Disciplinary Procedures – University Allocated Residences (UAR) for the 2017/18 Academic Year

1. Purpose / Objective

The Local Rules and Residence Conditions set out the expected standards of behaviour for University of Bristol students (and their guests), living in University Allocated Residences. The purpose of this document is to set out the procedures by which the Local Rules will be administered and enforced within University Allocated Residences. Students living outside of University Allocated Residences should refer to the University’s Good Neighbour Policy.

http://www.bristol.ac.uk/accommodation/media/docs/policies-procedures/local-rules-community.pdf

Throughout this document misconduct is defined as any behaviour which breaches the Local Rules. Misconduct by a guest of a resident will be treated as though that misconduct had been conducted by that resident.

Residents and their guests are subject to the University Residence’s Car Parking regulations http://www.bristol.ac.uk/accommodation/parking/. Enforcement of these conditions does not fall under these Residences’ Disciplinary Procedures, with the exception of inappropriate driving on University of Bristol property, which may lead to withdrawal of the car parking permit (at the discretion of the Director of Residential and Hospitality Services) in addition to disciplinary action.

The purpose of the Disciplinary Procedures (UAR) is to:

- Deal with allegations of misconduct fairly, transparently, consistently and in ways that are proportionate to the alleged breach of Local Rules
- Carry out a thorough investigation into the allegation, making appropriate findings and taking into account any mitigating circumstances.
- Allow the student to answer the allegation(s) against him or her, and have the opportunity to view any supporting evidence.
- Take account of the interests of anyone affected by what has happened (victims and/or witnesses).
- Deal with matters efficiently and in a time bound manner.
- Ensure that all incidents, investigations and decisions are properly documented and recorded.

2. Scope / Reason for Issue

These Procedures will apply to all University allocated residences. They will apply only to breaches of the Residences conditions http://www.bristol.ac.uk/accommodation/media/docs/residence-conditions.pdf and the Local Rules http://www.bristol.ac.uk/accommodation/procedures/.

Misconduct within residences will be dealt with under these local procedures wherever possible. There may be cases where staff become aware of behaviour that may constitute serious misconduct (Category D of these procedures). These cases will be referred to an authorised person, usually the Pro Vice-Chancellor, via the Secretary’s Office, for consideration and the residential local rules related processes may be suspended, pending a decision under the Student Disciplinary Regulations [http://www.bristol.ac.uk/media-library/sites/secretary/documents/student-rules-and-regs/student-disciplinary-regulations.pdf](http://www.bristol.ac.uk/media-library/sites/secretary/documents/student-rules-and-regs/student-disciplinary-regulations.pdf)

Any serious misconduct constituting a criminal offence (with the exception of illegal drug offences for which the process is referenced in Appendix A), or where a student has been arrested by the Police, will be automatically referred to the Pro Vice-Chancellor/authorised nominee via the Secretary’s Office, for consideration under the Student Disciplinary Regulations.

All disciplinary proceedings are strictly confidential between the student and the University and any representative of the student, unless legislation dictates otherwise or the student wishes to disclose information.

Allegations of misconduct need not be proved ‘beyond a reasonable doubt’. The standard of proof applied is the ‘balance of probabilities’ which means that, when assessing the evidence objectively, the decision-maker’s view is that it is more likely than not that the allegation of misconduct is proved.

It will normally be the case that where infringements of regulations are directly observed and documented by members of the pastoral team or residence or partnership staff (Wardens, Deputy Wardens, SSA’s, Senior Residents, partnership staff, Security Officers, Accommodation Manager etc.), in the absence of evidence to the contrary this will be considered as constituting sufficient proof.
3. Procedure

Misconduct will fall into one of four categories, A, B, C, D. Comprehensive guidance as to the categorisation of misconduct is set out in the Penalties Matrix within Appendix A.

Allegations of misconduct within University allocated Residences may be raised by any member of staff or student, who should subsequently confirm the incident in writing (either via email or incident report form) to the Warden. The report should contain the following information:

- Person or persons against whom the allegation of misconduct is made including student number(s).
- Nature and frequency of the misconduct.
- Time and location of the misconduct and its reporting.
- Names of witnesses, and where possible contact details, who observed the misconduct and/or others made aware of the misconduct.

Anonymous allegations will not be accepted without clear supporting evidence.

An initial decision will be made by the Warden (or nominated representative) as to the appropriate categorisation of the misconduct, and relevant processes adopted as follows:

Low Level Misconduct

It is normal practice for members of the pastoral team to regularly deal with low level/minor incidents of misconduct informally with students in the first instance (e.g. asking students to clean communal areas, keep noise down in a flat/bedroom), particularly at the start of term when students are settling in. Records of such informal ‘warnings’ given by the pastoral team should be recorded in the Residence local pastoral records, in order that the Warden can monitor repeat offences and determine when it is appropriate to commence proceedings under the following categories:

Category A Offences

In these cases, any member of the pastoral team (which includes Senior Residents, SSAs, Deputy Wardens and Wardens) may issue a Category A (informal) warning.

Note that here, and elsewhere in this document, ‘the Warden’ shall include the designated Acting Warden of a residence where the Warden is away (e.g. on leave), and similarly with other members of the pastoral team.

If the member of the pastoral team dealing with the issue considers it is not necessary to resort to the formal disciplinary procedure, based on the Guidance for Wardens Penalty Document (Appendix A), they will discuss the matter informally with the student and, if appropriate provide advice about standards required in the future. The incident and details of the warning given will be logged in the Residences local discipline log held by the SSA (not the RHS central log) to effectively monitor any future incidents and required resultant penalties/escalation if further misconduct of a similar nature occurs.

As Category A offence warnings are deemed ‘informal’ under this disciplinary process, no appeals are permitted.

These are the Disciplinary Procedures for 2017/18 tenancies. Updated Disciplinary Procedures for 18/19 tenancies will be available from 1 August 2018.

**Category B and C Offences**

In these cases, the following members of the pastoral team may carry out a disciplinary investigation in order to fully understand the circumstances of the complaint: SSA, Deputy Warden* and Warden. *(If the Deputy Warden has student rather than staff status then the Deputy Warden may hold the disciplinary meeting with the student on behalf of the Warden, but their decision regarding any sanctions must be authorised by a Warden before the disciplinary outcome letter is issued to the student).

If a student is required to attend a disciplinary investigation meeting, they must be provided a minimum of 24 hours’ notice to attend. It is expected that disciplinary meetings will be held within 5 working days of the incident taking place. Except for serious disciplinary incidents, the scheduling of disciplinary investigation meetings should not take place over any exam periods.

The University may, at its own discretion, move any student to alternative temporary accommodation pending the outcome of an investigation.

**Unknown offenders:** If there is a suspicion of misconduct in Residences raised by either a student or member of staff, involving an unknown group of students, the Warden may write to all students of the relevant flat, unit, corridor or hall. The Warden will state the nature of the suspected offence and notify all residents that this situation will be monitored and any student participating in a confirmed incident of misconduct will be dealt with in accordance with the residences local discipline rules, and that the highest offence warning, applicable to the incident, will be applied if the student(s) do not disclose their involvement.

**Known offenders:** Where misconduct is attributable to a student, they will be invited in writing to a disciplinary meeting with the Warden, or their nominated representative and will be made aware of the allegations before the meeting. The Warden will ensure that another member of the pastoral team (which may include a Senior Resident) is present at the meeting. The student may be accompanied by a friend or representative (this may not be a legal representative). The purpose of the meeting is to hear the student’s initial response to the allegations of misconduct, and if appropriate provide advice about standards required in the future. If found at fault, an appropriate penalty will be applied, and a formal record of the matter will be kept on the student’s Residential Disciplinary file and used for escalation processes if further similar misconduct occurs. A decision letter will be sent to the student following the meeting.

Any costs of repair, including administration fees will be assessed by the Accommodation Manager (or Partnership Manager, as applicable) prior to the arranged meeting, and all or part of this may be charged to the student in addition to any penalties imposed by the Warden.

Any Category B or C formal warning and appropriate penalty can only be issued by a Warden or their nominated representative (SSA, Deputy Warden with staff status, Head of Student Residential Life).

If any student fails to attend the disciplinary meeting without having provided good reason for doing so, the Warden may make a summary decision in the student’s absence. A student’s non-engagement with the disciplinary process may be taken into account when considering the severity of any penalty levied.

It should be noted that in the event there is a suspicion of misconduct in Residences raised by either a student or member of staff, involving a number of students, the Warden may write to all students of the relevant flat, unit, corridor or hall who will be required to assist with the investigation.

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1. **Disciplinary Procedure – University Allocated Residences 2017/18**
2. **Approved - 3. Revision**
These are the Disciplinary Procedures for 2017/18 tenancies. Updated Disciplinary Procedures for 18/19 tenancies will be available from 1 August 2018.

cases where misconduct involves students from multiple halls of residence, Wardens have discretion to deal with their students separately or to hold a joint disciplinary meeting.

The Warden will ensure that the investigation fully explores issues relating to ‘collective responsibility’ before determining which students are required to undergo disciplinary proceedings. At the disciplinary meeting, the Warden determines whether or not, on the balance of probabilities, the misconduct is found proven, and if so, what penalty or repair cost should be applied collectively to the group of students; students will be encouraged to share with the Warden/Deputy Warden any information they may have on the incident in order to help identify those actually responsible for it.

Category D Offences

If the allegation is of a serious nature that requires advice from the Secretary’s Office, or if the student has already been repeatedly disciplined for a similar offence(s) with no improvement in behaviour, the matter will be immediately referred by the Warden to HoSRL for consideration by the Secretary’s Office.

The matter will either be referred back to the HoSRL to deal with under the Residences Disciplinary Procedures UAR), as referenced in the Penalty table (Appendix A) or dealt by the Secretary’s Office under the Student Disciplinary Regulations http://www.bristol.ac.uk/media-library/sites/secretary/documents/student-rules-and-regs/student-disciplinary-regulations.pdf

As appropriate, the student will be invited to a disciplinary meeting with the Pro Vice Chancellor or the Director of Residential and Hospitality Services, in accordance with the Student Disciplinary Regulations. It should be noted that an outcome of this meeting may be a decision that the level of misconduct demonstrates that the student has not met the terms of their tenancy agreement. In such cases, referral will be made to the Director of Residential and Hospitality Services to invoke Notice to Quit (NTQ) proceedings, if required.

In addition, the Director of Residential and Hospitality Services reserves the right not to allocate the individual residential accommodation in subsequent years of study if a NTQ has been issued or Category D offence has been previously committed.

Following the meeting, students will be notified that if they are found guilty of misconduct by the Secretary’s Office, a record of guilt will be placed on their student file in their school, faculty and central filing and will remain on their University record for one year after graduation, which may affect future references.

Appeals

A student may appeal against a finding of guilt, except for offences classified as Category A misconduct. The appeal must be made to the University Secretary within fourteen calendar days of the conclusion of the local disciplinary 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.

These are the Disciplinary Procedures for 2017/18 tenancies. Updated Disciplinary Procedures for 18/19 tenancies will be available from 1 August 2018.

Reporting

Student Support Advisers and Wardens are required to ensure the details of any offence that has resulted in a formal disciplinary meeting are recorded on the central Residences Disciplinary Log.

The Residences Discipline Log will be accessed by SSA’s, Deputy Wardens, Wardens, Head of Student Residential Life, Secretary’s Office, PVC and Director of Residential and Hospitality Services to determine required courses of action/stages of undertaking, within the Discipline Procedures, in particular, to establish if the offence is a repeat of previous, similar misconduct. They will also be accessed when a request by a student to transfer to a different residence is being considered.

The Residences discipline log will be archived after each Academic year, and will be kept for at least one year after. A student can be provided with a copy of their disciplinary record, if requested.

Normally, misdemeanours will not be referred to in references to future landlords, unless the student authorises a full disclosure.

Discipline statistics will be reviewed regularly at the Wardens team meetings in order to monitor and respond to areas of concern. A record of all residential discipline cases will be sent to the Deputy Registrar and to the Secretary’s Office bi-annually via a report from the Head of Student Residential Life.

Use of Fines in 2017/18

The payment of fines is in addition to any requirement by the student to pay appropriate costs (as detailed in the Residences handbook) for repairs/cleaning or attendance on an awareness course, as the result of misconduct. Fines will be used to fund a facilities legacy fund for the benefit of students within Residences. The spending of funds will be made in agreement with the Students’ Union.

Notice to Quit

If a Notice to Quit is issued by the Director of Residential and Hospitality Services there is no University appeal to the process and due Housing Act procedures will be followed.
These are the Disciplinary Procedures for 2017/18 tenancies. Updated Disciplinary Procedures for 18/19 tenancies will be available from 1 August 2018.

4. Responsibility for the Operation of these Procedures

Wardens.
Deputy Wardens.
SSAs.
Senior Residents.
Head of Student Residential Life.
Director of Residential and Hospitality Services.

5. Applicable to:

All students (who also have responsibility for their guests) in University allocated residences.

6. Definitions / Descriptions

SSA – Student Support Adviser
SR – Senior Resident
HoSRL – Head of Student Residential Life
DoRHS – Director of Residential and Hospitality Services

7. Related Documentation


University of Bristol Residence Conditions [http://www.bristol.ac.uk/accommodation/media/docs/residence-conditions.pdf](http://www.bristol.ac.uk/accommodation/media/docs/residence-conditions.pdf)

Residences Local Rules
[http://www.bristol.ac.uk/accommodation/procedures/](http://www.bristol.ac.uk/accommodation/procedures/)

8. Distribution

Wardens, Deputy Wardens, SSA’s, Senior Residents

Accommodation Managers

Partnership Manager (Accommodation Office)

University Secretary’s Office (on behalf of Pro Vice Chancellor)

Head of Student Residential Life

Director of Residential and Hospitality Services

Head of Accommodation Services

Students’ Union

Deputy Registrar
These are the Disciplinary Procedures for 2017/18 tenancies. Updated Disciplinary Procedures for 18/19 tenancies will be available from 1 August 2018.

Appendix A: Guidance for Wardens Penalties under the Local Disciplinary Rules for University of Bristol Residences

1. All formal disciplinary meetings must be attended by two members of the pastoral team. If a Deputy Warden with student (rather than staff) status holds a formal disciplinary meeting with the student on behalf of the Warden, their decision regarding any sanctions must be authorised by a Warden before the disciplinary outcome letter is issued to the student.

2. Students upon whom a penalty is imposed must be made aware of their right to appeal within 14 calendar days of notification of the penalty. (N.B. There is no right of appeal at the Category A discipline stage, or where there is a breach of the Residence Conditions which results in a Notice to Quit being served.)

3. Fines under the Residences Local Discipline Procedures should not exceed £100 for a particular type of misconduct. For incidents that involve several types of offence, these should be classified and recorded under the highest category of offence committed, and suitable sanctions applied as deemed suitable to each particular offence.

4. The cost of attending a fire, drug or alcohol awareness course may be in addition to any fine, where levied. If a student fails to attend a course without a reason for doing so they will incur the cost of the missed course, and be required to re-attend at their own additional cost, and may invoke further disciplinary action.

5. If the allegation is of a serious nature (i.e. Category D) that requires immediate referral to the Secretary’s Office, or the student has already been disciplined for a Category C offence on a previous occasions (as referenced in the Penalty Matrix), the matter will be immediately referred by the Warden to the Secretary’s Office. For any cases of misconduct involving the Police and/or Criminal courts, the University of Bristol will not make any final disciplinary ruling until the criminal matter has been resolved by the Police, however the University may instigate temporary measures with the student whilst the matter is investigated by the Police/and or Criminal courts, to ensure the safety of the student in question, or their fellow residents, as appropriate.

6. Offences involving fire safety, will result in a fixed penalty, with no discretion, plus the payment of any costs incurred. For other offences the imposition of any penalty, together with a decision not to impose a penalty, remains at the Warden or nominated representative’s discretion, based on consideration of any mitigating circumstances. Wardens will determine the category of warning and suitable penalty based on the severity of the incident.

7. Where the student is required to perform community service as an offset to a fine, the number of community service hours to be worked should be based with reference to the current rate of the National Minimum Wage; and should be proportionate to the seriousness of the offence, but not exceed 20 hours.

8. If student misconduct constitutes a serious breach of the University’s Residence Conditions or Local Rules and it is considered necessary/appropriate to remove or temporarily house the student in alternative accommodation for the safety of the student or their fellow students, the Warden must refer the case to the Head of Student Residential Life (HoSRL) or the Director of Residential and Hospitality Services (DoRHS) before a final decision is made.

9. The Warden, HoSRL and DoRHS may only exercise disciplinary powers under the University Allocated Residences Local Rules and Regulations.

10. The examples of misdemeanours are not exhaustive and the Warden is to establish at which stage of these procedures the investigation is undertaken for any areas of misconduct that are not included in the guidance document.

11. Fines may allocated to individuals or split across students where an incident involves a group of students.

12. All pastoral team member can contact the HoSRL and/or the Secretary’s Office for advice in relation to any disciplinary matter.
These are the Disciplinary Procedures for 2017/18 tenancies. Updated Disciplinary Procedures for 18/19 tenancies will be available from 1 August 2018.

**Penalties Matrix**

In addition to the penalties listed, many of the violations listed below will involve a discussion of health and wellbeing issues associated with the behaviour. Wardens should consider whether the unsatisfactory behaviour might be indicative of a decline in the student’s health and wellbeing, and ensure that appropriate signposting and support is considered.

It is expected that low level incidents will initially be dealt with verbally and informally by any member of the pastoral team wherever possible, to guide/remind students on required standards of behaviour.

It is an expectation that all students will have read and signed their tenancy agreement and Residences conditions, and therefore be fully aware of the conduct rules relating to living in University Allocated Residences. Attendance at any awareness course is at the students own expense, the cost of which is in addition to any penalty (course cost circa £55 per person in 2017/18).

<table>
<thead>
<tr>
<th>Discipline Lead</th>
<th>Category</th>
<th>Misconduct Offence / Incident</th>
<th>Normal level of sanctions imposed (select one or more as appropriate to the offence, at the discretion of the Warden)</th>
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<tbody>
<tr>
<td>Any member of pastoral team</td>
<td>A</td>
<td>Failure to comply with a reasonable instruction given by a member of our staff or partnership staff (e.g. failing to produce ID card, failing to leave the residence or grounds when reasonably asked to do so, failing to stop a noise disruption when requested)</td>
<td>The Warden will determine when low level misconduct has reached a threshold that requires an informal Category A warning</td>
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<td>Excessive lock outs (a guide of 5+ times)</td>
<td>Advice/reminder on required standards of behaviour. This may include writing to the whole flat, corridor, or hall if individuals can not be identified</td>
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<td>Publicly displaying or distributing third party promotional material</td>
<td>Full cost of cleaning as advised by Accommodation Manager / Partnership Manager (if applicable)</td>
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<td>Smoking outside, but not in the designated area (if applicable)</td>
<td>Removal and storage of the item (to be returned at the end of the year)</td>
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<td>Misuse (including loan of) catered hall meal card, or bus card, or providing false information relating to your student ID</td>
<td>Incident logged by SSA on local Residence records in case of future incidents</td>
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<td>Failure to maintain bedroom accommodation and/or communal areas, in a clean, hygienic and habitable condition (including washing up in kitchens/pantries, clearing up and disposing of garbage and recycling)</td>
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<td>Low level noise disruption</td>
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<td>Undeclared overnight guest (in contravention of fire regulations)</td>
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<td>Operating unsafe electrical equipment or possession of candles (unlit)</td>
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<td>B</td>
<td>Leaving cooking unattended leading to the activation of smoke or fire detectors</td>
<td>Written Category B warning, plus any relevant sanction.</td>
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<td>First offence only*: Evidence of smoking within any Residence, or allowing a guest or visitor to smoke within residence (including e-cigarettes)</td>
<td>*For offences that have unequivocal (e.g. photographic) evidence attributable to a specific student, a fixed penalty may be applied as an alternative to a disciplinary meeting.</td>
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<td>First offence only*: Covering of smoke detectors, blocking fire exits or using unapproved items/means of holding fire doors open</td>
<td>Requirement to attend fire/drug/alcohol awareness course at own cost (if applicable to offence).</td>
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<td>First offence only*: Evidence of use of candles, tea lights, lanterns, incense or similar banned items involving use of a naked flame</td>
<td>Full cost of repair or cleaning as advised by the Accommodation Manager or Partnership staff (if applicable to offence).</td>
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<td>Leaving items in corridors/escape routes</td>
<td>Confiscation and disposal of any items banned under the Residences conditions (NO2).</td>
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<td>Accessing/trespassing in restricted or out of bounds areas of the Residence (e.g. rooftops, plant rooms, staff only areas etc.)</td>
<td>** If guilty of this offence, the Warden may consider banning the student(s) from bar or residence events for a finite period of time, where they deem the offence has had a detrimental effect on the student residential community.</td>
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<td>Accidental false fire alarm evacuation</td>
<td>Mediation/a letter of apology/written undertaking regarding future behaviour.</td>
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<td>Petty theft <em>(for guidance only, less than £20 in value)</em></td>
<td>Incidents in this category can incur fines of £10 - £50. The Warden has discretion on the amount of fine, depending on the severity of incident and any mitigating circumstances they consider relevant, and may offer community service as an alternative.</td>
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<td>Excessive noise disruption causing a nuisance/ disturbance and/or exhibiting other anti-social behaviour that affects the quality of life of other students, our staff or the local community (alcohol and non-alcohol related**)</td>
<td>Incident logged by SSA on central Residences disciplinary log in case of future incidents.</td>
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<td>Failing to evacuate the residence immediately or interfering in any way with an evacuation, when the fire alarm is sounding or returning to a property before being allowed to do so</td>
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<td>Cau sing damage to our property, fixtures and fittings, including your room(s), shared kitchens, bathrooms, social spaces or any other part of the property</td>
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<td>The possession of a small quantity (personal use only) of a substance that is categorised under the Psychoactive Substance misuse act, including but not limited to NO2. This includes psychoactive substances found in a student’s bedroom which they claim to belong to another person. <em>(Large quantities must be referred to the University Police Officer as a suspicion of supplying)</em></td>
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<td>Repeated similar offence(s) of a Category A offence</td>
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<td>C</td>
<td>Second offence: Evidence of smoking within any Residence, or allowing a guest or visitor to smoke within residence (including e-cigarettes)</td>
<td>Written reprimand, plus any relevant sanction which may include a letter of apology and written undertaking regarding future behaviour</td>
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<td>Second offence: Covering of smoke detectors, blocking fire exits or using unapproved items/means of holding fire doors open</td>
<td>Confiscation and disposal or immediate removal of item(s)</td>
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<td>Second offence: Evidence of use of candles, tea lights, lanterns, incense or similar banned items involving use of a naked flame</td>
<td>Requirement to attend fire/drug/alcohol awareness course at own cost (if applicable to offence). Police DEP courses incur no cost therefore a fine should be incurred to ensure similar penalty (i.e. circa £55 in 2017/18)</td>
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<td>Malicious/intentional activation of fire alarms, or tampering with any fire equipment that has been provided for safety purposes, such as fire extinguishers, fire blankets, fire panels</td>
<td>Full cost of repair or cleaning as advised by the Accommodation Manager or Partnership staff (if applicable)</td>
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<td>Possession of any items prohibited under the tenancy agreement e.g. fireworks, weapons, pets or livestock</td>
<td>Incidents in this category usually incur fines of £50 - £100 in addition to the penalties listed above. The Warden has discretion on the amount of fine, depending on the severity of incident and any mitigating circumstances they consider relevant, and may offer community service as an alternative, however it should be noted that the University does not consider there are any mitigating circumstances for breaches of fire safety</td>
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<td>Personal use and/or possession of illegal drugs or controlled substances (deemed sufficiently small in quantity to be kept for personal use only), including any illegal drugs found in a student’s bedroom which they claim to belong to another person. (Students caught in possession will be referred to the University Police Officer (see Appendix B)</td>
<td>* If guilty of this offence, the Warden may consider banning the student(s) from bar or residence events for a finite period of time where they deem the offence has had a detrimental effect on the student residential community</td>
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<td>Non-attendance at a disciplinary mandated awareness course (not a Police course). (Course fees will apply again)</td>
<td>Incident logged by SSA on central Residences disciplinary log in case of future incidents</td>
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<td>Receipt of suspicious package(s) which contain items banned under the Local Rules. (Items will be intercepted within the Residence and students asked to collect them. Depending on the contents, items may be confiscated and disposed of and fines imposed. Any concerns regarding the potential supply/distribution of illegal substance may be reported to the Police)</td>
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<td>Unauthorised use of property belonging to staff, other students, their guests or visitors</td>
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<td>Disorderly, threatening, abusive or offensive behaviour or language anywhere within residence or the grounds (including verbal abuse towards any member of University or partnership staff)*</td>
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<td>Inappropriate use of social networks/media in a way that impacts individuals or groups in a negative manner</td>
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<td>Use of premises for inappropriate commercial use</td>
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<td>Repeated similar offence(s) of a lower category</td>
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<tr>
<th>Discipline Lead</th>
<th>Category</th>
<th>Misconduct Offence / Incident</th>
<th>Immediate referral to Secretary’s Offices for advice on next steps / level of sanctions imposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>D</td>
<td>Recording and/or distributing in any way, any material (audio, visual or both) for the purposes of harassing, stalking or bullying another person</td>
<td>Any criminal offence (with the exception of illegal drug offences for which the process is referenced in Appendix B) will be referred to the University Secretary and Police for advice before investigation by the Residential and Hospitality Services team and the imposition of penalties.</td>
</tr>
<tr>
<td></td>
<td>D</td>
<td>Sexual, racial or any other form of harassment or bullying of any student, member of staff or visitor</td>
<td>The Secretary’s Office may nominate a PVC or The Director of Residential and Hospitality Services to preside over matters. In which case, the application of penalty will give consideration to severity of the incident in accordance with the available penalties under the University’s Student Disciplinary Regulations.</td>
</tr>
<tr>
<td></td>
<td>D</td>
<td>The sale or other trafficking of illegal drugs or controlled substances (or suspicion thereof). Such activity will be reported to the Police</td>
<td></td>
</tr>
<tr>
<td></td>
<td>D</td>
<td>Violent or indecent behaviour anywhere within residence or the grounds</td>
<td></td>
</tr>
<tr>
<td></td>
<td>D</td>
<td>Assault</td>
<td></td>
</tr>
<tr>
<td></td>
<td>D</td>
<td>Any activity posing a serious risk of harm or death to others</td>
<td></td>
</tr>
<tr>
<td></td>
<td>D</td>
<td>Significant criminal damage</td>
<td></td>
</tr>
<tr>
<td></td>
<td>D</td>
<td>Repeated similar offence(s) of a similar lower category</td>
<td></td>
</tr>
</tbody>
</table>

Note: Only the Director of Residential and Hospitality Services is permitted to invoke a permanent exclusion from Residence (Notice to quit). Housing Act procedures will be followed.

Appendix B: Process for dealing with drug (illegal and legal) related offences

Avon and Somerset Constabulary have a Drug Education Programme (DEP) which allows for first offences of possession of Cannabis and personal use of any other Class (A, B, C) drug to attend the Drug Education Programme.

If students are caught in the possession of illegal drugs within Residences they will be referred to the University Police Officer as an outcome of the disciplinary meeting with a Warden. Students who are under the influence of illegal drugs, but not in possession will be seen by the Warden and referred on a drug awareness course at their own cost.

The stages of dealing with Cannabis offences by the University Police Officer, for personal use only, are as follows

- First offence = DEP course, with no criminal record, but will show on an enhanced DBS check
- Second offence = fixed penalty notice, which will show on an enhanced DBS check
- Third offence = Arrest and Police Caution (If they admit the offence)
- Fourth offence = Arrest and Charged to Court or Report for summons to Court. Result if found guilty will have a Criminal Record.

The Stages of dealing with Class A

1. First Offence = DEP course, no criminal record but will show on an enhanced DBS check
2. Second Offence = Arrest and charged to Court or Report for Summons to Court, if found guilty will have criminal record.

If a student is sent on a DEP course, this will not create any criminal record for them, but it will still appear on an enhanced DBS check. There is no charge to the student for attending the DEP with Avon and Somerset Constabulary, however the student will receive a fine as per the penalty Matrix in Appendix A. If a student fails to attend the course, the University Police Officer will be notified and the student will be summoned to court.

If there is any evidence that a student is supplying, or has intent to supply then the Police Officer can’t offer the DEP programme. The student may be arrested or reported for summons for the offence.

It is the University’s pastoral team’s responsibility, through drug and alcohol awareness training, to remind all students in Residences that sharing drugs is considered supply under the legal definition.

With regards to NO2, and other ‘legal highs’, the Police have no ‘powers’ under the Psychoactive Substances Act, unless a student is supplying, as the act does not hold any penalties for personal use, however the Residences Disciplinary Procedures (UAR) will apply.

Students caught with, or receiving through the post large quantities of NO2 canisters could be referred to the University Police Officer for consideration of penalty under the Psychoactive Substances Act http://www.legislation.gov.uk/ukpga/2016/2/section/10/enacted.
These are the Disciplinary Procedures for 2017/18 tenancies. Updated Disciplinary Procedures for 18/19 tenancies will be available from 1 August 2018.

Student found in possession of / using / under influence of illegal drugs