

Guidance for the Reporting Student (Conduct Cases)

This Guidance for the Reporting Student document is useful for all students who may wish to understand the student conduct procedures, but especially for those who have submitted a formal Student Conduct Report to the Student Information and Resolution Team. It describes the process and what you can expect as a 'Reporting Student'.

Formal reports of alleged breaches of conduct involving students are considered under the [Student Conduct Regulations](#). Please read these regulations for detailed information about the procedures.

Please note that the Student Conduct Regulations are used to consider alleged breaches of the Student Conduct Regulations. They are designed to address misconduct, rather than resolve the dispute between individuals. The University cannot determine whether or not a crime has been committed. The Student Conduct Regulations and Procedures are not legal or criminal proceedings.

Matters will not be excluded from consideration simply because the alleged act could constitute a serious criminal offence.

There are University staff and external organisations that can discuss how to pursue a criminal complaint if you choose to report an incident as a criminal offence, see 2 below.

If a criminal/police investigation starts or is already in progress, then the University may suspend its consideration of the student conduct case.

1. How does a Student Conduct Report get to the formal student conduct procedures?

If you have experienced or witnessed what you believe is a breach of the Student Conduct Regulations including sexual violence, hate crime or harassment involving students, you can complete the [Student Conduct Report Form \(Word\)](#). This is a formal report and you will be contacted by the Student Information and Resolution Team regarding the next steps under the Student Conduct Regulations.

If you have experienced or witnessed sexual violence, hate crime or harassment involving students, you can report it online with your contact details or anonymously via the [Report and Support website](#). If you have provided contact details, the Student Welfare Team will contact you after you have submitted your report and offer support and guidance about possible next steps. Please note, a Report and Support report will not automatically be considered through the student conduct procedures; you would need to submit a separate Student Conduct Report Form.

2. What support can I get?

There is a lot of information regarding the support available on the [Report and Support website](#).

You can also contact the Brookes Union Advice Team for guidance: su.advice@brookes.ac.uk.

The Student Information and Resolution Team is also available for procedural advice: sirt@brookes.ac.uk.

3. What happens after I have submitted a formal Student Conduct Report?

You will receive an email from the Student Information and Resolution Team to acknowledge your report. This email will include a case number and a link to the Student Conduct Regulations.

The Student Investigation and Resolution Officer will then decide if the case is appropriate for the student conduct procedures. You will be notified how the case is to be handled within 10 working days of submitting the Student Conduct Report.

If you raise an anonymous report the University will endeavour to explore such issues as far as is possible, any investigation, and the outcomes of any investigation will be conducted and implemented entirely at the University's discretion. In most cases, the reported student will need to know who is making the allegations.

4. What happens if the case is to be considered under the Student Conduct Regulations?

You will be notified by the Student Investigation and Resolution Officer that they will do an initial investigation.

The Student Investigation and Resolution Officer will contact the Reported Student who is alleged to have breached the Student Conduct Regulations and carry out an investigative interview with that student(s).

The Student Investigation and Resolution Officer may advise the Reported Student not to make contact with the Reporting Student and if contact is made, this may lead to another investigation into an alleged breach of the Student Conduct Regulations.

5. Will I be invited to the investigative interview?

The Student Investigation and Resolution Officer will have access to your Student Conduct Report Form and evidence and may contact you should they require any further information. You may be invited for a separate interview. You will not be invited to attend the investigative interview with the Reported Student.

The Student Investigation and Resolution Officer may keep you informed about the general progress of the investigation and the general outcome of it, but specific details will not be shared.

6. What happens if it is decided that the Reported Student has breached the Regulations?

Conduct Investigation

The Student Investigation and Resolution Officer will determine an appropriate penalty or refer the case to a University Conduct Committee. At this stage, the Student Investigation and Resolution Officer will have access to information about previously recorded breaches of the Student Conduct Regulations, which may influence their choice of penalty. This may be the end of the student conduct procedure.

The University Conduct Committee

If the Student Investigation and Resolution Officer decides that the penalty they think is appropriate is one which they are not permitted to give, then the Student Investigation and Resolution Officer will refer the case to be considered at a University Conduct Committee. Please see the Student Conduct Regulations for a list of penalties.

If a penalty is given at the initial investigation, the Reported Student can request for the case to be considered at a University Appeal Committee.

The University Conduct Committee can raise or lower the penalty which was awarded at Level 1.

It is not a requirement or a right for the Reporting Student to attend a University Conduct Committee. However, the Student Investigation and Resolution Officer who did the initial investigation may ask the Reporting Student if they can attend the University Conduct Committee as a witness. All aspects relating to attendance (or non attendance) including meeting arrangements and support will be collectively considered by the Reporting Student, Student Investigation and Resolution Officer, and the Chair of the relevant Committee.

Appeal Committee

A different panel will consider the case at the Appeal Committee.

The appeal shall normally take the form of a review of the decision of the University Conduct Committee or Student Investigation and Resolution Officer/Conduct Officer.

The panel can raise or lower the penalty which was awarded by the conduct officer or University Conduct Committee.

A Completion of Procedures letter will be issued upon conclusion of the Appeal Committee. The Reported Student can then take the case to the OIA (external ombudsman).

7. What if the Reporting Student is unhappy with decisions made under the student conduct procedures?

The Reporting Student or witness cannot challenge decisions made under the Student Conduct Regulations.

If the Reporting Student can demonstrate that something was not done correctly with the procedure which has been applied under the Student Conduct Regulations, a formal complaint (under the Student Complaint Regulations) can be submitted regarding this. The regulations and procedures for student complaints can be found on the Student Information and Resolution website.

Last updated by Student Information and Resolution Team: October 2019