

Being Accused of Misconduct



www.bath.ac.uk/corporate-information/student-disciplinary-procedure

This guidance is for students who have been alleged to have committed a Disciplinary Breach during their time as a student of the University of Bath. Students in this position are known as the 'Respondent'.

If another person has made an allegation against you, they are known as the 'Reporting Party'.

Representation during the Disciplinary Process

We strongly recommend that you bring a friend, advisor or representative 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 (www.thesubath.com/contacts/#advice) by emailing 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

You may find it helpful to speak to a member of the Wellbeing Service (www.bath.ac.uk/professional-services/wellbeing-service) for emotional or wellbeing support.

If an allegation is made against you by 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. Any student making an allegation against you will be instructed to do the same with different advisors. This will ensure that you can both receive impartial support throughout the process.

You can also speak to an advisor at the SU's Advice and Support Centre (www.thesubath.com/advice) 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.

We are aware that it can be difficult and stressful to be accused of a disciplinary breach. The University will not make any assumptions, and you will not be considered 'at fault' until an allegation has been fully investigated. Precautionary measures may be applied to keep both you and (if relevant) a Reporting Party safe. You will be treated fairly and offered advice and support.

Seeking Advice and Support continued

If you have a disability and would like to request reasonable adjustments to this disciplinary process, please email student-discipline@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, 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 meeting. Please email student-discipline@bath.ac.uk if you would like us to organise this for you.

We have summarised the support services available to students below.

Support available to all students	The SU Advice and Support Centre	The Wellbeing Service
Talking you through the process <i>For example; explaining what to expect during the disciplinary procedure.</i>	Yes	Yes
Providing emotional support before, during and after this process <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>	Yes	Yes
Attending meetings to provide emotional support <i>For example; to ask for regular breaks if you are feeling anxious.</i>	Yes	Yes
Attending meetings to act as your representative <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>	Yes	No
Additional support available to disabled students	The Disability Service Adviser	Mentoring or study skills tutor (if already in place)
Providing disability support before, during and after this process & practical strategies to prepare for the process <i>For example; identifying adjustments to help manage meetings.</i>	Yes	Yes
Attend meetings to ensure that you can fully access the meeting in relation to a disability or impairment <i>For example, helping to repeat or rephrase questions if your disability impacts on processing or interpretation of verbal information.</i>	Yes	No
Organising specialist support worker provision to ensure that you can fully access the meeting in relation to a disability or impairment <i>For example, providing a specialist notetaker, BSL interpreter, lipspeaker etc for students with a vision or hearing impairment.</i>	Yes via Randstad or referral to external specialist agencies	Yes via Randstad or referral to external specialist agencies

<p>Allegation</p>	<p>If an allegation of inappropriate behaviour is made against you, you will be informed by letter and email.</p> <p>You will be told what the allegation is, and how it is considered to have breached Regulation 7 (www.bath.ac.uk/publications/regulations-for-students-2021-22/attachments/regulations-for-students-2021-22-7-disciplinary-regulations-for-students.pdf) (the University's regulation around what behaviour is appropriate).</p> <p>You will also be told whether this allegation is for Category A, B or C misconduct. This guide outlines what happens for all three categories, you should refer to the process for the Category outlined in your letter.</p>
<p>Precautionary Measures</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 yourself and a reporting party (if there is one) throughout the disciplinary process.</p> <p>Precautionary measures are not an indication of guilt.</p>
<p>Category A or B misconduct</p>	<p>The University will investigate the allegation against you. This may include:</p> <ul style="list-style-type: none"> • Meeting with you to discuss the allegation • Meeting with the person who made the allegation where applicable (the 'Reporting Party') • Meeting with any witnesses • Reviewing any materials provided in relation to the allegation, for example social media posts. <p>You will be expected to participate fully in the investigation by attending an investigatory meeting and sharing information when asked.</p> <p>At the end of the investigation, the investigators will explain the recommendations that they will be making to the Director of Student Services. This will include:</p> <ul style="list-style-type: none"> • The outcome of the investigation (whether the alleged breach is proven, or not) • If the alleged breach has been proved, any sanctions that may be applied. A list of potential sanctions can be found here: www.bath.ac.uk/publications/university-of-bath-sanctioning-guidance. <p>The Director of Student Services will review these recommendations and you will receive a letter and an email detailing the final outcome and any sanctions that will be applied.</p> <p>In certain circumstances, you can submit an appeal against the decision of the Director of Student Services by submitting an Appeals Form to: governance@bath.ac.uk within 14 days of the date of your outcome letter. For more information on the appeals process and the grounds on which you can appeal, please visit the appeals webpage: www.bath.ac.uk/guides/disciplinary-appeals-process.</p>

Category C misconduct

The University will investigate the allegation against you. This may include:

- Meeting with you to discuss the allegation
- Meeting with the person who made the allegation where applicable (the 'Reporting Party')
- Meeting with any witnesses
- Reviewing any materials provided in relation to the allegation, for example social media posts.

You will be expected to participate fully in the investigation by attending an investigatory meeting and sharing information when asked.

At the end of the investigation, the investigators will produce an investigative report which they will forward to the Disciplinary Committee. This is a committee of staff from across the University who are trained to assess Disciplinary Cases.

You will receive a letter requiring you to attend a Disciplinary Committee hearing. 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.

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 here:

www.bath.ac.uk/publications/disciplinary-committee-hearing-process.

Following the hearing, you will receive a letter and an email detailing:

- The outcome of the investigation (whether the alleged breach is proven, or not)
- Any sanctions that may be applied. Potential sanctions can be found here: **www.bath.ac.uk/publications/university-of-bath-sanctioning-guidance**.

In certain circumstances, you can submit an appeal against the decision of the Disciplinary Committee by submitting an Appeals Form to **governance@bath.ac.uk** within 14 days of the date of your outcome letter. For more information on the appeals process, please visit the appeals webpage: **www.bath.ac.uk/guides/disciplinary-appeals-process**.

You may find the following links helpful

- Regulation 7: Disciplinary Regulations for Students (www.bath.ac.uk/publications/regulations-for-students-2021-22/attachments/regulations-for-students-2021-22-7-disciplinary-regulations-for-students.pdf)
- Regulation 8: Disciplinary Procedures for Students (www.bath.ac.uk/publications/regulations-for-students-2021-22/attachments/regulations-for-students-2021-22-8-disciplinary-procedures-for-students.pdf)
- Disciplinary Appeals page (<http://bath.ac.uk/guides/disciplinary-appeals-process>)
- Student Complaints Procedure (www.bath.ac.uk/guides/student-complaints-policy-and-procedure)
- Wellbeing Service (www.bath.ac.uk/professional-services/wellbeing-service)
- SU Advice and Support (www.thesubath.com/advice)
- Office of the Independent Adjudicator for Higher Education (www.oiahe.org.uk)