



# Guidance

# Reporting Student

# Misconduct

## University of Bath: Misconduct Made Clear

We understand that it can be difficult to raise a concern about the misconduct of another student. This guidance will explain the process of reporting and the support available to you.

Some students may need additional arrangements to fully access this process. This may include reasonable adjustments for disabled students, an interpreter, or other arrangements. You can discuss your needs by emailing the Student Discipline Team (SDT) on: [student-discipline@bath.ac.uk](mailto:student-discipline@bath.ac.uk)

### Advice and Support

The University's Student Support and Safeguarding Service offer a range of support services that you can access. In particular, the [Wellbeing Service](#) is available for emotional and wellbeing support.

The SU Advice and Support Centre is independent of the University. The SU Advisors can assist you with making a report, completing forms, preparing for meetings and can attend meetings with you. Students can arrange a meeting with an advisor by emailing: [suadvice@bath.ac.uk](mailto:suadvice@bath.ac.uk)

### How can I make a report?

You can report inappropriate behaviour or misconduct against you or another member of our community by:

- Reporting online via Support and Report Be The Change: [Tackling Harassment reporting form](#)
- Emailing the Student Discipline Team (SDT) on: [student-discipline@bath.ac.uk](mailto:student-discipline@bath.ac.uk)
- Contacting the Security Team: [Security \(bath.ac.uk\)](#)

Students making a report are referred to as the 'Reporting Party'. Students who have had an allegation of misconduct made against them are known as the 'Respondent'.

If the misconduct constitutes a criminal offence, you have the choice to report the matter to the Police. In some circumstances the University can choose to report directly to the Police if there is a risk to the safety of other people and this decision will be explained to you. The Student Discipline process will be put on hold until any Police investigation has concluded.

## What happens next?

- You can speak to a member of the SDT to share your concern(s) and discuss your options. If you wish to progress a report of misconduct, you will be invited to provide a statement and share any evidence.
- The University will consider whether any precautionary measures need to be put in place. This is a risk assessment to ensure that any recognised risks can be mitigated before and during the Student Discipline process. This could include a No Contact Order between you and the Respondent or excluding the Respondent from specific University premises. For more information see [Precautionary Measures Policy](#).
- Your statement and any evidence provided will be reviewed by the SDT who will determine if they can investigate the allegation(s) under the [Regulation 8 Disciplinary Procedure for Students](#). If it can be investigated, the reported misconduct will be categorised as A, B or C misconduct with Category C being the most serious. In cases where it is not possible to investigate your report, this will be explained to you.

## What should I expect during an investigation?

The University will investigate the allegation(s) which may include:

- Meeting with the Respondent.
- Gathering accounts from any witnesses.
- Reviewing relevant evidence in relation to the allegation(s).

## How will my information be shared with others?

You will be asked to approve your statement before it is used in an investigation. This together with any evidence you provide will be made available to the Respondent to allow them to respond to the allegations being made against them. Likewise, you are able to see the Respondent's statements and interview summaries when they have been compiled into an Investigation Report.

It is important to note that the SDT will redact all sensitive and personal information detailed in statements and the additional evidence provided. The Investigation Report will also be shared with decision-makers.

## What decision is made after an investigation?

The Investigation Report is reviewed to determine one of the following:

- That the Respondent has breached Regulation 7 (Category A or B misconduct) and what sanctions have been applied.
- That the alleged misconduct is Category C requiring referral to a Student Disciplinary and Misconduct Panel (see below).
- That the case should be addressed through an alternative procedure.
- That there has been no breach of Regulation 7, and the allegation is dismissed.

You will be notified of the outcome and will be given the option to receive a copy of the Investigation Report.

## Attending a Student Disciplinary and Misconduct Panel

Both you (the Reporting Party) and the Respondent will be invited to attend the Panel meeting and **you will attend separately from each other**. A copy of the Investigation Report and all relevant papers will be shared with you in advance however, as the Reporting Party, you can choose not to attend the meeting and/or to receive a copy of the Investigation Report. You have the right to be accompanied at the Panel meeting by a support person not connected to the investigation. It is an opportunity for you to make a statement and answer questions from the Panel. The Respondent will be invited to participate in the Panel meeting in the same way.

The burden of proof for Student Disciplinary cases sits with the University and it is our responsibility to prove the case being considered. The civil standard of proof is used in Student Disciplinary cases, namely 'the balance of probabilities'. This means that something is more likely than not to have happened and must be supported by evidence.

The Panel will determine if there has been a breach of Regulation 7, and if so, what sanctions should be applied using the [University of Bath Sanctioning Guidance](#). You will be informed of the Panel's decision in writing. The Respondent has the right to appeal outcomes from the Student Discipline process.

Parties to this process are encouraged to provide feedback on any aspect using the anonymous survey distributed after a case has concluded. You can also email [studentpolicy@bath.ac.uk](mailto:studentpolicy@bath.ac.uk) at any stage.

