



# **Rules and Regulations**

## **For Students**

### **2019-2020**



**SECTION****PAGE NO.****Rights and Responsibilities**

1. Student Agreement	1 - 10
2. Acceptable Behaviour Policy Including Procedure for Students raising Allegations of Unacceptable Behaviour by a Student or a Member of Staff	11 - 19
3. How the University uses student personal data (Fair processing notice)	20 - 29
4. Student Complaints Procedure	30 - 33
5. Student Disciplinary Regulations	34 - 45
6. Student Fees Regulations	46 - 49

**Academic Matters**

7. Examination Regulations	50 - 65
8. Turnitin UK - the JISC Plagiarism Detection Service	66 - 67
9. Regulations on Research Practice	68 - 69
10. Regulations on Research Misconduct	70 - 72
11. Intellectual Property Policy for Students	73 - 75
12. Policy for Recording Educational Activities	76 - 82

**Use of Facilities**

13. Regulations for the Use of Library Services and Facilities	83 - 85
14. Acceptable Use Policy for Computing Facilities	86 - 89
15. Policy for the Investigation of Computers	90 - 92
16. Car Parking Regulations	93

**General**

17. Whistleblowing Policy	94 - 99
18. Freedom of Speech Code of Practice	100 - 101
19. External Speakers Policy	102 - 106
20. Education Act 1994: Code of Practice implementing Section 22 (3)	107 - 111
21. Fitness to Study Policy and Procedure	112 - 116
22. Statement on the possession, use or distribution of illegal drugs or alcohol by students	117



# Rights and Responsibilities

## 1. University of Bristol Student Agreement

### Definitions

**We/Us/Our** means the University of Bristol.

**You/Your** means a registered student of the University of Bristol or someone who has been formally offered a place at the University.

**Programme** means your course of study or research.

### 1. Introduction

This Agreement forms the basis of the relationship between you and the University from the time you accept an offer of a place for your Programme. Through annual registration you will be subject to the terms of the Student Agreement in force for the academic year for which you are registering.

We have produced this Agreement in consultation with the University of Bristol **Students' Union** to enable both you and us to be clear about the relationship that exists between us once you accept our offer of a place at the University. This includes acceptance through UCAS (or another agency if applicable).<sup>1</sup>

### University of Bristol Students' Union

The Students' Union is a separate legal entity which exists to democratically represent students, as well as support their welfare and development. We encourage you to participate in the activities of the Students' Union.

To keep this Agreement to a sensible length, we refer to other documents which also form part of it. In particular we refer you to:

- Rules and regulations for students which cover, among other matters: health, safety and welfare, student discipline, examination regulations, fees, fitness to practise, acceptable behaviour expected of you, academic integrity, research conduct and misconduct and the use of computer and library facilities
- University Student Handbook

If you have been offered University accommodation this is subject to separate agreements managed by our Accommodation Office, setting out terms and conditions, and payment arrangements. Your right to accommodation under any such agreements is dependent upon your remaining a member of the University.

### 2. Studies and learning environment

Higher education is a two-way activity, requiring commitment on both sides. This section sets out what you can expect of us and what we expect of you in the key areas of teaching and learning.

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<sup>1</sup> Your ability to take up your place may depend on meeting certain conditions. If you fail to meet the conditions of our offer or if you have not already registered at the time of termination, we shall be entitled to refuse to register you on your programme.

You can expect us to:

- provide you with tuition and learning support appropriate to your programme of study with reasonable care and skill
- provide suitable teaching and learning spaces, library and ICT facilities and other appropriate resources to support your studies
- provide clear information about your programme and units of study and give guidance on what is likely to be required to complete them successfully
- encourage a professional and responsible learning environment and suitably support you, academically and pastorally
- return marked work in good time and according to the guidance set out in the taught and research codes of practice
- make reasonable efforts to ensure your programme of study meets the relevant specification for the appropriate academic year, while also ensuring that it is informed by, and updated in line with, current research and developments in the relevant discipline
- let you know as soon as possible if we need to alter anything related to your programme, such as timetabling, location, type of class, assessment or syllabus, where necessary to more effectively deliver your Programme.
- communicate with you by post or via your University email address as appropriate.

We expect you to:

- take responsibility for your own learning and development, working in partnership with staff to become a self-reliant, independent learner
- work hard and diligently, contributing effectively to your programme and respecting the needs of your fellow students
- take an active interest in all aspects of your programme and ensure you are aware of updated information
- attend educational activities (lectures, seminars, tutorials, laboratory classes and so on) as are defined in your programme, subject to absence for medical or other agreed reasons
- make appropriate use of the resources available, including staff, library and ICT facilities, and the shared knowledge of the wider academic community
- comply with all University regulations, including the Regulations for the Use of Library Services and Facilities, the Examination Regulations and the Acceptable Use Policy for Computing Facilities
- act with academic integrity in all aspects of your studies, evidencing your independent thought, presenting accurate data, complying with ethical obligations and clearly referencing other people's ideas.
- be aware of the information provided about the University and your programme, and of where to find more detailed information and guidance, whether electronic or on paper

- complete and submit by the required deadlines any work to be assessed as part of your programme
- participate in the academic community, cooperating with fellow students to support each other's learning, and responding to requests to give your opinion about your learning and other experiences at the University
- check your University email account regularly and frequently both during and outside term time so that you are aware of relevant information in good time
- have met the entry requirements for the programme for which you are registered and to be able to evidence these qualifications at any time during your period of registration as required by the undergraduate and postgraduate admissions policies

### **3. Quality and representation**

We aim to provide you with the highest possible quality of education. To do this we have a number of relevant policies in place. We also actively encourage you to get involved and tell us your views.

You can expect us to:

- maintain formal University policies, including regulations, codes of practice and guidelines, setting out how we manage and support your programme of study
- consult your representatives (Students' Union officers and course representatives) on any proposed significant changes to the regulations and policies that govern your programme, to make improvements that will benefit you and other students
- give you the right to be represented in University governance, usually through the Students' Union, and encourage student representation on relevant University committees, boards and working groups
- regularly monitor the quality of learning and teaching offered as part of your programme

We expect you to:

- familiarise yourself and comply with relevant University policies and procedures, including those relating to your programme and the qualification you are working towards. These include rules concerning unacceptable behaviour
- take up the opportunities we provide to enable you to give us your views
- read and understand information we provide about changes that are taking place and what they mean for you
- contribute to internal and external procedures for assuring the quality of learning, teaching and assessment

### **4. Openness, accountability and conduct**

This Agreement places an expectation upon both you and us to act with integrity, share relevant information, be accountable for our actions and show mutual respect, as set out in this section.

You can expect us to:

- make publicly available (and regularly update as required) details of the tuition fees and any other expenses relating to programmes of study offered by the University
- provide you with a fair, equitable and supportive environment in accordance with the University's Equality and Diversity policy

We expect you to:

- share with the University in a timely manner any circumstances affecting your study
- make sure all tuition fees and other expenses relating to your programme are paid in time and agree to be bound by our regulations on the payment of fees and refunds (and the consequences of non-payment) should you cease to be a student at the University
- take care, when acting as a student representative on school, faculty or University committees, to consult fellow students and to represent their views accurately and in a balanced way

## **5. Changes to your programme**

Where necessary and reasonable we may need to make changes to your programme. For example, we may need to alter the timetable, location, number of classes, method of delivery, content, assessment methods or syllabus.

We will not withdraw a programme unless and until all students enrolled on it have completed their studies, with the exception of programmes which have not yet commenced.

You can expect us to:

- consult you and elicit your views in relation to any proposed material changes to your programme, taking account of these views in reaching our decision
- give you reasonable notice on any material changes we decide to make
- attempt to minimise any adverse impact that any changes may have on you
- make arrangements, where necessary, for you to complete your original programme
- explore with you, where necessary, the opportunities for transferring to another programme at Bristol or at another institution
- ensure, if you transfer to another programme, that you receive recognition or credits for any units you have successfully completed
- in the event that it is not possible for the University to deliver the education agreed under this Agreement we will refund tuition fees and other reasonable costs subject to section 9 of this Agreement

If between the time of your acceptance of an offer and registering for a programme at the University we make fundamental changes to it, you will be entitled to withdraw your application.

## 6. Disciplinary matters and complaints

A key purpose of this Agreement is to ensure that you know what we expect of you, and you understand what to expect of us. Our disciplinary procedures and complaints system are there to address situations where we believe you have breached our rules, or where you believe we have not acted fairly.

You can expect us to:

- operate a fair and transparent disciplinary procedure as set out in our Student Disciplinary Regulations
- enable you to make a complaint about matters that affect you and to appeal against decisions made about you
- handle any complaint or appeal fairly, according to our Student Complaints Procedure and Examination Regulations

We expect you to:

- comply with University rules and regulations regarding student behaviour, attendance and unacceptable behaviour
- be aware of the Student Complaints Procedure, Student Disciplinary Regulations and Examination Regulations, including the rules relating to extenuating circumstances
- raise any concerns when they first arise, by giving staff in your school or faculty the opportunity to resolve them with you
- contact your course and or other student representatives about any concerns that are not easily resolved
- comply with any deadlines set out for submission of complaints if you do need to resort to our Student Complaints Procedure

## 7. Intellectual property

What is intellectual property?

The government website [gov.uk](http://gov.uk) defines intellectual property as follows.

‘Intellectual property is something unique that you physically create. An idea alone is not intellectual property. For example, an idea for a book doesn’t count, but the words you’ve written do.’

### **Our intellectual property:**

We own or have licensed to us the intellectual property in all course materials produced by us (or on our behalf) and such materials must only be used for your own personal study purposes. They may not be shared publicly by you or anyone else, including on the internet, without our consent in writing.

### **Your intellectual property:**

As set out in the Intellectual Property Policy for Students we may require that you transfer to us intellectual property you create during your time at the University. You hereby agree that where required by the policy, you will enter into the necessary agreements to give effect to the policy.

### **Use of your intellectual property for non-commercial purposes:**

In consideration of our obligations under this agreement, you hereby grant us (the University) the right to use intellectual property created by you during your programme and owned by you for non-commercial purposes. 'Non-commercial' means things like educational use, research use, publication in academic journals, University promotional materials, websites, exhibitions, prospectuses and catalogues. Our rights will be unlimited in time and geographical area. We may sub-licence such intellectual property rights to other organisations and academic institutions for non-commercial purposes. If the work created by you is tangible (such as a work of art, sculpture or 3D model), we may borrow the work for non-commercial purposes for a reasonable period.

### **Use of your intellectual property for commercial purposes:**

We may also use intellectual property created by you for commercial purposes. If we wish to do this you will be required to enter into a formal licence with us to permit this. In these circumstances you will be entitled to a royalty and the amount of this will be determined under the University's Revenue Sharing Scheme.

## **8. Recording of Educational Activity**

We may allow you to record academic teaching in accordance with our Policy for Recording Educational Activity.

In exchange for you being allowed to record lectures or other academic teaching and use such recordings as set out in the policy, you hereby assign to us all copyright in the recordings you make and all other rights in the recordings of whatever nature.

If you fail to comply with the policy this may be treated as a disciplinary matter.

The policy also covers recordings that we make and/or make available to you.

## **9. Liability**

We will be liable to you for any direct loss or damage you suffer if we fail to carry out our obligations under this Agreement to a reasonable standard, or if we breach any legal duties of care that we owe you (including causing death or personal injury by our negligence). This does not apply if such omission is attributable to your own fault or to that of a third party.

Our liability to you in the case of loss or damage (other than for death or personal injury or fraud) is limited to a reasonable amount having regard to such factors as whether the damage was due to a negligent act or omission by us.

We will not be liable to you for events outside our control that we either could not have foreseen or could not have prevented even if we had taken reasonable care, such as:

- government restrictions or policy (for example unexpected significant changes to higher education funding)
- over- or under-demand from students
- staff illness or industrial action
- severe weather or fire
- civil disorder or political unrest

- a public health emergency (for example concern with regard to the transmission of a serious illness)

In such circumstances we reserve the right to change or cancel all or part of your programme.

## **10. Our legal obligations**

In addition to the principles set out in this Agreement, we have certain obligations under UK law that may be relevant to you. This section explains how we fulfil these obligations and how you support us in doing so.

### Data protection

When you join our academic community you give us the right to hold and process your personal data including sensitive personal data. How we do this is set out in our Data protection policy.

You can expect us to:

- take reasonable care to keep your personal details secure at all times
- comply with our obligations under the Data Protection Act 2018, and with our policies on data protection and data processing
- use your data responsibly as set out in our policies on use of student and applicant personal data.
- manage your data ourselves rather than outsourcing this work to other organisations
- share your data with third parties when we are legally required to do so, and in accordance with our policy on data protection

We expect you to:

- ensure that the personal details we hold about you, including your current term-time and home address and personal email address, are accurate, and are updated as soon as they change using Student Info online (this will help us to contact you quickly as and when needed) and maintain your emergency contact details and confirm whether or not you agree to the University using the contact in the event of significant concerns about your wellbeing where there is not an automatic legal right to do so, as outlined in the Emergency Contact Procedure.
- protect the authentication details used to access your personal information and University services. This includes not sharing the password you use to access University services with anyone, being mindful of fraudulent attempts to steal your password (e.g. phishing emails) and keeping your University password unique from other internet services.
- be aware of our Policy for Recording Educational Activity so that you understand your rights and obligations when we record lectures or other educational activities in which you may be involved.

## Immigration requirements

We have legal obligations to comply with UK immigration requirements including monitoring your engagement with your Programme and updating the government about your attendance on your Programme.

If you are an international student you must ensure that your immigration status is up to date. Further guidance is available from our [International Office](#).

## Criminal convictions

'Unspent convictions' and 'protected convictions and cautions' are defined in the Rehabilitation of Offenders Act 1974. For some programmes, including, but not limited to, social work, PGCE and medicine, you will also be required to disclose spent convictions and cautions that are not 'protected' and obtain a check and certificate from the Disclosure and Barring Service (DBS).

We require students to disclose any unspent criminal convictions and cautions that are not 'protected' when applying to us, or if these arise during their studies. We conduct fair procedures for dealing with students who disclose criminal convictions either before or after registration.

### **11. If things don't work out**

We anticipate that your relationship with the University of Bristol will be a happy and fulfilling one on both sides. Occasionally, however, things don't work out and a student leaves their programme without completing it.

The relationship, and this Agreement between us, will end if **either** you withdraw from the University **or** we require you to withdraw for any of the reasons set out below.

We may require you to withdraw from the University, and reserve the right to terminate our relationship with you, in writing, with immediate effect if:

- you fail to comply with our Student Disciplinary Regulations or any of the other policies that apply to you
- your Faculty Board makes a decision, based upon your academic performance, that you should not be permitted to continue with your programme
- you fail to pay your fees in accordance with the [Student Fees Regulations](#)
- you are expelled from, or refused admission to or membership of, any organisation that you are expected to belong to or participate in as part of your programme, or you fail to meet fitness-to-practise criteria for the profession for which you are training
- your circumstances change between your acceptance of our offer and the start of your programme such that, in our reasonable opinion, our offer is no longer viable
- we become aware of information about you that we were previously unaware of and that, in our reasonable opinion, makes it inappropriate for you to study on your programme
- it comes to our attention that you have failed to provide us with all relevant information, or have supplied false or misleading information, in relation to your application

- your behaviour represents a significant risk to the health, safety or welfare of yourself or others, as detailed in the Fitness to Study Policy and Procedure
- your continuing registration at the University puts us in breach of any of our legal obligations to comply with UK immigration or other legal requirements

If we require you to withdraw from the University for any of the reasons set out above, and you disagree with the decision, you will have the right to submit a complaint under the Student Complaints Procedure.

If we require you in writing to withdraw from the University with immediate effect and leave the University immediately.

If you withdraw, or are required to withdraw, from the University, you must:

- stop studying on your programme
- return your student identification card, together with all property owned by us, to your faculty office
- pay all outstanding fees immediately
- leave the University and any University accommodation (any contract you have for University accommodation will terminate in accordance with its terms).

Any action we take under the above provisions will not restrict our ability to take any other action against you that we have the right to take, should this be necessary

## 12. Notices

Any legal notice given under this agreement will be in writing. Any notice will be sent by email to you at your University email address or, if you have not yet registered, to whatever email address you have provided us with. We may also send any notice to either your term-time or your home address as appropriate.

We consider notice to have been served when the information has been delivered by hand, or 48 hours have passed after if it was posted (if sent by pre-paid first class post) or sent by email. Please note your obligation to keep your contact details up to date.

Notice to the University should be addressed to the Deputy Registrar (Academic Services) by email, [pa-deputyregistrar@bristol.ac.uk](mailto:pa-deputyregistrar@bristol.ac.uk), or at **Senate House, University of Bristol, Tyndall Avenue, Bristol BS8 1TH.**

## 13. General Legal Provisions

This Agreement is personal to you; you are not permitted to transfer it, or assign any of the rights and obligations under it, to a third party.

These terms and conditions, and the documents referred to in this Agreement, are the entire understanding between you and us about your programme. They replace and/or override any other undertakings or representations, communications or documents issued by us, either in writing or orally.

If either you, or we, do not insist on a particular right under this Agreement being fulfilled, this does not invalidate any of the rights set out in the Agreement, or the obligation to fulfil them or ability to enforce them. If any section of this Agreement becomes void, illegal, invalid or unenforceable, this will not affect the legality, validity or enforceability of the other sections.

Each Party intends that the terms of this agreement will not be enforceable by any third party, by virtue of the Contracts (Rights of Third Parties) Act 1999.

References to statutes or regulations include any amendments made from time to time to those statutes or regulations. The Agreement is governed by, and in accordance with, the laws of England and Wales and is subject to the non-exclusive jurisdiction of the courts of England and Wales.

#### **14. Your right to cancel**

For the purposes of the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013, if this Agreement is a 'distance contract' or and 'off premises contract', you have the right to cancel your acceptance of it within a period of 14 days after you have accepted the terms of this Agreement without giving us any reason.

To meet the cancellation deadline, it is sufficient for you to have sent your cancellation before the 14 day period has expired. You must clearly state your decision, by means of a letter sent by post, fax or email, or by completing our online model cancellation form. If you use the online form we will acknowledge receipt of your notice by email without delay.

If you exercise this right to cancel we will reimburse to you all payments you have already made without undue delay and not later than 14 days after the day on which we are informed about your decision. We will make the reimbursement using the same means of payment as for your initial transaction, unless you have expressly agreed otherwise. You will not incur any fees as a result of the reimbursement.

## **2. Acceptable Behaviour Policy Including Procedure for Students raising Allegations of Unacceptable Behaviour by a Student or a Member of Staff**

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The University is committed to providing a positive working and learning environment that enriches lives and where everyone is treated with respect and dignity. The University expects the highest standards of behaviour from staff and students, whether on University premises or elsewhere.

All members of the University should be aware of their own behaviour, and how it impacts on others. All are expected to conduct themselves in a reasonable and acceptable manner.

Unacceptable Behaviour means words, actions or practices that are experienced as inappropriate, unreasonable or offensive. This can include bullying, harassment, sexual misconduct, demeaning initiation ceremonies, threatening behaviour and malicious posting on social media. It can also include discrimination or abuse relating to, but not exclusive to, disability, gender, race, sexual orientation, religion/beliefs and age.

Steps for dealing with unacceptable behaviour by staff and students is set out at the links below:

### **For Staff - wishing to raise an allegation about staff**

Staff Grievance Procedure (Ordinance 32)

Mediation Service

### **For Students - wishing to raise an allegation about staff or students**

Procedure for Students raising Allegations of Unacceptable Behaviour by a Student or a Member of Staff

Mediation Service

### **For Staff - wishing to raise an allegation about a student**

Procedure for Staff raising Allegations of Unacceptable Behaviour by a Student

Mediation Service

## **Procedure for Students raising Allegations of Unacceptable Behaviour by a Student or a Member of Staff**

This Procedure sets out what to do if you feel that any member of the University has behaved in an unacceptable manner, whether on or off University premises.

### **1. Informal action**

There are several informal options available to you when you experience behaviour that you find unacceptable. You could consider taking any of the following steps to try and address the behaviour if you feel it would be helpful;

- ✓ Discuss the matter with family and friends. Do they agree that the behaviour is unacceptable?
- ✓ Discuss the matter with a Student Wellbeing Advisor in your School or Residential Life Advisor. Some forms of behaviour can be very subtle, and it can often help to talk through your experiences with a third party. These Teams can also make referrals to the University Mediation Service which helps people to communicate with each other when a dispute has arisen.
- ✓ Talk to the advisors in your Students' Union. The Just Ask Team in the Students' Union building offers independent advice and support to students on these issues and can advise on process and procedure.
- ✓ Talk about the issue with your Personal Tutor, Supervisor, Senior Tutor, or any other member of staff who you feel comfortable with, to discuss ways in which the situation can be resolved with their support and/or involvement.
- ✓ Try to speak directly to the person responsible for the behaviour – they may genuinely not know that they are acting in a way that's unacceptable to you. (Only try this if you feel comfortable taking this step and if you feel that it could resolve the situation).

If you have tried any of the above steps and the situation remains unresolved, or if you consider that informal action is not possible or would not be helpful, then you may submit a formal complaint (see Section 2 below).

### **2. Making a formal complaint**

2.1 To help you provide all the information that the University needs in order to address your complaint please complete and submit the Student Complaint Form: Allegation of Unacceptable Behaviour (Annex A) and send it by email to the Student Complaints Officer (SCO), [student-complaints@bristol.ac.uk](mailto:student-complaints@bristol.ac.uk). If you would like to discuss your complaint with the SCO before any action is taken, please make this known to the SCO in your email. The SCO is based in the University Secretary's Office and will decide on any further action, they will contact you as soon as possible, normally within ten working days of receiving your complaint.

2.2 University services such as the Student Wellbeing Service can provide advice and support to students experiencing difficulties as a result of unacceptable behaviour and who wish to make a complaint. Independent advice can be sought from Just Ask in the Students' Union.

2.3 It may not be possible to deal with allegations against third parties who are not students or staff at the University under this policy, as they are not subject to the

University's internal procedures. In these circumstances, you will be advised of other possible ways to pursue a complaint.

### **3. Confidentiality**

3.1 Whether your complaint is being dealt with informally or formally, if you want information about your concerns to be kept confidential, you must make this clear to the person you talk to. The information that you provide in relation to your complaint will be treated with discretion and will only be shared when necessary, with sensitivity and with your consent so that your complaint can be investigated. An exception to this would be if the University has a legal obligation to report the information that you disclose or if there are concerns about your safety. You will be notified before action is taken and offered support. It will not be possible to investigate anonymous complaints as the person you report will need to be informed of the complaint and who made it. (For information on submitting anonymous complaints see 6).

3.2 The University recommends that allegations of criminal acts, such as physical assault, rape or sexual assault, are reported to the police immediately. The University may report allegations of criminal activity to the police in cases where there is a legal obligation to report and where there are serious safeguarding concerns and risk to others. The University may not be able to investigate allegations of serious criminal offences; action taken under the Student Disciplinary Regulations can be restricted pending the outcome of a criminal investigation. Students who have reported or experienced sexual misconduct are advised to contact a University Sexual Violence Liaison Officer.

### **4. What happens if you have complained about the behaviour of a student?**

4.1 The SCO will determine whether a complaint is sufficiently serious to be dealt with under this policy. The University is limited in what action can be taken in relation to moderate disputes in private sector student houses.

4.2 The SCO will consider if reasonable steps have been taken to resolve the issue informally. In some cases, the SCO might suggest a way to resolve the complaint through informal means that have not yet been explored. The SCO may offer mediation where appropriate to you and the other person (see flowchart Annex B)

4.3 Should you need wellbeing support in relation to your complaint, the SCO will refer you to the Student Wellbeing Service.

4.4 If your complaint is about behaviour in an academic setting, the SCO may refer the complaint to the Faculty. The SCO will work with Senior Tutors and Wellbeing Advisors in your School or Faculty to ensure that the matter is dealt with sensitively.

4.5 If the complaint is about behaviour within the University Halls of Residence, the SCO may refer the complaint to the Head of Residential Life.

4.6 If the complaint is about behaviour within a Students' Union (SU) Society or Club then the complaint will be sent to the Chief Executive of the SU to be investigated under the SU Complaints Procedure. If the investigation finds evidence of serious misconduct on the part of individual students, then those students will be referred to the University to be dealt with under the Student Disciplinary Regulations.

4.7 Where informal resolution is not possible or where the matter is deemed more serious, the complaint will be referred for consideration under the Student Disciplinary Regulations.

## **5. What happens if you have complained about the behaviour of a member of staff?**

5.1 The SCO will refer allegations made against members of staff to the relevant HR Team where the complaint will be considered under the Conduct Procedure for Members of Staff (Ordinance 28), see flowchart Annex B. The HR team will explore whether the matter can be resolved by informal means, such as mediation, before taking formal action. Any action taken under Ordinance 28 is confidential however, if the complaint is upheld, the SCO and HR will consider what measures may be put in place to resolve the complaint.

5.2 Should you need wellbeing support in relation to your complaint, the SCO will refer you to the Student Wellbeing Service.

5.3 You should be aware that legitimate and constructive criticism of a student's performance or behaviour, or reasonable requests made of students by members of staff will not constitute unacceptable behaviour under this policy. You can find out more about staff misconduct at the following links:

<http://www.bristol.ac.uk/hr/policies/ord28index.html>

## **6. Anonymous Reporting**

The Report and Support facility enables students and members of staff to submit online reports and seek advice and support for incidents of harassment, assault and discrimination. This facility also gives students and staff the opportunity to report experiences anonymously. Anonymous reports cannot be investigated but will be monitored for emerging trends.

<https://www.bristol.ac.uk/students/wellbeing/services/student-wellbeing-service/>

## STUDENT COMPLAINT FORM: ALLEGATION OF UNACCEPTABLE BEHAVIOUR

Please note – this form will be available to download from the student forms web page:

[www.bristol.ac.uk/currentstudents/forms](http://www.bristol.ac.uk/currentstudents/forms)

And on the web as an Annex to this Guidance.

*You can also submit details of your complaint by email to the Student Complaints Officer*  
[Student-Complaints@bristol.ac.uk](mailto:Student-Complaints@bristol.ac.uk)

### 1. PERSONAL DETAILS

Full Name:

Student ID No:

Programme and Year of Study:

Address for correspondence in connection with the complaint\*:

Postcode:

Telephone number:

Email address:

*\*In the case of a Group Complaint, please attach a list of complainants and their details on a separate sheet of paper*

The University will communicate with you about your complaint by email (current students will normally be contacted through their University email address only) or by post to the address you have given above. It is important that you keep your contact details up to date and notify the Student Complaints Officer of any changes.

### 2. NATURE OF COMPLAINT

Are your allegations being made against:

- A member of staff
- A student
- Other (please state)

### 3. DETAILS \*\*

**3.1 Please provide details of your complaint, providing as much information as possible relating to the allegations you are making in terms of dates, specific incidents, and any supporting evidence as appropriate. As far as possible, present the events leading up to the incident(s) in chronological order. This will help the person reading your complaint to understand the history and context of the issue.**

**3.2 Please set out the steps you have taken to address the matter through informal means, including who you have approached to resolve your complaint. If you have been unable to take steps to address the matter please say why this has not been possible.**

**3.3 Please indicate what outcome or further action you are seeking.**

### 4. DECLARATION

**I declare that the information provided in this form is to the best of my knowledge true, and that I would be willing to answer further questions relating to it if necessary.**

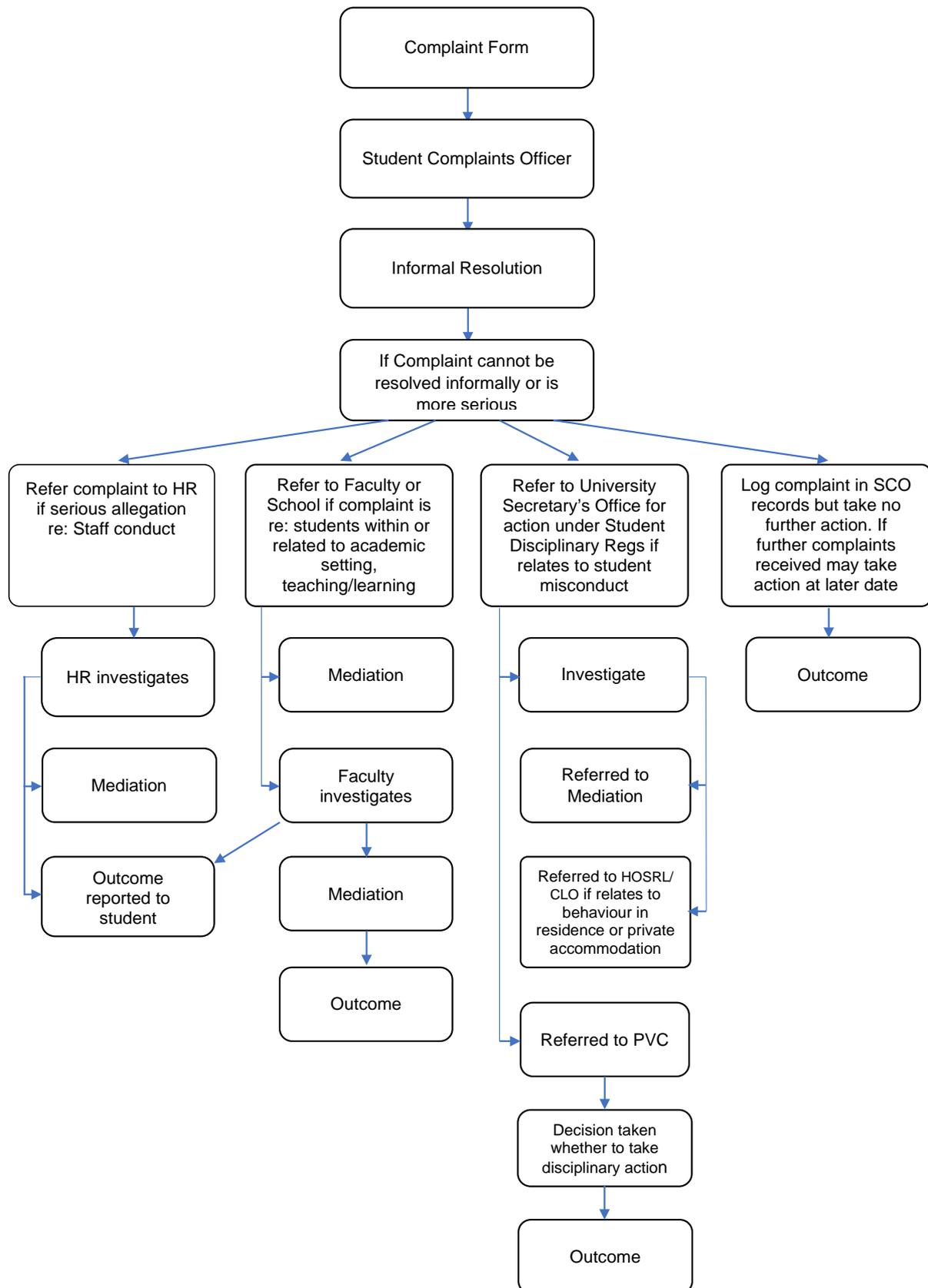
**Signed:**

**Date:**

#### **\*\* Factors to consider when providing details under Section 3:**

- ✓ *Do not assume that the reader of the complaint will be familiar with the situation you are describing, or the people involved. Make sure that somebody reading it for the first time can immediately understand the issues and when and where they arose. For example, instead of saying 'my tutor', name the individual you are referring to.*
- ✓ *Be specific: if an incident has occurred, try and detail the exact date(s) on which it happened. If an incident has arisen that made you feel uncomfortable or harassed, you should try and describe exactly what happened and why it made you feel that way. It's important to spell out as clearly as possible how you have been affected by the incident(s).*
- ✓ *Provide documentary evidence wherever possible. This can be in the form of copies of emails, written correspondence you have received, screen shots or print outs of comments/messages posted on social media – basically anything that supports the allegations you are making.*
- ✓ *Provide details of any action you have taken to try to resolve the situation yourself through personal action – for example, making the person aware of the impact their behaviour is having on you – and why this was unsuccessful. If you have been unable to take steps yourself to resolve the situation, ensure that you provide details as to why this is the case.*

## Annex B – Formal Complaint



## Frequently Asked Questions

Can I talk to the SCO about my complaint?

Yes, you can discuss your complaint with the SCO by email, phone or in person. [Email student-complaints@bristol.ac.uk](mailto:student-complaints@bristol.ac.uk), Tel. 0117 3941820

How long will it take for me to get an outcome?

This will depend on the nature of the allegations. Complaints about unacceptable behaviour are picked up quickly and dealt with on a case by case basis. In some cases, swift action can be taken to ease a situation, in other cases allegations will require a full investigation following a formal procedure which can take longer. You will have the opportunity to talk to the SCO about your individual case. You can also contact Just Ask in the SU to get independent advice on your complaint and on the process.

If I make a complaint about someone will they get to see the complaint?

The person that you complain about has a right to know what the complaint is about and who has made it. They will not necessarily be shown the complaint form; each complaint is dealt with on a case by case basis and if you have concerns you can discuss these with the SCO or the person considering your complaint.

If I make a complaint about my supervisor will they still get to mark my work?

Complaints of this nature will be dealt with on a case by case basis and will very much depend on the nature of the complaint. Marking is generally anonymous and moderated or double marked. Additional scrutiny may be added where the supervision of a dissertation is concerned. If the complaint relates to a specialised area (e.g. PhD), then the Faculty will work with you on how best to proceed.

What is mediation and is it compulsory?

Mediation is a free, confidential and independent process that allows people to have their dispute heard and to be recognised. Mediation supports people in a 'dispute' to try and find their own resolution to the problem. It is a voluntary process so it will never be compulsory. Mediation can take place with you and the other person in different rooms for the entire process if you wish, so that the mediator moves between the rooms and you don't have to speak to the other person face to face. <http://www.bristol.ac.uk/secretary/mediation/>

What action might be taken following my complaint about another student?

This very much depends on the nature of the complaint. Complaints will be dealt with carefully; it may be that the person you have complained about is unwell and needs some help. In these cases, support will be put in place for them and for you and steps will be taken to sort out any problems that the behaviour is causing.

In other cases, investigation of the complaint may lead to a letter being sent to the student by the SCO or a Senior University Lawyer. In cases where investigation of the complaint finds serious misconduct then the student will be dealt with under the Student Disciplinary Regulations and may be referred either to the Vice-Chancellor or to a person nominated by them to act on their behalf.

<https://www.bristol.ac.uk/media-library/sites/secretary/documents/student-rules-and-regs/student-disciplinary-regulations.pdf>

What is a Non-Contact Order and can I get one?

A Non-Contact Order is a limited order of suspension issued under the Student Disciplinary Regulations by the Pro Vice-Chancellor (PVC) responsible for student discipline. The order will impose specific terms on a student, such as not contacting named students, either in person or by electronic means. Non-Contact Orders are not something that can be requested, they are issued by the PVC as a last resort when there is a serious threat to the

wellbeing of a member of the University community and where the situation cannot be managed in any other way. <https://www.bristol.ac.uk/media-library/sites/secretary/documents/student-rules-and-regs/student-disciplinary-regulations.pdf>.

### 3. How the University uses student personal data (Fair processing notice)

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#### About this notice

The University needs to collect and process personal data in order to function effectively as an educational institution and to provide students with the support they require while undertaking their studies. Personal data is processed for a variety of reasons (as set out below) and all such personal data will be collected and processed in accordance with the requirements of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

This notice explains how the University collects, uses and shares personal data relating to applicants and prospective, current and former students (you/your) and your rights in relation to the processing of your personal data.

In this notice:

- **personal data** means any data which can identify you directly or indirectly (whether itself or when combined with other data), regardless of the format or media on which the data are stored. This includes data that can identify you when combined with other data that is held separately (pseudonymous data) but does not include data that has been manipulated so that you can no longer be identified from it (anonymous data).
- **processing** means any activity relating to your personal data including collection, use, alteration, storage, disclosure and destruction.

Unless the University processes your personal data on behalf of another organisation for purposes that have been determined by that organisation, the University is a 'controller' in relation to your personal data and is registered as such with the Information Commissioner's Office (**ICO**) (registration number [Z6650067](#)).

#### Changes to this notice

The University may update this notice at any time and may provide you with further notices on specific occasions where we collect and process personal data about you. You should check this notice regularly to take notice of any changes, however where any change affects your rights and interests, we will make sure we bring this to your attention and clearly explain what this means for you.

#### Questions or comments

If you have any questions or comments regarding this notice or you wish to exercise any of [Your rights](#), you should contact our Data Protection Officer by email at [data-protection@bristol.ac.uk](mailto:data-protection@bristol.ac.uk) or by phone on ext. 41824.

#### How we collect your personal data

We may collect your personal data in a number of ways, including:

- personal data provided by you when you express an interest in applying to the University (for example, by booking a place on one of our open days or requesting a printed prospectus).

- personal data provided by you when you apply to be a student at the University (for example, by applying online through the Universities and College Admissions Service (**UCAS**), or directly to the University).
- personal data provided by you when you register as a student with the University.
- personal data provided by you when you communicate with us by telephone, email or via our website and social media (for example when you contact us or any member of our staff to make an enquiry or raise a concern).
- personal data collected from or observed about you in the course of your studies including your use of University resources, services and systems and other interactions with the University.
- personal data from third parties in the course of the application and admissions process, or during the course of your studies (for example, UCAS, other institutions that deliver joint programmes with the University, Government departments such as the Home Office, the Student Loans Company and your previous or current school, college, university or employer who may provide a reference about you or who may sponsor your studies).

### **Types of personal data processed**

Personal data the University may process includes:

- your unique University student number and other examples of unique system IDs (e.g. UCAS personal ID)
- contact information (including name, term-time and holiday addresses, date of birth, phone numbers and email addresses)
- photographs
- information provided as part of your application to study at the University, or created during the application process (e.g. interview scores and notes)
- financial information
- attendance information (for teaching and pre-registration events such as visit days and interviews)
- visa and immigration information (including visa and passport details)
- academic marks and progress
- information provided in relation to extenuating circumstances, appeals and complaints
- references
- disciplinary information
- caring responsibilities
- information regarding hobbies and interests
- other legitimate personal data relating to academic and pastoral support

We may also collect, or you may choose to provide us with, the following **special categories** of more sensitive personal data:

- information revealing your race or ethnicity, religious beliefs, sex life or sexual orientation (whether or not indicated by your gender or gender identity) and political opinions
- information about your health, including any disability or medical condition, and dietary requirements
- information about criminal convictions or offences

These types of personal data require us to take additional steps to ensure their security and confidentiality.

### **Personal data provided by you about others**

You may provide us with personal data about other individuals, for example, emergency contact details and information about your family circumstances and dependents (for example to assess bursary and grant eligibility and provide pastoral care services). Students should notify the relevant person that they are providing their contact details to the University as their listed emergency contact.

### **How the University uses personal data about you**

The University may process personal data (including special categories of personal data) about you for the following purposes:

- administration of applications (for example, receiving and processing UCAS forms and applications, compilation of statistics, assessments of applications and interviews including offers at different stages of progression)
- educational administration (for example, programme and unit registration, progress monitoring, timetabling, calculation and publication of assessments and results, provision of references and assessing eligibility for bursaries and grants)
- provision of library and information services (for example, administration of membership, cards, loans and fines)
- provision and maintenance of computing facilities (for example, email accounts and internet access)
- financial administration (for example, payment of tuition fees and other services administered by Finance Services, provision of loans and bursaries via the Student Funding Office, and the use of debtor information to make decisions about withholding bursary payments, preventing re-registration of returning students and inviting students to graduation ceremonies)
- administration of student welfare/pastoral care services (for example, contact with personal tutor, Counselling Service, Disability Services, Careers Service and financial advice services)
- administration and provision of health care services (for example, Student Health Service and Counselling Service)
- security and crime prevention/detection (for example, the use of regulated CCTV, security incident reports)

- provision of student ID card (UCard)
- provision and management of University owned and privately-owned property for students
- promotion of the University (for example, providing information about programmes that may be of interest to you, summer schools and events hosted, co-hosted or supported by the University on and off-campus)
- auditing compliance with the University's legal and regulatory obligations and policies (including those relating to visa/Tier 4 requirements)
- handling complaints, appeals and disciplinary actions

The University will also use student personal data to produce non-identifiable statistical data for analysis to fulfil its commitment to equality monitoring, to provide a more targeted response to improving the student experience, and to respond to freedom of information requests.

### **Lawful grounds for processing your personal data**

We will only use your personal data when we are permitted to do so by law. Most commonly, we will use your personal data:

- **to perform a contract** the University has entered into with you or take steps before entering into a contract with you at your request (for example, as part of the admissions process and once you have enrolled as a student, to provide you with the services set out in the Student Agreement).
- **to comply with the University's legal obligations** (for example, complying with immigration, anti-money laundering, health and safety and safeguarding laws, preventing and detecting crime, assisting the police and other authorities with their investigations).
- **to perform tasks carried out in the public interest** which are mainly set out in the University's Charter (and related Acts, Statutes, Ordinances and Regulations).
- **where necessary for our legitimate interests** or those of a third party provided your interests and rights do not override those interests (for example, providing services that do not form part of the Student Agreement, monitoring the effectiveness and performance of the University's teaching, promoting equality and diversity, providing administrative and management services and recovering monies owed to us).
- **to protect your vital interests** or those of another person (for example where we know or have reason to believe that you or another person may suffer harm)

In circumstances, where you have a genuine choice as to whether we should process your personal data, we will ask you for your **consent**. The method used to obtain your consent will depend on the scope and context of the processing that we propose.

In relation to special categories of personal data and personal data relating to criminal convictions and offences, we may request your **explicit consent** unless a condition applies which allows us to process such personal data without doing so.

## Sharing your personal data with third parties

Where there are lawful grounds for doing so, the University may share your personal data with the following third parties:

- Individuals employed or engaged by the University, to the extent necessary to perform their duties
- The Higher Education Statistics Agency ([HESA](#))
- The [Office for Students](#), or parties acting on its behalf (for example, Ipsos MORI conducting the National Student Survey)
- [Student Loans Company](#) and other bodies involved in student finance (for example, Student Awards Agency Scotland, Student Finance England, Student Finance Wales, Student Finance Northern Ireland, Student Finance European Union) - to allow students to receive their loans
- Department of Education and Local Education Authorities
- Local authorities (primarily Bristol City Council, but potentially other neighbouring authorities) - in relation to Council Tax exemption, maintaining the electoral roll and administration of housing benefit
- [UK Visas and Immigration](#) - [information on immigration and visas](#)
- [General Medical Council \(GMC\)](#) - for medical graduates, to process and maintain registration with the GMC
- [General Dental Council \(GDC\)](#) - for dental graduates, to process and maintain registration with the GDC
- Royal College of Veterinary Surgeons (RCVS) – for veterinary graduates, to process and maintain registration with the RCVS
- [The Students' Union \(Bristol SU\)](#) - the University will provide Bristol SU with student personal data to allow it to create and manage its membership list, though students can decide not to be a member
- [JISC Plagiarism Detection Service \(Turnitin®\)](#)
- External accommodation providers - where student accommodation is provided on behalf of the University
- Research Councils
- External parties assisting with admissions or examination procedures (for example, interviewing for certain programmes)
- Agents assisting the University with international admissions (limited to what is strictly necessary for the performance of the agent's role) - this may include the disclosure of personal data outside the [European Economic Area](#)
- Internal and external auditors
- External examiners
- Other education institutions, partners or research organisations where a student's programme is being run collaboratively, or where such parties host

students for elements of their programme (for example, other universities, schools, NHS and industry bodies)

- Third parties performing administrative functions on behalf of the University (acting as data processors)
- Debt collection agencies – when students have not paid fees that they owe
- Police and other investigative agencies - only where the disclosure of personal data would assist with the investigation of a crime or other alleged misconduct, and such disclosures are necessary and proportionate to the aims of the investigation
- Organisations seeking student views to enable the University to endeavour to improve the experience offered to students (for example, the National Student Survey)
- The Government and local authorities during information gathering exercises when the University is legally obliged to provide data
- Potential employers and other educational institutions requesting a reference for a current or past student (consent is implied by providing the University's details as a referee). This includes confirmation of awards.
- Academic and research staff for the purposes of research (potentially involving disclosures to external organisations or regulators, under contract and properly assessed) – steps will be taken to protect your identity, which will not be published, and data will not be used to take decisions about you individually.

Where the University uses third parties to process personal data on its behalf (acting as data processors), a written contract will be put in place to ensure that any personal data shared will be held in accordance with the requirements of data protection law and that such data processors have appropriate security measures in place in relation to your personal data.

Parents, family members and guardians are considered to be third parties and your personal data will not be disclosed to such persons unless you have given your consent at application or registration to the disclosure of limited information in certain circumstances, or the disclosure is otherwise made in accordance with data protection law.

**Please note that we may need to share your personal information with a regulator or to otherwise comply with the law.**

### **Where your personal data are stored**

Most personal data about you, including your core student records, will be stored on servers within the UK or elsewhere within the European Economic Area (**EEA**). However, some personal data that the University processes about you may be accessed from, transferred to, or stored in, a country or territory outside of the EEA. The University will only transfer your personal data outside of the EEA:

- to a country or territory that has been determined by the European Commission as providing an adequate level of protection for your personal data.

- in the case of a third party based in the United States of American, where such third party has self-certified under the [EU-US Privacy Shield Framework](#).
- where the transfer is subject to one or more appropriate safeguards prescribed by law, including the standard contractual clauses approved by the European Commission.
- if the transfer is otherwise permitted by law or where you have given your explicit consent.

### **How the University keeps your personal data secure**

The University has put in place appropriate technical and organisational security measures to prevent your personal data from being accidentally lost, used or accessed in any unauthorised way or altered or disclosed. In addition, the University limits access to your personal data to the persons and organisations described above who have a need to access it. For further information, visit the University's [Information Security](#) page.

The University has also put in place procedures to deal with any suspected personal data security breach and will notify you and any applicable regulator of a suspected breach where legally required to do so.

### **How long the University will retain your personal data**

The University must only to retain your personal data for as long as necessary to fulfil the purposes for which it was collected and to satisfy any legal, regulatory, accounting or reporting requirements.

Specified retention periods are applied to each category of personal data that we may process about you. In setting these retention periods, the University has taken into account:

- the nature, sensitivity and volume of the personal data
- the potential risk of harm to you arising from the University's continued retention of the personal data
- the purposes for which the University may process your personal data
- whether the University is required to retain any personal data by law or in accordance with its legitimate interests

Generally speaking, all relevant correspondence in relation to your application and studies will be held by the University and retained for six years after your graduation or departure, after which time it will be securely disposed of. Core information about your studies and academic awards (e.g. dates of study, courses studies, main academic details etc) will be retained indefinitely.

In some cases, the University may anonymise your personal data so that it can no longer be identified with you, in which case the University may retain such data indefinitely.

If notice of a legal claim or other proceeding is received, then the University may retain and process relevant personal data in order to defend the claim for the duration of the same.

Whilst the University may dispose of any personal data after the conclusion of the claim, please be aware that all litigation documents disclosed, or evidence given, may be a matter of public record.

### **Collaborative programmes of doctoral training**

Please be aware that if you are applying for or enrolling on a collaborative programme of doctoral training (such as those listed on the [Bristol Doctoral College website](#)) then the University will need to make some further uses and disclosures of your personal data to administer your place on the programme. For further information, please see the relevant [Data Protection Statement](#).

### **Contact directories**

The name and email address of all students will be included in the University [contact directory](#), the contents of which are accessible to all University staff and students, but not to external audiences.

Postgraduate Research students' details will be included in the [Explore Bristol Research](#) and [Pure](#) directories, which are public-facing.

If students do not wish their details to feature in these directories they need to contact the University Secretary's Office who will consider their request. Please contact [data-protection@bristol.ac.uk](mailto:data-protection@bristol.ac.uk).

### **Email**

Email for students is provided by a third party. This requires the University to disclose some personal data (name and email address) to this third party. Students using the service are also subject to the third party's terms of use and privacy policy and are notified of these terms when issued with their account.

### **Your responsibilities**

You must ensure that any personal data collected and processed by you in the course of your studies is held in accordance with the University's Data Protection Policy. Any research involving the use of personal data should only be conducted following an ethical review. You are also subject to the [University's Information Security Policy](#).

You have a responsibility to ensure your personal details are up to date. Registered students can do this online at [Student Info](#), and applicants should contact UCAS or the University.

### **UCard (University ID card)**

The [UCard Privacy Policy](#) sets out how personal data, and other information related to the UCard, is handled.

### **CCTV**

The University operates CCTV around its properties for security and crime detection purposes. For further information, please see the University's [CCTV Code of Practice](#).

### **Alumni**

On graduation, you will automatically become a member of the University alumni and may receive information relating to alumni activities, such as news, events and

fundraising opportunities. There is further information available about the benefits of being a Bristol alumnus on the [Campaigns and Alumni Relations Office website](#).

To opt out of receiving such information please send an email to: [alumni-change@bristol.ac.uk](mailto:alumni-change@bristol.ac.uk)

## Your rights

You have a number of rights in relation to the processing of your personal data by the University:

- **Access:** You have the right to request access to and be provided with a copy of the personal data held about you together with certain information about the processing of such personal data to check that the University is processing it lawfully and fairly.
- **Correction:** You have the right to request correction of any inaccurate or incomplete personal data held about you.
- **Deletion:** You have the right to request erasure of any personal data held about you where there is no good reason for the University to continue processing it, or where you have exercised your right to object to the processing of your personal data.
- **Restriction:** You have the right to request restriction of how the University processes your personal data, for example, to confirm its accuracy or the University's reasons for holding it or as an alternative to its erasure.
- **Objection:** You have the right to object to the University's processing of any personal data which is based on the legitimate interests of the University, or those of a third party, relating to your particular circumstances. You also have the right to object to the University processing your personal data for direct marketing purposes.
- **Portability:** You have the right to receive or request that the University transfers a copy of your personal data in an electronic format where the basis of the University processing such personal data is your consent or the performance of a contract, and the information is processed by automated means.
- **Complaints:** You have the right to complain to the Information Commissioner's Office (ICO) or any other EU supervisory authority in relation to how the University processes your personal data.

To exercise any of these rights you will need to contact the University's Data Protection Officer at [data-protection@bristol.ac.uk](mailto:data-protection@bristol.ac.uk). The University may be entitled to refuse any request in certain circumstances and you will be notified accordingly where this is the case.

Where the lawful ground relied upon by the University to process any of your personal data is your consent, you have the right to withdraw such consent at any time without having to give any reason. However, if you do so, the University may not be able to provide some or all of its services to you or the provision of those services may be affected.

You will not have to pay any fee to exercise any of the above rights, though the University may charge a reasonable fee or refuse to comply with your request if any

request is clearly unfounded or excessive. Where this is the case, you will be notified accordingly.

To protect the confidentiality of your personal data the University may ask you to verify your identity before fulfilling any request in relation to your personal data.

**Version 1.3, May 2018**

## **4. Student Complaints Procedure**

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### **1 Introduction**

1.1 A complaint is an expression of dissatisfaction by one or more students about action or lack of action by the University, or about the standard of service provided by or on behalf of the University. The University aims to operate a fair and transparent student complaints procedure and students will not suffer any detriment by making a complaint.

1.2 Wherever possible, concerns raised by students should be resolved informally without recourse to formal procedures. If a student has a complaint about any aspect of University life, it should be raised with an appropriate person at the earliest opportunity. Faculties, schools and divisions that provide services to students should inform students who to contact in the first instance if they have a complaint.

1.3 If the student is unable to resolve the complaint informally, or is dissatisfied with the outcome, this complaints procedure shall be followed. Complaints by students with a registered disability about the provision of reasonable adjustments for teaching and assessment shall be given priority and dealt with urgently, in order to prevent prejudice to the student that might be caused by any delay.

1.4 The complaints procedure involves two stages:

- (i) The Local Stage
- (ii) The University Stage

1.5 Students may raise complaints jointly.

1.6 Complaints must be brought promptly. The University will not accept complaints that are made longer than 90 days after the matters complained about, unless there is good reason for the delay.

1.7 Any registered student may bring a complaint under this procedure. A former student may also bring a complaint under this procedure within 90 days after the matters complained about, but only if the complaint could not reasonably have been brought while he or she was a registered student.

1.8 Anonymous complaints may only be accepted at the discretion of the University Secretary.

1.9 Complaints about decisions of an academic body on student progress, assessment and awards may not be brought under this procedure and may only be raised under the academic appeals procedure set out in the Examination Regulations. Complaints about teaching and supervision will not be considered in an academic appeal unless they were raised by the student promptly at the time they first arose and pursued under this procedure.

1.10 Claims for compensation for personal injury cannot normally be brought under this procedure but may be accepted at the discretion of the University Secretary.

### **2 Early Resolution**

2.1 It is expected that a person to whom a complaint is brought informally should seek to resolve any concerns that have been raised. If following discussion of the concerns, or where the concerns raised involve interpersonal relationships, he or she considers it appropriate, he or she may recommend that a facilitated discussion

takes place or that the matter is referred to mediation. Both of these are voluntary and will only take place if all parties agree. However, the University encourages the early resolution of issues through these means where appropriate.

2.2 Where appropriate, the person to whom a complaint is brought informally may refer the concerns to be dealt with under the Acceptable Behaviour Policy or the appropriate disciplinary procedures.

### **3 The Local Stage**

3.1 Where early resolution of the complaint is not possible, the student may invoke the Local Stage by completing a Complaint Form and submitting it to the Student Complaints Officer (0117 394 1820, internal extension 41820, email [student-complaints@bristol.ac.uk](mailto:student-complaints@bristol.ac.uk)). The Student Complaints Officer will act impartially and will be able to give advice to students about any procedural matters. Students may also obtain advice from the Students' Union as set out in section 8 of this procedure.

3.2 The Complaint Form should set out details of the complaint and state the remedy sought. Any evidence on which the complaint is based should be submitted with the Complaint Form.

3.3 On receipt of the Complaint Form the Student Complaints Officer will refer the complaint to an appropriate person for consideration at the Local Stage. In the case of complaints relating to academic matters, this will normally be the Faculty Education Manager or Faculty Education Director. Complaints about other services will be referred to an appropriate member of staff in Professional Services. In some cases, the Student Complaints Officer may be able to resolve the student's complaint without recourse to the Local Stage.

3.4 The person considering the complaint at the Local Stage may decide to meet with the student to discuss the complaint. If so, the student may bring an adviser, friend or representative to the meeting.

3.5 The outcome of consideration at the Local Stage will be conveyed to the student in writing. The University aims to complete the Local Stage within 30 days of the submission of the complaint.

### **4 The University Stage – Complaint Review Panel**

4.1 If it has not been possible to resolve the complaint at the Local Stage or if the student remains dissatisfied with the outcome, he or she may request that the complaint is progressed to the University Stage.

4.2 The student should make the request in writing to the Student Complaints Officer within ten working days of receipt of the Local Stage outcome.

4.3 Upon receipt of the request, the Student Complaints Officer shall refer the complaint to a Complaint Review Panel. The University aims to convene the Review Panel within 30 days of the student's request to the Student Complaints Officer.

4.4 The Complaint Review Panel shall normally consist of three senior members of University staff who have had no prior involvement with the complaint. The proceedings of the Review Panel will not involve a hearing.

4.5 The Review Panel will consider the complaint and may:

- a) ask the parties to reconsider any decision not to enter into mediation;
- b) refer the matter back to the Local Stage or to another appropriate person with an instruction or recommendation for resolution. If the instruction or recommendation is not carried out, the student may refer the matter back to the Review Panel for reconsideration;
- c) dismiss the complaint, giving reasons, and issue a Completion of Procedures letter;
- d) recommend that a Committee of the Board of Trustees be appointed to hear the complaint.

4.6 The University Secretary will appoint a clerk to the Review Panel. The role of the clerk shall be to prepare the documentation, take a note of the Panel's deliberations and advise the Panel on the applicable regulations and procedures. The outcome of consideration by the Review Panel will be conveyed to the student in writing.

## **5 The University Stage – Committee of the Board of Trustees**

5.1 If the Review Panel recommends that a Committee be appointed to hear the complaint, the Board of Trustees will appoint a Committee, which shall normally consist of three members and which may include among its members Trustees, University staff who are not Trustees, and persons from outside the University. At the request of the student, the Board of Trustees may appoint a Students' Union officer as an additional member. In the event of the Committee being divided in its view, the Chair will have a casting vote.

5.2 The University Secretary will appoint a clerk to the Committee. The role of the clerk is to assist the Committee by collating the evidence, preparing the documentation, making arrangements for the hearing, taking a note of the proceedings and advising the Committee on the applicable regulations and procedures.

5.3 The clerk may on behalf of the Committee ask for written witness statements or documents such as medical certificates to be produced in advance of a hearing. The student will be entitled to see all statements and documents seen by the Committee.

5.4 The student is entitled to be present at hearings of the Committee, and to be accompanied by an adviser, friend or representative. The Students' Union employs student advisers who may be asked to act in this capacity. If a complaint is being made against a particular person, he or she is also entitled to attend hearings and to be accompanied by an adviser, friend or representative. In the event that either party is without good reason unable to attend, the hearing will either be held in that party's absence or rescheduled. If the party concerned has good reason for non-attendance the hearing will be rescheduled.

5.5 The order of any hearing will be at the discretion of the Committee, which may ask for enquiries to be undertaken and witnesses to attend. The Committee may ask questions of anyone present. The student will be given a full opportunity to state his or her case and will be able to address the Committee at the conclusion of any evidence that has been presented.

5.6 The Committee will report to the Board of Trustees, setting out its findings and any recommendations, and a copy of the report will be sent to the student and to any person against whom the complaint was made.

## **6 Confidentiality**

If information is to be kept confidential, the student should make this clear to the person to whom a complaint is made. Students should understand that in exceptional circumstances it may be difficult for confidentiality to be respected, for instance where a criminal offence has been disclosed. Students should also understand that in some circumstances the demand for confidentiality may make it difficult for the University to assist them with their complaint.

## **7 Nominees**

Unless the context indicates otherwise, an Officer of the University may act through his or her nominee.

## **8 Support from the Students' Union**

The Students' Union offers support to students who are encountering difficulties, and the Union can raise issues which affect a number of students at one of the regular meetings of the University's Student Affairs Committee. The Union also provides a free and confidential student advice and representation service available at <http://www.bristolsu.org.uk/justask>.

## **9 Office of the Independent Adjudicator for Higher Education (OIA)**

If the student is still dissatisfied, he or she may take the case to the Office of the Independent Adjudicator for Higher Education, which provides an independent scheme for the review of student complaints. The OIA will consider cases only when the University's own internal complaints procedure has been exhausted. It will not intervene on matters which turn purely on academic judgment.

Further information about this scheme is available at [www.oiahe.org.uk](http://www.oiahe.org.uk).

## **10 Quality Assurance Agency for Higher Education (QAA)**

The QAA Concerns Scheme was set up to investigate concerns about how higher education providers manage their academic standards, the quality of learning opportunities, and the information that they make available about their provision. It does not resolve individual complaints against providers and is unable to provide redress or compensation to any individual submitting a complaint. However, the QAA can look at individual complaints for evidence of broader failings in the management of academic quality and standards, and where it considers that these indicate serious systemic or procedural problems, it will investigate them as concerns. The aim of an investigation by the QAA under the Concerns Scheme is to safeguard and improve the overall quality of UK higher education by addressing weaknesses within a particular higher education provider. Students seeking individual redress or compensation should contact the OIA.

Last amended July 2019

## **5. Student Disciplinary Regulations**

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### **1. Preliminary Matters**

#### **1.1. Authority for the Regulations**

These Regulations are made under Statute 21.11 of the University of Bristol, by which Senate has the power to provide for the discipline of the students of the University.

#### **1.2. Other disciplinary procedures**

Once disciplinary proceedings have been taken against a student under these Regulations, no disciplinary action may be taken against the student under other disciplinary rules or regulations within the University (other than professional fitness to practise procedures) for the same misconduct. For the avoidance of doubt, where disciplinary proceedings have been taken against a student under other disciplinary rules or regulations within the University (such as professional fitness to practise procedures), disciplinary action may be taken against the student under these Regulations for the same misconduct.

#### **1.3. The Vice-Chancellor may act through a nominee**

Unless the context indicates otherwise, references within these Regulations to the Vice-Chancellor shall be construed to refer either to the Vice-Chancellor or to a person or persons nominated by them to act on their behalf.

### **2. Misconduct**

#### **2.1. Right of the University to take disciplinary measures**

Any student studying or registered at the University of Bristol shall be subject to disciplinary measures if they are found to be guilty of misconduct as defined below.

#### **2.2. Definition of misconduct**

Any act or omission, whether occurring on University premises or elsewhere, which improperly interferes with the functioning or activities of the University or of those who work or study in the University, or otherwise improperly damages the University or its reputation, shall constitute misconduct under these Regulations, including but not limited to the following:

- a. Any conduct which constitutes a criminal offence;
- b. Disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University;
- c. Obstruction of, or improper interference with, the functions, duties or activities of any student or member of staff of the University, or any visitor to the University;
- d. Violent, indecent, disorderly, threatening, intimidating or offensive behaviour or language, whether expressed verbally or in writing, including in electronic form;
- e. Bullying, harassment or unacceptable behaviour of any student or member of staff of the University, or any visitor to the University, on the grounds of sex, race, religion or belief, disability, sexual orientation, gender reassignment, age or other grounds;

- f. Fraud, deceit, deception or dishonesty in relation to the University or its staff, students or visitors;
- g. Cheating or plagiarism in academic course work or in examinations;
- h. Theft, misappropriation or misuse of University property, or the property of the University's staff, students or visitors, including computer misuse;
- i. Misuse or unauthorised use of University premises;
- j. Damage to University property, or the property of the University's staff, students or visitors, caused intentionally or recklessly;
- k. Action likely to cause injury or impair safety on University premises, at University organised events or on any other site associated with the University;
- l. Failure to respect the rights of others to freedom of belief and freedom of speech;
- m. Breach of the provisions of any University code, rule or regulation, including any student code of conduct;
- n. Failure to disclose personal details to a member of staff of the University in circumstances in which it is reasonable to require that such information be given;
- o. Failure to comply with a reasonable instruction relating to discipline, issued by the Vice-Chancellor or the Registrar, or by a member of staff acting with the authority of the Vice-Chancellor or the Registrar.

### **3. Misconduct in student residences and in the community**

#### **3.1. Local rules and regulations**

The Deputy Registrar (Academic Services) and the Director of Student Services are authorised to draw up and publish local rules and regulations for student behaviour in University residences and in the community.

#### **3.2. Breaches of local rules and regulations**

The following persons are authorised to exercise summary disciplinary jurisdiction and to impose penalties for breaches of local rules and regulations for student behaviour in University residences and in the community:

- a. The Head of Student Residential Life and the Community Liaison Officer in respect of misconduct in accommodation in the community;  
[www.bristol.ac.uk/accommodation/community](http://www.bristol.ac.uk/accommodation/community)
- b. The Head of Student Residential Life and Heads of Residential Life or Deputy Heads of Residential Life in respect of misconduct relating to University residences;
- c. The Head of Student Residential Life in respect of misconduct in the community outside of accommodation, such as misconduct due to intoxication, violent and disorderly behaviour.

Only the persons listed above have the authority to issue formal written warnings in relation to their respective areas of responsibility.

The persons listed above will report annually at the end of each academic year to the Secretary's Office with details of all misconduct dealt with and penalties imposed under this section.

The Secretary's Office may provide guidance to assist these persons to deal with disciplinary matters within their jurisdiction.

### **3.3. Penalties for breaches of local rules and regulations**

If a student is found guilty of a breach of local rules and regulations for student behaviour in University residences and in the community, the persons described in section 3.2 of these Regulations may impose one or more of the following penalties:

- a. A written reprimand;
- b. A requirement to write a letter of apology to a specified person or persons;
- c. A requirement to attend a specified course or programme and to pay the reasonable cost as determined at the relevant time by the University;
- d. A caution, which means that no penalty is imposed, but if the student is found guilty of misconduct on a subsequent occasion in the following twelve months (or some other specified period), they will then be dealt with for both offences;
- e. A fine not exceeding £250;
- f. The requirement to pay a reasonable sum by way of compensation for identified and quantified loss;
- g. The requirement to give and comply with a written undertaking as to future behaviour;
- h. Exclusion, either permanently or for a specified period, from the use of a specified University service or facility (including specified residential facilities) to which the misconduct relates;
- i. The requirement to perform unpaid services for the University or local community for a maximum of 20 hours;
- j. In the case of serious misconduct, referral to a Disciplinary Committee appointed under section 7 of these Regulations, which in addition to the penalties above may exclude, suspend or expel a student;
- k. In the case of a breach or misconduct which is also a criminal offence, referral to the police.

Where the breach or misconduct is also a breach of the terms of residence of University accommodation, the student may be referred to the Director of Residential and Hospitality Services, who may take steps to evict the student.

### **3.4. Referral of cases to the Vice-Chancellor**

Any misconduct constituting a criminal offence or where a student has been arrested by the Police or could result in reputational damage to the University will be referred to the Vice-Chancellor for consideration.

### **3.5. Right of appeal**

A student on whom a penalty is imposed under section 3.3 of these Regulations may appeal against the finding of guilt or the imposition of the penalty. Appeals must be submitted in writing to the Director of Student Services or Deputy Director of Student

Services within fourteen calendar days of notification of the penalty. The person considering the appeal may reject the appeal and confirm the original penalty, uphold the appeal, or refer the case to the Secretary's Office, for referral to a Committee of the Board of Trustees established under the procedures set out in Section 10 of these Regulations.

#### **4. Involvement of the Police and Criminal Courts**

##### **4.1. Misconduct which is also a criminal offence**

The following procedures apply where alleged misconduct is reported to the Vice-Chancellor, and the misconduct, if proved, would also constitute an offence under the criminal law.

##### **4.2. Offences that may be dealt with internally**

Where the Vice-Chancellor considers it appropriate, having regard to the seriousness of the alleged misconduct, the matter may be dealt with internally. If the offence is reported to the police, the Vice-Chancellor may at their discretion defer action until the police and courts have dealt with the matter.

##### **4.3. Other offences**

In all other cases, no internal disciplinary action other than suspension from the University pending hearing or trial under Section 5 of these Regulations will normally be taken until the matter has been reported to the police, and either a prosecution has been completed or a decision not to prosecute has been taken.

Students who are subject to a police investigation and prosecution are required to inform the University if charged with a criminal offence or once police or court involvement has come to an end and also of the outcome of the investigation or prosecution. Failure to do so may be treated as misconduct and may be dealt with under these Regulations.

##### **4.4. Offences which are not reported to the police**

The University has the right to report any criminal offence to the police. However, if a person claims to be the victim of an offence committed by a student, but does not wish the police to be involved, the Vice-Chancellor may at their discretion agree not to report the matter to the police. In such circumstances the University will not normally proceed with internal disciplinary measures for the offence, although it may take disciplinary action over other related offences.

##### **4.5. Imposition of penalty after sentence imposed by a criminal court**

Where a finding of misconduct has been made under these Regulations, and a student has also been sentenced by a criminal court on the same facts, the penalty imposed by the criminal court will be taken into account in deciding the penalty under these Regulations.

#### **5. Suspension pending hearing or trial**

##### **5.1. Power to suspend**

A student who is the subject of a complaint of misconduct, or against whom a criminal charge is pending, or who is the subject of police investigation, may be suspended from the University by the Vice-Chancellor, pending the conclusion of the disciplinary or any criminal process.

## **5.2. Definition of suspension pending hearing or trial**

A student who is suspended from the University pending hearing or trial has restricted rights to enter University premises and to take part in University activities. The terms of the suspension will be notified in writing to the student. An order of suspension may include a requirement that the student shall have no contact with a specified person or persons. The order of suspension shall identify the extent (if any) to which the student's status as a member of the University is affected.

## **5.3. Orders to be made for protection only**

Orders of suspension pending hearing or trial are to be used only where the Vice-Chancellor considers it necessary to protect a member or members of the University community, or the property of the University or the property of a member or members of the University community. Written reasons for the decision will be recorded and made available to the student.

## **5.4. Representations**

Unless the matter is deemed to be urgent by the Vice-Chancellor, no student shall be suspended pending hearing or trial unless they have been given an opportunity to make representations to the Vice-Chancellor. The representations may be made in person or in writing, as the student chooses, and may be put forward by the student or by the student's adviser, friend or representative. In cases deemed to be urgent by the Vice-Chancellor, a student may be suspended with immediate effect. An opportunity will be given to the student to make representations as soon as reasonably practicable.

## **5.5. Initial review**

A decision to suspend a student pending hearing or trial shall be subject to review at the request of the student after four weeks. Such a review will not involve a hearing, but the student, either personally or through their adviser, friend or representative, will be entitled to make written representations. The review will be conducted by the Vice-Chancellor and the outcome of the review will be communicated to the student.

## **5.6. Periodic review**

In addition to the initial review, the Vice-Chancellor shall review the suspension on receipt of evidence of altered circumstances which might affect the order.

# **6. Summary Procedure**

## **6.1. Dismissal**

Allegations made by staff, students or members of the public of misconduct under these Regulations should be made to the University Secretary, who will refer them to the Vice-Chancellor. The Vice-Chancellor may dismiss the complaint immediately if they believe that there is no case for the student to answer, or that it is for some other reason appropriate to do so.

## **6.2. Preliminary interview**

If the complaint is not so dismissed, the Vice-Chancellor will interview the student before any other steps are taken under these Regulations. The student will normally be made aware of the allegations before the interview. At the interview the student may be accompanied by a friend or representative. The purpose of the preliminary

interview is for the Vice-Chancellor to hear the student's initial response to the allegations of misconduct.

Following the preliminary interview, the Vice-Chancellor may decide to take no further steps under the disciplinary procedures in respect of the allegations or may find that there is no case for the student to answer and will write to the student accordingly.

### **6.3. Failure to attend a preliminary interview**

If a student fails to attend a preliminary interview without good reason for their failure to attend, the Vice-Chancellor may deal with the case summarily in the student's absence.

### **6.4. Decision to deal summarily**

If following the preliminary interview the Vice-Chancellor decides to take further action in respect of the allegations of misconduct, the following principles shall apply:

- a. If the student agrees, the Vice-Chancellor may deal with the case summarily, without recourse to a Disciplinary Committee, provided that they consider that it is appropriate to do so. The Vice-Chancellor will normally decide to deal with a case summarily only where there is an admission of guilt from the student.
- b. In all other cases the Vice-Chancellor will refer the case to a Disciplinary Committee under section 7 of these Regulations.

### **6.5. Procedure**

If the matter is dealt with summarily, the Vice-Chancellor will consider written or oral evidence as they think fit. The Vice-Chancellor will find the student guilty of misconduct if, on the balance of probabilities, they are satisfied of the student's guilt. If a finding of guilt is made, they may impose any of the penalties set out in Section 8.3 of these Regulations, other than expulsion from the University.

### **6.6. Report**

At the termination of the proceedings, the Vice-Chancellor will write a short report. In the event of a finding of guilt, the report will set out the misconduct alleged, a brief summary of evidence received, the grounds for the finding of guilt, the penalty imposed, and the factors taken into account in deciding the penalty. A copy of the report will be sent to the student. Where the misconduct relates to examinations or other assessed work the report may contain recommendations under Section 8.4 of these Regulations, and a copy of the report will also be sent to the appropriate Board of Examiners.

### **6.7. Referral to a Disciplinary Committee**

If the Vice-Chancellor does not consider it appropriate to deal with the matter summarily, or if the student does not agree to its being dealt with in that way, then it shall be referred to a Disciplinary Committee, under the procedure set out in Section 7 of these Regulations.

## **7. Disciplinary Committee**

### **7.1. Composition**

The Vice-Chancellor will appoint the members of the Disciplinary Committee, and invite one of them, who shall not be a student member, to act as its Chair. The Committee will have three or five members, at the discretion of the Vice-Chancellor. The members will normally include both a member of the academic staff of the University and a student of the University. If a student is appointed to the Committee they will usually be an officer of the Students' Union. If it is inappropriate or impractical to appoint a Union officer, the student member will be a representative on Senate. Members of the Committee may be appointed from outside the University. The Vice-Chancellor shall have regard to the need to ensure that all members of the Committee are impartial. The Disciplinary Committee should not normally include members of the Board of Trustees, as an appeal from a decision of the Disciplinary Committee is heard by a Committee of the Board of Trustees under Section 10 of these Regulations.

### **7.2. Assistance to the Committee**

The University Secretary or their nominee will act as clerk to the Committee, to give advice and to assist the Committee as it thinks fit. The Secretary will arrange for a note of the proceedings to be taken. The Committee may seek advice from a qualified lawyer.

### **7.3. Representation for the student**

The student may be present at all disciplinary hearings, and may be represented by an adviser, friend or other representative. If a student does not attend without good reason for their failure to attend, the hearing may take place in the student's absence.

### **7.4. New hearing**

The Committee will rely only on evidence presented at the hearing. The deliberations and decisions of anyone previously considering the matter shall be irrelevant for the Committee's purposes.

### **7.5. Standard of proof**

The Committee will find a student guilty of misconduct if, on the evidence before it, it is satisfied on the balance of probabilities of the student's guilt. This means that the Committee must be satisfied that, on the evidence available, the student's guilt is more likely than not.

### **7.6. Majority verdict**

If the members of the Committee cannot agree, the verdict of the Committee will be that of the majority of its members.

### **7.7. Procedure**

Subject to the provisions of these Regulations, the order of proceedings shall be at the discretion of the Committee. Members of the Committee may ask questions of any witness. The Committee may ask for additional enquiries to be undertaken and may call for additional witnesses to attend.

## **7.8. Confidentiality**

All proceedings under this section and documents created for the purpose of the proceedings are confidential.

## **7.9. Joint hearings**

If two or more students are involved in related misconduct, the Committee may at its discretion deal with their cases together.

## **7.10. Witness evidence**

Witness evidence presented at the hearing will normally be oral, given by witnesses appearing in person. The Committee may accept a witness's written statement in evidence where the student agrees that the witness need not attend, or where it is impracticable for the witness to attend, or where in the opinion of the Committee it is for some other reason in the interests of justice to do so.

## **7.11. Presentation of the case**

The Vice-Chancellor will appoint a member of the academic staff or a lawyer to present the allegation against the student.

## **7.12. Written allegations**

The Secretary or their nominee, on behalf of the Committee, will ask the case presenter to set out the allegation or allegations in writing in advance of the hearing. A copy will be sent to the student at least two weeks before the hearing.

## **7.13. Written witness statements in advance of the hearing**

The Secretary or their nominee, on behalf of the Committee, may call for written witness statements in support of the allegation in advance of the hearing. If such statements are obtained, members of the Committee will be entitled to see them in advance of the hearing and copies will be made available to the student and to the case presenter at least one week before the hearing.

## **7.14. Documentary evidence**

Any documentary evidence must be submitted in advance of the hearing and copies will be made available to members of the Committee and to all parties at least one week before the hearing. Evidence submitted late will only be admitted with the permission of the Committee on the advice of the Secretary.

## **7.15. Opening and closing addresses**

The case presenter shall be entitled to address the Committee before calling witnesses, and at the conclusion of the evidence called on behalf of the student. The student, or their representative, may address the Committee before calling witnesses and after the case presenter's final address.

## **7.16. Submission that there is no case to answer**

At the conclusion of the evidence in support of the allegation against the student, the student, or their representative, may submit that no case has been made out against the student which requires an answer. The case presenter has the right to reply. If the Committee finds on the evidence that there is no case for the student to answer, it must dismiss the allegation.

### **7.17. Time limits**

The Committee may impose time limits on oral addresses and submissions.

### **7.18. Witnesses in support of the allegation**

The allegation against the student will be put first. The case presenter will ask questions of each witness giving evidence in support of the allegation. These must not be leading questions. The witness may be cross-examined by the student or their representative. Witnesses may be re-examined, but concerning only those matters raised in cross-examination, for the purpose of clarification.

### **7.19. Witnesses against the allegation**

If the case proceeds, the student may then give evidence. At the conclusion of the student's evidence they may be cross-examined by the case presenter. The student may give evidence to clarify matters raised in cross-examination. The student, or their representative, may then call further witnesses, who may be similarly cross-examined and re-examined.

### **7.20. Recall of witnesses**

A witness may be recalled to give further evidence only with leave of the Committee.

### **7.21. Relevance**

The Committee will refuse to admit evidence that is in its opinion irrelevant to the issues raised.

### **7.22. Adjournments**

The Committee shall have power to adjourn a hearing to another date, as it thinks fit.

### **7.23. Report**

At the termination of the proceedings, the Chair will write a report on behalf of the Disciplinary Committee. In the event of a finding of guilt, the report will set out the misconduct alleged, a brief summary of evidence received, the grounds for the finding of guilt, the penalty imposed, and the factors taken into account in deciding the penalty. A copy of the report will be sent to the student and to the Vice-Chancellor. Where the misconduct relates to examinations or other assessed work the report may contain recommendations under Section 8.4 of these Regulations, and a copy of the report will also be sent to the appropriate Board of Examiners.

### **7.24. Vice-Chancellor's right to stop the proceedings**

The Vice-Chancellor has the power to suspend the activity of the Disciplinary Committee at any time, and to stop the proceedings against the student, if they believe it to be appropriate to do so.

## **8. Penalties**

### **8.1. Imposition of penalties**

If a student is found guilty of an allegation of misconduct, one or more penalties may be imposed by the Vice-Chancellor in the case of matters dealt with summarily, or by the Disciplinary Committee in other cases. The penalties are set out below. A student may not be expelled following an allegation heard under the summary procedure. The student or their representative shall be entitled to make representations in mitigation before the penalty is decided.

## **8.2. Matters to be considered**

When determining penalties, consideration will be given to the seriousness of the misconduct, the circumstances of the misconduct, and the means and general personal circumstances of the student.

## **8.3. Types of penalty**

A student found guilty of misconduct may be:

- a. Absolutely discharged, which means that although the student may be technically guilty of the misconduct alleged, no blame should be attached to their actions;
- b. Admonished;
- c. Cautioned, which means that no immediate punishment is imposed, but if the student is found guilty of misconduct on a subsequent occasion in the following twelve months, or some other specified period, they will then be dealt with for both offences;
- d. Conditionally discharged, which means that no immediate punishment is imposed, subject to the student fulfilling certain stipulated conditions including future good behaviour over the following twelve months or some other specified period. If the conditions are not met, a punishment may be imposed following a further hearing;
- e. Fined up to a maximum of £800. This maximum figure will be subject to periodic review by Senate;
- f. Required to write a letter of apology to a specified person or persons;
- g. Required to attend a specified course or programme and to pay the reasonable cost as determined at the relevant time by the University.
- h. Required to pay a reasonable sum by way of compensation for identified and quantified loss;
- i. Required to perform unpaid services for the University community to a maximum of 40 hours;
- j. Required to have no contact, or restricted contact, with a specified person or persons;
- k. Suspended from enjoying specified privileges for a fixed period of time;
- l. Excluded from the University for a fixed period of time, up to a maximum of twelve months. A student who is excluded from the University has restricted rights to enter University premises, and to participate in University activities. The terms of the exclusion will be notified to the student in writing. An order of exclusion does not affect the student's status as a member of the University;
- m. Suspended from the University for a fixed period of time, up to a maximum of twelve months. A student who is suspended ceases to be a member of the University for the duration of the suspension and is prohibited from entering University premises, and from participating in University activities. Suspension may be subject to qualification, such as permission to take an examination. The terms of the suspension will be notified to the student in writing.;

- n. Expelled from the University, which means that the student ceases to be a member of the University, and loses all rights and privileges of membership;

#### **8.4. Suspended Penalty**

Any of the above penalties may be suspended for a fixed period of time. If the student is found guilty of subsequent misconduct within that period the suspended penalty will immediately take effect.

#### **8.5. Additional penalties relating to misconduct in connection with examinations or other assessed work**

##### **8.5.1. Taught programmes**

Where misconduct relates to examinations or other assessed work, a recommendation may be made to the appropriate Board of Examiners that it should impose one or more of the following additional penalties:

- a) Award the student lower marks than those which they would otherwise have been awarded, or award no marks, for the examination or assessed work in which the student committed the offence;
- b) Award the student lower marks than those which they would otherwise have been awarded, or award no marks, for the unit of which the examination or assessed work was part;
- c) Award the student a lower class of degree or other academic award than that which they would otherwise have been awarded;
- d) Exclude the student from the award of a degree or other academic award. This may be either permanent or for a stated period, and may be absolute or subject to compliance with stipulated requirements.

##### **8.5.2 Research programmes**

Where misconduct relates to assessed work, one of the following recommendations may be made to the Research Degree Examination Board:

- a) The student is given the opportunity to remove the sections of work the misconduct relates to, amend and resubmit their work within a specified timescale;
- b) The student fails and is not given the opportunity to resubmit for a further award.

#### **8.6 Recording and reporting of penalties**

If found guilty of misconduct, details of the misconduct and the penalty imposed will be sent to the student's school and faculty. A record will also be made on the student's central university file. The record will be kept on the student's files for at least one year after graduation and may be referred to for the purpose of references.

The Secretary's Office will keep a record of student misconduct and penalties imposed and will report to Senate annually.

### **9. Mental illness**

#### **9.1. Adjournment for a medical report**

If it appears to those considering an allegation of misconduct that the student in question is experiencing mental illness, the proceedings may be adjourned for the preparation of a medical report.

## **9.2. Evidence of mental illness**

If there is medical evidence that the student is experiencing mental illness, those dealing with the case may suspend or terminate the proceedings, if it is felt appropriate to do so. It may be made a condition of suspension or termination of the proceedings that the student seek medical treatment.

## **9.3. Fitness to Study Policy**

If disciplinary proceedings are suspended or terminated under section 9.2, the Fitness to Study policy may be invoked and used as appropriate.

## **10. Appeals**

### **10.1. Right to appeal against a finding of guilt**

A student may appeal against a finding of guilt. The appeal must be made to the University Secretary within fourteen calendar days of the conclusion of the proceedings. The student must set out in writing the grounds on which the appeal is based. The student is encouraged to seek assistance from the Students' Union Advice Service when preparing the letter of appeal.

The appeal will be heard by a Committee of the Board of Trustees constituted under the provisions set out in the Student Complaints Procedure.

### **10.2. Nature of appeal against a finding of guilt**

There will be no entitlement to a rehearing of the case, which will be allowed only in exceptional circumstances. Those hearing the appeal may overturn the finding of guilt where they consider it just to do so. In particular, a finding may be overturned in the light of new evidence; or where it is considered that the original hearing was not conducted fairly; or where the finding of guilt was unreasonable in the light of the findings of fact. The student may present the appeal in person or in writing, and may be represented by an adviser, friend or other representative.

### **10.3. Right to appeal against imposition of penalty**

A student may appeal against a penalty imposed following a finding of guilt. The appeal must be made to the University Secretary within fourteen days of the conclusion of the proceedings. The student must set out in writing the grounds on which the appeal is based. The appeal will be heard by a Committee of the Board of Trustees constituted under the provisions set out in the Student Complaints Procedure.

### **10.4. Nature of appeal against imposition of penalty**

Those hearing an appeal against penalty may impose a lesser or greater penalty, having considered whether the original penalty imposed was fair and reasonable in the light of all the circumstances of the case, and the student's means and general personal circumstances.

Approved by Senate September 2018

## 6. Student Fees Regulations

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1. Payment of fees: due date
2. Payment by instalments: Tuition fees
3. Payment by instalments: Accommodation fees
4. Payment by a third party
5. Late payment of tuition or accommodation fees
6. Difficulty with payment
7. Payment of interest or administrative charges
8. Reinstatement on payment of full tuition fees
9. Early withdrawal or suspension of studies
10. Other important information
11. Appeal process

For the purposes of these Regulations, "tuition fees" includes tuition fees, bench fees and writing up fees.

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### 1. Payment of fees: due date

Tuition fees become due on 24<sup>th</sup> October of each year or 30 days from the date on an invoice.

Accommodation fees become due when you arrive to take up your place in University accommodation.

### 2. Payment by instalments: Tuition Fees

If you are paying your tuition fees direct to the University, you may pay the full amount in a single payment or you may make two instalment payments. The amounts and due dates of instalment payments are published in advance on the University's website.

The preferred method of payment is a payment plan created through the Financial Statement in your MyBristol portal, by direct debit or credit/debit card, although cheques, bank drafts and bank transfers will also be accepted.

Modular fees raised when students attend modular-based postgraduate programmes are due 30 days from the date on the invoice.

### 3. Payment by instalments: Accommodation Fees

You may choose to pay accommodation fees in full or on a termly basis. Payment may be made online (the preferred method), by direct debit or credit/debit card, or by cheque, bank draft or bank transfer. The amounts and due dates of instalment payments can be found on your Acceptance of Student Accommodation Form.

### 4. Payment by a third party

If your fees are to be paid by the Student Loans Company or by a sponsor such as an Embassy, please ensure that all information is available to enable the appropriate invoices to be raised and for your sponsor to make payment on your behalf. It is your personal responsibility to ensure that your fees are paid.

Please note that parents and guardians are also treated as third parties, in relation to fees.

## **5. Late payment of tuition or accommodation fees**

If you become aware that your payment will be late, you must contact the Income Office to explain the position. If you are in genuine difficulty with payment, an authorised member of the Income Office will try to agree a plan of payment with you, within University regulation, that you can afford.

If you fail to submit a payment plan or if your payment plan method fails, you will be contacted within two weeks of the expected payment date and asked to make immediate payment by another method. If this payment method also fails, you will normally be charged an administration fee.

If you fail to provide the University with a satisfactory response in the circumstances described above you will be sent a formal letter requesting that you contact the University Credit Control and Payables Manager ('the Credit Control Manager'). Your Faculty Office and academic school(s) will also be notified.

If you fail to respond, or if after contacting the Credit Control Manager you are unable to provide an acceptable payment plan, the University reserves the right to terminate your studies in the case of unpaid tuition fees or to require you to leave your accommodation in the case of unpaid accommodation fees. The University will then put any debt outstanding in the hands of a debt collector. Any additional costs incurred will be added to your account.

Students who continue to be in debt to the University for tuition fees at the end of the academic year will not be permitted to register for the following year of their programme until either the debt has been cleared or specific arrangements have been agreed with the Credit Control Team Leader for the settlement of the debt.

Members of the Student Funding Office can provide advice on additional funding that may be available to assist you.

## **6. Difficulty with payment**

If you are experiencing difficulties in paying tuition or accommodation fees you should seek help at the earliest possible opportunity. Initially you should approach staff in the Student Funding Office. They will be able to provide general advice as well as information about any additional funding that may be available. You may also wish to speak to a personal tutor, hall warden or the Students' Union for support and advice. It is important to keep the Income Office informed of developments (see above). The University will be sympathetic and assist where it can. However, in order to maintain the quality of teaching for everyone else, the University must act to recover debts.

## **7. Payment of interest or administrative charges**

You will become liable to pay interest at 2.5% above UK clearing bank base rate per annum on the amount outstanding where payments are outstanding against your payment plan. Interest will run from the due date to the date when the fees are paid.

The Finance Office will review the student related debt ledger throughout the year and apply interest on a consistent basis annually.

An administration charge will normally be raised where your chosen method of payment is declined more than once. This will apply to each payment date.

## **8. Reinstatement on payment of full tuition fees**

If you have been required to leave the University for non-payment of tuition fees, registration on your programme of study may be reinstated on payment in full of outstanding tuition fees before the end of the academic year in question. However, if you are consequently behind with your studies, you may have to repeat parts of the programme, thereby incurring further fees.

## **9. Early withdrawal or suspension of study**

If you leave your programme of study early or suspend your studies for a significant period, claims for refunds of tuition fees may be made subject to the University's Tuition Fee Refund Policy.

Please see this policy for more details on the basis for any refund, including the time-limit for such a claim to be revised. This policy will be published on the University's website, at: <https://www.bristol.ac.uk/applicants/media/policy-documents/2019/undergraduate/tuition-fee-refund-policy.pdf>

As of September 2019, the following rules will apply:

### **Refunds for undergraduate (UG) students**

UG programme fees to be charged as follows:

- No fees charged if withdrawal date is within the first two (teaching) weeks of the start of the course.
- 25% of fees charged if withdrawal date is after the first two weeks and before the start of the second term.
- 50% of fees charged if withdrawal date is after the start of the second term and before the start of the third term.
- 100% of fees charged if withdrawal date is after the start of the third term.

### **Refunds for postgraduate (PG) students**

- PG programme (not including modular or PGCE) fees are charged on a monthly basis, with a whole month's fees charged where withdrawal date is part-way through the month.
- PG programme (modular route only) fees to be charged at 100% once the module has commenced.
- PGCE programme fees to be charged on a weekly basis and to be charged for a whole week's fees where withdrawal date is part-way through the week.
- Pre-sessional language programme fees to be charged on a weekly basis and to be charged for a whole week's fees where withdrawal date is part-way through the week.

This includes all categories of students and sponsors including all undergraduates in receipt of a tuition fee loan. There is further information on tuition fees at <http://www.bristol.ac.uk/fees-funding/tuition-fees/refunds/>.

If you leave your University accommodation early, the sum for which you are liable is set out in the Student Residence Conditions.

## 10. Other important information

- a. Students with debts relating to tuition or accommodation fees, to library, car parking or disciplinary fines, or any other outstanding debts to the University, will be required to attend an interview with the Credit Control Team Leader to discuss these debts and make specific arrangements for their settlement.
- b. Students with tuition fee debts outstanding at the close of business seven days after the last day of the University summer term will not be permitted to graduate in the summer ceremony.
- c. Students with tuition fee debts outstanding at the close of business seven days after the last day of the University autumn term will not be permitted to graduate in the winter ceremony.
- d. A degree certificate will not be provided to any student who has tuition fees outstanding.

## 11. Appeal process

If you are unhappy about any matter relating to fee levels or payments you should in the first instance contact the Income Office, at the below contact details.

If the matter remains unresolved, you may bring a complaint under the University's Student Complaints Procedure.

(see <http://www.bris.ac.uk/secretary/studentrulesregs/complaints.html>).

## Contacts

Student Funding Office	<a href="mailto:student-funding@bristol.ac.uk">student-funding@bristol.ac.uk</a>	0117 331 7972
Income Office	<a href="mailto:student-fees@bristol.ac.uk">student-fees@bristol.ac.uk</a>	0117 954 6372
Credit Control	<a href="mailto:finance-creditcontrol@bristol.ac.uk">finance-creditcontrol@bristol.ac.uk</a>	0117 331 7721
Student Complaints Officer	<a href="mailto:student-complaints@bristol.ac.uk">student-complaints@bristol.ac.uk</a>	0117 394 1820

Principles approved by Council 10 May 2000. Last updated August 2018.

# Academic Matters

## 7. University Examination Regulations

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### 1. Nominees

Unless the context indicates otherwise, under these regulations a University officer or the chair of a board of examiners may act through his or her properly appointed nominee.

### 2. Conduct of formal examinations

#### 2.1 Attendance

Failure to attend an examination without reasonable cause may result in the award of no marks for that examination. It is the responsibility of the student to be aware of the details of the examination timetable and to arrive at the venue in good time for an examination. The regulations governing the absence of students for medical or other cause are provided in the Regulations and Code of Practice for Taught Programmes.

#### 2.2 Entering the examination room

Candidates may not normally enter the examination room to sit a written examination nor undertake the written examination in any other location after it has been in progress for more than thirty minutes. Late candidates will be referred to their home school<sup>1</sup> for advice on the next course of action.

#### 2.3 Leaving the examination room

No candidate may leave the examination room within thirty minutes of the beginning of the examination, save in exceptional circumstances, and with the permission of the invigilator. In order to avoid disturbing other candidates, candidates may not leave the examination room during the last fifteen minutes of the examination, save in exceptional circumstances, and with the permission of the invigilator. The Regulations and Code of Practice for Taught Programmes cover the leaving of an examination by a student because of illness.

#### 2.4 Supervised absence

No candidate may leave and return to the examination room during an examination unless supervised by an invigilator while absent.

#### 2.5 Communication during the examination

Unless an invigilator has given permission otherwise, during the course of the examination a candidate may communicate with no other person but the invigilator.

#### 2.6 Permitted items and texts

A candidate may take to his or her desk only those items and texts that are permitted for the examination he or she is sitting. Advice about which objects other than writing implements are permitted may be found in the "Code of Conduct for Examinations" maintained by the Academic Registry. The interpretation of this Code is within the discretion of invigilators and students must follow their instructions. All non-permitted

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<sup>1</sup> 'School' should be taken to mean 'School or Department', whichever is more appropriate, throughout the Examination Regulations

items must not be taken to the examination desk, but must be deposited elsewhere, as instructed by the invigilator.

It is the responsibility of the student's faculty or school to provide guidance to students about items, for example calculators, they may take into examinations and the responsibility of the student to establish which items and texts are permitted. Such guidance should be provided in a format and location easily accessible to the student, including in student handbooks or on school websites and should indicate to students the circumstances in which it is likely they will be granted permission and the types of materials they may be allowed to use.

If the usual practice of the faculty or school is to allow students who do not have English as a first language to use a translation dictionary during written examinations, then the school should ensure that an "Authorisation for the use of dictionaries in examinations" form is completed and signed by the Head of School or nominee for each student. Where a student is studying across schools then the form should be signed by the Head of School for each of their units. This form should be returned to the student and it **MUST** be displayed on the examination desk when a dictionary is being used. Failure to display the authorisation will result in the confiscation of the material. All dictionaries used in examinations will be checked for annotations and markings and any dictionary deemed to contravene regulations will be removed from the student.

## **2.7 Distracting behaviour**

Candidates may not behave in any way which is distracting to other candidates. A candidate who ignores a request from an invigilator not to behave disruptively may be required to leave the examination room. The candidate's examination scripts will be submitted to the board of examiners as they were at the time when the candidate was required to leave. The invigilator will annotate the scripts with the time at which the candidate left and submit a report to the chair of the board of examiners.

## **2.8 Examination scripts**

It is the responsibility of the candidate to ensure that all his or her scripts are appropriately marked with an identifying name and number. No candidate may remove an examination script from the examination room. No candidate may remove any other examination materials without permission.

A school may invite a candidate to transcribe or dictate an illegible script. Any transcription or dictation must be verbatim, and the student should be asked to sign the transcript to confirm that it is a true copy of the original script. The transcription or dictation will be treated as part of the formal examination process. Schools may also invite the student to undertake an oral examination.

Where a student provides an answer to more questions than is required by the examination paper, the marker should mark all the answers and use the marks from the highest scoring answers to calculate the assessment mark.

## **2.9 Cheating**

Cheating in an examination will be dealt with as a disciplinary offence under these regulations.

In addition, it is a disciplinary offence for a candidate to:

- a. Have unauthorised items or texts that may be accessed from their desk in the examination room during the examination
- b. Make use of unauthorised items or texts during the examination
- c. Copy from the script of another candidate during the examination
- d. Dishonestly receive help from another person during the examination
- e. Dishonestly give help to another person during the examination
- f. Act dishonestly in any way, whether before, during or after the examination, so as to obtain an unfair advantage in the examination
- g. Act dishonestly in any way, whether before, during or after the examination, so as to assist another candidate to obtain an unfair advantage in the examination.

### **2.10 Suspicion of cheating during the examination**

Should a candidate be suspected of cheating during the examination, the invigilator will confiscate any unauthorised material, indicate on the candidate's script that it has been confiscated due to suspected cheating, and remove the script. The candidate will then be given further examination books and permitted to complete the examination. The student must discuss the incident with the invigilator at the end of the examination. The invigilator will submit an incident report to the University Examinations Officer who will notify the chair of the school board of examiners from the student's home school.

## **3. Conduct in other assessed work**

### **3.1 Work must be that of the student**

3.1.1 Any thesis, dissertation, essay, or other coursework must be the student's own work and must not contain plagiarised material. Any instance of plagiarism in coursework will be treated as an offence under these regulations.

### **3.2 Plagiarism**

3.2.1 Plagiarism is the unacknowledged inclusion in a student's work of material derived from the published or unpublished work of another. This constitutes plagiarism whether it is intentional or unintentional. "Work" includes internet sources as well as printed material.

3.2.2 Examples of plagiarism (this list is not intended to be exhaustive) include:

- Quoting another's work "word for word" without placing the phrase(s), sentence(s) or paragraph(s) in quotation marks and providing a reference for the source.
- Using statistics, tables, figures, formulae, data, diagrams, questionnaires, images, musical notation, computer code, etc, created by others without acknowledging and referencing the original source.
- Summarising or paraphrasing the work or ideas of another without acknowledging and referencing the original source. "Paraphrasing" means re-stating another author's ideas, meaning or information in a student's own words.
- Copying the work of another student, with or without that student's agreement.
- Collaborating with another student, even where the initial collaboration is legitimate, e.g., joint project work, and then presenting the resulting work as

one's own. If students are unclear about the extent of collaboration which is permitted in joint work they should consult the relevant tutor.

- Submitting, in whole or in part, work which has previously been submitted for assessment at the University of Bristol or elsewhere, without fully referencing the earlier work. This includes unacknowledged reuse of the student's own submitted work.
- Buying or commissioning an essay or other piece of work and presenting it as a student's own.
- Unauthorised joint or group working on a piece of work that is to be assessed individually.

3.2.3 A student who knowingly allows their work to be copied will be treated with equal seriousness to the student by whom the work is copied.

### **3.3 Avoidance of plagiarism**

3.3.1 Schools may provide further discipline-specific definitions of plagiarism and guidance on how to avoid it, including advice on proper referencing practice.

3.3.2 Schools must explicitly specify when joint or group working is permissible for an assessment.

3.3.3 Schools must explicitly specify when it is permissible to incorporate publicly available material into assessments (e.g. computer code snippets) and give explicit guidance on what is permissible and how it should be referenced.

3.3.4 It is the responsibility of the individual student to familiarise him- or herself with these regulations and with any guidelines issued by the school, to attend any relevant induction or other sessions and to avoid plagiarism.

### **3.4 Cases of bad academic practice**

3.4.1 Where a marker detects minor irregularities within a piece of work, and feels that it is a case of poor academic practice rather than a deliberate attempt to deceive, appropriate other people's work or gain an unearned advantage, and where the student has not disregarded explicit instructions, the case should be referred to the unit director.

3.4.2 If the unit director agrees with the marker and feels that the poor academic practice may be addressed appropriately within the marking scheme for the unit, then no further process should be pursued.

3.4.3 In such cases explicit feedback should be given to the student, with further instruction, as necessary, on proper academic practice, and a note put on the student's record for future reference.

3.4.4 If the unit director suspects that the irregularity may amount to more than poor academic practice they should consult with the designated member(s) of staff in the school and refer the matter to the appropriate Faculty Education Director.

#### **4. Procedure for cases of cheating and plagiarism in undergraduate and taught postgraduate programmes of study (including any taught component of a professional or other doctoral degree)**

##### **4.1 Roles and responsibilities**

4.1.1 The overall responsibility for dealing with allegations of plagiarism or cheating lies with the appropriate Undergraduate or Graduate Faculty Education Director or their nominee (as applicable throughout these regulations).

4.1.2 The process will be conducted by the school and faculty responsible for the student involved.

4.1.3 If the allegation covers units from more than one school or faculty then the relevant Undergraduate or Graduate Faculty Education Director should determine which school or faculty should handle the investigation.

4.1.4 Where this procedure results in a board of examiners making a decision, this will be made by the boards responsible for the programme on which the student is registered.

4.1.5 The Head of School shall be responsible for nominating a member or members of staff to discharge the responsibilities outlined in these regulations, including organising the school plagiarism and cheating panels, ensuring that penalties are brought forward to the School Board of Examiners, and liaising with the Faculty Education Directors.

##### **4.2 Standard of proof**

4.2.1 The applicable standard of proof will be the balance of probabilities. A student will be found guilty of cheating or plagiarism if, on the evidence available, it is more likely than not that the offence was committed.

##### **4.3 Consideration of allegations of plagiarism or cheating**

4.3.1 All allegations of cheating or plagiarism referred by a unit director, the Examinations Office, or from any other source shall be considered by the Undergraduate or Graduate Faculty Education Director responsible for the home school of the student (i.e. the school for which the student is registered).

4.3.2. The Undergraduate or Graduate Faculty Education Director will consider the case promptly and either:

- a. determine that there is no case to answer,
- b. convene a School Plagiarism and Cheating panel under section 4.4,
- c. convene a Faculty Plagiarism and Cheating panel under section 4.5 ,or
- d. refer the case for disposal under the Student Disciplinary Regulations.

4.3.3 When determining how to proceed with a case, Faculty Education Directors should take into account the factors set out in section 8.

##### **4.4 School Plagiarism and Cheating panels (“SPC”)**

4.4.1 If the Undergraduate or Graduate Faculty Education Director decides under section 4.3 to convene a SPC panel, the designated member(s) of staff in the school (see 4.1.5) will notify the student in writing of the pieces of work affected and the holding of an interview.

4.4.2 The SPC will consist of two academic members of staff nominated by the designated member of the school. The panel should not include the student's personal tutor.

4.4.3 Where a panel requires advice on procedures and regulations, it should consult the Faculty Education Manager.

4.4.4 A note of the interview will be taken, which will be circulated after the interview to all parties.

4.4.5 The unit director or nominee of the unit affected or other appropriate witness may be required to attend the SPC in order to explain the allegation and provide specialist knowledge.

4.4.6 The student may be accompanied at the interview by an adviser, friend or other representative.

4.4.7 The purpose of the interview shall be to determine whether or not there has been cheating or plagiarism and to allow the student to make representations and to present any mitigating factors.

4.4.8 Once the interview is complete, the SPC may decide to defer a decision until further investigation has taken place. Otherwise the panel shall determine whether or not there has been cheating or plagiarism and either make a recommendation to the Undergraduate or Graduate Faculty Education Director or to the board of examiners:

- a. to dismiss the case entirely;
- b. to refer it back to the unit director to be dealt with as poor academic practice;
- c. to impose no penalty beyond recording the case on the student's record for future reference;
- d. to disregard the original mark for the examination or piece of assessed work;
- e. to award the student lower marks than those which they would otherwise have been awarded, down to the pass mark for the examination or the piece of assessed work being considered.

4.4.9 For penalties (d) and (e), the SPC should also decide whether the student must submit an equivalent piece of work in order to obtain credit for the unit affected.

4.4.10 The SPC may decide to refer the matter back to the Undergraduate or Graduate Faculty Education Director with a recommendation that the allegations be referred to a Faculty Cheating and Plagiarism Panel if it considers that the offence merits a penalty which the SPC does not have the power to impose or if it considers that the matter should be dealt with under the Student Disciplinary Procedure.

4.4.11 The penalty for an offence should be decided on the individual circumstances of the case.

4.4.12 When considering a penalty, the SPC should take into account the seriousness of the offence (examination cheating should normally be considered as serious). Factors that also should be considered include:

- a. The student's year of study.
- b. Whether this is a first or subsequent offence.
- c. The amount of credit attached to the assessment.
- d. The extent and significance of the plagiarism in the piece of work.
- e. The extent to which the plagiarism or cheating undermines the learning objectives of the work.

- f. Whether the assessment contributes significantly to the student's progress or degree classification.
- g. The degree of dishonesty and the effects of the dishonesty e.g. the implicating of other students in the act.

4.4.13 The school must write promptly to the student informing him or her of the SPC's decision and any recommendations.

4.4.14 Where there is a case to answer and the student is registered on a professional programme for which there is a Fitness to Practice procedure, the fact of the case of plagiarism or cheating will also be subject to that procedure.

#### **4.5 Faculty Plagiarism and Cheating panels ("FPC")**

4.5.1 If the Undergraduate or Graduate Faculty Education Director decides under section 4.3 to convene a FPC, the Faculty Education Manager will notify the student in writing of the pieces of work affected and the holding of an interview.

4.5.2 The FPC will consist of at least three academic members of staff without previous direct involvement with the student as a personal tutor or supervisor, including:

- a member of the student's home school;
- a member of a school other than the student's.

4.5.3 The Faculty Education Manager or nominee will be in attendance to advise the panel on procedures and regulations.

4.5.4 The unit director or nominee of the unit affected or other appropriate witness may be required to attend the FPC in order to explain the allegation and provide specialist knowledge.

4.5.5. The student may be accompanied at the interview by an adviser, friend or other representative.

4.5.6 Notes will be taken of the interview and subsequently circulated to all parties.

4.5.7 The purpose of the interview shall be to determine whether or not there has been cheating or plagiarism and to allow the student to make representations and to present any mitigating factors.

4.5.8 Once the interview is complete, the FPC may decide to defer a decision until further investigation has taken place. Otherwise it shall determine whether or not there has been cheating or plagiarism and make a recommendation to the board of examiners:

- a. to dismiss the case entirely;
- b. to refer it back to the unit director to be dealt with as poor academic practice;
- c. to impose no penalty beyond recording the case on the student's record for future reference;
- d. to disregard the original mark for the examination or piece of assessed work;
- e. to award the student lower marks than those which they would otherwise have been awarded, or award no marks, for the examination or the piece of assessed work being considered.
- f. to award the student lower marks than those which they would otherwise have been awarded, or award no marks, for the unit of which the examination or piece of assessed work was part.

4.5.9 For penalties (d), (e) and (f), the FPC should also decide whether the student must submit an equivalent piece of work in order to obtain credit for the unit affected.

4.5.10 The penalty for an offence should be decided on the individual circumstances of the case.

4.5.11 When considering a penalty, the FPC should take into account the seriousness of the offence (examination cheating should normally be considered as serious). Factors that also should be considered include:

- a. The student's year of study.
- b. Whether this is a first or subsequent offence.
- c. The amount of credit attached to the assessment.
- d. The extent and significance of the plagiarism in the piece of work.
- e. The extent to which the plagiarism or cheating undermines the learning objectives of the work.
- f. Whether the assessment contributes significantly to the student's progress or degree classification.
- g. The degree of dishonesty and the effects of the dishonesty e.g. the implicating of other students in the act.

4.5.12 Where the panel considers that the penalties set out in section 4.5.8 may not be appropriate to the seriousness of the offence, then the panel may refer the case for consideration under the Student Disciplinary Regulations under section 4.8 below.

4.5.13 The faculty must write to the student informing him or her of the panel's decision and any recommendations.

4.5.14 Where there is a case to answer and the student is registered on a professional programme for which there is a Fitness to Practice procedure, the fact of the case of plagiarism or cheating will also be subject to that procedure.

#### **4.6 Consideration of recommendations from plagiarism and cheating panels by Boards of Examiners**

4.6.1 When a plagiarism or cheating panel makes a recommendation, it should be considered by the school and faculty boards of examiners.

4.6.2 The ultimate decision on the penalty applied shall be taken by the Faculty Board of Examiners.

4.6.3 The Board shall determine whether any original material from the submitted work meets the necessary standard for the award of credit for a unit, separate to applying any penalty.

4.6.4 It will normally be assumed that mitigating circumstances will have been raised by the student and taken into account in the recommendation made. However, any exceptional mitigating circumstances will be taken into account by boards of examiners when determining the penalty.

4.6.5 The boards of examiners will take explicit consideration of the impact of the penalty on the student's credit points and, where applicable, degree classification and whether this impact, in the context of the student's overall performance, is proportionate to the offence.

4.6.6 Where a student is not permitted to resubmit the piece of work in question and the final mark for the assessment or the unit is less than that required to be awarded

credit for a unit, then the student should be treated in exactly the same way as if they had obtained the same mark through academic failure.

4.6.7 The student will have the usual right of appeal against a decision of the board of examiners.

#### **4.7 Recording the penalty**

4.7.1 The final decision of each of the board of examiners, with supporting rationale, will be recorded in its minutes.

#### **4.8 Disposal under Student Disciplinary Regulations**

4.8.1 At any point in the process before the student has been informed of a final decision or recommendation, the matter may be referred to the Pro Vice-Chancellor (Education and Students) to be dealt with under the Student Disciplinary Regulations.

4.8.2 Plagiarism and cheating offences will be subject to the Student Disciplinary Regulations.

4.8.3 Where an offence has been referred under these regulations to be dealt with under the Student Disciplinary Regulations, the Board of Examiners may not impose any penalty under these Regulations in place of or in addition to the penalty or penalties that the Board is directed to implement under the Disciplinary Regulations in respect of that offence.

#### **4.9 Students taking University of Bristol assessment, but not in attendance at the University**

4.9.1 All the above regulations will apply to students not in attendance at the University, including distance learning students, students on a year abroad, or international students who have temporarily returned home. In these circumstances it may be appropriate to replace the interview with written correspondence or a conference call with the student.

#### **5. Procedures for cases of plagiarism in a thesis submitted for a research degree**

*Please see the Regulations and Code of Practice for Research Degree Programmes.*

#### **6. Students taking University of Bristol assessment, but not in attendance at the University**

6.1 All the above regulations will apply to students not in attendance at the University, including distance learning students, students on a year abroad, or international students who have temporarily returned home. In these circumstances it may be appropriate to replace the interview with written correspondence or a conference call with the student.

#### **7. Disposal under Student Disciplinary Regulations**

7.1 If the interview panel considers that the matter should be dealt with under student disciplinary regulations, it may, in place of a report to the board of examiners, make a recommendation to the Vice-Chancellor, through the University Secretary, to this effect. Examination offences which disclose gross dishonesty, such as substantial and premeditated attempt to gain unfair advantage, or cases in which the candidate and the interview panel are not able to agree an account of the incident, are appropriately dealt with under the Student Disciplinary Regulations.

7.2 Where an offence of plagiarism or other examination offence has been referred under these Regulations to be dealt with under the Student Disciplinary Regulations, the Board of Examiners may not impose any penalty under these Regulations in place of or in addition to the penalty or penalties that the Board is directed to implement under the Disciplinary Regulations in respect of that offence.

## **8. Factors to be taken into account when considering how allegations of cheating or plagiarism should be dealt with for undergraduate and taught postgraduate students**

- a. The student's year of study. First year cases are more likely to be considered minor. Finalist and taught masters student cases will normally be considered serious;
- b. Whether this is a first or subsequent offence;
- c. The extent and significance of the plagiarism in the piece of work. Plagiarism accounting for less than 30% of the piece of work and where there is evidence of independent argument and thought might reasonably be classed as minor;
- d. Whether the assessment contributes significantly to the student's progress or degree classification;
- e. Examination cheating should normally be handled under the "serious" procedures.

## **9. Guidance on the Procedures**

Guidance and advice on the implementation of the cheating and plagiarism regulations will be available from the Academic Registrar.

## **10. Extenuating Circumstances**

### **10.1 Procedure for consideration of extenuating circumstances in taught programmes**

Boards of examiners shall establish a committee (which will meet before the Board of Examiners meets) to consider any relevant matters, for example personal matters such as illness or bereavement, that may have affected a student's performance in assessment.

### **10.2 Evidence**

If a student wishes a board of examiners to take any such matters into account, he or she must complete and submit the relevant form **before** the meeting of the board at which the student's performance in assessment is to be considered. A written record must be kept of such matters. Any such matters which could have been raised before the meeting of the board, but, without good reason, were not raised, will not be considered in the event of an appeal.

The committee may require a student to submit such other evidence as it deems necessary to substantiate any matter raised by the student.

### **10.3 Extenuating circumstances in research degree programmes**

The treatment of extenuating circumstances in research degree programmes is set out in the Regulations and Code of Practice for Research Degree Programmes.

## **11. Appeal against a decision of a Board of Examiners**

### **11.1 Right to appeal**

A student registered on a taught (undergraduate or postgraduate) programme may make an academic appeal against an appealable decision made by one of the following (referred to in this Regulation as a “board of examiners”):

- a. A faculty board of examiners (including a faculty progress committee or equivalent)
- b. A school board of examiners in relation to a penalty imposed for cheating or plagiarism.

A postgraduate research student may make an academic appeal against an appealable decision made by any of the following (also referred to in this Regulation as a “board of examiners”):

- a. The University Research Degrees Examination Board
- b. The Dean of the relevant faculty, on the recommendation of a registration review panel
- c. An upgrade or progression panel.

An academic appeal is a request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards.

An appealable decision is a decision in respect of:

- a. An examination or other form of assessment
- b. A student’s progress, including a decision in respect of a suspension or a requirement to withdraw from the University
- c. In the case of a research postgraduate student, a decision by a Dean relating to termination or change of registration
- d. A penalty imposed for a cheating or plagiarism offence dealt with under these Regulations.

No student shall be treated less favourably as a result of bringing an academic appeal under this procedure.

### **11.2 Permissible grounds of appeal**

Appeals may only be made on the basis of one or more of the following permissible grounds:

1. There has been a material irregularity in the decision making process sufficient to require that the decision can be reconsidered.

For example:

- a. the assessment and subsequent decision making process were not conducted in accordance with the relevant regulations;
- b. an adverse decision has been taken because of an administrative error;
- c. the student has not been given the opportunity to draw relevant matters to the attention of the board of examiners; and/or

d. appropriate account was not taken of illness or other extenuating circumstances known to the board of examiners.

2. A student's performance in assessment has been affected by illness or other factors which the student was unable, for good reason, to divulge before the meeting of the board of examiners (see section 10 of these Regulations).

3. A penalty for cheating or plagiarism, imposed under the examination regulations by the school or faculty is wrong or disproportionate. For the avoidance of doubt, there is no right of appeal under these Regulations in respect of a penalty or penalties imposed under the Student Disciplinary Regulations and implemented by the board of examiners on the direction of the Vice-Chancellor or a Disciplinary Committee.

### **11.3 Grounds of appeal that are not permissible**

1. Disagreement with the academic judgment of the board of examiners will not constitute a ground for appeal.

2. No appeal will be considered if it raises for the first time issues concerning the supervision or teaching of a student. Such matters will only be considered if they have been raised by the student promptly, at the time they first arose and pursued under the Student Complaints Procedure.

### **11.4 The Appeal Process**

The appeal process has two stages:

i The Local Stage

ii The University Stage.

Those hearing the appeal at either stage will not attempt to re-examine the student, nor to appraise professional academic judgments, but will consider whether the decision made was fair and reasonable in all the circumstances of the case, and whether all relevant factors were taken into account.

Appeals should be resolved at the earliest possible stage and with minimum formality. The University Stage of the process may only be invoked if the student has pursued the appeal through the Local Stage and remains dissatisfied with the outcome.

### **11.5 The Appeal Form**

In order to start the appeal process, the student must complete the Appeal Form and submit it to the Faculty Education Manager within 15 working days of the notification of the appealable decision to the student after the meeting of the board of examiners. An extension of this time limit will be allowed, by the University Secretary, only in exceptional circumstances.

The Appeal Form must set out:

a. the reason(s) for the student's dissatisfaction with the appealable decision;

b. the student's grounds for appeal; and

c. the outcome sought by the student.

All the evidence on which the student seeks to rely **must** be submitted with the Appeal Form unless there are good reasons why this is not possible.

The student is encouraged to seek assistance from the Students' Union Advisory Service [ubu-justask@bristol.ac.uk](mailto:ubu-justask@bristol.ac.uk) when preparing the Appeal Form.

### **11.6 The Local Stage**

On receipt of the completed Appeal Form and any accompanying evidence, the Faculty Undergraduate or Graduate Education Director (as appropriate) will review the appeal on behalf of the Dean of the Faculty (who may also act in person if he or she considers it appropriate) with a view to considering whether the appeal can be resolved at the Local Stage.

In the case of an appeal by a postgraduate research student, the Faculty Education Manager will forward the Appeal Form and any accompanying evidence to the Pro Vice-Chancellor (Education and Students) who will review the appeal at the Local Stage.

Students may be invited to attend a meeting at the Local Stage to provide further information about their appeal. If invited to attend, the student may bring an adviser, friend or representative to the review meeting. The Faculty Education Manager (or in the case of an appeal against a decision of the Research Degrees Examinations Board another appropriate person) will provide administrative support.

Appeals must be considered under all applicable permissible grounds, whether or not specified by the student in the Appeal Form.

If the person reviewing the appeal considers that the appeal can be resolved at the Local Stage, he or she may take such action to resolve the appeal as is fair and reasonable in all the circumstances of the case, including but not limited to any or all of the following:

- a. refer the student's extenuating circumstances to be reconsidered by a committee under section 10 of these Regulations, if the person reviewing the appeal considers that insufficient weight was given to the student's circumstances by the committee;
- b. allow the student to submit late evidence of extenuating circumstances, if the person reviewing the appeal considers that the student had good reason for his or her failure to submit the evidence at the appropriate time;
- c. refer the appealable decision for reconsideration by the board of examiners, with or without a recommendation as to the outcome of such reconsideration;
- d. where the person reviewing the appeal considers it appropriate, vary the appealable decision without referring it to the board of examiners and report the variation to the board of examiners.

If the person reviewing the appeal does not consider that the appeal can be resolved at the Local Stage the student may request that the appeal be progressed to the University Stage under section 11.7.

The Local Stage will normally be dealt with and the student informed, in writing, of the outcome of the review and the reasons for the decisions made, within 25 working days of the Appeal Form being submitted to the Faculty Education Manager (or, in the case of an Appeal Form which has been submitted out of time, within 25 working days from the date of notification, to the Faculty Education Manager, of the University Secretary's decision to allow an extension of time for submission of the appeal).

## **11.7 Progression to the University Stage**

If the student remains dissatisfied with the outcome of the Local Stage, or has not received the Local Stage decision by the prescribed time limit set out in section 11.6 above, he or she may request that the appeal is progressed to the University Stage. The student should make the request in writing to the Student Complaints Officer at [student-complaints@bristol.ac.uk](mailto:student-complaints@bristol.ac.uk) within ten working days of the Local Stage decision or, if earlier, the expiry of the prescribed time limit. Upon receipt of the written request to progress to the University Stage, the Student Complaints Officer will obtain the Appeal Form and supporting evidence from the Faculty Education Manager, together with all of the evidence considered at the Local Stage and a copy of any decision letter sent to the student. If the Student Complaints Officer considers that further information from the student, school or faculty is required in order for the appeal to be considered, he or she may call for such information and this must be provided promptly.

The Student Complaints Officer may invite the student to respond to the Local Stage decision. If substantive new information is provided by the student after the Local Stage decision has been made, the Student Complaints Officer will normally refer this information back to the Local Stage for reconsideration before referring the appeal to the University Stage. Where appropriate, the Student Complaints Officer may also intervene to suggest a resolution of the appeal before referring it to the University Stage.

Upon receipt of the Appeal Form and other documentation from the Local Stage, the Student Complaints Officer shall refer the student's appeal to a Review Panel for consideration.

## **11.8 Appeal Review Panel**

The Review Panel shall normally consist of three members of the academic staff who have had no prior involvement with the appealable decision or the Local Stage.

The proceedings of the Review Panel will not involve a hearing. The Review Panel may call for additional information from the student, school or faculty, which must be provided promptly. The Review Panel will consider the Appeal Form and other evidence and may:

- a. refer the matter back to the faculty (or in the case of postgraduate research students, to the Pro Vice-Chancellor (Education)) for reconsideration with, or without, a recommendation for resolution. If following reconsideration at the Local Stage the original decision is not altered, the student may request that the matter be further reviewed by the Review Panel. If the original decision is altered, but the outcome is not acceptable to the student, the student may request that the new decision is referred to the Review Panel for further review, unless the new decision results in an outcome requested by the student in the Appeal Form, in which case there shall be no further right of appeal;
- b. dismiss the appeal, giving reasons, and issue a Completion of Procedures letter;  
or
- c. recommend that a committee be appointed by the Board of Trustees to hear the appeal.

A decision by the Review Panel that the student has provided a good reason for failure to submit extenuating circumstances at the appropriate time shall be binding.

Recommendations by the Review Panel should normally be followed, unless based on inaccurate information or a manifest misunderstanding of the facts of the case. If after reconsideration at the Local Stage, a recommendation is not followed, evidence of the reconsideration must be provided and reasons given for the decision not to follow the Review Panel recommendation.

### **11.9 Committee of the Board of Trustees**

If the Review Panel recommends that a committee be appointed to hear the appeal, the Board of Trustees will appoint a committee which shall normally consist of three members, including at least one academic member of the Board of Trustees or member of Senate, and which may include among its members University staff who are not members of the Board of Trustees. At the request of the student, the Board of Trustees may appoint a student sabbatical officer as an additional member. In the event of the Committee being divided in its view, the chair will have the casting vote. The Committee will normally be chaired by a lay member of the Board of Trustees. Wherever possible the Committee should include at least one member of the same gender as the student.

### **11.10 Clerk**

The University Secretary will appoint a clerk to the Appeal Review Panel and to the Committee. The role of the clerk is to assist the Panel or Committee by collating the evidence, preparing the documentation, making arrangements for the hearing, taking a note of the proceedings and advising the Panel or Committee on the relevant regulations and procedures. The clerk may, on behalf of the Panel or Committee, ask for written witness statements or documents such as medical certificates to be produced. The student, the school and the faculty will be entitled to see all statements and documents seen by the Panel or Committee.

### **11.11 Nature of hearing**

The Committee will decide its own procedure. The student may present his or her appeal in person or in writing as he or she chooses. Witnesses may be asked to give evidence.

### **11.12 Representation**

The student may be accompanied at the appeal hearing by an adviser, friend or representative for support or representation. The Students' Union employs student advisers who may be asked to act in this capacity. In the event that the student fails to attend, without good reason, the hearing may be held in the student's absence. If the student has a good reason for not attending, the hearing will be rescheduled.

### **11.13 Time limits**

The University will normally comply with the following time limits:

- a. the Local Stage will be completed within 25 working days of receipt of the student's Appeal Form. Where the Local Stage has involved a meeting with the student, the Local Stage decision will be issued to the student within five working days of the meeting (these five days being included within the 25 day limit set out above);
- b. The Appeal Review Panel will meet within 25 working days of the student's request for progression to the University Stage;

c. The Committee hearing will be arranged as soon as is practicable after the Review Panel's recommendation that a Committee be appointed. The Committee's report will normally be issued within 10 working days of the hearing.

If the University is unable to meet these time limits it will inform the student of the reasons for the delay.

If at any time during the appeal procedure, the student fails to pursue the appeal or to respond to enquiries in a timely manner without good reason, the University Secretary may after a delay of more than 20 working days on the part of the student, determine that no further action should be taken in respect of the appeal and that the appeal procedure is concluded.

#### **11.14 Nominees**

Unless the context indicates otherwise, under these Regulations an Officer of the University or other designated member of staff may act through his or her properly appointed nominee.

#### **11.15 Report to Senate**

The Committee will report to the Board of Trustees, setting out, in summary, the grounds of the appeal, the evidence received, the Committee's findings and any recommendations or instructions to be made by the Board of Trustees to the board of examiners. A copy of the report will be sent to the student and to the Faculty (via the Faculty Education Manager) or to the Chair of the Research Degrees Examination Board, as appropriate. The Student Complaints Officer will present an annual report on appeals under these regulations to both Senate and the Board of Trustees and will inform the Pro Vice-Chancellor (Education) of any general recommendations made by Committees of the Board of Trustees during the year.

#### **11.16 Powers of the Board of Trustees**

On receipt of the report of the Committee, the Board of Trustees may refer the matter back to the faculty (or the Research Degrees Examination Board, as appropriate) with a recommendation or instruction to the relevant board to amend its original decision.

#### **11.17 Office of the Independent Adjudicator for Higher Education (OIA)**

The OIA provides an independent scheme for the review of student complaints. The OIA will only consider cases when the University's internal procedures have been exhausted. It will not intervene in matters which turn purely on academic judgment.

At the end of the appeal process the student will be issued with a Completion of Procedures letter which will confirm the outcome of the appeal.

Following receipt of the Completion of Procedures letter the student is entitled to make an application to the [OIA](http://oiahe.org.uk) (oiahe.org.uk).

Last amended July 2019

## 8. Turnitin UK

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The University uses the Joint Information Systems Committee (JISC) approved Plagiarism Detection Service Turnitin UK (“the Service”), a method of systematically checking student assignments for plagiarism. The Service is operated by iParadigms, in conjunction with Northumbria Learning, the European reseller of the Service, who manage sales and support of the service to UK universities.

### 1 What is the Plagiarism Detection Service?

The Service searches the world wide web, extensive databases of reference material and content submitted by other students to identify any duplication with your work. The software makes no decisions as to whether a student has plagiarised, it simply highlights sections of text which have been found in other sources. In most cases this text will have been correctly cited. All work will continue to be reviewed by the academic department setting the assignment.

### 2 How are my assignments used by the Service?

Students (or staff, on behalf of students) can submit assignments to the Service. Your department(s) will have their own arrangements for this. Your work will be stored electronically on a database together with your name, email address, course details and institution. Your work will then be compared for similarity against work submitted by other students at Bristol and from other universities and will be included as source documents in the iParadigms reference database solely for the purpose of detecting plagiarism of submitted papers.

In the event of the Service detecting a high degree of similarity with content in the database, this will be reported back to the University. Your academic department can then investigate as they see fit in line with the University’s Examination Regulations. Any investigation is at the discretion of the University. In this circumstance it is possible that the personal data you have provided may need to be disclosed to academic staff within the other institution(s) from where matching content has been submitted. By signing the University of Bristol’s registration form you are giving your consent for your data to be transferred and used in this way.

### 3 Who controls the Service?

The University is the recognised Data Controller (being the person who controls the extent and use of data) for the data held or processed by or on behalf of the Service. iParadigms are the Data Processor.

In order for the University to make use of the Service it will be necessary for personal data relating to you to be transferred to countries not governed by EU Data Protection legislation. However, it should be noted that iParadigms, the company processing your data on the University’s behalf, is bound by terms of contract to abide at all times by the Data Protection principles.

### 4 How long will my data be kept by the Service?

The Service is a long-term initiative and it is the intention that student assignments will be retained indefinitely.

### 5 What if I want my data to be removed from the Service?

If you do wish to remove your data from the Service at any time you should contact the University TurnitinUK administrator (via email: [turnitinuk-admin@bristol.ac.uk](mailto:turnitinuk-admin@bristol.ac.uk)),

who can make the necessary arrangements with Northumbria Learning. You will receive written confirmation when this has been completed.

## **6 What if I want to find out what personal data the Service holds on me?**

If you wish to find out exactly what personal data the Service holds about you please contact the Information Rights Officer (via email: [data-protection@bristol.ac.uk](mailto:data-protection@bristol.ac.uk) ) in the Office of the University Secretary. You will be required to prove your identity before any personal information is disclosed to you – please see the ‘subject access request’ process referred to below. The process will involve the Information Rights Officer contacting Northumbria Learning and iParadigms on your behalf.

It is possible that the University also holds personal data on you in relation to plagiarism which it has received from the Service or elsewhere. Details of how to obtain access to such data is given below in the ‘Further Information’ section.

## **7 Who owns the Copyright to the work I have submitted to the Service?**

The copyright in the content submitted to the Service by you (or by staff on your behalf) remains yours at all times. The Service has no interest in acquiring the intellectual property rights for the content submitted by you. By submitting content to the Service, you are granting a licence to the Service for it to use the copyright in the content for the purposes set out in these Regulations. Please refer below to the ‘Further Information’ section for details of the University’s policy Intellectual Property.

Please note that neither the University, the Service nor its data processors will seek to exploit the content submitted to this Service for any further commercial gain outside the remit of this Service.

## **8 Further Information**

Please see the University of Bristol’s Intellectual Property Policy for Students, which is set out in the Rules and Regulations for Students booklet and on the web at <http://www.bristol.ac.uk/study/undergraduate/after-you-apply/policies/Information> about how to making a ‘subject access request’, the official process for requesting copies of information held about you, is available from the Office of the University Secretary at <http://www.bris.ac.uk/secretary/dataprotection/individ/subjectaccess.html>

Further information on TurnitinUK is available from <http://www.submit.ac.uk>.

Introduced September 2003. Revised June 2008

## 9. Regulations on Research Practice

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### 1 Responsibility for research in the University

The Head of School is responsible for research conducted within or under the auspices of that School and answers to the Dean, the Pro Vice-Chancellor responsible for research, and the Vice-Chancellor.

### 2 Research practice

These regulations apply to all members of the University involved in research. This will include staff and undergraduate and postgraduate students. It also applies to those who are not members of the University, but who are conducting research on the University's premises, under the University's auspices or using the University's research facilities.

All those conducting research in the University are expected to:

- maintain professional standards
- be familiar with guidance on best research practice, for example in relation to matters of policy, ethics, finance and safety
- comply with the University Research Governance and Integrity Policy
- observe legal and ethical requirements laid down by the University or other properly appointed bodies involved in the research field
- recognise the importance of good leadership and co-operation in research groups
- take special account of the needs of novice researchers
- document results and keep primary data secure
- question findings
- attribute honestly the contributions of others
- take steps to ensure the safety of all those associated with the research
- report any conflict of interest, actual or prospective, to the appropriate person.

### 3 Information about research projects

Anyone leading a research project within or under the auspices of the University should ensure that the research complies with relevant legislation and that arrangements are in place for the proper conduct of the research, including but not limited to insurance, ethics, data protection and the protection of intellectual property.

In particular, those leading or supervising research which involves human participants (including but not limited to questionnaires, interviews, human samples and clinical research) must complete a research registration checklist before starting the research (see <http://www.bristol.ac.uk/red/research-governance>).

The University Ethics of Research Policy and Procedure governs the ethics of research across the University and applies to all those conducting research under the auspices of the University.

#### **4 Misconduct**

In the event of suspected research fraud or other research misconduct, the matter should be drawn to the University's attention under the Policy on Public Interest Disclosure. The University's Insurance Officer should be notified, in confidence, of any possible future claim, or insurance cover may be lost. The Director of Communications should also be notified, in confidence, in case of media interest.

Approved by Council 5 July 2002. Last updated July 2010

## **10. Regulations on Research Misconduct**

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### **1 General**

These regulations apply to all members of the University involved in research. This will include staff and undergraduate and postgraduate students. It also applies to those who are not members of the University, but who are conducting research on the University's premises, under the University's auspices or using the University's research facilities.

For the purpose of these regulations, the Vice-Chancellor and other officers may act through their properly appointed nominees.

### **2 Definition of research misconduct**

Research misconduct includes the following, whether deliberate, reckless or negligent:

- failure to obtain appropriate permission to conduct research
- deception in relation to research proposals
- unethical behaviour in the conduct of research, for example in relation to research subjects
- unauthorised use of information which was acquired confidentially
- deviation from good research practice, where this results in unreasonable risk of harm to humans, other animals or the environment
- fabrication, falsification or corruption of research data
- distortion of research outcomes, by distortion or omission of data that do not fit expected results
- dishonest misinterpretation of results
- publication of data known or believed to be false or misleading
- plagiarism, or dishonest use of unacknowledged sources
- misquotation or misrepresentation of other authors
- inappropriate attribution of authorship
- fraud or other misuse of research funds or research equipment
- attempting, planning or conspiring to be involved in research misconduct
- inciting others to be involved in research misconduct
- collusion in or concealment of research misconduct by others.

Fraud or other misuse of research funds or research equipment may be dealt with under the University's financial regulations.

### **3 Procedure in the case of suspected research misconduct**

The University has a responsibility to investigate allegations of research misconduct fully and expeditiously. It also has a responsibility to protect researchers from malicious, mischievous, or frivolous allegations.

All those to whom these regulations apply should report any incident of misconduct, whether witnessed or suspected. Members of staff and students are encouraged to

raise concerns about suspected research misconduct in confidence under the University's Policy on Public Interest Disclosure.

In the event that serious allegations are made, they will be referred to the Vice-Chancellor under the appropriate disciplinary regulations. The Vice-Chancellor may take immediate action under the disciplinary regulations, or, if the Vice-Chancellor considers it appropriate to do so, he or she may first appoint a panel to investigate the allegations.

If a panel is appointed, it shall normally consist of three members: someone unconnected with the allegation who is a member of the school or faculty, a member of the University from outside the faculty and a member of the Board of Trustees, who shall chair the panel. Members of the panel must be impartial and unbiased. At least one member should have expert knowledge of the area of research involved. The individual or individuals against whom the allegation is made shall be informed of the decision to appoint a panel and shall be given the opportunity to comment on the proposed membership of the panel.

The panel shall take all reasonable steps to preserve the anonymity of the person or persons accused and the person or persons making the allegation, unless this would compromise the investigation. All reasonable steps must be taken to ensure that the investigation is undertaken as expeditiously as possible. The panel may seek legal advice.

The panel shall require the production of such records as are necessary to enable the investigation to proceed and shall secure their safekeeping. The panel may interview the person or persons accused and the person or persons making the allegation, together with anyone else who may have relevant information. Anyone attending for interview may be accompanied by a friend or representative.

The panel shall prepare a report setting out the evidence received, accounts of any interviews conducted and the panel's conclusions. The person or persons accused of research misconduct shall have an opportunity to comment on the report. The report and any comments received from the person or persons accused shall be submitted to the Vice-Chancellor. The panel may also make recommendations to promote best practice in the conduct of research and any such recommendations shall be brought to the attention of Senate and the Board of Trustees.

On receipt of the report, the Vice-Chancellor shall proceed as follows:

- In the event that the panel has found no evidence of misconduct, the complaint shall be dismissed.
- In the event that a complaint is upheld, but the offence found to be insufficiently serious to warrant formal disciplinary proceedings, the matter may be referred to the head of school or other appropriate individual for resolution.
- If the investigation has uncovered prima facie evidence of serious misconduct, then the matter shall be dealt with under the appropriate disciplinary procedures. Action may be taken in respect of members of staff under the Disciplinary Rules for Members of Staff and Disciplinary Procedure for Members of Staff. Action may be taken in respect of students suspected of research misconduct under the Student Disciplinary Regulations or Examination Regulations.

In cases where the outcome implicates someone who is not subject to the University's disciplinary procedures, the Vice-Chancellor shall bring the report to the attention of any appropriate disciplinary or other body.

If the panel finds the allegation to have been malicious or mischievous in nature, the matter may be referred to the Vice-Chancellor to consider whether disciplinary action should be taken against those making the allegation.

Where the research is funded in whole or part by an outside grant, the Vice-Chancellor shall have regard to the guidance issued by the relevant funding body. The Vice-Chancellor shall ensure that any such body is given appropriate and timely information as to the instigation and progress of an investigation and any referral under disciplinary regulations.

In the event of a finding of misconduct, where the person responsible is subject to the regulation of a professional body such as the General Medical Council, the Vice-Chancellor shall consider whether it is appropriate to inform the professional body of any finding.

Where the person responsible has published research, especially research to which the misconduct relates, the Vice-Chancellor shall consider whether it is appropriate to inform journal editors or others of any finding.

Approved by Council 5 July 2002. Last updated July 2010

## 11. Intellectual Property Policy for Students

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This policy describes the rights of students, the University and others, in intellectual property that is created by students during their time at the University.

Students are bound by this policy which is part of the Student Agreement.

<http://www.bristol.ac.uk/secretary/student-rules-regs>

*Students should make sure they check and understand the position on ownership of intellectual property at the outset of any project, placement or other arrangement.*

### Introduction

Intellectual property is a term used to describe legal rights that can exist in ideas generated and works created by individuals. These rights can have value and may be exploited for commercial and other purposes. It is likely that during the course of their studies or research programmes students will create work in which intellectual property rights arise and this policy will apply.

The most common intellectual property rights that might arise include copyright, design rights, patents and trademarks. A more detailed explanation of intellectual property rights that might arise may be found at

<http://www.bristol.ac.uk/secretary/legal/intellectual-property-rights>.

### Students covered by the policy

This policy applies to all students registered with the University, whether as undergraduates, post-graduates or in some other research capacity. It also applies if a registered student is employed by the University or another organisation.

### The basic principle

Students will own the intellectual property they create through course work or research while registered as students at the University. This means they are free to exploit this intellectual property as they choose, subject to any wider legal constraints that apply.

There are, however, some important exceptions to this basic principle which are set out below.

### Exceptions

*Students participating in a research project supported by the University or another third party*

An organisation funding (or otherwise contributing to or supporting) the research (the “funder”) might make it a condition of funding that any intellectual property rights generated during the project will belong to the funder, or the funder will have rights to use them or the intellectual property is to be available for open access and/or exploitation. In some such cases the University may require the student to assign (which means to transfer) to the University the rights in the intellectual property that is created. The form of the assignment may be found at

<http://www.bris.ac.uk/secretary/student-rules-regs/>

In other cases, the funder might require the student to assign (or grant rights to use) the intellectual property rights created by the student to the funder before the research starts or at its conclusion. Where this occurs the student will be bound by the terms imposed by the funder.

The University or other funder may also require the student to enter into a confidentiality agreement if the research involves the student having access to confidential information.

### *Collaboration with academics*

There are courses and research projects where students will be working with and/or are supervised by academic members of staff. The academic member of staff might contribute the ideas or concept behind the work that the student then develops or students may join existing research teams during the course of their studies.

Any intellectual property created or developed by the student through interactions of this nature must be assigned by the student to the University. The University will then treat the student as it does an eligible member of staff, which will entitle the student to a share of any fees that arise through the exploitation of the intellectual property. The share of the fees (also known as 'royalties') is determined by the level of the contribution made by the student. This is known as 'revenue sharing'. The University has adopted a formal 'Revenue Sharing Scheme' and further details of this are available at <http://www.bris.ac.uk/red/research-commercial/revenuesharing.html>.

*Note: Prior to joining a research group or starting a project, students will be required to sign the form of assignment, found at <http://www.bris.ac.uk/secretary/student-rules-regs/>.*

### *Students on placements*

The organisation offering the placement might make it a condition of the offer that any intellectual property rights created by the student during the placement will belong to the organisation and not to the student. The student may be required to assign the rights to the organisation offering the placement or to the University.

### *Students employed by the University or another organisation*

If a student is employed or sponsored by the University or any other organisation(s) at any time during their course or research programme, the employer(s) or sponsor(s) might own or claim ownership in the intellectual property created by the student during this time. As a matter of general law, employers own the intellectual property rights created by their employees. It is also possible that a sponsor will have a separate agreement with the student or with the University under which the sponsor claims ownership in any intellectual property created by the student.

The University may require the student to assign the intellectual property rights to the University. The University may exercise this right to protect the interests of the employer or sponsor.

The University may also require the student to enter into a confidentiality agreement if the course or research involves the student having access to confidential information.

## **University use of student-owned intellectual property**

Please see section 7 of the Student Agreement regarding the use the University can make of student-owned intellectual property. This permission helps further the University's objects

<http://www.bristol.ac.uk/university/governance/constitutionaldocs/charitablestatus/> and reflects many funders' requirements for open access and exploitation.

The law gives rights (known as 'moral rights') entitling authors of works in certain situations to be identified as such. The University will respect these rights and will acknowledge students as being the author where the University publishes the student-owned work. In other cases where the law does not require this, the student will be acknowledged, where reasonably practicable, in any publication of the University containing the student's work.

## **Respecting the intellectual rights of others**

Students must respect the intellectual property rights of others. This means students must not knowingly claim rights in work created by others, whether academics, students or third parties, or copy such work without the owner's permission. These obligations are described in more detail in the Rules and Regulations for Students <http://www.bristol.ac.uk/secretary/student-rules-regs/> .

## **Other relevant University policies**

The University has adopted other policies where there might be some overlap with this policy on intellectual property. These include:

- The Policy for Recording of Educational Activities  
<http://www.bristol.ac.uk/secretary/>
- InfoSec <http://www.bristol.ac.uk/infosec/>

## **Disputes and appeals**

If a student wishes to complain about any aspect of their treatment under this policy this must be done through the Students Complaints Procedure, details of which are at <http://www.bristol.ac.uk/secretary/>.

Approved by the Board of Trustees  
24 May 2019

## 12. Policy for Recording Educational Activities

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### Background

1. This Policy has been written to support, enable and promote the recording of educational activities at the University of Bristol.
2. In this Policy, educational activities include but are not limited to lectures, laboratory demonstrations, presentations, seminars, tutorials and assessment activities.
3. Recent developments in digital tools and pedagogic approaches are transforming the potential use of audio and video materials for educational purposes.
4. Recording of educational activities has become an expectation for many students, it is increasingly widespread across national and international higher education.
5. There are considerable benefits to our students in recording for educational purposes, including:
  - Flexible learning – anytime and anywhere access to learning materials, learning which can occur at the student’s own pace;
  - Multi-modal learning – providing learning materials in multiple formats to suit individual learning preferences;
  - Deep learning – including the ability to evaluate and contextualise learning materials over time, or to revisit complex concepts to increase understanding;
  - Digital capabilities – providing opportunities for students and staff to develop digital skills and capabilities.
  - More diverse teaching - for example the use of recorded material for viewing in advance of lectures to create space for more interaction within lectures;
  - Improved accessibility – particularly for students with special educational needs or whose first language is not English.
6. Recordings have multiple possible uses, such as short videos for students to watch before seminars, presentations which inform students’ option choices, interactive enrichment materials, and recording events and lectures.
7. The recording of educational activities is an important part of the University’s strategy to enhance the quality of the student experience and promote more inclusive and flexible learning and teaching. The University anticipates providing recordings and media-rich teaching materials will become as normal as providing notes, handouts or slides.

### Purpose of this Policy

8. To better support our educational objectives, we would like to record the audio, projected content and where possible video of teaching. To that end we want to make certain that the necessary rights and protections are in place to enable this.
9. However, it is important that staff and students understand what recording is not designed to do. The University recognises and acknowledges that:
  - Recording is not intended to replace student contact time or reduce student attendance at lectures. It is provided to enrich the student experience;

- Not all teaching styles are suitable for recording and staff should not feel required to change their preferred teaching style simply to ensure that it can be recorded.

### **Copyright and Intellectual Property**

10. The recording of educational activities requires clarity about the rights and responsibilities of the University, staff and students in respect to copyright and other intellectual property rights.
11. In line with staff contracts of employment, the University of Bristol will hold the copyright in the recording (including rights in the sound recording). This will enable continued use of the recording for the specific educational outcomes outlined in this Policy.
12. Staff own the performance rights in the recording of their teaching activities. By recording their teaching, staff give permission to the University to capture these educational activities and use the recordings and rights in any performance solely for educational purposes. Unless there is an agreement to the contrary any recordings will only be used by the University for educational purposes and not for professional capabilities review purposes (see Ordinance 29). Use for non-educational purposes will require explicit permission of the lecturer. The rights granted in this clause are irrevocable.
13. The University of Bristol may use, reproduce, and modify the format and display of the recordings (subject to the use criteria set out in paragraph 12) but not to modify the substance of its content. Staff waive all moral rights which might otherwise constrain this.
14. In summary staff who undertake recording of educational activities assign all rights, title and interest in and to the recording to the University of Bristol save in respect of performance rights where a licence is given.
15. The University of Bristol acknowledges staff have the right to request and be provided with a copy of the recording.
16. The University will acknowledge the lecturer as the author and performer of the recording wherever possible.
17. Staff have responsibility to ensure they comply with copyright legislation relating to their lectures and educational activities. Staff acknowledge their responsibility to ensure that use of third party copyrighted materials in the recordings is not in breach of data protection legislation or of any confidentiality obligations and does not infringe any third party's intellectual property rights.

### **Safe Keeping**

18. Recordings of timetabled teaching will be password protected. These recordings will only be accessible by relevant students or University staff who have authorised access, such as unit heads and system administrators.
19. Recordings of timetabled teaching will normally be made available to students for the duration of their year or programme of study.
20. Use of recordings of timetabled teaching beyond that set out in paragraph 19 will require the explicit permission of the teaching staff featured in the recording.

## **Recording and Not Recording**

21. The University has a legal obligation to provide a recording for some students (e.g. a student with a disability needs a recording as part of the 'reasonable adjustment' process). This obligation must be met. If a member of staff has notified their Head of School of their wish to opt out but opt out is not permitted because the University has an overriding legal obligation to provide a recording then a recording will be made in accordance with the University's legal obligations. Where these recordings can be provided using the institutional, automated service they should be, to reduce student anxiety and provide a supportive and inclusive learning environment.

22. If no legal obligation exists to require a recording to be made (paragraph 22) and a member of staff feels their teaching may not be suitable for recording they are encouraged to engage in discussion with the Head of School or his/her nominee to agree a way forward using the criteria below (paragraph 24 – criteria for not recording).

23. Recording may not be appropriate where a substantial proportion of the educational activities:

- a. contain confidential or personal information,
- b. are commercially or politically sensitive,
- c. include such a degree of interaction with students that recording is not viable,
- d. are delivered in a way that makes recording unsuitable, e.g. extensive use of whiteboard or chalk board.

24. There may be other valid reasons why it may be appropriate not to make a recording. These should be discussed with the Head of School or his/her nominee.

25. If an entire unit is not suitable for recording, the unit will not be scheduled for automated recording. If part or the whole of an individual lecture is not suitable for recording these elements may not be recorded.

### **Opt out**

26. In relation to the use of the automated recording service and except for the purposes of student assessment, any student not wishing to be recorded should notify the relevant member of staff.

### **Recording Notice**

27. Staff and students will be made aware when recording of educational activities takes place.

### **Editing**

28. To minimise impact on staff workloads and ensure prompt access for students, recordings of timetabled teaching are automatically published. Staff can review and edit this recording for two working days before it is made available to students. During this time staff can manually publish recordings. A member of staff may also recall a recording for editing once published.

## **Reasonable Adjustments**

29. Reasonable adjustments will be made for disabled students which may include but are not limited to the provision of recordings of teaching with subtitling where this is required.

## **Take down**

30. If a member of staff becomes aware that defamatory, inaccurate or infringing material is included within a recording or any other reason why it would be expedient for the University to recall a recording, they should contact the Academic Registry immediately.

## **Consent and Data Protection**

31. Subject to the right to not record set out in paragraphs 21 to 24 of this Policy, staff and students are deemed to consent to (i) the University recording and making the recordings available in accordance with this Policy; and (ii) the processing of personal data in accordance with the University's Data Protection Policy.

32. Recordings of 'sensitive personal data' require the express consent of the staff or students being recorded. A consent form is available on the University website. Sensitive personal data means data that is identifiable and contains any of the following information: racial or ethnic origin, political opinions, religious or other similar beliefs, trade union membership, physical or mental health, sexual life or the alleged commission of a criminal offence.

## **Visitors**

33. Express, documented consent is required for the recording of external visitors speaking at events and a consent form must be completed. This includes the recording of sensitive data when notice of recording is not sufficient; express consent to be recorded is required from all those involved in recordings. (see Appendix 1 for External Speaker Recording Release Request).

## **Student Assessment**

34. The University may make recordings of students for the purposes of assessment. Paragraph 18 of this Policy will not apply to any such recordings.

## **Student Recording**

35. The University may allow students to record lectures, lab demonstrations, presentations or other educational activities (subject to paragraph 38-restrictions on student recording).

36. The School will inform students if they do not have permission to record lectures, presentations, lab demonstrations or other educational activities (subject to paragraph 38-restrictions on student recording).

37. Unless students need to do so for any disability related reasons students may not record:

- (i) any seminars or tutorials; or
- (ii) any events where members of the public are present or in which fellow students actively participate

without obtaining the prior consent of the relevant member of staff at the beginning of each such seminar, tutorial or event. This is because recording the seminar or tutorial may well also capture identifiable or sensitive personal data of students and/or members of the public and they would each need to give their consent to their being recorded.

38. Any recording made by a student must only be used as a personal aid for study purposes. Students may not share, publish or otherwise make the recording available in whole or in part to any other person. Students must delete the recording as soon as they cease to be a student of the University.

39. In relation to where the University supplies or makes recordings of educational activities available to students:

- (i) the University will own the copyright and all other intellectual property rights in the recordings; and
- (ii) the recordings must only be used by the student as a personal aid for study purposes. The student may not share, publish or otherwise make the recording available in whole or in part to any other person.

40. Students must delete the recording as soon as they cease to be a student of the University.

### **Further information**

For any queries relating to Data Protection please contact the

Information Governance Manager at [data-protection@bristol.ac.uk](mailto:data-protection@bristol.ac.uk)

For any queries relating to learning, teaching or use of Re/Play or the Mediasite software please contact the Digital Education Office within Academic Registry <http://www.bristol.ac.uk/digital-education>.

### **Key Reference Documents**

#### **Legal**

More information about copyright at the University can be found at

<http://www.bristol.ac.uk/library/use/copyright/>

#### **Accessibility**

More information about the University's obligations can be found at

<http://www.bristol.ac.uk/disability-services/staff-professionals/guidance/> and <http://www.bristol.ac.uk/style-guides/web/policies/>

UMT/17-18/Recording Educational Activities Policy/Appendix 1: External Speaker Recording Release Request

This document is provided to you as a speaker in a course, seminar, lecture or other presentation at the University of Bristol. We would like to record the audio and projected content of your presentation. We would also like to record your presentation if this is possible. To that end we want to make certain that both you and the University of Bristol have the necessary rights and protections to continue to benefit from your presentation. At the end of the process a copyright release in the form attached will be generated, covering the captured presentation ('the Recording') and use of all accompanying materials (the 'Materials') such as PowerPoint presentations, handouts, graphs etc. If you are uncertain of the copyright status of any materials you intend to use, please provide a list of these materials so that together we may discuss the situation.

The University of Bristol will hold the copyright in the Recording. This will enable us at the University of Bristol to have the option to continue to use the Recording and the Materials for a programme of study.

In return for assigning the copyright in the Recording to the University and consenting to the use of your Performer's Rights, we will grant you a non-exclusive licence to use the Recording and the Materials in any way you like and for any purpose. Please understand that there is nothing in this Speaker Release requiring you to give your ideas to the University of Bristol. If you plan to give the same talk somewhere else or to publish a paper based on it, there is nothing in this release that would prevent you from doing so. And, unless otherwise stated, we will be happy to provide a copy of the Recording to you. Moreover, if evidence comes to light that the Recording has been used by others without our permission and in breach of copyright (e.g. for commercial exploitation), the University of Bristol as copyright owner will be in a position to take up the matter at its sole discretion.

University of Bristol Speaker Release Form

Title of event:

Date(s) of event:

The Recording

- As the sole owner of the performer's rights I give permission to the University of Bristol to capture my presentation identified above.
- I understand that the uses of the Recording by the University of Bristol are limited to educational use. The recordings will be available through the digital learning environment and users are required to authenticate to gain permission to view
- I grant licence for the University of Bristol to use, reproduce, and modify the format and display of my presentation (but not to modify the substance of its content). I waive all moral rights in the presentation which might otherwise constrain this licence.
- I assign all my rights, title and interest in and to the Recording to the University of Bristol.

- I understand that the University of Bristol grants me the nonexclusive right to exploit the Recording in any manner. I understand that I have the right to request a copy of the recording.
- The agreement set out in this Release is governed by English law and is legally binding.
- I confirm that I have authority/gained permission to enter into this agreement.

The Accompanying Materials

- I acknowledge that it is my responsibility to obtain any necessary third-party copyright permissions for the Materials used in my presentation and that it is my responsibility to ensure that use of them in this context is not in breach of data protection legislation or of any confidentiality obligations.
- I have listed below all third-party items included within my Materials; and confirm that I have explicit permission from the copyright owner(s) for their use:

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I accept that Recordings and Materials included on the University of Bristol Websites are subject to its terms and conditions of use and to its privacy policy (<http://www.bristol.ac.uk/style-guides/web/policies/legal/>) and agree to abide by them.

Signature:

Date:

Print name:

Address:

# Use of Facilities

## 13. Regulations for the Use of Library Services and Facilities

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### 1. Introduction

1.1 The University of Bristol Library service comprises: the Arts and Social Sciences Library, the Medical Library, the Queen's Building Library, the Wills Memorial Library, the Education Library, the Worsley Chemical Library, the Maria Mercer Library, the Biological Sciences Library, the Veterinary Science Library and the Research Reserve at Brislington. The service also oversees operations of four Study Centres: Beacon House, Grace Reeves, Hawthorns Study Centre and Senate House.

1.2 The Library service is available throughout the year. Opening times and locations can be found at: <http://www.bristol.ac.uk/library/locations-opening/>

1.3 The University Card acts as the Library Membership Card (as well as the identity card) for all students, members of staff and members of the Board of Trustees. The University Card (or, for registered external users, the University of Bristol Library Card) must be presented on request, whether to gain access to the Library, or to prove identity, or to borrow books in the Library. The University Card must not be given to, or used by, anyone else.

1.4 Throughout these regulations the term 'book' is deemed to include all types of material in physical format (e.g. printed books, printed journals, DVDs, etc.) provided by the libraries of the University.

1.5 All users of the library's electronic resources must comply with both the "copyright law"<sup>1</sup> and publishers' licence terms and follow the "Code of conduct for the use of computing facilities"<sup>2</sup>.

### 2. Admission

2.1 Admission to membership of the Library is subject to individuals being and remaining in good standing and may be refused or suspended by the Director of Library Services subject to paragraph 5 below.

2.1.1 The following categories of persons are entitled to all privileges, subject to registering as a member of the Library: a) members of the Board of Trustees; b) members of staff; c) enrolled students of the University.

2.1.2. The following categories of persons may be granted a limited range of borrowing facilities, at the discretion of the Director of Library Services, subject to registering as a member of the Library: a) former members of the University of Bristol's staff who have at least 10 years of continuous service who have either: (i) reached the State pension age, or (ii) had no further employer; b) graduates of the University of Bristol and associate members of Convocation (on payment of a fee); c) designated representatives of certain institutions which have corporately been

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<sup>1</sup> [www.bris.ac.uk/secretary/legal/copyright/](http://www.bris.ac.uk/secretary/legal/copyright/)

<sup>2</sup> [www.bristol.ac.uk/it-services/about/policies/code-of-conduct](http://www.bristol.ac.uk/it-services/about/policies/code-of-conduct)

granted library privileges (a fee may be charged); d) members of groups for which special arrangements have been agreed (a fee may be charged); e) such other persons as the Director of Library Services may consider eligible (a fee may be charged, but may be waived for members of approved library reciprocal borrowing schemes).

2.1.3 The following categories of persons may be allowed to use the library facilities for reading and reference, subject to satisfactory registration: a) graduates of the University of Bristol and associate members of Convocation; b) during University of Bristol Summer vacations, other students of universities and institutions of higher education on production of their institution's ID/Library card; c) such other persons or designated representatives of other approved institutions as the Director of Library Services may consider eligible (a fee may be charged, but may be waived for members of approved library reciprocal borrowing schemes); d) such other persons as the Director of Library Services may consider eligible subject to satisfactory registration.

2.2 Readers from outside the University may be subject to restrictions on the times when they may use the library services and facilities.

2.3 Readers wishing to use any library within the University are expected to acquaint themselves with and observe any particular regulations in force in that library.

### **3. Conduct**

3.1 Users are required to carry proof of Library membership when in any of the University libraries or study spaces, and to produce this on request by any member of library or security staff.

3.2 Conversation or any behaviour likely to disturb or inconvenience other users must be avoided in the quiet study areas. Speaking into mobile telephones is not permitted except in designated areas. Within the library telephones must be set to silent mode.

3.3 Eating and drinking are not permitted except in designated areas, and elsewhere only water from bottles or a library water fountain.

3.4 Books, equipment and furniture must not be damaged or defaced in any way.

3.5 Loss of, or damage to, books must be reported immediately. The user responsible may be required to make good any such loss or damage.

3.6 Any member of staff is empowered to enforce the regulations.

3.7 Subject to paragraph 5 below, the Director of Library Services has power to restrict or suspend the library privileges of any user contravening these regulations.

3.8 Users are required to comply with the provisions of copyright law and with any restrictions imposed by publishers' and suppliers' licences when using library material. The Library and its resources are to be used for the purpose of academic learning and research alone and not for other forms of commercial gain.

3.9 Personal belongings may be brought into the Library at the discretion of the staff and at the user's own risk. The Library cannot be held responsible for loss of, or damage to, personal property.

## **4. Borrowing**

4.1 Books may normally be borrowed in accordance with the appropriate procedures laid down in each library; certain classes of books, however, are either confined permanently or available for restricted loan only.

4.2 No book may be borrowed until the appropriate borrowing procedure for that library has been followed. The Director of Library Services is authorised to impose a fine of not more than £30 in respect of any attempt to remove a book without following the appropriate borrowing procedure.

4.3 Users are responsible for all books borrowed in their name. Their responsibility is not transferable and ends only when the appropriate return procedure has been completed.

4.4 Books must be returned by the date or time due. Users are expected to check their online borrower record and University email frequently and respond to Library notices. Users who fail to return a book by the due date or time will have their library account automatically blocked. Failure to return a book that has been requested may result in the cost of a replacement copy being charged  
<http://www.bris.ac.uk/library/use/borrowing/>

4.5 Users leaving the University must return all books on loan and pay all outstanding charges before the end of their course or before they leave. Subscribing users must return all their books before the period of their subscription expires. Users who fail to return their books will be charged for the cost of replacement. In the case of those graduating the books must be returned, or the cost of replacement paid, and all other outstanding charges paid, at least one week before the award of their degree.

## **5. Powers of the Director of Library Services**

The Director of Library Services has discretionary power to restrict, suspend or refuse library membership, to refuse to lend, or to recall any book at any time. Suspension of membership of an enrolled student under these regulations is a temporary measure only and will be referred to the Vice-Chancellor as soon as possible for further consideration under the student disciplinary procedures.

Last updated January 2019

## 14. Acceptable Use for Computing Facilities

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- Introduction
- Scope
- User identification and authentication
- Personal use of facilities
- Connecting devices to University networks
- Use of services provided by third parties
- Unattended equipment
- Unacceptable use
- Penalties for misuse

### **Introduction**

This Acceptable Use Policy is a sub-policy of the Information Security Policy (ISP-01) and sets out the responsibilities and required behaviour of users of the University's information systems, networks and computers.

### **Scope**

All members of the University (staff, students and associates), members of other institutions who have been granted federated access to use the University's facilities together with any others who may have been granted permission to use the University's information and communication technology facilities by the Chief Information Officer are subject to this policy.

### **User identification and authentication**

Each member will be assigned a unique identifier (userID) for their individual use. This userID may not be used by anyone other than the individual user to whom it has been issued. Each member will be assigned an associated account password which must not be divulged to anyone, including IT Services staff, for any reason. This University password must not be used as the password for any other service. Individual members are expected to remember their password and to change it if there is any suspicion that it may have been compromised.

Each member will also be assigned a unique email address for their individual use and some members may also be given authorisation to use one or more generic (role based) email addresses. Members must not use the University email address assigned to anyone else without their explicit permission.

Email addresses are University owned assets and any use of these email addresses is subject to University policies.

### **Personal use of facilities**

University information and communication facilities, including email addresses and computers, are provided for academic and administrative purposes related to work or study at the University. Very occasional personal use is permitted but only so long as:

- it does not interfere with the member of staff's work nor the student's study
- it does not contravene any University policies
- it is not excessive in its use of resources

University facilities should not be used for the storage of data unrelated to membership of the University. In particular, University facilities should not be used to store copies of personal photographs, music collections or personal emails.

Members of staff and research postgraduates should not use a personal (non-University provided) email account to conduct University business and should maintain a separate, personal email account for personal email correspondence.

All use of University information and communication facilities, including any personal use is subject to University policies, including the Investigation of Computer Use Policy (ISP-18).

### **Connecting devices to University networks**

In order to reduce risks of malware infection and propagation, risks of network disruption and to ensure compliance with the JANET Acceptable Use and Security policies, it is not permitted to connect personally owned equipment to any network socket which has not been provided specifically for the purpose. It is permissible to connect personally owned equipment to the University's wireless networks.

To further reduce risk of data loss, members of staff and research postgraduates should not connect any personally owned peripheral device which is capable of storing data (for example, a personally owned USB stick) to any University owned equipment, irrespective of where the equipment is located. Only University owned peripheral devices may be connected to University owned equipment.

Any device connected to a University network must be managed effectively. Devices which are not are liable to physical or logical disconnection from the network without notice.

### **Use of services provided by third parties**

Wherever possible, members should only use services provided or endorsed by the University for conducting University business. The University recognises, however, that there are occasions when it is unable to meet the legitimate requirements of its members and that in these circumstances it may be permissible to use services provided by other third parties.

Further information is available in the Information Handling Policy (ISP-07) and the Outsourcing and Third Party Compliance Policy (ISP-04).

### **Unattended equipment**

Computers and other equipment used to access University facilities must not be left unattended and unlocked if logged in. Members must ensure that their computers are locked before being left unattended. Care should be taken to ensure that no restricted information is left on display on the computer when it is left unattended.

Particular care should be taken to ensure the physical security of University supplied equipment when in transit.

## **Unacceptable use**

In addition to what has already been written above, the following are also considered to be unacceptable uses of University facilities. These restrictions are consistent with the JANET acceptable use policy (by which the University is bound) and the law.

- Any illegal activity or activity which breaches any University policy (see the Compliance Policy - ISP-03).
- Any attempt to undermine the security of the University's facilities.
- Providing access to facilities or information to those who are not entitled to access.
- Any irresponsible or reckless handling of University data (see the Information Handling Policy - ISP-07).
- Any use which brings the University into disrepute.
- Any use of University facilities to bully, harass, intimidate or otherwise cause alarm or distress to others.
- Sending unsolicited and unauthorised bulk email (spam) which is unrelated to the legitimate business of the University.
- Creating, storing or transmitting any material which infringes copyright.
- Creating, storing or transmitting defamatory or obscene material. (In the unlikely event that there is a genuine academic need to access obscene material, the University must be made aware of this in advance and prior permission to access must be obtained from the Chief Information Officer.)
- Creating, accessing, storing, relaying or transmitting any material which promotes terrorism or violent extremism or which seeks to radicalise individuals to such causes. (In the event that there is a genuine academic need to access such material, the University must be made aware of this in advance and prior permission to access must be obtained from the Chief Information Officer.)
- Using software which is only licensed for limited purposes for any other purpose or otherwise breaching software licensing agreements.
- Failing to comply with a request from an authorised person to desist from any activity which has been deemed detrimental to the operation of the University's facilities.
- Failing to report any breach, or suspected breach of information security to IT Services.
- Failing to comply with a request from an authorised person for you to change your password.

## **Penalties for misuse**

Minor breaches of policy will be dealt with by IT Services. Heads of Department may be informed of the fact that a breach of policy has taken place.

More serious breaches of policy (or repeated minor breaches) will be dealt with under the University's disciplinary procedures

Where appropriate, breaches of the law will be reported to the police. Where the breach has occurred in a jurisdiction outside the UK, the breach may be reported to the relevant authorities within that jurisdiction.

# 15. Investigation of Computer Use Policy

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## Contents

- Introduction
- Scope
- The University's Powers to Access Communications
- The Powers of Law Enforcement Authorities to Access Communications
- Other Third Parties
- Covert Monitoring
- Procedure

## Introduction

This Investigation of Computer Use Policy is a sub-policy of the Information Security Policy (ISP-01) and outlines the circumstances in which it is permissible for the University to access the IT accounts, communications and other data of its members.

The University respects the privacy and academic freedom of its staff and students and recognises that investigating the use of IT may be perceived as an invasion of privacy. However, the University may carry out lawful monitoring of its IT systems when there is sufficient justification to do so and when the monitoring has been authorised at an appropriately senior level.

Staff, students and other members should be aware that the University may access records of use of email, telephone and other electronic communications, whether stored or in transit. This is in order to comply with the law and applicable regulations, to ensure appropriate use of the University's IT systems and to ensure compliance with other University policies. All access and monitoring will comply with UK legislation including the Regulation of Investigatory Powers Act 2000 (RIPA), the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 (LBP), the Human Rights Act 2018 (HRA) and the Data Protection Act 1998 (DPA).

Decisions to access the IT accounts, communications or other data of members will not be taken by IT Services nor any member of the faculty/division of the individual to be investigated in order to ensure that such requests are free of bias and are not malicious. Decisions to undertake such investigations will therefore be made at an appropriately senior level by a member of the University Secretary's Office who will also determine the scale of the work to be undertaken.

## Scope

All members (staff, students and associates) of the University together with any others who may have been granted permission to use the University's information and communication technology facilities are subject to this policy.

## The University's Powers to Access Communications

Authorised University staff may access files and communications, including electronic mail files, stored on any IT facilities owned, managed or provided by the University and may examine the content of these files and any relevant traffic data.

The University may access files and communications for the following reasons:

- to ensure the operational effectiveness of its services (for example, the University may take measures to protect its systems from viruses and other threats);
- to establish the existence of facts relevant to the business of the institution (for example, where a case of suspected plagiarism is being investigated and there is sufficient evidence, the contents of an individual's communications and/or files may be examined without their consent with the authority of an authorised person);
- to investigate or detect unauthorised use of its systems;
- to ascertain compliance with regulatory or self-regulatory practices or procedures relevant to the University's business;
- to monitor whether or not communications are relevant to the business of the University (for example, checking email accounts when staff are absent on holiday or on sick leave);
- to comply with information requests made under the Data Protection Act or Freedom of Information Act (individuals would in normal circumstances be notified).

### **The Powers of Law Enforcement Authorities to Access Communications**

A number of other non-University bodies and persons may be allowed access to user communications under certain circumstances. Where the University is compelled to provide access to communications by virtue of a Court Order or other competent authority, the University will disclose information to these non- institutional bodies/persons when required as allowed under the Data Protection Act 1998.

For example, under the Regulation of Investigatory Powers Act 2000 a warrant may be obtained by a number of law enforcement bodies regarding issues of national security, the prevention and detection of serious crime or the safeguarding of the economic well-being of the UK.

### **Other Third Parties**

The University makes use of third parties in delivering some of its IT services. These third parties may intercept communications for the purpose of ensuring the security and effective operation of their service (for example, a third party which provides email services to the University may scan incoming and outgoing email for viruses and spam).

Information on our current email provide for staff, Microsoft, can be found at the below website:

<https://www.microsoft.com/en-us/trustcenter/cloudservices/office365>

### **Covert Monitoring**

Covert monitoring of computer use will only be authorised in exceptional circumstances where there is reason to suspect criminal activity or a serious breach of University regulations and notification of the monitoring would be likely to prejudice the prevention or detection of that activity. The period and scope of the monitoring will be as narrow as possible to be able to investigate the alleged offence and the monitoring will cease as soon as the investigation is complete. Only information gathered in relation to the alleged offence will be retained. This information will only be viewed by those for whom access is strictly necessary, for example in relation to potential disciplinary proceedings.

## **Procedure**

Requests for investigation under this policy may be made by any member of staff or student, although typically the request will come from a head of department, school or division. Occasionally requests are made from outside of the University, for example by the police. The request should be made to the University Secretary's Office and should include the following information:

- a. the name and department of the student or staff member whose computer or computing activity you wish to be investigated;
- b. the reasons for the request;
- c. where computer misuse is alleged, the evidence on which this is based;
- d. the nature of the information sought;
- e. any other relevant information, for example, that the request relates to ongoing disciplinary or grievance procedure.

In order to monitor the number and type of requests made, the University Secretary's Office will keep a record of the requests that have been made and those which were acceded to.

## 16. Car Parking Regulations

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The following rules govern the use by students of University car parking area within the University Precinct.

### **Car parks**

Car parking spaces in the University precinct are reserved for University staff and official visitors during normal working hours, i.e. Monday to Friday, 8 am to 5 pm, throughout the year, and students may not drive into or park motor vehicles in any University car park during these times. (Students with a mobility impairment may apply to Security Services for a special car parking permit.)

Students may park vehicles in these car parks at all other times, i.e. during the evenings and at weekends.

Parking in the private access or exit road or area to or from any University car park is strictly prohibited, for reasons of safety.

Offending vehicles will be subject to a Civil Parking Charge, the cost is £120 but reduced to £60 if paid within 14 days; no prior warning will be given.

### **Motor cycle parks**

There are limited facilities for parking motor cycles in the precinct.

Last amended July 2009.

# General

## 17. Whistleblowing Policy

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### 1. Introduction

1.1 The University of Bristol is committed to maintaining the highest standards of honesty openness and accountability and to conducting its business in a responsible way meeting the requirements of the funding bodies and reflecting the standards in public life as set out in the reports of the Nolan Committee.

1.2 Members of staff and students may be the first to realise that there is something wrong within the University. However, they may not express their concerns, because they feel that speaking up would be disloyal to their colleagues or fear reprisal. In these circumstances, it may be easier for individuals to ignore the concern rather than to report what may just be a suspicion of wrongdoing. All members of the University are encouraged to raise genuine concerns about wrongdoing at the earliest opportunity.

1.3 The aims of this policy are:

(a) to encourage staff and students to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate;

(b) to provide guidance as to how to raise those concerns;

(c) to reassure staff and students that they can raise genuine concerns without fear of reprisal even if they turn out to be mistaken.

1.4 The term “Whistleblowing” has no legal definition; however, it is used in this policy to describe incidents where an individual discloses an alleged wrongdoing within the University under this policy. The term “Whistleblower” is used to describe an individual who raises a concern

1.5 This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work. It has been implemented following consultation with the Trade Unions.

1.6 This policy does not form part of an employee’s contract of employment and may be changed by the University at any time.

### 2. What is Whistleblowing?

2.1 The Public Interest Disclosure Act 1998 (the “Act”) applies to individuals raising genuine concerns relating to some actual or potential danger, fraud or other illegal or unethical conduct. The Act provides legal protection to prevent individuals being penalised as a result of making a qualifying disclosure. A qualifying disclosure is one which, in the reasonable belief of the person making the disclosure, is in the public interest and tends to show one or more of the following:

(a) a criminal offence;

(b) failure to comply with a legal obligation;

(c) miscarriage of justice;

(d) endangering of health and safety;

- (e) damage to the environment; or
- (f) deliberate concealment of any of the above.

2.2 The Act applies whether or not the information is confidential and whether the wrongdoing is occurring in the UK or overseas.

2.3. A “Whistleblowing Concern” is a genuine concern relating to any of the matters set out in paragraph 2.1 above.

### **3. Who is responsible for the policy?**

3.1 The Board of Trustees has overall responsibility for this policy and for reviewing its effectiveness.

3.2 The Whistleblowing Officer (currently the Registrar and University Secretary) has day to day operational responsibility for this policy. Managers and other staff who may deal with Whistleblowing Concerns or investigations may take advice from the Secretary’s Office who may issue guidance from time to time and may provide appropriate training.

3.3 The Board of Trustees in conjunction with the Whistleblowing Officer will review this policy from time to time.

3.4 The Whistleblowing Officer will report annually to the Board of Trustees (via Audit Committee) on the operation of the policy and (subject to the obligations of confidentiality set out in section 6 below) whether any disclosures have been made.

3.5 All staff are responsible for the success of this policy. Staff are invited to comment on this policy at any time and suggest ways in which it might be improved. Comments and suggestions should be addressed to [University-Secretary@bristol.ac.uk](mailto:University-Secretary@bristol.ac.uk)

### **4. Who may raise a Whistleblowing Concern?**

4.1 The procedure set out in this document applies to all members of the University, including casual and temporary staff and those working for the University in other territories, agency workers and self-employed workers, contractors and suppliers, volunteers, honorary staff and students.

### **5. What concerns may be raised?**

5.1 Concerns which are in the public interest and covered by this policy are set out in paragraph 2.1 and may include:

- financial fraud, mismanagement or impropriety
- failure to comply with a legal or regulatory obligation including the Statutes, Ordinances and Regulations of the University
- academic or professional malpractice (including research misconduct)
- improper conduct or unethical behaviour including unauthorised disclosure of confidential information
- corruption, bribery or blackmail under the University’s Bribery Policy

5.2 The procedure set out in this policy is distinct from existing internal procedures for dealing with individual complaints by staff connected with their personal circumstances at work, terms of employment or collective grievances, and from

procedures for dealing with complaints or academic appeals by students. This procedure may not be used to re-open or review a matter already decided in such procedures or to question or reconsider financial or business decisions taken by the University. The purpose of this policy is to assist individuals who believe that they have discovered wrongdoing at the University to have their concerns considered.

5.3 If an individual is uncertain whether this policy applies to their concern or is within the scope of the policy they should contact the Secretary's Office (Appendix 1) who will refer the matter to the Whistleblowing Officer for a decision as to which is the appropriate procedure to apply. The decision of the Whistleblowing Officer will be final.

## **6. Safeguards and Confidentiality**

6.1 This procedure is designed to offer protection to employees or other members of the University (see section 4.1 above) who disclose Whistleblowing Concerns provided that:

- the individual making the disclosure reasonably believes that it is a matter of public interest (see section 2.1 above); and
- the disclosure is made to an appropriate person (see section 7.1 ad 7.2 below).

6.2 The University aims to promote a culture in which individuals feel confident to raise their concerns. Consequently, anyone reporting a disclosure is encouraged to identify him/herself. However, if an individual wishes to raise a Whistleblowing Concern confidentially, the University will make every effort to keep that individual's identity secret.

6.3 Concerns which are expressed anonymously will be considered at the discretion of the University according to:

- the seriousness of the issues concerned;
- the likelihood of confirming the allegation from alternative credible sources.

6.4 In the event that it is deemed necessary to reveal the identity of the individual making the disclosure, this will be discussed with the individual who will be advised prior to the release of their identity. The investigation process may require that the source of the information and the individual making the disclosure provide a statement as part of the evidence required or to assist in further investigations. All reasonable steps will be taken to ensure that the Whistleblower suffers no detriment as a result of their identity becoming known. Similarly, a Whistleblower who is a contractor or supplier of the University who raises a concern will not be subject to sanctions or discrimination against their business.

6.5 If it is concluded that the Whistleblower has made a malicious or vexatious allegation or with a view to personal gain and particularly where they persist in making them, disciplinary action may be taken against the individual concerned.

6.6 Employees may be personally liable if they subject the Whistleblower to any kind of detriment on the grounds that they have made a protected disclosure and the University will take all reasonable steps to protect employees from any form of harassment for making a disclosure.

## **7. How to raise a Whistleblowing Concern**

7.1 The University wishes to promote a culture of openness and therefore hopes that in most cases an individual will be able to raise any concerns with their line manager or the next more senior manager if it concerns the line manager. This can be done in person or in writing. It is hoped that this will result in finding a quick and effective resolution. In some cases the line manager may feel that the concern should be referred to the Whistle Blowing Officer; if so, the Line manager will discuss this with the Whistleblower before making the referral.

7.2 Where the matter is more serious or having raised the matter with the line manager the individual feels that the concern has not been addressed or the individual prefers not to raise it with the line manager the individual should contact one of the following:

- (i) The Whistleblowing Officer (Appendix 1)
- (ii) The Secretary's Office (Appendix 1)

7.3 As soon as possible after receipt of a Whistleblowing Concern the Whistleblower will be invited to a meeting with the Whistleblowing Officer or in his absence an authorised nominee to discuss the concern. The Whistleblower may be accompanied to any meetings under this policy by a trade union or other representative. The Whistleblower and his or her representative are expected to maintain the confidentiality of the concern raised and any subsequent investigation, recommendation or action.

7.4 Once the Whistleblowing Concern has been raised the Whistleblowing Officer **will** carry out an initial assessment to determine the scope of any investigation. The Whistleblower may be required to attend additional meetings to provide further information to assist in making the initial assessment.

7.5 The Whistleblower will be provided with a written summary of the concern raised and be given an indication of how the University proposes to deal with the matter.

## **8. Investigations**

8.1 The form of the investigation will depend on the nature of the matter raised. The Whistleblowing Officer will determine whether the matter should:

- be investigated and if so whether that investigation should take place under an existing internal procedure e.g. if the allegations relate to potential fraud then the investigation will take place under the Counter Fraud Policy.
- (unless being referred by a nominated officer under an alternative internal procedure) be referred to the police or other external authority.

The outcome of any investigation under an existing internal procedure will be reported to the Whistleblowing Officer so that he may decide whether any further action should be taken. It will however be for those conducting the matter under the internal procedure to comply with the terms of the relevant procedure in respect of matters such as keeping the Whistleblower informed as to progress of the investigation.

Except as may be otherwise provided in internal procedures, referral to the police will not prohibit a parallel internal investigation, if considered appropriate.

8.2 Investigations will not normally be conducted by the Whistleblowing Officer or by any other person who will have to reach a decision on the matter.

8.3 Any investigation under this policy will be conducted as sensitively and speedily as possible. The intended timetable for the investigation will be notified to the Whistleblower. In order to seek to protect the identity of the parties concerned, those participating in the investigation will be reminded of the need to maintain strict confidentiality in appropriate cases at all stages of the process.

8.4 The findings of the investigation under this policy (which may include recommendations for change to minimise the risk of future wrongdoing) will be reported to the Whistleblowing Officer who will decide what action should be taken.

8.5 In some instances it may be necessary to conduct further internal investigations or to refer the matter to an external authority for further investigation (eg Police, Funding Council, Financial Services Authority, Health and Safety Executive).

8.6 The Whistleblowing Officer will aim to keep the Whistleblower informed of the progress of any investigation under this policy and its likely timescale. He will also inform the Whistleblower of what action, if any, is to be taken bearing in mind that the need for confidentiality may prevent disclosure of specific details of the investigation or any disciplinary action taken as a result. Any information given by the Whistleblowing Officer to the Whistleblower or their representative will be regarded by them as strictly confidential and may not be disclosed to third parties except with the express consent of the Whistleblowing Officer.

## **9. What happens if the Whistleblower is dissatisfied with the outcome of an investigation?**

9.1 The University cannot guarantee that a Whistleblower will obtain the outcome that they were seeking however it will try to deal with any concern raised fairly and in an appropriate way.

9.2 The Whistleblower may not seek review of any decision made by the Whistleblowing Officer but if they are concerned about the way in which the Whistleblowing Concern has been handled they may raise it with one of the key contacts named at the end of this policy.

## **10. External Disclosures**

10.1 As set out above (see paragraph 1.3) the aim of this policy is to provide an internal mechanism for reporting, investigating and remedying wrongdoing at the University. In most cases therefore an individual should not find it necessary to alert anyone externally to their concern.

10.2 The law recognises that in some circumstances it may be appropriate for an individual to report their concerns to an external body such as a regulator. It will rarely, if ever, be appropriate to inform the media. The University strongly advises any individual considering reporting a concern externally to seek advice. The independent charity Public Concern at Work operates a confidential helpline and has a list of prescribed regulators for reporting certain types of concern. Contact details are at the end of this policy.

10.3 Whistleblowing Concerns usually relate to the conduct of the University's staff but they may sometimes relate to the actions of a third party such as a supplier or service provider. In some circumstances the law will protect individuals if they raise a concern with a third party directly. However, the University would encourage individuals to report such concerns internally first.

## **11. Protection and Support for Whistleblowers**

11.1 It is understandable that individuals are concerned about the possible repercussions of raising a Whistleblowing Concern. The University aims to encourage openness and will support staff who raise genuine concerns under this policy even if they turn out to be mistaken.

11.2 Whistleblowers should not suffer any detriment as a result of raising a genuine concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment (including poor treatment from colleagues) connected with raising a concern. If an individual believes that he or she has suffered any such treatment they should inform the Whistleblowing Officer immediately. If the matter is not remedied then the Whistleblower may raise it formally using either the Staff Grievance Procedure or the Student Complaints Procedure.

11.3 Under no circumstances may a member of University staff retaliate against a Whistleblower. If a member of staff or a student is involved in such conduct they may be subject to disciplinary action. In some cases the Whistleblower may have a right to sue that member of staff personally for any such conduct.

### **Appendix 1**

**Whistleblowing Officer:**

Registrar and University Secretary  
[lucinda.parr@bristol.ac.uk](mailto:lucinda.parr@bristol.ac.uk)

**Secretary's Office:**

[University-Secretary@bristol.ac.uk](mailto:University-Secretary@bristol.ac.uk)

Tel: 0117 394 1830

**Public Concern at Work Advice Line:** Tel: 0207 404 6609

## 18. Freedom of Speech Code of Practice

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Freedom of expression and equality are foundational rights, whose realisation is essential for the enjoyment and protection of all human rights<sup>1</sup>. The University of Bristol believes that freedom of expression and academic freedom are at the heart of its mission and must be fully reflected in both its policies and practices. Our approach is to enable and promote free speech and encourage debate of all kinds, consistent with Article 10 of the European Convention on Human Rights. Consistent with Article 10(2), restrictions on free speech may be permitted where the restriction is necessary to protect the reputation or rights of others, or in the interests of national security or public safety. This may include where speech which incites hatred or violence, is otherwise unlawful (e.g. harassment/discrimination), or where the exercise of free speech raises serious concerns regarding the safety of students, staff or members of the public.

This means that there must be an atmosphere of free and open discussion. The University supports the view of the European Court of Human Rights that freedom of expression constitutes one of the essential foundations of a democratic society and that such freedom is applicable not only to information or ideas that are favourably received, but also to those that have the potential to offend, shock or disturb the listener. Staff and students primarily determine the subjects and topics of discussion that take place on campus. Pluralism, tolerance and broadmindedness are essential components of a democratic society, and all views, including those that can be difficult to hear, should be able to be expressed and heard with tolerance and mutual respect. The University supports the right to hold conferences and talks on controversial topics. There is freedom to challenge or debate the law, moral or other issues but this does not give permission to break the law.

The principle of free speech has the potential to be abused, including through incitement to violence or to breaches of the peace, or by the use of threatening words or behaviour (including the display of writing, signs or other visible representations) which are intended to provoke racial or religious hatred or hatred on grounds of sexual orientation, gender, gender identity or gender expression, or to encourage or draw people into terrorism. All of our staff and students have a responsibility to consider these issues in the course of their work.

As an institution, the University is mindful of its responsibilities to ensure that its premises are not being used for unlawful purposes, including those which may negate the enjoyment of that freedom for others. When permitting its premises to be used, the University must therefore consider what may be said. The University is not obliged to allow its premises to be used by members of the public or by organisations which might wish to do so, nor is it obliged to admit members of the public to meetings taking place on its premises (providing that it does not exclude on a discriminatory basis) and must take account of other legal obligations, including those around the bounds of lawful speech and assemblies that may lead to serious disorder or breaches of the peace. Peaceful protest is a protected form of expression however such protest should not be allowed to shut down debate or infringe the rights of others.

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<sup>1</sup> Article 19 (2009) *Camden Principles of Freedom of Expression and Equality*. London: Article 19. Page 3. Accessed 04/03/16 from <https://www.article19.org/data/files/pdfs/standards/the-camden-principles-on-freedom-of-expression-and-equality.pdf>

Notes: In accordance with the Education Act 1986, the University Board of Trustees is required to publish a Code of Practice setting out the procedures to be followed by members, students and employees of the University in connection with the organisation of meetings and activities taking place on its premises. This document forms one part of the Code of Practice. The second document is the accompanying External Speakers Procedure.

The Secretary of State has issued guidance under the Counter-Terrorism and Security Act, 2015, which provides that the University 'must, in the exercise of its functions, have due regard to the need to prevent people from being drawn into terrorism'. The guidance acknowledges that universities must have particular regard (this is considered to carry more weight than 'due regard') to the duty to ensure freedom of speech and to the importance of academic freedom.

## 19. External Speakers Policy

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*This process applies to all bookings of events involving the engagement of an external speaker to give a presentation, talk or lecture under the auspices of either the University of Bristol (UoB) or Bristol Students Union (Bristol SU), whether hosted on or off UoB or Bristol SU premises. The process is not normally expected to apply to the engagement of visiting speakers to contribute to the delivery of approved academic programmes or to take part in research seminars at UoB.*

### 1 When to use this procedure

This procedure should be followed whenever an event involving an external speaker is organised and should be commenced at the earliest opportunity. No booking of the speaker or venue should be confirmed until a decision has been made under this procedure that the event can go ahead.

All those involved in this procedure should consult the recent guidance from the Equality and Human Rights Commission on Freedom of Expression in Universities (February 2019) (the EHRC Code):

<https://www.equalityhumanrights.com/en/publication-download/freedom-expression-guide-higher-education-providers-and-students-unions-england>

### 2 Self-assessment by the Event Organiser

*The Event Organiser* is the person responsible for the event

The *Event Organiser* may be:

- A student
  - Bristol SU affiliated group
  - Independent/informal student group
  - JCRs
  - Academic (school, faculty or programme-based group)
- A staff member
  - UoB
  - Bristol SU
- An external user

#### 2.1 Students

If the Event Organiser is a student they must undertake a self-assessment by completing the Self- Assessment Form to determine whether further scrutiny and support from the University are required. Once the self-assessment form has been submitted it will be reviewed by the Bristol SU Assessor who will decide whether the event can go ahead. It is expected that the vast majority of events organised will be permitted to go ahead.

If the Bristol SU Assessor is not able to approve the event they will pass the request to the relevant Decision -Maker

#### 2.2 Staff or External Users

If the Event Organiser is a member of staff or an external user they must complete the Event Organiser (Staff or External User) Self-Assessment Form to determine whether there are any matters which may require further scrutiny under this procedure. If they decide that there are no issues the event can go ahead. External

Users must also complete the self-assessment form with a member of staff. **It is anticipated that the vast majority of events organised will fall into this category.**

Whether or not further scrutiny is required under section 3 of this procedure, the *Event Organiser* must log the completed self-assessment form with one of the following, as appropriate, to ensure that there is a formal written record of this stage of the self-assessment process:

- If the *Event Organiser* is a member of academic staff, with the School Manager in their School
- If the *Event Organiser* is a member of professional services staff or an external user, with the PA to the Registrar and Deputy Registrar

### **3. If further scrutiny is required**

If an *Event Organiser* identifies that further scrutiny is required, the venue can be provisionally booked and the *Event Organiser* must give three weeks' notice to allow the *Assessor* and/or *Decision Maker* sufficient time to consider how to mitigate any concerns. If less than three weeks' notice is given, a response cannot be guaranteed and the event may not be permitted to go ahead.

If the self-assessment form raises potential issues then the *Event Organiser* must refer them to an appropriate *Assessor*, to be chosen from the following by reference to the location or organisational responsibility for the event:

- The Bristol SU Student Opportunities Manager (or Deputy)- This will happen automatically when a student submits a self-assessment form Heads of School
- Divisional Heads

The *Assessor* will consider the self-assessments passed to them in line with the Assessors Risk Assessment Guidance. They may approve the event if the case is straightforward and they assess the risks to be low. If they assess the risk to be higher but feel able to reduce risk by applying appropriate mitigation they may do so and approve the event subject to those mitigations. In carrying out this assessment, the *Assessor* may seek advice from the Secretary's Office, the Student Services Divisional Office and Security Services, as appropriate. When this assessment is complete the *Assessor* must complete the Assessors Summary Assessment Form and either:

- (i) If they agree the event can go ahead inform the *Event Organiser* of any mitigations that are required and ensure that they are put in place; or
- (ii) If they decide that the matter should be referred to the *Decision-maker* send the *Decision maker* their assessment of the risk including suggested mitigations.

### **4. In cases of significant concern**

If the *Assessor* is concerned that the issues raised present significant risks in relation to the hosting of the event, the assessment findings will be referred to the *Decision Maker*. The *Decision Maker* will consider what mitigation could be arranged in accordance with the EHRC Code in order to make it possible for the event to take place. Their decision is final. They may give conditional approval, subject to the *Event Organiser* putting mitigating measures in place.

**The *University Decision Maker's* overarching aim will be to allow events to go ahead in line with the University's firm commitment to Freedom of Speech and** In line with the EHRC Code's core ideas, in particular that the University "should always work to widen debate and challenge, never to narrow it".

**The *Bristol SU Decision Maker's* aim will be to allow events to go ahead in line with the EHRC Code and any prevailing Bristol SU policy at the time.**

The *Decision Maker* is either the

- Deputy Vice-Chancellor and Provost (or nominee)
  - For events in a UoB venue other than Bristol SU
  - For events in external venues being organised by a UoB member of staff or individual students
- Bristol SU Chief Executive (or nominee)
  - For events in Bristol SU venues
  - For events in external venues being organised by a Bristol SU affiliated student group or Bristol SU member of staff

The Chief Executive will make their decision after consultation with the Deputy Vice-Chancellor (or nominee).

It may be necessary to consult and/or inform other parties of the planned speaker. These may include:

- Police
- Security Services
- South West Prevent Regional HE/FE Lead<sup>1</sup>
- UoB Public Relations
- Liberty

## **5 Self-assessment questions**

The *Event Organiser* must make themselves sufficiently aware of the subject matter of the event together with the speaker's background and reputation to be able to take a considered view as to whether it is appropriate to host the proposed event within UoB or Bristol SU and to complete the self-assessment form.

The following questions may assist the *Event Organiser* to complete the self-assessment form which refers to these matters and points them to sources of advice

### **a) Are there any concerns about unlawful content? This may include:**

#### Speech causing fear or provocation of violence

- Acts intended or likely to stir up hatred on the grounds of race, religion or sexual orientation
- Speech amounting to a terrorism related offence
- Causing a person harassment, alarm, or distress

→ If so, or you are unsure, please contact the Secretary's Office for advice: [secretarys-office@bristol.ac.uk](mailto:secretarys-office@bristol.ac.uk) 0117 394 1830 or in respect of PREVENT the

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<sup>1</sup> It should be noted that Bristol SU is not subject to the Prevent duty and is not therefore required to consult with the South West Prevent Regional HE/FE Lead.

Deputy Director of Student Services (Health and Inclusion)  
alison.golden@bristol.ac.uk

**b) Is the event likely to lead to any Health and Safety issues for members of the University Community?**

Concern about matters relating to health and safety, including public order does not automatically block such an event taking place, but it is important to seek advice.

For example:

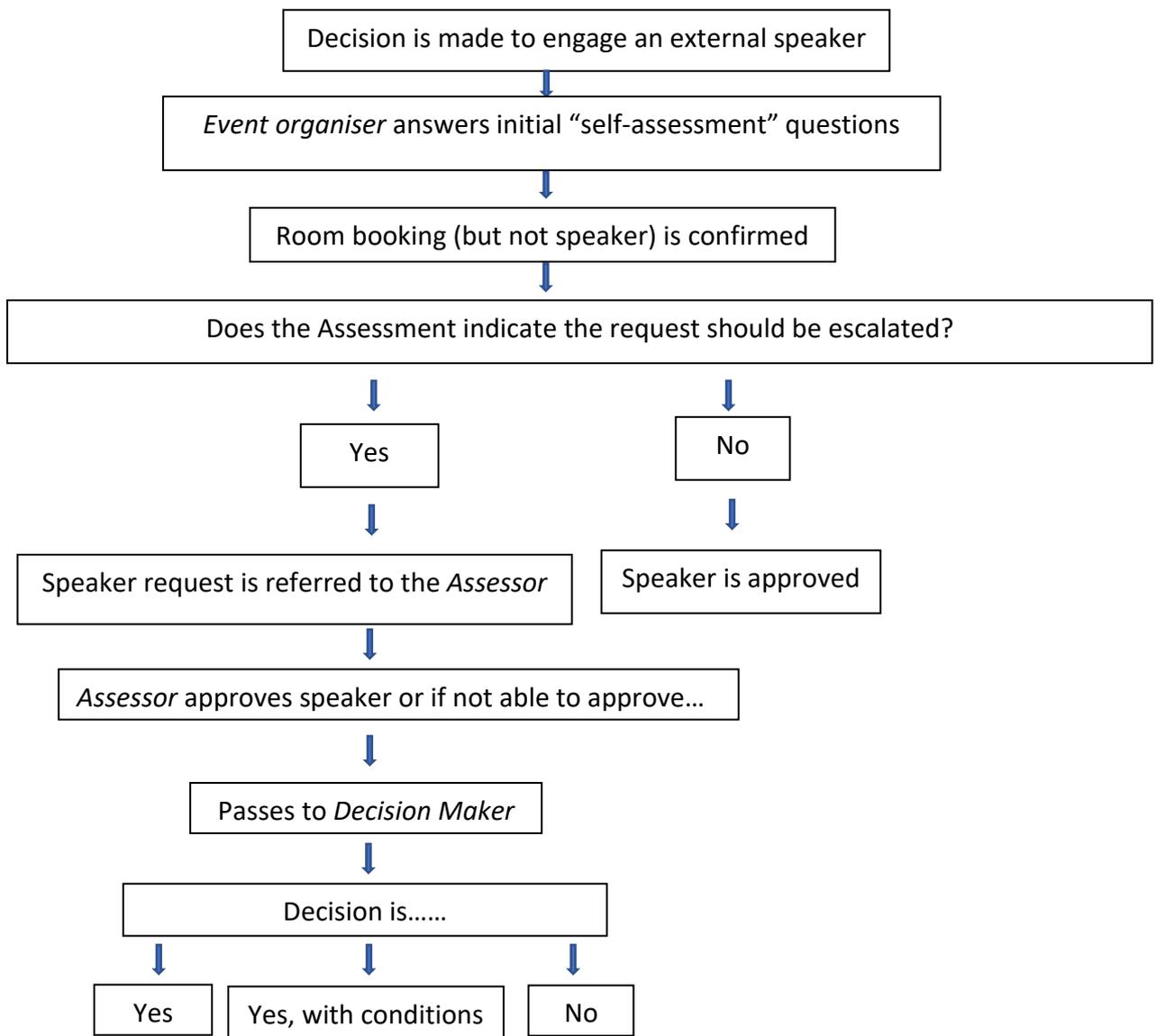
- Is the subject of their talk or the organisation they represent likely to mobilise significant opposition such that there might be a risk to safety of the public or members of the University community?
- Is there any evidence that this has been the case on other occasions?
- Does the speaker, or the organisation they represent have a controversial profile in the media?
- Is the event likely to attract a heightened media interest?
- Is the event likely to attract unusual interest or unusually large numbers?

→ If so, or you are unsure, please contact Security Services for advice on how to ensure the safety of speakers and attendees: [security-office@bristol.ac.uk](mailto:security-office@bristol.ac.uk) / 0117 928 7848

→ If so, or you are unsure, please contact the Public Relations Department for advice: [public-relations@bristol.ac.uk](mailto:public-relations@bristol.ac.uk) / 0117 928 8895

**If, having taken advice *the Event Organiser* remains unsure about the answer to any of the questions in the self-assessment form then the matter can be referred to an Assessor.**

**Process for informing, checking and approving external speakers**



**Risk Mitigation:**

**The Decision Maker will consider the request in line with the Assessors Risk Assessment Guidance and the Assessors Summary Assessment Form.**

## 20. Education Act 1994: Code of Practice

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The Education Act 1994 (the “Act”)(Section 22(3)) requires universities to issue a code of practice, setting out the manner in which the requirements of section 22(1) and (2) of the Act, relating to the organisation and activities of the Students’ Union, are to be put into effect.

Set out below are the requirements of the Act, together with the steps taken by the University of Bristol to ensure compliance.

### Section 1

The governing body of every establishment to which this Part applies shall take such steps as are reasonably practicable to secure that any students’ union for students at the establishment operates in a fair and democratic manner and is accountable for its finances.

The steps taken are set out below.

### Section 2

(a) The union should have a written constitution

Under Ordinance 24 of the University, the University of Bristol Students’ Union is established as a charitable company limited by guarantee. The Articles of Association set out the current written constitution of the Union.

(b) The provisions of the constitution should be subject to the approval of the governing body and to review by that body at intervals of not more than five years.

The prior approval of the University Board of Trustees is required for any amendments to the Union’s Articles of Association.

The University Board of Trustees is required under the Articles of Association to review the provisions of the Union’s Articles of Association at intervals of not more than five years.

(c) A student should have the right not be a member of the union, or in the case of a representative body which is not an association, to signify that he does not wish to be represented by it, and students who exercise that right should not be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of their having done so.

All full-time and part-time students at the University are entitled to become members of the Union (by becoming a member of the charitable company by which it is constituted), unless they give notice in accordance with the Articles that they choose not to be a member of the Union. The Union shall not levy subscriptions for membership of the Union (save that clubs and societies of the Union may levy a membership fee on their members). Full members shall be the students (who have not opted out) and the Sabbatical Trustees. Regardless of membership of the Union, students are entitled to use the Union building and facilities, to join Union clubs and

societies, to use the University's sports facilities, and to make use of welfare services. Students who are not members of the Union are eligible to stand for election as student representatives on Senate.

(d) Appointment to major union offices should be by election in a secret ballot in which all members are entitled to vote.

The procedures relating to elections are set out in the Articles of Association of the Union and comply with this requirement.

(e) The governing body should satisfy themselves that the elections are fairly and properly conducted.

The Returning Officer monitors the conduct of all elections to major union offices and reports annually on such elections to the Deputy Registrar (Academic Services) who in turn reports to University Board of Trustees. The Trustees of the Union are responsible for ensuring that all elections (whether carried out by way of referendum, secret ballot or by resolution at any general meeting of the Union) are fairly and properly conducted.

(f) A person should not hold sabbatical office, or paid elected union office, for more than two years in total at the establishment.

This is provided for under the Union's Articles of Association.

(g) The financial affairs of the union should be properly conducted, and appropriate arrangements should exist for the approval of the union's budget, and the monitoring of its expenditure, by the governing body.

The financial management of the Union is monitored on behalf of the University Board of Trustees by the Finance Director to whom the Trustees will report on the Union's financial affairs. The Union also has a University Financial Adviser who will report to the Finance Director any matters relating to Union funds which in his or her opinion should be so reported. The Trustees must obtain the approval of the University Board of Trustees for the budget for the Union in respect of each financial year before, or at the earliest possible date after, the start of the financial year in accordance with the Articles.

The Finance Director:

- Reports annually to the Board of Trustees on the financial affairs of the Union including the budget and the annual report and statement of accounts and will highlight any other matters as appropriate in order for the University Board of Trustees to monitor whether such financial affairs of the Union are properly conducted.
- Receives and reviews the proposed budget for the Union for any financial period and reports on the budget to the University Board of Trustees in order to allow it to decide whether to give its approval in accordance with the Articles and the Act.

(h) Financial reports of the union should be published annually or more frequently, and should be made available to the governing body and to all students, and each such report should contain, in particular, a list of the external organisations to which the union has made donations in the period to which the report relates, and details of those donations.

The Trustees of the Union shall comply with the requirements of the Companies Acts and of the Charities Act 1993 as to, keeping financial records, the audit or examination of accounts and the preparation and transmission to the Registrar of Companies and the Charity Commission of:

- (i) annual reports
- (ii) annual returns
- (iii) annual statements of account.

These documents are available for inspection through the Union Office and the Union shall in any event provide the University Board of Trustees with a copy of the annual report and statement of accounts as soon as is reasonably practicable following the approval by the Trustees.

(i) The procedure for allocating resources to groups or clubs should be fair and should be set down in writing and freely accessible to all students.

The procedure for allocating resources is set out in the Union's Byelaws (Byelaw 9, Student Groups) available online:

<http://www.bristolsu.org.uk/about/our-organisation/governance/financialaccounts/>

Further details can also be found in the Union's Sports, Clubs and Societies Committee Handbook available online:

[http://www.bristolsu.org.uk/activities/committee\\_resources/](http://www.bristolsu.org.uk/activities/committee_resources/)

(j) If the union decides to affiliate to an external organisation, it should publish notice of its decision, stating the name of the organisation, and details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made, to the organisation, and any such notice should be made available to the governing body and to all students.

The University has notified the Union of the requirement to comply with this provision.

(k) Where the Union is affiliated to any external organisations, a report should be published annually or more frequently containing:

- (i) a list of the external organisations to which the union is currently affiliated, and;
- (ii) details of subscriptions or similar fees paid, or donations made, to such organisations in the past year (or since the last report), and such reports should be made available to the governing body and to all students.

Where the union is affiliated to any external organisations, an annual report will be published and made available to the University Board of Trustees and to students. This should contain a list of the external organisations to which the union is currently affiliated as at the date of the report, and details of subscriptions or similar fees paid, or donations made, to such organisations in the previous year.

(l) There should be procedures for the review of affiliations to external organisations, under which the current list of affiliations is submitted for approval by members annually or more frequently, and at such intervals of not more than a year as the governing body may determine, a requisition may be made by such proportion of members (not exceeding 5%) as the governing body may determine, that the question of continued affiliation to any particular organisation be decided upon by a secret ballot in which all members are entitled to vote.

Under the Articles of Association, no affiliation to any organisation may be made or continued unless it is approved at least once in every calendar year by a Referendum or otherwise in accordance with the Act.

(m) There should be a complaints procedure available to all students or groups of students who are dissatisfied in their dealings with the union, or claim to be unfairly disadvantaged by reason of their having exercised the right referred to in paragraph (c) above, which should include provision for an independent person appointed by the governing body to investigate and report on complaints.

Under University Statute 17.19 ("Grievances"), any student with a grievance may take it to the University Board of Trustees, which has power to investigate the grievance, and to take any necessary steps to redress it. The University Board of Trustees has discretion to appoint a Committee to deal with the matter. The Board of Trustees shall maintain a suitable complaints procedure, which shall include the right of appeal.

(n) Complaints should be dealt with promptly and fairly and where a complaint is upheld there should be an effective remedy.

The University Board of Trustees ensures that grievances are dealt with quickly and appropriate remedies instituted. This is included in Statute 17.19 ("Grievances").

### **Section 22(4)(b) Information for students Restrictions on union activities imposed by the law relating to charities**

Under section 22(4)(b) of the Education Act 1994, the University is obliged to draw to the attention of students the restrictions imposed on the activities of the Student Union by the law relating to charities.

Resources provided to the Union through the University of Bristol should be used only for charitable purposes, in representing and furthering the interests of students so as to enhance the educational aims of the University.

By way of example, it would be proper for the Union to finance debate on controversial issues, the formation and running of clubs and societies, the publication

of a student newspaper and representation on University governing bodies. However, Union resources should not be used to campaign or lobby in support of any particular political party or religious organisation.

Further advice may be found in the booklet CC9: Speaking Out: Guidance on Campaigning and Political Activities by Charities, published by the Charity Commissioners for England and Wales.

Last amended July 2014

## 21. Fitness to Study Policy and Procedure

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### Policy

#### 1. What is fitness to study?

Fitness to study relates to an individual's capacity to participate fully and satisfactorily as a student, in relation to life generally at the University of Bristol. It does not just relate to academic studies, it also relates to the ability to live independently and safely whilst at University.

The University is committed to supporting student wellbeing and recognises that a positive approach to the management of physical and mental health is crucial to student learning and academic achievement.

#### 2. The purpose and scope of this policy

The purpose of this policy is to provide a suitable and co-ordinated response by academic and professional support staff in circumstances where:

- the situation is deemed to be urgent; and
- other internal procedures such as the progress rules or the Student Disciplinary Regulations are not appropriate; and
- all other avenues within schools and faculties have been exhausted.

This policy does not relate to fitness to practise – certain professional programmes have fitness to practise procedures which operate outside the scope of this policy.

#### 3. When to use this policy

This policy should be used when a student's fitness to study is a cause for concern and all other procedures or options have been considered or exhausted. It is to be used as a last resort. A student's fitness to study may be a cause for concern as a result of a wide range of circumstances, including (but not restricted to) the following:

- Behaviour which would usually be dealt with as a disciplinary matter, which may be known to be or suspected to be the result of an underlying physical or mental health difficulty.
- A student's health difficulties are adversely affecting the health, safety or wellbeing of themselves or others.
- A student's academic performance is unsatisfactory and may be known to be or suspected to be the result of an underlying physical or mental health problem.
- A student's behaviour where they live is adversely affecting the student and the people around them and calls into question the student's ability to live independently in residences or in the community.

#### 4. Informal action

It is expected that schools, faculties and residences staff will approach students once concerns regarding fitness to study have been raised and attempt to resolve the matter by informal discussions with the student. The student should be encouraged to use one or more of the support services offered by the University.

Good communication between staff in residences and in faculties and schools may be key to achieving informal resolution of concerns regarding fitness to study.

Specific academic arrangements should be considered by faculties and schools and action plans agreed with the student, which are regularly reviewed.

The majority of cases can be resolved this way.

## **5. Procedure**

The Fitness to Study policy may be invoked when all informal avenues have been unsuccessful, the other procedures available such as the progress rules and the Student Disciplinary Regulations have been considered and deemed to be inappropriate, the student may not be engaging and action plans have not been met.

### **5.1. Stage 1 – Case Review**

The purpose of the stage 1 Case Review is to ensure early intervention and that positive, informal action is taken with the student's co-operation and involvement.

A meeting of a Case Review Panel can be convened by the Head of Student Wellbeing or Head of Student Residential Life or their nominee, who will act as clerk to the Panel, and will usually be made up of the following:

- The Head of Student Wellbeing or Head of Student Residential Life (or nominee) who has not convened the Case Review. They will act as Chair of the Panel
- An academic representative from the student's school, usually the Senior Tutor, Personal Tutor, supervisor or appropriate academic
- the Faculty Education Manager
- a representative from the Student Wellbeing Service or Residential Life Service who is supporting the student

The Panel may seek advice from the Secretary's Office and the Head of Student Inclusion.

Before the Case Review Panel meeting medical assessment may be sought, usually from the student's GP or medical practitioner. The student will be able to submit documents for the Panel to consider and will be given a copy of any documents seen by the Panel. The student may request to attend all or part of the Case Review Panel meeting. The Chair will decide whether the student should attend. If the student does attend, they will have the right to bring a friend or representative to the meeting.

A letter will be sent to the student after the meeting setting out any decision made and the reasons for the decision.

The Panel will order its proceedings as it sees fit and may call witnesses if necessary.

The outcome agreed by the Panel will normally be an outcome not already attempted as part of the informal action taken by the school or faculty. The outcomes available to the Panel are:

- No further action required
- To monitor the student formally for a specific period of time. An action plan will be agreed with the student detailing any steps the student will need to take and the support to be provided to the student. This action plan will normally detail different actions to any plan previously agreed as part of the informal action taken by the school or faculty. Regular review meetings will be arranged with the student and a nominated member of staff. The student

should be made aware of what will happen if the action plan is breached, which will normally involve their case moving to stage 2.

- To recommend a specific academic arrangement be put in place which may include a suspension of studies. Such recommendations should be agreed by the student and by the student's school and faculty where appropriate (normally the representatives on the Panel). If the student does not agree, the case will move on to stage 2.
- To refer the case to a Fitness to Study Panel, under stage 2 of this procedure. This will be appropriate in serious cases, for example where all previous attempts to support the student have been unsuccessful, where the student has little insight regarding their fitness to study or where there is evidence of a serious risk to the health and safety of the student or others in the university community. This course of action would be used when it is considered that suspension, or requirement to withdraw may be the appropriate course of action or if the student has not agreed to a recommendation or action plan made under stage 1.

## **6. Stage 2 – Fitness to Study Panel**

This stage will only be invoked in the following circumstances:

- Following an emergency suspension under section 6 of this policy; or
- following a referral from a Case Review Panel; or
- if the student does not agree or is not engaging with a recommendation of a Case Review Panel; or
- if in the opinion of the Deputy University Secretary, Deputy Registrar or Director of Student Services the case is sufficiently serious and urgent to warrant an immediate referral without consideration of stage 1.

The Deputy University Secretary (or their nominee) will convene a Fitness to Study Panel to consider the case and will act as clerk to the Panel.

The Members of the Panel will usually be:

- The Deputy Registrar (Academic Services) or the Director of Student Services (or nominee), who will act as Chair
- An academic representative of the student's school (usually the Senior Tutor or supervisor)
- A representative of the student's faculty (usually the Faculty Education Director or the Faculty Education Manager)
- An appropriate senior representative from Student Services who has not been involved in supporting the student
- The Head of Student Inclusion
- The Head of Residential Student Life or Village Head of Residential Life (where concerns have been raised regarding behaviour in residences or in the community).

The member of Student Services who has been supporting the student may be invited to attend the meeting to give information but will not be part of the decision-making process.

As with the Case Review Panel the student will have the opportunity to submit documents for the Panel to consider and will be sent a copy of any documents seen by the Panel.

The student may request to attend all or part of the Panel meeting or may ask for a Student Adviser from the Just Ask unit of the Students' Union to attend the meeting on their behalf. The Chair will decide whether a student should attend, which may not be appropriate in all cases.

The Panel may order the proceedings at its discretion and may call witnesses if required. The Panel may request further medical evidence. If a Panel is convened following an emergency suspension under section 6, medical evidence will be required regarding the student's fitness to study before the Panel meets.

Possible outcomes of the meeting include, but are not limited to:-

- A short-term suspension to allow the student to be assessed by a medical professional, access support services both within and outside of the University or for the University to obtain further information. The suspension will be reviewed within four weeks as set out below in relation to emergency suspension.
- suspension with conditions. A student who is suspended from the University may be prohibited from participating in University activities and may also be prohibited from entering the University premises or have restricted rights to enter the premises. The terms of the suspension will be notified to the student in writing, depending on the circumstances of the case. The decision to suspend a student shall be reviewed as necessary by the Panel.
- requirement to withdraw - if the Panel concludes, taking into account the individual circumstances of the case and any supporting medical evidence, that there is no reasonable prospect of the student re-engaging with their programme, the student may be required to withdraw. This outcome should only be considered in the most serious cases.
- Any other action considered to be appropriate and proportionate.
- The Chair has the power to make the final decision if the Panel is unable to make a unanimous decision. The decision will be detailed in a letter and conveyed, in person wherever possible, to the student by a member of Student Services.

## **7. Emergency Suspension**

The Deputy University Secretary may refer the case straight to the Deputy Registrar (Academic Services) or the Director of Student Services if it is considered that the risk to the student or the University is very high and an immediate emergency suspension is the most appropriate course of action. Any student who has been detained under the Mental Health Act will also be referred for an immediate emergency suspension.

The Deputy Registrar or Director of Student Services may impose an emergency suspension with immediate effect pending the invoking of this policy. A student who is subject to an emergency suspension order is prohibited from entering university premises and from participating in university activities. The emergency suspension may, exceptionally, be subject to qualification, such as the permission to take an examination or to enter university premises to attend a meeting with a support service, such as the Student Counselling Service or the Students' Health Service. The terms of the suspension will be individual to each case and will be notified to the student in writing. The decision will be conveyed to the student, in person wherever possible, by a member of Student Services. A student will be marked as 'suspended'

on their student record during the period of suspension so that accommodation and tuition fees do not continue to accrue.

The decision to suspend may be reviewed after four weeks at the request of the student. The review may include a recommendation that a Fitness to Study Panel be convened to consider the case.

A stage 2 Fitness to Study Panel will be convened to consider the return to study of any student suspended under this section.

## **8. Return to study**

The Case Review Panel or Fitness to Study Panel that made the recommendation regarding a suspension, or as many members of the original Panel as possible, will be reconvened to consider whether the student is fit to return to study.

Further medical evidence will be requested from the student regarding their ability to fully engage with their studies, meet the requirements of the programme and live independently in residences or in the community. A student will only be permitted to return if, after receiving the medical evidence, the Panel is satisfied that the individual is fit to study.

If a student agreed to suspend studies under stage 1, the Case Review Panel that originally considered the matter can make the decision regarding a return to studies without referral to a Fitness to Study Panel if it is satisfied that the student is fit to return.

If the decision to suspend was made under stage 2 by a Fitness to Study Panel, the Panel should reconvene to consider and determine whether the student is fit to return to study.

Where a student returns to study after an emergency suspension under this policy a Fitness to Study Panel will be convened under stage 2 to consider whether the student is fit to return and if so to consider any support that the student may require to support a return to studies, such as regular review meetings or a return to study action plan. The general expectation is that the student will take personal responsibility for fully engaging with this support.

## **9. Right of appeal**

The student may appeal against a suspension or requirement to withdraw. A letter setting out the grounds of appeal should be addressed to the University Secretary and emailed to [university-secretary@bristol.ac.uk](mailto:university-secretary@bristol.ac.uk), to be received within 21 days of the date on which the order for suspension or the requirement to withdraw was made. The student is encouraged to seek assistance from the Students' Union Advice Service, "Just Ask", when preparing the letter of appeal.

The appeal will be heard by a committee of the Board of Trustees. The membership and procedure of an appeal committee will be the same as that set out under the Student Complaints Procedure.

## **10. Nominees**

References in these Regulations to the holders of any office shall be construed to refer either to the office holder or to their respective nominee.

Updated June 2018

## **22. Statement on the possession, use or distribution of illegal drugs or alcohol by students**

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The University has a duty of care for its students and aims to provide a safe and healthy environment for all. The University also has a duty to operate within the law. As part of this, the possession, use or distribution of illegal drugs or unlawful supply of alcohol on University property or as part of any University activities is prohibited.

The University provides the following welfare services and these are available to provide confidential advice for any students who are concerned about their own or someone else's drinking or drug use:

### Student Counselling Service

### Students' Health Service

Information about the health risks associated with the use of illegal drugs and the abuse of alcohol can be found on the Student Counselling Service and Students Health Service web sites.

Information about the legal sanctions for unlawful possession or distribution of drugs and alcohol can be found on the Gov.uk website.

Students found in possession of or dealing in illegal drugs in halls of residence will be subject to Residential Disciplinary Procedures (see particularly appendix D).

Students found in possession of or dealing in illegal drugs on other University premises will be subject to University Disciplinary Regulations.