

15a. CAMPUS PROTECTION PROCEDURE FOR STUDENTS

15a.1 Introduction

1. This procedure, which should be read in association with the Student Misconduct Procedure, is a strictly time-limited procedure subject to renewal at intervals of three months. It has been devised in response to the challenges posed by the COVID-19 pandemic and is focussed on situations in which the behaviour of students might jeopardise the health and/or wellbeing of other students and the wider University community.

15a.2 Examples of COVID-19 related misconduct

1. Examples of COVID-19 related misconduct include:
 - A failure to maintain appropriate social distancing and sanitizing requirements.
 - Unauthorised entry into other residents' accommodation.
 - A refusal to comply with a reasonable instruction by a representative of the University in relation to maintaining a safe campus environment.
 - Pressurising other students not to comply with the University's COVID-19 related safety requirements. This might also constitute an incidence of harassment (see Section 15.4 of the Student Misconduct Procedure for a fuller definition).

All such examples might also constitute an infringement of a Tenancy Agreement to reside on the campus when the student is resident.

2. Please note that these are not exhaustive. Moreover, specific instances of COVID-19 related misconduct might combine two or more of these examples.

15a.3 COVID-19 related misconduct – Stage One procedures

1. Staff or students should refer all cases of alleged COVID-19 related 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 in relation to campus protection. This is in line with Section 15.6 of the Student Misconduct Procedure.
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.

15a.4 COVID-19 related misconduct – Stage Two procedures

1. In cases where an allegation of COVID-19 related 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 Head of Estates and IT Infrastructure. The report should also be copied to the University Secretary and Registrar, via the Academic Standards Officer.
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. The Head of Estates and IT Infrastructure will review the report and seek additional evidence where he or she considers it necessary. This investigatory process might involve further interviews with the student, other students and other staff members at the Investigator's discretion.
4. Where a sanction is agreed at Stage Two, any or all of the following penalties can be imposed in line with the sanctions set out in Section 15.7 of the Student Misconduct Procedure.:
 - a fine, not exceeding £250;
 - the prohibition of entry to specific areas of the University, including social areas and Halls of Residence;
 - the temporary or permanent 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 of up to four weeks;
5. The Head of Estates and IT Infrastructure may also refer the matter to Stage Three of the Student Misconduct Procedures (as per Section 15.8 of these Procedures) if, on the basis of the finalised evidence base, he considers that the potential severity of an offence could justify suspension or expulsion.
 6. The resultant decision should be communicated to the student in writing, normally within five working days of the reporting of the incident, and copied to the University Secretary and Registrar, the Academic Standards Officer and the Head of Student Support for information.

15a.5 COVID-19 related 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 be subject to a formal hearing of the Student Misconduct Panel, normally chaired by the Head of Estates and IT Infrastructure, as per Section 15.8 of the Student Misconduct Procedures. The decision to escalate to Stage Three will be taken by the Head of Estates and IT Infrastructure, as advised by the University Secretary and Registrar where appropriate.
2. Accordingly, there are no separate procedures applicable at this stage in relation to COVID-19 related misconduct.

15a.6 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 Head of Estates and IT Infrastructure 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 five working days of the date of the written decision.

2. The Academic Standards Officer will refer the appeal to the Deputy Vice-Chancellor for consideration. The appeal stage will normally be concluded within five working days of the receipt of the appeal; if a delay is envisaged, the appellant will be notified in writing.
3. The Deputy Vice-Chancellor may confirm, reduce or quash the penalty originally imposed, but cannot impose an increased penalty. There will be no further right of appeal thereafter.
4. The Academic Standards Officer will notify the student of the decision in writing, and confirm that the procedure has 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.

15a.7 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.

15a.8 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.

15a.9 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.

Document Title	Plymouth Marjon University Student Regulations Framework – Section 15a Campus Protection Procedure
Document Reference	L:\Student Regulations Framework\Student Regulations Framework 2020-21
Version	1.0
Issuing Authority	Senate
Custodian	Academic Standards Officer
Document Date	22nd October 2020
Last Amended	22nd October 2020
Sensitivity	Unclassified
Circulation	Website, paper copies
Effective from	October 2020
Review Date	At three-monthly intervals
Effective until	January 2021
History	Drafted for the approval of RPRG, to be received at Senate and UBoS for information.
Equality Impact Assessment	Preliminary EIA conducted for SRF, December 2010. Updated Equality Analysis Form to be submitted.