

## **Reporting Misconduct**

This guidance is for students who want to report misconduct against them by another student. Students in this position are known as the 'Reporting Party'. Students who have had an allegation of misconduct made against them are known as the 'Respondent'.

This guidance document will explain the disciplinary process, your rights in this process, and where you can find support.

### **Representation during the Disciplinary Process**

We strongly recommend that you bring one friend or advisor to any meeting or hearing you are required to attend. The SU may provide an advisor to act as an independent representative for you during disciplinary hearings. You can [contact the SU Advice and Support Team](#) by emailing [suadvice@bath.ac.uk](mailto:suadvice@bath.ac.uk), calling 01225 386906, or dropping in to the office at Level 2 of the SU.

### **How long should this process take?**

You should normally receive information on the outcome of your allegation within 60 days of being informed of the start of the investigation.

### **Seeking Advice and Support**

We are aware this can be a difficult and stressful process to go through.

You may find it helpful to speak to a member of the [Wellbeing Service](#) for emotional or wellbeing support. If you have made an allegation against another student, you will be instructed in your letter to contact the Deputy Director of Student Services, Counselling and Wellbeing Team who will direct you to arrange appointments with named wellbeing advisors. The 'Respondent' will be instructed to do the same with different advisors. This will ensure that you can both receive impartial support throughout the process.

Alternatively, you can speak to an advisor at [the SU's Advice and Support](#) Centre for advice and support throughout this process. The SU is independent of the University.

You can access these support services before, during and after the disciplinary process.

If you have a disability and would like to request reasonable adjustments to this disciplinary process, please email [administrators-student-services@bath.ac.uk](mailto:administrators-student-services@bath.ac.uk) in order that appropriate arrangements can be made. If you need a Disability Advisor or Support Worker to accompany you to the investigatory interview or the Disciplinary Committee Hearing, this can be arranged in addition to the friend or advisor outlined in the paragraph above.

If you are a non-native English speaker, we can arrange for a telephone translation service for the investigatory interview or Disciplinary Committee Hearing. Please email [administrators-student-services@bath.ac.uk](mailto:administrators-student-services@bath.ac.uk) if you would like us to organise this for you.

We have summarised the support services available to students on the next page.

<b>Support available to all students</b>	<b>The SU Advice and Support Centre</b>	<b>The Wellbeing Service</b>
<p><b>Talking through your options</b>  <i>For example; explaining that you can choose to raise a complaint informally or formally.</i></p>	Yes	Yes
<p><b>Providing emotional support before, during and after this process.</b>  <i>For example; listening, understanding and supporting your needs and talking you through what to expect from the process and meeting before, during and after meetings to see how you are.</i></p>	Yes	Yes
<p><b>Attending meetings to provide emotional support</b>  <i>For example; to ask for regular breaks if you are feeling anxious.</i></p>	Yes	Yes
<p><b>Attending meetings to act as your representative</b>  <i>For example: Check your understanding of discussion points with you, request further explanation, check whether you'd like to provide further information at key points etc.</i></p>	Yes	No

<b>Additional support available to disabled students</b>	<b>The Disability Service Advisers</b>	<b>Mentoring or study skills tutor (if already in place)</b>
<p><b>Providing disability support before, during and after this process &amp; practical strategies to prepare for the process.</b>  <i>For example; identifying adjustments to help manage meetings</i></p>	Yes	Yes
<p><b>Attend meetings to ensure that you can fully access the meeting in relation to a disability or impairment.</b>  <i>For example, helping to repeat or rephrase questions if your disability impacts on processing or interpretation of verbal information</i></p>	Yes	No
<p><b>Organising specialist support worker provision to ensure that you can fully access the meeting in relation to a disability or impairment</b>  <i>For example, providing a specialist notetaker, BSL interpreter, lipspeaker etc for students with a vision or hearing impairment</i></p>	Yes via Randstad or referral to external specialist agencies	Yes via Randstad or referral to external specialist agencies

<p><b>Making an allegation of misconduct</b></p>	<p>You can report inappropriate behaviour or misconduct against you by:</p> <ul style="list-style-type: none"> <li>- Reporting through <a href="#">Report and Support</a>.</li> <li>- Writing to the <a href="#">Director of Student Services</a></li> <li>- Contacting the <a href="#">Security Team</a>.</li> </ul> <p>If the misconduct could constitute a criminal offence you will be asked whether you want to report it to the Police. The University may choose to report directly to the Police if there may be a risk to the safety of other people. The University will discuss this decision with you.</p>
<p><b>Precautionary Measures</b></p>	<p>During the disciplinary process, the University may carry out a risk assessment in order to ensure that you, and any other people involved in the disciplinary process, are safe.</p> <p>This may include putting ‘precautionary measures’ in place, for example, a no-contact order between the respondent and yourself throughout the disciplinary process.</p> <p>Precautionary measures are not an indication of guilt.</p>
<p><b>Initial review</b></p>	<p>Your report will be reviewed by the Director of Student Services in order to ensure that the allegation can be investigated under <a href="#">Regulation 8, Disciplinary Procedures for Students</a>. If your report cannot be dealt with under this procedure, you will be supported to raise this concern under another procedure where possible.</p>
<p><b>Disciplinary Process</b></p>	<p>The University will investigate the allegation. This may include:</p> <ul style="list-style-type: none"> <li>• Meeting with you to discuss the allegation</li> <li>• Meeting with the respondent</li> <li>• Meeting with any witnesses</li> <li>• Reviewing any materials provided in relation to the allegation, for example social media posts.</li> </ul> <p>At the end of the investigation, the investigator(s) will produce an investigative report which they will send to the Disciplinary Committee. This is a committee of staff from across the University who are trained to assess Disciplinary Cases.</p> <p>You will receive a letter inviting you to attend a Disciplinary Committee hearing, which you will have the option to attend. This letter will include a copy of the investigative report. You will have three calendar days to submit any additional evidence to that included in the investigative report, or in response to the findings of the investigative report. Inclusion of any additional evidence will be at the discretion of the Chair of the Disciplinary Committee and will be shared with all parties involved in the case.</p> <p>The Disciplinary Committee will consider the investigative report. You will be able to give a statement at the hearing and may be asked questions by the committee members. More detailed information on what will happen at the Disciplinary Committee hearing can be found <a href="#">here</a>.</p> <p>Following the hearing, you will receive a letter and an email detailing:</p> <ul style="list-style-type: none"> <li>• The outcome of the investigation (whether the alleged breach is proven, or not)</li> </ul>

	<ul style="list-style-type: none"><li>Any sanctions that may be applied. A list of potential sanctions can be found <a href="#">here</a>.</li></ul>
<b>After the Disciplinary Procedure</b>	If you are unhappy with the service you have received during this process or your experience of it, you can make a complaint through the <a href="#">Student Complaints Procedure</a> .

You may find the following links helpful

- [Regulation 7: Disciplinary Regulations for Students](#)
- [Regulation 8: Disciplinary Procedures for Students](#)
- [Disciplinary Appeals page](#)
- [Student Complaints Procedure](#)
- [Wellbeing Service](#)
- [SU Advice and Support](#)
- [Office of the Independent Adjudicator for Higher Education](#)