

Corpus Christi College

College Disciplinary Procedures

Issued by the Executive Body of Corpus Christi College in consultation with the JCR and the MCR.

Last updated 29 September 2022.

1. General Principles

- 1.1 These Disciplinary Procedures enable the College to consider whether a Student member has breached the College Rules and, if a breach has occurred, to impose proportionate sanctions or measures. The Procedures are implemented by the Dean of College and by the College Discipline, Appeals and Statute 52 Committees. The Procedures enable the College to respond appropriately to breaches of the College Rules and to protect the College, its members, and its community. These Procedures do not exist to resolve personal disputes.
- 1.2 The College can investigate and take action even where a Student Member has since graduated or stopped pursuing a course of study or has moved to another College. However, the College will need to consider whether a matter can practicably be investigated and whether it is appropriate to do so, noting the limitations on the potential sanctions or measures available should any breach be established.
- 1.3 These Procedures are not legal Procedures and are not a replacement or substitute for proceedings in a court of law. The Dean of College and the relevant Committees shall comply with basic principles of procedural fairness, but these Procedures do not have the same degree of formality as proceedings in a court of law and do not need to comply with the procedural rules that may be applicable in a court of law. Accordingly:
 - 1.3.1 it is not appropriate for a Respondent or the College to be represented by a lawyer, except as permitted in proceedings involving the Statute 52 Committee;
 - 1.3.2 the English law of evidence and Procedures does not apply;
 - 1.3.3 the written statement of a witness unable or unwilling to meet with the Dean of College in person during the Investigation may be admitted in evidence, but shall be treated with caution insofar as it contains material disputed by the other side;
 - 1.3.4 a student's failure to give a timely explanation to the Dean or to any Committee acting under these Procedures, or to allow a request from the Dean to access a College room shall not, in the absence of other incriminating evidence, be sufficient to justify a finding of responsibility, but such adverse inferences as are reasonable and appropriate may be drawn;
 - 1.3.5 the Dean of College or Committee acting under these Procedures may find a student responsible for a breach of the College Rules other than the one in the original Concern.
- 1.4 These Procedures can be stressful for all involved. The Dean of College, members of the Discipline, Appeal and Statute 52 Committee, and any other decision-makers involved will take into account the potential effects upon those engaging with the Procedures and, where possible, minimise these effects. All Reporting Persons, Respondents and Witnesses are entitled to access support during this process and should do so, in the first instance, by contacting their Tutor. Any Student who is involved in these Procedures should contact their Tutor or the Senior Tutor if they require support, and for advice on College, University, or external support organisations.
- 1.5 Reasonable adjustment shall be made to the Procedures (including, where appropriate, to any sanctions imposed in accordance with the procedures) to allow fair access for students with a disability. Respondents

should ask their Tutor and/or the Senior Tutor to communicate any such disability to the Dean of College as soon as possible. Respondents, Reporting Persons, and Witnesses are requested to make any reasonable adjustments known to the Dean of College or Committee acting under these Procedures so that these can be put in place. The Dean of College may seek expert opinion on reasonable adjustments to ensure appropriate implementation. The Dean of College or Committee acting under these Procedures shall keep a record of any such adjustments.

- 1.6 The College will not initiate or continue any Investigation into a Concern if the Dean of College or Committee acting under these Procedures considers that the College does not have the resources, powers, and/or capacity to carry out an Investigation that is robust, competent, and fair.
- 1.7 Some breaches of the College Rules may also constitute criminal offences. The College will not normally initiate or continue any investigation into a Concern where criminal proceedings are ongoing (including criminal investigations by the Police and appeal processes), pausing any action under this Procedures until criminal proceedings are complete. Where criminal proceedings are instituted after action under this Procedures has begun, the College will pause such action until the criminal proceedings are complete.
- 1.8 At any stage of these Disciplinary Procedures, the Dean of College or Committee acting under these Procedures may pause or close proceedings and refer the case to the Police or refer the case for consideration under different University or College Procedures, including but not limited to the University's Disciplinary Procedures, or the University's or College's Procedures on Student Harassment and Sexual Misconduct. The Dean of College may also refer the matter to the Senior Tutor to consider whether a non-disciplinary process, such as one that concerns fitness to study, is more appropriate.
- 1.9 The College will not initiate or continue an Investigation into any matter under active investigation by the University. The College will not investigate matters under these Proceedings that have already been subject to University Procedures unless there is new evidence which suggests the outcome of any decision by the University (or lack thereof) might be different, or it can be shown that the University Procedures and/or decision were manifestly flawed. The College will not investigate a matter solely on the basis that the Reporting Person is dissatisfied with the outcome and/or sanctions imposed by the University.
- 1.10 Sometimes a Concern will be more appropriately considered under another Procedures (for example, the Fitness to Study Procedure, where the behaviour has been wholly caused by an underlying medical condition, or the Procedures to Determine Fitness to Practise for a student undertaking professional courses, where the requirements of student behaviour are stricter). It will be at the discretion of the Dean of College and the Chair of any Committee established under these Procedures, in consultation with the Master, to decide which Procedures are most appropriate. The College reserves the right to refer a matter to another Procedures at any time during the exercise of these Procedures.
- 1.11 Sometimes a Concern will be investigated appropriately under these Procedures but, following the outcome, it will be necessary to refer the matter to another Procedures (for example to refer a matter to the Procedures to Determine Fitness to Practise). If a breach of the College Rules has been found, this will be treated as evidence that the breach of the College Rules has occurred but there may be other elements of a Respondent's ability to study that cannot be considered under these Disciplinary Procedures.
- 1.12 Where a Concern involves more than one Respondent, it will be at the discretion of the Dean of College and/or Chair of a Committee established under these Procedures to decide whether the Concern should be separated into separate investigations for some or all Respondents. Where an investigation includes more than one Respondent and the Dean of College has chosen to refer the matter to the Discipline Committee, the Chair of the Discipline Committee shall have the discretion to decide whether there shall be a single

hearing for all the Respondents, or a separate hearing for each Respondent. Where a hearing involving multiple respondents takes place, the personal mitigation of each Respondent, unless it refers to the other Respondent(s), shall not be shared with the other Respondent(s). Where multiple Respondents appeal the decision of the Discipline Committee, appeals shall usually be considered separately by the same Appeal Committee.

- 1.13 In the case of a conflict of interest on the part of any of the officers named in these Procedures, the Master will appoint a suitable alternative.
- 1.14 All decisions by the Committees involved in these Procedures shall be made by majority vote.
- 1.15 Where reasonable, physical meetings may be replaced by virtual meetings, where a Respondent, Reporting Person or Witness may attend a meeting by video or telephone call at the discretion of the Dean of College or Chair of a Committee established under these Procedures.
- 1.16 While these Procedures are ongoing, all persons and officers involved are required to keep the proceedings confidential. They must not disseminate any information or participate in any discussion about the proceedings, unless expressly permitted by these Procedures, either in person or through digital platforms, including e-mail, instant messaging, and social media. To protect those involved in the process, the Respondent must not contact or attempt to contact the Reporting Person or any other Respondent(s) or Witness(es) to the alleged misconduct either directly or via another person, concerning the ongoing Disciplinary Procedures.
- 1.17 All persons must act respectfully and reasonably while carrying out these Procedures. Everyone is required to communicate and always to act respectfully and reasonably whilst using these Procedures and to treat them with respect. Abusive behaviour will not be tolerated. If, following a warning, someone continues to behave in an unacceptable manner, that person may be subject to separate disciplinary action. In exceptional situations, the Dean of College and/or the Chair of a Committee established under these Procedures may require a person to stop engaging with these Procedures or engage in a limited manner, even if this impacts upon the consideration of the Concern or a subsequent appeal.
- 1.18 Every Student shall cooperate fully in investigations and proceedings under these Procedures as far as is reasonably practicable in the circumstances. Failure to do so may constitute a breach of the College Rules and be subject to disciplinary action under these Procedures.
- 1.19 The Dean of College, Chair of the Discipline Committee, Chair of the Appeal Committee and/or Chair of the Statute 52 Committee may seek legal advice at any time.
- 1.20 The Dean of College will inform the Master if they consider that the alleged conduct described in the Concern may have brought or may bring the College or University into disrepute. The Dean of College will inform the Senior Tutor if they consider that the welfare of any Student involved is at risk of harm as a result of the Concern or of these Procedures.
- 1.21 Any Student who is a Reporting Person or a Respondent may lodge a complaint about the outcome of these Procedures within 7 days of the completion of Procedures by using the College's [Student Complaints Procedures](#). The Respondent may also complain to the Office of the Independent Adjudicator within 12 months of the date of a Completion of Procedures Letter.
- 1.22 These Procedures do not curtail the power or duty of the College to fulfil its pastoral responsibilities and duty of care to all its Students. Where there is a significant on-going risk to members of the College or University community, or to the wider community, the Dean of College or Chair of a Committee acting under

these Procedures may decide to report the Concern to the Police. When appropriate, the Reporting Person and/or Respondent will be informed before a report is made.

- 1.23 The College owes a duty of care to all members of the College, including Reporting Persons, Witnesses and Respondents, and the Fellowship and members of Staff, to safeguard the interests and safety of the College community.
- 1.24 The standard of proof used when making determinations under these Disciplinary Procedures is the balance of probabilities. The burden of proof that a breach of the College Rules has occurred rests with the College. This means that it is necessary to prove that it is more likely than not that a breach of the College Rules occurred before the decision-maker can impose any sanctions or measures on the Respondent. Decisions must be supported by evidence; it is not enough simply to believe that something is likely to have happened. This requirement means that there may be some cases in which the College decides that it is not appropriate to take or continue action under these Procedures.
- 1.25 The Dean of College may be contacted at dean-of-college@corpus.cam.ac.uk. The Standing Chair of the Discipline Committee may be contacted at disciplinary-committee@corpus.cam.ac.uk. The Master may be contacted at master@corpus.cam.ac.uk. The Master's Executive Assistant/Head of Governance may be contacted at masters-EA@corpus.cam.ac.uk.

2. Definitions of Key Terms, Officers, and Committees

- 2.1 Appeal Committee: A committee that decides whether to uphold or dismiss an appeal against a decision of the Discipline Committee, with the authority to amend, quash or impose sanctions and measures.
- 2.2 College Rules: The rules established by the College concerning the conduct of Students.
- 2.3 Completion of Procedures Letter: A letter that confirms the completion of Disciplinary Procedures.
- 2.4 Concern: An allegation that the College Rules have been breached and a description of the behaviour of concern, submitted by the Reporting Person to the Dean of College, about a Student or Students of the College who may or may not be named in the Concern.
- 2.5 Dean of College: A Fellow of the College appointed by the Executive Body with responsibility for determining whether a Concern should be investigated, for conducting the Investigation, determining the action to be taken following the Investigation, and presenting the findings to a Discipline, Appeal or Statute 52 Committees. The Dean of College has the authority to determine whether the College Rules have been breached and to impose sanctions or measures.
- 2.6 Discipline Committee: A committee that determines whether the College Rules have been breached and, if so, has the authority to impose sanctions or measures.
- 2.7 Investigation: An investigation of the Concern by the Dean of College under these Procedures.
- 2.8 Impact Statement: A written statement from a Reporting Person or Witness that describes the personal impact of an alleged breach of the College Rules.
- 2.9 Student: A registered undergraduate or postgraduate, or a visiting student at the College.
- 2.10 Statute 52 Committee: A Committee constituted specifically for the purpose of considering the penalty of permanent exclusion of a Student from the College under section 52 of the College Statutes.

- 2.11 Reporting Person: A person who reports a Concern to the Dean of College.
- 2.12 Respondent: A Student or Students whose conduct is the subject of a Concern.
- 2.13 Tutor: the Respondent's College Tutor, although exceptionally the Dean of College (or Chair of the Discipline, Appeal or Statute 52 Committee) may substitute the College Tutor for another Tutor, the Harassment Officer, or another senior member of the College.
- 2.14 Witness: A person who has witnessed the Respondent's behaviour as alleged in the Concern, or any related event or matter. The Witness may be someone to whom the behaviour was directed, or a third party.
- 2.15 Unless otherwise specified, other terms shall be given their ordinary and/or dictionary meaning and not any technical meaning found in statute or case law.
3. Reporting, Record Keeping, and Information Sharing
- 3.1 The College shall share the information and evidence related to an Investigation and outcome with College Fellows, members of Staff, the Respondent, the Reporting Person, and Witnesses where necessary to carry out these Procedures effectively and fairly. All information and evidence will be handled sensitively and in accordance with the College's [Data Protection Policies](#).
- 3.2 The College shall share all evidence considered in reaching a decision (except where the decision-maker determines that there is a compelling reason not to do so), the decision itself, the reasons for the decision and any sanctions or measures, with the Respondent. The evidence considered in reaching a decision may not be shared with the Respondent where the identity of the Reporting Person, or the identity of a Witness, or personal data or special category data belonging to another has been provided, where that person does not wish that data or identity to be shared and there is a compelling case for the matter to be investigated without revealing this information to the Respondent. A compelling case may include where the information is of no relevance to the Concern and therefore it does not need to be relied upon. Where information is unable to be shared with the Respondent, this may affect the decision-maker's ability to rely on this evidence in reaching a decision.
- 3.3 Records of Disciplinary actions taken, and Committee meetings held, under these Procedures shall be held by the Master's Office.
- 3.4 In exceptional circumstances the College may be required by law to disclose information obtained through these Procedures as evidence in a subsequent criminal proceeding, including any admission made by any of the participants to the Dean of College and/or relevant College Committee.
- 3.5 The College shall share the initiation of an investigation, the investigation findings, and the determination of the Dean of College and/or Committee established under these Procedures with internal University bodies (for example, a fitness to practise committee), regulatory bodies (for example, the Disclosure and Barring Service), professional bodies (for example, the General Medical Council, the General Council of the Bar, the Solicitors Regulation Authority), or other organisations with whom the student maybe connected, where it is appropriate to do so (for example where a student holds a position of responsibility for children or vulnerable adults). Where formally requested to do so, or where the College considers that someone may be at significant and immediate risk of harm, the College may disclose information received through these Procedures to the Police. When initiating an investigation, the Dean of College will inform the Respondent in writing that information about the case will be provided to the Police if formally requested by the Police

or if the Dean of College considers that there is an immediate and significant risk to the College or wider collegiate community.

- 3.6 The College may share relevant information from the investigation findings, the reasoned determination of the Dean of College or Committee established under these Procedures, and sanctions or measures with the Reporting Person or Witness, where they have been personally affected by the original incident or the disciplinary process. 'Relevant' information is that which it is reasonably necessary to share to safeguard the interests of the Reporting Person or Witness.
- 3.7 It is necessary that all parties feel able to engage fully with the Procedures without concern for the wider sharing of information disclosed within the investigation process. Following the conclusion of the Procedures, those involved may discuss their personal experience of the Procedures with others. However, regardless of the outcome, parties should not identify or provide details that might identify any individual involved in the investigation or subsequent decision-making process.
- 3.8 A summary of any disciplinary action take under these Procedures shall be placed on the Respondent's Student File for five years.
- 3.9 Anonymised summaries of Disciplinary Proceedings shall be presented by the Dean of College to the College's Executive Body in an annual report. The purpose of this report is to ensure that decisions are made consistently and at the appropriate level; that appropriate action is taken on issues identified and that information gathered is used to improve the Disciplinary Procedures and College Rules as well as support for and Students and Staff involved in the Procedures. This information may be disclosed in accordance with the College's [Data Protection Policies](#).

4. Submitting a Concern

- 4.1 The College will normally be informed of a potential breach of the College Rules by a Reporting Person. The Reporting Person may be a person who has been impacted by the reported behaviour, witnessed the reported behaviour, or became aware of the reported behaviour through other means. The Reporting Person must provide their name and contact details when submitting the Concern and provide any evidence they may have. It will not normally be possible for the Reporting Person to submit a Concern anonymously, apart from in exceptional circumstances where there is a compelling case as decided by the Dean of College, supported by evidence, for the matter to be investigated notwithstanding the anonymous submission. Where an anonymous Concern is accepted, the Concern will normally be accompanied by independent evidence enabling an investigation to take place without the involvement of the anonymous Reporting Person.
- 4.2 Concerns should be submitted to the Dean of College in a timely manner, but it is accepted that sometimes this may not be possible (for example, where a matter has significantly impacted an individual and the effects of this impact have led to a delay in reporting). There is no firm deadline for the submission of a Concern, or a time limit based on whether someone who was a Student at the time of the alleged breach of the College Rules remains a Student when the Concern is submitted. However, the timetable may have an impact on the investigation, decisions, and potential sanctions or measures.
- 4.3 A Concern may be forwarded to the Dean of College on behalf of a member of Staff by their line manager or on behalf of a Student by the College's Harassment Officer. Any member of Staff or Fellow may forward a Concern reported by an external person. Any report by a member of the College Staff or Fellow of an

incident that, if proved, would constitute a breach of the College Rules shall be treated as a Concern for the purposes of these Procedures.

- 4.4 The Dean of College will acknowledge receipt of the Concern and request further information if necessary, and to offer the Reporting Person a preliminary meeting if appropriate.
- 4.5 The Dean of College will consider whether the following criteria are satisfied:
 - 4.5.1 there is an allegation that, on the face of it, would appear to involve a breach of the College Rules but which does not constitute a criminal offence that should be reported instead to the Police;
 - 4.5.2 the Concern is not frivolous, manifestly ill-founded, or vexatious;
 - 4.5.3 the Concern would not be more appropriately disposed of with a warning or advice to the Reporting Person and/or the Respondent;
 - 4.5.4 the College Disciplinary Procedures are the most appropriate Procedures to use to investigate the matter;
 - 4.5.5 the Concern has not already been investigated under the College Disciplinary Procedures and/or the Concern has not been reported to the Police or referred to the University's Disciplinary Procedures; *and*
 - 4.5.6 the College has the resources, powers, and/or capacity to investigate.
- 4.6 Where the above-mentioned criteria are satisfied, the Dean of College will investigate the Concern. Where at least one of the criteria has not been met, the Dean of College shall not investigate the Concern under these Procedures but may recommend that the matter be considered by a University Procedure and/or that the matter be referred to the Police.
- 4.7 Where part of the Concern has previously been investigated, it is at the discretion of the Dean of College whether to investigate the aspect that has not yet been investigated, taking into account why the matter was not previously fully investigated, the length of time that has elapsed since the investigation, the severity of the misconduct, the impact on the Respondent of undergoing a second disciplinary investigation, and whether (in certain cases) there would be repercussions for the Respondent's fitness to practise were the decision taken not to investigate the matter.
- 4.8 The Dean of College shall give written reasons for the decision on whether to investigate the Concern and communicate those reasons to the Reporting Person as soon as possible. If the Dean of College decided not to initiate Disciplinary Procedures because the College does not have the resources, powers and/or capacity to investigate the Concern, then the Dean shall discuss with the Reporting Person the possibility of reporting the Concern to the Police, the University, or to another appropriate body. In these instances, the Dean of College will also notify the Respondent that a Concern was received, the decision of the Dean and that no further action will be taken under the College Disciplinary Procedures. Where sharing this information with the Respondent may impact an investigation taking place under different Procedures or by an external body, it may be necessary to delay conveying the information to the Respondent.
- 4.9 Following a decision to investigate, the Dean of College shall write to the Respondent to notify them that a Concern naming them has been received, that an investigation will be conducted, and to refer them to this document. The Dean of College will inform the Respondent of the nature of the alleged offence, the College Rule(s) that is/are alleged to have been breached, and the name of the Reporting Person (unless the Dean of College determines that they shall remain anonymous). The Dean of College will also inform the Respondent that, if they have a disability that they wish the Dean to take account of, they should ask their Tutor to communicate this information to the Dean of College as soon as possible.

- 4.10 In the case that no Respondent(s) is named in the Concern, the Dean may conduct a preliminary investigation to establish the identity of any Respondent(s). The preliminary investigation will be carried out according to the relevant paragraphs of these Procedures. If the Dean decides subsequently to initiate the Disciplinary Procedures, any findings will form part of any Investigation Report.
- 4.11 If appropriate, the Dean of College may seek to reach or promote a settlement between the Reporting Person and the Respondent, with a view to resolving the matter without recourse to these Procedures.
- 4.12 The Reporting Person may, within 7 days of receiving the decision of the Dean, appeal to the Chair of the Discipline Committee against the Dean's decision. The Chair of the Discipline Committee will either reject the appeal, require that the Dean re-consider the decision reached on the basis of the original investigation, or require the Dean to investigate the Concern again.
- 4.13 The Dean of College may refer a matter for determination by the Discipline Committee at any time and for any reason by writing to the Chair of the Discipline Committee. The Dean of College will notify the Reporting Person and Respondent, and convey all notes and any evidence and supporting documentation to the Chair of the Discipline Committee.
5. Investigating a Concern
- 5.1 The Dean of College shall write to the Respondent to confirm that a Concern has been received. The Dean will also provide a summary of the Concern, the relevant College Rules alleged to have been breached, and the decision to proceed with an investigation.
- 5.2 The Dean of College will investigate the Concern. This may involve meetings, written statements, and evidence from any member of College or any relevant third party. Any Student required to attend an investigative meeting may choose to be accompanied by their Tutor. Written notes will be taken of all meetings.
- 5.3 The Dean of College will normally meet with the Reporting Person and with the Respondent(s) to receive their oral accounts. The Dean of College may meet with any Witnesses or collect information through written statements. Witnesses are expected to engage fully with the Procedures, as far as is reasonable. The Dean will normally give anyone affected by the alleged behaviour the opportunity to provide an Impact Statement. The investigation may also include gathering information about the seriousness of the Concern, any mitigation provided by the Respondent and any relevant previous breaches of College Rules by the Respondent.
- 5.4 The Dean of College may request any material or evidence that it is reasonably within the resources of the College to obtain.
- 5.5 When appropriate, the Dean of College may delegate one or more tasks within the Investigation to the Head Porter or Deputy Head Porter or require them to follow up on one or more lines of enquiry within the Investigation. The Head Porter or Deputy Head Porter shall submit to the Dean for consideration as part of the Investigation a written record of their work, their findings and any evidence collected.
- 5.6 The Dean of College shall produce an Investigation Report, summarising the findings of the Investigation.
6. Decision of the Dean of College
- 6.1 Following the Investigation, the Dean of College shall reach one of the following decisions:

- 6.1.1 to dismiss the Concern on the basis that a breach of the College Rules cannot be proven and to take no further action;
 - 6.1.2 to impose one or more minor sanctions or measures where there has been a breach of the College Rules and a minor sanction or measure is appropriate;
 - 6.1.3 to refer the Concern to the Discipline Committee on the basis that a breach of the College Rules may have taken place and that a minor sanction or measure may not be an appropriate action; *or*
 - 6.1.4 to refer the Concern to another College or University Procedure or to the Police on the basis that it is not appropriate to consider the matter further under these Procedures.
- 6.2 In considering whether to impose a minor sanction or measure, or to refer the case to the Discipline Committee, the Dean of College shall consider the following factors:
- 6.2.1 the seriousness of the breach;
 - 6.2.2 the harm or damage caused;
 - 6.2.3 the advantage gained or that could have been gained by the Respondent as a result of the breach;
 - 6.2.4 the intent and planning involved in the breach;
 - 6.2.5 the impact of the breach on the Reporting Person and/or the College community, including the content of any Impact Statement;
 - 6.2.6 whether the Respondent has admitted to the breach and when such an admission took place;
 - 6.2.7 whether the Respondent has expressed remorse and/or shown insight into the impact of the breach;
 - 6.2.8 the evidenced personal circumstances of the Respondent;
 - 6.2.9 whether any action has been taken under any other College or University Procedures; *and*
 - 6.2.10 whether the Respondent has received any Police fines, cautions or criminal convictions as a result of the breach.
- 6.3 Any breach of the College Rules may be considered more serious if:
- 6.3.1 it was motivated by the protected characteristics (as listed in the [Equality Act 2010](#)) or perceived protected characteristics of another;
 - 6.3.2 it took place under the influence of alcohol or illicit substances;
 - 6.3.3 the Respondent has previously been found to have breached the same College Rule;
 - 6.3.4 the Respondent has not complied with any sanction or measure made under these Procedures;
 - 6.3.5 the Respondent has breached precautionary action measures;
 - 6.3.6 the Respondent has not provided the College with reasonable information requested to enable assessment of the risk the Respondent may pose to the College community;
 - 6.3.7 the Respondent has attempted to conceal or destroy evidence, or coerce or intimidate officers, Reporting Persons, or Witnesses, in relation to the breach; *and/or*
 - 6.3.8 the Respondent has abused a position of power or trust.
- 6.4 The sanctions or measures that may be imposed include:
- 6.4.1 a written warning, which will be placed on the Respondent's record and will make any subsequent breaches of the College Rules more serious;
 - 6.4.2 a requirement to pay the cost of material damages up to the amount of £250;
 - 6.4.3 a formal written apology to the Reporting Person or any other person(s) affected by the breach of the College Rules, which shall be subject to the approval of the Dean;
 - 6.4.4 a requirement to provide a written reflection;
 - 6.4.5 a requirement to undertake an educative or reflective session;

- 6.4.6 a requirement that community service be undertaken within or outside the College as prescribed by the Dean of College;
 - 6.4.7 a requirement for the Respondent not to contact a Reporting Person or Witness;
 - 6.4.8 a restriction on choice of accommodation in College in a future year or years;
 - 6.4.9 a restriction or conditions on the right to use College premises, facilities, or services (including a College restriction on attending Formal Hall and/or the College May Ball and/or other events run by the JCR, MCR or other student body); *and/or*
 - 6.4.10 a restriction or conditions on the occupation of College accommodation.
- 6.5 The Dean of College shall communicate in writing the decision to the Reporting Person. Within 7 days from receiving notice of the decision, the Reporting Person may appeal the Dean's decision to the Chair of the Discipline Committee.
- 6.6 The Chair of the Discipline Committee shall consider whether a valid ground of appeal has been made. An appeal can only be submitted on the following grounds:
- 6.6.1 the Procedures in this document were not followed properly;
 - 6.6.2 the Dean of College reached an unreasonable decision;
 - 6.6.3 there was bias or a reasonable perception of bias during the exercise of these Procedures;
 - 6.6.4 that the Reporting Person is in possession of new evidence that is likely to have a material impact on the decision of the Dean of College; *and/or*
 - 6.6.5 the sanctions or measures imposed by the Dean of College are not proportionate to, and/or do not reflect the seriousness of, the breach of the College Rules.
- 6.7 The Dean of College shall communicate in writing the decision, the reasons for it, any sanctions or measures imposed, and a copy of the Investigation Report to the Respondent. Where any sanctions or measures are imposed, the Respondent will have 7 days from receiving the decision to submit a request for an appeal to the Chair of the Discipline Committee.
- 6.8 The Chair of the Discipline Committee shall consider whether a valid ground of appeal has been made. An appeal can only be submitted on the following grounds:
- 6.8.1 the Procedures in this document were not followed properly;
 - 6.8.2 the Dean of College reached an unreasonable decision;
 - 6.8.3 the Respondent has new material evidence that the Respondent was unable, for valid reasons, to provide earlier in the process;
 - 6.8.4 there was bias or a reasonable perception of bias during the exercise of these Procedures;
 - 6.8.5 any sanctions or measures imposed are disproportionate, or not permitted under the Procedures.
- 6.9 If a request for an appeal is not received within 7 days, the Dean of College will issue the Respondent with a Completion of Procedures Letter.
- 6.10 Once the Completion of Procedures Letter has been issued, failure of the Respondent to comply with any sanctions or measures imposed will result in the Respondent being subject to any action specified by the Dean of College to be imposed in this circumstance; or the Dean may refer the matter to the Discipline Committee or the Statute 52 Committee under these Procedures.
- 6.11 The Dean of College may at any time withdraw the referral to the Discipline Committee. Such a decision will be communicated in writing to the members of the Discipline Committee, the Respondent and the Reporting Person.

6.12 If the Dean of College decides to recommend permanent exclusion of the Respondent from the College, then the Respondent will be advised that the final decision on whether to exclude them will be taken by the Statute 52 Committee, which shall be constituted specially for this purpose, and that they shall have the opportunity to present their case to this Committee.

7. The Discipline Committee

7.1 The Discipline Committee shall consist of

7.1.1 a Standing Chair, who shall be appointed by the Executive Body; and

7.1.2 four additional Fellows who shall include at least one female and one male Fellow and represent the breadth of seniority of the Fellowship, and who shall be appointed promptly by the Master upon the request of the Chair of the Discipline Committee to convene the Committee.

7.1.3 The Master's Executive Assistant/Head of Governance shall act as the Secretary to the Discipline Committee, but will not take part in any discussion, decision-making or vote of the Committee.

7.2 The Secretary of the Committee shall organise a meeting of the Committee and shall communicate the membership of the Committee, date, time, and location of the meeting to the Discipline Committee members, the Dean of College, the Senior Tutor, the Respondent, and the Respondent's Tutor. The Secretary will take notes.

7.3 The Respondent shall be provided with a copy of the Investigation Report and any accompanying evidence at least 14 days before the meeting. The Respondent shall have the opportunity to provide a written response to the Report and evidence, which must be received by the Secretary at least 7 days before the meeting. Any new evidence that the Respondent intends to bring to the attention of the Committee must be received by the Secretary at least 7 days before the meeting. A request by the Respondent to call new Witnesses at the meeting must be provided in writing to the Secretary at least 7 days before the meeting. The request shall be considered by the Chair, who shall determine whether to permit the Witnesses to attend, or to provide evidence in an alternative format. A Respondent who wishes to admit the alleged breach in advance of the meeting may do so as part of the written response, in which case the meeting may focus only on what, if any, sanctions or measures to apply.

7.4 Respondents should attend the Discipline Committee meeting in person where possible, but where this is practical, the Respondent may attend by video link. The Respondent may choose to be accompanied by their Tutor. If the Respondent is unable to attend the Discipline Committee meeting and wishes to do so, it shall be at the Chair's discretion as to whether the Respondent has provided a sufficient reason for absence, in which case the meeting date should be re-arranged. The Discipline Committee meeting may proceed in the Respondent's absence. If the Respondent is absent, but the Respondent's Tutor is present, then the Tutor will be given an opportunity to make representations on the Respondent's behalf.

7.5 At least 3 days before the meeting, the Committee members, the Respondent, the Respondent's Tutor, and the Dean of College shall each receive from the Secretary a copy of the Discipline Committee papers, any Investigation Report and related evidence, and any response or new evidence provided by the Respondent.

7.6 During the Discipline Committee meeting, there shall be an opportunity for the Committee members to ask questions of the Dean of College and, if in attendance, the Respondent. The Respondent and/or the Respondent's Tutor and the Dean of College shall have the opportunity to ask questions. The Respondent shall have the opportunity to make a final statement.

- 7.7 It will not normally be necessary for any Reporting Person and/or Witness to attend the Discipline Committee meeting as their evidence will be provided in the papers. If the Respondent wishes to challenge the evidence of a Reporting Person or a Witness, the Chair of the Committee will determine the most appropriate format for this. If the Reporting Person or Witness is requested to attend the meeting in person or by video link, then questions to them will be directed through the Chair. Alternatively, the Respondent may be asked to explain the precise challenges and, where the Chair of the Discipline Committee considers those challenges material to the Committee's decision, a further written response will be sought from the Reporting Person or Witness. Where appropriate, the Chair of the Discipline Committee may pause the meeting to request further information.
- 7.8 Once the Discipline Committee is satisfied that it has received all the information, all persons except for the members of the Committee shall withdraw. The Committee shall consider all the information that has been provided and reach one of the following decisions:
- 7.8.1 that a breach of the College Rules occurred; *or*
 - 7.8.2 that a breach of the College Rules has not been proven and that the Concern should be dismissed.
- 7.9 Where the Discipline Committee has found that the College Rules have been breached, the Secretary of the Discipline Committee shall inform the Discipline Committee of any previous breaches of the same Rule, and provide the Committee with any Impact Statements. The Respondent (if present), the Respondent's Tutor (if present) and the Dean of College shall be invited back into the meeting and the Chair of the Committee shall communicate the Committee's decision to them. The Respondent (or the Respondent's Tutor, if present) will have an opportunity to make a further statement in relation to mitigation regarding the current or any previous breaches of the Rules. The Committee and the Respondent, or the Respondent's Tutor may ask questions.
- 7.10 If the Committee has decided that the Rules were breached, the Committee will then decide any sanctions or measures to be imposed. Consideration shall be given to the factors outlined in the relevant paragraphs above, and the Committee may impose any of the sanctions or measures provided for in these Procedures. Where a minor sanction is not considered appropriate, the Discipline Committee may choose from the following further sanctions and measures:
- 7.10.1 conditions to be met before graduation;
 - 7.10.2 the temporary or permanent removal of academic awards granted by the College (this does not affect academic results and academic awards granted by the University);
 - 7.10.3 temporary exclusion from the College;
 - 7.10.4 a recommendation for permanent exclusion from the College; *and/or*
 - 7.10.5 any penalty considered by the Discipline Committee to be lighter than permanent exclusion.
- 7.11 In deciding on the appropriate sanction(s) or measure(s), the Discipline Committee shall consider each sanction or measure in turn and shall impose the lowest sanction(s) or measure(s) commensurate with the breach. The Discipline Committee shall record the reasons for the sanctions or measures imposed. All sanctions or measures must be proportionate to the breach of College Rules, taking into account the nature of the rule, its seriousness, its impact on the Reporting Person and/or the College Community, and any aggravating or mitigating factors.
- 7.12 The Secretary of the Discipline Committee shall communicate in writing to the Reporting Person within 7 days of the meeting, (i) the decision; (ii) the reasons for the decision; (iii) any sanction nor measures applied;

and (iv) the right of appeal. The Secretary to the Committee will ensure that the notes of the Discipline Committee are shared with the Respondent within 14 days of the Discipline Committee meeting.

- 7.13 Where any sanctions or measures are imposed, the Respondent will have 14 days from receiving the decision of the Discipline Committee to submit a request for an appeal to the Master. If a request for an appeal is not received within 14 days, the Secretary of the Discipline Committee will issue the Respondent with a Completion of Procedures Letter.
- 7.14 Once the Completion of Procedures Letter has been issued, failure of the Respondent to comply with any sanctions or measures imposed will result in the Respondent being subject to any action specified by the Disciplinary Committee to be imposed in this circumstance; or the Chair of the Discipline Committee may refer the matter to the Statute 52 Committee under these Procedures.
- 7.15 If the Discipline Committee decides to recommend permanent exclusion of the Respondent from the College, then the Respondent will be advised that the final decision on whether to exclude them will be taken by the Statute 52 Committee, which shall be constituted specially for this purpose, and that they shall have the opportunity to present their case to this Committee.

8. The Appeal Committee

- 8.1 The Respondent shall have the right to appeal the decision of the Discipline Committee within 14 days of receiving the written decision by writing to the Master. The Master may extend the appeal deadline where there is a compelling reason to do so.
- 8.2 The Master shall consider whether a valid ground of appeal has been made. An appeal can only be submitted on the following grounds:
 - 8.2.1 the Procedures in this document were not followed properly;
 - 8.2.2 the Discipline Committee reached an unreasonable decision;
 - 8.2.3 the Respondent has new material evidence that the Respondent was unable, for valid reasons, to provide earlier in the process;
 - 8.2.4 there was bias or a reasonable perception of bias during the exercise of these Procedures;
 - 8.2.5 any sanctions or measures imposed are disproportionate, or not permitted under the Procedures.
- 8.3 If the request for an appeal is denied, the Master will notify the Respondent within 7 days of the request being received and issue the Respondent with a Completion of Procedures Letter.
- 8.4 If the Master is satisfied that the appeal has been made on the specific grounds and within the timeframe, the Master shall convene the Appeal Committee, which shall consist of the following members:
 - 8.4.1 the Master, who shall act as Chair of the Committee;
 - 8.4.2 four members of the Executive Body of the College that have not had any previous involvement in the case and who are not involved in the welfare or academic performance of the Reporting Person(s) or Respondent(s) (where this is not possible, the Master will appoint appropriate members of the Governing Body), and who should include at least one female and one male Fellow and represent the breadth of seniority of those on the Executive Body;
 - 8.4.3 The Master's Executive Assistant/Head of Governance shall act as the Secretary to the Appeal Committee, but will not take part in any discussion, decision-making or vote of the Committee.
- 8.5 The Secretary to the Appeal Committee shall organise a meeting of the Committee and take notes. The Secretary shall also communicate the membership of the Committee, and the date, time, and location of

the meeting to the Committee members, the Dean of College, the Senior Tutor, the Chair of the Discipline Committee if appropriate, the Respondent, and the Respondent's Tutor. Meetings may take place physically or virtually.

- 8.6 Any new evidence that the Respondent intends to bring to the attention of the Committee must be received by the Secretary at least 14 days before the meeting. A request by the Respondent to call new Witnesses at the meeting must be provided in writing to the Secretary at least 14 days before the meeting. The request shall be considered by the Master, who shall determine whether to permit the Witnesses to attend, or to provide evidence in an alternative format. It will not be necessary for any Reporting Person and/or extant Witness to attend the meeting as their evidence will be provided in the papers.
- 8.7 Respondents should attend an Appeal Committee meeting in person (where the meeting is taking place in person) and may choose to be accompanied by their Tutor. If this is impractical, the Master may decide that the Respondent may attend by video link. If the Respondent is unable to attend the Appeal Committee meeting and wishes to do so, it shall be at the Chair's discretion as to whether the Respondent has provided a sufficient reason for absence, in which case the meeting date should be re-arranged. The Appeal Committee meeting may proceed in the Respondent's absence. If the Respondent is absent, but the Respondent's Tutor is present at the meeting, the Tutor will be given an opportunity to make representations on the Respondent's behalf.
- 8.8 At least 7 days before the Appeal Committee meeting, the Committee members, the Respondent, the Respondent's Tutor if appropriate, the Dean of College, the Senior Tutor, and the Chair of the Discipline Committee if appropriate, shall each receive from the Secretary of the Appeal Committee a copy of the Committee papers, any Investigation Report and related evidence, any record/notes of any Discipline Committee meeting, and any response or new evidence provided by the Respondent.
- 8.9 The Appeal Committee shall normally consider an appeal in private based on the written materials but has the discretion to request further information. Where this happens, the Respondent shall be sent a copy of any further information and be given an opportunity to provide a written response.
- 8.10 Once the Appeal Committee is satisfied that it has received all the information, all persons except for the members of the Committee shall withdraw. The Appeal Committee shall consider all the information that has been provided and reach one of the following decisions:
 - 8.10.1 to dismiss the appeal;
 - 8.10.2 to uphold the appeal.
- 8.11 Where the Appeal Committee has upheld an appeal on the grounds of *new* material evidence relating to a breach of the College Rules, it will normally send the case back for re-consideration by the Discipline Committee. Where the Appeal Committee has upheld an appeal on any other ground(s), it can choose to send the case back for re-consideration by the Discipline Committee, or it has the power to impose its own decision, including sanctions or measures. Where the Appeal Committee considers a breach of the College Rules has taken place, it can impose any sanction or measures outline in these Procedures, including more or less significant sanctions or measures than were imposed by the Discipline Committee for the same breach.
- 8.12 The Respondent, the Respondent's Tutor (if present), the Dean of College and the Chair of the Discipline Committee (if present) shall be invited back into the meeting and the Master shall communicate the Committee's decision to them.

- 8.13 Within 7 days of the meeting, the Secretary of the Committee shall communicate to the Reporting Person in writing the decision of the Appeal Committee, the reasons for the decision, and any substituted decision. This is the final stage of the College disciplinary process. Accordingly, the Respondent will be issued a Completion of Procedures Letter.
- 8.14 Where the Discipline Committee has imposed a sanction or measure and the Respondent has appealed, the sanction or measure will not normally be implemented while the appeal is being considered. Following the Appeal Committee's decision and issue of the Completion of Procedures Letter, any sanctions or measures shall be implemented, even if the Respondent intends to raise a complaint with an external body.
- 8.15 Where the Respondent fails to comply with any sanctions or measures imposed by the Appeal Committee, the Respondent will be subject to any action specified by the Appeal Committee to be imposed in this circumstance; or, where other action has not been specified, further disciplinary action may be taken under these Procedures.
- 8.16 If the Appeal Committee decides to recommend permanent exclusion of the Respondent from the College, then the Respondent will be advised that the final decision on whether to exclude them will be taken by the Statute 52 Committee, which shall be constituted specially for this purpose, and that they shall have the opportunity to present their case to this Committee.

9. Statute 52 Committee

- 9.1 Under Statute 52, the penalty of permanent exclusion from the College may only be imposed after the Respondent has been given an adequate opportunity of presenting their case to the College's Statute 52 Committee to which the Governing Body has (in accordance with Statute 52) assigned the power of inflicting the penalty of expulsion from the College. The Statute 52 Committee shall reconsider the Concern, taking into account any new material evidence that the Respondent was reasonably unable to provide earlier in the process, and considering whether there are any mitigating factors.
- 9.2 There is no right to appeal a decision of the Statute 52 Committee.
- 9.3 The Master shall convene the Statute 52 Committee, which shall consist of the following members:
- 9.3.1 the Master, who shall act as Chair of the Committee;
 - 9.3.2 an external member who is a member of the Faculty of Law and/or a qualified lawyer or judge; *and*
 - 9.3.3 three additional Fellows who should include at least one female and one male Fellow and represent the breadth of seniority of the Fellowship, and who will be appointed promptly by the College's Executive Body (if necessary, by circulation) upon the decision of the Master to convene the Committee.
 - 9.3.4 The Master's Executive Assistant/Head of Governance shall act as the Secretary to the Discipline Committee, but will not take part in any discussion, decision-making or voting of the Committee.
- 9.4 The Secretary of the Statute 52 Committee shall organise a meeting of the Committee and take notes. The Secretary shall also communicate the membership of the Committee, and the date, time, and location of the meeting to the Committee members, the Dean of College, or the Chair of the Discipline Committee as appropriate, the Senior Tutor, the Respondent, and the Respondent's Tutor.
- 9.5 Any new evidence that the Respondent intends to bring to the attention of the Committee must be received by the Secretary at least 7 days before the meeting. A request by the Respondent to call new Witnesses at the meeting must be provided in writing to the Secretary at least 7 days before the meeting. The request shall be considered by the Master, who shall determine whether to permit the Witnesses to attend, or to

provide evidence in an alternative format. It will not be necessary for any Reporting Person and/or extant Witness to attend the meeting as their evidence will be provided in the papers.

- 9.6 Respondents should attend a Statute 52 Committee meeting in person, and may choose to be accompanied by their Tutor, another Fellow, a current student member of the College, or any external person, including a qualified lawyer. If this is impractical, the Master may decide that the Respondent should attend by video link. The Respondent may request that the meeting takes place at a different date and/or time. The request will be considered by the Master, who will decide whether there is sufficient reason to re-arrange the meeting. The Statute 52 Committee meeting may proceed in the Respondent's absence. In the event that the Respondent is absent, but the person chosen to accompany the Respondent is present at the meeting, that person will be given an opportunity to make representations on the Respondent's behalf.
- 9.7 At least 3 days before the Committee meeting, the Committee members, the Respondent, the Respondent's accompanying person, the Dean of College, the Senior Tutor, and the Chair of the Discipline and Appeal Committees if appropriate, shall each receive from the Secretary of the Committee a copy of the Committee papers, any Investigation Report and related evidence, any record of any Discipline Committee meeting and/or Appeal Committee meeting (as appropriate), and any response or new evidence provided by the Respondent.
- 9.8 At the meeting, the Dean of College will present the Investigation Report and evidence to the Committee. If appropriate, the Chair of the Discipline and/or Appeal Committees will summarise the findings and decision of that Committee.
- 9.9 There shall be the opportunity for the Statute 52 Committee and the Respondent (or the accompanying person) to ask questions and to present any new evidence.
- 9.10 Once the Statute 52 Committee is satisfied that it has received all the information, all persons except for the members of the Committee shall withdraw. The Committee shall consider all the information that has been provided and reach one of the following decisions:
 - 9.10.1 that a breach of the College Rules occurred, and to impose the proportionate penalty of permanent exclusion from the College;
 - 9.10.2 that a breach of the College Rules occurred, and to impose a less significant sanction;
 - 9.10.3 that a breach of the College Rules has not been proven and to dismiss the Concern.
- 9.11 Within 24 hours of the Statute 52 Committee reaching a decision, the Chair of the Committee shall communicate the Committee's decision to the Respondent (including the reasons for it and any sanctions being imposed), the Dean of College, the Chair of the Discipline and/or Appeal Committee, and to the Senior Tutor. The Secretary of the Committee shall also issue the Respondent with a Completion of Procedures Letter.
- 9.12 The Secretary of the Committee shall communicate the decision to the Reporting Person in writing within 7 days of the meeting.
- 9.13 Following the Statute 52 Committee's decision and issue of the Completion of Procedures Letter, any sanctions or measures shall be implemented, even if the Respondent intends to raise a complaint with an external body. If the Respondent has not been permanently excluded from the College, then failure of the Respondent to comply with any sanctions or measures will result in the Respondent being subject to any action specified by the Statute Committee to be imposed in this circumstance.

9.14 Where the Statute 52 Committee has decided to impose the penalty of permanent exclusion from the College the Respondent will be required to vacate College accommodation and leave the College immediately, even if the Respondent intends to raise a complaint with an external body.

10. Precautionary Measures

10.1 The Dean of College and the Chair of any Committee established under these Procedures may put into place interim or precautionary measures where necessary for the preservation of good order or the protection of the College community, and may also liaise with the University to initiate the [University's Precautionary Action process](#). The Dean of College and the Chair of any Committee established under this Procedures may consult with the Senior Tutor as to the appropriate measures to put in place.

10.2 While these Procedures are ongoing, a Respondent must not contact or attempt to contact the Reporting Person or any other Respondent(s) or Witness(es), either directly or via another person. Unless a precautionary or interim measure precludes it, Respondents may continue to pursue and complete their studies and graduate, unless the Dean of College or the Chair of any Committee established under these Procedures decides otherwise.

***** END *****