Magdalene College Cambridge College Rules

Academic Year 2025-26

Issued by the Governing Body of Magdalene College

In consultation with the JCR and MCR

Registered Charity Number 1137542

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College Rules

The following rules should be read in conjunction with the Guides and the Student Accommodation Handbook, as well as the Accommodation Licence issued to, and signed by, all Students living in College accommodation. In addition, the rules should be understood to fall within the general framework established by the College Statutes. All Students are responsible for familiarising themselves with and following the College Rules. Not knowing or forgetting about the rules or their consequences is not a justification for not following them.

A. General Rules of Behaviour

A1. A Student must

(1) apply themselves diligently to their studies;

(2) comply with any instruction given by an officer of the College, a University officer, or an officer of another College, or by any person authorised to act on behalf of the University or a college, in the proper discharge of his or her duties;

(3) comply with all health and safety regulations and instructions issued by the College or other associated institution;

(4) comply with the terms of the College's Code of Practice on Freedom of Speech, and Annex;

(5) comply with the Statutes and Ordinances of the College and any rules and procedures established under the Statutes and Ordinances as well as obey all orders, rules and regulations as may be made from time to time by the College's Governing Body or by any College Officer duly authorised by that body, whether set out in this document or elsewhere;

(6) if an undergraduate, comply with Exeat requirements;

(7) take responsibility for their guests, including the behaviour of their guests, while on College premises or attending College events.

A2. A Student must not

a. interfere or attempt to interfere in the Activities of the College, or with any member of the College or College employee acting in the pursuit of their studies or in the performance of their duties, whether on College premises or elsewhere;

b. obstruct, or improperly interfere with, the functions, duties or activities of any fellow, Student, member or employee of, or authorised visitor to, the College;

c. damage, misappropriate or occupy without appropriate permission any College property or premises, or any property or premises accessed as a result of or in connection with a College activity;

d. interfere in the freedom of speech or lawful assembly of any member

of the College, Student, fellow, employee or visitor to the College;

e. damage or misappropriate property belonging to a member of the College or University or an employee of the College or University; or belonging to anyone within College grounds or during the course of a University or College activity;

f. endanger the health and safety of anyone within College grounds or elsewhere in the course of a University or College activity;

g. forge, falsify or improperly use information, including where the intention is to gain or attempt to gain a personal advantage, whether that advantage be for themselves or another;

h. use or display abusive or offensive behaviour or language, including verbal, written, digital and online dissemination, including but not limited to publication of the same from or on College premises or elsewhere, or through online social media or mobile phones or apps;

i. engage in fraud, deception or dishonesty, including (but not limited to) in connection with holding any office in a College club or society or in relation to the Activities of the College;

j. commit improper and/or unlawful discrimination against any person;

k. harass any member of the College, Student, employee or visitor, whether physically, in writing, verbally, through a mobile phone or app, online, through social media or otherwise;

l. misuse or make unauthorised use of College or University premises;

m. misuse or make unauthorised use of the College or University computer system, wifi and online services, including accessing prohibited material;

n. misuse or make unauthorised use of material provided to the Student in the context of their studies;

o. engage in misconduct under the College Rules relating to clubs and societies in respect of initiation ceremonies and other prohibited practices;

p. behave in a disorderly or unruly manner, including but not limited to any anti- social conduct resulting from the consumption of alcohol or drugs;

q. engage in conduct which unjustifiably brings the College into disrepute;

r. make false or malicious allegations or representations against another Student, fellow, member or employee of the College or University;

s. as an undergraduate, engage in paid work in Full Term without consent of the Senior Tutor, or if the Senior Tutor is their Tutor, the Deputy Senior Tutor;

t. commit physical misconduct, sexual misconduct, and abusive behaviour,

as defined in the ‘Magdalene College Guidance on, and Procedures for Handling Cases of Physical or Sexual Misconduct, or Abusive Behaviour, Raised by One Student (or Students) about another Student (or Students)’.

A3. Definitions

The following definitions are applied in the College Rules, unless expressly excluded or the context requires otherwise:

Academic Registrar	A member of College staff and head of the College Academic Office.
'Activities of the College'	include academic, administrative, sporting, social, pastoral, religious or other activities in which a Student is participating, including those which involve other third party organisations or individuals working in partnership with the College.
Assistant Dean	A College officer, appointed by the Governing Body from time to time as it considers appropriate, who shall fulfil such of the functions of the Dean, with the powers and duties of the Dean, as shall be agreed between the Dean and Assistant Dean. All references to the Dean in these College Rules, as well as in the College Statutes, Policies and Procedures apply also, as appropriate, to the Assistant Dean.
College Rules	The rules established by the College concerning the conduct of Students, whether set out in this document or elsewhere.
Completion of Procedures letter	A letter that confirms the completion of the College's internal procedures, following which a Student may be able to raise a complaint with the Office of the Independent Adjudicator (OIA)
The College	Magdalene College, Magdalene Street, Cambridge CB3 0AG.
College Activity	An academic, sporting, social, pastoral or cultural activity either on College grounds or elsewhere which is connected to a person's membership of the College.
College's Code of Practice on Freedom of Speech	The College's Code of Practice (and the Annex) required by the Freedom of Speech (Higher Education) Act 2023
College Rules	any rules and procedures established under the Statutes and Ordinances of the College as well as all orders, rules and regulations as may be made from time to time by the College's Governing Body or by any College Officer duly authorised by that body, whether set out in this document or elsewhere
Complainant	A person reporting a breach of the College Rules, under Part F6 below
Dean	The College officer, as constituted by Statute XV of the College Statutes with responsibility for determining whether a breach of the College Rules should be investigated,

	conducting any investigation and determining the action to be taken following the investigation. Where a matter is referred to the Discipline Committee, or to the Meeting of the Tutors, the Dean will present the investigation findings to the Discipline Committee or the Meeting of the Tutors. The Dean may delegate functions of their role.
Discipline Committee	A Discipline Committee shall consist of: (a) A Chair, who shall be experienced in decision-making relating to misconduct, either through legal training or training in relation to Student, staff or professional procedures; and (b) Two Fellows of the College, none of whom have had close involvement with the case. The Discipline Committee will be selected from a Panel appointed by the Governing Body. The Academic Registrar will appoint a Chair, and then appoint the other two members in consultation with the Chair.
Full Term	The periods as defined on the University website: https://www.cam.ac.uk/about-the-university/term-dates-and-calendars
Governing Body	The Governing Body of the College, as constituted by Statute IV of the College Statutes.
Impact Statement	A written statement from a Complainant or Witness that describes the personal impact of an alleged breach of the College Rules.
Instructions issued by any person or body authorised to act on behalf of the University	include but are not limited to requests to attend meetings, to provide identification upon request, and to share primary datasets or data analysis with a supervisor
Master	The Master of the College, as constituted by Statute III of the College Statutes.
Meeting of the Tutors	A meeting of the Tutors of the College as constituted by Statute XI of the College Statutes, not including the Admissions Tutors or the Rooms Tutor. A majority of such Tutors, excluding those on leave of absence under Section 8 of Statute IX, must attend.
President	The President of the College, as constituted by Statute X of the College Statutes.
Respondent	the Student whose conduct is the subject of a potential investigation under one of the procedures in Part F.
Review Committee	A Review Committee shall consist of the Master, a Fellow in Class C and another person selected by the Master from a panel of ten persons appointed annually by the Master

Rustication	A penalty requiring a Respondent, for a specified period of time, to take no part in College or University activities, and (unless normally resident in Cambridge) to leave Cambridge.
Senior Member	A fellow of the College.
Student	A junior member of the College.
Supporter	A person who accompanies a Respondent at a meeting convened under this procedure. Supporters may include the Respondent's tutor, another Student, a Student of another college, a College or University Students' union officer, or a friend.
Term	The periods as defined on the University website: https://www.cam.ac.uk/about-the-university/term-dates-and-calendars
University	The University of Cambridge.

A4. Seriousness of Breach

Any breach of any of the College Rules may be considered more serious if:

a. it took place under the influence of alcohol or illicit substances;

b. it was motivated by the protected characteristics[1] or perceived protected characteristics of another;

c. the Respondent has previously been found to have breached the same Rule;

d. the Respondent has previously not complied with any sanction or measure under the Student Disciplinary Procedure in Part F6;

e. the Respondent has breached precautionary action measures whilst the Student Disciplinary Procedure in Part F6 has been ongoing;

f. the Respondent has not provided the College with sufficient and/or reasonable information upon request including so that it can assess the risk the Respondent may pose to the College community;

g. the Respondent has attempted to conceal or destroy evidence, or coerce or intimidate officers, Complainants or witnesses, or acted dishonestly in the context of proceedings under the Student Disciplinary Procedure in Part F6, in relation to that breach;

h. the Respondent has abused a position of power or trust.

[1] These are listed in the Equality Act 2010 and are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

B. Academic Rules

B1. Examinations

All Students reading for Honours Degrees are required to take the University's prescribed Preliminary, Qualifying and Tripos Examinations. Anyone who fails to obtain Honours, i.e. to be classed or to obtain Honours Standard, in any of these examinations which are Honours examinations, or who fails to be classed in any of these examinations, not being Honours examinations, in which candidates are classed, or who fails to pass in any of these examinations, not being Honours examinations, in which candidates are not classed, shall terminate his or her studies and go out of residence unless the Governing Body in exceptional circumstances (e.g. illness during the examinations) shall decide otherwise.

This rule also applies to failure in College Examinations taken in lieu of University Examinations. **Any decision of the Governing Body to send a Student out of residence following examination failure is subject to the provisions of Statute XXVIII and the accompanying procedure set out in F3. below.**

B2. Academic Responsibilities and the Consequences of Under-performance

Undergraduate attendance at supervisions is compulsory. Anyone who fails to attend a supervision is liable to have a fine charged to their College bill unless a satisfactory note of explanation has been received by the Supervisor in good time (preferably at least 24 hours) before the supervision. A decision as to whether to impose such a fine would be made by the Dean, following the process in Part F6, below. Students must also attend the lectures and other classes given in connection with their courses, in whatever format they are delivered, as recommended, and in the format recommended, by their Director of Studies. Students who fail to engage in their studies to the satisfaction of their Tutor and Directors of Studies will be given guidance on how to improve their performance. **Any failure to improve will be followed by written warnings and may lead to a disciplinary hearing and, in the final event, to expulsion from the College.**

Certain subjects which offer a fourth year course have minimum University standards which must be achieved prior to entering the fourth year. **Undergraduates who do not achieve the standard required by the relevant University Faculty or Department will not be permitted to enter the fourth year and will be required to go out of residence.**

Any decision of the Governing Body to send a Student out of residence, or to impose certain other serious penalties, in consequence of academic under- performance or failure to achieve the minimum University standard which must be achieved prior to entering the fourth year is subject to the provisions of Statute XXVIII and to the applicable accompanying procedures set out in F2. and F4. below.

Students must not engage in academic misconduct in work of any type. Academic misconduct is any action which gains, attempts to gain, or assists others in gaining or attempting to gain unfair academic advantage. It includes plagiarism, collusion, contract cheating, and fabrication of data as well as the possession of unauthorised materials during an examination. It may include the use of Artificial Intelligence tools. If plagiarism or other academic misconduct is detected, whether in supervision work, in dissertations, in examinations or in any other context, disciplinary proceedings may be

pursued, as appropriate, by the College or by the University authorities. Guidance on plagiarism and academic misconduct may be found at www.plagiarism.admin.cam.ac.uk.

B3. Academical Dress

Members of the College must wear a gown in Chapel (unless a surplice is worn), at dinner in Hall and at formal disciplinary meetings. The University regulation regarding academical dress reads:

'Members of the University in statu pupillari shall be required to wear their proper academical dress when attending University ceremonies in the University Church or in the Senate House, and at all other times at which the Vice-Chancellor may by public notice direct that academical dress be worn.'

Enquiries concerning academical dress should be addressed to the Praelector.

B4. Keeping Terms

It is a University requirement that procedure to a degree requires not only that the appropriate examinations be passed, but also that a required number of nights be kept. Accordingly, undergraduate and postgraduate Students must be resident in Cambridge for 59 nights in each of the Michaelmas and Lent Terms and for 52 nights in the Easter Term. Further, only nights of residence during Term may be counted for this purpose. Residence in Cambridge for the whole of Full Term (i.e. the period during which formal teaching normally takes place) fulfils the University's residence requirement. Any person failing to reside for the requisite number of nights is obliged to make up the shortfall by residing for extra nights in Cambridge during those parts of Term which fall outside Full Term.

The dates of both Term and Full Term are available on the University website at: https://www.cam.ac.uk/about-the-university/term-dates-and-calendars.

During Full Term, undergraduates who wish to be absent from Cambridge overnight must first obtain the written permission of their Tutor.

Postgraduates intending to be absent from College for more than one week should inform the Postgraduate Tutors' Assistant, preferably by emailing gradassist@magd.cam.ac.uk.

C. Rules Concerning Residence and College Premises and Facilities

C1. Undergraduate Residence Outside Term

All undergraduate residence outside Term time is conditional upon (a) tutorial consent given by means of a form, (b) the provisions of the Accommodation Licence.

Undergraduates may not come into residence before 2 p.m. on the first day of Term or remain in residence after 10 a.m. on the last day of Term without the written consent of their Tutor. Once granted, such permission should be forwarded to the Accommodation Coordinator. The Accommodation Coordinator will not make room bookings for residence outside this period until tutorial permission has been received from the individual Tutor concerned. That consent will be given only in exceptional circumstances: see rule C3. below.

C2. Students Living Outside College Accommodation

Undergraduates who wish to live in Cambridge otherwise than in College accommodation must obtain the written permission to do so of the Senior Tutor and their own Tutor. All students not living in College accommodation are required to inform the Academic Office of their Cambridge address **no later than the first day of Michaelmas Full Term**. All Students must update their contact details on CamSIS whenever they move residence.

C3. Residence in Vacation

Undergraduates are not permitted to reside in College accommodation during vacation except with the written permission of their Tutor which will be given only in exceptional circumstances. Applications for such a period of residence must be made to the Student's Tutor in writing on a form provided for this purpose. The form must also be countersigned by the Student's Director of Studies if the request is for academic purposes.

The Tutor may receive the form at any time during Full Term, but will not process any request received after the exeat meeting date. Any Student found in residence without tutorial permission may incur a fine and they will also be required to go out of residence immediately. Since rooms in both College and College hostels are used extensively outside of Term for conferences, Students in residence with tutorial permission during vacation may be required to move out of their normal room into alternative College property. All undergraduate residency in vacations is subject to availability of rooms, and undergraduates have no standard entitlement in vacations to the room normally occupied during Term.

Postgraduates are normally entitled to occupy the same room for the whole period of their licence. Postgraduate Students may, however, be required to vacate their rooms in order for necessary repairs and/or redecoration to be undertaken.

Allocation of College accommodation is valid only for one academic year at a time, and there is no entitlement to carry forward occupancy from one year to the next.

During the vacations the College makes extensive use of rooms for conferences

and other visitors. Full details on departure requirements are noted in the Student Accommodation Handbook. The Accommodation Coordinator also issues departure notice procedures before the end of each Term. Any Student failing to clear their room in the appropriate manner at the end of each Term will be liable to have their possessions removed and may be subject to a charge to their College Bill. Rule D6 makes provision in relation to the imposition of charges. Once a Student room has been vacated, the College may take photographs of the room. In extreme circumstances the Dean may also impose a penalty of a reduction by up to 25 room ballot places in the next room ballot draw. Any decision to impose a penalty of reduction of ballot places will be taken under the mechanism in the Informal Dean Investigation and Sanction Track, or the Formal Dean Investigation and Sanction Track, under Part F6 below.

C4. Parties

Students wishing to hold parties in College (whether indoors or in the College grounds), or in College-owned accommodation outside College, are required to obtain the Dean's permission in advance. For this purpose, the Dean should be contacted through the Head Porter who may permit smaller parties directly. A party is defined as a gathering of eight or more people for the primary objective of socialising. Students should also seek permission when in doubt. Moreover, Students should also seek permission for smaller gatherings when they foresee a risk of a smaller event becoming a party after it starts, due to more people arriving over time. If permission has not been obtained, then it will be necessary to turn people away to prevent the event from becoming a party. Public rooms in College may not be booked for parties until permission has been obtained.

Where permission is granted a deposit may be required to be paid. In granting permission, the Dean (or the Head Porter, as the case may be) may impose limits upon the number of guests and the duration of the party, and may require that the organisers arrange, at their own expense, for a College porter to attend.

Permission for a party to continue later than midnight will normally be refused. Students organising parties are responsible for the behaviour of those attending the party (including any who were not invited), and for clearing up afterwards to the satisfaction of the Housekeeping Manager or the Head Gardener (as applicable).

Failure to clear up, or causing damage to College property, may result in forfeiture of the deposit. In addition, breach of any of the above provisions, or of any condition imposed by the Dean (or Head Porter) in granting permission to hold a party, may lead to disciplinary action and may also result in permission being withheld in relation to future parties proposed by the same organiser or organisers (whether personally or on behalf of a club or society).

Consideration must be shown to neighbours, and the organisers of parties which might disturb non-members of the College, including parties held in accommodation not owned by the College, are reminded of their obligation under rule A2.(q) above not to engage in conduct which unjustifiably brings the College's reputation into disrepute.

Students are responsible for the behaviour of the guests they admit to College.

Students wishing to barbecue in the College grounds, whether or not as part of a party, are required to obtain the Head Porter's permission in advance.

C5. Bicycles and Scooters (including e-bikes and e-scooters)

Bicycles or scooters must not be ridden anywhere in College nor wheeled through the College gardens. No bicycle or scooter may be brought into First or Second Court, or stored in rooms, staircases, corridors or College hostels. Mobility scooters are permitted and the Assistant Bursar may make other exceptions if requested by a Student.

Bicycles and scooters must be parked neatly in designated College bicycle parks; they must not be parked in Magdalene Street.

C6. Vehicles – Cars and Motorcycles

Students are not permitted to keep cars or motorcycles in Cambridge unless they have obtained, through their Tutor, a special University licence. This procedure is administered by the Head Porter. It is prohibited for a Student to park a motor vehicle on College property at any time. Students found in breach of this rule are liable to incur a fine imposed by the Senior Proctor.

C7. Vehicles – Drones

The use of unmanned aerial vehicles (commonly referred to as 'drones') is prohibited on College property. This prohibition is not limited to cases in which a controller on College property flies a drone over College property, but extends to cases in which a drone is flown over College property by a controller who is not on College property.

C8. College Lawns

Students must not walk on the grass in the College Courts, except Benson Court 'beach' during the summer months (although gatherings on the 'beach' are not permitted during the examination period). Games are also prohibited in the College Courts and Gardens with the exception of croquet in the Fellows' Garden and Scholars' Garden which is permitted after the end of summer examinations.

C9. Animals in College

Students must not bring animals into residence without the prior written permission of the Head Porter. Students wishing to bring assistance animals or emotional support animals into residence should consult the Assistant Bursar in the first instance before the animal is brought into residence.

C10. Fire Precautions

All rooms are furnished with a printed notice setting out the action to be taken in the event of fire. These must not be removed or obscured. It is prohibited to tamper with, adjust, cover or remove fire extinguishers and other fire-prevention, fire-detection, or fire-fighting equipment. Such conduct constitutes a threat to the lives of members of the College and to the safety of the College buildings. A fine may be levied on anyone improperly discharging a fire extinguisher (in addition to the cost of refilling it), or otherwise tampering with any fire equipment. Oil-heaters, portable gas-heaters, candles, shisha or hookah pipes, incense burners/sticks, and Students' own electrical heaters are not allowed because of fire-risk. Further details can be found in the Accommodation Handbook. Rules governing the use of all electrical equipment are set out in the Guides. Each fire escape route is clearly signed. Escape routes, corridors and hallways must be kept clear of all obstructions. All fire doors must be kept closed and never wedged open.

C11. Cooking in College Rooms

The use of electrical cooking equipment is strictly prohibited in College rooms because of the risk of fire as well as the likelihood of damage to decoration and furnishings. A fine may be levied on anyone found cooking, including the use of a toaster, in their room. Where the student accommodation is a flat, cooking and use of electrical cooking equipment must be confined to the kitchen/gyp. Electric kettles or coffee machines are permitted provided they have undergone portable appliance testing (PAT) at least once a year and are labelled to indicate the testing date and that safety checks have been passed.

C12. Care for Rooms and Furniture

Students are required to keep their rooms clean and maintain them in good order, in accordance with the terms of the Accommodation Licence.

C13. Posters, Leaflets and Notices

No posters, leaflets or notices may be displayed within the College without the prior permission of the Head Porter. Subject to considerations of space, permission to display materials on notice boards will normally be refused only where the material sought to be displayed is unlawful or may lead to unlawful behaviour, or where permitting its display may amount to a breach of any duty imposed upon the College by law. Students are permitted to display posters, etc. within their own Student room or flat using the notice boards provided, but must keep the windows completely clear of posters, leaflets, decorations, flags or other items. This includes items hung from windows, or otherwise displayed on or against the outside walls of Student rooms or flats. No blanket pigeonholing may take place without the prior permission of the Head Porter. Flyers may be placed in the Porters' Lodge for a period of a week.

C14. Use of College Computing Facilities

College computing facilities are connected to the outside world through the University Network. Those using College facilities (even if accessed via their own computer) are required to obey not only the College Rules concerning use of College computing facilities established under Governing Body authority from time to time (as delegated, for example, to the Chair of the Information Technology Committee and the College Head of IT) but also to observe University Regulations as formulated by the Information Technology Syndicate. The College has appointed the Dean as the College-authorised Officer under IT Syndicate rules.

As a general principle, the College rules for the use of computer facilities forbid any practice forbidden by the University. These rules also apply to the use of personal computers connected to the University network via the College Local Area Network (CLAN).

The Information Technology (IT) Committee, on the advice of the College Head of IT, may suspend any member responsible for breaches of College Computer Regulations for a period not exceeding two weeks in the first instance. The IT Committee may refer any apparent breach of College or University regulations to the Dean as College-authorised officer under IT University Syndicate Rules. The Dean shall have power to withdraw access to the CLAN for a Term, to fine the member or members concerned in accordance with IT Syndicate and College Rules, and to require financial restitution. The Dean's investigation will be in the Informal Dean Investigation and Sanction Track, or the Formal Dean Investigation and Sanction Track.

Where appropriate the Dean shall also have power to refer the matter to the IT Syndicate or the College Governing Body in the case of serious breaches. Appeal against the Dean's finding of a breach of University IT Syndicate rules shall be to the IT Syndicate, and against a finding of a breach of College Rules, to the Discipline Committee.

Please refer to the Computer Facilities Guide issued by the College IT Department for further details.

C15. Smoking

In compliance with the Health Act 2006 and the Smoke-free (Premises and Enforcement) Regulations 2006, Magdalene College has a Smoke Free Policy. In summary, smoking (including of e-cigarettes and shisha or hookah pipes) is not permitted in any College building at any time. Smoking is permitted in designated outside areas only, as described in the policy. Students must not smoke, or have lit cigarettes, anywhere outside the designated outside smoking areas.

C16. Students Studying on a Student Visa

Students subject to the Student visa controls of UK Visas and Immigration are required to visit the Academic Office in the first week of residence to have their passport and visa scanned. Such Students will also be asked to sign a document to confirm that they are in residence and must make additional further contact at agreed times at the beginning of every Term.

Students on a Student visa intending to be absent from College for one week or more must inform the Tutorial Administrator in the Academic Office in advance.

C17. Noise

The College designates the hours between midnight and 7 a.m. as 'silent hours'. During these hours noise is strictly prohibited, audio equipment and musical instruments are not to be used (unless sound is fully contained via the use of headphones or permission is obtained from the Dean and the Senior Tutor).

C18. The Examination Period

During the period of closure of College during the Easter Term due to examinations, Students must make particular effort to remain quiet. Noisy celebrations of finishing exams are not permitted in College during this period.

C19. Gym Facilities

Students must not make use of the College's gym facilities without completing induction as required by the Head Porter.

C20. Punts

Students must not borrow a College punt and then provide it to non-members of College without themselves being present in the punt.

C.21 Library

Students must comply with the Library Code of Conduct, including (but not limited to) not admitting non-members of College into the College Library.

D. Financial Rules

D1. Payment of Fees and Presentation for Degrees etc

All Students who are self-financing are required to pay their course fees in full no later than the first day of each academic year. In exceptional circumstances, the College may permit termly payments which must be made by the first day of each term or within seven calendar days of receiving the fees bill, whichever is the later. Term dates are listed on the University website.

The College reserves the right, after consideration of the circumstances of the matter, to decline to present, whether in person or at all, for any degree, diploma or other qualification any Student who is in debt to the College in relation to tuition fees.

The decision to decline to present (whether in person or at all) a student in such circumstances is to be exercised by the Assistant Bursar. Before making such a decision, the Assistant Bursar will write to the Student, no less than four weeks before a proposed presentation for a degree, saying that the College is considering not presenting the Student for a degree (whether in person or at all). The Student would be given a period of not less than 7 calendar days to make representations in writing as to the matter. The circumstances that the College will consider include (as relevant): the nature of the debt; its size; the reason for non-payment; the reasonable practicability of its payment by the Student, or on their behalf; the likely damage to the Student from non-presentation (whether in person or at all); the likely efficacy of alternative, less damaging sanctions. The Assistant Bursar should make their decision within a reasonable time, usually within 7 calendar days of the deadline for the Student to make representations. If the Assistant Bursar decides that the College should not present a Student (whether in person or at all), the Student has a right of appeal to the Dean within 7 calendar days of the Assistant Bursar's decision, on the grounds:

(a) The decision of the Assistant Bursar is procedurally unfair, including on the basis that they were biased or might be perceived to be biased;

(b) The Student is not in debt to the College, or not to the extent or in relation to the matters determined by the Assistant Bursar;

(c) The decision of the Assistant Bursar is unreasonable.

If upholding the appeal, the Dean may remit the matter to be determined again by the Assistant Bursar, or decide that the Student will be presented (whether in person or at all).

For the avoidance of doubt, a decision under this Rule can be taken without following the Student Disciplinary Procedure in Part F6.

D2. Payment of College Bills and Presentation for Degrees etc

College bills are issued by the College Office at the start of each term and detail the costs and charges for the coming term such as room rent (including heat and light charges, internet charges and contribution to College catering facilities), together with any sundries for the previous term (such as meal charges, fines for lost keys, etc). College bills must be settled by the middle of each Term. Charges and details can be found in the Guides.

Postgraduates are permitted to settle their College bill in three instalments. The person from whom bills are sent must be notified that you have chosen this option. The first payment must be made by the bill due date and the final instalment by the last day of the month prior to the next College bill being issued.

If a Student's College bill payment is more than 14 calendar days overdue, interest will be charged in line with the Bank of England's rate for each calendar day the payment is outstanding. The maximum charge is £100, and no charge will exceed the outstanding College bill balance.

Any Student who thinks they will not be able to settle their bill by the relevant due date should contact their Tutor as soon as possible and definitely before the bill due date.

The College reserves the right, after consideration of the circumstances of the matter, to decline to present in person for any degree, diploma or other qualification any Student who is in debt to the College other than in relation to tuition fees. The decision to decline to present in person a student in such circumstances is to be exercised by the Assistant Bursar. Before making such a decision, the Assistant Bursar will write to the Student, no less than four weeks before a proposed presentation for a degree, saying that the College is considering not presenting the Student for a degree in person. The Student would be given a period of not less than 7 calendar days to make representations in writing as to the matter. The circumstances that the College will consider include (as relevant): the nature of the debt; its size; the reason for non-payment; the reasonable practicability of its payment by the Student, or on their behalf; the likely damage to the Student from non-presentation in person; the likely efficacy of alternative, less damaging sanctions. The Assistant Bursar should make their decision within a reasonable time, usually within 7 calendar days of the deadline for the Student to make representations. If the Assistant Bursar decides that the College should not present a Student in person, the Student has a right of appeal to the Dean within 7 calendar days of the Assistant Bursar's decision, on the grounds:

(a) The decision of the Assistant Bursar is procedurally unfair, including on the basis that they were biased or might be perceived to be biased;

(b) The Student is not in debt to the College, or not to the extent or in relation to the matters determined by the Assistant Bursar;

(c) The decision of the Assistant Bursar is unreasonable.

If upholding the appeal, the Dean may remit the matter to be determined again by the Assistant Bursar, or decide that the Student will be presented (whether in person or at all).

For the avoidance of doubt, a decision under this Rule can be taken without following the Student Disciplinary Procedure in Part F6.

The College also reserves the right, after consideration of the circumstances, to withhold the provision of service(s) to which College bill debts relate, including the termination of an Accommodation Licence and ultimate removal from College residential accommodation in respect of unpaid accommodation rent. Before making such a decision, the Assistant Bursar will write to the Student, saying that the College is considering withholding the provision of service(s) to which the College bill debts relate.

The Student would be given a period of not less than 7 calendar days to make representations in writing as to the matter. The circumstances that the College will consider in reaching a decision as to withholding the provision of service(s) include the nature of the debt; its size; the reason for non-payment; the reasonable practicability of its payment by the Student, or on their behalf; the likely damage to the Student from withholding the provision of service(s); and the likely efficacy of alternative, less damaging measures. The Assistant Bursar should make their decision within a reasonable time, usually within 7 calendar days of the deadline for the Student to make representations. If the Assistant Bursar decides that the College should withhold the provision of service(s), the Student has a right of appeal to the Dean to be exercised within 7 calendar days of the Assistant Bursar's decision, on the grounds:

(a) The decision of the Assistant Bursar is procedurally unfair, including on the basis that they were biased or might be perceived to be biased;

(b) The Student is not in debt to the College, or not to the extent considered by the Assistant Bursar;

(c) The decision of the Assistant Bursar is unreasonable.

If upholding the appeal, the Dean may remit the matter to be determined again by the Assistant Bursar, or decide that any, or fewer, of the services will not be withheld.

For the avoidance of doubt, a decision under this Rule can be taken without following the Student Disciplinary Procedure in Part F6.

D3. Caution Money

All Students are required to pay a deposit to the College of £300. This is known as 'caution money' and is held by the College until Students are eligible to graduate, or leave College, whichever is the later. The College reserves the right to deduct any amounts owed to the College from the caution money before refunding any balance to the Student. Under normal circumstances, caution money (after deduction of any amounts outstanding) will be repaid no later than the start of the following term.

D4. Insurance of Personal Goods

Students are advised to take out private insurance for any personal goods or valuable property which they intend to keep in their College accommodation. The College accepts no responsibility or liability for the safety of such possessions either in Term or in vacations, whether they are left in rooms or transferred to College storerooms.

D5. Establishment Charge

Included in the Student room rent for Students living in College accommodation is a contribution towards the costs of College catering facilities. All Students who do not live in College accommodation are subject to a termly Establishment Charge which contributes to the maintenance and overheads of the College Kitchens, Buttery and Bar, and allows the College to subsidise significantly the cost of meals taken in College. The charge is paid regardless of the number of meals taken in College. In certain special circumstances, the Tutor concerned may permit a rebate of the Establishment Charge as set out on the College's intranet.

D6. Other Charges

The College reserves the right to impose a charge for the following:

- failure to leave a room in an acceptable condition
- damage caused to a room or its contents
- staying in a room during the vacation period without Tutor's approval (undergraduates only)
- staying in College in the vacation, outside of the nights granted by College (undergraduates only)
- failing to clear a room as required at the end of each Term

The value of any charge is determined by the Assistant Bursar and will be based upon costs incurred to rectify damage, staff costs and any other costs to return accommodation as it was found. Before deciding to impose such a charge, the Assistant Bursar will inform the Student that they are considering imposing a charge, and giving the Student a period of not less than 7 calendar days to respond. The Assistant Bursar is to make a decision within a reasonable time, usually within 7 calendar days of the deadline for the Student's representations. If the Assistant Bursar nevertheless decides to impose such a charge, there is a right of appeal to the Dean, to be exercised within 7 calendar days of the Assistant Bursar's decision, on the grounds:

(a) The decision of the Assistant Bursar is procedurally unfair, including on the basis that they were biased or might be perceived to be biased;

(b) The decision of the Assistant Bursar is unreasonable.

If upholding the appeal, the Dean may decide that no charge, or a lesser charge, be imposed upon the Student.

For the avoidance of doubt, a decision under this Rule can be taken without following the Student Disciplinary Procedure in Part F6. However, if considered appropriate (for instance, if the damage appears to be deliberate), the Assistant Bursar may refer the matter to the Dean to be considered under Part F6.

Once a Student room has been vacated, the College may take photographs of the room.

E. Meetings and Freedom of Speech

E1. Code of Practice on Freedom of Speech

The College has a Code of Practice on Freedom of Speech, available on the College's website. This Code of Practice sets out the College's commitment to freedom of speech, outlines the various legislative frameworks under which such freedoms must be upheld and may be circumscribed, and summarises the procedures used by the College to manage these issues.

Nothing in these College Rules should be read as undermining or conflicting with the Code of Practice on Freedom of Speech; and in case of any conflict the Code of Practice on Freedom of Speech will take precedence.

E2. Free Speech Complaints Scheme

The Office for Students (OfS) operates a free speech complaints scheme. Under that scheme, the OfS can review complaints about free speech from staff, applicants for academic posts and (actual or invited) visiting speakers. Information about the complaints that the OfS can review is available on its website. Students wishing to complain about freedom of speech can complain to the Office of the Independent Adjudicator; further information is available here: https://www.oiahe.org.uk/students/how-to-complain-to-us/

F. Statutes and Procedures Relating to Discipline of Students of the College

F1. Statute XXVIII (as amended by the Higher Education Act 2004) Discipline of Members in statu pupillari (registered Students)

Students' attention is drawn to Statute XXVIII of the College Statutes, available here: https://www.magd.cam.ac.uk/system/files/2019-06/statutes_of_magdalene_college.pdf

F2. Academic Underperformance

Procedure to be adopted in the case of academic underperformance by undergraduate members of the College, which may result in the penalty of final removal from the College, rustication, or deprivation of privileges and emoluments.
The following procedure is subject to, and should be read in the light of, the relevant provisions of Statute XXVIII ('Discipline of Members in statu pupillari'). The procedure is concerned with academic underperformance on the part of undergraduate members of the College following taught courses. Other matters (including examination failure, and failure to obtain the standard required in certain subjects to proceed to a fourth year of study) falling within Statute XXVIII are governed by separate procedures.

Students' attention is drawn particularly to sections 1-2 of Statute XXVIII of the College Statutes, available here:
https://www.magd.cam.ac.uk/system/files/2019-06/statutes_of_magdalene_college.pdf

Students' attention is drawn to Rule B2, set out above.

1. Scope of this procedure

This procedure applies to cases in which undergraduate members of the College fail to engage in their studies to the satisfaction of their Director of Studies and Tutor. It does not include failure to obtain the standard required by the University in certain subjects to proceed to a fourth year of study. Unsatisfactory performance ('academic underperformance') may include (but is not limited to):

a. poor attendance at lectures;

b. poor attendance at or poor performance in supervisions or seminars, in practical classes, or during fieldwork;

c. failure to submit work of a sufficient standard in relation to any of the above specified teaching activities whether College or University organised;

2. Initial informal guidance

In cases in which they consider that there is prima facie evidence of academic underperformance the Student's Tutor and Director of Studies will hold an informal meeting or meetings with the Student. The purpose of the meeting or meetings is:

I. to remind the Student of Rule B2;

II. to explain the concerns of the Tutor and Director of Studies to the Student;

III. to ascertain the Student's response to those concerns; and

IV. to give the Student encouragement and guidance, and to attempt to help the Student rectify any problems in an informal manner.

If it becomes apparent at this meeting that there are questions concerning the Student's fitness to study falling within the scope of the procedure to be adopted in cases in which there are concerns about the fitness to study of members of the College in statu pupillari, the provisions of the fitness to study policy shall be followed, and not the provisions of this procedure.

3. First formal warning

If, following the provision of encouragement, guidance, and help in accordance with clause 2 above, further evidence of academic underperformance is received by the Student's Tutor or Director of Studies, the Tutor and Director of Studies shall jointly send the Student a formal written warning. This written warning shall:

I. draw the Student's attention to Rule B2;

II. set out the facts which have led to the warning being issued;

III. make clear that a continuing breach of Rule B2 may lead to the penalty of final removal from the College, despite the Student having failed no examination, or to the penalty of rustication, and/or deprivation of privileges and emoluments; and

IV. invite the Student to respond to the warning at an interview with the Tutor and Director of Studies.

4. Second formal warning

If, following the issue of the first formal written warning as specified in clause 3 above, there is evidence of continuing or further academic underperformance, the Student's Tutor and Director of Studies shall jointly send the Student a second formal written warning. This written warning shall:

I. set out the facts which have led to the warning being issued;

II. make clear that a further or continuing breach of Rule B2 will result in the matter being referred to a Meeting of the Tutors, which will be asked to consider making a recommendation to the Governing Body that the Student be finally removed from the College, rusticated, and/or deprived of privileges and emoluments;

III. invite the Student to respond to the warning at an interview with the Tutor and Director of Studies.

5. Consideration of the case by the Tutors

5.1 Where any case of academic underperformance is referred to a Meeting of the Tutors (the Tutors' Meeting) to decide a recommendation to the Governing Body under Statute XXVIII.3 of the College Statutes, the Academic Registrar shall act as Secretary to the Tutors' Meeting, of which the Tutor of the Student (referred to below as the Respondent) shall not be a member.

5.2 Within a reasonable time of receiving the referral of the case, the Secretary of the

Tutors' Meeting shall set a date for the meeting either physically or virtually, with the Respondent to be contacted usually within 7 calendar days of the referral with a proposed date for the Meeting. The Secretary of the Meeting will communicate the membership of the meeting, the date, time and location of the meeting to the Tutors (including the Respondent's Tutor), the Respondent and the Respondent's Director of Studies. The meeting shall be chaired by the Senior Tutor, or, if the Senior Tutor is the Respondent's Tutor, by the Deputy Senior Tutor.

5.3 The Tutors' Meeting may be advised by a clerk who shall be experienced in decision-making relating to misconduct, either through legal training or training in relation to Student, staff or professional procedures.

5.4 The Respondent shall have an opportunity to provide a written statement and be invited to attend the Tutors' Meeting with a Supporter of their choice. Prior to the meeting, the person attending must confirm (a) if they are bringing a Supporter and, if so, (b) the Supporter's first and last name. Any statement or request from the Respondent to call witnesses must be provided at least 4 calendar days before the date of the Tutors' Meeting. A request to call a witness will be considered promptly by the Chair, who shall determine whether to permit the witness to attend or provide evidence in an alternative format as outlined in 5.8 of this procedure. The starting-point is that witnesses will generally not attend in person, however, the discretion to allow a witness to attend will be the Chair's. Where the Respondent is dissatisfied with the Chair's decision, the Respondent can appeal this decision to the Review Committee following the Governing Body's decision. A Respondent who wishes to admit the alleged academic under-performance in advance of the Tutors' Meeting may do so in a written statement, in which case the Meeting may focus only on what recommendation to make.

5.5 Respondents should attend the Tutors' Meeting in person, where possible. However, where this is impractical, for example, where the Respondent is in another country, the Respondent may attend by video link. If the Respondent is unable to attend the Tutors' Meeting, either in person or by video link, but 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 may be re-arranged. Where the Chair considers that it is appropriate in the circumstances to do so, the Tutors' Meeting may proceed in the Respondent's absence. The Respondent will be provided with an opportunity to comment on proceeding on this basis prior to the Chair reaching any confirmed decision.

5.6 The Tutors' Meeting, the Respondent's Tutor and Director of Studies, and the Respondent, shall receive a written statement by the Respondent's Tutor, a written statement by the Respondent's Director of Studies, the formal written warnings, all the written evidence compiled at the earlier stages of this procedure, and any written statement provided by the Respondent, at least 4 calendar days before the Tutors' Meeting.

5.7 During the Tutors' Meeting, there shall be the opportunity for the members of the Meeting to ask questions of the Respondent's Tutor and Director of Studies, of any witnesses, and of the Respondent. The Respondent (or the Respondent's Supporter), the Respondent's Tutor and the Respondent's Director of Studies will also have the opportunity to ask questions of each other, and of any witnesses. The Respondent shall have the opportunity to make a final statement.

5.8 Where the Respondent wishes to challenge any of the evidence, the Chair of the Meeting will determine the most appropriate format for this. Appropriate formats

may include those who gave evidence attending the Tutors' Meeting in person or by video link, or the Respondent providing questions to the Chair, to put to the witness. Alternatively, the Respondent may be asked to explain the precise challenges to the evidence and, where the Chair of the Meeting considers those challenges material to the Tutors' Meeting's decision, a further written response will be sought from those who gave evidence. If there is a substantial disagreement as to a matter of fact, the person who provided evidence as to that matter will generally be expected to attend, and the Respondent permitted to put questions to that person (either directly or through the Chair). If that person does not attend, then only exceptionally will the Chair consider it fair for that person's evidence to be taken into account, bearing in mind the necessity of fairness to the Respondent. The Tutors' Meeting may be adjourned by the Meeting to request further information or where the Chair otherwise deems it appropriate in the circumstances to do so.

5.9 Once the Tutors' Meeting is satisfied that it has received all of the information which it requires, the Respondent (or the Respondent's Supporter) shall have the opportunity to make a final statement. All persons except for the Tutors, the Secretary and any clerk shall withdraw. Any clerk will remain to provide advice, but will not take part in the decision.

5.10 The Tutors' Meeting shall consider all the information that has been provided and reach one of the following decisions:

a) To dismiss the case;

b) To find that there has been a breach of the College Rules concerning academic underperformance.

5.11 Where the Tutors' Meeting has found that there has been a breach of the College Rules, the Secretary shall inform the Meeting of any previous breaches of the College Rules concerning academic underperformance. The Respondent (and any Supporter), and the Respondent's Tutor and Director of Studies, will be invited back into the meeting and the Respondent (or the Respondent's Supporter) will have the opportunity to make a further statement in relation to mitigation regarding the breach of the College Rules and any previous breaches of the College Rules concerning academic underperformance. The Student's Tutor and Director of Studies may provide further information and the Tutors may ask questions. The Respondent (or the Respondent's Supporter) shall have the opportunity to make a final statement.

5.12 The meeting will end after the Respondent (or the Respondent's Supporter) makes their final statement. The Tutors' Meeting will then consider a recommendation to the Governing Body as to the imposition of sanctions or measures, including whether the penalty of final removal from the College, rustication or deprivation of privileges and emoluments should be imposed.

5.13 In deciding upon the appropriate recommendation the Tutors' Meeting shall consider each possible recommendation in turn and record the reasons for the recommendation decided upon.

5.14 The Secretary of the Tutors' Meeting, within a reasonable time (usually 14 calendar days of the meeting), shall provide to the Respondent, and to the Respondent's Tutor and Director of Studies, a written document explaining the Tutors' Meeting's decision and the reasons for the decision. The minutes of the

Tutor's Meeting will be shared with the Respondent, and with the Respondent's Tutor and Director of Studies, within 14 calendar days of the meeting.

6. Governing Body consideration

6.1 Where any case of academic underperformance has been referred to a Meeting of the Tutors (the Tutors' Meeting) to decide a recommendation to the Governing Body under Statute XXVIII.3 of the College Statutes, the Governing Body, at a meeting held within a reasonable time of the Tutors' Recommendation and reasons being provided to the Respondent, in the absence of the Master and being quorate in accordance with Statute IV.8 of the College Statutes, shall consider the Tutors' recommendation. The meeting shall be chaired by the President, or, in the President's absence by the senior fellow present in accordance with Statute IV.4 of the College Statutes.

6.2 The Senior Bursar will communicate the date, time and location of the meeting to the members of the Governing Body, the Tutors (including the Respondent's Tutor), the Respondent's Director of Studies, and the Respondent.

6.3 The Governing Body may be advised by a clerk who shall be experienced in decision-making relating to misconduct, either through legal training or training in relation to Student, staff or professional procedures.

6.4 The Respondent shall have an opportunity to provide a written statement and be invited to attend the Governing Body meeting with a Supporter of their choice. Prior to the meeting, the person attending must confirm (a) if they are bringing a Supporter and, if so, (b) the Supporter's first and last name.

6.5 Respondents should attend the Governing Body meeting in person, where possible. However, where this is impractical, for example, where the Respondent is in another country, the Respondent may attend by video link. If the Respondent is unable to attend the Governing Body meeting, either in person or by video link, but 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 may be re-arranged. Where the Chair considers that it is appropriate in the circumstances to do so, the Governing Body meeting may proceed in the Respondent's absence. The Respondent will be provided with an opportunity to comment on proceeding on this basis prior to the Chair reaching any confirmed decision.

6.6 The Governing Body, the Respondent, and the Respondent's Tutor and Director of Studies, shall receive a copy of all the papers prepared at earlier stages of this procedure, at least 7 calendar days before the Governing Body meeting.

6.7 During the Governing Body meeting, there shall be the opportunity for members of Governing Body to ask questions of the Tutors (including the Respondent's Tutor), the Respondent's Director of Studies and, if in attendance, the Respondent. The Respondent (or the Respondent's Supporter), the Respondent's Tutor and Director of Studies shall also have the opportunity to ask questions of each other.

6.8 The Respondent shall have the opportunity to make a final statement.

6.9 It will not normally be necessary for the persons who gave evidence at earlier stages of this procedure to attend the meeting as their evidence will be provided in the papers. Where the Respondent wishes to challenge any of the evidence, the

Chair will determine the most appropriate format for this. Appropriate formats may include those who gave evidence attending the Governing Body meeting in person or by video link, or questions being directed through the Chair. Alternatively, the Respondent may be asked to explain the precise challenges to the evidence and, where the Chair considers those challenges material to the Governing Body's decision, a further written response will be sought from those who gave evidence. If there is a substantial disagreement as to a matter of fact, a person who provided evidence on this matter contradicting the evidence of the Respondent will generally be expected to attend, and the Respondent permitted to put questions to that person (either directly or through the Chair). If that person does not attend, then the Chair must consider whether it is fair to consider that person's evidence, bearing in mind the necessity of fairness to the Respondent. The Governing Body may adjourn the meeting to request further information or where the Chair otherwise deems it appropriate in the circumstances to do so.

6.10 Once the Governing Body is satisfied that it has received all of the information which it requires, the Tutors (including the Respondent's Tutor), the Respondent's Director of Studies, the Respondent and the Respondent's Supporter shall withdraw. The Governing Body shall then consider all the information that has been provided and decide, by a majority of members present and voting:

a) To impose no sanctions or measures;

b) To impose one or more of the following sanctions or measures: (i) final removal from the College, (ii) rustication, (iii) deprivation of privileges and emoluments;

c) In addition, or in the alternative, to impose such lesser sanctions or measures set out in para. 10.13 of Part F6 as the Governing Body shall see fit.

6.11 In making its decision the Governing Body shall consider each possible recommendation in turn and record the reasons for the decision reached. The Governing Body, where it considers it appropriate, may impose a sanction or measure more serious than that recommended by the Meeting of the Tutors.

6.12 The Senior Bursar, within a reasonable time (usually 7 calendar days of the meeting), shall provide to the Respondent, and the Respondent's Tutor and Director of Studies, a written document explaining the Governing Body's decision and the reasons for the decision.

7 The Review Committee

7.1 In accordance with Statute XXVIII.5 of the College Statutes and this procedure, the Respondent shall have the right to appeal the decision of the Governing Body within 14 calendar days of receiving the written decision. The Academic Registrar shall act as Secretary to the Review Committee.

7.2 The Review Committee shall consist of the Master, a Fellow in Class C and another person selected by the Master from a panel of ten persons appointed annually by the Master, none of whom have had close involvement with the case.

7.3 The Review Committee may be advised by a clerk who shall be experienced in decision-making relating to misconduct, either through legal training or training in relation to Student, staff or professional procedures.

7.4 The Master, as Chair of the Review Committee, has the authority to extend the appeal deadline, where there is a compelling reason to do so. Any application to extend time shall be made in writing to the Secretary to the Review Committee by the Respondent as soon as possible. Any delay in making the application to extend time is a factor which may be taken into account by the Review Committee. If time is not extended and the appeal is not permitted to proceed, a Completion of Procedures Letter will be issued.

7.5 An appeal can only be submitted on the following grounds, that:

a) The procedures were not followed properly;

b) The Governing Body reached an unreasonable decision;

c) The Respondent has new material evidence that the Respondent was unable, for valid reasons, to provide earlier in the process;

d) There was bias or reasonable perception of bias during the procedure;

e) The decision was disproportionate, or not permitted under the procedures.

If the Respondent would have wished to appeal on a different ground, then the Respondent can write to the Master to this effect within seven calendar days of the decision, and the Master shall offer to provide a Completion of Procedures Letter (see para 7.14 below).

7.6 In order to appeal the Governing Body's decision, the Respondent must provide written grounds and reasons for appealing to the Secretary of the Review Committee, which include all evidence the Respondent wishes to be considered as part of the appeal. The Review Committee will normally aim to make a decision whether to allow an appeal to proceed further within 30 calendar days of the Respondent making the appeal. The appeal will not be allowed to proceed further if has not been made within the appeal deadline or any extended deadline, or if the grounds given for the appeal do not fall within the grounds stated in 7.5 of this procedure. If the appeal is not allowed to proceed further, a Completion of Procedures letter will be issued.

7.7 If the appeal has been made on the specified grounds and within the timeframe, as determined by the Chair of the Review Committee, within a reasonable time of such appeal being made, the Secretary of the Review Committee shall organise a date for the meeting of the Review Committee either physically or virtually and communicate the date, time and location for the meeting to members of the Committee. The Respondent will be informed of the members of the Review Committee.

7.8 The Review Committee shall receive all the papers prepared at earlier stages of this procedure at least 7 calendar days before the Review Committee meeting.

7.9 The Review 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 which the Respondent does not already have possession of, and will be given an opportunity to provide a written response to it.

7.10 The Review Committee shall consider all the information that has been provided and reach one of the following decisions:

a) To dismiss the appeal and uphold the decision of the Governing Body;

b) To uphold the appeal and refer the case back to the Governing Body for consideration of the imposition of a lesser penalty than that originally imposed by the Governing Body, provided that if the Respondent is dissatisfied with any substituted sanction or measure the Respondent may opt instead to accept the sanctions or measures originally imposed by the Governing Body.

c) To substitute its own decision as to sanctions or measures in para. 10.13 of Part F6 other than final removal from the College, rustication or deprivation of privileges and emoluments for that of the Governing Body, provided that if the Respondent is dissatisfied with any substituted sanction or measure the Respondent may opt instead to accept the sanctions or measures imposed by the Governing Body.

7.11 The Secretary of the Review Committee, within a reasonable time (usually 7 calendar days of the Review Committee reaching its decision), shall provide to the Respondent, and the Respondent's Tutor and Director of Studies, a written copy of the Review Committee's decision and reasons for the decision.

7.12 If the Review Committee has dismissed the appeal under 7.10(a) above, or has substituted its own decision as to sanctions or measures for that of the Governing Body in accordance with 7.10(c) above, this is the final stage of the internal process and the Respondent will be issued with a Completion of Procedures letter. There is no further right of appeal under College procedures.

7.13 If the Review Committee has referred the case back to the Governing Body in accordance with 7.10(b) above, at a meeting a reasonable time after receiving the referral back, the Governing Body, in the absence of the Master, the Respondent's Tutor and Director of Studies, and any member of the Governing Body who was a member of the Review Committee, shall consider the referral back in accordance with 6 above, provided that the Governing Body may impose no sanction or measure other than as specified in 7.10(b) above. There is a further right of appeal under 7.1 above.

7.14 A Completion of Procedures Letter will:

(a) explain to the Respondent, by reference to each relevant procedure, that the College has reached a final decision;
(b) explain to the Respondent that there is no further right (or no right on the grounds specified, as the case may be) to appeal under College procedures;
(c) explain there is a 12 month time limit for the Respondent to appeal to the Office of the Independent Adjudicator for Higher Education (OIA) from the date of the Completion of Procedures letter;
(d) what the deadline is to make a complaint to the OIA.

F3. Examination Failure

Procedure to be adopted in the case of examination failure by undergraduate members of the College.

The following procedure is subject to, and should be read in the light of, the relevant provisions of Statute XXVIII ('Discipline of Members in statu pupillari'). The procedure is concerned with examination failure. Other matters falling with Statute XXVIII (including academic underperformance, and failure to obtain the standard required in certain subjects to proceed to a fourth year of study) are governed by separate procedures.

Students' attention is drawn particularly to sections 1-2 of Statute XXVIII of the College Statutes, available here:
https://www.magd.cam.ac.uk/system/files/2019-06/statutes_of_magdalene_college.pdf

Students' attention is drawn to Rule B1, set out above.

1. Initial consideration of the case

1.1. Upon receiving notice of an examination failure as defined in Rule B1, the Student's Tutor shall hold a meeting as soon as possible with the Student concerned, together with the Senior Tutor (or the Deputy Senior Tutor where the Senior Tutor is the Student's own Tutor) the Student's Director of Studies, and the Academic Registrar. The purpose of the meeting is:

I. to remind the Student of Rule B1;

II. to establish whether there are any circumstances which might mitigate the failure;

III. to consider whether those circumstances (if any) might constitute reasonable grounds for an application to the University's Examination Access and Mitigation Committee (EAMC); and

IV. to explain this procedure to the Student.

The Academic Registrar shall keep a written record of this meeting, which, when agreed by the Tutor and the Student to be an accurate record, shall be signed by the Tutor and the Student.

2. Application to the University's Examination Access and Mitigation Committee

2.1. The EAMC has powers concerning all undergraduate students, as well as postgraduate students taking: the MBA and the Executive MBA, the Master of Law (LLM), the Master of Accounting (MAcc), the Master of Advanced Study (MASt), the Master of Architecture (MArch), the Masters Degree in Corporate Law (MCL), the Masters of Engineering (MEng), the Master of Finance (M.Fin), the Master of Mathematics (MMath), the Master of Music (MMus), the Master of Science (MSci), and the PGCE. If, following the meeting held in accordance with sub-clause 1.1. above, the Student's Tutor considers that sufficient grounds exist for an application to the EAMC, he or she shall submit such an application on behalf of the Student. A Student may also make an application direct to the EAMC. Applications for an allowance from the EAMC should be made no later than three months from the publication of exam results.

2.2. If, following the meeting held in accordance with sub-clause 1.1. above, the Student's Tutor considers that no grounds exist for an application to the EAMC, and that there are no other mitigating circumstances, he or she shall advise the Student to

consider withdrawal from the College, and, if the Student wishes, will, together with the Student's Director of Studies, assist in trying to find the Student a place at another university.

2.3. The EAMC normally meets, if possible, in the first half of July and decides any case to be made by the Student's Tutor on behalf of the Student. Success of an application to the EAMC is a necessary condition for setting aside College Rule B1, but is not a sufficient condition, as the final decision in all cases rests with the Governing Body.

3. Consideration of the case by the Tutors

3.1 Where any case of examination failure by a Student unwilling to withdraw is referred to a Meeting of the Tutors (the Tutors' Meeting) to decide a recommendation to the Governing Body under Statute XXVIII.3 the Academic Registrar shall act as Secretary to the Tutors' Meeting, of which the Respondent's Tutor shall not be a member.

3.2 Within a reasonable time of the case being referred to the Tutors' Meeting, the Secretary of the Tutors' Meeting shall organise a date for the meeting either physically or virtually with the Respondent to be contacted with a proposed date usually within 7 calendar days of the referral. The Secretary of the meeting will communicate the membership of the meeting, the date, time and location of the meeting to the Tutors (including the Respondent's Tutor), the Respondent and the Respondent's Director of Studies. The meeting shall be chaired by the Senior Tutor, or, if the Senior Tutor is the Respondent's Tutor, by the Deputy Senior Tutor.

3.3 The Tutors' Meeting may be advised by a clerk who shall be experienced in decision-making relating to misconduct, either through legal training or training in relation to Student, staff or professional procedures.

3.4 The Respondent shall have an opportunity to provide a written statement and be invited to attend the Tutors' Meeting with a Supporter of their choice. Prior to the meeting, the person attending must confirm (a) if they are bringing a Supporter and, if so, (b) the Supporter's first and last name. Any statement or request from the Respondent to call witnesses must be provided at least 7 calendar days before the date of the Tutors' Meeting. A request to call a witness will be considered promptly by the Chair, who shall determine whether to permit the witness to attend or provide evidence in an alternative format as outlined at 3.8 below. The presumption will be against attendance in person, however, the discretion to allow a witness to attend will be the Chair's. Where the Respondent is dissatisfied with the Chair's decision, the Respondent can appeal this decision to the Review Committee following the Governing Body's decision.

3.5 Respondents should attend the Tutors' Meeting in person, where possible. However, where this is impractical, for example, where the Respondent is in another country, the Respondent may attend by video link. If the Respondent is unable to attend the Tutors' Meeting, either in person or by video link, but 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 may be re-arranged. Where the Chair considers that it is appropriate in the circumstances to do so, the Tutors' Meeting may proceed in the Respondent's absence. The Respondent will be provided with an opportunity to comment on proceeding on this basis prior to the Chair reaching any confirmed decision.

3.6 The Tutors' Meeting, the Respondent's Tutor and Director of Studies, and the Respondent, shall receive a written statement by the Respondent's Tutor, a written statement by the Respondent's Director of Studies, all the written evidence compiled at the earlier stages of this procedure, and any written statement provided by the Respondent, at least 7 calendar days before the Tutors' Meeting.

3.7 During the Tutors' Meeting, there shall be the opportunity for the Tutors to ask questions of the Respondent's Tutor and Director of Studies, and of the Respondent and any witness. The Respondent (or the Respondent's Supporter), the Respondent's Tutor and the Respondent's Director of Studies will also have the opportunity to ask questions of each other, and of any witness. The Respondent shall have the opportunity to make a final statement.

3.8 It will not normally be necessary for the persons who gave evidence at the earlier stages of this procedure to attend the meeting as their evidence will be provided in the papers. Where the Respondent wishes to challenge any of the evidence, the Chair of the Meeting will determine the most appropriate format for this. Appropriate formats may include those who gave evidence attending the Tutors' Meeting in person or by video link, or questions being directed through the Chair. Alternatively, the Respondent may be asked to explain the precise challenges to the evidence and, where the Chair of the Meeting considers those challenges material to the Tutors' Meeting's decision, a further written response will be sought from those who gave evidence. The Tutors' Meeting may be adjourned by the Meeting to request further information or where the Chair otherwise deems it appropriate in the circumstances to do so.

3.9 Once the Tutors' Meeting is satisfied that it has received all of the information which it requires, all persons except for the Tutors, the Secretary, and any clerk shall withdraw. The Tutors' Meeting will then consider a recommendation to the Governing Body as to whether Rule B1 should be disapplied. Any clerk will remain to provide advice, but will not take part in the decision.

3.10 In deciding upon the appropriate recommendation the Tutors' Meeting shall consider each possible recommendation in turn and record the reasons for the recommendation decided upon.

3.11 The Secretary of the Tutors' Meeting, within a reasonable time (usually 14 calendar days of the meeting), shall provide to the Respondent, and the Respondent's Tutor and Director of Studies, a written document explaining the Tutors' Meeting's decision and the reasons for the decision. The minutes of the Tutor's Meeting will be shared with the Respondent, and the Respondent's Tutor and Director of Studies, within 14 calendar days of the meeting.

4. Governing Body consideration

4.1 Where any case of examination failure has been referred to a Meeting of the Tutors (the Tutors' Meeting) to decide a recommendation to the Governing Body under Statute XXVIII.3, the Governing Body, at a meeting held within a reasonable time of the Tutors' Recommendation and reasons being provided to the Respondent, in the absence of the Master and being quorate in accordance with Statute IV.8 of the College Statutes, shall consider the Tutors' recommendation. The meeting shall be chaired by the President, or, in the President's absence by the senior fellow present in accordance with Statute IV.4 of the College Statutes.

4.2 The Senior Bursar will communicate the date, time and location of the meeting to

the members of the Governing Body, the Tutors (including the Respondent's Tutor), the Respondent's Director of Studies, and the Respondent.

4.3 The Governing Body may be advised by a clerk who shall be experienced in decision-making relating to misconduct, either through legal training or training in relation to Student, staff or professional procedures.

4.4 The Respondent shall have an opportunity to provide a written statement and be invited to attend the Governing Body meeting with a Supporter of their choice. Prior to the meeting, the person attending must confirm (a) if they are bringing a Supporter and, if so, (b) the Supporter's first and last name.

4.5 Respondents should attend the Governing Body meeting in person, where possible. However, where this is impractical, for example, where the Respondent is in another country, the Respondent may attend by video link. If the Respondent is unable to attend the Governing Body meeting, either in person or by video link, but 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 may be re-arranged. Where the Chair considers that it is appropriate in the circumstances to do so, the Governing Body meeting may proceed in the Respondent's absence. The Respondent will be provided with an opportunity to comment on proceeding on this basis prior to the Chair reaching any confirmed decision.

4.6 The Governing Body, the Respondent, and the Respondent's Tutor and Director of Studies, shall receive a copy of all the papers prepared at earlier stages of this procedure, at least 7 calendar days before the Governing Body meeting.

4.7 During the Governing Body meeting, there shall be the opportunity for members of Governing Body to ask questions of the Tutors (including the Respondent's Tutor), the Respondent's Director of Studies and, if in attendance, the Respondent. The Respondent (or the Respondent's Supporter), the Respondent's Tutor and Director of Studies shall also have the opportunity to ask questions of each other. The Respondent shall have the opportunity to make a final statement.

4.8 It will not normally be necessary for the persons who gave evidence at earlier stages of this procedure to attend the meeting as their evidence will be provided in the papers. Where the Respondent wishes to challenge any of the evidence, the Chair will determine the most appropriate format for this. Appropriate formats may include those who gave evidence attending the Governing Body meeting in person or by video link, or questions being directed through the Chair. Alternatively, the Respondent may be asked to explain the precise challenges to the evidence and, where the Chair considers those challenges material to the Governing Body's decision, a further written response will be sought from those who gave evidence. The Governing Body may adjourn the meeting to request further information or where the Chair otherwise deems it appropriate in the circumstances to do so.

4.9 Once the Governing Body is satisfied that it has received all of the information which it requires, the Tutors (including the Respondent's Tutor), the Respondent's Director of Studies, the Respondent and the Respondent's Supporter shall withdraw. The Governing Body shall then consider all the information that has been provided and decide, by a majority of members present and voting whether to disapply Rule B1.

4.10 In making its decision the Governing Body shall consider each possible

recommendation in turn and record the reasons for the decision reached.

4.11 The Senior Bursar, within 7 calendar days of the meeting, shall provide to the Respondent, and to the Respondent's Tutor and Director of Studies, a written document explaining the Governing Body's decision and the reasons for the decision.

5. The Review Committee

5.1 The Academic Registrar shall act as Secretary to the Review Committee. In accordance with Statute XXVIII.5 of the College Statutes and this procedure, the Respondent shall have the right to appeal the decision of the Governing Body within 14 calendar days of receiving the written decision.

5.2 The Review Committee shall consist of the Master, a Fellow in Class C and another person selected by the Master from a panel of ten persons appointed annually by the Master, none of whom have had close involvement with the case.

5.3 The Review Committee may be advised by a clerk who shall be experienced in decision-making relating to misconduct, either through legal training or training in relation to Student, staff or professional procedures.

5.4 The Master, as Chair of the Review Committee, has the authority to extend the appeal deadline, where there is a compelling reason to do so. Any application to extend time shall be made in writing to the Secretary to the Review Committee by the Respondent as soon as possible. Any delay in making the application to extend time is a factor which may be taken into account by the Review Committee. If time is not extended and the appeal is not permitted to proceed, a Completion of Procedures Letter will be issued.

5.5 An appeal can only be submitted on the following grounds, that:

a) The procedures were not followed properly;

b) The Governing Body reached an unreasonable decision;

c) The Respondent has new material evidence that the Respondent was unable, for valid reasons, to provide earlier in the process;

d) There was bias or reasonable perception of bias during the procedure;

e) The decision was disproportionate, or not permitted under the procedures.

If the Respondent would have wished to appeal on a different ground, then the Respondent can write to the Master to this effect within seven calendar days of the decision, and the Master shall offer to provide a Completion of Procedures Letter (see para 5.11 below).

5.6 In order to appeal the Governing Body's decision, the Respondent must provide written grounds and reasons for appealing to the Secretary of the Review Committee, which include all evidence the Respondent wishes to be considered as part of the appeal. The Review Committee will normally aim to make a decision whether to allow an appeal to proceed further within 30 calendar days of the Respondent making the appeal. The appeal will not be allowed to proceed further if has not been made within the appeal deadline or any extended deadline, or if the grounds given for the appeal do not fall within the grounds stated in the previous

paragraph. If the appeal is not allowed to proceed further, a Completion of Procedures letter will be issued.

5.7 If the appeal has been made on the specified grounds and within the timeframe as determined by the Chair of the Review Committee, within a reasonable time of receiving the appeal, the Secretary of the Review Committee shall organise a date for the meeting of the Review Committee either physically or virtually and communicate the date, time and location for the meeting to members of the Committee. The Respondent will be informed of the members of the Review Committee.

5.8 The Review Committee shall receive all the papers prepared at earlier stages of this procedure at least 7 calendar days before the Review Committee meeting.

5.9 The Review 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 which the Respondent does not already have possession of, and will be given an opportunity to provide a written response to it.

5.10 The Review Committee shall consider all the information that has been provided and reach one of the following decisions:

a) To dismiss the appeal and uphold the decision of the Governing Body;

b) To uphold the appeal and refer the case back to the Governing Body for reconsideration under Section 4 above as to whether to disapply Rule B1, with an explanation as to the error made by the Governing Body. There is a subsequent right of appeal under 5.1 above.

5.11 If dismissing the appeal, the Secretary of the Review Committee, within a reasonable time (usually 7 calendar days of the Review Committee reaching its decision), shall provide to the Respondent, and the Respondent's Tutor and Director of Studies, a written copy of the Review Committee's decision and reasons for the decision. This is the final stage of the internal process and the Respondent will be issued with a Completion of Procedures letter. There is no further right of appeal under College procedures. The letter will:

(a) explain to the Respondent, by reference to each relevant procedure, that the College has reached a final decision;
(b) explain to the Respondent that there is no further right (or no right on the grounds specified, as the case may be) to appeal under College procedures;
(c) explain there is a 12 month time limit for the Respondent to appeal to the Office of the Independent Adjudicator for Higher Education (OIA) from the date of the Completion of Procedures letter;
(d) what the deadline is to make a complaint to the OIA.

F4. Failure in Certain Subjects to Obtain the Required Standard to Proceed to a Fourth Year of Study

Procedure to be adopted in the case of failure by undergraduate members of the College to obtain the standard required in certain subjects to proceed to a fourth year of study.

The following procedure is subject to, and should be read in the light of, the relevant provisions of Statute XXVIII ('Discipline of Members in statu pupillari'). The procedure is concerned with failure on the part of undergraduate members of the College following taught courses to obtain the standard required by the University to proceed to a fourth year of study. This procedure does not apply to cases of failure to obtain honours or the honours standard. Other matters (including examination failure) falling with Statute XXVIII are governed by separate procedures.

Students' attention is drawn particularly to sections 1-2 of Statute XXVIII of the College Statutes, available here:
https://www.magd.cam.ac.uk/system/files/2019-06/statutes_of_magdalene_college.pdf

Students' attention is drawn to Rule B2, set out above.

Scope of this procedure

This procedure applies to cases in which undergraduate members of the College fail to obtain the standard required by the University in certain subjects to proceed to a fourth year of study. These standards are available to Students from the relevant Faculty or Department. This procedure does not apply to undergraduate members of the College who fail examinations as defined in College Rule B1, or to academic underperformance which does not involve failure to obtain the standard required by the University in certain subjects to proceed to a fourth year of study.

1. Consideration of the case

1.1. Upon receiving notice of a failure to obtain the standard required by the University in certain subjects to proceed to a fourth year of study, the Student's Tutor shall hold a meeting as soon as possible with the Student concerned, together with the Senior Tutor (or the Deputy Senior Tutor where the Senior Tutor is the Student's own Tutor) and the Student's Director of Studies. The purpose of the meeting is:

I. to remind the Student of Rule B2;

II. to establish whether there are any circumstances which might mitigate the failure to obtain the standard required;

III. to consider whether the mitigating circumstances (if any) might constitute reasonable grounds for an application to the relevant Faculty or Department for permission to proceed to a fourth year of study despite failure to achieve the standard required by the Faculty or Department so to proceed;

IV. to consider whether grounds exist for an application to be made in respect of the Student's examination results to the University's Examination Access and Mitigation Committee (EAMC);

V. to consider whether grounds exist for an application in respect of

the Student's examination results under the University's review procedure for review of undergraduate examinations and certain other qualifications;

VI. to explain this procedure to the Student.

The Student's Tutor shall keep a written record of this meeting, which, when agreed by the Tutor and the Student to be an accurate record, shall be signed by the Tutor and the Student.

2. Application to the relevant Faculty or Department

2.1 If, following the meeting held in accordance with sub-clause 1.1. above, the Student's Tutor considers that sufficient grounds exist for an application to the relevant Faculty or Department for permission to proceed to the fourth year of study despite failure to achieve the standard required by the Faculty or Department so to proceed, they shall submit such an application on behalf of the Student.

2.2 Notwithstanding the provisions of sub-clause 2.1 above, the Student may make an application to the relevant Faculty or Department on his or her own behalf, if the relevant Faculty or Department will accept such an application, despite the fact that the Student's Tutor does not consider that there are sufficient grounds for such an application.

2.3 If an application to the relevant Faculty or Department for permission to proceed to the fourth year of study despite failure to achieve the standard required by the Faculty or Department so to proceed is successful, under either paragraph 2.1 or paragraph 2.2 above, the Student shall be permitted by the College, subject to any other applicable University requirements, to continue in residence for the fourth year of study.

3 Application to the University's Examination Access and Mitigation Committee

3.1 If, following the meeting held in accordance with sub-clause 1.1. above, the Student's Tutor considers that sufficient grounds exist for an application to the EAMC in relation to the Student's examination result, they shall submit such an application on behalf of the Student. A Student may also make an application direct to the EAMC.

3.2 If an application to the EAMC results in the Student obtaining the standard required by the relevant faculty or department to proceed to the fourth year of study, the Student shall be permitted by the College, subject to any other applicable University requirements, to continue in residence for the fourth year of study.

4 Application under the University's review procedure for review of undergraduate examinations and certain other qualifications (the review procedure)

4.1 If, following the meeting held in accordance with sub-clause 1.1. above, the Student's Tutor considers that sufficient grounds exist for an application under the review procedure, he or she shall submit such an application on behalf of the Student.

4.2 Notwithstanding the provisions of sub-clause 4.1 above, the Student may make an application under the review procedure on his or her own behalf despite the fact that the Student's Tutor does not consider that there are sufficient grounds for such an

application.

4.3 If an application under the review procedure results in the Student obtaining the standard required by the relevant Faculty or Department to proceed to the fourth year of study, the Student shall be permitted by the College, subject to any other applicable University requirements, to continue in residence for the fourth year of study.

5 If no application is made, or any application fails

If no application is made under any of the provisions above, or if any application or applications which are made are unsuccessful, or do not result in the Student obtaining the standard required by the Faculty or Department to proceed to the fourth year of study, the Student shall go out of residence with the BA degree.

F5. Fitness to Study

Student Health: Procedure for assessment of fitness to study on the grounds of health and safety

What does this procedure do?

The purpose of this Part is to set out the procedures which the College follows when there are concerns about the fitness to study of one of its Students. It applies to both undergraduates and postgraduates. It outlines the steps to be taken by the College when there is concern that a Student's behaviour or health has the potential to disrupt or threaten the welfare or academic progress of the Student himself or herself or of others in the academic community. Decisions made concerning a Student's fitness to study are made through a collective supportive process, after appropriate consultation and after consideration of the Student's ability to study, learn effectively and complete his/her course successfully. The procedures described below do not take precedence over the relevant provisions of the College's Statutes and College Rules or, where applicable, the University's Statutes and Ordinances. As a general rule this procedure is only intended for use in cases in which the behaviour, disruption or risk presented by the Student is perceived to be of a serious or potentially serious nature. Where possible the tutorial system and other Student support services should be used as the first port of call, prior to taking any formal action.

What are the benefits?

Having this procedure set out enables Students to have a document they can consult, and provides them with a clear understanding of their full responsibilities and expectations related to their commitment to study and their lives within the College community. If and when a problem arises, the steps taken are limited – and are seen to be limited – to those necessary to protect the best interests of the Student and other members of the College community, and to ensure a consistent and sensitive approach to managing challenging situations. Tutorial, academic or support staff can initiate the procedure when concerns for a Student are raised by staff or Students, thus allowing for issues to be detected and addressed in a structured manner as early as possible. Shared concerns articulated by different sections of the College and the University community can be formally collated by the use of this process. The problem-solving approach is objective-oriented, allowing a Student to focus on agreed actions geared to achievable aims, which are clearly documented and come from a supportive perspective rather than a disciplinary one.

Background knowledge

In advance of this procedure being initiated, there are other support services in the College and the University to which Students may be directed by Tutors or other support staff. For Students with a mental or physical health difficulty the first port of call should be their Tutor.

They are also strongly advised to consult all relevant support services available in the College and University, and in particular the College Nurse, the University Counselling Service, the University Mental Health Adviser, their General Practitioner, the Disability Resource Centre. Early intervention and recommendations for support in cases of Student ill- health or distress or inappropriate behaviour can prevent a crisis. (For crisis situations see appendix.) Advice available from Tutors and in the self-help leaflets from the University Counselling Service will be useful, as well as advice from one or more of the following:

Head of Student Wellbeing: Catriona Keane. Email: cmk73@cam.ac.uk

College Nurse: Taryn Rothwell. Email: tr409@cam.ac.uk.

University Mental Health Advisor, University Counselling Service: www.counselling.cam.ac.uk

Cambridge SU: https://www.cambridgesu.co.uk/yourunion/about/
Occupational Health: www.oh.admin.cam.ac.uk

Student Advice Service: https://www.cambridgesu.co.uk/support/advice/

Adult Eating Disorder Service: www.cpft.nhs.uk/aeds

CAMEO: www.cameo.nhs.uk

Alcoholics Anonymous: www.alcoholics-anonymous.org.uk

Cocaine Anonymous www.cocaineanonymous.org.uk

Fitness to Study Procedure

1. Purpose and scope of the procedure

1.1 Whilst at University, all Students should be able to study and perform to the best of their ability in a safe and comfortable environment. The reality of College and University life means that Students not only work but also live in close proximity to each other, and whilst many Students find studying and living in such an environment easy and enjoyable, others can find it more challenging. The term 'fitness to study' as used in this document relates to the entire Student experience, and not just a Student's ability to engage with their studies. For example, the College expects its Students to be able to live in harmony with others, and not conduct themselves in ways which have an adverse impact on those around them. This procedure is not designed to address academic performance issues (which should be dealt with under the normal academic assessment and monitoring procedures) except where poor academic performance results from a 'fitness to study' issue.

1.2 In order to maintain and enhance harmony within the College community, Students need to conform to certain standards of behaviour. However, it is recognised that the cause of concern regarding fitness to study may include issues relating to a Student's health and general wellbeing, where disciplinary action may not be appropriate. The College and University have disciplinary mechanisms in place to deal with Students whose behaviour falls outside acceptable standards, see University Regulations and the College Rules.

1.3 A Student's fitness to study may be brought into question if health problems are disrupting his/her own studies or the studies of others, or are resulting in unreasonable demands being placed on staff or other Students. The College has a duty of care to its community and is bound by health and safety legislation and the Equality Act 2010, which means that it is obliged to take action if a Student presents a risk to themselves or to others.

1.4 The level of risk to himself/herself, other Students or others posed by a Student will be measured by the use of a risk assessment process, which should be used throughout the procedure to provide a consistent means of assessing the risk to the Student, other individuals and the institution. This process will be led by the Senior Tutor in close

collaboration with health professionals. Even when no risk is involved, the fact that a Student has a problem does not in itself justify or excuse inappropriate behaviour.

1.5 Once this procedure has been used (at any of the three stages set out below) the behaviour observed will normally be considered under this procedure rather than under a disciplinary procedure.

1.6 If concerns are raised whilst a Student is on authorised study away from Cambridge (e.g. is on a Year Abroad, has leave to Work Away, or is on a placement) the College will discuss with the other institution and the University Department, where appropriate, alternative arrangements to address such concerns.

2. Circumstances under which a Student's fitness to study may be brought into question

2.1 A Student's fitness to study may be brought into question as a result of a wide range of circumstances. These include (but are not restricted to) the following:

- Serious concerns about the Student which have emerged from a third party (e.g. a friend, another Student, department, placement provider, member of the public, medical professional etc.) and which indicate that there is a need to address their fitness to study.

- The Student has told a member of the College that he/she has a problem, and/or has provided information which indicates that there is a need to address his/her fitness to study.

- The Student's behaviour is such that it indicates that there may be a need to address an underlying problem because his/her behaviour is causing problems to himself/herself or others, for example if he/she has demonstrated mood swings, shown signs of depression or become withdrawn.

- Behaviour that would otherwise be dealt with as a disciplinary matter, but is considered to be the symptom of an underlying physical or mental health problem.

- The Student's academic performance or persistent behaviour is unacceptable and this is thought to be the consequence of an underlying physical or mental health problem.

If Tutorial, Academic or Support Staff have concerns regarding a Student's fitness to study they should discuss this with the Senior Tutor and with support services (such as in the University Mental Health Advisor) as a first point of contact if appropriate, and consider implementing Stage 1 of the Procedure.

This Fitness to Study Procedure has three stages depending on the perceived level of risk, the severity of the problem and the Student's engagement with efforts to respond to it.

When a member of College raises concerns, the relevant member of College staff (usually the Tutor) has a duty to investigate and initiate this policy as part of their larger duty of care to College members.

3. Stage 1 - Informal action by the College

3.1. Should preliminary action in terms of support and guidance be unsuccessful, the designated member of College staff should contact the Student and explain to him or her in person, in a supportive and understanding manner, that concerns about their fitness to study have emerged. This would ordinarily be their Tutor but might be the College Nurse, Head of Student Wellbeing, or another member of the pastoral support team. Should the Tutor or other member of staff require advice or guidance on this they should contact the Senior Tutor.

3.2. The Student should be made aware of the precise nature of the behaviour that has caused these concerns to be raised. Normally the Tutor, but on occasions the Director of Studies or other staff member will attempt to resolve the matter by informal discussions with the Student. The Student should be given the opportunity to explain their own views on the matter, and be encouraged to think about using one or more of the support services offered by the University. It may also be appropriate to look into the possibility of applying for special academic arrangements or support to enable the Student to study effectively.

3.3. It is hoped that in most cases issues can be resolved at this level, and that the Student will respond positively, co-operating fully with the process and taking advantage of the support available. It may be necessary to obtain independent corroboration as to whether the support offered is being taken up. The responsibility for providing this will lie with the Student.

3.4. A review period should be determined by agreement between the Tutor, Director of Studies (if applicable) and the Student to allow the Student to consider his/her own behaviour and seek advice from the support services available. At the end of this period a meeting should be held to discuss any steps taken by the Student to address the concerns. If the concerns have been addressed satisfactorily, this will be noted. Further meetings may be scheduled to continue to monitor the situation/progress and help ensure that continued support is provided to the Student to enable them to study effectively. If, however, the concerns have not been addressed, a further review period may be agreed, or the case will move to the next stage of the policy.

3.5. The informal discussions, advice and any undertakings made by the College or University and/or the Student should be documented, but should be kept confidential. Copies of documents are to be kept by the Tutor and the Student. A letter setting out what has been agreed should be given to the Student.

3.6. If a Student is unable or unwilling to co-operate with the above process or modify their behaviour, they should be informed that more formal action under Stage 2 of this procedure may be considered appropriate.

4. Stage 2 - Case Review Group

4.1. If the action taken under Stage 1 has not been successful, or it is felt that the case is too serious to be dealt with informally, Stage 2 of the procedure can be invoked. A meeting of a Case Review Group shall be convened by the Senior Tutor, made up of the Student's Tutor and the Senior Tutor and to include if appropriate: the Director of Studies; Supervisor in the case of Postgraduate Students or Course Director if there is no Supervisor; College Nurse, Head of Student Wellbeing or another member of the College support services. The Student may be accompanied to this meeting by a Student or other friend or advisor if they so wish. Representatives such as the University Mental Health Advisor or a member of the Disability Resource Centre may also attend to provide information and advice if felt appropriate by the Senior Tutor. In

both Stage 2 and Stage 3 processes the Student's Tutor should be the point of contact with the Student and should ensure that the Senior Tutor is kept informed of all communications. The Senior Tutor should be the main point of contact with all other agencies and individuals and should keep records of the whole process. The Senior Tutor should appoint a deputy if unavailable or has become aware of a conflict of interest to act at any stage.

4.2. Before the meeting, a medical assessment may be sought from a qualified practitioner familiar with the Cambridge University system and the spectrum of Student difficulties or from the University Occupational Health Service. The Student will be encouraged to consent to this, as it will ultimately enable the College to address the Student's difficulties in the most effective manner possible and make an accurate assessment of risk. The medical assessment will be used to determine the following matters:

- the nature and extent of any medical condition from which the Student may be suffering;
- the Student's prognosis;
- the extent to which it may affect his/her fitness to study and manage the demands of Student life;
- any impact it may have or the risk it may pose to others;
- whether any additional steps should be taken by the College, in light of the medical condition, to enable the Student to study effectively;
- whether the Student will be receiving any ongoing medical treatment or support.

4.3. The Student will be asked to authorise full disclosure to the College of the results of any medical examination. The College recognises that any such information disclosed will constitute 'sensitive data' for the purposes of the Data Protection Act 1998 and will be handled, processed and stored accordingly. Should the Student refuse to undertake a medical examination, or disclose results, the College may continue this procedure based on the information already in its possession.

4.4. The Student will normally be given at least 7 calendar days' notice of the convening of a Case Review Group and informed of the purpose of the meeting. This period may be shortened in an emergency on the advice of the Senior Tutor. The Student will also be provided with any documents that will be considered by the Group, and asked to provide any documentation they may wish the Group to consider, in good time for the meeting.

4.5. The Student may be accompanied at the meeting by a Students' Union representative, a fellow Student, or other advisor. A support worker, if required, may also accompany disabled Students. The Student should notify the Senior Tutor at least 24 hours in advance of the meeting if he/she is to be accompanied and by whom.

4.6. The purpose of the meeting will be to ensure that:

- the Student is made fully aware of the nature of the concerns that have been raised;

- the Student's views are heard and taken account of and the best way to proceed is agreed upon by all parties present;

- the Student is fully aware of the possible outcomes if the situation is not resolved within a specified period of time.

4.7. The Case Review Group will order its proceedings at its own discretion and may call witnesses, including Student Services staff (as in 4.1) working with the Student, and/or institute enquiries to assist its deliberations.

4.8. The Case Review Group may decide:

a. that no further action is required;

   or

b. to formally monitor the Student's progress for a specified period of time.

   In this case an action plan will be agreed with the Student, outlining any steps which the Student will need to take, and/or any support to be provided to the Student, to address the concerns identified. Regular review meetings with the Student will need to be arranged with a nominated member of College staff, to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the Student to study effectively is being provided. The Student will also need to be informed of the consequences of any breaches of the action plan, which will normally involve their fitness to study being considered at Stage 3;

   or

c. to recommend that special academic arrangements or support are put in place. Such recommendations should be agreed with the Student's department and by the Student and approved by the relevant University authority. The Student will be informed that unless these arrangements are able to remedy the concerns to the College's satisfaction, their fitness to study may be considered at Stage 3 of these procedures;

   or

d. with the consent of the Student, to agree that their studies be suspended for a period of time with appropriate application to the relevant University authority (normally the University's Examination Access and Mitigation Committee);

   or

e. to refer the case to the appropriate Senior Member of the College, to be considered under Stage 3 of this procedure. Action under (e) is likely to be appropriate only in the most serious of cases, where, for example, evidence of a serious risk to either the health and safety of the Student or others has been identified, and where it is thought that suspension, exclusion or expulsion of the Student may be the appropriate course of action; or where a particular course of action has been recommended but the Student does not agree.

4.9. The decision of the Case Review Group, together with a concise record of the

meeting, should be sent to the Student within a reasonable time (usually 7 calendar days from the date of the meeting), and a copy kept on the Student's personal file. A copy of this documentation should be sent to the Student's Department where the recommendations reached and any arrangements proposed render this appropriate.

5. Stage 3 - College Review Panel

5.1. This stage of the procedure will only be implemented following a referral from a Stage 2 Case Review Group, or if in the opinion of the Senior Tutor (having consulted as appropriate), initial concerns are raised which are sufficiently serious as to warrant the consideration of the Student's suspension, exclusion or expulsion (e.g. if they pose a potential threat to the health and safety of themselves or others, or are likely to cause disruption to the working of the College).

5.2. As a first step in this stage the Senior Tutor shall consider whether interim suspension of the Student pending further action is appropriate, including exclusion from College accommodation.

5.3. The Senior Tutor shall then convene a Review Panel, which shall be chaired by a member of the panel for the Review Committee with no previous involvement in the case. The Review Panel will normally comprise the Chair, the Student's Tutor, the Senior Tutor, and another independent member of the Governing Body, in addition to the Chair, who has had no previous connection with the Student.

5.4. The Chair will fix a date for a formal meeting of the College Review Panel to hear the case and invite the Student to attend to discuss the concerns and all related issues. A member of the College Tutorial Office staff will act as Secretary to the Panel.

5.5. Wherever possible the Student will be given at least 7 calendar days' notice of the meeting of the College Review Panel. The Student will be informed of the purpose of the meeting. The Student will also be provided with any documents to be considered at the meeting and asked to provide any documentation he/she may wish the Panel to consider in good time for the meeting. In serious cases the College may temporarily suspend a Student, including sending him/her out of residence pending a meeting of the Review Panel.

5.6. The Student may be accompanied at the meeting by a CambridgeSU representative, a fellow Student or other advisor. Disabled Students may also be accompanied by a support worker where required. The Student should notify the Senior Tutor at least 24 hours in advance of the meeting if they are to be accompanied and by whom.

5.7. The purpose of the meeting will be to consider the evidence available, including the Student's perception of these concerns and to reach an appropriate decision, action plan or other outcome.

5.8. The Review Panel will order its proceedings at its discretion and may call witnesses and institute enquiries to assist its deliberations, including Student Services staff working with the Student, in particular the University Mental Health Advisor and which may include requesting further medical assessments of the Student's fitness to study. It will also consider any previous risk assessments. The Chair of the Review Panel will ensure that all parties have access to all documents.

5.9. The collective decision that is reached by members of the Review Panel shall be confirmed by the Chair.

5.10. The Student shall be notified in writing of the decision, citing reasons, within a reasonable time (usually 14 calendar days of the meeting of the College Review Panel). It is advisable that the decision is communicated in such a way that support is available to the Student at the time, preferably from the Student's Tutor or Senior Tutor.

The decision may include one or more of the following actions:

a. formal monitoring of the Student's progress for a specified period of time. In this case the Panel will provide the Student with an agreed action plan, outlining any steps which the Student will need to take and/or any support to be provided to the Student to address the concerns identified. Regular review meetings with the Student will need to be arranged with a nominated member of staff (to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the Student to study effectively is being provided). The Student will also need to be informed of the consequences of any breaches of the action plan.

b. following consultation with the academic department, and subject to the approval of the relevant University authority, the implementation of special academic arrangements - or an interruption of studies. The Student will be informed of the consequences should these arrangements fail to remedy the concerns identified to the College's satisfaction.

c. the recommendation that the College exercises its statutory power to suspend or exclude the Student.

d. any other action considered to be appropriate and proportionate. Any decision regarding suspension or exclusion should be communicated by the Senior Tutor to the University and to any support services who have been involved with the Student.

6. Return to Study

6.1. Not less than a month before the end of an agreed break in study, the Student may make a request to the College for permission to return to the course. The decision as to whether to seek the University's permission for the Student to be put in standing to return to study will then be made by the Senior Tutor who will request authorisation for the Student to return from the relevant University authority.

6.2. To this end, the Senior Tutor, in consultation with relevant organisations such as the University Counselling Service, the University Mental Health Advisor, and Disability Resource Centre etc., will identify the issues of concern that the College may have in respect of the Student's fitness to study. The Senior Tutor will also contact the relevant medical professional(s) for an assessment of the Student's ability to manage the demands of returning to studying at Cambridge University, drawing attention to the nature and extent of the Student's previous problems and the College's concerns about them.

6.3. The Student will only be permitted to return if, after receiving medical advice, the College and relevant University authority are each satisfied that the individual is fit to study and able to comply with any conditions imposed on their return.

6.4. In cases where the College has any continuing concerns about the individual's fitness to study, it may seek a second medical opinion. In this case a Student may be asked to submit himself/herself to a medical assessment, at the College's expense, by doctors/specialists, including the University Mental Health Advisor, nominated by the College, to allow the situation to be properly evaluated.

6.5. In any case where a Student returns to study following the implementation of the fitness to study procedure, the College should hold a preliminary meeting with the Student to discuss what support measures need to be put into place for the Student's return and to establish a Return to Study plan. This initial meeting should include the Student's Tutor, the Senior Tutor and the Director of Studies. At this meeting it is recommended that a schedule of regular review meetings with the Student be agreed, in order to monitor and support a Return to Study plan. The Student must provide their continued cooperation in this respect and such review meetings may continue for part or all of the remainder of his/her course and residency in College. There should be a written record of what is agreed for the Return to Study plan, with a copy given to the Student. The Senior Tutor should ensure that, where appropriate, a copy of the plan is sent to any support agencies who have agreed to help implement the plan, and that any necessary support from agencies external to the College is put in place. The Senior Tutor should make arrangements for monitoring the delivery and acceptance of the support plan.

7. Right of Appeal

If the Student is not satisfied with any decision made in accordance with the Fitness to Study Procedure, they should follow the Procedure for dealing with comments, suggestions and complaints from students (cam.ac.uk) as soon as possible, and in any event within 14 calendar days of the receipt of a letter outlining that decision.

8. General Matters

8.1. The College will take account of relevant legislation such as the Data Protection Act, the Mental Health Act, the Human Rights Act, the Equality Act 2010 and the rights and expectations of a Student to the maintenance of confidentiality. In cases where Stages 2 or 3 of the Fitness to Study Procedure have been invoked, the Chair will make a decision about whether the Student's emergency contact should be informed, and discuss with the Student whether any statutory services should be contacted.

8.2. The College acknowledges that as a result of implementing this procedure it will receive personal sensitive data and data of a confidential nature pertaining to the Student and other third parties, and shall ensure that all such data are handled, processed and stored accordingly.

Appendix

Crisis Situations

It is possible that a Student may pose such an extreme risk to themselves and/ or others that they require emergency assistance outside these procedures. In a situation where it is believed that a Student's behaviour presents an immediate risk to themselves or others, the Emergency Services should be contacted by dialling 999. The Porters' Lodge should be informed (01223 332100). This should be followed up as soon as possible by notifying the Senior Tutor of the details of the incident and action taken. The person witnessing the Student's behaviour should not leave the

scene until they have briefed the Emergency Services, bearing in mind the primary necessity to ensure their own safety. The Porters' Lodge will keep a record of the action taken by the Emergency Services and pass this on to the Senior Tutor. The Senior Tutor or nominee will ensure that contact is made at the appropriate level of detail with the Student, the Student's Tutor and Director of Studies, or Supervisor in the case of graduates, and that appropriate arrangements are made with regard to follow up. In the case of medical and veterinary Students, incidents should be reported by the Senior Tutor to the Medical and Veterinary Progress Panel (https://www.biology.cam.ac.uk/exams/MedVetSTexams/monitor) for advice as to whether there might be Fitness to Practise issues to consider.

F6. Student Disciplinary Procedure

Procedure to be adopted in cases of alleged misconduct by junior members of the College.

The following procedure is subject to, and should be read in the light of, the relevant provisions of Statute XXVIII ('Discipline of Members in statu pupillari'). In the event of any discrepancy between the Statutes and these Rules, the Statutes prevail.

This Part F6 contains the following sections:

Section 1: The procedural Tracks which an investigation may take, and the Dean's decision as to undertaking an investigation.
Section 2: The Dean's power to impose 'precautionary measures'
Section 3: General principles applying under this Part
Section 4: Information sharing
Section 5: Sanctions
Section 6: the Head Porter Investigation and Sanction Track
Section 7: the Informal Dean Investigation and Sanction Track
Section 8: the Formal Dean Investigation and Sanction Track
Section 9: the Discipline Committee Track
Section 10: the Governing Body Track

Procedural Tracks and the Decision to Investigate

1.1 There are five main procedural Tracks by which potential misconduct by Students will be investigated by the College. These are:
(1) Head Porter Investigation and Sanction Track
(2) Informal Dean Investigation and Sanction Track
(3) Formal Dean Investigation and Sanction Track
(4) Discipline Committee Track
(5) Governing Body Track

1.2 These different tracks are set out and explained in Sections 6-10 below. However, by way of brief outline:

(1) Head Porter Investigation and Sanction Track – this is for the least serious alleged breaches of the Rules. The matter will be investigated informally by the Head Porter. The Head Porter will be able to impose, if they consider it appropriate, minor sanctions upon a Student. There is a right of appeal on limited grounds to the Dean.

(2) Informal Dean Investigation and Sanction Track – this is for matters which, while still fairly minor, are somewhat more serious than those investigated by the Head Porter. The Dean will resolve the matter on an informal basis. The matter will be considered informally by the Dean, who will be able to impose, if they consider it appropriate, minor sanctions upon a Student. There is a right of appeal on limited grounds to a Discipline Committee.

(3) Formal Dean Investigation and Sanction Track – this is for matters which are too complex or sensitive to be determined informally, but where the Dean considers their powers of sanction to be appropriate. The Dean will carry out a formal investigation, and may impose, if consider it appropriate, minor sanctions upon a Student. There is a right of appeal on limited grounds to the Discipline Committee.

(4) Discipline Committee Track – this is for serious matters, where the Dean's powers of sanction may be insufficient. The Dean will carry out an investigation, and write a report to be considered by the Discipline Committee. The Discipline Committee will consider the Report and hold a meeting, at which witnesses may be heard. The Discipline Committee may impose minor and/or moderate sanctions upon a Student. There is a right of appeal on limited grounds to the Review Committee.

(5) Governing Body Track – this is for serious matters, where potential sanctions include rustication, depriving a Student of privileges or emoluments, or final removal from the College. The Dean will carry out an investigation, and write a report. This report, along with other evidence, will be considered at a Meeting of the Tutors. The Meeting of the Tutors will make a recommendation to the Governing Body. The Governing Body will hold a meeting, at which the Tutors' recommendation, the Dean's report, and other evidence is considered, and witnesses may be heard. The Governing Body may impose minor, moderate and/or major sanctions, including final removal from the College. There is a right of appeal on limited grounds to the Review Committee.

1.3 Complaints by Students, staff, Fellows, or from those outside of the College, are to be made to the Dean. The Dean will promptly consider:
(1) whether there is an allegation which warrants further investigation
(2) whether investigation under Part F6 is the most appropriate procedure to investigate the allegation
(3) whether the allegation has already been investigated under Part F6
(4) whether the College is the most appropriate entity to investigate the allegation

1.4 If the Dean decides that it is appropriate for the allegation to be investigated under Part F6, the Dean will decide which Track will be used. The Dean will inform the person raising the complaint (the 'Complainant') whether the allegation will be investigated under Part F6 and, if so, whether it will be investigated by the Head Porter or the Dean.

1.5 Whilst investigations will generally remain within the Track to which they have been allocated by the Dean, the Head Porter, Dean, or Discipline Committee may refer a matter to be determined by a more serious procedural route in exceptional cases if they consider it appropriate to do so. This may be at any point during the investigation or decision-making process.

1.6 In exceptional cases, the Dean may decide that a matter should be addressed under this procedure, even in the absence of a formal complaint, or in the absence of a specific person (a 'Complainant') wishing for this process to be used, or even where the alleged victim does not wish it to be investigated. In considering whether to make such a decision, the Dean shall take into account the significance of the matter, and the importance of safety of people including but not restricted to the Complainant.

1.7 If the Dean decides that the matter is not to be investigated under this procedure, then complainants who are Students and dissatisfied with the outcome may be able to make a complaint under the Procedure for Dealing with Comments, Suggestions and Complaints from Students within 28 calendar days of being notified of the decision.

1.8 An outline of the system of tracks is set out in a flowchart attached to these Rules.

Precautionary Measures

2.1 The Dean shall have power to impose any precautionary measures set out in 2.3 below in relation to a Respondent, or any other Student, if the Dean considers that such measures are necessary:
(a) to ensure that a full and proper investigation can be carried out in relation to the matter (either under a College procedure, or under a University procedure, or by the police); and/or
(b) to protect any person while the matter is being dealt with under a College procedure, or under a University procedure, or as part of a police investigation or criminal proceedings.

2.2 The Dean's power to impose precautionary measures shall apply to a matter allocated to any Track, and in the course of any appeal.

2.3 The precautionary measures which the Dean may impose under 5.1 above are any one or more of the following:
(a) excluding the Student from some or all of the College's facilities and/or premises;
(b) imposing conditions on the Student (i) in connection with the Student's use of the College's facilities and/or premises or the Student's contact with other persons in relation to such facilities and/or premises, or (ii) in such other ways as may be considered necessary.

2.4 The imposition of precautionary measures does not constitute any penalty or sanction, or imply a finding of wrongdoing on the part of any person.

2.5 In considering whether any precautionary measures are necessary the Dean may seek medical or other expert advice and may require the Respondent to attend an assessment for the purpose of obtaining that advice.

2.6 As soon as practicable after the Dean has decided to impose precautionary measures on a person, the Dean shall notify that person in writing as to the measures which have been imposed and the grounds for imposing them, making clear that such measures do not constitute any penalty or sanction or imply any finding of wrongdoing. Except where the Dean provides otherwise, precautionary measures shall take immediate effect as soon as they are communicated.

2.7 Before deciding whether or not to impose (or re-impose) any precautionary measures the Dean shall give the Student on whom they may be imposed a reasonable opportunity to submit written representations, except that the Dean shall not be obliged to provide such an opportunity where it is not possible or appropriate to do so due to the urgent or sensitive nature of the matter. Where the Student has not been given an opportunity to submit representations before the decision to impose the precautionary measures was taken, the notification under 2.6 above shall inform the Student that they may request the Dean to review the decision by submitting written representations to the Dean within 3 calendar days of receiving the notification. On receipt of any request for such a review the Dean will review the decision to impose precautionary measures and will notify the person as to the outcome of the review within 3 calendar days. If the Dean gives the person the opportunity to submit written representations, the Dean shall warn the Student that the College may be required to provide in evidence in any subsequent

criminal investigation or proceedings in a court of law information regarding the matter, including any admission made in representations regarding the precautionary measures, and that any such admission may also be used as evidence in College disciplinary proceedings.

2.8 On the expiry of an initial, or any subsequent, period for which precautionary measures have been imposed, or if the Dean receives evidence of failure to comply with the terms of the precautionary measures, the Dean will review the position to determine whether or not the precautionary measures should be re-imposed for a further period and/or whether their terms should be revised, and the Student will be entitled to submit written representations and to be duly notified in accordance with 2.6 and 2.7 above. In addition, the Student shall at any stage have the right to request a review of the decision to impose such measures if there is a material change in the circumstances of the case. Such a request should be made in writing to the Dean, who will notify the Student as to the outcome of the review within 5 calendar days of receiving the request.

2.9 A Student upon whom precautionary measures are imposed may appeal any decision of the Dean in that respect to the Senior Tutor, or, if the Senior Tutor is the Student's Tutor, to the Deputy Senior Tutor, provided that all rights provided above to request the Dean to review the decision have first been exhausted. An appeal may be brought on the basis that: (a) the Dean has failed to follow a fair process (including there being bias or a reasonable perception of bias); (b) the Dean's decision is unreasonable; (c) the Dean's decision is disproportionate. An appeal shall be initiated by sending written grounds of appeal to the Senior Tutor (or, if applicable, Deputy Senior Tutor) within 5 calendar days of notification of the Student of the decision. The Senior Tutor (or, if applicable, Deputy Senior Tutor) shall make a decision within 5 calendar days of receiving the written grounds of appeal. The precautionary measures will apply during the course of any such appeal. The Senior Tutor (or, if applicable, Deputy Senior Tutor) shall have power to confirm, quash, or amend the Dean's original decision, or to refer the decision back to the Dean for further consideration.

2.10 In addition to the provisions above, the Dean may, if the Dean considers it necessary, request the University Academic Secretary to consider the imposition of precautionary measures upon a person in respect of University facilities or premises under Special Ordinance D(v) of the University Statutes and Ordinances.

General Principles

3.1 This version of the Student Disciplinary Procedure applies to an investigation commenced from the date of the Procedure's adoption by the Governing Body.

3.2 The procedures under Part F6 are to be used to determine whether there has been a breach of the College Rules and to consider the consequences, if any; they do not exist to resolve personal disputes or grievances.

3.3 It is not normally necessary for a Respondent or the College to be legally represented at meetings that form part of the procedure.

3.4 It is for the College to establish, on the evidence available, that it is more likely than not that a breach of the College Rules has occurred. However, if a Respondent wishes to establish a fact in their defence (such as that they were acting in self-defence), it is for them to show that it is more likely than not that this fact is true.

3.5 The Dean and any person or body involved in investigating or decision-making shall recognise that disciplinary processes can be stressful, and will seek to minimise the potential effects on those involved in the process.

3.6 Reasonable adjustments shall be made to the procedure to allow fair access for Students with a disability. Respondents, Complainants and witnesses are requested to make any reasonable adjustments known to the person carrying out an investigation at the earliest opportunity so that these can be put in place. The Dean may seek expert opinion regarding reasonable adjustments to ensure appropriate implementation and shall keep a record of any such adjustments.

3.7 The College will generally correspond directly with a Respondent. In circumstances where this may be inappropriate, a Respondent must make clear at the earliest opportunity that correspondence is to be directed via an authorised representative. The Respondent's request must be made via their University email account.

3.8 Allegations made anonymously will be considered in only exceptional circumstances, where it will normally be necessary to have independent evidence enabling the investigation to take place without the involvement of the person making the anonymous allegation.

3.9 It is desirable for complaints of breach of the College Rules to be submitted in a timely manner, so that matters can be dealt with effectively. However, it is accepted that this is not always possible, for example where evidence of misconduct only becomes apparent after a significant period of time, or where a matter has had a significant impact on an individual and the effects of this impact have led to a delay in reporting. There is no deadline for the submission of a complaint of breach of the College Rules, however delay in raising it may be relevant to the Dean's decision to carry out an Investigation and the Respondent(s) will need to be a Student at the time the matter is raised to enable a meaningful investigation to take place and sanctions and measures to be imposed.

3.10 The College aims to carry out all investigation and decision-making processes in a timely manner, and will update those involved in an investigation as to progress as necessary. The College normally aims to complete the initial investigation and decision within 90 calendar days of informing the Respondent that the matter is to be investigated. However, delays may occur for instance, where the case is complex, individuals are not available to attend meetings, or where the procedure has been suspended for good reason.

3.11 In the absence of strong reasons for not doing so, students are expected to act as witnesses where in the Dean's view their evidence would be capable of making a material contribution to an investigation. Refusal to act as a witness when requested to do so without strong reasons for such refusal may amount to misconduct for the purposes of these Rules. Witnesses are expected to engage fully with the procedure, as far as is reasonable in the circumstances.

3.12 The College may decide that meetings will be in person, by video, or telephone call.

3.13 Nobody may act as an investigator or decision-maker in relation to a matter where they are biased, or a fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the investigator or decision-maker was biased. A person may not act as a decision-maker or investigator where they are the Tutor or Director of Studies of, or have had close involvement with, any person directly involved in the case.

3.14 Any reference to the Dean includes the Assistant Dean, or any Deputy appointed by the Master. Any reference to the Head Porter includes reference to the Deputy Head Porter, acting with the consent of the Head Porter.

3.15 The College reserves the right to refer a matter to another procedure including a University procedure at any time during a procedure under Part F6.

3.16 The College will not usually investigate an allegation where criminal investigations, proceedings or appeals are ongoing, pausing action under its disciplinary procedures during such time. Following an investigation undertaken by the police, where there are grounds on which to conclude that it is unlikely that further criminal proceedings will take place; or where the behaviour being investigated by the College is different from the behaviour being considered through the criminal proceedings, then the College may take its own action under this or another procedure.

3.17 The College may investigate for breach of the College Rules once any criminal proceedings are completed, including where there has been a conviction. The College will treat relevant cautions or criminal convictions received by a Respondent as evidence that certain behaviour took place. A 'not guilty' or 'no further action' outcome from the police or criminal proceedings will not prevent the College from undertaking its own investigation as to whether a breach of the College Rules has occurred.

3.18 Sometimes a matter will be more appropriately investigated under another procedure, for example: the Academic Underperformance Procedure; the Fitness to Study Procedure, if the behaviour has been wholly caused by an underlying medical condition; or the Harassment and Sexual Harassment Policy if an allegation of harassment has been made. It will be at the discretion of the Dean, in consultation with

relevant College Officers as appropriate, to decide which procedure is most appropriate under which to investigate Student conduct. The College reserves the right to refer a matter to another procedure including a University procedure at any time during or following the application of this procedure. Other procedures may lead to a matter being referred to this procedure. While a matter is being considered under the University Student Disciplinary Procedure (whether referred to that Procedure by the College or not), the College will not generally carry out its own investigation, but reserves the right to impose precautionary measures under Section 2 of this Part F6.

3.19 Following an outcome of the University's Student Disciplinary Procedure, the College shall rely on the investigation and findings by the University (including factual findings) including whether a breach of the University's Rules of Behaviour was found. The College reserves the right to take action, including the imposition of sanctions, based on the investigation and findings of the University's Student Disciplinary Procedure where it deems it necessary, taking into account all of the circumstances. For the avoidance of doubt, action may be deemed necessary even where the University has found that there has been no breach of the University's Rules of Behaviour. The College will generally not carry out a full re-investigation of a matter following the conclusion of the University's procedure. However, the Dean will need to determine whether further College-specific action, including the imposition of sanctions, is appropriate in the circumstances; this may require further information being sought. The Dean may allocate a matter to the Formal Dean Investigation and Sanction Track, the Discipline Committee Track, or the Governing Body Track. The processes will be adapted as necessary to reflect the fact that the University Student Disciplinary Procedure will have already found the material facts, and in accordance with fairness. In general, for cases under the Formal Dean Investigation and Sanction Track, Section 8 below will apply from para. 8.8 onwards. For cases under the Discipline Committee Track, Section 9 below will apply from para. 9.9 onwards. For cases under the Governing Body Track, Section 10 below will apply from para. 10.10 onwards, although para. 10.18 will usually not apply, given that the University Student Disciplinary Procedure will likely have found the material facts. If, under any track, the decision-maker unusually considers further facts must be found so as to determine whether there has been a breach of the College Rules, then such fact-finding must be carried out with adequate notice to the Respondent and in accordance with the principles of fair process.

3.20 Where allegations are made against more than one Respondent, the investigator shall decide whether the investigations should be carried out together, or separately.

3.21 All those involved in an investigation are required to communicate and act respectfully and reasonably at all times, and to treat the processes with respect. Abusive, vexatious or disruptive 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. The person may be required by a decision-maker to stop engaging with this procedure or to engage in a limited manner, even if this impacts upon the investigation, deliberation or a subsequent appeal.

3.22 Those required to attend meetings under this process (whether as a Respondent, a Complainant, or a witness) are entitled to bring a Supporter (who may be their Tutor) to the meeting. If they are bringing a Supporter, they must provide the name of the Supporter to the person arranging the meeting, no less than 24 hours before the meeting.

3.23 A decision-maker given the power to make a decision may, for good reason, extend any time period in these rules. Failure to comply with the requirements of these Rules will not make a decision invalid, unless to do so is necessary to comply with the requirements of fairness.

3.24 Where a complaint is of sexual misconduct, a complainant will be advised regarding reporting the matter to the police, and will be provided with support as appropriate. The complainant will also be advised regarding the University's processes. The College strongly advises complainants for matters concerning sexual wrongdoing to be addressed via the police (where it might amount to a criminal offence) or the University, rather than College processes.

Information Sharing

4.1 The College shall share the information and evidence related to an investigation and outcome with Fellows, College officers, members of staff, the Respondent, the Complainant Person and witnesses where it is strictly necessary and proportionate to do so in order to process, investigate, and/or determine the outcome of an alleged breach of the College Rules, to implement any sanctions or measures following a finding, to provide reassurance, or for the pastoral care of those involved in an alleged incident. All information received from a Complainant, Respondent, witness or staff member will be handled sensitively and in accordance with the College's Data Protection Policy.

4.2 The College shall share all evidence considered in reaching a decision (except where the investigator or 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 Complainant, or the identity of a witness, or personal data or special category data belonging to a person other than the Respondent 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 matter and therefore it does not need to be relied upon, or where there is other evidence to support the allegation. Situations in which it may be that information is not shared also include cases where there are multiple Respondents to an investigation, they repeatedly provide evidence in response to each others' evidence, and in the investigator's view it would be disproportionate to continue to permit them to do so. Where information cannot be shared with the Respondent, this may affect the decision-maker's ability to carry out an investigation or to rely on this evidence in reaching a decision, bearing in mind the requirement of fairness to the Respondent. Where evidence is not relied upon by the investigator, this will be specified in the reasons for the decision, except to the extent that this would reveal the identity or data to the Respondent.

4.3 Where relevant, the College shall share the initiation of an investigation, the investigation findings and the reasoned determination of the Dean, Discipline Committee, Meeting of the Tutors or Governing Body, including any sanctions or measures with the University, other Colleges of the University, regulatory bodies (for example, the Disclosure and Barring Service), professional bodies (for example, the General Medical Council), or other organisations with which the Student may be involved, where it is appropriate to do so (for example, where the Student holds a position of responsibility for children or adults at risk). Where formally requested to do so by the police or courts, or where the College considers that someone may be at significant and immediate risk of harm, the College may disclose information received through this procedure to the police.

4.4 The College shall share the investigation findings, the reasoned determination of the Dean, Discipline Committee, Meeting of the Tutors or Governing Body, including any sanctions or measures with the Complainant and witnesses, where such information is relevant. 'Relevant' information is that which has a direct impact on the Complainant or witness, including being reassured that a matter has been addressed appropriately. The Complainant or witness cannot appeal the outcome of the Dean's investigation or the decisions of the Discipline Committee, Meeting of the Tutors or Governing Body.

However, if there are concerns about how the matter was handled or the process used in reaching an outcome then the Complainant or witness may be able to make a complaint under the Procedure for Dealing with Comments, Suggestions and Complaints from Students

4.5 It is necessary that all parties feel able to engage fully with the procedure without concern for the wider sharing of information disclosed within the investigation process. Following the conclusion of the procedure, those involved are permitted discuss their personal experience of the procedure with others. However, regardless of the outcome, parties should not without good reason identify or provide details that might identify any individual involved in the investigation or subsequent decision-making process. Obtaining suitable support may constitute a good reason.

4.6 The College may disclose information of formal or informal complaints to the University, for the University's purposes of data reporting. This data will be handed in accordance with the University's data protection policy, and no individual will be identified.

4.7 In exceptional cases, the College may notify the police or the University about an allegation which has been made, without the consent of the person making the report to the College. The College would do so only where it considered this strictly necessary in the interests of the safety of its students or others. The person making the report would be informed (where possible this would be before the police or the University were notified).

4.8 Where considered appropriate, where the University is considering the imposition of sanctions under para. 8.18 of the University's Student Discipline Procedure, the College may communicate with the University regarding (and suggest and/or assent to) restrictions or conditions to be imposed on the right to use or access College premises, facilities or services.

Sanctions

General Principles

Potential disciplinary sanctions are set out in Parts C and D above, as well as in Sections 6-10 of Part F6, below.

However, when considering what (if any) sanction to impose or recommend, the Head Porter, Dean, Discipline Committee, Meeting of the Tutors, Governing Body, or Review Committee, shall consider:

The seriousness of the breach of the College Rules (including factors under Rule A4);
The harm or damage caused;
The advantage gained, or that could have been gained, by the Respondent as a result of the breach;
The nature and the degree of the intent and planning involved in the breach;
The impact of the breach on the Collegiate University Community and the College Community;
Any other allegations against the Respondent previously raised and proved under the College Rules;
Whether the Respondent has admitted the breach and when such an admission took place;
Whether the Respondent has expressed remorse and/or shown insight into the impact of the breach;
The evidenced personal circumstances of the Respondent;
Any other relevant consideration not expressly cited above.

Guidelines

Decisions as to sanctions turn on their individual facts. However, as a starting-point, indicative sanctions to be considered for the breach of the following Rules are:

A.2(a)	a fine
A.2(b)	a fine
A.2(c)	a fine, and a requirement to pay the costs of material damages
A.2(d)	a fine
A.2(e)	a fine, and a requirement to pay the costs of material damages
A.2(f)	a fine, a requirement to complete a written reflection, and a requirement to complete an educative or reflective process
A.2(g)	a warning, a fine, and a requirement to complete an educative or reflective process
A.2(h)	a warning, a fine, and a requirement to complete an educative or reflective process
A.2(j)	a warning, a fine and a requirement to complete an educative or reflective process
A.2(k)	a warning, a fine, a requirement to complete an educative or reflective process, and a requirement not to contact a specified person
A.2(l)	a fine, and exclusion from College facilities, premises or services
A.2(m)	a fine, and exclusion from College facilities, premises or services
A.2(n)	a warning and a fine
A.2(o)	a warning and a fine
A.2(p)	a fine, and a requirement to complete an educative or reflective process
A.2(q)	a fine

A.2(r)	a fine, a requirement to complete an educative or reflective process, and a requirement not to contact a specified person
A.2(s)	on the first occasion, a warning; subsequently, a fine
A.2(t)	on the first occasion, a warning; subsequently, a fine
A.2(u)	on the first occasion, a warning; subsequently, a fine
A.2(v)	on the first occasion, a warning; subsequently, a fine
B2	a fine (regarding non-attendance at supervision)
C4	a fine, and a requirement to pay the costs of material damages
C5	on the first occasion, a warning; subsequently, a fine
C7	on the first occasion, a warning; subsequently, a fine
C8	on the first occasion, a warning; subsequently, a fine
C9	on the first occasion, a warning; subsequently, a fine
C10	a fine, and a requirement to pay the costs of material damages
C11	a fine, and a requirement to pay the costs of material damages
C13	on the first occasion, a warning; subsequently, a fine
C15	on the first occasion, a warning; subsequently, a fine
C17	on the first occasion, a warning; subsequently, a fine
C18	a fine

More serious sanctions are available where considered necessary. Mitigating factors or a less serious breach may lead to a lesser (or no) sanction being imposed; aggravating factors or a more serious breach may lead to a more serious sanction being imposed.

Head Porter Investigation and Sanction Track

Investigation

6.1 The Head Porter may carry out an informal and prompt, but procedurally fair, investigation. They may gather evidence, and speak to the Complainant, the Respondent, and witnesses. The Respondent will be informed about the allegations and given a summary of the evidence held by the Head Porter (and, except for exceptional circumstances, shown the evidence itself if the Respondent requests), and the Respondent will be given an opportunity to comment on the allegations and evidence.

Potential Outcomes

6.2 The Head Porter may take the following actions:

(1) To take no formal action
(2) To issue an oral warning
(3) To refer the matter to the Dean
(4) To impose one or more of the following sanctions:
    (a) A formal written warning, which will be placed on the Respondent's record and will make any subsequent breaches of the College Rules more serious
    (b) A fine up to a maximum of £50
    (c) To require the Respondent to pay the costs of material damages up to the amount of £100.

Decision as to Sanction

6.3 The Head Porter shall give the Respondent an opportunity to make any comments in personal mitigation. This will not be shared with the Complainant or any witnesses (except in a case involving multiple Respondents, and the mitigation makes reference to other Respondents). In deciding whether to impose one or more sanctions, and if so, what sanction(s) to impose, the Head Porter shall take into account the provisions of Section 5, above.

6.4 If imposing a sanction, the Head Porter will provide this decision to the Respondent in writing, with brief reasons. This decision will be reported to the Dean, and will be kept in the Dean's Record.

Appeal

6.5 The Respondent may appeal a decision of the Head Porter to impose a sanction, on the following grounds:

(1) Failure to follow fair procedure (including there being bias or reasonable perception of bias);
(2) The decision reached was unreasonable;
(3) The Respondent has new material evidence that the Respondent was unable, for valid reasons, to provide earlier in the process;
(4) The matter was one which was manifestly inappropriate to be resolved under the Head Porter Investigation and Sanction Track;
(5) The sanction or measure was manifestly disproportionate, or not permitted.

If the Respondent would have wished to appeal on a different ground, then the Respondent can write to the Dean to this effect within seven calendar days of the decision, who shall offer a Completion of Procedures Letter (see para 6.9 below).

6.6 The appeal must be made to the Dean, in writing and within fourteen calendar days of the Head Porter's decision being communicated to the Respondent, including all evidence on which the Respondent wishes to rely. The Dean, at their discretion, may hold a meeting with the Respondent and/or the Head Porter to discuss the appeal. The Head Porter will provide the Dean with all the evidence held, as well as their decision and reasons.

6.7 The Dean may make one of the following decisions:

(1) To dismiss the appeal
(2) To allow the appeal, making a finding that the Respondent is not in breach of the Rules and should face no sanction, or that the Respondent is in breach of the Rules but should face a lesser sanction than imposed by the Head Porter (save that the Respondent may elect to receive the sanction imposed by the Head Porter);
(3) To allow the appeal, and refer the matter back to the Head Porter to be considered again under paras 6.2-6.4 above as appropriate;
(4) To allow the appeal, and refer the matter to the Informal Dean Investigation and Sanction Track, or the Formal Dean Investigation and Sanction Track.

6.8 The Dean will provide their decision in writing within a reasonable time (usually within 14 calendar days of being provided with all necessary material), with brief reasons. This will be kept in the Dean's Record.

6.9 If the Dean finds that the appeal is brought out of time, dismisses the appeal, or imposes a sanction lesser than that imposed by the Head Porter, a Completion of Procedures Letter shall be issued to a Respondent not more than 28 calendar days after the Dean has reached his decision. The letter will:

(a) explain to the Respondent, by reference to each relevant procedure, that the College has reached a final decision;
(b) explain to the Respondent that there is no further right to appeal (or no right on the grounds specified, as the case may be) under College procedures;
(c) explain there is a 12 month time limit for the Respondent to appeal to the Office of the Independent Adjudicator for Higher Education (OIA) from the date of the Completion of Procedures letter;
(d) what the deadline is to make a complaint to the OIA.

Informal Dean Investigation and Sanction Track

Investigation

7.1 The Dean may carry out an informal and prompt, but procedurally fair, investigation. They may gather evidence, and speak to the Complainant, the Respondent, and witnesses. The Respondent will be informed about the allegations and given a summary of the evidence held by the Dean (and, except for exceptional circumstances, shown the evidence itself if the Student requests), and the Respondent will be given an opportunity to comment on the allegations and evidence.

Potential Outcomes

7.2 The Dean may take the following actions:

(1) To take no formal action
(2) To refer the matter to the Formal Dean Investigation and Sanction Procedure, the Discipline Committee Procedure or the Governing Body Procedure
(3) To impose one or more of the following minor sanctions:
    (a) A formal written warning, which will be placed on the Respondent's record and will make any subsequent breaches of the College Rules more serious;
    (b) A fine up to a maximum of £250 in addition to any payment required for costs of material damages under (c);
    (c) To require the Respondent to pay the costs of material damages up to the amount of £250;
    (d) To require the Respondent to provide a written apology;
    (e) To require the Respondent to engage with an educative or reflective process;
    (f) To require the Respondent to complete a written reflection;
    (g) To require the Respondent not to contact a specified person (for a definite or indefinite period).

Decision as to Sanction

7.3 The Dean shall give the Respondent an opportunity to make any comments in personal mitigation. This will not be shared with the Complainant or any witnesses (except in a case involving multiple Respondents, and the mitigation makes reference to other Respondents). In deciding whether to impose one or more sanction(s), and if so, what sanction(s) to impose, the Dean shall take into account the provisions of Section 5, above.

7.4 If imposing a sanction, the Dean will provide this decision to the Respondent, with brief reasons. This decision will be kept in the Dean's Record.

Appeal

7.5 The Respondent may appeal the Dean's decision to the Discipline Committee in writing and within 14 calendar days of the Dean's decision, including all evidence on which the Respondent wishes to rely. The Dean will provide the Discipline Committee with all the

evidence held, as well as their decision and reasons. An appeal may be brought on the following grounds:

(1) Failure to follow fair procedure (including there being bias or reasonable perception of bias);
(2) The decision reached was unreasonable;
(3) The Respondent has new material evidence that the Respondent was unable, for valid reasons, to provide earlier in the process;
(4) The matter was one which was manifestly inappropriate to be resolved under the Informal Dean Investigation and Sanction Track;
(5) The sanction or measure was manifestly disproportionate, or not permitted.

If the Respondent would have wished to appeal on a different ground, then the Respondent can write to the Dean to this effect within seven calendar days of the decision, who shall offer a Completion of Procedures Letter.

7.6 The Discipline Committee's consideration of the appeal will usually be on the basis of written material, without meeting with the Complainant, the Respondent, or any witnesses, although it does have the power to do so where considered necessary. The Discipline Committee can request a fuller Report from the Dean where considered necessary. The Discipline Committee will provide its decision in writing within a reasonable time, with reasons (usually within 28 calendar days of being provided with all necessary material). This will be kept in the Dean's Record.

7.7 The Discipline Committee may make one of the following decisions:

(1) To dismiss the appeal
(2) To allow the appeal, making a finding that the Respondent is not in breach of the Rules and should face no sanction, or that the Respondent is in breach of the Rules but should face a lesser sanction than imposed by the Dean (save that the Respondent may elect to receive the sanction imposed by the Dean);
(3) To allow the appeal, and refer the matter back to the Dean to be considered again under paras 7.1-7.4, or 8.1-8.10.

7.8 If the Discipline Committee finds that the appeal is out of time, dismisses the appeal, or imposes a lesser sanction than that imposed by the Dean, a Completion of Procedures Letter shall be issued to a Respondent not more than 28 calendar days after the Discipline Committee has reached its decision. The letter will:

(a) explain to the Respondent, by reference to each relevant procedure, that the College has reached a final decision;
(b) explain to the Respondent that there is no further right to appeal (or no right on the grounds specified, as the case may be) under College procedures;
(c) explain there is a 12 month time limit for the Respondent to appeal to the Office of the Independent Adjudicator for Higher Education (OIA) from the date of the Completion of Procedures letter;
(d) what the deadline is to make a complaint to the OIA.

Formal Dean Investigation and Sanction Track

Investigation

8.1 Where undertaking an investigation under this track, the Dean shall write to the Respondent saying that an investigation is being carried out under this Track. They will indicate the nature of the alleged behaviour being investigated, and the College Rules potentially engaged.

8.2 The nature of the investigation will be at the Dean's discretion, but may require written statements, meetings and production of evidence relevant to the investigation. The Dean may request 'impact statements' from those affected by the matter. Written notes will usually be taken at investigative meetings. The Dean may conduct investigatory meetings remotely by telephone or video link where doing so is necessary or desirable. The Dean may refer a matter to be investigated by the University's Office of Student Conduct, Complaints and Appeals ('OSCCA'). Such a reference is particularly likely in cases of alleged sexual misconduct. In such a case, OSCCA will carry out the process of investigation and fact-finding in accordance with its processes. It will provide an Investigatory Report; this will constitute the factual findings for the Investigation (save in relation to personal mitigation).

8.3 The Dean will provide evidence which they have obtained to the Respondent (subject to exceptional circumstances in which that evidence will be withheld, and the gist of it provided).

8.4 At an investigative meeting, both the person required to attend the meeting and any Supporter can present written information, evidence and the names of any Witnesses. Following the meeting the person required to attend the meeting may provide comments to the Dean in writing on the matters which have been canvassed at the meeting.

8.5 The Dean shall normally meet separately with the Complainant and with the Respondent to receive an oral account. The Dean may meet with any Witnesses and/or collect information through written statements.

8.6 The Dean will give as much notice as possible of desired meeting dates and times and direct when written statements are due. In the interests of carrying out a prompt and thorough investigation, all those involved will cooperate with the Dean's requests and must make reasonable endeavours to attend meetings and complete statements in a timely manner.

8.7 The investigation shall include: establishing any relevant facts, gathering information about and investigating the seriousness of the Concern, any mitigation provided by the Respondent, and any relevant previous breaches of the College Rules by the Respondent. During the investigation, it may be necessary to request further information and responses from those who have already provided oral or written accounts. Information which the Dean may consider collecting, where relevant and available, includes validating information that has been provided by others, records of correspondence, CCTV evidence, medical evidence from qualified medical practitioners, and records of online activity. This is a non-exhaustive list and the Dean may request any other material that the Dean considers may be valuable to the investigation. The

College does not have the resources to undertake its own forensic investigation and therefore, unless this type of information already exists, the Dean shall not normally seek it.

Potential Outcomes

8.8 The Dean may take the following decisions:

(1) To take no formal action
(2) To refer the matter to the Discipline Committee Procedure or the Governing Body Procedure
(3) To impose one or more of the following sanctions:
    (a) A formal written warning, which will be placed on the Respondent's record and will make any subsequent breaches of the College Rules more serious;
    (b) A fine up to a maximum of £250 in addition to any payment required for costs of material damages under (c);
    (c) To require the Respondent to pay the costs of material damages up to the amount of £250;
    (d) To require the Respondent to provide a written apology;
    (e) To require the Respondent to engage with an educative or reflective process;
    (f) To require the Respondent to complete a written reflection;
    (g) To require the Respondent not to contact a specified person (for a definite or indefinite period).

Decisions as to Sanction

8.9 The Dean shall give the Respondent an opportunity to make any comments in personal mitigation. These comments shall not be shared with the complainant or witnesses (except in a case involving multiple Respondents, and the mitigation makes reference to other Respondents). In deciding whether to impose one or more sanctions, and if so, what sanction(s) to impose, the Dean shall take into account the provisions of Section 5, above.

8.10 The Dean will write an investigation report, and give any reasons as to sanction in writing. This will be kept in the Dean's Record.

Appeal

8.11 The Respondent may appeal the Dean's decision to the Discipline Committee in writing and within 14 calendar days of the Dean's decision being communicated to the Respondent, including all evidence on which the Respondent wishes to rely. The Dean will provide the Discipline Committee with all the evidence held, as well as their decision and reasons. An appeal may be brought on the following grounds:

(1) Failure to follow fair procedure (including there being bias or reasonable perception of bias);
(2) The decision reached was unreasonable;
(3) The Respondent has new material evidence that the Respondent was unable, for valid reasons, to provide earlier in the process;
(4) The matter was one which was manifestly inappropriate to be resolved under the Formal Dean Investigation and Sanction Track;
(5) The sanction or measure was manifestly disproportionate, or not permitted.

If the Respondent would have wished to appeal on a different ground, then the Respondent can write to the Dean to this effect within seven calendar days of the decision, and the Dean shall offer a Completion of Procedures Letter (see para 8.14 below).

8.12 The Discipline Committee's consideration of the appeal will usually be on the basis of written material, without meeting with the Complainant, the Respondent, the Dean, or any witnesses, although it does have the power to do so where considered necessary. The Discipline Committee will provide its decision in writing within a reasonable time, with reasons (usually within 28 calendar days of being provided with all necessary material). This will be kept in the Dean's Record.

8.13 The Discipline Committee may make one of the following decisions:

(1) To dismiss the appeal
(2) To allow the appeal, making a finding that the Respondent is not in breach of the Rules and should face no sanction, or the Respondent is in breach of the Rules but should face a lesser sanction than imposed by the Dean (save that the Respondent may elect to receive the sanction imposed by the Dean);
(3) To allow the appeal, and refer the matter back to the Dean to be considered again under paras 8.1-8.10.

8.14 If the Discipline Committee finds that the appeal is out of time, dismisses the appeal, or imposes a lesser sanction than that imposed by the Dean, a Completion of Procedures Letter shall be issued to the Respondent not more than 28 calendar days after the Discipline Committee has reached its decision. The letter will:

(a) explain to the Respondent, by reference to each relevant procedure, that the College has reached a final decision;
(b) explain to the Student that there is no further right to appeal (or no right on the grounds specified, as the case may be) under College procedures;
(c) explain there is a 12 month time limit for the Respondent to appeal to the Office of the Independent Adjudicator for Higher Education (OIA) from the date of the Completion of Procedures letter;
(d) what the deadline is to make a complaint to the OIA.

Discipline Committee Track

Investigation

9.1 Where undertaking an investigation under this track, the Dean shall write to the Respondent saying that an investigation is being carried out under this Track. He will indicate the nature of the alleged behaviour being investigated, and the College Rules potentially engaged. They will usually provide evidence which they have obtained (subject to exceptional circumstances in which that evidence will be withheld, and the gist of it provided).

9.2 The Respondent is entitled, but by no means obliged, to be legally represented in proceedings under this Track.

9.3 If they consider it appropriate, the Dean may appoint an external investigator to carry out the investigation into the matter. References to 'the Dean' in paragraphs 9.4-9.8 are to be taken as being to that investigator, as appropriate. The Dean may refer a matter to be investigated by the University's Office of Student Conduct, Complaints and Appeals ('OSCCA'). Such a reference is particularly likely in cases of alleged sexual misconduct. In such a case, OSCCA will carry out the process of investigation and fact-finding in accordance with its processes. It will provide an Investigatory Report; this will constitute the factual findings for the Investigation (save in relation to personal mitigation).

9.4 The nature of the investigation will be at the Dean's discretion, but may require written statements, meetings and production of evidence relevant to the investigation. The Dean may request Impact Statements from those affected by the matter. Written notes will usually be taken at investigative meetings. The Dean may conduct investigatory meetings remotely by telephone or video link where doing so is necessary or desirable.

9.5 The Dean will provide evidence which he has obtained to the Respondent (subject to exceptional circumstances in which that evidence will be withheld, and the gist of it provided).

9.6 At the meeting both the person required to attend the meeting and the Supporter can present written information, evidence and the names of any Witnesses. Following the meeting the person required to attend the meeting may provide comments to the Dean in writing on the matters which have been canvassed at the meeting.

9.7 The Dean shall normally meet separately with the Complainant and with the Respondent to receive an oral account. The Dean may meet with any Witnesses and/or collect information through written statements. The Dean will give as much notice as possible of desired meeting dates and times and direct when written statements are due. In the interests of carrying out a prompt and thorough investigation, all those involved will cooperate with the Dean's requests and must make reasonable endeavours to attend meetings and complete statements in a timely manner.

Discipline Committee's Consideration

9.8 The Dean will provide an Investigatory Report, along with all evidence considered, to the Discipline Committee. On behalf of the Discipline Committee, the Academic Registrar will share this material (save that in exceptional circumstances it will provide the gist of evidence rather than the evidence itself) with the Respondent. The Discipline Committee will meet with the Respondent, and will have the power to meet with the Complainant, and any witnesses as it considers appropriate. The meeting will take place not less than 7 calendar days after the Respondent Is provided with the material for the meeting. The Chair of the Discipline Committee will decide whether the meeting should take place in person or remotely, or in hybrid form. Where the Chair considers that it is appropriate in the circumstances to do so, the Discipline Committee meeting may proceed in the Respondent's absence. If the Respondent informs the Academic Registrar that they does not propose to attend, they will be provided with an opportunity to comment on the Committee proceeding without them prior to the Chair reaching any confirmed decision. The Chair may decide to adjourn the meeting if considered necessary, including in order to seek further evidence. Where the matter has been investigated by OSCCA, the Chair of the Discipline Committee will give the Respondent not less than 7 calendar days to provide any comments as to whether the factual findings disclose a breach of the College Rules, and also regarding personal mitigation. Where the Chair considers it appropriate (or necessary in the interests of fairness), the complainant will be invited to the meeting of the Discipline Committee.

Potential Outcomes

9.9 The Discipline Committee may take the following decisions:

(1) To take no formal action
(2) To refer the matter to the Governing Body Procedure
(3) To impose one or more of the following minor sanctions:
    (a) A formal written warning, which will be placed on the Respondent's record and will make any subsequent breaches of the College Rules more serious;
    (b) A fine up to a maximum of £250 in addition to any payment required for costs of material damages under (c);
    (c) To require the Respondent to pay the costs of material damages up to the amount of £250;
    (d) To require the Respondent to provide a written apology;
    (e) To require the Respondent to engage with an educative or reflective process;
    (f) To require the Respondent to complete a written reflection;
    (g) To require the Respondent not to contact a specified person (for a definite or indefinite period).
(4) To impose one or more of the following moderate sanctions, including in addition to one or more minor sanctions:
    (a) A fine up to a maximum of £1000 in addition to any payment required for costs of material damages under (b);
    (b) To require the Respondent to pay the costs of material damages up to the amount of £1000;
    (c) To exclude the Respondent from College premises, facilities or services (for a definite or indefinite period)
    (d) To exclude the Respondent from College events, and/or events organised by College bodies or societies (for a definite or indefinite period)
    (e) To require the Respondent to vacate College accommodation (for a definite or indefinite period, and whether alternative accommodation is provided or not)

Decisions as to Sanction

9.10 The Discipline Committee shall give the Respondent an opportunity to make any comments in personal mitigation. These comments shall not be shared with the complainant or witnesses (except in a case involving multiple Respondents, and the mitigation makes reference to other Respondents). In deciding whether to impose one or more sanctions, and if so, what sanction(s) to impose, the Discipline Committee shall take into account the provisions of Section 5, above.

9.11 The Discipline Committee will provide its decision in writing within a reasonable time, with reasons (usually within 28 calendar days of being provided with all necessary material). This will be kept in the Dean's Record.

Appeal

9.12 The Respondent may appeal the Discipline Committee's decision to the Review Committee in writing and within 14 calendar days of the Discipline Committee's decision being communicated to the Respondent, including all evidence on which the Respondent wishes to rely. The Discipline Committee will provide the Review Committee with all the evidence held, as well as its decision and reasons. An appeal may be brought on the following grounds:

(1) Failure to follow fair procedure (including there being bias or reasonable perception of bias);
(2) The decision reached was unreasonable;
(3) The Respondent has new material evidence that the Respondent was unable, for valid reasons, to provide earlier in the process;
(4) The sanction or measure was manifestly disproportionate, or not permitted.

If the Respondent would have wished to appeal on a different ground, the Respondent can write to the Secretary of the Discipline Committee to this effect within seven calendar days of the decision, and the Chair shall offer a Completion of Procedures Letter (see para 9.15 below).

9.13 The Review Committee's consideration of the appeal will usually be in writing, without meeting with the Complainant, the Respondent, the Dean, or any witnesses, although it does have the power to do so where considered necessary. The Review Committee will provide its decision in writing within a reasonable time, with reasons (usually within 28 calendar days of being provided with all necessary material). This will be kept in the Dean's Record.

9.14 The Review Committee may make one of the following decisions:

(1) To dismiss the appeal
(2) To allow the appeal, making a finding that the Respondent is not in breach of the Rules and should face no sanction, or the Respondent is in breach of the Rules but should face a lesser sanction than imposed by the Discipline Committee (save that the Respondent may elect to receive the sanction imposed by the Discipline Committee);
(3) To allow the appeal, and refer the matter back to the Dean under paras 9.1-9.8, or the Discipline Committee (specifying whether a different constitution or not) to be considered again under paras 9.9-9.11.

9.15 If the Review Committee dismisses the appeal, or imposes a lesser sanction than that imposed by the Discipline Committee, a Completion of Procedures Letter shall be issued to the Respondent not more than 28 calendar days after the Review Committee has reached its decision. The letter will:

(a) explain to the Respondent, by reference to each relevant procedure, that the College has reached a final decision;
(b) explain to the Respondent that there is no further right to appeal (or no right on the grounds specified, as the case may be) under College procedures ;
(c) explain there is a 12 month time limit for the Respondent to appeal to the Office of the Independent Adjudicator for Higher Education (OIA) from the date of the Completion of Procedures letter;
(d) what the deadline is to make a complaint to the OIA.

Governing Body Track

The Dean's Investigation

10.1 Where undertaking an investigation under this track, the Dean shall write to the Respondent saying that an investigation is being carried out under this Track. They will indicate the nature of the alleged behaviour being investigated, and the College Rules potentially engaged. They will usually provide evidence which he has obtained (subject to exceptional circumstances in which that evidence will be withheld, and the gist of it provided).

10.2 The Respondent is entitled, but by no means obliged, to be legally represented in proceedings under this Track.

10.3 If they consider it appropriate, the Dean may appoint an external investigator to carry out the investigation. References to 'the Dean', in paragraphs 10.4-10.7, are to be taken as being to that investigator, as appropriate. The Dean may refer a matter to be investigated by the University's Office of Student Conduct, Complaints and Appeals ('OSCCA'). Such a reference is particularly likely in cases of alleged sexual misconduct. In such a case, OSCCA will carry out the process of investigation and fact-finding in accordance with its processes. It will provide an Investigatory Report; this will constitute the factual findings for the Investigation (save in relation to personal mitigation).

10.4 The nature of the investigation will be at the Dean's discretion, but may require written statements, meetings and production of evidence relevant to the investigation. The Dean may request Impact Statements from those affected by the matter. Written notes will usually be taken at investigative meetings. The Dean may conduct investigatory meetings remotely by telephone or video link where doing so is necessary or desirable.

10.5 At an investigatory meeting both the person required to attend the meeting and the Supporter can present written information, evidence and the names of any Witnesses. Following the meeting the person required to attend the meeting may provide comments to the Dean in writing on the matters which have been canvassed at the meeting.

10.6 The Dean shall normally meet separately with the Complainant and with the Respondent to receive an oral account. The Dean may meet with any Witnesses and/or collect information through written statements.

10.7 The Dean will give as much notice as possible of desired meeting dates and times and direct when written statements are due. In the interests of carrying out a prompt and thorough investigation, all those involved will cooperate with the Dean's requests and must make reasonable endeavours to attend meetings and complete statements in a timely manner.

The Meeting of the Tutors

10.8 The Dean will compile an Investigatory Report, along with all evidence considered. He will submit this to the Academic Registrar, who will convene a Meeting of the Tutors.

The evidence and the Investigatory Report will be provided to the Respondent. The Meeting of the Tutors will take place not less than 7 calendar days after the provision of this material to the Respondent. Where the matter has been investigated by OSCCA, the Academic Registrar will give the Respondent not less than 7 calendar days to provide any comments as to whether the factual findings disclose a breach of the College Rules, and also regarding personal mitigation.

10.9 The Meeting of the Tutors will be chaired by the Senior Tutor, or if they cannot attend, the Deputy Senior Tutor. The Meeting of the Tutors may take place in person or remotely or in hybrid form, at the discretion of the Chair. If the Respondent is unable to attend the Tutors' Meeting, either in person or by video link, but 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 may be re-arranged. Where the Chair considers that it is appropriate in the circumstances to do so, the Tutors' Meeting may proceed in the Respondent's absence. If the Respondent informs the Academic Registrar that they do not propose to attend, they will be provided with an opportunity to comment on the Committee proceeding without them prior to the Chair reaching any confirmed decision. The Tutors' Meeting may be advised by a clerk who shall be experienced in decision-making relating to misconduct, either through legal training or training in relation to Student, staff or professional procedures.

10.10 The Meeting of the Tutors will take place in two parts. At the first, the Respondent, their Supporter (if any) and the Dean will attend. The Respondent will have the opportunity to make a statement. The Tutors, and the Dean, may ask questions of the Respondent. The Dean will then have an opportunity to make a statement. The Tutors, and the Respondent, may ask questions of the Dean. The Tutors may also hear from witnesses (including the Complainant) in the first part of the meeting, if they consider is appropriate. If witnesses attend, the Tutors, Dean and Respondent shall have the opportunity to ask questions of them (albeit, at the discretion of the Chair, these questions may be put through the Chair). The Chair may adjourn the meeting if considered necessary, including in order to seek further evidence.

10.11 The Meeting of the Tutors shall give the Respondent an opportunity to make any comments in personal mitigation. These comments shall not be shared with the complainant or witnesses (except in a case involving multiple Respondents, and the mitigation makes reference to other Respondents). The Respondent will be given the opportunity to make a final statement.

10.12 At the second part of the meeting, the Respondent (and their Supporter, if any), the Dean and any witnesses will withdraw. Any clerk will remain to provide advice, but will not take part in the decision. In deciding whether to recommend one or more sanction, and if so what sanction(s), the Tutors shall take into account the provisions of Section 5, above.

10.13 The Tutors will make a recommendation, by the votes of a majority of the Tutors present and voting at the meeting, to the Governing Body:

(1) To take no further action;
(2) To impose one or more of the following minor sanctions:

(a) A formal written warning, which will be placed on the Respondent's record and will make any subsequent breaches of the College Rules more serious;
(b) A fine up to a maximum of £250 in addition to any payment required for costs of material damages under (c);
(c) To require the Respondent to pay the costs of material damages up to the amount of £250;
(d) To require the Respondent to provide a written apology;
(e) To require the Respondent to engage with an educative or reflective process;
(f) To require the Respondent to complete a written reflection;
(g) To require the Respondent not to contact a specified person (for a definite or indefinite period).

(3) To impose one or more of the following moderate sanctions, including in addition to one or more minor sanctions:
(a) A fine up to a maximum of £1000 in addition to any payment required for costs of material damages under (b);
(b) To require the Respondent to pay the costs of material damages up to the amount of £1000;
(c) To exclude the Respondent from College premises, facilities or services (for a definite or indefinite period)
(d) To exclude the Respondent from College events, and/or events organised by College bodies or societies (for a definite or indefinite period)
(e) To require the Respondent to vacate College accommodation (for a definite or indefinite period, and whether alternative accommodation is provided or not)

(4) To impose one or more of the following major sanctions, including in addition to one or more minor sanction and/or one or more moderate sanctions:
(a) Deprivation of privileges and emoluments attaching to any College prize, sizarship or bursary under Statute XX;
(b) Rustication (and giving a recommended period);
(c) Final removal from the College.

10.14 If deciding to recommend a sanction, the Meeting of the Tutors will also recommend any witnesses (if any) in addition to the Complainant that the Governing Body should hear from.

The Governing Body's Consideration

10.15 The Tutors' Recommendation, including reasons for it, will be provided to the Respondent within a reasonable time (usually within 7 calendar days of the meeting). The Tutors' Recommendation will be considered at a meeting of the Governing Body held within a reasonable time of the Tutors' Recommendation and reasons being provided to the Respondent. The meeting must be held in the absence of the Master and being quorate in accordance with Statute IV.8 of the College Statutes, shall consider the Tutors' recommendation. The meeting shall be chaired by the President, or, in the President's absence by the senior fellow present in accordance with Statute IV.4 of the College Statutes.

10.16 The Senior Bursar will communicate the date, time and location of the meeting to the members of the Governing Body, the Tutors (including the Respondent's Tutor), the Chair of the Discipline Committee, the Dean, the Respondent, the Complainant, and any witnesses recommended to attend by the Tutors. In cases investigated by OSCCA, the the Complainant and any witnesses will be given such updates as are appropriate.

10.17 The Governing Body may be advised by a clerk who shall be experienced in decision-making relating to misconduct, either through legal training or training in relation to Student, staff or professional procedures.

10.18 There is risk of unfairness if a decision is taken on the basis of a person's evidence without the possibility of testing that person's evidence by questioning. At the same time as communicating the date, time and location of the meeting, the Senior Bursar will ask the Complainant, and any witnesses referred to by the Meeting of the Tutors, to attend the meeting of the Governing Body, and to be asked questions about their account of the matter. The Senior Bursar will seek to ascertain whether such persons are willing to attend and be questioned. Except in exceptional circumstances, to be determined by the Chair of the Governing Body meeting, evidence from the Complainant or such witnesses shall not be taken into account unless they attend the meeting of the Governing Body and offer their evidence for testing by questions. When considering whether to take into account such evidence without the opportunity for the evidence to be tested, the Chair will take into account whether there are good reasons for the Complainant or witnesses not attending, the extent and significance of factual disputes as to what occurred, the extent of the significance of the Complainant's or witness's evidence for the matters to be determined by the Governing Body, and the need to ensure that the procedure is fair to the Respondent. If the Complainant or witness refuse to attend the meeting, and the Chair decides that such evidence is not to be taken into account, then the Dean will provide an Investigation Report (to be provided to the Governing Body, in place of a previous Investigation Report) which does not include such evidence. This paragraph does not apply in the case of matters investigated by OSCCA.

10.19 The evidence to be taken into account shall be provided to the Respondent and the Governing Body no later than 7 calendar days before the meeting of the Governing Body.

10.20 The Respondent shall have an opportunity to provide a written statement and be invited to attend the meeting of the Governing Body. The Chair of the Governing Body meeting will decide whether the meeting should take place in person or remotely, or in hybrid form. Where the Chair considers that it is appropriate in the circumstances to do so, the Governing Body meeting may proceed in the Respondent's absence. If the Respondent informs the Senior Bursar that they do not propose to attend, they will be provided with an opportunity to comment on the Governing Body proceeding without them prior to the Chair reaching any confirmed decision. The Chair may decide to adjourn the meeting, where considered necessary, including to seek further evidence.

10.21 The Dean will make an oral statement. The members of the Governing Body, and the Respondent (and their Supporter, if any), will have the opportunity to ask them questions. The Respondent will have the opportunity to make an oral statement. The members of the Governing Body, and the Dean, may ask them questions, although at the discretion of the Chair, these questions may be put through the Chair.

10.22 The Respondent will have the opportunity to make an oral statement. The members of the Governing Body, and the Dean, may ask them questions. The Complainant may also ask the Respondent questions, although at the discretion of the Chair, these questions may be put through the Chair. The Complainant will have the opportunity to

make an oral statement. The Respondent (and their Supporter, if any), the members of the Governing Body, and the Dean, may ask the Complainant questions, although at the discretion of the of the Chair, these questions may be put through the Chair. Any witnesses as recommended by the Meeting of the Tutors shall attend the meeting of the Governing Body. They will have the opportunity to make an oral statement. The Respondent (and their Supporter, if any), the members of the Governing Body, and the Dean, may ask the witnesses questions, although at the discretion of the of the Chair, these questions may be put through the Chair. The Respondent will be given the opportunity to make a final statement.

10.23 The Chair will give the Respondent an opportunity to make any comments in personal mitigation. These comments will not be shared with the complainant or witnesses (except in a case involving multiple Respondents, and the mitigation makes reference to other Respondents). Once the Governing Body is satisfied that it has received all of the information which it requires, the Tutors (including the Respondent's Tutor), the Dean, the Respondent and the Respondent's supporter, and the Respondent's Director of Studies will withdraw.

10.24 The Governing Body will then consider all the information that has been provided, including the recommendation of the Meeting of the Tutors, and decide either to take no further action, or to impose a sanction as listed in para. 10.13 above, considering the factors listed in Section 5, above. The Governing Body may impose a sanction greater than that recommended by the Tutors. Any clerk will remain to provide advice, but will not take part in the decision.

10.25 The Governing Body will provide brief reasons for its decision. The Senior Bursar will inform the Respondent of the Governing Body's decision, and the reasons for it, within 7 calendar days of the Governing Body reaching its decision.

Appeal

10.26 The Respondent shall have the right to appeal the decision of the Governing Body within 14 calendar days of having received the Governing Body's decision. The Academic Registrar shall act as Secretary to the Review Committee. The Master, as Chair of the Review Committee, has the authority to extend the appeal deadline, where there is a compelling reason to do so. Any application to extend time shall be made in writing to the Secretary to the Review Committee by the Respondent as soon as possible. Any delay in making the application to extend time is a factor which may be taken into account by the Review Committee. If time is not extended and the appeal is not permitted to proceed, a Completion of Procedures Letter will be issued.

10.27 The Review Committee may be advised by a clerk who shall be experienced in decision-making relating to misconduct, either through legal training or training in relation to Student, staff or professional procedures.

10.28 An appeal can only be submitted on the following grounds, that:

(1) Failure to follow fair procedure (including there being bias or reasonable perception of bias);
(2) The decision reached was unreasonable;

(3) The Respondent has new material evidence that the Respondent was unable, for valid reasons, to provide earlier in the process;
(4) The sanction or measure was manifestly disproportionate, or not permitted.

If the Respondent would have wished to appeal on a different ground, the Respondent can write to the Master to this effect within seven calendar days of the decision, and the Master shall provide a Completion of Procedures Letter (see para 10.37 below).

10.29 In order to appeal the Governing Body's decision, the Respondent must provide written grounds and reasons for appealing to the Secretary of the Review Committee, which include all evidence the Respondent wishes to be considered as part of the appeal. The Master, as Chair of the Review Committee will normally aim to make a decision whether to allow an appeal to proceed further within 14 calendar days of the Respondent making the appeal. The appeal will not be allowed to proceed further if has not been made within the appeal deadline or any extended deadline, or if the grounds given for the appeal do not fall within the permitted grounds. If the appeal is not allowed to proceed further, a Completion of Procedures letter will be issued.

11 If the appeal has been made on the specified grounds and within the timeframe, as determined by the Review Committee, the Secretary of the Review Committee shall organise a date for the meeting of the Review Committee either physically or virtually or on a hybrid basis, and communicate the date, time and location for the meeting to members of the Committee. The Respondent will be informed of the members of the Review Committee.

12 The Review Committee shall receive the Respondent's Appeal Form and evidence, the written document setting out the decision of the Governing Body, the recommendation of the Tutors' Meeting and the minutes of the Tutors' Meeting, and the material considered by the Tutors at least 7 calendar days before the Review Committee meeting.

13 The Review 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 which the Respondent does not already have possession of, and will be given an opportunity to provide a written response to it.

14 The Review Committee shall consider all the information that has been provided and reach one of the following decisions:

(a) To dismiss the appeal and uphold the decision of the Governing Body;
(b) To uphold the appeal and refer the case back to the Governing Body for consideration of the imposition of a lesser penalty than that originally imposed by the Governing Body, or no sanction, provided that if the Respondent is dissatisfied with any substituted sanction or measure the Respondent may opt instead to accept the sanctions or measures originally imposed by the Governing Body.
(c) To substitute its own decision as to sanctions or measures listed in para. 10.13 above other than final removal from the College, rustication or deprivation of privileges and emoluments for that of the Governing Body (including the imposition of no sanction), provided that if the Respondent is dissatisfied with any substituted sanction or measure the Respondent may opt instead to accept the sanctions or measures imposed by the Governing Body.

15 The Secretary of the Review Committee will provide a written copy of the Review Committee's decision, and the reasons for it, within a reasonable time (usually no more than 28 calendar days from the meeting of the Review Committee).

16 If the Review Committee has dismissed the appeal under para. 10.33(a) above, or has substituted its own decision as to sanctions or measures for that of the Governing Body in accordance with para. 10.33(c) above, this is the final stage of the internal process and the Respondent will be issued with a Completion of Procedures letter. There is no further right of appeal under College Procedures.

17 If the Review Committee has referred the case back to the Governing Body in accordance with para. 10.33(b) above, at its next meeting after receiving the referral back, the Governing Body, in the absence of the Master and any member of the Governing Body who was a member of the Review Committee, shall consider the referral back in accordance with paras 10.15-10.25 above, provided that the Governing Body may impose no sanction or measure other than as specified in 10.33(b) above. There is a subsequent right of appeal under 10.26 above.

18 A Completion of Procedures letter will:
(a) explain to the Respondent, by reference to each relevant procedure, that the College has reached a final decision;
(b) explain to the Respondent that there is no further right to appeal, (or no right on the grounds specified, as the case may be) under College procedures;
(c) explain there is a 12 month time limit for the Respondent to appeal to the Office of the Independent Adjudicator for Higher Education (OIA) from the date of the Completion of Procedures letter;
(d) what the deadline is to make a complaint to the OIA.