

## **Serious Misconduct Procedure**

This procedure should be read in line with the [Conduct Regulations](#). Where there is any doubt, the Conduct Regulations take precedence.

This Procedure will normally apply to alleged incidents of serious misconduct between two or more students of the University. The University reserves the right to vary the procedure as and when circumstances warrant such a deviation.

This procedure can be used by QUB students and members of staff. Members of the public or external organisations may raise allegations of misconduct against QUB students; however it will be for the University to decide how it will deal with these allegations. Where the University decides to invoke the Conduct Regulations, there shall be no further involvement on the part of the member of the public or external organisation in this procedure, beyond raising the allegations. Members of the public and external organisations will not be advised of the outcomes of any conduct investigation, cannot challenge University decisions and cannot participate in the provisions set out in this Procedure.

It is necessary that all parties feel able to engage fully with the procedure without concern for the wider sharing of information disclosed within the investigation process. Following the conclusion of the procedure, those involved may discuss their personal experience of the procedure with others. However, regardless of the outcome, parties should not identify or provide details that might identify any individual involved in the investigation. This does not constitute a non-disclosure agreement.

### **1. Definitions**

1.1. In this Procedure:

- i. A student or member of University staff who brings an allegation of misconduct against another student shall be referred to as “the Reporting Person”.

- ii. A student against whom an allegation of misconduct is brought shall be referred to as “the Responding Student”.
- iii. Serious misconduct may relate, but is not limited, to behaviour set out at section 7.2 of the Conduct Regulations. Definitions and examples of sexual misconduct, and bullying and harassment are set out at section 2.
- iv. A student who submits an appeal under section 8.5 or 8.6 of this Procedure shall be referred to as “the Appealing Student”.

## **2. Serious Misconduct**

2.1 As set out at section 7.2 of the Conduct Regulations, Serious Misconduct may include allegations of sexual misconduct, bullying and harassment, discrimination and hate crime.

### **2.2 Sexual Misconduct**

2.2.1 Sexual misconduct includes on and off-campus conduct, as well as actions through social media. Sexual misconduct is defined as follows:

*Any unwelcome behaviour of a sexual nature that is committed without consent or by force, intimidation or coercion. Sexual misconduct can be committed by a person of any gender and it can occur between people of the same or different gender. Such behaviour will usually also constitute a criminal offence.*

2.2.2 Sexual misconduct may be committed in person and also by letter, email, text or by postings on social media sites. This list is neither exclusive nor exhaustive and other forms of behaviour may be regarded as sexual misconduct. Examples of sexual misconduct include the following:

- (i) Sexual intercourse or engaging in a sexual act without consent.
- (ii) Attempting to engage in sexual intercourse or a sexual act without consent.

- (iii) Sharing private sexual material of another person without consent.
- (iv) Kissing without consent.
- (v) Touching inappropriately without consent.
- (vi) Inappropriately showing sexual organs to another person.
- (vii) Making unwanted remarks, suggestive sounds or gestures of a sexual nature.
- (viii) Visual displays of posters, graffiti, pictures or other offensive material.
- (ix) Spreading rumours about another person's sexuality, name-calling or jokes about sex or gender.

The University considers that any student who has been the victim of an incident of sexual misconduct should consider reporting the incident to the Police. The University will support the student to do so; however, the decision whether or not to make a report to the Police rests with the student concerned.

## 2.3 Bullying / harassment

2.3.1 Harassment includes causing another person alarm or distress. Harassment on grounds of gender (including gender re-assignment), race, religion or belief, political opinion, disability, sexual orientation or age may also breach the University's Equality and Diversity Policy if it involves discrimination against an individual in the way they are treated in relation to the provision of services, including teaching and supervision, assessment, progression and award and support services. Harassment may also breach other legislation, for example Equality legislation or Health and Safety legislation.

2.3.2 Although harassment normally implies that there have been several incidents of unwanted behaviour, students may also raise concerns relating to a single incident and should do so if the behaviour of the other person is serious.

2.3.3 Many forms of behaviour can constitute bullying and/or harassment; the list below is neither exclusive nor exhaustive and other forms of behaviour may be regarded as harassment:

- (i) Oral or written derogatory remarks, jokes, insults, offensive language, gossip and slander. Written harassment includes, but is not limited to, letters, emails, postings on websites and texts.
- (ii) Visual displays of posters, graffiti, obscene gestures, flags, bunting, pictures, emblems or any other offensive material (including the use of email or mobile devices to send or view such material).
- (iii) Physical conduct ranging from the invasion of personal space to serious assaults.
- (iv) Offensive, malicious or insulting behaviour, open aggression, threats, shouting.
- (v) Persuading someone to do something against their will or better judgment by using force, threats, duress or undue influence.
- (vi) Intrusion by pestering, spying, following and/or repeatedly following another person without good reason.
- (vii) Subjecting another person to unwanted conduct which has the purpose or effect of violating that person's dignity or humiliating, intimidating or undermining that individual or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- (viii) Unjustifiable exclusion e.g. withholding information, isolation or non-co-operation of colleagues, exclusion from classroom and social activities.
- (ix) Misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

### **3. Raising Allegations of Serious Misconduct Against a Student**

- 3.1 A Reporting Person, member of the public or external organisation may formally raise allegations of serious misconduct against a student by contacting the relevant University department and/or the Appeals, Conduct and Complaints Team.
- 3.2 Reporting Persons are recommended (where possible) to complete and submit the [\*Formal Statement of Allegations form\*](#). In line with regulation 7.1 of the Conduct Regulations, the Reporting Person should (as far as possible) submit all of their supporting evidence (including witness statements and any other evidence (e.g. police evidence) that the Reporting Person obtains) when raising the allegations. The University is not obliged to seek out additional information/evidence to support a case against a Responding Student.
- 3.3 The University recognises that it may not always be possible or appropriate for a Reporting Person to complete and submit the Formal Statement of Allegations form, given the sensitive nature of alleged serious misconduct. In order to support a Reporting Person to make a report of serious misconduct should they chose to do so, a brief summary of the alleged serious misconduct, together with the names of the Responding Student(s) and any witnesses, can be provided to the University, in place of the Formal Statement of Allegations form.
- 3.4 Upon receipt of the brief summary of the alleged serious misconduct, the Reporting Person will be invited to an information gathering meeting, normally with a member of University staff or with an external investigator who has been trained in trauma informed interviewing.
- 3.5 The meeting record of the information gathering meeting will be sent to the Reporting Person for approval following the meeting, and this record, together with the initial brief summary of the alleged serious misconduct, will form the basis of the Reporting Person's allegation of misconduct to the University.

#### **4. Triage Process**

4.1 Upon receipt by the University of an allegation of misconduct, it may be necessary to triage the allegation to determine whether the allegation of misconduct should be considered under the Serious Misconduct Procedure, or the Standard Misconduct Procedure. In such circumstances, the Student Appeals, Conduct and Complaints Manager (or nominee) and the Head of Academic Affairs (or nominee) will triage the allegation. Matters to consider at triage will vary depending on the allegation and will include determining the appropriate University procedure under which to progress the allegation.

#### **5. Screening Process for Allegations of Serious Misconduct**

5.1 Where:

- (i) a *Formal Statement of Allegations form* is submitted; or
  - (ii) where a brief summary of the alleged serious misconduct is submitted, and the record of the information gathering meeting as noted at section 3.5 has been agreed,
- and it is not clear that sufficient evidence has been presented to warrant investigation under the Conduct Regulations, the case will be sent to a Screening Panel for consideration.

5.2 The Screening Panel, comprising two senior members of University staff (which may include two members of staff from Academic Affairs), will consider the allegation and supporting evidence and will determine either:

- i. That the evidence presented is sufficiently compelling to warrant investigation, and which University regulations or procedure should be followed; or
- ii. That the evidence presented is not sufficiently compelling to warrant investigation.

5.3 If the Screening Panel determines that the evidence presented is not sufficiently compelling to warrant investigation, the Reporting

Person will be advised of this decision normally within eight working days. The Reporting Person will be afforded the right to request a review by a Review Panel, comprising two senior members of University staff, on the following grounds:

- i. There is substantive and relevant new evidence which could not have been presented to the University at the time of making the allegations of serious misconduct.
- ii. There was a procedural irregularity in the consideration of the case and/or the decision of the Screening Panel which had a demonstrable impact on the decision.

5.4. Upon request, the Review Panel will consider the case and will determine:

- i. That the evidence presented is sufficiently compelling to warrant investigation, and which University regulations or procedure should be followed; or
- ii. That the decision of the Screening Panel is appropriate, and will confirm that the evidence presented is not sufficiently compelling to warrant investigation.

5.5 The decision of the Review Panel will be communicated to the Reporting Person within eight working days of the decision being made. The outcome letter will explain the reasons for the decision and will advise that there is no further internal right of appeal; signposting to their right to submit a complaint of maladministration to the [Northern Ireland Public Services Ombudsman](#) (NIPSO) within six months of notification of the final decision.

5.6 Where the final decision is that the allegation(s) of serious misconduct will not be investigated, and where deemed appropriate, the Responding Person will be notified accordingly.

## **6. Informal Resolution**

6.1 As per regulation 8 of the Conduct Regulations, and in accordance with the Informal Resolution Procedure, where it is deemed appropriate, or where it is sought by the Reporting Person, an informal resolution to the allegations of misconduct raised may be reached. This may include a Future Conduct Requirement between the Reporting Person and the Responding Student e.g. to minimise any contact. The University acknowledges that in cases of serious misconduct, informal resolution may only be appropriate in a very small number of cases.

## **7. Investigation Process**

- 7.1 An Investigating Officer will be appointed by the Director of Education and Student Services (or nominee) as appropriate. Normally, this appointment will be made within ten working days of receipt of the Formal Statement of Allegations Form / summary of the alleged serious misconduct. The Investigating Officer may be a member of University staff, or may be an external investigator, contracted by the University to carry out an investigative service.
- 7.2 The Investigating Officer should consult with the Appeals, Conduct and Complaints Team with regards to:
- i. Setting the parameters and timescales for the investigation; and
  - ii. Providing guidance on the application of the Conduct Regulations and Procedure under which the investigation is being conducted.
- 7.3 The Appeals, Conduct and Complaints Team is not involved in decision making as regards establishing a finding of guilt/imposing a penalty but rather will provide a supportive service for the Investigating Officer in these cases.
- 7.4 The Investigating Officer shall initiate an investigation into the allegations raised. This will normally include the examination of all

relevant documentation and evidence submitted by both the Reporting Person and Responding Student. The Investigating Officer is not obliged to seek out additional information / evidence to support or challenge a case against a Responding Student.

- 7.5 The Reporting Person and the Responding Student will be informed that they should not make contact with each other during the course of the investigation unless otherwise instructed by the Investigating Officer. Guidance on how to mitigate any potential contact will be provided to both parties through a Future Conduct Requirement. Further precautionary measures may be implemented as deemed appropriate.
- 7.6 The Investigating Officer will normally meet with the Reporting Person and/or any named witnesses. The Responding Student will be required to meet with the Investigating Officer. The individual invited to meet with the Investigating Officer will be notified of the date and time of this meeting. The meeting invitation will explain the purpose of the meeting.
- 7.7 The order of meetings will be at the discretion of the Investigating Officer, but will normally be as follows: (i) Reporting Person, (ii) any witnesses identified by the Reporting Person if deemed appropriate, (iii) Responding Student (iv) any witnesses identified by the Responding Student if deemed appropriate.
- 7.8 The Responding Student will be notified of the alleged serious misconduct offences that have been raised against them, including the standard penalties for each offence.
- 7.9 In advance of the meeting with the Investigating Officer, the Responding Student will be provided with:
- (i) A copy of the Conduct Regulations; and

- (ii) Details of the alleged incident(s) giving rise to the allegation(s) of misconduct. This may include but is not limited to relevant details regarding the alleged incident(s) giving rise to the allegation(s) of misconduct such as date(s) and times of the alleged incident(s), the location(s) of the alleged incident(s), name(s) of individual(s) involved in the alleged incident(s).

7.10 Following the meeting with the Investigating Officer, the Responding Student will be provided with:

- (i) A redacted copy of the Formal Statement of Allegations form or redacted copy of the meeting record with the Reporting Person (as appropriate); and
- (ii) Any additional documentation or evidence submitted by the Reporting Person, including witness statements, or records of investigating meetings with witnesses as appropriate.

7.11 The Investigating Officer will set a deadline for the Responding Student to provide a response to the allegations raised; this includes collating and presenting all evidence (including witness statements) in support of their case. Documentation submitted after this deadline, without good cause and/or prior approval for the delay, may not be considered.

7.12 Should the Reporting Person and/or Responding Student include witness statements within their investigation submission, the witnesses will be required to confirm the accuracy of the statement and will be advised that their name and the details of their statement will be disclosed to the Reporting Person and Responding Student. If a witness does not confirm the accuracy of their statement, it will not be used in evidence. In confirming the accuracy of their witness statement, the witness confirms that they are content for their statement to be included and shared as part of the investigation. Student witnesses may be asked to adhere to a

Future Conduct Requirement and will be advised of the potential consequences of failing to respect the confidentiality of the process.

- 7.13 Where deemed appropriate by the Investigating Officer, the Responding Student may, through the Investigating Officer, put questions to the Reporting Person or to any witness. Such questions must be submitted in writing to the Investigating Officer, and must not be made directly to the Reporting Person from the Responding Student.
- 7.14 Reporting Persons, Responding Students and any witnesses who meet with the Investigating Officer, will be sent a copy of the record of the meeting and provided with the opportunity to identify any inaccuracies in the record.
- 7.15 Once the Investigating Officer has concluded their investigation, the Investigating Officer will make a written report of their findings to the Conduct Officer, providing copies of all supporting evidence.

## **8. Conduct Officer Process**

- 8.1 The Conduct Officer may consult with the Head of Student and Academic Affairs (or nominee) in accordance with regulation 9.2 of the Conduct Regulations.
- 8.2 If on consideration of the Investigating Officer's report, the Conduct Officer requires additional information prior to making a decision on the case, the Conduct Officer will refer the case back to the Investigating Officer for further investigation. Where the Conduct Officer identifies a separate misconduct offence which the Responding Student has not previously been notified about, the matter will be referred back to the Investigating Officer for investigation of that misconduct offence. This may result in a referral under the Standard Misconduct Procedure.

- 8.3 After consideration of the Investigating Officer's report, the Conduct Officer will make a decision in line with regulation 9.2 of the Conduct Regulations.
- 8.4 Both the Reporting Person and the Responding Student will be advised of the decision of the Conduct Officer, along with a rationale for the decision by email to their University email accounts normally within eight working days of the decision being made. The Responding Student will also be provided with a copy of the investigation report. Where the Reporting Person has confirmed that they are content to receive it, they will also be provided with a copy of the investigation report. The decision of a Reporting Person not to receive the Investigation Report cannot subsequently be used as grounds to appeal the decision of the Conduct Officer.
- 8.5 Where the decision of the Conduct Officer is that a serious misconduct offence has been committed, the Responding Student will be advised of their right to appeal the decision to the Conduct Committee (section 9.5.1).
- 8.6 Where the decision of the Conduct Officer is that a serious misconduct offence has not been committed, the Reporting Person will be advised of their right to appeal the decision to the Conduct Committee (section 9.5.1).
- 8.7 In cases relating to multiple allegations of serious misconduct, where the Conduct Officer finds that some offences have been committed and others have not, both the Reporting Person and the Responding Student will be advised of their right to appeal the relevant elements of the decision, and in the event that both parties appeal, both appeals will be considered by the same Conduct Committee.

## **9. Conduct Committee**

- 9.1 When convened, the Conduct Committee will normally consist of three senior members of University staff and a Students' Union Sabbatical Officer. At all meetings of the Conduct Committee, three members shall constitute a quorum.
- 9.2 Where the Responding Student is studying at the Institute of Professional Legal Studies, membership of the Conduct Committee will also include one member of the Inn of Court of Northern Ireland and one member of the Law Society of Northern Ireland nominated by the Council of Legal Education.
- 9.3 Member(s) of the Education and Student Services Directorate shall normally act as Secretary to the Conduct Committee. The Secretary shall be responsible for:
- i. Oversight of the administration of the Committee's proceedings;
  - ii. Circulating any written submissions and other relevant documents ahead of and during the Committee meeting;
  - iii. Drafting and (once approved) circulating Committee outcome letters; and
  - iv. Producing minutes as a formal record of the Committee meeting.
- 9.4 Referrals to Conduct Committee in Serious Misconduct Cases
- 9.4.1 If the Chair of the Committee considers the circumstances warrant it (e.g. the facts of the case are not contested), they may deal with the case summarily (on the paperwork alone).
- 9.4.2 Where it is not appropriate to deal with the case summarily, the Responding Student will be required to attend the next available Conduct Committee meeting, and will be given five working days' notice of the date, time and venue of the meeting.

- 9.4.3 The Responding Student will be provided with copies of the documentation to be considered by the Committee, and will be informed of the Committee membership.
- 9.4.4 The Reporting Person will not be required to attend the Committee meeting.
- 9.4.5 The Conduct Officer (or nominee) will normally attend the Committee meeting to explain the reason for their decision. The Responding Student and Conduct Officer (or nominee) shall each be present while the other is speaking. The Committee meeting may continue in the absence of the Conduct Officer (or nominee).
- 9.4.6 Should the Responding Student fail to attend the Committee meeting without providing valid reason for their absence in advance, the Committee reserves the right to consider the case and make a decision on the basis of the paperwork alone.
- 9.4.7 The Responding Student will be permitted to submit any additional evidence in support of their case. The onus is on the Responding Student to collate and present this evidence at least two working days prior to the Committee meeting. Documentation submitted after this deadline, without good cause and/or prior approval for the delay, may not be considered.
- 9.4.8 If two or more students are alleged to have been involved in the same incident of serious misconduct, the decision may be taken to hear their cases together. A student may object to having their case heard with another student's case.

9.4.9 The Conduct Committee will make a decision in line with regulation 10.1.2 of the Conduct Regulations. The Responding Student will be advised of this outcome and a rationale for the decision by email to their University email account within eight working days of the decision being made. The Responding Student will be advised of their right to appeal to the Student Conduct Appeals Committee (see section 10.1).

## 9.5 Appeal to the Conduct Committee in Serious Misconduct Cases

9.5.1 The Responding Student and the Reporting Person shall have the right to appeal the decision of the Conduct Officer as set out at sections 8.5 and 8.6. Appeals must be submitted on the [Serious Misconduct Appeal to Conduct Committee Form](#) together with all supporting evidence to the Appeals, Conduct and Complaints Team ([appeals@qub.ac.uk](mailto:appeals@qub.ac.uk)) within 10 working days of notification of the Conduct Officer decision. Evidence submitted after the deadline may not be considered.

9.5.2 At the point that an appeal to the Conduct Committee is accepted, the other party will be informed that an appeal has been made, along with the timeline to be informed of the outcome.

9.5.3 Where an appeal is made under section 10.2.3.2(i) of the Conduct Regulations, and following review by the Student Appeals, Conduct and Complaints Manager (or nominee) and the Head of Academic Affairs (or nominee), it is clear that a procedural irregularity in the conduct of the investigation has occurred, and that this had a material effect on the investigation findings, making the decision of the Conduct Officer unsound, there will be no requirement for

the Conduct Committee to consider the appeal. The matter may be immediately referred back to the original Investigating Officer for continued investigation in light of new evidence or a new investigation may be carried out by a different Investigating Officer or for elements of the investigation impacted by procedural irregularity to be carried out by a different Investigating Officer.

#### 9.5.4 Late Appeals

9.5.4.1 As per section 12 of the [General Provisions Relating to Academic Appeals, Conduct, Academic Offences and Student Complaints](#), appeals received after the deadline will not normally be accepted. If the Appealing Student can demonstrate that they were unable to submit their appeal before the deadline due to circumstances beyond their control (e.g. hospitalisation), the appeal may be accepted. The Appealing Student must submit a written statement to this effect, along with any supporting evidence. This statement and any supporting evidence must be submitted at the same time as their appeal documentation, and should relate to the entire period from notification of the Conduct Officer's decision until submission of the late appeal. Failure to submit this documentation will result in the late appeal not being accepted.

9.5.4.2 The statement and supporting evidence detailing the reasons for the late appeal will be considered by the Head of Student and Academic Affairs (or nominee), who will determine:

- i. That the Appealing Student has evidenced sufficient cause for their late appeal to be accepted for consideration; or

- ii. That the Appealing Student has not evidenced sufficient cause for the late appeal to be accepted for consideration, and the appeal will not progress.

9.5.4.3 The decision of the Head of Student and Academic Affairs (or nominee) will be communicated to the Appealing Student within eight working days of the decision being made. In the case of the late appeal not being accepted for consideration, the outcome letter will explain the reasons for the decision and will advise that there is no further internal right of appeal.

9.5.4.4 Where the Appealing Student is the Reporting Person, they will be signposted to their right to submit a complaint of maladministration to the [Northern Ireland Public Services Ombudsman](#) (NIPSO) within six months of notification of the final decision.

9.5.4.5 Where the Appealing Student is the Responding Student, the matter will be considered by the Conduct Committee in accordance with section 9.4 for imposition of any penalty.

#### 9.5.5 Screening Process for Appeals

9.5.5.1 As per section 10.2.1 of the Conduct Regulations, where on receipt of an appeal, it is not clear that sufficient evidence has been presented to warrant investigation under the Conduct Regulations, the case will be sent to a Screening Panel for consideration.

9.5.5.2 The Screening Panel, comprising two senior members of University staff, will consider the allegation and supporting evidence and will determine:

- i. That the evidence presented is sufficiently compelling to warrant consideration of the appeal and will advise which University regulations or procedure should be followed;  
or
- ii. That the evidence presented is not sufficiently compelling to warrant consideration of the appeal.

9.5.5.3 If the Screening Panel determines that the evidence presented is not sufficiently compelling to warrant consideration of the appeal, the Appealing Student will be advised of this decision within eight working days. The Appealing Student will be afforded the right to request a review of the decision by a Review Panel, comprising two senior members of University staff, on the following grounds:

- i. There is substantive and relevant new evidence which could not have been presented to the University at the time of making the appeal.
- ii. There was a procedural irregularity in the consideration of the case and/or the decision of the Screening Panel which had a demonstrable impact on the decision.

9.5.5.4 Upon request, the Review Panel will consider the case and will determine:

- i. That the evidence presented is sufficiently compelling to warrant consideration of the

- appeal, and which University regulations or procedure should be followed; or
- ii. That the decision of the Screening Panel is appropriate and will confirm that the evidence presented is not sufficiently compelling to warrant consideration of the appeal.

9.5.5.5 The decision of the Review Panel will be communicated to the Appealing Student within eight working days of the decision being made. The outcome letter will explain the reasons for the decision made and will advise that there is no further internal right of appeal.

9.5.5.6 Where the Appealing Student is the Reporting Person, they will be signposted to their right to submit a complaint of maladministration to the [Northern Ireland Public Services Ombudsman](#) (NIPSO) within six months of notification of the final decision.

9.5.5.7 Where the Appealing Student is the Responding Student, the matter will be considered by the Conduct Committee in accordance with section 9.4 for imposition of a penalty.

## 9.6 Conduct Committee Meeting to Consider Appeal

9.6.1 Where it is considered that the evidence presented is sufficiently compelling, the Appealing Student will be invited to attend the next available Conduct Committee meeting.

- 9.6.2 The Conduct Committee will only consider the grounds for appeal submitted by the Appealing Student and will not carry out a re-hearing of the case.
- 9.6.3 Subject to section 9.6.5, the Appealing Student will be required to attend the Committee meeting, and will be given five working days' notice of the date, time and venue of the meeting.
- 9.6.4 The Appealing Student will be provided with copies of the documentation to be considered by the Committee, and will be informed of the Committee membership.
- 9.6.5 The Appealing Student may request that the Conduct Committee deals with their case summarily (on the paperwork alone). However, the Chair of the Conduct Committee reserves the right to request additional information from the Appealing Student and/or the Conduct Officer (or nominee) or to require the Appealing Student to attend in person, should this be deemed necessary in order to make an informed decision on the case.
- 9.6.6 The Conduct Officer (or nominee) will attend the Committee meeting to explain the reason for their decision. The Appealing Student and Conduct Officer (or nominee) shall each be present while the other is speaking. The Committee meeting may continue in the absence of the Conduct Officer (or nominee).
- 9.6.7 Should the Appealing Student fail to attend the Committee meeting without providing valid reason for their absence in advance, the Committee reserves the right to consider the case and make a decision on the basis of the paperwork alone. In the case of appeals to the Conduct Committee, and

subject to section 9.6.5, if the Appealing Student fails to attend this meeting without providing valid reason for their absence in advance, the Committee reserves the right not to consider the case and to dismiss the appeal in its entirety.

## 9.7 Decision of the Conduct Committee

9.7.1 The Conduct Committee will make a decision in line with regulations 10.2.3.4 and 10.2.3.5 of the Conduct Regulations. The Appealing Student will be advised of this outcome and a rationale for the decision by email to their University account normally within eight working days of the decision being made.

9.7.2 The other student will be informed of the decision of the Conduct Committee normally within eight working days of the decision being made, by email to their University email account.

9.7.3 The Reporting Person will be advised that there is no further right of appeal, and signposted to their right to submit a complaint of maladministration to the [Northern Ireland Public Services Ombudsman](#) (NIPSO) within six months of notification of the final decision.

9.7.4 The Responding Student will be advised of their right to submit an appeal against any penalty imposed by the Conduct Committee, to the Student Conduct Appeals Committee. There shall be no further appeal against the decision of the Conduct Officer.

## 10. **Student Conduct Appeals Committee**

### 10.1 Appeals to Student Conduct Appeals Committee

10.1.1 Where a penalty is imposed by a Conduct Committee, the Responding Student shall have the right to appeal the

decision to the Student Conduct Appeals Committee. The Student Conduct Appeals Committee will not re-investigate the misconduct offence, and will not review the decision as to whether a misconduct offence has been committed.

10.1.2 Students wishing to appeal must submit an [Appeal to a Student Conduct Appeals Committee form](#) and all supporting evidence to the Appeals, Conduct and Complaints Team ([appeals@qub.ac.uk](mailto:appeals@qub.ac.uk)) within ten working days of the notification of the decision of the Conduct Committee. Evidence submitted after the deadline may not be considered.

10.1.3 As per section 12 of the [General Provisions Relating to Academic Appeals, Conduct, Academic Offences and Complaints](#), appeals received after the deadline will not normally be accepted. Appeals to the Student Conduct Appeals Committee submitted after the specified deadline will be considered in line with the late appeals procedure detailed in section 9.5.4.

10.1.4 At the point that an appeal to the Student Conduct Appeals Committee is accepted, the Reporting Person will be informed that an appeal has been made, along with the timeline to be informed of the outcome.

## 10.2 Screening Process for Appeals to a Student Conduct Appeals Committee

10.2.1 As per regulation 11.5 of the Conduct Regulations, where on receipt of an appeal to the Student Conduct Appeals Committee, it is not clear that sufficient evidence has been presented to warrant investigation under the Conduct Regulations, the case will be sent to a Screening Panel for

consideration. The case will be considered in line with the Screening Process for Appeals detailed in section 9.5.5.

### 10.3 Notice of Meeting of Student Conduct Appeals Committee

10.3.1 Where it is considered that the evidence presented is sufficiently compelling, and subject to section 10.4, the Responding Student will be required to attend the next available Student Conduct Appeals Committee meeting. The Responding Student will be provided with five working days' notice of the date and time of this meeting. Prior to the meeting, the Responding Student will be provided with a copy of the paperwork to be considered.

### 10.4 Request to Deal with Case Summarily

10.4.1 The Responding Student may request that the Student Conduct Appeals Committee deals with their case summarily (on the paperwork alone). However, the Chair of the Student Conduct Appeals Committee reserves the right to request additional information from the Responding Student and/or the Chair of the Conduct Committee (or nominee) or to require the Responding Student to attend in person, should this be deemed necessary in order to make an informed decision on the case.

### 10.5 Student Conduct Appeals Committee Meeting

10.5.1 When convened, the Student Conduct Appeals Committee will normally consist of senior members of University staff (which may include a Pro-Vice Chancellor, Dean, senior member of Professional Services staff, Head of School, Director of Education), and a Students' Union Sabbatical Officer.

10.5.2 Where the Responding Student is studying at the Institute of Professional Legal Studies, membership of the Conduct

Committee will include one member of the Inn of Court of Northern Ireland and one member of the Law Society of Northern Ireland nominated by the Council of Legal Education.

10.5.3 At all meetings of the Student Conduct Appeals Committee, three members shall constitute a quorum.

10.5.4 Member(s) of the Education and Student Services Directorate shall normally act as Secretary to the Student Conduct Appeals Committee. The provisions of section 9.3 shall apply in this regard.

10.5.5 The Chair of the Conduct Committee (or nominee) will normally attend this meeting to explain the reason for the penalty imposed and to respond to the grounds of appeal. The Responding Student and the Chair of the Conduct Committee (or nominee) shall each be present while the other is speaking. The Committee meeting may continue in the absence of the Chair of the Conduct Committee (or nominee), and the Chair of the Student Conduct Appeals Committee may seek a statement from the Chair of the Conduct Committee (or nominee) in advance of the meeting, if they are unable to attend.

10.5.6 The Student Conduct Appeals Committee will only consider the grounds of appeal submitted by the Responding Student and will not carry out a re-hearing of the case.

10.5.7 Subject to section 10.4, should the Responding Student fail to attend the meeting of the Student Conduct Appeals Committee without providing valid reason for their absence in advance of the meeting, the Committee reserves the right to consider the case on the paperwork alone or not to consider the case and to dismiss the appeal in its entirety.

## 10.6 Decision of the Student Conduct Appeals Committee

10.6.1 The Student Conduct Appeals Committee will make a decision in line with regulation 11.7 of the Conduct Regulations. The Responding Student will be advised of this outcome and a rationale for the decision by email to their University account within eight working days of the decision being made. The Responding Student will be advised that there is no further right of appeal and will be signposted to their right to submit a complaint of maladministration to the [Northern Ireland Public Services Ombudsman \(NIPSO\)](#) within six months of notification of the final decision.

10.6.2 The Reporting Person will be informed of the outcome of the procedure, in accordance with section 3.3 of the Conduct Regulations.

## 11. **Templates, Forms and Guidance**

### 11.1 Student Documents

[Formal Statement of Allegations Form](#)

[Serious Misconduct Appeal to Conduct Committee Form](#)

[Appeal to a Student Conduct Appeals Committee Form](#)

[Safe and Healthy Relationships Guidance](#)

### 11.2 Staff Documents

Screening Panel Outcome Letter

Review Panel Outcome Letter

Screening and Review Panel Decision Logs

Informal Resolution Letter

Investigating Officer Decision Log

Investigating Officer Invitation Letter (reporting student)

Investigation Meeting Invitation Letter (responding student)

Investigation Meeting Invitation Letter (witness)

Investigating Officer Letter to responding student following investigation meeting

Investigation Meeting Record Check Letter

Investigation Report

Conduct Officer Decision Log

Conduct Officer Outcome Letter (reporting student)

Conduct Officer Outcome Letter (responding student)

Conduct Committee Invitation

Conduct Committee Outcome Letter

Late Appeal Decision Letter

Student Conduct Appeals Committee Invitation

Student Conduct Appeals Committee Outcome Letter