Appendix A

Rules

1. A registered student must not intentionally or recklessly:

a) interfere or attempt to interfere in the activities of the University or of any College or of any student in pursuit of their studies, or of any employee in the performance of their duties;

b) damage, misappropriate or occupy without appropriate permission any University or College property or premises;

c) Interfere in the freedom of speech or lawful assembly of any member of the University or visitor to the University;

d) engage or attempt to engage in physical misconduct, sexual misconduct or abusive behaviour, physically or virtually: either towards another student, University or College staff at any time; or towards anyone else within the Precincts of the University or in the course of a University or College activity;

e) remove, damage or misappropriate property belonging to other students or University or College employees at anytime; or others within the Precincts of the University;

f) endanger the health and safety of others within the Precincts of the University, or in the course of a University or College activity.

2. A registered student must:

a) comply with instructions issued by University staff or University bodies in the proper discharge of their duties;

b) comply with all health and safety regulations and instructions issued by the University, a College or other associated institution;

c) carry a valid University student card when on University property, to be produced when requested by University or College staff;

d) inform the University of any criminal convictions received whilst a registered student;

e) give notice to a University officer or authority under the terms of the code of practice issued under the provisions of Section 43 of the Education (No. 2) Act 1986.

f) Comply with University rules and procedures established by Statutes and Ordinances.

3. A registered or formerly registered student must not:

a) engage or attempt to engage in any academic misconduct;

b) forge, falsify or improperly use examination results, academic achievements or awards from the University.

Glossary of terms

‘must’/‘must not’

This means that students are responsible for following these rules. Not knowing or forgetting about the rules or their consequences is not a justification for not following them.

Physical misconduct is any unwanted and unreasonable contact behaviour that causes harm. Physical misconduct includes pinching, punching, kicking, slapping, pulling hair, biting, pushing, shoving, using weapons and using items as weapons.

Sexual Misconduct is any unwanted sexual activity or attempts at sexual activity. Sexual activity includes sexual acts, kissing, sharing private sexual materials of another, touching through clothes, showing sexual organs and remarks of a sexual nature.

Abusive behaviour is unwanted behaviour which is reasonably likely to cause psychological harm or have the effect of violating another’s dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other. It includes threats, abusive comments, the use of inappropriate language, repeatedly contacting someone and abuse that takes place within an intimate relationship.

Academic misconduct is gaining or attempting to gain, or helping others to gain or attempt to gain, any unfair academic advantage in any type of examined assessment. It includes being in possession of unauthorised materials or electronic devices during an examination, even where students do not intend to use or are unaware that they are in possession of such materials. It also includes: plagiarism, using someone’s ideas or words without acknowledgement; self-plagiarism, using your own ideas submitted for assessment or publication elsewhere without acknowledgement; and collusion, working with others and using the work without acknowledgement.

Instructions issued by staff include reasonable requests to attend a meeting with University staff in the performance of their duties, and identifying oneself to a member of University or College staff upon request.

Criminal convictions include any convictions issued in the United Kingdom or abroad. Criminal convictions do not include cautions, conditional cautions or motoring fines.

The code of practice issued under the provisions of Section 43 of the Education (No. 2) Act 1986 relates to meetings and public gatherings on University premises. The Code of Practice is available at: https://www.cambridgestudents.cam.ac.uk/new-students/rules-and-legal-compliance/freedom.speech.

Precincts of the University a geographical location defined as within 3 miles of Great St. Mary’s Church, but including Madingley Hall and other places about Cambridge as agreed by the University. A full definition is provided at: https://www.admin.cam.ac.uk/univ/so/2017/chapt er02-section9.html#indexterm-d207e1683.

Rules and procedures established by Statutes and Ordinances include: procedures that govern student conduct; regulations governing information services, motor vehicles, bicycles and boats; and the payment of fees and fines.
Appendix A

Student Discipline Procedure

Investigating alleged misconduct

Anyone can report a registered student or former registered student to OSCCA for allegedly breaching a University rule or receiving a criminal conviction.

OSCCA will investigate the allegation and provide a report to the Student Discipline Officer.

Student Discipline Officer

The Officer will consider the report and:
• dismiss the case; or
• conclude there has been a minor breach and impose a sanction; or
• conclude there may have been a major breach of a rule or a risk resulting from a criminal conviction and refer to the Discipline Committee.

Where the investigated student disputes the decision of a ‘minor breach’, the case will be referred for full consideration to the Discipline Committee.

Discipline Committee

The Committee will be composed of a Chair, a member of Regent House and a student member.

The Committee will consider the investigation report, the Officer’s decision and the student’s representations.

Following consideration, the Committee will choose to:
• dismiss the case;
• conclude there has been a minor or major breach and impose a penalty; or
• conclude that there is risk resulting from a criminal conviction and take action to mitigate the risk.

If a student disputes the Committee’s decision, the case will be referred for review under limited grounds.

Review Panel

The three person Review Panel will receive the Discipline Committee’s papers, minutes, decision and student’s representations.

The Review panel will:
• dismiss the case; or
• conclude there was a procedural irregularity in the decision-making process; or
• conclude the decision is so unreasonable that it is perverse; or
• conclude that there is new material evidence available, which was not previously available to the Discipline Committee, due to a valid reason.

Where a case is not dismissed, the Review Panel may require a case to be considered by another Discipline Committee or may impose a lighter penalty.

Complaint to the external ombudsman

If a student is dissatisfied with the Review outcome, a complaint can be submitted to the Office of the Independent Adjudicator (OIA).

Minor and major breaches and sanctions

In deciding whether a breach is minor or major consideration may be given to:
• The seriousness of the breach
• The harm or damage caused
• Intent and planning
• Impact on the wider University/College community
• Repeated offences

Penalties for minor breaches may include:
• Verbal warning
• Written warning
• Appropriate training/education/restorative justice
• Paying damages
• Written apology
• Written reflection of behaviour

Penalties for major breaches and action following criminal convictions include:
• Any penalty for a minor breach
• Permanent or temporary removal of University membership (and referral to College regarding College membership)
• Permanent or temporary removal of an academic award
• The amendment of examination marks or classification of an academic award
• Limited access to University facilities, services or premises
• A behavioural contract

Principles

Alleged breaches should be reported as soon as possible to ensure that a full investigation can be carried out. However, victims of physical misconduct, sexual misconduct or abusive behaviour may feel unable to report for some time. Criminal convictions can be reported any time until the conviction is spent.

All penalties and actions will be proportionate to the breach of the rules

Students who have allegedly breached University rules will be provided with all papers and have the right to make written representations

The Discipline Committee will meet in person; the Student Discipline Officer will present the case and the the student will have an opportunity to provide an oral response

All decision-makers will have had no material involvement in the matter raised and will be independent and impartial

The Procedure can be suspended in the event of ongoing criminal proceedings or an alternative University procedure being instigated

Students can be supported in making written and oral representations by an independent advisor of their choice, including their College Tutor or the Students’ Unions’ Advice Service at www.studentadvice.cam.ac.uk

The review will normally be paper-based and will not normally require a further response from the University