

# Disciplinary Procedures for Breach of the Rules of Behaviour

Pembroke College

14-Oct-2024

## Notes:

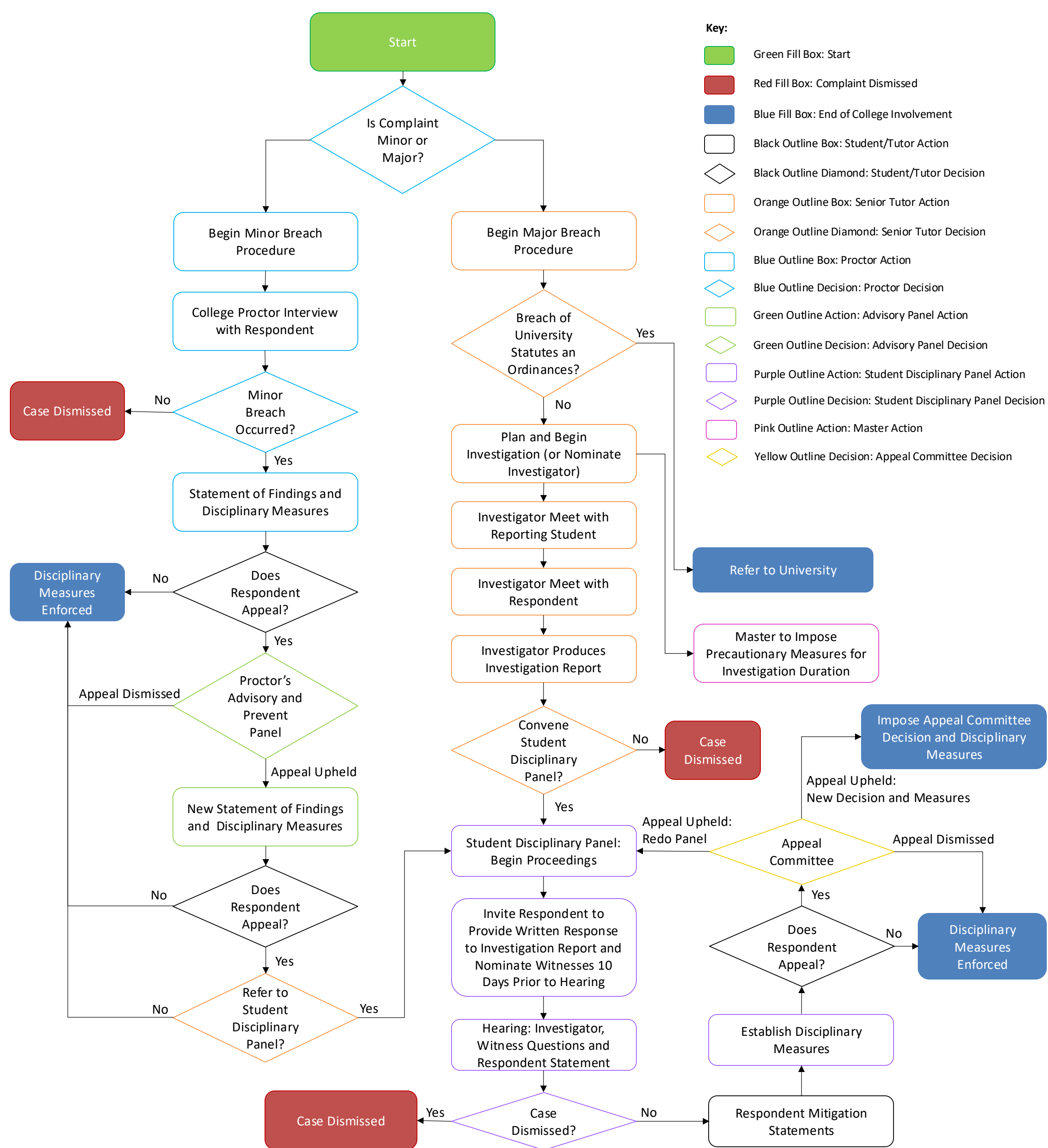
- **These procedures will not initially apply in cases where the Respondent is alleged to have breached the College's Code of Conduct for Harassment and Sexual Misconduct.** In such a case, the College guidance on and procedures for handling cases of harassment and sexual misconduct will apply.
- Complaints of sexual misconduct will, subject to the views of the complainant, normally be directed to the University procedure for responding to harassment and sexual misconduct. Where application of the College guidance on and procedures for handling cases of harassment and sexual misconduct results in a decision being made to subject the Respondent to a disciplinary process by the College, then these procedures apply to determine the process that will apply to the Respondent.

## Minor Disciplinary Measures:

- The College Proctor may propose one or more disciplinary measures, which may include (not limited to):
  - Asking the Respondent's Tutor to address the Respondent's behaviour with the Respondent
  - Requiring the Respondent to take steps to repair any damage caused by their breach of the Rules of Behaviour
  - Requiring the Respondent to engage with their behaviour, or victims of their behaviour, through reparative steps such as a written apology or reflection on their conduct
  - Engaging in training or, via the Respondent's Tutor, counselling to address the causes of their behaviour
  - Up to £250 fine with level being set in accordance with the College fine classification, the amount of damage caused by the Respondent's behaviour, and the individual circumstances of the Respondent's case
  - Imposing a suspended fine on the Respondent which would be imposed if the Respondent subsequently breached the Rules of Behaviour in a similar way
  - Giving the Respondent a written warning that will be placed on the Respondent's record and make more serious any subsequent breach of the Rules of Recognition by the Respondent
  - Referring the Respondent to the Senior Tutor with a view to the College's Fitness to Study procedure being invoked in the Respondent's case.
  - Referring the Respondent to the Senior Tutor if conduct amounts to a major breach of the Rules of Behaviour
- The Respondent will have no right to appeal against a decision made by the College Proctor to refer the Respondent to the Senior Tutor
- In all other cases, the Respondent will have a right to appeal against the College Proctor's decision to the Senior Tutor within 10 days.

## Major Disciplinary Measures:

- In addition to any minor disciplinary measures, the following may be applied:
  - Up to £500 fine
  - Expelling the Respondent from student accommodation either permanently or for a period of time
  - Restricting the Respondent's ability to use certain College facilities (in particular, the Hall and the Library) either permanently or for a period of time
  - Placing restrictions on the Respondent's ability to contact, or come into the vicinity of, certain other members of College
  - Rusticating (suspending) the Respondent from College for a period of time
  - Sending the Respondent down from College (permanent exclusion)
  - Due attention will be paid both to precedent and the particular circumstances of the Respondent's case in determining what is the appropriate measure to take in the Respondent's case.



**Key:**

- Green Fill Box: Start
- Red Fill Box: Complaint Dismissed
- Blue Fill Box: End of College Involvement
- Black Outline Box: Student/Tutor Action
- Black Outline Diamond: Student/Tutor Decision
- Orange Outline Box: Senior Tutor Action
- Orange Outline Diamond: Senior Tutor Decision
- Blue Outline Box: Proctor Action
- Blue Outline Decision: Proctor Decision
- Green Outline Action: Advisory Panel Action
- Green Outline Decision: Advisory Panel Decision
- Purple Outline Action: Student Disciplinary Panel Action
- Purple Outline Decision: Student Disciplinary Panel Decision
- Pink Outline Action: Master Action
- Yellow Outline Decision: Appeal Committee Decision

# Student Harassment and Sexual Misconduct Procedure Flowchart

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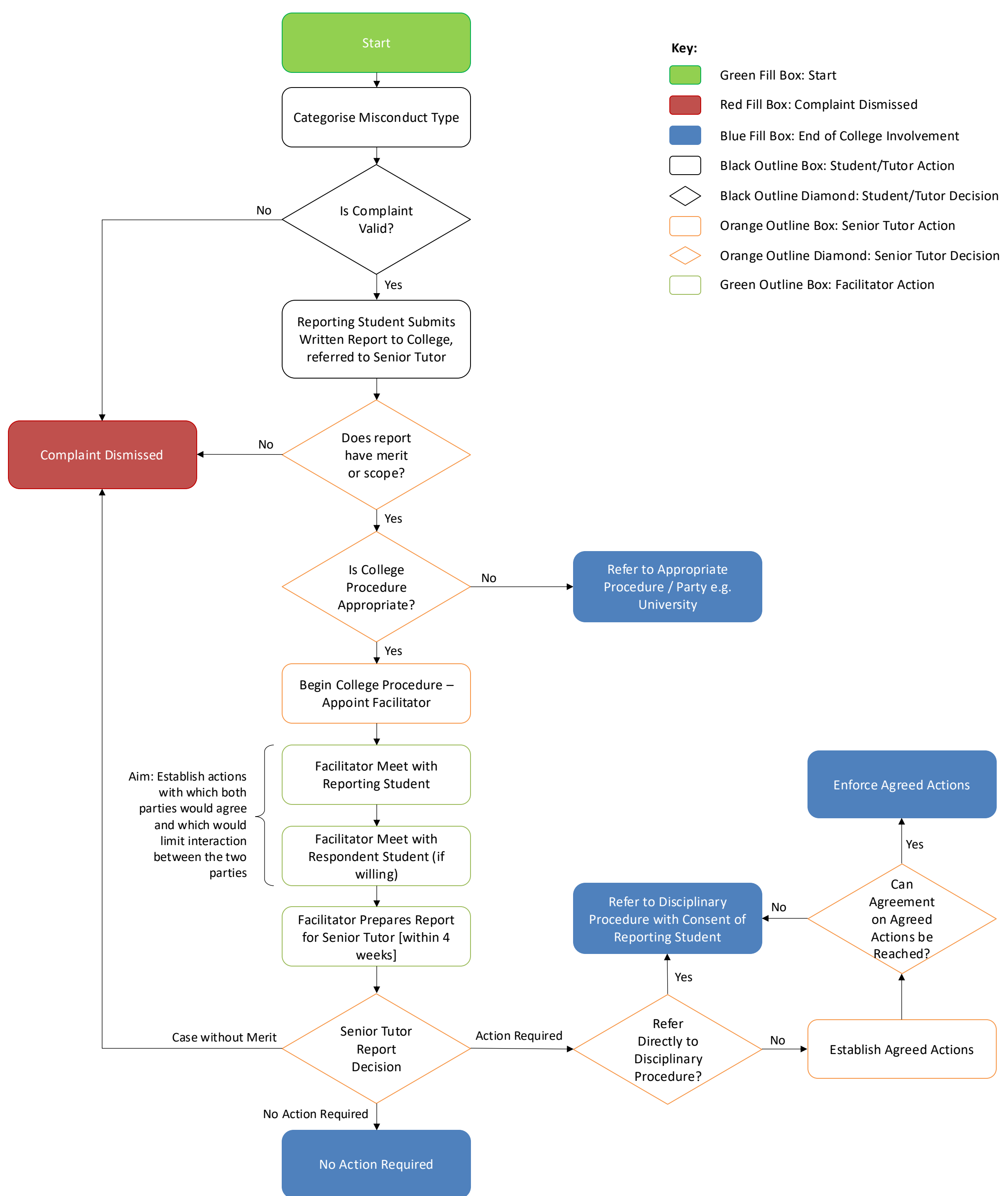
- The Senior Tutor may suspend the consideration of a complaint at any stage of this procedure and/or refer the matter for consideration under another procedure, after consultation with the Reporting Student and the Respondent Student as appropriate.
- Where the events which are the subject of a complaint under this procedure have been reported to the Police, the Senior Tutor will normally suspend the procedure pending the outcome of any police investigation and/or criminal proceedings.
- The Reporting Student may withdraw a report at any time during this procedure, by notifying the Senior Tutor in writing. Where a report is withdrawn no further action will be taken under this procedure, but the Senior Tutor may refer the matter for consideration under another College or University procedure.

## Information Sharing:

- From Appendix B: It should be assumed that any information provided by one student during this procedure shall be shared with the other student. If you have concerns about this, you should seek advice from the Senior Tutor who has discretion to withhold information in exceptional circumstances

## Agreed Actions:

- The Senior Tutor may propose one or more agreed actions, which may include (not limited to):
  - Respondent Student will agree to abide by a conduct agreement issued by the Senior Tutor. This may include an undertaking by the Respondent Student to refrain from contact with the Reporting Student for a specified time period. If agreement breached, breach can be investigated and sanctioned under the College discipline procedures. The agreement may also be considered if a further report is made against the Respondent Student under this procedure
  - Respondent change accommodation
  - With prior approval of relevant University body, Respondent will take a period of intermission from study
  - Respondent will attend behaviour awareness training or workshops
- Both the Reporting Student and the Respondent Student must agree to the proposed agreed actions
- If attempts at reaching agreed actions are unsuccessful, Senior Tutor refers the matter for consideration under the College's disciplinary procedures, with consent of Reporting Student
- If there are grounds to believe that the Respondent Student has failed to comply with the terms of an agreed resolution, the Senior Tutor shall determine whether the matter should be referred for consideration under the College's disciplinary procedures.



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- Green Outline Box: Facilitator Action