ST. HUGH'S COLLEGE, OXFORD

STUDENT MEMBERS: NON-ACADEMIC DISCIPLINE

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Student Members: Non-Academic Discipline

DEFINITIONS

- 'Appeal Panel' means a Non-Academic Disciplinary Appeal Panel convened in accordance with Part 7 of this procedure
- 'Breach of discipline' means a breach of the rules set out in the College Code of Discipline and contained in, but not limited to, the provisions specified in Appendix C(i)
- 'Bursar' means the Bursar of St Hugh's College
- 'Chair of the Student Disciplinary Committee' means the person chosen by the Principal to oversee the work of the Committee as specified in Part 6.
- 'College' means St Hugh's College
- "Conference of Colleges Appeal Tribunal" means the intercollegiate panel formed to consider appeals on disciplinary decisions imposing a substantial penalty made by College
- 'Committee' refers to the Student Disciplinary Committee
- 'Dean' means the Fellow with responsibility for discipline
- 'Student Disciplinary Committee' means a panel convened in accordance with Part 6 of this procedure
- 'Investigator' means a person appointed by the Principal to investigate and compile a report for consideration of the Student Disciplinary Committee
- 'Member of the College' for the purpose of this procedure includes any other College
  office-holder, current Fellow, current student, or current employee of the College
- 'Panel members' means members appointed to an Appeal Panel.
- 'Principal' means the Principal of St Hugh's College
- 'Procedure' means this Non-Academic Disciplinary Procedure
- 'Reporter' means a person who submits a report under paragraph 4.1 of this procedure
- 'Senior Tutor' means the Senior Tutor' of St Hugh's College
- 'Subject' means a student who is alleged to have breached the Code of Discipline
- 'Vice-Principal' means the Vice-Principal of St Hugh's College

1. Introduction

1.1. This Disciplinary Procedure deals with conduct by students that breaches their non-academic obligations as a member of the College. These obligations, which are summarised or identified in Annex A, are referred to as "the College Code of Discipline". In this Procedure a "Breach of Discipline" refers to a breach of one or more of the provisions of the College Code of Discipline.

1.2. The purpose of this Procedure is to address breaches of discipline by students, and not to resolve disputes between individuals. Students may only be disciplined where their conduct occurs in a College context, as defined in Appendix C(iii).1.3. In this Procedure the person making a report is referred to as the "reporter" and the person who is alleged to have breached the College Code of Discipline is referred to as the "subject".

1.4. For informal advice about procedural aspects of the disciplinary process, please contact the Dean at dean@st-hughs.ox.ac.uk.

1.5. Where disciplinary proceedings are contemplated, the Dean will remind reporters and subjects of the sources of support available to them. Advice and support for students are available from:

1.5.1. A member or members of the College welfare team (https://www.st-hughs.ox.ac.uk/current-students/health-welfare);

1.5.2. The University Sexual Harassment and Violence Support Service (https://www.ox.ac.uk/students/welfare/supportservice);

1.5.3. The University Student Welfare and Support Services (https://www.ox.ac.uk/students/welfare), or Oxford SU Advice Service https://www.oxfordsu.org/404/?url=/support/studentadvice/

1.6. The Dean, or the Principal acting in the Dean's absence, may impose any safeguarding measures which are considered reasonably necessary to ensure the peace of the College and the safety of its members. Such measures may include requiring a student to have no contact with another member of the College or excluding any person from College premises. These safeguarding measures are neutral in effect and do not imply that any student member on whom measures are imposed has been found to be in breach of any of their obligations under the College Code of Discipline.

1.7. This Procedure will not be used to investigate disciplinary reports made against Fellows or members of College staff, which are dealt with in accordance with College Bylaws Parts X – XIII and Bylaw Appendix F.

2. General

2.1. Reports will usually be dealt with confidentially by all parties involved and details will not normally be disclosed except where it is necessary in order to carry out a fair investigation, to effect a safeguarding or precautionary measure (under paragraph 1.6 above or 4.4 below), to communicate the outcome of disciplinary proceedings, to protect members of the College and/or University community and/or the public, and/or to comply with any relevant legal or regulatory obligations.

2.2. Any information and/or names disclosed to student members of College involved in this Procedure must be treated as strictly confidential both during and after the completion of proceedings. Any breach of confidentiality may itself be considered a violation of the College Code of Conduct resulting in disciplinary action.

2.3. Parties should act promptly, and in any event meet the time limits set out in this Procedure. Time limits may be extended by the relevant decision-maker where it is necessary in the interests of fairness. It will often be necessary to extend time limits for complex cases. Where time limits are extended, the subject (and where appropriate the reporter) will be kept updated about the progress of the case.

2.4. Any member of the College who has concerns that a student involved in this Procedure is suffering health, welfare or academic study issues as defined in the College's Fitness to Study Procedure, or other difficulties that may be relevant to whether or how the disciplinary procedure should be used, should inform the Academic Registrar and/or Senior Tutor.

2.5. In accordance with the Equality Act 2010, reasonable adjustments to this Procedure may be made in individual cases so as to enable the subject and any other person affected by the application of the Procedure to participate fairly.

2.6. Anonymous reports will only be considered under this Procedure in exceptional circumstances and where there are compelling reasons to do so. While some investigation may be possible in certain cases, it will usually be very difficult to proceed with disciplinary action following an anonymous report, because of the need to allow the subject to respond to the report.

2.7. Subjects and reporters may be accompanied to meetings, interviews, or hearings by a supporter who will play no speaking role in proceedings. A supporter will usually be a member of the College or a member of the Oxford Student Union. Requests to be accompanied by a supporter should be made to the Dean, Investigator, and/or Chair of the Student Disciplinary Committee as appropriate, providing the name and position of the supporter at least 48 hours in advance of the date of any meeting or hearing. It would normally be disproportionate to seek legal representation during proceedings, but reasoned requests for such representation may be made and will be considered.

2.8. Meetings and hearings may take place online at the discretion of the Dean, Investigator, and/or Chair of the Student Disciplinary Committee. A request to hold a meeting or hearing online may be made by any party involved in the proceedings to the Dean, Investigator, and/ or Chair of the Student Disciplinary Committee as relevant.

2.9. Where there is more than one reporter and/or more than one subject it may be appropriate for all the subjects to hear or be provided with the evidence of the other subject/s.

2.10. The standard of proof used when making determinations under this Procedure is the balance of probabilities. This means that the Dean and/or the Student Disciplinary Committee will conclude that there has been a breach of the College Code of Discipline if they are satisfied that it is more likely than not that the conduct which is alleged to be a breach of the Code of Discipline occurred.

2.11. Non-compliance with a disciplinary sanction imposed under this Procedure may result in further disciplinary sanctions, including suspension or expulsion from College.

2.12. Any member of College involved in administering this Procedure shall comply with the College's conflict of interest policy (https://www.st-hughs.ox.ac.uk/wp-content/uploads/Conflicts-of-Interest-Policy.pdf) and should not act if there is a

reasonable perception of bias on their part. If for any reason the Dean is unable to undertake their role in these Proceedings the Principal will appoint an appropriate substitute. Any decision to be made or action to be performed by the Principal may be made or performed by the Vice-Principal or, alternatively, by three Tutorial Fellows of Governing Body, chosen in order of seniority by the Secretary to Governing Body, in the event that the Principal and Vice-Principal are absent, have a conflict of interest, or are unable to undertake the action within a reasonable time.

2.13. Records will be kept at all stages of the process.

2.14. This Procedure makes provision for the subject to appeal from adverse decisions taken under Parts 5 and 6. The reporter is not a party to disciplinary proceedings and does not have a right of appeal from the outcome of a disciplinary decision. If the reporter is a student, and is dissatisfied with the action taken under this Procedure, they may make a complaint under the College Complaints procedure (as set out in Appendix N of these College Bylaws). Any complaint will be addressed by individuals who have not previously been involved in the handling of the report.

3. Initial Considerations

3.1. Reporters who are students may consider using the University Student Resolution Service (https://academic.web.ox.ac.uk/files/mediationworkflowpdf) which is a free mediation service for students who find themselves in conflict with another student.

3.2. The Dean may liaise between reporting students and subjects where there has been a relationship breakdown to put in place an informal no contact agreement on the basis that there has been no admission of fault between parties. Such agreements will be neutral in effect and will impose the minimum impact reasonably possible on all students involved. Reporting students and subjects may also seek enforcement of a University-wide no contact agreement by the Proctors (https://proctors.web.ox.ac.uk/sites/default/files/proctors/documents/media/no_contact_arran gement_policy.pdf).

4. Reports and Precautionary Measures

4.1. Reports of a potentially criminal nature can be discussed with the Dean (dean@st-hughs.ox.ac.uk) and/or a member of the College Welfare Team (https://www.st-hughs.ox.ac.uk/current-students/health-welfare) who will help the reporter approach the police. All other reports should normally be made in writing, by email, to the Dean (dean@st-hughs.ox.ac.uk). If a reporter does not wish to make a written report in the first instance, they should contact any member of the College Welfare Team or College Decanal Team (https://www.st-hughs.ox.ac.uk/current-students/community-deans/) who will make a written account of the report. The reporter will then be invited to confirm the written account which will be kept on file for 12 months and may be submitted to the Dean if/when the reporter so wishes.

4.2. If the report is not successfully resolved informally, or if informal resolution is not appropriate, the Dean will decide whether to investigate an alleged breach of discipline.

4.3. If the Dean considers that a report may constitute a breach of discipline requiring an answer, they may (i) investigate the report under the Procedure for Minor Breaches of Discipline set out at Part 5 below, or (ii) refer the case to the Student Disciplinary

Committee in accordance with the Procedure for Major Breaches of Discipline set out at Part 6 below.

4.4. The Dean may at any time impose temporary precautionary measures on the subject and/or the reporter for the remainder of this Procedure. Precautionary measures do not indicate any finding of misconduct and do not constitute a disciplinary sanction.

4.5. Possible precautionary measures may include (without limitation): a no contact arrangement; a ban from, or time constraints for, accessing particular College buildings or services; recommending a ban from, or time constraints for, accessing particular University buildings or services or services of another college (subject to endorsement by the University or relevant college as appropriate); moving either the reporter or subject to alternative College or University accommodation; and/or, where no other option is appropriate, a temporary suspension of studies.

4.6. Precautionary measures should aim to cause the minimum restriction reasonably necessary to protect the individuals concerned, or to protect members of the College, from an identified risk, or to protect an investigation under this Procedure, and should take into account safeguarding considerations where relevant.

4.7. Precautionary measures are more likely to be appropriate in cases involving a risk to any individual's mental or physical health, issues of a highly sensitive or confidential nature, and/or where there is a threat of significant disruption to academic study or other College activities.

4.8. The Dean will promptly provide the student and, where appropriate, the reporter, with written reasons for any precautionary measures imposed. Any student upon whom precautionary measures are imposed may ask the Dean to review them, and, if the request is refused, may apply to have the precautionary measures reviewed by the Student Disciplinary Committee.

4.9. The Dean may refer a matter to the police or seek guidance from the police or other public safety agencies where the report concerns criminal conduct and/or where there is a significant imminent risk of harm to students or staff. In deciding whether to do so, the Dean will take into account the wishes of the reporter.

5. Procedure for Minor Breaches of Code of Discipline

5.1. The Procedure for Minor Breaches of Discipline applies to cases in which the Dean considers that, if established, the alleged breach of discipline would appropriately be addressed by the penalties set out in paragraphs (1) to (6) of Appendix C(ii), under the heading "Penalties for Minor Breaches of Discipline".

5.2. Where the Dean proceeds to investigate under this section the aim will be to complete an investigation and issue a decision in relation to the alleged breach of discipline as soon as reasonably practicable. The Dean may suspend their investigation at any point in order to refer the matter to the Student Disciplinary Committee, Proctors, or police.

Determination by the Dean

5.3. The Dean will meet with the subject informing them of the report, setting out the provision(s) of the College Code of Discipline alleged to have been breached and informing them that the report is being considered under this Part of the Procedure. The Dean will invite the subject to provide a response to the allegation. In all but exceptional circumstances the Dean will provide the subject with at least 24 hours' notice of the date and time of any meeting, the outcome of which will be

communicated in writing. Failure to attend the meeting will itself constitute a breach of discipline liable to separate sanction.

5.4. If the subject admits the breach of discipline the Dean will proceed to consider what if any sanction should be imposed.

5.5. If the subject does not admit the alleged breach of discipline the Dean may take any step reasonably and proportionately required to investigate and assemble relevant evidence. This may include interviewing the reporter and interviewing the subject, as well as interviewing any witnesses, requesting written responses to questions, and requesting relevant documents.

5.6. A member of the College staff will attend any meeting under this Part of the Procedure and take notes of the meeting and/or the meeting will be recorded.

5.7. Before reaching any determination under this Part the Dean will disclose all relevant evidence (including exculpatory evidence) to the subject, except where it is necessary to withhold information, such as the identity of a witness, to protect the rights of others, and where the Dean judges that in all the circumstances the need to protect such rights overrides the subject's need for the information in question.

5.8. The subject will be provided with the opportunity to respond to that evidence and to provide a justification or explanation for the conduct in question.

5.9. Where there are substantial questions of fact to be decided, the Dean may refer the report for consideration by the Student Disciplinary Committee under Part 6 of this Procedure. All materials gathered by the Dean in the course of their investigation will be provided to the Student Disciplinary Committee.

5.10. Having satisfied themself that reasonable and proportionate investigatory steps have been taken, the Dean will consider and assess all relevant evidence and any response provided by the subject and will determine whether they are satisfied on the balance of probabilities that a breach of discipline occurred.

5.11. Where the Dean concludes that a breach of discipline has been established, they will inform the subject what, if any, sanction they are considering imposing. The Dean may impose any sanction, or a combination of sanctions, set out in Appendix C(ii) paragraphs (1)-(6) or may make a conditional determination under Appendix C(ii). The subject will have the
opportunity to make representations bearing on the sanction, including any mitigation, to the Dean.

5.12. The Dean will inform the subject and, where appropriate, the reporter of their decision in writing. The Dean will remind the subject of their right of appeal and of the matters set out in paragraph 5.13 to 5.17 below.

Appeal following a Determination by the Dean

5.13. The subject may appeal to the Principal against a decision made by the Dean under paragraph 5.12 above.

5.14. The appeal is a review of the Dean's decision and is limited to the grounds set out in paragraph 5.15 below.

5.15. The grounds upon which the subject may appeal are that:

5.15.1. There was bias, or a reasonable perception of bias, on the part of the Dean;

5.15.2. The Dean acted unfairly or failed to follow this Procedure;

5.15.3. The subject has new material that it was not reasonably practicable for them to provide earlier in the process, which would be likely to have affected the outcome;

5.15.4. There was an error of interpretation of any of the provisions referred to in Appendix C(i) or of this Procedure;

5.15.5. The decision that a breach of discipline was established was one which no reasonable decision-maker could have made;

5.15.6. The sanction imposed was disproportionate.

5.16. Any appeal must be made by sending a notice of appeal to the Principal (principal@st-hughs.ox.ac.uk) within 7 days of notification of the Dean's decision. The notice of appeal must set out the ground(s) upon which the subject is appealing and explain why the subject considers that the particular ground of appeal is established. At the same time the subject should provide a copy of the Dean's decision under paragraph 5.12 above and any other documentary evidence which is relevant to their grounds of appeal.

5.17. The subject should state in their notice of appeal whether they are requesting an oral appeal meeting with the Principal or are content with the Principal reviewing the case digitally/on paper.

5.18. The Principal may invite the subject to an appeal meeting, and will normally do so when the subject has requested it.

5.19. The Principal may: confirm the Dean's determination; confirm the Dean's determination as to the breach of discipline but vary the sanction imposed in such a way that the variation is regarded by the subject as an increase in sanction; confirm the Dean's determination as to the breach of discipline but vary the sanction imposed in such a way that the variation is regarded by the subject as a reduction in sanction; reverse the determination of the Dean as to the breach of discipline; or refer the report to a Student Disciplinary Committee under Part 6 below.

5.20. The Principal will determine the appeal as soon as reasonably practicable and will normally inform the subject of their decision, and the reasons for it, in writing. The reporter will be informed of the decision.

5.21. If the appeal is not allowed, the letter to the subject will explain that it is a Completion of Procedures letter which marks the end of the College process. The subject has the right to seek review of the decision made by the Principal by appealing to the Conference of Colleges Appeal Tribunal, to whom appeals must be made within 5 days of receiving a Completion of Procedures letter from the Principal (http://www.confcoll.ox.ac.uk/html/main/ccat.html). Normally, the Conference of Colleges Appeal Tribunal will only review determinations where a substantial sanction is imposed.

5.22. If an appeal to the Conference of Colleges Appeal Tribunal is not allowed or upheld, the subject may submit a complaint to the Office of the Independent Adjudicator (https://www.oiahe.org.uk/students/how-to-complain-to-us) within 12 months of the date of the final decision of the Conference of Colleges Appeal Tribunal.

6. Procedure for Major Breaches of Discipline

6.1. This section addresses the procedure which will be followed where the Dean refers a case to the Principal for the purposes of convening a Student Disciplinary Committee.

6.2. Where the seriousness of an alleged breach justifies it, the Principal, or the Dean after consultation with the Principal, may suspend the subject from residence or from use of College facilities with immediate effect and for as long as the Disciplinary Procedure under this Part is in operation.

Notice of Referral

6.3. The Dean may make a referral under this section where they consider that the penalties set out in paragraphs (1) to (8) of Appendix C(ii), under the heading "Penalties for Minor Breaches of Discipline", may not be sufficient to address the alleged breach of discipline if it is established.

6.4. A referral may be made at any stage after receipt of a report, including at any stage of an investigation under Part 5 above, prior to a determination being made.

6.5. On referring the report to the Principal, the Dean will inform the subject of the report, setting out the provision(s) of the College Code of Discipline alleged to have been breached, stating that the matter has been referred to the Principal under this Part, and that a Student Disciplinary Committee will be convened to consider the report.

Appointment of an Investigator and a Student Disciplinary Committee

6.6. The Principal will normally appoint an Investigator to investigate and to compile a report for consideration by a Student Disciplinary Committee. The Principal may appoint a Tutorial Fellow or an external Investigator at their discretion. The decision to appoint an external Investigator will be made when it is considered likely that specialist expertise will enhance the collection of evidence and/or the treatment of witnesses, for example in cases of alleged harassment or sexual misconduct.

6.7. The Principal will convene a Student Disciplinary Committee to consider the Investigator's report. A Student Disciplinary Committee will consist of three people appointed by the Principal for the purposes of considering the Investigator's report. Committee members must either be members of the College Governing Body or people approved by the Governing Body as being suitable Committee members, and who themselves need not to be members of the College. The Principal will appoint one of the Committee members to Chair the Committee. The Principal, Vice-Principal, Senior Tutor, Dean and Bursar may not serve on a Student Disciplinary Committee.

6.8. The Principal will write to the subject and the reporter informing them of the identities of the Investigator and of the Student Disciplinary Committee members. If either the subject or reporter has any objection to the appointments they must set out the reasons for their objections in an email to Principal (principal@st-hughs.ox.ac.uk) within 2 days of being notified. If the Principal considers that the grounds for objecting are reasonable, they will aim to appoint an alternative Investigator or Committee member. The subject and the reporter will be notified by email of the identity of any replacement Investigator or Committee member.

6.9. A Student Disciplinary Committee may be appointed to consider a single case or a group of cases. Where the Principal has referred more than one case involving the same subject the Committee may decide to consolidate the cases.

Investigation

6.10. The Investigator will gather such evidence and make such inquiries as appear to them to be necessary and proportionate to determine the issues in the case.

6.11. Any evidence obtained by the Dean for the purposes of their investigation of the report shall be provided to the Investigator.

6.12. The Investigator shall inform the subject of the case against them and shall disclose all relevant evidence (including exculpatory evidence) to the subject, observing the Procedure for dealing with confidential information set out in Part 2.

6.13. The Investigator will give the subject the opportunity to respond to the case against them, including an opportunity to put forward oral and/or written or documentary evidence, and to make representations. Representations may include, but are not limited to, representations regarding any response to the allegation, justification, or excuse for the breach of discipline under investigation, and mitigating factors that may bear on disposal of the case. Such representations should normally be heard at a meeting in person or online between the subject and the Investigator, at which notes should be taken of the subject's representations. However, where the subject is out of residence at the time, or it is not reasonably practicable for representations to be made in person within a reasonable time, the opportunity to make representations in writing may be substituted at the discretion of the Investigator.

6.14. The Investigator will usually provide the reporter with the subject's evidence, or if appropriate a summary of the evidence, in response to the report. The Investigator will invite the reporter to comment on the evidence and to provide any further relevant evidence, whether oral or documentary.

6.15. A member of College staff will attend any meeting between the subject and other witnesses
(including the reporter) and the Investigator. The member of staff will take notes of the meeting and/or the meeting may be recorded.

6.16. On completion of their investigation, the Investigator will make a written report to the Student Disciplinary Committee including any written or documentary evidence, notes of meetings, and a conclusion as to whether on the evidence a finding that the subject committed the breach(es) of discipline could be justified.

Disciplinary Meeting

6.17. The Chair of the Student Disciplinary Committee will write to the subject informing them of the proposed date of the Disciplinary Meeting. The Chair will: set out the allegation against the subject, referring to the relevant provision(s) of the College Code of Discipline; provide a copy of the Investigator's Report and any other evidence that will be considered by the Committee; set out the names of the members of the Committee and anyone else who will be present for some or all of the meeting, identifying the capacity in which they will be attending; inform the subject of the right to be accompanied in accordance with paragraph 2.7 above; and inform the subject that they can expect the members of the Committee to ask them questions. The Chair will ask the subject to confirm their attendance at the meeting and whether

they wish to call any witnesses. In the event that the subject is unable to attend the Disciplinary Meeting on the proposed date, or chooses not attend, they should write to the Chair promptly, providing reasons for their inability to attend and/or decision not to attend. The Chair may either propose an alternative date for the Disciplinary Meeting or may confirm that the Disciplinary Meeting will proceed on the proposed date and may proceed in the absence of the subject.

6.18. If the subject wishes to call witnesses to the Disciplinary Meeting, they must write to the Chair no later than 7 days before the meeting identifying the witnesses and explaining the reasons why they consider their attendance to be necessary. The Chair will consider whether
the reason(s) given for calling a witness(es) to attend the Disciplinary Meeting
is/are reasonably relevant to the facts under dispute.

6.19. If the Chair decides that it would be appropriate to invite witnesses to the Disciplinary Meeting, they will consider whether any arrangements are required to safeguard the interests of the witnesses. Such arrangements may be put in place at the discretion of the Chair but may include: separate waiting areas for the witnesses, the reporter and the subject; witnesses and/or the reporter bringing a supporter to sit with them while addressing the Committee and answering questions; witnesses and/or the reporter addressing the Committee from behind a screen; witnesses and/or the reporter responding to questions online from a different location. Such measures are likely to be required in sexual misconduct cases.

6.20. The Chair will determine the procedure for the hearing, so as to ensure a hearing that is fair and, so far as possible in view of the seriousness of the case, informal and flexible. The subject may make oral and/or written representations to the Student Disciplinary Committee, and the Committee may ask questions of the subject, the Investigator and any witnesses.

6.21. The subject will not be permitted to ask questions of the Investigator or witnesses directly, but will be provided with the opportunity to put questions through the Chair. Where the reporter attends the hearing, the Chair will ensure that the reporter and the subject have an appropriate opportunity to comment on any evidence the other has provided.

6.22. A member of the College staff will attend and take notes of the meeting and/or the meeting may be recorded.

6.23. After the Disciplinary Meeting the Student Disciplinary Committee will deliberate in the absence of any other person, apart from the note-taker. Before determining whether a breach of discipline has been established it will satisfy itself that reasonable and proportionate efforts have been made by the Investigator to obtain the relevant evidence necessary to determine the issues in the case from the subject and from others, whether orally or in writing; assess the relevance, reliability and credibility of the evidence; satisfy itself that the subject has had a fair opportunity to answer the case against them; satisfy itself from the evidence obtained that, on the balance of probabilities, it has been shown that the breach of discipline was committed by the subject; and identify the form of disposal which it is minded to adopt, subject to further representations by the subject.

6.24. Decisions of the Student Disciplinary Committee may be made by a simple majority vote.

6.25. If the Student Disciplinary Committee determines that a breach of discipline has been established, it will notify the subject of that determination, the reasons for it, and the disposal it is minded to adopt. It will invite the subject to make representations to the Committee within 3 working days of notification of the determination, regarding the appropriate disposal. Such representations may be made orally or in writing, at the choice of the subject. The Student Disciplinary Committee may also request the provision of a written statement of the impact of the subject's conduct from the reporter or any other person.

6.26. The Student Disciplinary Committee may impose any sanction or combination of penalties set out in Appendix C(ii). It may also make a conditional determination. It will consider the range of available penalties and impose a sanction, or conditional determination, that is appropriate and proportionate in all the circumstances.

6.27. The Student Disciplinary Committee shall report its determination and disposal to the Principal as soon as possible, supported by written reasons. Notice of the Committee's determination and disposal will be given in writing to the subject by the Principal within 3 working days of receipt of the Committee's report, supported by a copy of the Committee's report. The decision letter will inform the subject of their right of appeal and of the matters set out in paragraphs 7.2 to 7.5 below. The reporter will be informed of the outcome of the proceedings and reminded of their obligations to treat this information confidentially.

Appeals Following Disciplinary Committee Proceedings

6.28. The subject may appeal against any adverse determination of a Student Disciplinary Committee and against any sanction imposed.

6.29. The appeal is a review of the Student Disciplinary Committee decision and is limited to the grounds set out in paragraph 6.32 below.

6.30. Any disciplinary measures appealed against do not come into effect pending determination of the appeal. It is permitted for a student to meet any conditions specified in the disciplinary measure or conditional determination, and hence to terminate the measure, while the appeal is pending. Voluntarily meeting any conditions specified in the disciplinary measure or conditional determination will not be taken as a sign of guilt on the part of the subject. Precautionary measures may continue to apply pending the determination of an appeal.

Notice of Appeal

6.31. The grounds upon which a subject may appeal are that:

6.31.1. There was bias, or a reasonable perception of bias, during the procedure;

6.31.2. There was unfairness or a failure to follow this Procedure;

6.31.3. The subject has new material that it was not reasonably practicable for them to provide earlier in the process, that would have been likely to make a material difference to the outcome;

6.31.4. There was an error of interpretation of any of the provisions referred to in Appendix C(i) of this Procedure;

6.31.5. The decision that a breach of discipline was established was one which no reasonable decision-maker could have made; and/or

6.31.6. The sanction imposed was disproportionate.

6.32. Any appeal must be made by sending a notice of appeal to the Principal (principal@st-hughs.ox.ac.uk) within 7 days of notification of the Student Disciplinary Committee's determination. The notice of appeal must set out the ground(s) upon which the subject is appealing and explain why the subject considers that the particular ground of appeal is established. At the same time the subject should provide a copy of the Student Disciplinary Committee's determination and any other documentary evidence which is relevant to their grounds of appeal.

The Appeal Panel

6.33. An appeal under this Part is to be heard by a Non-Academic Disciplinary Appeal Panel (herein referred to as Appeal Panel).

6.34. An Appeal Panel will consist of three people appointed by the Principal for the purposes of considering the appeal constituted in accordance with paragraph 6.36 below. The Principal will appoint one of the members as Chair of the Appeal Panel.

6.35. The Appeal Panel will consist of three people appointed by the Principal for the purposes of considering the Appeal. Panel members must either be members of the College Governing Body or people approved by the Governing Body as being suitable Committee members, who themselves need not to be members of the College. The Principal will appoint one of the Panel members to Chair the Appeal Panel.

6.36. Any person who gave evidence that was considered by the Student Disciplinary Committee, and/or who has advised the subject or reporter in connection with the report, may not be appointed to the Appeal Panel. Similarly, The Principal, Dean, Senior Tutor, Bursar, and the Tutor(s) of the subject and reporter may not be appointed to the Appeal Panel.

6.37. The Appeal Panel will be assisted by a member of College staff who will act as Secretary to the Appeal Panel ('the Secretary').

6.38. The Principal will write to the subject and the reporter informing them of the identities of proposed Appeal Panel members and stating that if they have any objection to the appointment of any of the members they must set out the reasons for their objections in an email to the Principal (principal@st-hughs.ox.ac.uk) within 2 working days. If the Principal considers that the grounds for objecting are reasonable, they will aim to appoint an alternative Committee member. The subject and the reporter will be informed of the identities of the newly proposed Appeal Panel member/s.

Consideration of the Appeal

6.39. The Principal will nominate a person ('the College Representative') to make a case before the Appeal Panel in support of the implementation of the disciplinary measure. Within three working days of their appointment, the College Representative will provide to the subject and the Secretary a written response to the grounds of appeal. The response must state whether the College Representative is requesting an oral hearing. Any request must be supported by reasons. The reporter will be notified that an appeal has been commenced.

6.40. Within 2 working days of the College response the subject must confirm in writing to the Secretary whether they are requesting an oral hearing. Any request must be supported by reasons.

6.41. The Appeal Panel Chair will determine whether an oral hearing is appropriate and, if it is, the Secretary will fix a date and place for a hearing, which may be outside of College. The date should be fixed in consultation with the subject, the College Representative, and the members of the Appeal Panel.

6.42. The Secretary will:

6.42.1. write to the Appeal Panel members, the subject, and the College Representative to confirm the date, time, and location of the hearing, giving a reasonable notice period;

6.42.2. provide the Appeal Panel members, the subject, and the College Representative with a bundle containing all documents relevant to the appeal.

6.43. If the subject or the College Representative wishes the Appeal Panel to take account of any additional material or written submissions, copies must be provided to the Secretary at least 5 days before the hearing. It is envisaged that such material will be submitted in writing by email. The Secretary will ensure that it is circulated to the Appeal Panel and the other party as soon as possible. Any documentation submitted after this time will not be considered by the Appeal Panel unless the Chair decides that exceptional circumstances warrant its inclusion.

6.44. The Appeal Panel Chair will determine the procedure for the hearing of the appeal, so as to ensure a hearing that is fair, and, so far as possible in view of the seriousness of the case, informal and flexible. If (exceptionally) any witnesses are heard, questions will be asked of them by the members of the Appeal Panel.

6.45. The Appeal Panel members will deliberate on their decision following any hearing. Where the appeal is considered without a hearing the Appeal Panel members will meet to deliberate and will be provided by the Secretary with all relevant documentation. The Secretary will provide the subject and the College Representative with notice of the date on which the Appeal Panel will meet.

6.46. The appeal may be determined by a simple majority vote.

6.47. The decision of the Appeal Panel shall be provided in in writing to the Principal, the subject, and the College Representative upon conclusion of any hearing. The Appeal Panel will produce a written report setting out its conclusions and the reasons for them. In case of a majority decision, the decision and the reasons will be those of the majority. The reporter will be notified of the outcome.

6.48. The Appeal Panel may uphold the implementation of the disciplinary sanction, vary the conditions of its implementation, require those conditions to be satisfied afresh, set aside the sanction and remit the matter to the Student Disciplinary Committee, or substitute any alternative disposal that was open to the Student Disciplinary Committee. An Appeal Panel may impose a more severe disciplinary measure than that which was imposed by the Student Disciplinary Committee.

6.49. The decision of the Appeal Panel is final and not open to further appeal within the College.

6.50. If the appeal is not allowed the letter to the subject will explain that it is a Completion of Procedures letter which marks the end of the College process. The subject has the right to seek review of the decision made by the Appeal Panel by further appeal to the Conference of Colleges Appeal Tribunal (CCAT; http://www.confcoll.ox.ac.uk/html/main/ccat.html). Appeals must be made by the

subject within 5 days of receiving a Completion of Procedures letter from the Appeal Panel. Normally, the Conference of Colleges Appeal Tribunal will only review determinations where a substantial sanction is imposed.

6.51. If an appeal to the Conference of Colleges Appeal Tribunal is not allowed or not upheld, the subject may submit a complaint to the Office of the Independent Adjudicator (https://www.oiahe.org.uk/students/how-to-complain-to-us) within 12 months of the date of the final decision.

7. Appeal in Relation to Breach of Conditions

7.1. If conditions are attached to any disposal under Appendix C(i) and the Dean considers that the subject has failed to meet those conditions, notice of that failure and of the consequences as determined by the terms of the disposal will be given in writing to the subject by the Dean. In the case of a dispute about whether the conditions specified in a disciplinary sanction or conditional determination have been met by the subject, the appeal procedure under this Part applies.

7.2. The subject may appeal against the coming into effect of the consequences of any failure to meet a condition specified in a sanction or conditional determination, on one or both of the following grounds:

7.2.1. that the Dean was wrong to conclude that the subject failed to meet the

condition; or 7.2.2. that the subject's failure to meet the condition was excusable.

7.3. The subject exercises the right of appeal under this provision by giving notice of appeal in writing to the Principal within 7 days of receipt by the subject of notice.

7.4. The appeal, which will be a rehearing, will be referred by the Principal to a Student Disciplinary Committee constituted in accordance with Part 6 above and the procedure under Part 6 will be followed.

8. Criminal Offences

8.1. The Dean may refer to the police, or seek police guidance on, any report that may relate to criminal conduct, and/or where there is a significant risk of harm to other members of College.

8.2. The Dean will not normally proceed to investigate a report, and will not normally refer a subject to the Student Disciplinary Committee, whilst that report/subject is subject to a police investigation or other criminal proceedings. If the alleged breach of the rules is not proceeded with as a criminal matter by the prosecuting authorities, the Dean shall then deal with the matter as though it had not been referred to the police.

8.3. In the event that a subject is convicted of a criminal offence in respect of an action that would also constitute a breach of the College Code of Conduct, the Student Disciplinary Committee will normally determine that a breach of discipline has been established without recourse to an investigation in College.

8.4. In the event that a student member is convicted of a criminal offence in respect of an action that would also constitute a breach of the College Code of Conduct, as is of such seriousness that a term of imprisonment might have been imposed but was not, the Student Disciplinary Committee will normally determine that the subject be suspended or expelled from College. In the event that a student member of College

is sentenced to a term of imprisonment, the Student Disciplinary Committee will normally determine that the subject be expelled from College.

9. University Offences

9.1. A student member who has a sanction of rustication, suspension or expulsion imposed on them by the University will also be rusticated, suspended or expelled from College.

Appendix C(i): Code of Discipline

1. Introduction

1.1. The Code of Discipline is designed to help members of College live together harmoniously, to safeguard the College environment for all members and others, and to avoid disruption to the proper functioning of the College. It is the responsibility of College to deal with student members whose behaviour adversely and unreasonably affects the welfare of others or brings the College into disrepute.

1.2. The College is governed in accordance with its Statutes by the Governing Body. Governing Body has developed a series of Bylaws, rules, and regulations that affect student members. Student members should familiarise themselves with these rules and regulations, and should seek advice or clarification as needed from the Dean (dean@st-hughs.ox.ac.uk).

1.3. Student members of College are also bound by, and should familiarise themselves with, rules and regulations set down by the University and overseen by the Proctors (https://www.ox.ac.uk/students/academic/conduct; https://governance.admin.ox.ac.uk/legislation/statute-xi-university-discipline-0#collapse1556036).

2. Application of the Disciplinary Procedure

2.1. The Disciplinary Procedure will apply when a student member is alleged to have:

2.1.1. Contravened any College regulation including but not limited to the regulations contained in this document; or

2.1.2. Contravened any University regulation or code as found by the appropriate University authority and not already investigated and dealt with by the University; or

2.1.3. Conducted themselves in a way that disrupts or attempts to disrupt the lawful activities of any member of the College or of one of its staff, constitutes dishonest dealings with another member of the College or its staff, or is otherwise seriously detrimental to the interests of the College; or

2.1.4. Brought the College into disrepute and/or indulged in conduct inconsistent to the orderly life of the College. Action may be brought against student members in respect of such behaviour within other Colleges, within the precincts of the University, or elsewhere within the City, where that action may be perceived to bring the College into disrepute. The University includes the student press, social networking sites, weblogs and online sites associated with the University; or

2.1.5. Failed to take reasonable steps to prevent disruptive or offensive behaviour on the part of anyone they invite into College; or

2.1.6. Intentionally or recklessly engaged in any act, omission, or course of conduct which is contrary to government, Public Health England or local public health rules, any instructions issued by public health officials, or any rules which College has issued based on official health guidelines.

2.2. The Disciplinary Procedure will also apply where a student member is being investigated for or has been convicted of a criminal offence in which instance it is mandated that the student inform the Dean who will instigate proceedings as set out in Parts 5 and 6 of the Disciplinary Procedure.

3. Rules and Regulations

No student member will:

3.1. Engage in violent, disorderly, or threatening behaviour or use violent, disorderly, or threatening, language.

3.2. Engage in the harassment or sexual harassment of any member, visitor, employee or agent of the College as set out in the College Harassment Policy (https://www.st-hughs.ox.ac.uk/wp-content/uploads/Harassment-Policy.pdf) and Sexual Harassment Policy (https://www.st-hughs.ox.ac.uk/wp-content/uploads/Sexual-harrassment-policy.pdf).

3.3. Intentionally or recklessly disrupt or attempt to disrupt teaching, study, or research, or the administrative, sporting, social or other activities of the College, or disrupt or attempt to disrupt the lawful exercise of the freedom of speech by members, students, and employees of College or by visiting speakers (Bylaws Appendix G), or obstruct or attempt to obstruct any employee or agent of the College in the performance of his or her duties.

3.4. Damage or deface any property (including intellectual property) of the College or of any member, officer or employee of the College, or knowingly misappropriate such property.

3.5. Occupy or use or attempt to occupy or use any property or facilities of the College except as may be authorised by the College.

3.6. Forge or falsify expressly or impliedly any College or University certificate or document, or knowingly make false statements concerning standing or results obtained by examination.

3.7. Engage in any activity likely to cause injury or to impair safety.

3.8. Engage in any fraudulent or dishonest behaviour in relation to the College or the holding of any College office.

3.9. Refuse to disclose their name and other relevant details to an officer or an employee or an agent of the College or University in circumstances where it is reasonable to require such information to be given.

3.10. Share or place in the public domain photographs, videos, or sound recordings of other members of the College or College staff without the consent of the person or persons concerned.

3.11. Disclose to any third party or otherwise misuse any confidential information about either the College, or of any member, officer or employee of the College which comes to their attention either as a result of a previous disclosure to them or inadvertently, except is so far as is allowed by law.

3.12. Disclose to any third party or otherwise misuse any private information about either the College, or of any member, officer or employee of the College which comes to their attention either as a result of a previous disclosure to them or inadvertently, except is so far as is allowed by law.

3.13. Use, prepare, offer, sell, or give to any person illegal drugs;

3.14. Engage in conduct that fails to comply with the Statutes and Regulations of the University.

3.15. Engage in conduct that fails to comply with College regulations regarding conduct in examinations.

3.16. Engage in conduct that fails to comply with College regulations regarding the use of the College library.

3.17. Engage in any other conduct that is detrimental to the interests of the College.

3.18. Fail to comply with any rule outlined in the Student Handbook as published from time to time (https://www.st-hughs.ox.ac.uk/student-handbook/).

3.19. Fail to comply with their responsibilities as outlined in the Student Contract as published from time to time (https://www.st-hughs.ox.ac.uk/wp-content/uploads/2021/08/College-Contract-MT21.pdf).

3.20. Fail to comply with the Regulations for the Use of College Premises and Grounds by Student Members as set out in Bylaws Appendix L (https://www.st-hughs.ox.ac.uk/wp-content/uploads/2023/10/College-Bylaws-January-2023.pdf).

3.21. Fail to comply with the College IT Acceptable Use Policy (https://www.st-hughs.ox.ac.uk/wp-content/uploads/IT-Acceptable-Use-Policy-June-2016-1.pdf;).

3.22. Fail to comply with the stipulations laid out in the undergraduate (https://www.st-hughs.ox.ac.uk/wp-content/uploads/2023/10/UG-Licence-to-Occupy-2023-24.pdf) or graduate (https://www.st-hughs.ox.ac.uk/wp-content/uploads/2023/10/Graduate-Licence-to-Occupy-2023-2024.pdf) Licence to Occupy.

3.23. Fail to respond to a fire alarm by prompt evacuation of the building, or after instruction to do so from a fire marshal.

3.24. Tamper with, improperly use, or prevent the correction function of fire safety equipment including by not limited to fire extinguishers, fire doors, fire exits, and signage.

Appendix C(ii): Sanctions

Penalties for a breach of the College Code of Discipline may include:

1. Example penalties for Minor Breaches of Discipline

   1.1. A written warning that will remain on the subject's disciplinary record for a period of time to be specified in the Dean's determination.

   1.2. A requirement that the subject undertake specified training.

   1.3. A requirement that the subject produce a written reflection.

   1.4. A period of Decanal Probation in which the subject will be required to meet standards of conduct prespecified in writing, during which further acts of misconduct may result in more severe disciplinary sanctions. The duration of the probation period will be specified in the Dean's determination and will be proportionate to the breach of discipline.

   1.5. A ban from any specified College locations, facilities and services not including the subject's own College-provided living accommodation or the route to it, so imposed so as not to disproportionately interfere with the subject's academic work. The duration of the ban will be specified in the Dean's determination and will be proportionate to the breach of discipline.

2. Example Penalties for Major Breaches of Discipline

   2.1. Any sanction approved for Minor Breaches of Discipline.

   2.2. A period of Decanal Probation, not exceeding 1 year, in which the subject will be required to meet standards of conduct prespecified in writing, during which further acts of misconduct may result in more severe disciplinary sanctions.

   2.3. A ban, for a period of up to 1 academic year, from any College premises other than by prior consent for academic purposes and/or from residing in College accommodation with or without conditions that need to be satisfied before a return to the College premises and/or accommodation.

   2.4. A ban, for a period of up to 1 academic year, from any College premises other than by prior consent for academic purposes and/or from residing in College accommodation unless certain conditions are satisfied, with or without further conditions that need to be satisfied before a return to the College premises and/or accommodation.

   2.5. Suspension from the College for a period of up to one academic year, with or without conditions that need be satisfied before return to College.

   2.6. Expulsion from the College unless certain conditions are satisfied.

   2.7. Expulsion from the College.

   2.8. Any combination of the above.

3. Conditional determination

3.1. The Dean or the Student Disciplinary Committee may also make a conditional determination that there should be no sanction so long as certain conditions are satisfied.

4. Conditions

4.1. The conditions that may be attached to a sanction or conditional determination under Parts (II)1 to (II)3 above include:

4.1.1. that the subject is to commit no breach of the Code of Discipline of any type, or of any specified type, for a specified period or indefinitely;

4.1.2. that the subject is to report to the Dean at such intervals and for such period as the Dean and/or Student Disciplinary Committee may determine with a view to keeping the subject's conduct under review and for the purposes of which review the subject's assent to a conduct agreement may be required;

4.1.3. that the subject is to take some other reasonable step or steps specified in the disposal, the step or steps to be taken before a specified date, provided that the step/s will not be designed to penalise the student.

5. Costs

5.1. The Dean or the Student Disciplinary Committee may always pass on to a student any costs incurred by the College as a direct consequence of the breach of discipline, for example the cost of removing graffiti or a breach of the University IT Regulations.

5.2. The Dean or the Student Disciplinary Committee will not normally seek to recover costs attributable to investigating and establishing the breach of discipline, or reasonable legal fees.

6. Approach to disposal

6.1. When reaching a decision as to what sanction to impose, or specify in a conditional determination, the Dean or Student Disciplinary Committee will dispose of the case in a manner that is proportionate to the circumstances of the breach of discipline and the subject. Relevant factors may include (without limitation):

- The seriousness of the breach of discipline
- The degree of harm caused to any victim, including the College
- The subject's previous disciplinary record
- Whether or not the subject has co-operated with the investigation
- The degree of insight shown by the subject
- The existence of mitigating or aggravating factors

Mitigating factors may include (without limitation)

- Apologies and reparations make by the subject to any victim

- Previous good standing on the part of the subject where no history of disciplinary action exists
- Acceptance at the earliest opportunity by the subject of a breach of discipline
- Compelling evidence that the subject's judgment was diminished through no fault of their own at the time of the disciplinary breach

Aggravating factors may include (without limitation):

- Any failure to co-operate with investigatory or risk assessment processes
- Evidence that the disciplinary breach was motivated by the protected characteristics or perceived protected characteristics of the victim
- Repeated breaches of the same or similar provisions of the Code of Discipline
- Failure to comply with a minor sanction

EXAMPLES

A non-exhaustive list of examples of behaviour which constitutes a breach of the Code of Discipline, and indicative penalties is set out below

Breach of Discipline	**Example**	**Indicative penalties (depending on severity of case)**
Sexual Harassment	Making unwanted advances of a sexual nature to a student member	No contact agreement; Suspension from College Accommodation and Facilities; Suspension from College; Expulsion
Harassment	Making racist remarks to a student member	Compulsory attendance at a suitable training course to address behaviour; Suspension from College activities and/or facilities; Suspension from College; Expulsion
Damage to College property	Deliberate damage to student room	Recovery of all costs incurred in making good; A period of probation; Removal of College accommodation privilege
Impairing the safety of College	Repeatedly propping open or tampering with fire door	Recovery of all costs incurred in making good; Completion of an essay of reflection; Mandatory attendance at Fire Marshall training; Removal to bottom of Room Ballot; Removal of College accommodation privilege

Appendix C(iii): Application of the Procedure

APPLICATION OF THE PROCEDURE

1. This Procedure applies to any current or suspended student of St Hugh's College, whether undergraduate or graduate, any visiting student, common awards student, associate member of the JCR or MCR, and whether in residence or out of residence at the time, who is alleged to have breached the College Code of Discipline as set out in Appendix A.

2. An alleged breach of the College Code of Discipline may be the subject of disciplinary steps under the Procedure only if the subject is alleged to have committed the alleged breach in their capacity as a member of the College. A breach of discipline will be treated as having been committed in that capacity if:

   2.1. it was committed on or near College premises; or

   2.2. it was committed on or near the premises of another college or on or near University premises and a request is received from the Dean or other competent official of that other college, or from the University Proctors or the Head of a University Department or the Chair of a University Faculty Board as the case may be, to deal with the matter as an offence against College discipline; or

   2.3. it was committed during College activities away from College premises; or 2.4. it was committed when studying at a partner organisation; or

   2.5. it was committed on social media against any other member of the College; or 2.6. it threatens to bring the College into disrepute among reasonable people; or

   2.7. it was committed by the use of College facilities (such as computer networks) or privileges (such as intercollegiate internal mail); or

   2.8. it was committed by the use of University facilities (such as computer networks) or privileges (such as a University Card) and a request is received from the University Proctors to deal with the matter as an offence against College discipline; or

   2.9. it was committed against the College or any other member of the College.

3. For certain types of report, steps may be taken under other procedures before the matter is addressed by the Dean. In particular:

   3.1. Complaints about harassment including sexual misconduct may be considered under the College's harassment and sexual misconduct procedures (available at https://www.st-hughs.ox.ac.uk/wp-content/uploads/Harassment-Policy.pdf and (https://www.st-hughs.ox.ac.uk/wp-content/uploads/2023/01/Sexual-Harassment-Policy.pdf).

   3.2. Reports about medical students and PGCE students may be subject to preliminary consideration by the relevant University Department under Fitness to Practise procedures and may also be considered by that Department after the completion of a disciplinary procedure in College. The Department may impose precautionary measures pending the outcome of investigation under this procedure.

   Other College Policies

3.3. Where this Procedure applies, and the subject's situation also constitutes a proper basis for steps to be taken under another policy or procedure of the College (for example the College's fitness to study procedure), and the responsible person in College for that other procedure confirms that a report has been made about the student under the other procedure or that steps under that other policy or procedure are anticipated or have been proposed or initiated, the responsible College officers under each policy or procedure will together determine, in consultation with the subject, whether all steps should be consolidated so that they are taken under a single policy or procedure, provided that such a consolidation may not have the effect of depriving the subject of an avenue of appeal (or some other procedural advantage) that they would otherwise have enjoyed. In the event of disagreement as to the appropriateness of a consolidation, the final determination is to be made by the Principal. The responsible officer of the College for the purpose of this procedure is the Dean.

University Policies

3.4. Where this Procedure applies and the subject's situation also constitutes a proper basis for disciplinary steps to be taken by the University Proctors, and such steps have been proposed or initiated, any steps proposed or initiated under this procedure will be stayed until the conclusion of Proctorial proceedings. Disciplinary steps may subsequently be taken under this Procedure notwithstanding that Proctorial proceedings have been discontinued or that Proctorial charges have been dismissed, and no finding of fact by the Proctors or absence of any such finding will necessarily bind the College.

Behaviour which could constitute a criminal offence

3.5. Where this Procedure applies and the subject's situation also constitutes a proper basis for investigation by the police or by any other public authority, or for any other steps to be taken towards prosecution in the criminal courts, and such steps have been proposed or initiated (or their imminent proposal or initiation can reasonably be foreseen), any steps proposed or initiated under this Procedure will usually be stayed until the conclusion or abandonment of the investigation or prosecution.

3.6. Where the alleged victim of an alleged criminal offence is a member of the College, the College will provide that person with necessary support, including supporting them in their decision about reporting the matter to police.

3.7. Disciplinary steps may subsequently be taken under this Procedure notwithstanding that criminal proceedings have not been commenced or have been discontinued or that criminal charges have been dismissed. The College will not necessarily treat discontinuance or dismissal of such proceedings as evidence that the subject did not breach the Code of Discipline in the manner alleged.

3.8. The fact that proceedings under this Procedure are stayed pending the outcome of criminal investigation or prosecution will not prevent the Dean from taking safeguarding and/or precautionary measures referred to in paragraphs 1.6 and 4.4 of this Procedure.

3.9. Where a student is found guilty of a breach of University regulations or a criminal offence, the College may subsequently pursue the same matter under this procedure and attach its own sanction to the same breach or offence, making due

allowance for any sanction or other measure already imposed by the Proctors or by the courts. The College also retains the right, following any Proctorial finding against or criminal conviction of the student as well as in any other circumstances, to take steps to ensure the peace of the College and the safety of its members, which are not regulated by this Procedure.