

## **Non-Academic Disciplinary Procedures**

The standards of behaviour expected of undergraduate and postgraduate students are set out in the Oriel College Student Handbook, under the heading 'Living as Part of the Oriel Community'.

Other College regulations and policies that govern conduct and behaviour, including the College's harassment policy, are listed at: <http://www.oriel.ox.ac.uk/about-college/official-information-and-foi>.

### **1) Minor offences**

Minor infringements of College discipline by undergraduate or postgraduate students are normally dealt with by the Junior Deans.

Investigations by the Junior Deans will normally be conducted through meetings with the student(s) concerned and/or email correspondence. The findings of any investigation together with the penalty, if any, will be given to the student in writing.

The Junior Deans have at their disposal a range of penalties including, for any individual offence: fines of up to and including £100; community service; restrictions of access to College social facilities; and charges for damage to property sufficient to cover the costs of repair and/or replacement.

### **2) Major offences**

If the seriousness of a student's alleged misconduct suggests that the range of penalties open to the Junior Deans is not likely to be adequate, then the Junior Deans will inform the Senior Dean as soon as practicable. Any College investigation of the matter will be overseen by the Senior Dean.

### **3) Liaison with the Police and Other Authorities**

Any student who has been a victim of crime is encouraged to report that crime to the police, and the College will support them in doing so.

If a student who alleges that they are the victim of a crime decides not to make a report to the police, the College will respect that decision, subject to its duty of care to the student and other members of college. In exceptional circumstances, the College may be bound to report the alleged crime notwithstanding the victim's wishes: for example, if disclosure is necessary in order to protect members of College (or others) from serious or immediate danger.

When a student is under police investigation for a matter that may also constitute a disciplinary offence, any College investigation of the matter will normally be suspended, pending the outcome of the police investigation and any prosecution that may follow. Throughout a police investigation, the College will liaise closely with the police on how the matter should be handled internally.

In accordance with Section XII of the College Bylaws, during such an investigation the College may exclude the student under investigation from College premises or permit them access to College premises only on stipulated conditions. Such an "exclusion" order is a precautionary measure,

imposed to ensure that a full and proper investigation can be carried out and/or to protect any persons who may be affected by the allegation. The measures put in place will be those that best achieve these aims whilst minimising the possible impact on the student under investigation. They are not penalties and their imposition does not indicate that the College has concluded that the student under investigation is guilty of misconduct.

If a student is suspected or accused of committing a criminal offence against the College, the seriousness of the offence, and the health, safety and wellbeing of members of College will be taken into account in determining whether the matter should be reported to the police.

If any student is suspected or accused of breaking University regulations, the College will normally inform the Proctors. Where College and University regulations run in tandem (e.g. in rules about 'trashing' after exams), disciplinary procedures in College will proceed in co-operation with any investigation by the Proctors.

#### **4) College Investigations of Major Offences**

The method of any investigation is at the discretion of the Senior Dean, subject to its compliance with the principles of natural justice.

The Senior Dean will contact the student or students involved, along with any potential witnesses and anyone else who may have relevant information, as soon as practicable. Interviews will normally involve at least two interviewers. Students under investigation may be interviewed individually or in groups; students interviewed individually may bring a supporter with them. They may also submit documents or information in writing during the investigation in support or mitigation of their case.

The Senior Dean will ensure that notes are kept of interviews and meetings, of the progress of the investigation and of the reasoning by which conclusions are reached. The Senior Dean will keep copies of all relevant correspondence, emails, and any other documents. If CCTV footage is used, the Senior Dean will ensure that it is kept by the Domestic Bursar's Office.

Where appropriate, the Senior Dean will keep the Provost, Senior Tutor and the tutors of the student(s) involved informed of the progress of the investigation.

Additional considerations apply in cases of alleged misconduct that might also constitute a serious criminal offence. A College investigation of such alleged misconduct is never a satisfactory alternative to an investigation by the police, who have the expertise and evidence gathering powers that a proper investigation of the matter requires. Furthermore, an investigation by the College has the potential to prejudice the fairness and effectiveness of any subsequent police investigation.

Due to the seriousness of such cases and the possible criminal sanctions, the College will give special consideration to the question of whether the College is able to conduct a thorough and fair investigation. A thorough and fair investigation will normally require the full cooperation of the alleged victim and access to all electronic communications of relevance to the allegation. It may also require that the investigation is delegated to a suitably qualified external investigator.

The position of the College is that it will rarely be appropriate for investigations of serious misconduct that may constitute a serious criminal offence to be conducted by the College and not by the police. The Welfare Team will assist those who need it in getting all necessary help and guidance about the process of a police investigation, in order to dispel any unwarranted anxieties.

#### **5) Outcomes of College Investigations of Major Offences**

The findings of any investigation together with the penalty, if any, will be given to the student in writing.

Penalties at the Senior Dean's disposal include: fines of up to and including £500; restrictions of access to College social facilities; community service; and charges for damage to property.

If the conclusion of a decanal investigation is that a case can be made that an infringement of College discipline has occurred that might reasonably lead to a recommendation of suspension or expulsion, the Senior Dean will immediately inform the Provost. The Provost will then convene a Disciplinary Commission of Enquiry, in accordance with Section XII of the College Bylaws. Such a Commission will report its findings to the Governing Body, which will consider any recommendation of suspension or expulsion.

## **6) Appeals**

A student may appeal against a decision by the Deans to the Senior Dean and against a decision by the Senior Dean to the Provost. The Provost may hear such an appeal himself or convene an Appeal Panel consisting of three Fellows with no previous connection to the case. The student whose appeal is being heard will normally be expected to appear before the Appeal Panel, and may bring a supporter.

If a student wishes to appeal against a decision of the Governing Body, they may appeal to the Conference of Colleges Appeals Tribunal. Student complaints are dealt with by a separate process.