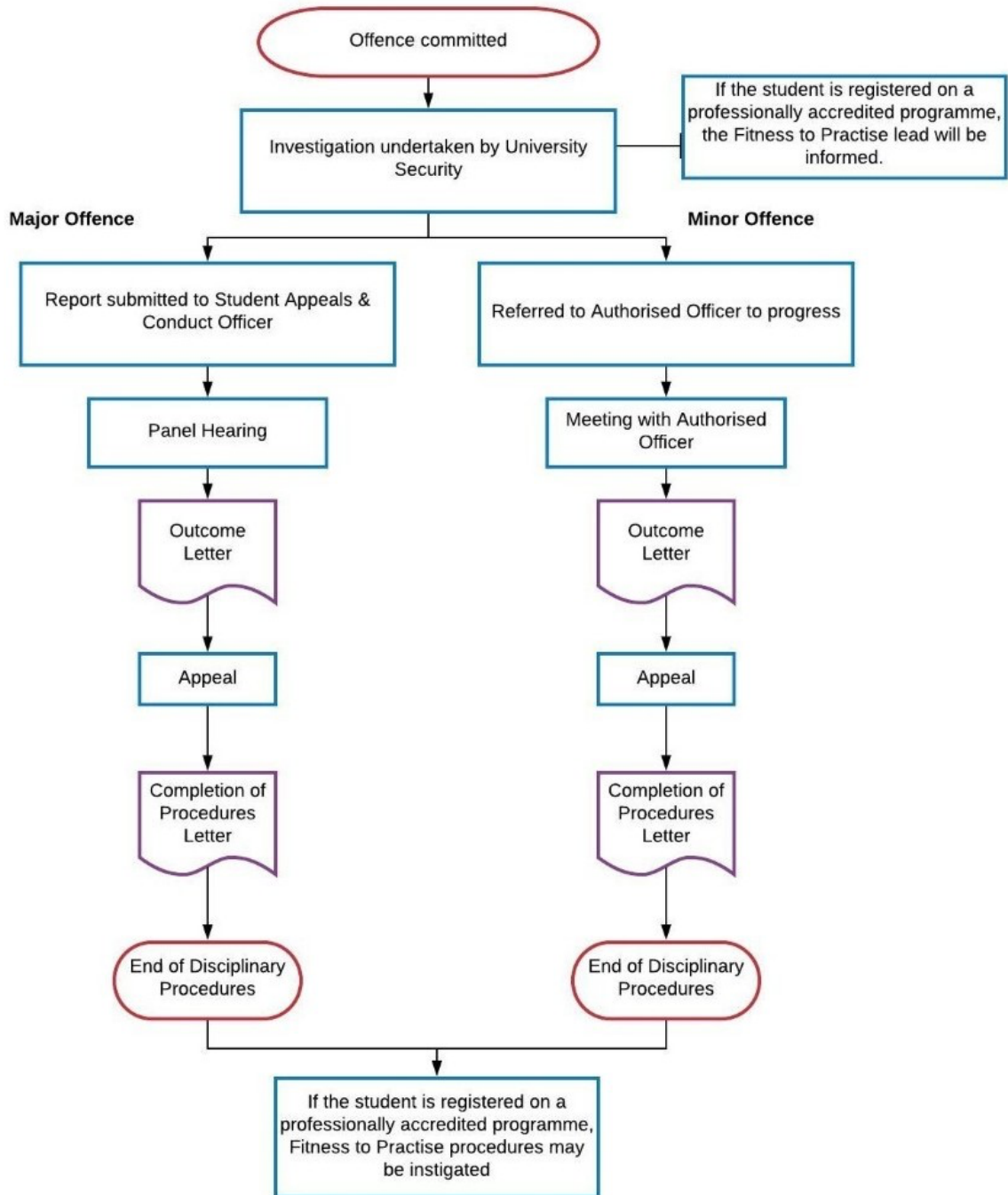


# **De Montfort University Kazakhstan Student Discipline Annex Procedure**

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## Process of disciplinary procedure



## Recommended Timeline

Stage	Details	Recommended Timeline **
1	Notification of breach received by the University	
2	University Security inform Head of Student Appeals & Conduct, and Fitness to Practise Lead (if applicable)	24 hours
3	Investigation conducted by University Security with Student statement taken and those of any other witness/es	10 working days
4	Investigation report forwarded to Head of Student Appeals & Conduct for consideration	
5	Decision determining whether minor or major offence, to move to stage 6 or stage 7 made by Executive Director, of Student and Academic Services (or designate)	3 working days
6	Minor Offence – case moves to stage 13	
7	Major Offence – case moves to stage 8	
8	Invitation to Panel Hearing	
9	Major Offence Panel Hearing – requirement for University to give 10 days' notice to Student	28 working days
10	Major offence - outcome report issued with details of penalties	31 working days from notification of breach
11	Major offence – Right of Appeal	
12	Major offence - Completion of Procedures Letter	
	Major offence – End of Process	
13	Minor offence - Outcome report issued with details of penalties	15 working days from notification of breach
14	Minor offence – Right of Appeal	
15	Minor offence – Completion of Procedures Letter	
	Minor offence – End of Process	

**\*\*Recommended timeline**

Subject to change as a result of events outside of the University's control, e.g. key Staff absence or police involvement.

## **Procedures for the investigation of serious disciplinary offences and any subsequent disciplinary action for parts of the University based overseas or associate/franchise colleges based overseas**

- 1** This procedure is to be used where it appears that a serious offence has been committed by any Student of the University studying either at a part of the University based overseas or any overseas associate/franchise college.
- 2** The categories of offences are set out Chapter 2 of these Regulations
- 3** Minor offences should be dealt with under the Minor Offences procedure (in Chapter 2 of the Regulations) if the Student is studying at a part of the University based overseas; and by the local college regulations if the Student is studying at an associate/franchise college overseas.
- 4** The 'how' and 'who' should carry out the 'administration' of the disciplinary exercise; the letters to the Student convening the hearing, the notes of the hearing itself and the communication of the outcome/penalty to the Student are matters best left to each individual location to manage within its own administration. It is vital however that the record of the hearing is taken by someone who is clearly quite 'separate' from the University's investigation.
- 5** When an allegation is made or an apparent disciplinary breach is found, a member of Staff in the location shall be charged with conducting a formal investigation into the allegation.
- 6** The member of Staff selected to conduct the investigation must be a senior member of Staff who does not have an academic relationship with the Student (i.e. they are not involved in the teaching or assessment of the Student). Wherever possible the same member of Staff will conduct all investigations at that location.
- 7** The investigation will be carried out under the advice/guidance of the University's Head of Security, based in the UK.
- 8** Having completed the investigation, the member of Staff concerned will forward a report to the designated senior member of Staff, the Executive Director Student and Academic Services (or designate) as set out in the

Process in Annex 1 of these Regulations who will review the report and determine whether a Student should be subject to disciplinary action.

- 9** If it is decided that disciplinary action should be taken then the designated senior member of Staff (or their nominee) will instruct the investigating member of Staff to bring the charge formally against the Student.
- 10** A hearing shall then be convened in accordance with the procedure set out in the Regulations (the Student will be informed in writing according to the set timescales, providing them with copies of evidence, advising them of witnesses to be called and their rights of representation and requiring them to disclose their evidence, name of witnesses and so forth).
- 11** In lieu of the University Disciplinary Committee, a Disciplinary Panel shall be convened at the location with delegated powers to hear the case and determine whether the charge is proven or not. The panel shall comprise two individuals of high standing who are independent/external to the University (e.g. British Council members). Where practicable and appropriate, if there is a democratically convened Student association which has an elected “head”, this person may also be asked to serve as a third member of the panel.
- 12** The panel shall meet and conduct a hearing in accordance with the procedure set out in these Regulations. A record will be taken of the proceedings.
- 13** A copy of the record of the proceedings and the conclusion of the panel (as to whether the charge was proven or not) and the panel’s reasons for reaching their conclusion will be forwarded to the designated senior member of Staff.
- 14** The designated senior member of Staff (or their nominee) will determine the penalty, having liaised with the Chair of the University Disciplinary Committee, in accordance with normal University practice. They will inform the investigating member of Staff at the location of the decision. The Student will then be informed in writing of the decision and any penalty.
- 15** Advice on any aspect of the operation/administration of this procedure can be sought from the Student Appeals and Conduct Officer.

## **Student regulations for the use of information and communication technology and associated software and media.**

- 1 The University wants Students to make best use of the Information Technology (IT) facilities it provides to support their learning and research. To do this the regulations below have been produced which cover the use of IT equipment, facilities and networks by members of De Montfort University.
- 2 In addition, Students should be familiar with the following regulations, guidelines and codes of practice for IT use available in campus libraries, campus offices and on the University Internet pages.
  - De Montfort University [Principal Information Security Policy](#)
  - De Montfort University [Code of Conduct](#)
  - De Montfort University [Use of Information Systems Policy](#)
  - De Montfort University [Network Management Policy](#)
- 3 Any breach of the regulations, guidelines and/or codes of practice set out in point 2 above will be treated as a disciplinary offence.
- 4 The University retains the right to monitor all systems and networks used within or attached to the organisation or used on University premises.
- 5 **Computer and communication systems**
  - 51 Students are only permitted to use University computing or communication systems or software for the purposes specified in their programme of study or research.
  - 52 Without the specific and written agreement of the University, Students are not allowed to use University equipment, software or facilities for:
    - 5.2.1 Consultancy or any other services leading to commercial exploitation of a product for personal gain
    - 5.2.2 Work of significant benefit to a third party, including a Student's employer, whether permanent or for an industrial placement
    - 5.2.3 The distribution or acquisition of software, data, documentation or media to or from any third party or parties
    - 5.2.4 To gain access without permission and/or illegally to other systems either within the University or elsewhere

- 53 Students must take due care not to introduce computer viruses onto any of De Montfort University's computer systems. Anti-virus software, where provided by the University, must be used to screen any external software, data or other electronic communication or any media transfer
- 54 No computing or communication equipment, data, documentation or software may be borrowed, removed or modified without the written agreement of the University section or department responsible
- 55 The use of computing and communications facilities is subject to the provision of several legal Acts including the Data Protection Act, the Copyright, Designs and Patent Act, and the Computer Misuse Act. Offences against these and any other or subsequent legislation currently in force may be reported to the appropriate authorities for further investigation and possible prosecution

## **6 Software**

- 6.1 Students will respect and fulfil the statutory and legal obligations pertaining to all University software, whether purchased, leased or otherwise obtained from a third party, or generated by any member(s) of Staff or Student(s) of the University.
- 6.2 Unless specifically stated otherwise, it will be assumed that the use of any software is restricted by copyright legislation making it an offence to:
  - 6.2.1 Copy any software, data, documentation or media produced by a third party without their explicit permission to do so
  - 6.2.2 Export software, data, documentation or media to any other computer system, whether or not that system belongs to De Montfort University
  - 6.2.3 Modify any software, data, documentation or media produced by a third party without their express permission to do so
  - 6.2.4 Install or download software, data, documentation or media onto any systems of De Montfort University without the explicit permission or instruction from the University Staff responsible for the system
  - 6.2.5 To reverse engineer or decompile any third-party software, unless this is specifically permitted in the licence agreement or their permission has been obtained so to do



## **7 Audible devices**

- 7.1 Students are required to ensure that all audible devices (such as mobile phones, tablets or laptops) are turned off or switched to silent at all times when their use would be disruptive to the academic or administrative processes of the University.
  
- 7.2 Such devices must therefore be silenced, for example, during lectures, seminars, tutorials, laboratory classes, assessments and during registration. They must also be silenced in all areas set aside for research or study (e.g. libraries) and in areas set aside for Student administration such as enquiries and loan administration. They must also be silenced in the vicinity of such areas where required. Any official notices indicating that these devices must be turned off in a particular location must be complied with.
  
- 7.3 Any breach of this regulation will be dealt with as a minor offence, and any repetition will be dealt with as a major offence, under the provisions of the Disciplinary Procedure, except that non-compliance with this regulation in an examination will be regarded as an academic offence and will be dealt with under Chapter 4 of these regulations.

## **Student placements**

**Students should also refer to and comply with any code of practice on Student placements and/or any regulations, procedures or provisions stipulated by the Faculty or the Programme**

### **Provision for temporary withdrawal from placement**

- 1** The Programme Leader or Faculty Authorised Officer may require a Student to withdraw temporarily from a placement if, in the view of the Programme Leader or Faculty Authorised Officer there is good and sufficient cause to do so. The Programme Leader or Faculty Authorised Officer shall, when requiring the Student to withdraw, provide a brief written statement outlining the reasons for the withdrawal. The withdrawal shall take place with immediate effect and shall be for no more than 7 days.
- 2** The Programme Leader or Faculty Authorised Officer shall provide a full report of any such withdrawal to the Head of School and the designated senior member of Staff as soon as possible and within 24 hours unless reasonably prevented from so doing.
- 3** The Student shall have the right to make written representations to the designated senior member of Staff provided that those representations are received by the designated senior member of Staff within 4 days of the temporary withdrawal.
- 4** Within 7 days of the temporary withdrawal, the designated senior member of Staff (or their nominee) shall, after making such investigation as they see fit and considering any representations which may have been made, make a decision to Suspend the Student from placement or to take such other action under their general powers as they may decide, including discharging the temporary withdrawal.
- 5** The Suspension shall be reviewed every 4 weeks by the designated senior member of Staff who may confirm, revoke or vary the Suspension in the light of any developments or of any representations made by the Student or anyone on their behalf. If the Suspension is for more than 14 days' duration, the Suspended Student has the right of appeal, through written representation, to the Rector.
- 6** Notwithstanding the order of Suspension, the University shall not be prevented from taking disciplinary or Fitness to Practise action against the Student.

## **Policy and guidelines on the misuse of illegal drugs and/or “legal highs”**

### **1 Policy statement**

The possession, supply and production of drugs is against the law. Many drugs (including some so called ‘legal highs’) are controlled through other legislation making their possession and/or supply without a licence unlawful. Accordingly, the University undertakes to deal with Students who commit such offences and who may thereby endanger themselves or others, or may bring the University into disrepute. In addition to this, however, the University recognises that it has a duty of care towards Students. It will therefore endeavour to restrict availability of dangerous or illicit substances at the University and provide health education and information about the dangers of illicit drug use and will refer those who need help to the appropriate support agencies.

### **2 Disciplinary issues**

It is an offence to possess, manufacture, produce, sell or give controlled drugs to another or to knowingly allow anyone to possess, use, manufacture, produce, sell or give controlled drugs to another.

Other legislation creates offences such as possessing prescription drugs without a prescription and supplying certain drugs without a licence.

Disciplinary action will be taken against any Student who commits any such offence on University premises, or elsewhere in circumstances likely to endanger other Students or bring the University into disrepute.

Students registered on professionally accredited programmes and found to have engaged in the misuse of illegal drugs and ‘legal highs’ may be referred to the Fitness to Practise lead.

### **3 Reporting suspected drug use**

Details of any suspected illegal drug use must be reported to the Head of Security so that, if appropriate, the matter may be referred to the Police for investigation<sup>1</sup>.

### **4 Students in private accommodation**

Any Student or member of Staff who becomes aware that Students in non-University accommodation are involved in the supply or use of a suspected illegal substance must report the matter to the Head of Security or Authorised Officer in order that the appropriate action may be taken. This may include disciplinary action and/or advising Students of the support and help available to them, and keeping the appropriate people informed.

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<sup>1</sup> See Chapter 2, paragraph 4 of these Regulations.

## **Weapons policy and practice**

### **1 Weapons policy**

- 1.1 Students or Staff of the University or their guests must not keep or use guns, firearms, ammunition, knives, catapults or other offensive weapons on University premises except for authorised purposes. For the purpose of this policy, any offensive weapon is one intended or adapted to cause injury.
- 1.2 Craft knives and sharp instruments for the authorised creation of coursework are permitted to be carried in accordance with the guidelines set out in paragraph 4.
- 1.3 Bladed articles carried for religious purposes are permitted in accordance with the guidelines set out in paragraph 6.
- 1.4 Bows and arrows used for archery are dealt with separately by this policy.
- 1.5 Students are not permitted to use firearms or other weapons as set out at 1.1 on University premises other than for authorised purposes.

### **2 Legislation and good practice**

- 21 Staff and Students who use firearms for authorised purposes must be familiar with the relevant legislation as it relates to their practice, eg:
- 22 Weapons of any kind may be used for authorised purposes only when an approved instructor, firearms co-ordinator or firearms officer is present.
- 23 It shall be the responsibility of an individual to promptly inform the University's Head of Security (or nominee) if the Police withdraw a shotgun certificate or firearms certificate or similar licence, if that individual is holding or using firearms for authorised purposes on University premises. The University will require all Students using firearms for authorised purposes to sign an agreement that they are prepared to be vetted by the University in liaison with the local Police to establish whether or not they are a prohibited person. Failure to sign this agreement debars a Student from using a firearm on University property. The University expects that the Students will comply with all storage requirements set by the Police/University when firearms are held on

University premises. Students will comply with all storage requirements set by the Police/University when firearms are held on University premises.

### **3 Appeals**

3.1 Appeals against any decision made in accordance with these provisions will be dealt with by the Appeals Committee, as outlined In Chapter 2, Part G of these Regulations.

### **4 Sporting and recreational use**

4.1 Staff and Students of the University who use firearms for sporting or recreational purposes off campus (e.g. a gun club) are required to keep their firearms at a secure and approved venue which is off University premises.

## **5 Monitoring and review of the policy and regulations in relation to actual and potential weapons**

5.1 It is the responsibility of the Committee of Authorised Officers to monitor and review the application of regulations and policy relating to weapons on an annual basis.

## **6 Exemptions**

6.1 In exceptional circumstances a Student may apply for exemption from the regulation concerning the possession of personal or privately-owned weapons on University premises, e.g. if they are a sports person of a high order who occasionally needs to carry firearms across University premises going to or from an external gun club. In such instances, a written application must be made to the Head of Security.

6.2 Any Student who is granted an exemption from the Regulation forbidding the holding, possession or use of personal or privately-owned weapons must carry the exemption at all times when the weapon(s) is/are on University premises.

## **7 Replica weapons**

- 7.1 A Student may be permitted to possess and use replica firearms or other imitation weapons on University premises in connection with their course of study, for example for the purposes of a dramatic performance or piece of artwork, provided they have written permission from their Faculty Dean obtained at least 7 days in advance. The Dean will, in deciding whether to grant permission or to set certain conditions or limitations on the use of such weapons, consult with the Head of Security. In any event, a copy of the Dean's written permission must be lodged with the Head of Security at least 7 days before the weapon is brought onto University premises.
- 7.2 The granting of such permission does not remove from the Student any criminal implications in relation to the possession of replica firearms or other imitation weapons in a public place.

## **Fitness to Practice Procedures**

### **1 Introduction**

- 1.1 The University expects all Students enrolled on a programme leading directly to a professional qualification or the right to practise a particular profession or calling to demonstrate high standards of behaviour in their professional and Student lives. In certain Health and Social Care subject areas Students are expected at all times to demonstrate that they are trustworthy and of good character and in good health so that they can practise safely.
- 1.2 Programme handbooks will provide further information about the standards of behaviour expected of Students training for a particular profession. It is the Student's responsibility to familiarise themselves with the provisions and requirements of the relevant professional body.
- 1.3 Students on such courses whose behaviour and/or health raises any other concerns about their fitness to practise are subject to the Faculty Fitness to Practise procedures.
- 1.4 A Student subject to such procedures may be accompanied at all meetings by a Student's Companion (as defined in the Glossary to these regulations) regulations)
- 1.5 The Fitness to Practise Procedure can be found here: <https://www.DMUK.ac.uk/documents/DMUK-Students/the-Student-gateway/academic-services/2020-hls-fitness-to-practice-procedure.pdf>

### **2 Suspension from theory and/or practice**

- 2.1 In cases where it is believed that there is good and sufficient cause to remove a Student from placement, the procedure set out in Chapter 2, Annex 5 of these Regulations shall be followed.
- 2.2 In cases where it is believed that there is good and sufficient cause to Suspend a Student from attending theory classes or from the University or other facilities and activities, the procedure set out in Chapter 2, paragraph 16 of these Regulations shall be followed.



- 2.3 In both cases, if the Suspension is for more than working 14 days' duration, after this time the Suspended Student has the right of appeal, through written representation, to the Rector.

### **3 Dismissal from a programme of study**

- 3.1 Where it is proven that a Student has acted in such a way as to render them unfit to practise the profession to which that Student's programme directly leads, the Student will not be permitted to continue on that programme. In such cases the University reserves the right to inform the relevant professional or regulatory body of the outcome and the reasons for the Fitness to Practise Committee's decision.
- 3.2 Students who are dismissed from their programme as unfit to practise will not be permitted to re-register onto the programme from which they have been dismissed. The University reserves the right to decline applications to other programmes leading to:
- registration with a professional body
  - to a professional qualification
  - or the right to practise a particular profession when the Student has previously been dismissed from their programme as unfit to practise
- 3.3 The University has a statutory duty to refer a Student to the Independent Safeguarding Authority, the Disclosure and Barring Service and other relevant external stakeholders where that Student has been dismissed from training because their behaviour is believed to pose a risk of harm to children and/or other vulnerable people. Only the designated senior member of Staff may make such a referral on the recommendation of the Fitness to Practise Committee.
- 3.4 A Student whose registration with the University has ended due to fitness to practise will not be permitted to re-apply for entry to the University within two years and would not normally be admitted onto an accredited programme; [please see academic regulations on our website](#).
- 3.5 The Student will be permitted to transfer to another programme within the University provided that:
- the Student meets the required entry requirements for the new programme;
  - there is a place available on the new programme; and
  - the Student is accepted as a suitable candidate by the new programme's owning faculty.

## **Policy on Dignity and Respect (Students)**

### **1 Scope and Purpose of the Policy**

- 1.1 This policy relates to all Students of DMUK. Every Student is personally liable under the Equality Act 2010 and is expected to treat Staff and Students with dignity and respect and in turn to be treated with the same. DMUK has a firm commitment to equality and diversity and will not tolerate the discrimination, harassment, bullying or victimisation of any member of the DMUK community by another.
- 1.2 The purpose of this policy is to promote the development of a working environment in which these actions are known to be unacceptable and where individuals have the confidence to report these, should they arise, in the knowledge that their concerns will be dealt with appropriately and fairly. The policy outlines procedures to be followed if a Student or prospective Student feels they are being discriminated against, harassed, bullied or victimised during their engagement with DMUK.
- 1.3 A separate policy on Dignity at Work exists for Staff and advice on this may be obtained from the People and Organisational Development Directorate.
- 1.4 All Students are reminded of the relevant clauses in the Disciplinary Code within Chapter 2 of the Student Regulations, in particular paragraph 5.3.3:

*Abusive, threatening, coercive, manipulative or aggravating behaviour which in the reasonable opinion of the designated senior member of Staff or relevant Authorised Officer constitutes harassment, violent, indecent, disorderly, threatening, abusive or offensive behaviour or language including that relating to protected characteristics (verbal or written – including social media websites) to any Student, employee of the University or the De Montfort Students' Union or any visitor to the University or any member of the local community.*

### **2 Definitions**

- 2.1 The Equality Act 2010 identifies nine protected characteristics. These are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

2.2 **Unlawful discrimination** is behaviour or a policy or procedure which intentionally or unintentionally has the effect of treating individuals or groups who have a protected characteristic less favourably than other groups. This may include selection for a course, job, promotion, award and so on. For example:

- A Student is excluded from a course related visit or placement because they have a disability.
- A Student is told to leave her course because she is pregnant.
- Students or Staff are compulsorily segregated, for meetings or events, on the basis of their religion, sex, sexual orientation or other protected characteristics.

2.3 **Harassment** is unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant, or violating the complainant's dignity. Individuals or groups may be protected from harassment because they are from a protected group (Equality Act 2010), or because they are associated with the protected group. For example:

- Unwanted conduct of a sexual nature (sexual harassment).
- Treating a person less favourably than another person because they have been subjected to sexual harassment or harassment related to sex, sexual orientation or gender reassignment.
- Treating someone less favourably because they associate with gay, lesbian, bisexual or transgendered people.
- Treating someone less favourably because they hold or are perceived to hold a particular religion or belief.

2.4 **Sexual harassment** is when someone behaves in a way which makes you or others feel distressed, intimidated or offended and the behaviour is of a sexual nature. Behaviour that does not involve physical contact is sexual harassment. If contact or violence is involved the offence becomes sexual assault or violence. The main factor in incidences of sexual harassment and violence is a lack of active consent.

2.5 Examples might include:

- Sexual comments or jokes.
- Displaying pictures, photos or drawings of a sexual nature.
- Sending emails or other form of electronic communication with a sexual content.

- Physical behaviour (but which stops short of contact) including unwelcome sexual advances and stalking.
- Continued advancements or repeated unwanted invitations to social activities.

- 2.6 **Domestic abuse and coercive or controlling behaviour** is defined as any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those who are, or have been, intimate partners or family members regardless of gender or sexuality. This can include, but is not limited to, psychological, physical, sexual, financial and/or emotional abuse.
- 2.7 **Complicity** is any act that knowingly helps, promotes, or encourages any form of hate, bullying or harassment by another individual.
- 2.8 **Retaliation** may constitute any words or actions, including intimidation, threats, or coercion, made in response to disclosures or reports made under this Policy, by any individual including both the Responding Party and the Reporting Party, as well as witnesses, friends, or relatives.
- 2.9 **Vexatious reporting** involves the creation of persistent, unwarranted reports made under this Policy, or a refusal to accept any reasonable decisions arising from the application of the accompanying procedures to this Policy.
- 2.10 **Malicious reporting** occurs when an individual shares allegation of breaching dignity and respect that the individual knows to lack a basis in fact.
- 2.11 **Bullying** may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.
- 2.12 Bullying can take the form of shouting, sarcasm, derogatory remarks concerning academic or practical vocational performance or constant criticism and undermining. Bullying can be distinguished from vigorous academic debate or the actions of a tutor or supervisor making reasonable (but perhaps unpopular) requests or analysis of performance of their Students. This will be determined by the Designated Senior Member of Staff.
- 2.13 **Victimisation** takes place where one person treats another less favourably because they have asserted their legal rights in line with the Equality Act or helped someone else to do so. For example:

- A Student alleges that they have encountered racism from a tutor, and as a result they are ignored by other Staff members.
- A Student who previously supported another Student or member of Staff in submitting a formal complaint for sexist behaviour is then treated in a hostile manner by Staff.
- Staff brand a Student as a 'troublemaker' because they raised a lack of opportunities for disabled Students as being potentially discriminatory.

2.14 **Cyber bullying** occurs when the internet, social media, phones or other devices are used to send or post text or images intended to hurt or embarrass another person, known or unknown to the individual.

2.15 The University recognises that there are potentially additional types of behaviour that will constitute a breach of this Policy and which will therefore need to be considered under the relevant internal disciplinary regulations.

### **3 DMUK's Commitment**

- 3.1 DMUK is a diverse community and believes that every Student has a right to work and study in an environment which encourages good relationships. DMUK is committed to deterring hate, discrimination, harassment, bullying or victimisation. The University's commitment to cultural diversity is expressed in its mission and vision statements.
- 3.2 DMUK Security take all incidents of hate, discrimination, bullying, harassment and victimisation very seriously and will record such reports and investigate as appropriate.
- 3.3 The Student at Risk Committee (SAR) within Student and Academic Services (SAAS) sits regularly to review cases of Students deemed to be at risk to themselves or of posing a risk to others.
- 3.4 In cases of unlawful hate, discrimination, harassment, bullying, or victimization the University is required to consider Students as third-party players. DMUK is required to protect its Staff, Students, Staff, contractors and visitors from unlawful hate, discrimination, harassment, bullying or victimisation. Students who are found to have committed these

offences will be referred to the University's disciplinary policies and procedures.

- 3.5 DMUK will endeavour to ensure that any Student raising a genuine concern under this policy is not victimised as a result. The University cannot guarantee the behaviour of another person, but will commit to not victimise and will take action if victimisation occurs.
- 3.6 As allegations of hate, discrimination, harassment, bullying and victimisation are very serious, DMUK will also treat very seriously any such allegations proven to be malicious or untrue and these are also likely to be the subject of disciplinary action.

#### **4 Reporting and Responding**

- 4.1 The over-riding principles in dealing with allegations or concerns of hate, discrimination, harassment, bullying and victimisation are that they must be taken seriously, considered carefully and addressed speedily and where possible, in confidence.
- 4.2 Any Student who feels that they are the subject of hate, discrimination, harassment, bullying or victimisation, either by a fellow Student, a member of Staff or anyone else with whom they come into contact in the course of their period of study at DMUK, may wish to make a note of incidents, dates, times and any witnesses, for future reference. Any Student who considers themselves to have been the subject of hate, discrimination, harassment, bullying or victimisation has the right to be listened to, to be given informed advice on how the matter may be resolved, and to be given support to do so.
- 4.3 In the event that a Student considers that they are experiencing hate, discrimination, harassment, bullying or victimisation, they have a number of options open to them. They can disclose or make a report to The No Space for Hate Project, in the first instance, or a member of Staff who can follow the referral process online.
- 4.4 The member of Staff will follow appropriate processes, signposting the Student to the appropriate University response service; The Mandala Project or the No Space for Hate Project, or another University service, as appropriate and if necessary.
- 4.5 Incidents of hate, discrimination, bullying, harassment or victimisation may also be reported, out of hours, directly to:

- 4.6 A disclosure involves an individual choosing to tell anyone who is part of the University community about their experience of hate, discrimination, bullying or harassment.
- 4.7 A report is the official sharing of information with a Staff member of the University regarding an incident of hate, discrimination, bullying or harassment experienced by that individual, for the purposes of initiating an investigation process by the University.
- 4.8 Personal information shared during such a disclosure will be handled in line with the University's responsibilities under the appropriate data protection legislation,
- 4.9 Any investigation undertaken by the University will be on the 'Balance of Probabilities' and is conducted as a separate process to the University Complaints Procedure as defined in the Glossary to these Regulations.
- 4.10 The Student may also make a report to the Police, whose investigation would take precedent over internal processes. A risk assessment will be made by the University Security Team who will determine whether intermediate action is required whilst the police investigate.

## **5 Investigating a Formal Report**

- 5.1 On receipt of a formal report, where the alleged perpetrator is another student, the Student Appeals and Conduct Officer (or nominee) and the Head of Security (or nominee) will process the case according to DMUK's Disciplinary Code and Procedure as described in the General Regulations.
- 5.2 Where the alleged perpetrator is a member of Staff, the Student Appeals and Conduct Officer (or nominee) will refer the case to the University's People and Organisational Development Directorate to conduct a further investigation.
- 5.3 Formal reports about a Dean, Pro Vice Chancellor, or Chief Operating Officer to the Vice Chancellor should be referred to the Vice Chancellor. A report about the Vice Chancellor should be addressed to the Chair of Governors.

- 5.4 Formal reports about a Director should be made to the Executive Director of People and Organisational Development. A complaint about the Executive Director of People and Organisational Development should be made to the Chief Operating Officer.
- 5.5 Further information about types of behaviour that would contravene the Dignity and Respect policy, and University Disciplinary Code can be found in the Sexual Misconduct Policy and the No Space for Hate Policy.

## **6 Monitoring of the Policy**

- 6.1 The Executive Director of Student and Academic Services will keep the implementation of this policy under review and will monitor its use through the Academic Support Office.

## **7 Personal Relationships at Work**

- 7.1 DMUK also has a Code of Conduct on personal relationships at work, which applies in circumstances where personal and professional relationships overlap.

## **8 Use of DMUK Computers/computational devices and ID**

- 8.1 Hate, discrimination, harassment, bullying or victimisation may occur online and could be considered as misuse of DMUK's computing services where this takes place using a DMUK email account or from a DMUK-provided piece of equipment or network. This includes potentially discriminative or offensive material posted on public access websites or social networking sites. Online harassment and bullying (cyber bullying) will be dealt with under the procedures outlined above. As well as infringing the DMUK Policy on Dignity and Respect, such abuse of DMUK facilities will also breach the University's IT Regulations and may be subject to disciplinary procedure.