



## UNIVERSITY RESIDENCES DISCIPLINARY REGULATIONS

### 1. Application

- 1.1 These regulations fall under the provisions of paragraph 2.1 of the General University Disciplinary Regulations and apply to all students accommodated in University Residences other than those who are members of staff of the University.
- 1.2 All references in these regulations to the University Secretary shall, where the context so admits, include a nominee of the Secretary<sup>1</sup>. All reference to University Residences shall include University Halls and Flats and any accommodation designated as University residential accommodation or accommodation allocated by Residential Services. References to Wardens/Hall Tutors shall include these and Non-Resident Wardens/Hall Tutors together with any member of staff of the University who has been appointed to an equivalent position in a University Residence.
- 1.3 All proceedings under these regulations shall be private to the accused student, members of the University who are directly concerned with the consideration of the offence, the Director of Residential Services, the student's Head of School, and other such members of staff as the nominee may decide.
- 1.4 A student shall be entitled to object to any member of the Residences Disciplinary Committee on grounds that he or she may not be impartial by reason of personal knowledge of the student or otherwise. The objection shall be considered by the Chair. If the objection is upheld by the Chair of the Committee another person shall be appointed.
- 1.5 All records of all disciplinary proceedings shall be kept under the auspices of the Director of Residential Services.
- 1.6 Students may seek independent advice and support from LUU Student Advice [advice@luu.leeds.ac.uk](mailto:advice@luu.leeds.ac.uk).

### 2. Applicable Offences

- 2.1 These regulations apply to the offences listed under paragraph 2 in the General University Disciplinary Regulations where such an offence is not a major offence (see 3 below) and is committed by a student who is a resident in a University Residence and occurs in or in the curtilage of any Residence. Where these conditions are fulfilled the offence will be addressed under the provisions of the General University Disciplinary Regulations.
- 2.2 Offences shall be defined as Major, Serious or Minor (see paragraphs 3, 6 and 7 below).

### 3. Major Offences Occurring in University Residences

- 3.1 Where a major offence occurs in a University Residence the allegation will be addressed under paragraph 7, Non-Summary Offences, in the General University Disciplinary Regulations. The definition of a major offence is at the discretion of the nominee but

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<sup>1</sup> Until further notice, the Head of Student Cases

would typically be incidents of injury or serious threats to the person, harassment, abusive or dangerous behaviour, extreme nuisance, serious damage to property, malicious or repeated tampering with and/or disabling of security or safety systems, illegal drug activity and a failure to comply with a penalty imposed for a Serious Offence(s) addressed under paragraph 6, Serious Offences and would put the student's continued presence in the University in question.

- 3.2 The Warden/Hall Tutor in consultation with the Director of Residential Services shall send a report to the nominee. Preliminary proceedings will be conducted under the provisions of paragraph 5 of the General University Disciplinary Regulations and, if appropriate, will continue under paragraph 7 thereof.

#### **4. Immediate Temporary Dismissal from the Residence**

Where a student faces an allegation under paragraph 3 above, the Warden/Hall Tutor will send a recommendation to the Director of Residential Services as to whether or not the student should be required to withdraw from the Residence with immediate effect. Pending the decision of the Director of Residential Services the student will remain in the Residence. Where exclusion is confirmed the student will be offered alternative accommodation by the Director of Residential Services except where the offence falls under the provisions of paragraph 3 of the General University Disciplinary Regulations. Where the student is subsequently found not guilty or guilty of a lesser offence the student can apply to the University Committee on Student Discipline for compensation.

#### **5. Police**

If the Police are called to an incident by a Warden/Hall Tutor, Residence Staff or the University Security Services, the nominee of the University Secretary and the Director of Residential Services must be informed at the earliest opportunity and, where necessary, a written report sent within 48 hours. Advice will then be given by the nominee concerning the application of any disciplinary procedures. The general expectation is that disciplinary action will be suspended pending the outcome of Police investigations or completion of the judicial process (except where applicable under paragraph 4 above).

#### **6. Serious Offences**

- 6.1 The definition of a serious offence shall be at the discretion of the Director of Residential Services and would typically be incidents of lesser gravity than major offences but could include damage to property, nuisance, repeated minor offences, excessive noise, particularly during examination periods, disorderly or anti-social behaviour and a failure to comply with a penalty imposed for a Minor Offence(s) addressed under paragraph 7, Minor Offences.
- 6.2 Where a serious offence occurs the Warden/Hall Tutor will send a report to the Director of Residential Services that will include a summary of the incident together with the name of the student accused of the offence and the names of any witnesses.
- 6.3 The Director of Residential Services will send the report to the accused student. The student will be invited to respond in writing within 7 days, stating whether the offence is admitted or denied in full or in part. Any evidence that the student wishes to be considered by the Committee should be included with the statement.
- 6.4 The Director of Residential Services or their nominee will investigate the report and any response from the student as they think fit and decide whether or not there is a case to answer. If there is no such case, no further action will be taken. If it is decided that the student has a case to answer it will go before the Residences Disciplinary Committee (see 8 below).

6.5 A serious offence, unless denied in whole or in part, can also be dealt with summarily if the student so requests and the Director of Residential Services agrees.

## **7. Minor Offences**

7.1 The definition of a minor offence shall be at the discretion of the Warden/Hall Tutor but shall typically be of lesser gravity than a serious offence (see 6 above) and may include noise, disorderly conduct and minor damage.

7.2 The Warden/Hall Tutor will offer the student a meeting to allow him or her to give any explanation for the offence. Failure to attend without good cause (see 8.3(a)) will result in the student's right of appeal being forfeit.

7.3 A minor offence, unless denied in whole or in part, will be dealt with summarily. The Warden/Hall Tutor will deal with the offence and may, if the circumstances warrant, issue a reprimand or a fine not exceeding £100 and, where appropriate, a further payment to cover the cost of any damage. The Warden/Hall Tutor shall send the record of such action to the Director of Residential Services.

## **8. The Residences Disciplinary Committee**

### Terms of Reference

8.1 To hear and determine allegations of serious offences and appeals (see 9.1) from the findings of minor offences arising from paragraphs 6 and 7 above respectively and to impose penalties accordingly.

### Constitution

8.2 The Constitution of the Committee shall be as follows:

- A nominee of the Deputy Vice-Chancellor who shall be the Chair and shall not be a Warden/Hall Tutor;
- A representative of the Director of Residential Services who is not a serving Warden/Hall Tutor;
- A Warden/Hall Tutor from a Residence different to that in which the offence is alleged to have occurred and the accused student(s) resides;
- A member of LUU Executive.

### Hearings

8.3 The Committee will meet at the earliest opportunity consistent with the requirements and provisions of paragraph 6. The student accused of the offence will be given not less than 7 days' notice of the date of the hearing. The hearing will normally be in term-time but the period of notice can occur in either term or vacation. All days will be calendar days and can therefore include weekends and days when the University is closed. It will be for those conducting the hearing to determine, having regard to the needs of natural justice, whether or not the defending students and any witnesses or alleged victims will appear together or separately in any hearing.

The Committee may proceed as it determines subject to the following:

- (a) The student(s) will be heard in person except that: if the student does not attend without good cause ('good cause' being interpreted as it is under the examination regulations) the case may be heard in his or her absence. In these circumstances the student's right of appeal from the decision of the Committee to the University Committee on Student Discipline is forfeit.

- (b) The student may be accompanied by a single supporter of his or her choice who may or may not be a member of the University (but the supporter cannot represent the student, cannot attend if the student is not present in person and cannot be a co-accused or witness to the alleged offence).
- (c) The student may put his or her case. Members of the Committee may question the student. The student will respond to the questions personally unless the Chair permits otherwise.
- (d) All papers available to the Committee shall be made available to the student in advance.
- (e) The Committee may not permit plea-bargaining or discussion of any penalty with anyone who is not a member of the Committee.
- (f) All hearings shall be in private and shall remain confidential.
- (g) The Committee shall not be bound by the strict rules of evidence.
- (h) The standard of proof required of the Committee in reaching its findings is that of the balance of probabilities: that it is more likely than not that the allegations are true.
- (i) The Committee shall give its findings at the earliest opportunity.
- (j) Where the offence has been denied, in the event of the charge being proved, the Committee shall allow the student to give a statement in mitigation in advance of determining the penalty.

The Committee shall reach a decision and shall give reasons for its decision. The decisions and reasons will be issued to the student in writing within 7 days of the hearing.

### Penalties

8.4 Where the Committee finds the student guilty of a serious offence the Committee may impose penalties, examples of which are as follows:

- (a) A warning.
- (b) A fine not exceeding £250.
- (c) An order for compensation for damage to property, based on invoices received or written estimates with the amount paid determined by the Committee as they think appropriate up to the full amount due.
- (d) Permanent or temporary expulsion from the residence.
- (e) Restrictions on the use of communal facilities of the residence.
- (f) A ban or restriction upon the student applying for admission to other residences and/or their communal facilities.
- (g) The papers to be sent to the University Secretary's nominee with or without a request for additional action to be taken against the student under the General University Disciplinary Regulations.

## **9. Appeals**

9.1 The student may appeal from a penalty imposed for a Minor offence (except as provided in 7.2) to the Director of Residential Services. Appeals must be made in writing to the Director of Residential Services not later than 14 days after the decision has been issued. The student will not appear before the Director of Residential Services unless they are required to do so. The Director's decision will be final.

9.2 The student may appeal from a penalty imposed for a Serious Offence dealt with summarily to the Residences Disciplinary Committee. Appeals must be made in writing to the Director of Residential Services not later than 14 days after the decision has been issued. The student will not appear before the Residences Disciplinary Committee unless they are required to do so. The Head or the Committee will reach one of two decisions:

either:

(a) that the penalty be confirmed; or

(b) that the penalty be varied within the limits of the power of the Head/Committee.

9.3 The student may appeal from a conviction, where the allegation has been denied and/or the penalty imposed by the Residences Disciplinary Committee to the University Committee on Student Discipline (except as provided in paragraph 8.3(a)) which will proceed in accordance with the provisions of the General University Disciplinary Regulations (paragraph 8.1 GUDR). Such appeals must be made in writing to the Secretariat not later than 14 days after the decision has been issued. The decision of the University Committee on Student Discipline will be final.

## **10. Contacting the Secretariat**

Contact details for the Secretariat (including the Head of Student Cases) are as follows:

The Secretariat Level 11, E C Stoner Building, University of Leeds, Leeds LS2 9JT  
Tel: 0113 343 1276 Fax: 0113 343 3925 Email: [studentcases@leeds.ac.uk](mailto:studentcases@leeds.ac.uk) Web site  
[http://www.leeds.ac.uk/secretariat/student\\_cases.html](http://www.leeds.ac.uk/secretariat/student_cases.html)

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