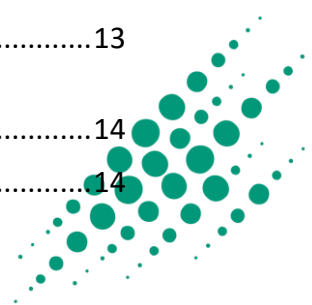


STUDENT DISCIPLINARY PROCEDURE

Approved by Senate in July 2024

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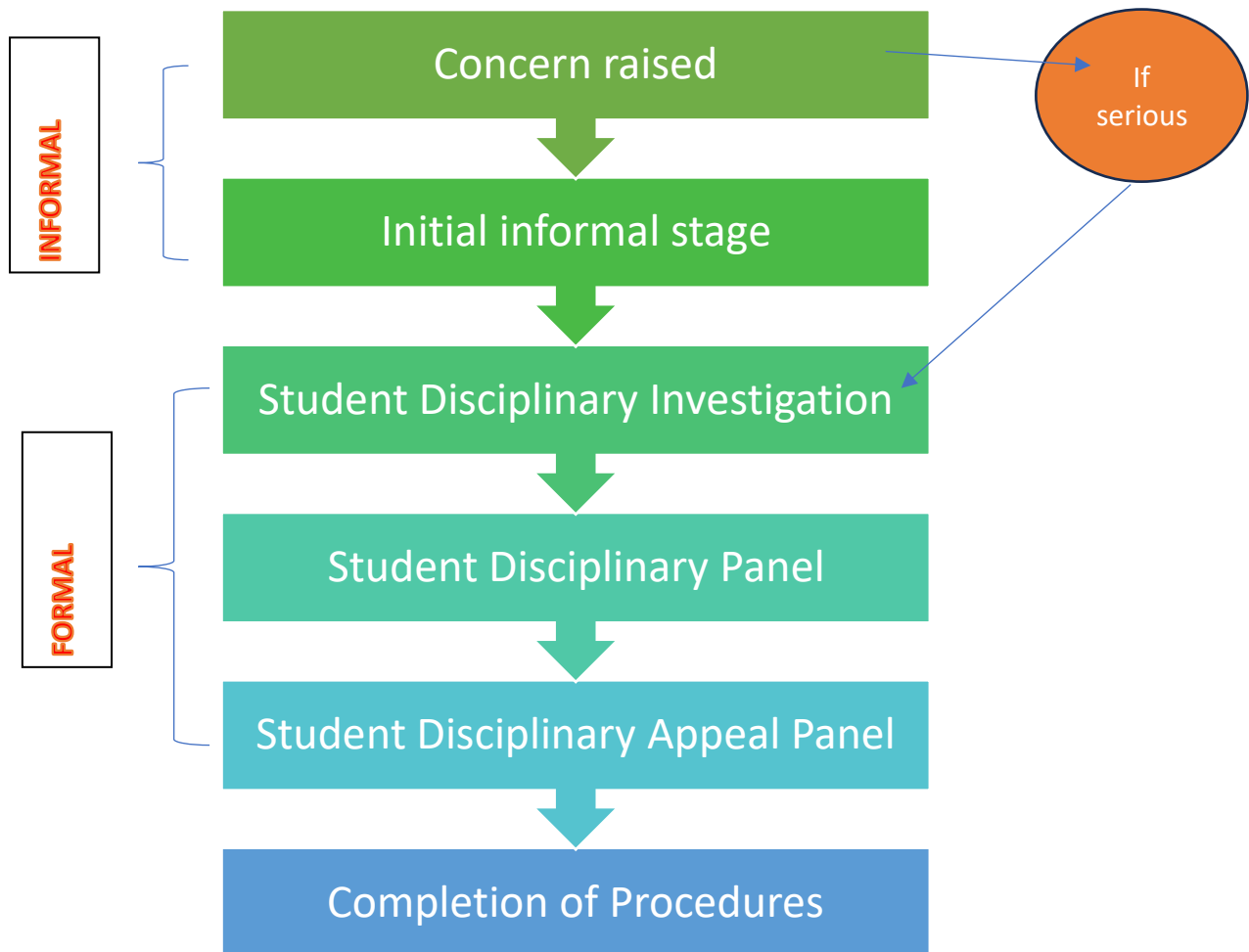
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Figure 1. Student Disciplinary Procedure



1. Introduction and scope

1.1 This procedure is prescribed by Council in accordance with paragraph 20.4 of [the General Regulations for Students and Programmes of Study](#).

1.2 This procedure applies to the following students:

- applicants to the University who have accepted an offer of a place. Applicants to St George's University of London (SGUL) who have accepted an offer of a place are expected not to behave in a way that, might bring the University into disrepute, or is incompatible with the behaviours expected of the SGUL community.
- those registered on award-bearing programmes delivered by the University; this includes new students who have been through the online registration process and have yet to complete the main registration process.

1.3 In this procedure, any named officer may delegate their responsibilities to another member of SGUL staff; similarly, the procedure shall not be invalidated by an officer of SGUL acting in the place of another named in these regulations where circumstances make this expedient.

1.4 The Academic Registrar or his/her nominee (normally the Student Conduct and Compliance team (SCC)) is responsible for providing guidance to students and others on the operation of this procedure.

1.5 This procedure covers action taken by SGUL against students for alleged misconduct, except where (a) this concerns academic integrity, for which a separate [procedure](#) is prescribed; and (b) where it is appropriate for the case to be considered under the [Fitness to Study/Practise Procedure](#).

1.6 'Misconduct' is defined in the General Regulations at paragraphs 20.2 and 20.3.

1.7 The University may take disciplinary action where the student's behaviour has affected:

- (i) a University student or employee;
- (ii) the University Students' Union or Union employee;
- (iii) members of the public; (iv)
- (iv) others visiting, or working at the University;
- (v) the University itself (for example, reputational) or its property.

1.8 The University may take disciplinary action in response to misconduct which:

- (vi) happens during off-campus activities such as placements;
- (vii) happens whilst studying at partner/external organisations;
- (viii) affects the University's reputation in the local community or more widely;
- (ix) takes place on social media or the digital environment.



The Office of the Independent Adjudicator

- 1.9 The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. SGUL is a member of this scheme. Students who are unhappy with the outcome may be able to ask the OIA to review their case. Students can find more information about making a complaint to the OIA, what it can and cannot look at and what it can do to put things right here: <https://www.oiahe.org.uk/students>. Normally, students need to follow the process set out in this procedure before they complain to the OIA. SGUL will send a letter called a “Completion of Procedures (COP) Letter” when students have reached the end of the student disciplinary processes and there are no further steps they can take internally. Students can find more information about COP Letters and when they should expect to receive one here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>. It is expected that students, their representatives and staff act reasonably and fairly towards each other and treat this process with respect. A failure to respect this process may result in a separate disciplinary/fitness to practise investigation.

Support Services

- 1.10 Support is available from a variety of services on campus. These include:
- Students’ Union: <https://www.sgul.ac.uk/for-students/students-union>
Students subject to this procedure may wish to obtain guidance and support from the President of Education and the President of Welfare of the Students’ Union
 - Personal tutor(s)
 - Disability Service: <https://www.sgul.ac.uk/for-students/student-support/disability-service>
 - University’s Counselling Service: <https://www.sgul.ac.uk/for-students/student-support/health-and-wellbeing/mental-health/counselling-service>. who can provide comprehensive and confidential support to anyone experiencing difficult circumstances (counselling@sgul.ac.uk):
 - Occupational Health: <https://www.sgul.ac.uk/for-students/student-support/health-and-wellbeing/occupational-health>

Third Party requests

- 1.11 Students are advised to respond to all communication from the University (verbal and written) directly and not normally through a third party except in exceptional circumstances where diagnosed disability reasonably prevents them from being able to do so.

Reasonable adjustments

- 1.12 Reasonable adjustments to the processes within these procedures, including the extending of deadlines for student responses, may be made upon the production of relevant third-party



evidence by the student which demonstrates the need for those adjustments. Students who believe they may require reasonable adjustments due to disability/long-term condition/accessibility needs should also contact the [Disability Service](#) for additional support.

Procedural exemptions

- 1.13 In exceptional circumstances it may be appropriate to amend this procedure, for example, where strict application of this would result in substantial unfairness to the student, or the student is in some way at risk because of health or disability. Such cases will be rare, and each will be treated on their own merits.

2 Confidentiality and General Data Protection Regulations

- 2.1 In student disciplinary matters, the University limits access to sensitive personal information to those who require it to enable the alleged misconduct to be investigated and/or who need it to support the student. The University collects and processes a variety of personal data in order to fulfil relevant student regulations and policies (see the [Regulations](#) web page for a list of all Student Regulations). This personal data may be provided by the student or collected from other departments within the University or taken from publicly available sources such as social media. The University processes personal data for this purpose in its legitimate interests. Some Regulations will require the sharing of sensitive personal data (defined as “special category” data by data protection legislation). The University processes and shares special category data in the substantial public interest and only where it is necessary to enable the University to fulfil its duties of care to the student, other students, or to safeguard third parties. More detail on the types of data collected and how it is used to meet this need can be found in the [Student Privacy Notice](#).
- 2.2 For students who are undertaking Regulated Activity¹ within the health and social care sector (including with charitable organisations), either because they are employed to do so, or because they are undertaking a placement, the University will share essential personal and sensitive data with the employing organisation or placement provider when required.

3 Burden of proof

- 3.1 In student disciplinary matters, it is for the University to show that the student committed misconduct. The burden of proof switches to the student at the appeal stage.

¹ In the context of work with children and vulnerable adults, Regulated Activity is 'work that a barred person must not do'. See “[Regulated Activity in relation to Children: scope. Factual note by HM Government Safeguarding](#)”



4 Standard of proof

- 4.1 The standard of proof applied is that of the balance of probability; that on the evidence put forward, it is more likely than not that something was or was not the case.
- 4.2 The standard of proof remains constant; it does not operate on a sliding scale.
- 4.3 The standard of proof does not change based on the seriousness of the allegation/s, potential consequences, or mitigating/aggravating circumstances.

5 Reconsideration of allegations

- 5.1 It may be appropriate for the University to reconsider an allegation if new evidence emerges which, for good reason, could not have been obtained at the time. In deciding whether it is appropriate to consider an allegation for a second time, the University will consider:
 - (i) whether the outcome of the first process has been called into question, and if so why;
 - (ii) the strength and reliability of the evidence;
 - (iii) the length of time that has elapsed and the effect of this on the reliability of any evidence to be considered;
 - (iv) the severity of the alleged offence;
 - (v) the impact on the student;
 - (vi) whether leaving the matter unaddressed would impact on matters of fitness to practise, or on any obligations to professional or regulatory bodies in respect of the student's character.
- 5.2 The decision to reconsider an allegation would be taken as soon as possible after the emergence of the new evidence, and no later than 15 University working days from the emergence of this new evidence.
- 5.3 Reconsideration of an allegation will only take place in exceptional circumstances and following approval from the University President/Vice-Chancellor.

6 Referrals from other processes

- 6.1 If allegations of misconduct are raised during consideration under any of the SGUL processes and/or those issues may be referred for consideration under this procedure.

7 Criminal Convictions

- 7.1 If during their studies at SGUL, students are accused of, charged or convicted with an offence or become the subject of a police investigation, they must declare this immediately to the university by emailing the SCC Team, scc@sgul.ac.uk.



7.2 The case will be considered by a DBS Panel, in accordance with the [PROCESS FOR CHECKING CRIMINAL RECORDS AND DISCLOSURE & BARRING STATUS OF APPLICANTS AND STUDENTS](#)

7.3 Failure to promptly declare this to the University will likely result in formal proceedings.

8 Initial (informal) stage

Breach of rules for St George's facilities

- 8.1 A report of an alleged breach of rules for any specific SGUL facilities by a student, including the Library, Computing Services and Halls of Residence, shall be made promptly to the Senior Officer of SGUL responsible for the day-to-day operation of those facilities, if possible in writing. The person making such a report must identify themselves; the Senior Officer will not normally consider any reports which are raised anonymously.
- 8.2 The Senior Officer shall investigate the report, interview the student where possible, and determine whether misconduct has taken place. In the case of a breach of rules which could not also be considered another type of 'misconduct' under General Regulation 20.3, the senior officer shall be empowered to withdraw access to some or all of the facility for a limited period of time not exceeding one month or impose lesser penalties such as a warning, loss of deposit or fine or compulsory attendance at a workshop/coaching session. Such penalties should be notified to the student in writing. The student programme teams should be notified of this.
- 8.3 In more serious cases of an alleged breach of rules for St George's facilities, which could also be considered another type of 'misconduct' under General Regulation 20.3, the senior officer responsible for the St George's facility shall refer the report to the SCC Team for formal investigation.

Breach of other misconduct regulations

- 8.4 A report of alleged misconduct by a student (other than that relating to any specific St George's facilities) by a student shall be made to the SCC Team via email to scc@sgul.ac.uk. The person making such a report must identify themselves; the Academic Registrar or his/her nominee will not consider any reports which are raised anonymously. The SCC Team will not normally consider any reports which are raised anonymously.
- 8.5 If the alleged offence falls under the definition of misconduct in SGUL Regulations, the student will be notified of this. The SCC Team will attempt to establish whether the student admits to the misconduct and whether this could potentially be major or minor misconduct (please refer to [Appendix 1](#)).



8.6 In the case of a minor breach of St George's rules or Regulations which is admitted by the student, the SCC Team may issue a formal written warning to the student, and/or a final written warning about future conduct and the requirement to abide by SGUL rules and regulations. Any failure to comply with a written warning may be taken into account under future consideration of the matter under this procedure. Where the SCC Team finds that there is no or insufficient evidence that misconduct had occurred, this shall also be notified to the student in writing.

8.7 Where the alleged misconduct is considered to be a serious/major case of misconduct, regardless of whether the student has been notified of the alleged offence or has responded to this notification, the matter is referred to the formal process as detailed in section 10.

9 Precautionary measures (including suspension of study)

9.1 If serious concerns/allegations arise about a student's behaviour, following a risk assessment, the student may be provisionally suspended and/or be withdrawn from placement pending investigation. Suspension is a neutral act and not a disciplinary measure. It is a precautionary measure that allows for an investigation to be carried out without the student being present in the University. Circumstances where a student may be provisionally suspended may include **but are not limited to:**

- (i) When the presence of the student is not in the best interest of patients, the University or other students or staff employed by SGUL. Alternatively, it may not be in the best interest of the student concerned;
- (ii) Criminal charges have been brought against the student or there is evidence of suspected criminal activity which may affect the student's performance or suitability for continued enrolment on a programme of study;
- (iii) When a student is subject to a fitness to practise or disciplinary investigation by a third party;
- (iv) When a student's health is impacting their judgement and ability to study effectively or their interactions with patients, colleagues, or fellow students.

The suspension will be reviewed at regular intervals.

9.2 The university reserves the right to impose other precautionary measures, such as no contact orders, service restrictions or restriction of access to certain parts of the campus. Decisions on which measures to impose will be taken based on the need to manage risk and protect the integrity of any subsequent investigation.

9.3 The student has the right to make representations in relation to the imposition of precautionary measures within 5 University working days of being notified of the measures. This must be done in writing to the Academic Registrar by emailing scc@sgul.ac.uk.



9.4 A student may appeal against the imposition of precautionary measures by writing to the Chief Operating Officer via scc@sgul.ac.uk, providing evidence that one or more of the following grounds applies in their case:

- (i) that in imposing the precautionary measures the University failed to follow its regulations and/or procedures or failed to follow them with due care;
- (ii) that the University has shown bias or prejudice towards the student in the way that it has sought to impose the measures;
- (iii) that the measures are excessive;
- (iv) that the student does not pose a risk to themselves and/or third parties and/or University property;
- (v) that relevant new evidence has become available that should be considered;
- (vi) that the decision of the University was unreasonable and/or not proportionate in the circumstances.

9.5 Guidance for students on a suspension can be found [here](#).

9.6 Staff guidance on implementation of suspensions can be found [here](#).

10 Second (formal) stage

Investigation

10.1 Serious concerns regarding a student's conduct shall be formally reported to the SCC Team who will appoint an independent Investigating Officer/s (IO) to investigate the case under this procedure. When conducting the investigation, the IOs shall refer to the [IO protocol](#).

Information provided to students

12. 3 When formal disciplinary proceedings are initiated, the student must be informed of the following:

- (i) Specific nature of the allegation/s considered;
- (ii) Clear link to any potential policy/procedure breach;
- (iii) Invitation to attend a meeting with the IO and/or provide a written statement and any supporting evidence;
- (iv) the procedure to be followed in the consideration of their case, including any potential outcomes;
- (v) support available;
- (vi) that they can be accompanied by a friend, family member, or an official of the Students' Union during any related meetings;



- (vii) if additional allegations are made during the investigation process the student is informed of these and given the opportunity to respond before a finding is made.

Outcomes available

12.4 The investigation shall normally be concluded within 30 University working days, except in complex cases where it may take longer. The student will be kept updated about any delays to the investigation.

12.5 The IO has the authority to reach the following outcomes:

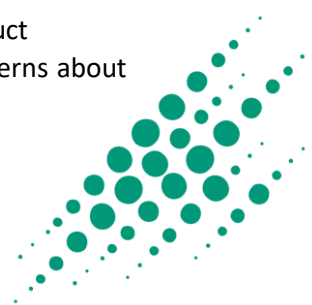
- (i) **Outcome 1:** That there is no case to answer and thus, no further action necessary.
- (ii) **Outcome 2:** That there is a case to answer, but it can be redressed via the imposition of the following penalties:
 - a. That the student receives a warning
 - b. That the student submits a reflection
 - c. That the student is required to complete an educational activity
 - d. That the student is required to offer an apology
 - e. That the student is required not to contact other individuals either directly or indirectly.
 - f. A fine of not less than £50 but not exceeding £250 per offence.
 - g. A requirement to make good the cost in whole or in part of any damage caused, and/or repay/make good any financial loss to the University.
 - h. Any other redress action deemed appropriate.

These penalties may be applied singly or in combination.

- (iii) **Outcome 3:** That there is a case to answer and that the case should be referred to a Student Disciplinary Panel (or if appropriate, a Fitness to Practise/Study Panel) because the matter is serious and/or the behaviour is persistent.

12.6 If the IO established, on the balance of probabilities that there is a case to answer, the following considerations will be made prior to determining the appropriate outcome:

- (i) Whether the student demonstrated insight. Consider the extent to which the student:
 - a. Accepts that their behaviour fell below the university standards, understands how and why it occurred and its consequences for those affected; and
 - b. Can demonstrate that they have taken action to address the failure in a manner which remedies any past harm (where possible) and avoids any future repetition.
- (ii) Whether the student has shown remorse
- (iii) Whether the student demonstrated honesty and integrity during the investigation process
- (iv) Whether the student cooperated and engaged with the process
- (v) Whether this is a first offence or whether there is a previous finding of misconduct
- (vi) Whether the student responded positively to any reasonable warnings or concerns about their behaviour prior to the investigation commencing.
- (vii) Whether the conduct was, to any extent, intended or premeditated
- (viii) Any mitigating factors



- (ix) Any aggravating factors

12.7 If a student is issued with an **Outcome 2**, they have the right to request a review of the IO decision, as per section 14 of this procedure.

13. Student Disciplinary Panels

- 13.1 Student Disciplinary Panels are normally convened by the SCC Team on behalf of the Vice-Chancellor/ President and shall act with the authority of Senate and Council.

Membership of a Student Disciplinary Panel

- 13.2 The Panel shall consist of members who have not previously been concerned in the case or have provided pastoral care for the student. All Panel members should receive appropriate training for the role:

- (i) a member of staff from the pool of trained Chair persons
- (ii) 2 members of university staff

- 13.3 A member of the SCC Team attends as Facilitator to support the Panel.

- 13.4 The IO may be invited to present the findings to the Panel as Presenting Officer

Procedure

- 13.5 No less than five University working days before a proposed Student Disciplinary Panel hearing, the SCC Team should write to the student to:

- (i) confirm the date, time, and place for the meeting;
- (ii) invite the student to attend the hearing;
- (iii) provide a copy of the documentation that will be considered by the Panel and of the procedures to be followed by the Panel;
- (iv) ask the student if they wish to provide any further information/evidence and/or invite witnesses to attend the hearing
- (v) remind the student that they can seek advice from the Students' Union and that they may be accompanied at the Panel by a friend/supporter/family member;
- (vi) remind the student of the possible outcomes.

If the student or the Panel require a longer timeframe to prepare, they can request this by emailing scc@sgul.ac.uk.

Attendance of the student at a Student Disciplinary Panel



13.7 Where a student notifies the SCC Team in advance of the panel hearing that they will not be able to attend the hearing, and that there are valid reasons, plus supporting evidence, to explain their non-attendance, the SCC Team will endeavour to reschedule the panel hearing. If there are no valid reasons for the student's non-attendance, the panel hearing will proceed in the student's absence.

13.8 Where a student has not notified the SCC team that they will not attend the panel hearing and does not attend the panel hearing, it may proceed in the student's absence.

Representation of students in Student Disciplinary hearings, including legal representation

13.9 In any Student Disciplinary Panel hearing, a student's friend/family member/supporter may accompany them in a supportive role. They may speak to the student during the hearing and may speak for the student (with their permission) to the Panel. However, it is the normal expectation that the student will answer any questions from the Panel for themselves. The supporting person may also ask questions of the Panel and provide advice or evidence with the permission of the Chair. Students are responsible for their own behaviour and that of their supporter or representative. Abusive or disrespectful behaviour towards University staff will not be tolerated under any circumstances and may result in internal procedures being brought to a close.

13.10 The student must inform the University if they intend to be accompanied or bring any witnesses (including the name and role of the individuals) at least 3 working days in advance of the hearing.

13.11 The University's Student Disciplinary procedure **is not a legal process**. Where a student insists on legal representation in a hearing, the University reserves the right to bring its own legal representation. In these circumstances it may take longer to convene the Panel.

Outcomes of a Student Disciplinary Panel

13.12 The Panel will follow the Hearings by Panel Procedure to make its decisions. It must first determine whether the allegation/s against the student should be dismissed, upheld, or partially upheld.

13.13 After completing the stage described under 13.12, a Student Disciplinary Panel may impose the following outcomes:

- a) No further action
- b) all penalties listed under section 12.5 (ii)
- c) **Temporary or permanent exclusion** from the use of specific University facilities or services
- d) **Conditions** (please refer to [Appendix 2](#)) – A condition is imposed when the Panel have significant concern about the student but feel that she or he may respond positively to remedial tuition, health intervention or increased supervision. Conditions should be proportionate, workable, and measurable. Conditions may require the student to re-sit a



specified part or parts of the course or any other action considered appropriate by the Committee to prevent further incidents of misconduct.

- e) **Suspension** – This prevents a student from continuing on their programme for a specified time and stops them from graduating at the expected time. This is applied to behaviour that is serious but not serious enough to require expulsion.
- f) **Expulsion** – The Panel can expel a student from the programme in cases of serious misconduct. The Panel must decide whether the student is eligible for an exit qualification.

These outcomes may be applied singly or in combination, for example a suspension in conjunction with conditions and a fine. Course Teams are responsible for monitoring students' compliance with any outcomes set by the Panel. Failure to adhere to a warning or condition will be taken into account by the Vice-Chancellor, Dean or Chair of the Panel who will determine whether a breach of the terms has taken place. The Vice-Chancellor, Dean or Chair of the Panel are empowered to enact any recommendations for future action as set out in the Hearing report or to terminate a student's registration. Right of appeal against this decision is provided for in paragraph 4.

13.14 The findings of a Student Disciplinary Panel take immediate effect.

13.15 In determining outcomes b), c), d), e) and f) the Panel will consider the aspects listed under 12. 6.

13.16 In the case of students on programmes leading to professional registration, formal investigation outcomes and Panel outcomes will be reported to the relevant Registration Body at the time of application for provisional registration or registration.

13.17 In the interests of patient and public safety, and to prevent fraudulent applications to courses which lead to entry to a registered profession in the UK, information about medical students who have been through a student disciplinary hearing may be recorded on the GMC/MSc's Excluded Students Database and may be shared between Higher Education institutions. This includes cases where hearings have been held in the student's absence.

13.18 The SCC Team will write to the student to inform them of the outcome of the Panel within 5 University working days of the hearing.

14. Grounds for making an appeal

14.1 A student may appeal a student disciplinary finding if one or more of the following can be shown to apply:

- a) that the Panel/IO failed to follow the University's regulations and/or procedures or failed to follow them with due care
- b) that the Panel/IO has shown bias or prejudice towards the student in reaching its findings or imposing the penalty
- c) that relevant new evidence has become available that should be considered and there are valid reasons why it was not available to the Panel/IO at the time



- d) that the decision of the Panel/IO was unreasonable and/or the penalty was not proportionate.

14.2 A student wishing to appeal must do so within 10 days from being informed of the decision. Appeals must be submitted via email to scc@sgul.ac.uk. They should write a short, focused statement setting out the grounds for the appeal (listed in 14.1) and should only include any new evidence that has not been previously presented which supports the written statement.

Review of decisions

14.3 Student Disciplinary Appeal Panels are convened by the SCC Team and conduct their business in accordance with the Procedure for Hearings by Panels which detail how Panels work including, where relevant, the right of a student to attend a hearing and to be accompanied. It is expected that those asked to attend a hearing will acquaint themselves with this procedure.

Membership of a Student Disciplinary Appeal Panel

14.4 The membership of a Student Disciplinary Appeal Panel is the same as detailed under 13.2, but with members that had no prior involvement with the case.

A member of the SCC Team will attend as Facilitator to the Appeal Panel.

Outcomes of a Student Disciplinary Appeal Panel

14.5 A Student Disciplinary Appeal Panel may come to one or more of 5 outcomes:

- (i) that the findings of the Student Disciplinary Panel/IO should be confirmed and the appeal dismissed;
- (ii) that there has been a failure to follow the University's regulations and/or procedures or to follow them with due care;
- (iii) that there was bias or prejudice towards the student in the way the Student Disciplinary Panel/IO reached its findings or in other aspects of the procedure;
- (iv) that relevant new evidence that was not available to the Student Disciplinary Panel/IO at the time for valid reasons should be considered;
- (v) that the decision of the Student Disciplinary Panel/IO was unreasonable and/or that the outcome was not proportionate with the evidence presented in the circumstances.

Where the finding is (ii), (iii), (iv) and/or (v), the Student Disciplinary Appeal Panel may:

- substitute the outcome of the IO/Student Disciplinary Panel with its own;
- if necessary direct the matter be reinvestigated by a different IO or heard anew by a differently constituted Panel;
- or, where the unfairness to the student is extreme, nullify the outcome of the previous stage, end the process and, if relevant, reinstate the student.



The Student Disciplinary Appeal Panel will also consider whether there has been any unfair adverse impact on the student and whether the University should provide a remedy.

14.5 Following a hearing by a Student Disciplinary Appeal Panel, the Facilitator conveys the outcome as detailed under 13.18. The Facilitator's letter also states that it constitutes the completion of the University's procedures, and that the student can request a review of the University's decision by the Office of the Independent Adjudicator.



Appendix 1 Example of major/minor misconduct

The procedure applies to any behaviors/actions that take place on university premises, during placement, and outside of St George's.

Examples of major offences include but are not limited to:

- Causing harm to another person.
- Use of violent, indecent, disorderly, threatening, intimidating or offensive behaviour or language.
- Sexual misconduct.
- Harassment and/or bullying.
- Any action likely to cause injury or impair the safety of others.
- Fraud, deceit, deception, or dishonesty.
- Breach of a precautionary measure imposed by the SCC Team.

Examples of minor misconduct include but are not limited to:

- Smoking in non-designated areas.
- Excessive noise.
- Unauthorised guests in university accommodation.

Appendix 2 Examples of Conditions (list is not exhaustive)

For cases involving drugs and alcohol

Testing

To comply with arrangements made by, or on behalf of, SGUL for the announced or unannounced testing of breath / blood / urine / saliva / hair / nails to test for the recent and long-term ingestion of alcohol and/or other drugs.

For disputes between parties

No contact orders

To agree not to contact directly or indirectly specific individuals and not to attend any areas where they reasonably believe the individual/s may be present. In case they meet the individual in question, to remove themselves from the situation as soon as possible.

For fire safety cases

Fire safety educational courses

To attend fire safety training as instructed by the IO or the Panel



