

## POLICY ON SUSPENSION

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### 1 Introduction

- 1.1 Suspension is not a punishment; it is a temporary measure taken in response to an allegation of misconduct. It is not meant to be punitive but rather to facilitate an investigation to proceed unimpeded or to protect the student or other members of the University community. Suspension is therefore a non-judgemental process and alternatives to suspension will be considered where appropriate. This policy supersedes those relating to attendance.
- 1.2 By comparison, exclusion and expulsion are sanctions imposed as the outcome of a discipline procedure. An order of exclusion involves sanction(s) that may include (but are not limited to) restrictions on access to University facilities or activities, or contact with named person(s), whereas an order of expulsion is a permanent, compulsory withdrawal from the University.

### 2. Cases in which suspension can be considered

Suspension may be considered as appropriate in the following cases:

- a) where a police investigation is pending into an allegation that the student has committed an offence or offences against the criminal law, where the offences involve other students or affect or have the potential to affect the interests of the University or have the potential seriously to affect the health and safety of staff or students.
- b) Where a student's previously undisclosed criminal conviction, as defined in the University's **Criminal Convictions Policy**, is made known to the University, and the University determines that the past offence(s) may affect the interests of the University or may seriously affect the health and safety of staff and students.
- c) where a student may be causing disruption to others or may be severely damaging their own academic prospects or may be seriously affecting the health and safety of staff or students.
- d) as a short-term emergency measure to facilitate an investigation.

### 3. Emergency suspension

- 3.1. Emergency suspension will normally only be considered where the alleged misconduct poses a serious risk to the health, safety, welfare or property of the student or others.

- 3.2 As an emergency measure and following consultation with the relevant Director of the student's academic department and/or Head of Subject and course coordinator(s), the Head of Quality Assurance & Enhancement (QAE) or Deputy Vice-Chancellor (or their nominee) may suspend a student from the entire or specified parts of the University for up to ten (10) days, where the Head of QAE or Deputy Vice-Chancellor (or their nominee) is of the reasonable opinion that it is urgent and necessary to take such action. Such a period of emergency suspension will be used for further investigation of the matters prompting such action.
- 3.3 When an emergency suspension is put in place the Head of QAE or Deputy Vice-Chancellor (or their nominee) must on the same day make all reasonable efforts to provide to the student, the Director of the student's academic department and Quality Assurance & Enhancement (QAE):
- a) a written notification of the emergency suspension including the reasons for that suspension;
  - b) a copy of this regulation; and
  - c) notification of the student's right to make oral or written representations to either the Head of QAE or Deputy Vice-Chancellor (as directed within the notification) within five (5) working days' receipt of the notice of suspension.
- 3.4 Any representations made by the student within five (5) working days' receipt of the notice of suspension will be considered by the Head of QAE or Deputy Vice-Chancellor (or their nominee) as soon as practicable, but in any case, within two (2) working days of receipt of such representations. The Head of QAE or Deputy Vice-Chancellor (or their nominee) will then confirm to the student, the Director of the student's academic Department and QAE whether the suspension is to be lifted or remain in place.

#### **4. Suspension**

- 4.1 The Head of QAE or Deputy Vice-Chancellor (or their nominee) may suspend a student for a period of up to four (4) weeks from any part of the University or any University facilities or activities by providing written notification of the suspension to the student and a copy of this regulation. Any such student may not use, access or enter any such University buildings or facilities as may be specified by the Head of QAE or Deputy Vice-Chancellor (or their nominee) for a defined period but may use, access or enter all University buildings or facilities not thus specified. An order of suspension may include a requirement that the student have no contact of any kind with a named person or person(s).
- 4.2 Any academic member of staff shall have the right to require any person to leave his or her class for one particular teaching session. Where an academic member of staff believes it is necessary to raise an allegation of misconduct under University discipline regulations, they may seek to suspend the student from a particular class for a period

not exceeding four (4) weeks, pending the outcome of a disciplinary investigation. In such a case, the academic member of staff should seek approval from the Director of the academic department or their nominee who will then seek approval for the suspension from the Head of QAE or Deputy Vice-Chancellor (or their nominee). Following consultation with the relevant Director of the student's academic department and Head of Subject and course coordinator(s), the Head of QAE or Deputy Vice-Chancellor (or their nominee) may suspend the student from that particular class for up to four (4) weeks, where they are of the reasonable opinion that it is necessary to take such action. The student, the Director of the student's academic department and QAE should be informed in writing of the suspension by the Head of QAE or Deputy Vice-Chancellor (or their nominee).

4.3 A Director of an academic department or their nominee shall have the right to exclude any student from attending any part of a module for which they are not registered, if this is appropriate to ensure the proper conduct of the class.

4.4 The Head of QAE or Deputy Vice-Chancellor (or their nominee) may exceptionally suspend a student from the entire University pending completion of a police investigation or criminal proceedings or for any other reason, for a period of up to twelve (12) months.

## **5 Review and appeal**

5.1 Throughout a period of suspension the Deputy Vice-Chancellor or Head of QAE (or their nominee) shall keep the suspension under review in light of any representations, developments or information which are brought to their attention and which in their reasonable opinion change the nature of the suspension or warrant its lifting. Should the period of suspension exceed four (4) weeks, the suspension should be reviewed at four-weekly intervals.

5.2 In addition to 5.1 above, the Deputy Vice-Chancellor or Head of QAE (or their nominee) must conduct a thorough investigation during the period of the suspension to establish whether the suspension should be lifted or whether the suspension be continued for a further specified time. If the investigation is not concluded by the end of the period of suspension, the suspension may continue for a further specified time as determined by the Deputy Vice-Chancellor or Head of QAE (or their nominee) with the student, the Head of the student's academic department and QAE being so notified. The student's period of suspension shall normally be concluded should no conclusion to the investigation have been reached at the end of the further specified time.

5.3 In all cases where the suspension might involve removing the student temporarily or otherwise from his or her accommodation, the Accommodation Office must be contacted as soon as possible for advice on how to proceed.

5.4 If it becomes apparent that the student may have mental health support needs, then proceedings should be adjourned and advice sought from Student Services. The **Health Wellbeing and Fitness to Study Policy** may be invoked as more appropriate to the circumstances pertaining at the time.

5.5 The Vice-Chancellor must be notified where a student is suspended:

- a) for four weeks or more; and/or
- b) the suspension is from the entire University.

5.6 A student may appeal against suspension where his or her suspension is continued beyond four weeks through the University's appeals procedure.

## **6. Attendance during suspension**

6.1 Students are normally expected to fulfil all academic commitments during a period of suspension, where feasible. The student cannot however be granted access to classes or areas from which they are suspended.

6.2 The Director of the student's academic department or nominee will advise the Deputy Vice-Chancellor and/or Head of QAE (or their nominee), and the student on how and to what extent academic commitments can be fulfilled during suspension, and any means of mitigating the academic consequences of a suspension.

6.3 If, in the reasonable opinion of the Director of the student's academic department, it is not possible to mitigate adequately the academic consequences of a suspension within the current academic year, the student may be required to intermit until they can resume their studies at an equivalent point during the following academic year to that when the suspension began. The Director of the student's academic department in conjunction with QAE will determine the appropriate point of recommencement.

**VERSION CONTROL**

PURPOSE/CHANGE	AUTHOR	DATE
Original document for approved at AQSC.	QAE	November 2015
Updates to the clauses below following approval at Academic Board: 3.2; 3.3; 3.4; 4.1; 4.2; 4.4; 5.1; 5.2; 6.2	QAE	12/07/2017