where an allegation of student misconduct has been identified which might lead to a sanction being imposed, the Head of Student Support or nominee will refer the matter to the University Secretary and Registrar, via the Academic Standards Officer, by way of a written incident report. The preparation of the report should take any sensitive personal issues and/or potential clashes of interest into account.
2. The report will state the name of the student against whom the allegation is made, the date, time and place of the alleged misconduct if known and applicable and the nature of the alleged misconduct with a brief description of it. It should also include the names of any witnesses who can support the allegation and notes of any interviews and discussions undertaken.
3. In cases where, in the opinion of the Head of Student Support or nominee (and colleagues as appropriate), the potential severity of an offence might justify suspension or expulsion, he or she will also provide a written rationale for recommending a formal hearing at Stage Three of the Procedures in the context of his or her incident report.
4. The University Secretary and Registrar will instruct the Academic Standards Officer to recruit an Investigator, who will be a member of Senate or Senior Management Team (Chair) who has had no involvement with the student (or, where applicable, the complainant). The Investigator will review the report and seek additional evidence where he or she considers it necessary. In so doing, he or she may draw upon the support of the Academic Standards Officer where appropriate and proportionate.
5. This investigatory process might involve further interviews with the student, other students and other staff members at the Investigator's discretion.

Additional Investigators may be appointed in exceptional circumstances, with one of the Investigators operating as the Principal Investigator for the purposes of reporting to the Panel Chair.

6. The University Secretary and Registrar will also instruct the Academic Standards Officer to convene a Student Misconduct Panel. This shall comprise:
 - A member of Senate or Senior Management Team (Chair) who has had no involvement with the student (or, where applicable, the complainant);
 - A member of Senate, Programme Leader or Manager who has had no involvement with the student (or, where applicable, the complainant);
 - A member of the Executive Committee of the Student Union, normally the President or Deputy President, who also has no involvement with the student (or, where applicable, the complainant).

The Academic Standards Officer will endeavour to ensure an adequate gender balance in the Panel.

7. Once the Investigator's report is available, the Panel will meet. This meeting will also be attended by the Academic Standards Officer who will offer procedural advice, where required, and record the decision taken.
8. Where a sanction is agreed at Stage Two, any or all of the following penalties can be imposed:
 - a fine, not exceeding £250, in addition to any appropriate restitution for damage or loss (to be reported in writing, using the designated form, to Finance);
 - the prohibition of entry to specified social areas and/or University social functions for the time specified by the responsible officer;
 - the removal of a student either from a specific Hall of Residence or from campus accommodation in its entirety, subject to their legal rights as tenants;

- a formal warning as to a student's future conduct, accompanied by such reasonable conditions as may be deemed appropriate;
 - conditions concerning the student's future conduct or access to facilities;
 - the suspension of access to specific School-based facilities for a fixed period of time;
 - suspension or removal from a programme that is professionally accredited, with the option to transfer to a non-accredited programme at a similar level (if available) with immediate effect.
9. The Panel may also refer the matter to Stage Three if, on the basis of the finalised evidence base, it now considers that the potential severity of an offence could justify suspension or expulsion.
 10. The resultant decision letter, which will be drafted by the Academic Standards Officer for the approval of the Chair, should normally be sent within thirty working days of the commencement of the Student Misconduct Procedures at Stage One along with the Investigator's report. This will also provide information about the next steps in the process (including the student's right of appeal) and details of who the student can contact with any queries.

15.8 Student Misconduct – Stage Three procedures

1. In cases where the severity of an offence is potentially such as to justify suspension or expulsion, the decision will also be subject to a formal hearing of the Student Misconduct Panel.
2. The Academic Standards Officer, or a nominee, will act as Secretary to the Panel and proceedings will also be recorded electronically. Recordings will be made available to all participants on request. The hearing will not take place unless all members and the Secretary are present.
3. The student shall be informed of the date of the hearing not less than ten working days in advance; this deadline can only be reduced with the student's

written consent. They will be invited to appear in person but, in exceptional circumstances the hearing may take place, at the discretion of the Chair advised by the Academic Standards Officer, in their absence or may be conducted virtually in whole or in part. A hearing can be scheduled at any time in the calendar year; however, reasonable steps will be taken to schedule this at a point in the year when the student would normally be present in the University.

4. The student may be accompanied by a 'friend', to provide support and speak only when instructed to do so by the student. The name and status of any such 'friend', who cannot be an employee of the University, must normally be notified to the Academic Standards Officer no less than five working days in advance of the hearing. The University must grant its consent beforehand for the 'friend' to attend the hearing. The student may also choose to call witnesses in his or her defence.
5. The Academic Standards Officer shall normally circulate the list of witnesses to be called, and all relevant documentation, to all parties not less than five working days before the hearing. Where this is not possible, the Academic Standards Officer will advise the student who will have the right to request a postponement. Additional papers supplied by or on behalf of the student will be circulated thereafter with the proviso that, in exceptional circumstances, the Panel may decide to adjourn a hearing in order to secure a written response.
6. The refusal or failure of a student to attend will not invalidate the hearing's proceedings, provided that he or she has been given sufficient notice as set out above. A hearing can be scheduled at any time in the calendar year; however, reasonable steps will be taken to schedule this at a point in the year when the student would normally be present in the University. Where a student has been denied access to the University under the provisions set out in Section 15.3.1 of this Framework, this will be waived to enable the student to attend the interview.
7. At the outset of the hearing the Chair of the Panel shall identify the issues to be determined, the persons entitled to attend the hearing and the documents

supplied to the Panel. They will also ask the student to confirm that they have understood the procedures and have no concerns with regard to procedure.

8. The Chair will then outline the case against the student, before inviting witnesses to give evidence. Members of the Panel may question witnesses directly and the student, or his or her 'friend', may question the witnesses through the Chair.
9. The Chair shall then invite the student, or his or her 'friend', to respond. The Chair and other members of the Panel may question the student on the statement and/or the documentary evidence. Witnesses may question the student through the Chair.
10. At the conclusion, the Chair shall offer the student the opportunity of making a closing statement (which should not introduce new evidence), once the witnesses have left, before the Panel considers its decision in private. In all cases, the student shall have a right to make a final statement to the Panel before it considers its decision, including any mitigating circumstances or factors that they believe should be taken into account.
11. In addition to the complete range of penalties available at Stage Two, the Panel may impose any or all of the following penalties:
 - suspension from the University, for a maximum period of one academic session;
 - expulsion from the University (actual or suspended).

A student's previous disciplinary record may be taken into account when determining the penalty, but the Chair and the Academic Standards Officer will withhold it from the Panel until a decision has been taken as to whether or not an offence has been committed.

12. The resultant Stage Three decision letter will be drafted by the Academic Standards Officer for the approval of the Chair. It shall also constitute the official record of the hearing including, where this is applicable, the reasons for imposing a specific penalty or penalties and an explanation as to why a lesser penalty was unsuitable.

13. The letter will normally be sent to the student within ten working days of the hearing and within forty working days of the commencement of the Student Misconduct Procedures at Stage One. If this is not possible, exceptionally, the student will be kept informed. Where practicable, the student will be given the opportunity to receive the letter by way of an interview at which at least two members of University staff are present. Where a decision has been taken to suspend or expel a student, it will take immediate effect.
14. If the University intends to inform the Independent Safeguarding Agency, the Department for Education or any other Programme, Statutory or Regulatory Body of the outcome of any misconduct proceedings, it will include notification of that decision within the decision letter.

15.9 Right of appeal

1. A student has the right of appeal against the decision and/or the penalty imposed on the following grounds:
 - That the procedures were not followed properly.
 - That the decision maker(s) reached an unreasonable decision.
 - That the student has new material evidence that they were unable, for valid reasons, to provide earlier in the process.
 - That there is bias or reasonable perception of bias during the procedure.
 - That the penalty imposed was disproportionate, or not permitted under the procedures.

Any such appeal must be submitted in writing to the Academic Standards Officer, within ten working days of the date of the letter communicating the decision. If the student does not appeal within this timeframe, then the Academic Standards Officer will close the case.

2. The Academic Standards Officer will refer the appeal to a member of Senate or the Senior Management Team who has had no involvement with the student for consideration. The appeal stage will normally be concluded within twenty working days of the receipt of the appeal; if a delay is envisaged, the appellant will be notified in writing before the end of the twenty working day period.
3. If valid grounds to proceed with the appeal are not found, the University's Student Misconduct Procedures will have been exhausted and the Academic Standards Officer will advise the student accordingly.
4. If, however, it is found that there may be additional evidence that could not reasonably have been provided to the original hearing, or procedural irregularities, the Academic Standards Officer will reconvene the original decision-making body with new membership of a similar status. In all such cases, the appeal process may lead to the confirmation, reduction or quashing of the penalty originally imposed, but not to an increased penalty. This re-hearing will be final and there will be no further right of appeal thereafter.
5. The student will be notified in writing of the decision, in accordance with the procedures appropriate at the relevant stage. The decision letter will confirm that the University's Student Misconduct Procedures have been exhausted. If the University's handling of the procedure is found to have had an adverse impact on the student, then a discretionary remedy might be offered by the University.

15.10 Office of the Independent Adjudicator for Higher Education

1. If a student remains dissatisfied after the appropriate internal processes have been exhausted, they can ask the University to issue a Completion of Procedures letter in order for the Office of the Independent Adjudicator for Higher Education (OIA) to review their appeal.

2. The University must issue a Completion of Procedures letter in order for the OIA to review an appeal. A Completion of Procedures letter will be issued automatically where valid grounds for re-hearing the appeal are not found at the review stage.
3. All requests for review must be made to the OIA within twelve months of the date of issue of a Completion of Procedures letter. For full details please contact <http://www.oiahe.org.uk>. The University will draw the student's attention to any exceptional factors that mean that it is particularly important for the student to bring the matter to the OIA's attention promptly.

15.11 Reconsideration of the same offence

Normally, the University will not reconsider an offence once these procedures have been invoked. However, if new evidence emerges which, for a good reason beyond its control, was unavailable to the University at the time of the original investigation, the University reserves the right to reconsider an allegation and, in exceptional circumstances, re-open proceedings. If this applies, then a new Student Misconduct Panel will be recruited and this will not include any previous members.

15.12 Annual Report

Each year, the Academic Standards Officer submits a report on student casework to Senate, detailing (anonymously) general matters or issues arising from recent student misconduct cases. The Academic Standards Officer will also collate and present anonymised monitoring information with regard to Student Misconduct Panels to Senate on a regular basis. Senate will forward recommendations to other relevant bodies, such as the Board of Governors and the Student Experience Council, so that broad concerns can be shared and appropriate action taken.

15.13 Procedures at Partner Organisations

1. In accordance with the Good Practice Framework issued on behalf of the HE sector by the Office of the Independent Adjudicator and Plymouth Marjon University's Collaborative Provision Regulations and Procedures, all students registered for the University's awards have the ultimate right to complain to the University, irrespective of where they are studying. This right of complaint, however, is not absolute and is subject to the precise wording of the partnership agreement.
2. The partner organisation, accordingly, should ensure that clear information and guidance with regard to student misconduct is made available to all students registered for the University's awards. This should include clear information about the sequence of processes involved and make clear the channels through which dissatisfied students can contact the University directly.
3. Once the internal procedures of the partner organisation have been fully exhausted, students who wish to take their case to the University for review should ask the Academic Standards Officer in writing if they are eligible to do so. Students may request a review of the decision on the following grounds only:
 - That the procedures were not followed properly.
 - That the decision maker(s) reached an unreasonable decision.
 - That the student has new material evidence that they were unable, for valid reasons, to provide earlier in the process.
 - That there is bias or reasonable perception of bias during the procedure.
 - That the penalty imposed was disproportionate, or not permitted under the procedures.
4. If a case is eligible for review, the Academic Standards Officer will refer the challenge to a member of Senate or the Senior Management Team who has

no involvement with the partnership. If the challenge is upheld, the case will be referred back to the partner organisation to be reheard under its own procedures. Otherwise, the University will not refer the case back to the partner organisation to be reheard and the Academic Standards Officer will advise the student accordingly. This will include advice with regard to a student's further right of appeal to the Office of the Independent Adjudicator (OIA).

Document Title	Plymouth Marjon University Student Regulations Framework – Section 15 Student Misconduct Procedure
Document Reference	L:\Student Regulations Framework\Student Regulations Framework 2020-21
Version	3.8
Issuing Authority	Senate
Custodian	Academic Standards Officer
Document Date	16th October 2009
Last Amended	10th September 2020
Sensitivity	Unclassified
Circulation	Website, paper copies
Effective from	September 2020
Review Date	Ongoing
Effective until	September 2021
History	Subject to minor ongoing revision. Subject to major review and extensive revision, June 2020.
Equality Impact Assessment	Preliminary EIA conducted for SRF, December 2010. Updated Equality Analysis Form to be submitted.