

University of Bath – Sanctioning Guidance

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Section 1: Principles

- This sanctioning guidance should not be considered exhaustive or prescriptive. It shows the kind of actions which constitute a breach of Bath's [Disciplinary Regulations for Students](#), and the type of sanctions which could be applied in response.
- The purpose of these sanctions is education and risk mitigation, not just deterrence. Because of this, the nature of the sanction will normally be relevant and proportionate to the behaviour, for example attending an Alcohol Awareness course after an incident involving alcohol.
- The examples of behaviour listed below vary in terms of severity and type, and the level of sanction applied will be assessed accordingly. A guide as to what breaches might receive what sanctions is provided in [Section 4](#), and is based on the categorisation of misconduct outlined in the [Disciplinary Regulations for Students](#). We will consider both the severity of the offence, and the severity of the impact on the University Community when deciding on sanctions.
- The sanctions are not mutually exclusive, and Respondents may have multiple sanctions applied.
- The University will consider potential [mitigating, compounding and aggravating factors](#) when determining the sanction to be applied. These will include, but are not limited to, those listed in [Section 3](#).
- If the University recommends temporary or permanent exclusion from the Students' Union (SU) it will be at the discretion of the SU whether the sanction is applied. Exclusion from the SU includes all SU venues, committees, activities, events and blocking of website permission and services.

- **Definition of key terms are below**
 - o [Aggravating](#): A factor which makes an incident more serious or the respondent more culpable.
 - o [Compounding](#): A factor which increases the seriousness of the sanction applied.
 - o [Mitigating](#): An extenuating circumstance in relation to the Respondent or circumstances of an incident.
 - o [Exclusion](#): A student who is excluded from the University has restricted rights to enter University premises, and to participate in University activities, including study. The terms of the exclusion will be notified to the student in writing. An order of exclusion does not affect the student's status as a member of the University.
 - o [Suspension](#): A student who is suspended is suspended from their academic studies for a fixed. The terms of the suspension will be notified to the student in writing. An order of suspension does not affect the student's status as a member of the University.
 - o [Expulsion](#): An expelled student ceases to be a member of the University, and loses all rights and privileges of membership

- University Community: Refers to students, staff (including casual and voluntary workers), honorary and visiting staff, volunteers, third parties (including contractors, non-executives, clients or customers of the University) and those involved in the governance of the University.

Section 2: Overview of possible sanctions

Sanction
Warning as applicable to Category
Written Apology to the affected parties
Fixed Penalty Notice of £50
Fine (up to £100)
Fine (£100-250)
Fine (£250-500)
Payment of replacement or compensation costs for loss or damage to property owned by the University and/or a member of the University Community
Attendance at relevant training
Attachment of such conditions as are fit to the continued pursuit of the student's studies, for example around general conduct.
Exclusion from all University accommodation
A recommendation to the SU of exclusion from premises, events or activities under the control of the SU, including participation in SU Groups.
The length of exclusion will normally be in line with that outlined in the SU's own policies .
Temporary or permanent exclusion from the University or a part of the University (for example the Sports Training Village, Commercial Outlets) for a fixed period of time. This could also include a recommendation of temporary or permanent exclusion from the Library.
Suspension of study from the University for a fixed period of time.
Recommendation of Expulsion from the University.

Section 3: Aggravating, Mitigating and Compounding Factors (examples only)

Aggravating Factors:

- The use of alcohol/drugs by respondent
- A repeat breach against same individual
- Cumulative violations of multiple regulations
- Evidence of discrimination
- Use of violence
- A refusal by the student to accept responsibility for their actions
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Mitigating Factors

- Isolated behaviour (no prior history of misconduct)
- Admitting the misconduct at the earliest opportunity
- The student has expressed sincere remorse by demonstrating awareness and understanding of how their behaviour breached behavioural expectations, and intention not to do it again
- The discriminatory conduct was committed accidentally, by mistake, or was clearly unintentional
- The respondent was provoked

Compounding Factors

- Prior history of misconduct
- A respondent with prior history of misconduct involving the same or similar types of behaviour
- Cumulative violations of the same breach, for example repeatedly smoking in your room
- Trying to blame the reporting party, despite evidence clearly supporting the Respondent's guilt

Section 4: Types of Misconduct and potential sanctions

Category A Misconduct

Characterised by: No or minimal harm or disruption caused, or a limited impact on the proper functioning or activities of the University, or an accidental or inadvertent breach.

Types of Inappropriate Behaviour

- Accidentally damaging property out of recklessness rather than malice, for example by spilling fizzy drink on a library computer
- Accidental or inadvertent Health and Safety violations, for example setting off a fire alarm out of carelessness through unattended cooking
- Playing loud music late at night
- Smoking in unauthorised areas
- Parking cars or bicycles in non-parking spaces
- Unauthorised guests
- Drugs possession (first time H&S breach)

Types of Sanction

- Verbal Advice (witnessed misconduct)
- Fixed Penalty Notice
- Category A Warning
- Written Apology to aggrieved parties through Student Discipline
- Fine of up to £100
- Payment of replacement or compensation costs for loss or damage to the University and/or a member of the University Community's property
- Attendance at appropriate training e.g. around alcohol awareness or Bystander Intervention training
- Attachment of such conditions as are fit to the continued pursuit of the student's studies, for example around their general conduct

Category B Misconduct

Characterised by: Moderate harm or disruption caused, or a moderate impact (or risk thereof) on the proper functioning or activities of the University.

Types of Inappropriate Behaviour

- Possession of drugs (second breach)
- Graffiti-ing University property
- Offensive posts on social media
- Stealing food from other members of your accommodation
- Interfering with fire alarms, extinguishers, detection systems or equipment
- Urinating on University property
- Public noisiness and/or disruption, for example singing inappropriate drinking songs in public

Types of Sanction:

- Category B Warning
- Written Apology to the aggrieved parties through Student Discipline
- Fine of up to £250
- Payment or replacement or compensation costs for loss or damage to the University and/or a member of the University Community's property
- Attendance at appropriate training e.g. around alcohol awareness.
- Attachment of such conditions as are fit to the continued pursuit of the student's studies, for example around general conduct.
- A recommendation to the SU of temporary exclusion from premises or activities under the control of the SU, including participation in Sports Clubs and Societies.
- Exclusion from all University accommodation

Category C Misconduct

Characterised by: Significant harm or disruption caused, or a severe impact (or risk thereof) on the proper functioning or activities of the University or sustained or repeated misconduct.

Types of Inappropriate Behaviour

- Supplying controlled drugs
- Causing substantial damage to University or SU property
- A sustained period of abuse or harassment towards another member of the University Community
- Physically hurting another member of the University Community, for example through punching, kicking or biting them.
- Acting in a threatening and/or aggressive manner towards another member of the University Community
- Theft from a member of the University Community
- Disseminating intimate pictures of another member of the University Community without their consent
- Attempted or actual sexual intercourse or engaging in a sexual act without consent
- Breach of Dignity & Respect Policy
- Repeated breaches of misconduct

Types of Sanction:

- Category C Warning
- Fine of up to £500 (Fines will not normally be issued in cases of discriminatory behaviour against an individual or individuals)
- Payment of replacement or compensation costs for loss or damage to the University and/or a member of the University Community's property
- Attendance at appropriate training e.g. around alcohol awareness or Bystander Intervention training.
- Attachment of such conditions as are fit to the continued pursuit of the student's studies, for example around their general conduct.
- Exclusion from all University accommodation
- A recommendation to the SU of temporary or permanent exclusion from premises, activities or events under the control of the SU, including participation in SU groups.
- Temporary or permanent exclusion from the whole University or a part of the University (for example the Sports Training Village or commercial outlets) for a fixed period of time.
- Suspension from the University for a fixed period of time
- Recommendation of Expulsion from the University

A written apology can be considered as part of the process but not usually as a sanction at Category C.

Section 5: Description of Warnings as imposed as part of Regulation 7/8

Witnessed Misconduct (which could be classified as Category A):

- a.) Verbal Advice
- b.) Fixed Penalty Notice

Category A Sanctions to include:

Category A Warning (this can incorporate an accommodation warning of the same nature if relevant to the individual)

Category B Sanctions to include:

Category B Warning (this can incorporate an accommodation warning of the same nature if relevant to the individual)

Category C Sanctions to include:

Category C Warning (this can incorporate an accommodation warning of the same nature if relevant to the individual)

Warning to include:

1. a sufficiently detailed explanation of what the student has done wrong and when this occurred;
2. identification of which part of the Regulation 7/8 has been breached/imposed;
3. what the student needs to do to ensure that the problem does not recur, and a direction as to which behaviour(s) must not be repeated;
4. timescale of expected improvement (eg if a Category A warning, it will be removed after 12 months and no further internal reference made);
5. if the problem behaviour is a repetition of previous behaviour that led to a warning;
6. what the consequences will or may be, if the problem or problems recur or continue unabated;
7. if relevant, what effect the warning will or might have on the student, their studies and their future career;
8. the duration that a warning will be kept on a student record;
9. an explanation of the appeal process.