

Student Conduct Annual Report

2023/24

Foreword

From the Registrar and Chief Operating Officer



To fulfil the University's commitment to a zero tolerance policy on harassment, discrimination and bullying, we must be as transparent as possible with you about the processes and the actions that we take in response to student behaviour that does not meet with our expectations for a safe, inclusive environment at Oxford Brookes.

Our third Student Conduct Annual Report covers the 2023/24 academic year and provides an overview of the types of non-academic conduct cases investigated. We are limited to some extent under UK Data Protection Law as to what level of information can be made public, but, as we have done in previous versions of the report, we have tried to offer as much detail as we believe is appropriate to show our commitment to transparency and to demonstrate the importance that we place upon taking action

There have been some consistent themes across all of our annual conduct reports, namely:

- The University considers a notable number of complaints within an academic year, and we now have three full years' worth of data, which demonstrates the volume of cases that are investigated.
- The cases reported to the University are complex and require a significant level of detailed investigation, with multiple stages of consideration before they can be considered complete. Approximately 15% of cases had varying levels of police involvement, which can impact or cause delays to the University's process.

Specifically for this reporting period (academic year 2023/24), we saw the expansion and formalisation of 'Alternative Resolution' as a new pathway to offer a more efficient and effective method of achieving the desired outcomes for reports of low-level misconduct. This appears to have been a successful initiative and we will continue to use it as appropriate. We take all cases reported to the University seriously: we investigate diligently and professionally, and in this report we have again demonstrated we will apply some of the most serious penalties available to us in appropriate circumstances. I hope this continues to give those involved, and those who read this third report, confidence that the University will take action when reports are made to us.

We need to remember that behind every case referenced or counted in this report, there will likely be traumatic personal experiences for a number of our students, which is why the dedicated network of support systems that interact with our conduct cases is so important.

We want more people who need support, and/or who experience behaviours that are not acceptable or in line with our Guiding Principles, to use our student conduct processes, so we can offer them the help they need and can take appropriate action against those who disrupt our inclusive community. I hope this report provides you with some additional confidence that those making reports will be offered support, will be believed and will have their cases investigated fully.

I would encourage anyone who feels they may have experienced behaviours by members of our community that do not accord with our Guiding Principles to seek support through any of the three established routes: the University reporting tool, the Student Welfare team or the Student Investigation and Resolution Team, which are all listed below.

Brendan Casey
REGISTRAR AND CHIEF OPERATING OFFICER

[Student Investigation and Resolution Team](#)

[University Reporting Tool](#)

[Student Welfare Team](#)

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1. Introduction

At Oxford Brookes University, staff and students work hard every day to create a community that is safe, friendly, and welcoming for all. This applies to our role as a learning environment, as neighbours in Oxford and Swindon, and as a space where members of our University socialise, grow and work together. This requires a shared commitment from all of us, across both our Oxford and Swindon campuses, to meet the high expectations of our students and their conduct both on and off campus.

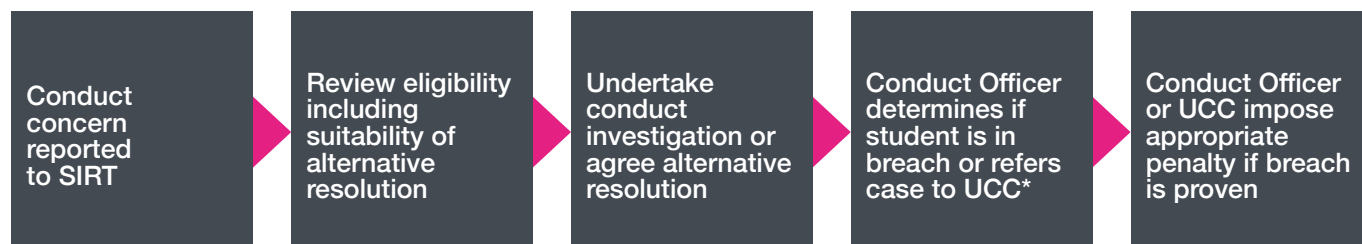
Where serious incidents occur that may be a breach of our Student Conduct Procedure, the University's Student Investigation and Resolution Team ("SIRT") will investigate and ensure that appropriate action is taken. These investigations are carried out for, on behalf of, and in cooperation with the student body as a whole. It is therefore important that an annual, transparent report gives an overview of the actions that were taken in an academic year.

This third annual report gives an insight into how the University dealt with non-academic student conduct when reports were brought to SIRT. This year's report covers the period between 1 August 2023 to 31 August 2024 (the "reporting period").

Other departments within the University also deal with student conduct, for example, the Community Engagement team and Brookes Accommodation; some headline figures from those departments are contained in this report. This report mainly deals with the most serious reports of misconduct or instances where students have repeatedly breached the regulations.

2. Process

The flowchart below offers a simplified overview of how a case progresses from an initial report. The full process, and associated procedures, can be found in the Appendix.



**University Conduct Committee (UCC)*

- **Reporting to the Student Investigation and Resolution Team (SIRT):** Cases or conduct concerns are usually raised with SIRT through the online Student Conduct Form. Issues may also reach the team via email or through a referral from other departments and colleagues including Student Support Services, faculty staff, Brookes Accommodation and Brookes Sports.
- **Eligibility review:** The SIRT Deputy for Student Conduct will triage the report and consider eligibility, such as whether the report should proceed through the conduct procedures. A report may not be eligible, for example if the matter is about non-payment of rent and therefore a civil dispute outside the remit of the procedures. The SIRT Deputy for Student Conduct may consider that a different process is more suitable, for example a referral to Support to Study.
- **Precautionary measures (PMs):** Where appropriate, the SIRT Deputy for Student Conduct will consider the need to impose precautionary measures to safeguard all parties involved and the wider student body. These measures may remain in place until the University's disciplinary process concludes or the outcome of any ongoing police investigation (see 5.2 for details).
- **Alternative Resolution:** If the reported conduct is considered suitable for Alternative Resolution, the Deputy for Student Conduct will follow the process under clause 7.7 of the Student Conduct Procedures and will meet with both the Reporting Party(ies) and Reported Student to mediate an agreed resolution. The report may remain open if the Alternative Resolution agreement includes a prescriptive probationary period. Any breach of the Alternative Resolution agreement may result in initiating or escalating to a conduct investigation.
- **Investigation:** If a case proceeds to investigation, a delegated Conduct Officer will gather the evidence, including statements from both parties and any witnesses.
- **Decision:** After the investigation concludes, the investigating Conduct Officer decides whether or not the Reported Student is in breach of the Student Conduct Procedure and if appropriate, they may impose a penalty. If the severity and or nature of alleged breach may warrant a major penalty, the Conduct Officer will refer the case to be heard before a specially convened University Conduct Committee (UCC).
- **Penalties:** If a breach has occurred, penalties are imposed. These range from a formal warning to permanent expulsion from the University.

3 Investigation and outcome numbers

54 reports of misconduct received				
51 'eligible' conduct reports		3 'non-eligible' reports		
		2 unidentified reported student		
		1 reported student incomplete enrolment		
14 reports closed without outcome	37 reports resolved			
4 reports withdrawn by reporting party	16 conduct cases investigated by SIRT	▶ 10 cases determined by Conduct Officer	▶ 7 reported students found in breach	
7 no response from reporting party		▶ 6 cases referred to UCC	▶ 3 reported students not found in breach	
2 ongoing (relate to same incident)	15 reports closed via alternative resolution	▶ 6 reported students liable for major breaches		
1 paused pending criminal proceedings	6 reports referred to other departments	▶ 3 cases referred to Brookes Accommodation		
		▶ 3 cases referred to Faculty		

Fig.1 Overview of conduct reports 2023-2024

3.1 Overview

In total, 54 non-academic conduct cases were reported to SIRT in the reporting period between 1 August 2023 and 31 August 2024.

Of the 51 eligible reports:

- 16 cases were concluded following an investigation.
- 15 cases were closed via the new pathway of Alternative Resolution.
- six cases were referred to other departments.

Of the six cases referred to other departments; three reports were referred back to Brookes Accommodation, three reports alleging disruptive and disorderly behaviour were referred back to the faculty.

Of the 16 reports which progressed to investigation by SIRT, six cases were referred to a University Conduct Committee ("UCC") and in the other ten cases, the outcome was determined by the investigating Conduct Officer.

In the ten cases where liability was determined by a Conduct Officer:

- seven Reported Students were found to be in breach.
- three Reported Students were found not to be in breach.

As expected, the six cases referred to a UCC all involved allegations, which if proven, may amount to major breaches. In each case referred to UCC the Reported Student was found liable for a 'major' breach.

Of the overall number of students reported for misconduct (51), only a quarter (25.4%) were found in breach, including minor breaches.

If a reported student is unhappy with the outcome of an investigation, they are entitled to appeal the decision (taking the case to Level 2 of the procedure). Appeals are considered by a University Appeal Committee (“APC”).

Two Appeal Committees were held during the reporting period:

- one APC was held to hear an appeal of a fixed penalty fine issued by the Residences Conduct Officer (RCO) in Brookes Accommodation
- one APC held during the reporting period was to hear an appeal of an outcome delivered in the previous reporting period (August 2022 to August 2023). The Appeal Committee upheld the decision of the UCC.

3.1.1 Cases closed without a determinative outcome

Fourteen conduct reports were closed without a determinative outcome; meaning the case was not investigated, referred to another department or resolved through Alternative Resolution.

Of these cases closed without a determinative outcome:

- four reports were withdrawn by the Reporting Party (7.8%)
- seven reports did not proceed for lack of response from the Reporting Party (13.7%)
- two reports pertaining to the same incident are still ongoing (3.9%)
- one report was ‘on-hold’ due to ongoing criminal justice proceedings (2.9%)
- three reports were dealt with by the faculty (5.9%)
- three reports were dealt with by the Accommodation team (5.9%)

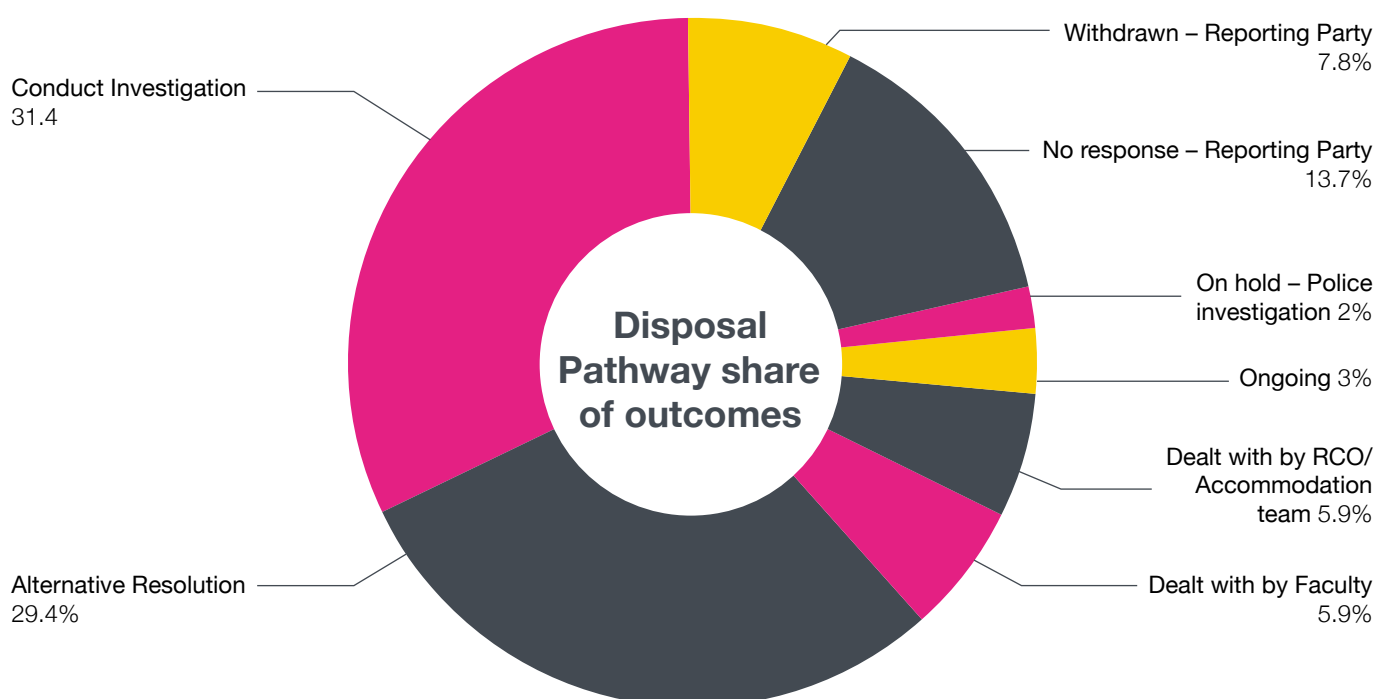


Fig. 2 Outcomes and disposal methods for conduct reports (2023-2024)

3.1.2 Alternative Resolution

Of the 51 conduct reports, 15 reports were closed via the newly formalised provision of 'Alternative Resolution'. This means that almost a third of reports (29.4%) were closed in accordance with the Student Conduct Procedures but without investigation; more importantly, those reports were not dismissed, instead they were resolved to the satisfaction of the Reporting Party.

Reports resolved via Alternative Resolution mainly included allegations and disputes occurring within accommodation; this is evidenced by the fact that most outcomes involved a student moving to different accommodation. Cases involving allegations of 'sexual harassment, violence or abuse' deemed appropriate for Alternative Resolution included allegations of unwanted communication via phone or social media, an isolated act of unwanted contact following the breakdown of a relationship, or incidents of inappropriate language of a sexual nature in a teaching or accommodation setting.

The table below shows the various combinations of measures used to resolve reports of disputes. Changing accommodation and undertaking a no-contact agreement are the most popular, this supports the assertion above that students view Alternative Resolution as an effective and immediate way to stop ongoing unwanted or disruptive behaviour

Combined measures for Alternative Resolution	Reports resolved
Move accommodation	6
No Contact Agreement	2
No Contact Agreement, Words of advice, Apology, Mediation	2
No Contact Agreement, Words of advice	1
No Contact Agreement, Apology	1
Move accommodation, Apology	1
Words of advice	1
Words of advice, Apology	1
Total Reports Resolved via Alternative Resolution	15

Fig. 3 Frequency of measures used to reach Alternative Resolution

If a student breaches the terms of the Alternative Resolution agreement or the behaviour escalates, the Reporting Student has the option to return to SIRT and the matter will be reopened. In the current reporting period, zero cases resolved by Alternative Resolution have been re-reported or escalated to conduct cases.

3.1.3 Comparison with previous reporting period

In comparison to last year, the total number of cases reported to SIRT has increased from 44 to 51; this is likely due to an increase in 'group reports' where an individual Reporting Student has accused multiple Reported Students of breaching the conduct procedures relating to the same incident or behaviour.

This year, fewer reports have progressed to the investigation stage; however, more students have been found in breach.

We investigated 16 (31%) of the 51 eligible reports in the reporting period, which is fewer investigations compared with the previous year (43%). Reports may not proceed to investigation for several factors:

- In the reporting period, 29% of reports were managed through the newly formalised pathway of Alternative Resolution, thereby not requiring investigation; this pathway was not available during the previous reporting period (2022 to 2023).
- Reports with some element of police involvement may require us to pause our investigation, thereby potentially creating a delay.
- The Reporting Student may withdraw their report before formal action is taken by the University (8% in the reporting period).
- Some reports may be appropriately resolved under different procedures or by other teams.
- The Reported Student withdrew from their programme of study before we could investigate.

In this reporting period, six conduct cases progressed to a UCC (12% of overall reports). This is a decrease from the previous reporting period (2022 to 2023) where 16% of reports progressed to UCC. Despite a smaller share of cases progressing to UCC, the percentage of students found in breach remains consistent at 11%.

This context reveals that a lack of investigation does not mean a lack of resolution. Close cooperation with other stakeholders means that reports are dealt with appropriately and the success of Alternative Resolution suggests that a formal investigation by SIRT is not always the most appropriate action in the interest of the parties involved or the wider student body. Informal concerns raised by students and staff are not captured in these numbers; for example, a faculty staff member seeking advice on dealing with disruptive behaviour or bullying without disclosing names or details of the circumstances.

3.1.4 Cases by type of breach

The Student Conduct Procedure lists 27 different types of breaches. The overlap in the wording of the breaches means that many reports allege multiple breaches in relation to the same incident or behaviour.

For reporting purposes, the individual breaches in the Student Conduct Procedure have been categorised into six areas, under which the breaches fall:

- Sexual violence or harassment
- Interference with University process
- Discrimination/harassment/bullying
- Health and safety
- Drugs/criminal activity
- Other unwanted behaviour towards others.

The numbers presented here list the primary alleged breach that characterises the case, and cover all cases reported to the team in the relevant time period.

Previously breach '5.7 (w) Threatening, indecent, offensive or violent behaviour directed towards any member of the University community or member of the public' was included under the category of 'Other unwanted behaviour'; however as this breach is commonly reported with '5.7 (v) Physical, written, or verbal abuse or intimidation against another person, including communications via social media' to report the same behaviour, it is more reasonable for breaches 5.7 (w) and 5.7 (v) to be included under the same category, particularly as a breach of 5.7 (w) may include acts of violence of more serious harm than behaviour included in the category of 'Other unwanted behaviour'.

When comparing data on reported breaches with the preceding reporting period, it should be noted that the Procedures have been revised in the interim with some small revisions to the wording of the breaches and the lettering.

Breaches reported to SIRT by category (2023 to 2024)

Category of breach	Number of allegations reported	% of Total allegations (111)
Interference with University processes	6	5.4%
Discrimination, harassment, bullying & violence	58	52.2%
Sexual Misconduct	13	11.7%
Health and safety	3	2.7%
Drugs or criminal offences	5	4.5%
Other unwanted or disruptive behaviour	26	23.4%

Fig. 4 Number of times the Reporting Party has alleged a breach within the respective category and % of total allegations

As anticipated, by expanding the category of 'discrimination, harassment, bullying and violence' to include the additional major breach of '5.7 (v) Physical, written, or verbal abuse or intimidation against another person, including via social media', this category now has the highest number of reported breaches and has seen a dramatic increase compared with the previous reporting period.

Year on year comparison of reported breaches by category

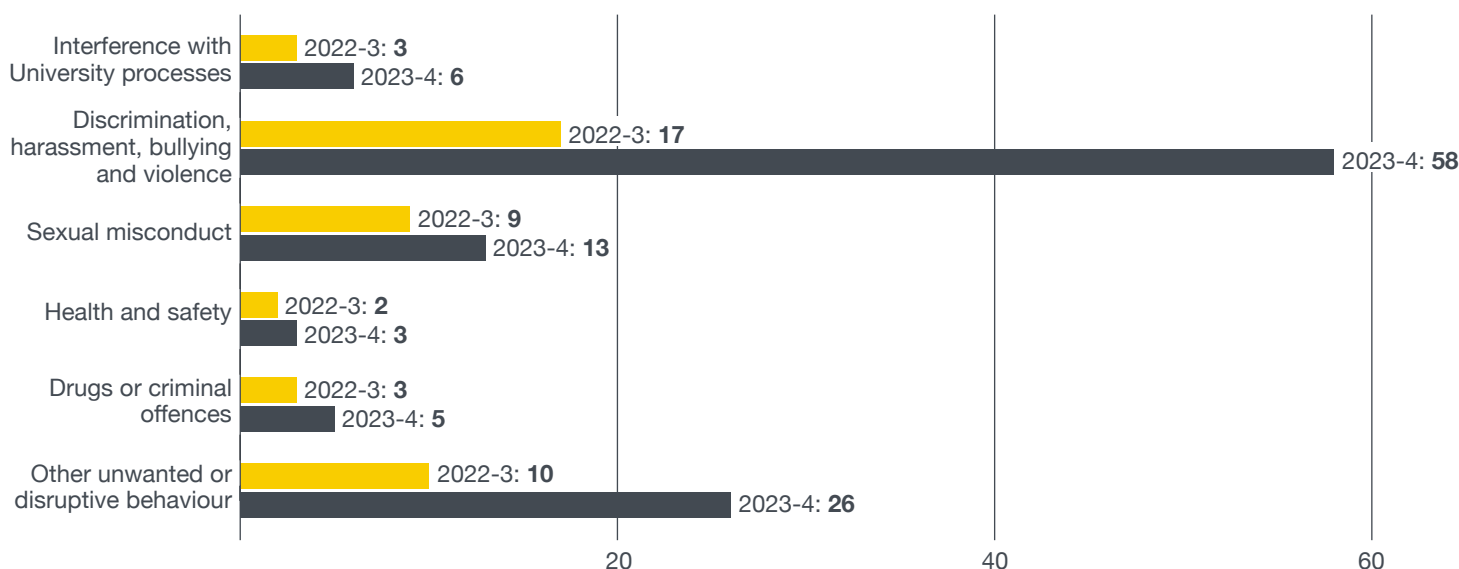


Fig. 5 Year-on-year comparison of reported breaches by category

3.1.5 Cases by type of breach

There were 13 reports of sexual violence or harassment made to the SIRT team in the reporting period. 'Sexual harassment, violence or abuse' describes a broad spectrum of sexually motivated behaviour, both physical and non-physical, ranging in severity and harm caused.

Cases of this kind range in severity and type of conduct, but frequently require a complex response that can involve police, welfare and the Independent Sexual Violence Advisor (ISVA) at Oxford Brookes. Every case is considered on its own merit by two investigators, in addition to a senior member of staff who carries out the assessment for precautionary measures, where required.

SIRT staff actively keep up with developments on best practice and case law in the higher education sector, and receive training such as interviewing skills and trauma-focused approaches to investigations. Several members of the team come from an investigative or criminal justice background.

The nature of some cases of sexual violence or harassment make it more likely for police to be involved. When this is the case, the University pauses its own investigations until an appropriate point, in line with current **Universities UK guidelines**.

The precautionary measures process is a tool to support the wellbeing, safety and educational aspirations of students involved in these cases.

One report of sexual harassment remained on hold due to police investigations throughout the reporting period. As police investigations are frequently lengthy, the Reported Student left the University before the police concluded their case and therefore the University could not pursue its own investigation. Additionally, some Reporting Students withdraw their University report during or upon conclusion of the police case.

All three Reported Students found in breach of sexual misconduct at UCC were given Personal Conduct Orders: two of the students were given a 'formal warning about future behaviour' in addition to the Personal Conduct Order and one Reported Student was required to provide an apology. One of the Reported Students was enrolled on a Professionally Regulated Course, therefore a referral to commence a Fitness to Practise proceeding was made.

The Appeal Committee convened to hear a case involving allegations of sexual harassment and violence that occurred in the preceding reporting period and upheld the original decision of the University Conduct Committee (UCC) to exclude the Reported Student.

Sexual Misconduct: Outcomes

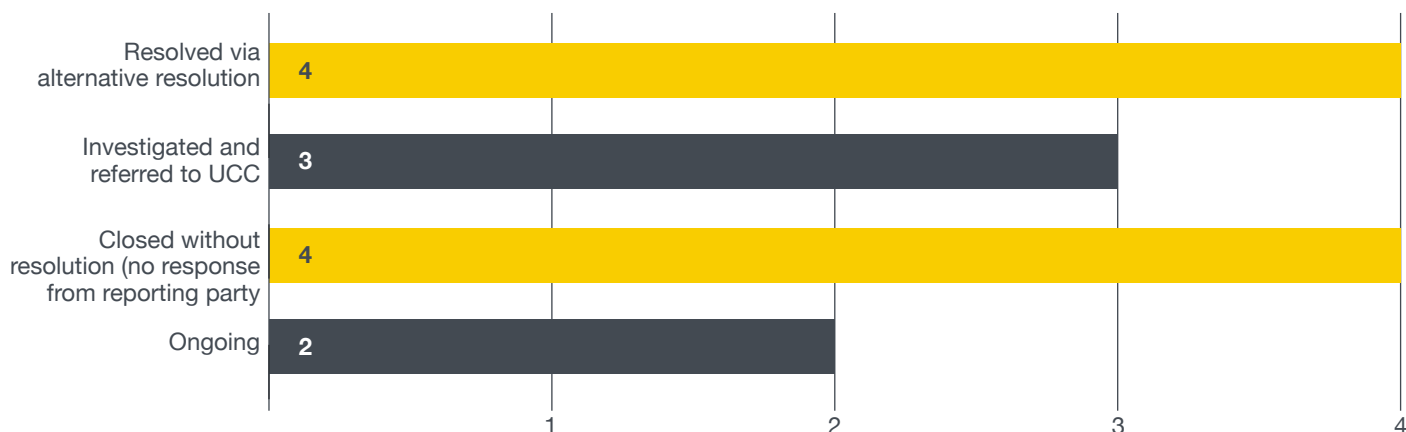


Fig. 6 Outcomes of reports alleging a breach of sexual misconduct

The timescales between reporting and the outcome of a UCC for cases involving sexual misconduct is 61 working days on average.

3.1.6 Discrimination, harassment and bullying

In the reporting period, SIRT received 17 reports alleging breaches that fall into the category of discrimination, harassment, bullying and violence. This covers matters such as bullying but also includes cases of harassment and stalking, and discrimination based on protected characteristics, such as racism and ableism.

As anticipated and as already discussed above, there has been a significant increase in the number of reports involving discrimination, harassment, bullying and violence due to the expansion of this category to include breach '5.7 (w) Threatening, indecent, offensive or violent behaviour directed towards any member of the University community or member of the public'.

The existence of Alternative Resolution may also have encouraged more students to report incidents of bullying and harassment, particularly if the desired outcome is to move accommodation. As the data shows in the bar chart below, most reports alleging discrimination, harassment, bullying or violence are resolved through Alternative Resolution.

Disposal pathways for reports of discrimination, harassment, bullying and violence

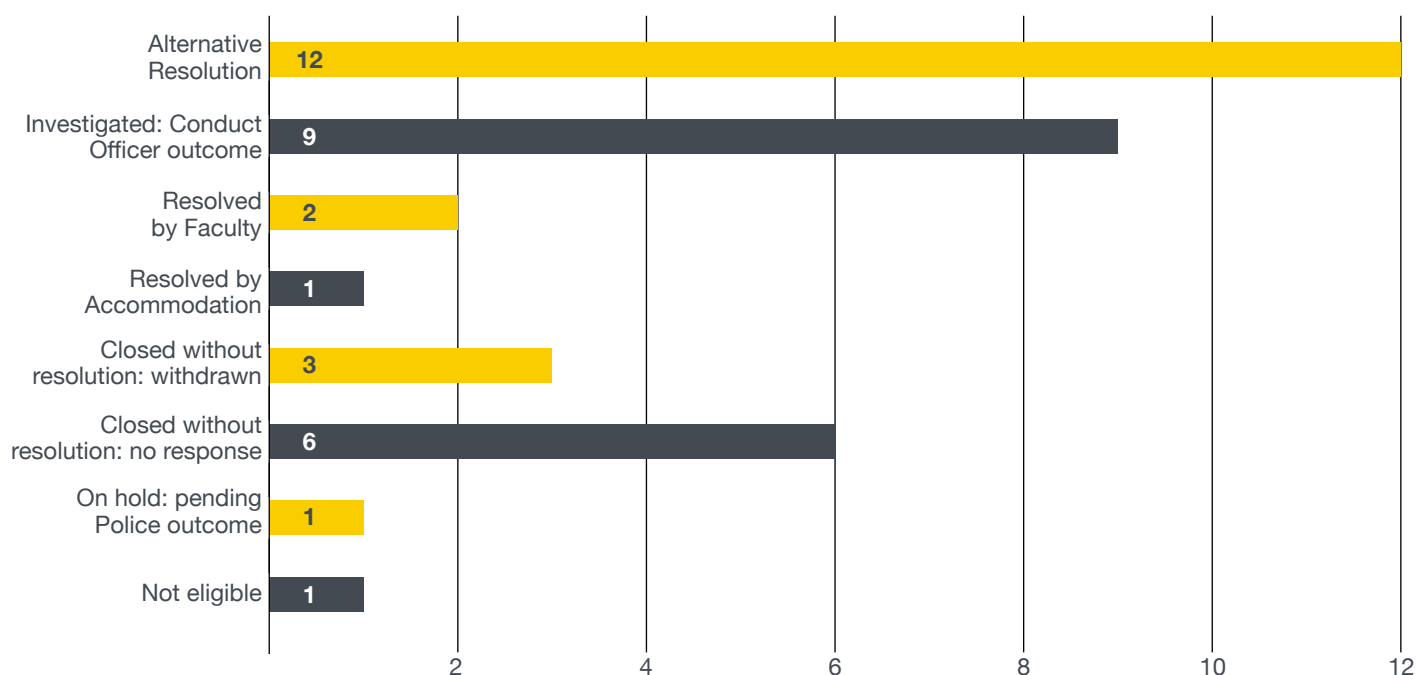


Fig. 7 Disposal Pathways for reports of Discrimination, harassment, bullying and violence

Major penalties, any form of suspension from the University or associated organisation, are used infrequently.

On the two occasions that a form of suspension was imposed, the cases involved incidents of causing injury to another student by physical assault. In one case, the suspension of the student from a Brookes Sports team was deemed the appropriate sanction as the harm caused was minimal and the Reporting Parties' desired outcome was only to suspend the Reported Student from a Brookes Sport team.

In the other case of proven assault, the student was suspended for seven months pending a police investigation. The police outcome was 'no further action' and the Reporting Parties both disengaged from the process. In the absence of supporting evidence from the Reporting Parties about their injuries and the circumstances of the assault, the suspension already served was considered sufficiently severe. The student was also given a Personal Conduct Order and a requirement to make a formal apology.

3.1.7 Drugs and other criminal offences

In the relevant reporting period, this category contained five cases of criminal offences of which the University was made aware.

The only report in this category investigated and referred to a UCC included a breach of '5.7 (y) Any criminal activity'. The primary breach was that of sexual assault, but as the sexual assault resulted in a criminal conviction, the student was consequently found in breach of 5.7 (y) in addition to sexual misconduct.

In the reporting period, three reported minor breaches of '5.6 (g) Possession, storage, use or misuse of a controlled drug or psychoactive substance' were resolved via Alternative Resolution, one case was referred back to accommodation and one was withdrawn by the Reporting Party. No reports were investigated and no penalties were imposed for drug-related offences.

3.1.8 Health and safety related reports

Health and safety related cases mostly occur in accommodation, and are frequently about tampering with equipment such as smoke detectors or fire doors. As this poses a risk to others, these cases are taken seriously under the Student Conduct Procedures. Breaches of health and safety may be dealt with at a local level by the Residences Conduct Officer or occasionally, the most serious reports may be escalated and referred to SIRT.

SIRT received three reports related to breaches of health and safety regulations during the reporting period. One report was investigated by SIRT and the Conduct Officer found the student in breach, giving a formal warning. One report was deemed not eligible and one report was referred back to be resolved by the accommodation team.

3.1.9 Interference with University processes

This group of cases covers actions such as a failure to follow staff instructions or dishonesty when giving information to the University.

In the reporting period, six cases of this kind were reported to SIRT: two reports were considered 'not eligible', two cases involved disruptive behaviour towards students and staff within the Faculty. Both cases were resolved via Alternative Resolution. One report involving the falsification of medical documents to support applications of Exceptional Circumstances. The case was investigated and referred to a UCC, which found the student in breach and issued a personal conduct order.

3.1.10 Other unwanted behaviour towards others

Although it appears from the data that SIRT received 26 reports that fall within this category, of the 26 reports, only three reports were made alleging solely a breach of either: '5.6 (d) Disorderly or disruptive, behaviour', '5.7 (k) Vexatious, reckless or malicious allegations', '5.7 (n) Any act which damages the University's reputation', or '5.7 (u) Victimisation of anyone because they have raised a complaint'.

The other 23 reports that included one or more breaches of 'Other unwanted behaviour', also included allegations of other breaches, most commonly breaches of discrimination, harassment, bullying or violence; those cases have been discussed in the previous section under the primary category.

Of the three reports alleging only 'disorderly or disruptive behaviour', one report was resolved via Alternative Resolution, one report was referred back to accommodation and one report was referred back to the faculty.

One case investigated by a Conduct Officer found a sole breach for disruptive behaviour in halls and imposed a formal warning. Additional allegations were included in the initial report submitted by accommodation staff, which is likely why the case was escalated for investigation by a Conduct Officer rather than resolved by another method.

4. Penalties

Penalties can be applied either by the investigating Conduct Officer or by the relevant UCC. It is common that an outcome may involve a combination of several penalties. All the reports closed without investigation (35), including those resolved by Alternative Resolution will not attract a penalty.

In the reporting period, 13 students received a penalty or combination of penalties either imposed by the investigating Conduct Officer or imposed by the UCC. That is an increase of 2 students compared with the previous reporting period.

It is important to note that some students receive measures, such as suspension, as part of the precautionary measures process. Some students then leave of their own volition before an investigation and a penalty can be applied. When this occurs, the University records this and would not allow the student to re-enrol in future without going through the Student Conduct procedures.

4.1 Breakdown of penalties

Summary of penalties:

- The most severe penalty imposed during the reporting period was the required temporary withdrawal from the University.
- Most penalties imposed by the Conduct Officer and UCC are a combination of the following minor penalties: a formal warning, a Personal Conduct Order and a formal apology. Various combinations of the penalties were imposed by the Conduct Officer in six cases and by UCC in six cases.
- In one case, the Conduct Officer imposed the major penalty '6.5 (e) The temporary or permanent exclusion of the student from one or more of the University's, or an associated organisation's premises, grounds, facilities or services'. This case was not referred to UCC because the Reported Student admitted the breach and the temporary suspension from a Brookes Sport team had already been agreed by the Reported Student and Brookes Sport

5. Interaction with external actors and other University processes

5.1 Police

In the last year, there has been increasing cooperation between the University and the police regarding matters of conduct. Some of the cases that are brought to the attention of SIRT may also constitute a criminal matter, and we advise students reporting these cases that they are free to go to the police if they wish to do so. When this occurs, we will normally put the University investigation on hold until the police have concluded their procedures, or it is agreed that the University can proceed.

In most cases where the police are involved, the University will apply precautionary measures (details on this below). When the matter has been concluded by the police or the courts, and we are informed of this by the responsible police force or the student, the University's investigation will usually resume.

More cases are now being reported to both the police and SIRT, and this has led to more cooperation. As such, there has been work around data requests from the police, and a visit to the team from Thames Valley Police to clarify processes and learn more about each other's investigation procedures.

In this reporting period, seven out of the 51 cases had some involvement with the police. During the reporting period, one case was paused pending criminal justice proceedings.

5.2 Fitness to Study and Fitness to Practise

If a serious welfare concern about a student arises at any point when SIRT is investigating a case, the student may be referred to the **Support to Study** procedure (formerly known as Fitness to Study).

During the reporting period, there were 13 Fitness to Study cases that progressed to Level 2 of the Fitness to Study procedure. This occurs when the action taken under the first level has not been successful, or it is felt that the case is too serious to be dealt with through an informal discussion.

If a student is enrolled on a programme where expectations are set out by a regulatory or professional body, such as teaching or nursing, and may be attending a placement, the relevant Fitness to Practise procedure will normally be applied.

Two Reported Students referred to UCC were enrolled on a Professionally Regulated Courses incurring a referral to the **Fitness to Practise** process.

5.3 Accommodation investigation

Some conduct issues that occur in accommodation owned by the University are initially considered by the Residences Conduct Officer(s), who are not part of SIRT. This frequently includes disputes between housemates or issues such as tampering with health and safety equipment. A common outcome for these cases is the issuing of fixed penalties, for example a fixed penalty of £50 for a first breach of smoking in accommodation. Regular meetings between the Accommodation Team and SIRT have led to steps being taken to ensure that the appropriate team is managing the reports and that concerns are flagged up to SIRT as necessary.

During the reporting period, the Residences Conduct Team awarded a total of 214 Fixed Penalties. This is almost a 50% increase from the previous reporting period (143 in the academic year 2022/23). These are fines given to students where there is no need for an investigation.

- 97 of these were for smoking inside University-owned accommodation.
- 68 of these were for health and safety breaches, for example covered safety detectors, interfering with or damaging fire or safety equipment.
- 49 of these were for non-completion of the Fire Safety Awareness Moodle course.

The team also dealt with reports of excessive noise, drug use, unauthorised vehicles on residential sites and general behavioural issues. Warnings and penalties were applied accordingly.

In two serious cases involving multiple breaches, 'Notice To Quit' letters were issued, meaning the student was required to leave the accommodation. One Notice to Quit was for persistent smoking and health and safety breaches, the other Notice to Quit was for persistent smoking and cannabis use.

5.4 Community Engagement Team

The Community Engagement team works to develop positive relationships with the local community. As part of this work, it provides a complaints process to allow local residents to raise concerns about the behaviour of Oxford Brookes students.

During the reporting period, the Community Engagement team held conduct interviews related to 4 separate houses, in which reports were made relating to the following regulations:

- Disorderly or disruptive, behaviour directed towards, or affecting, any member of the University community or visitors; and
- Any act which damages the University's reputation or the relationship with its local communities, as demonstrated by substantiated complaints from residents, local authority representatives, the media or a police dispute.

These interviews results in the following as penalties:

- three formal warnings about future behaviour, which indicate the error or omissions.
- four cases in which there was a requirement that the student make an oral or written apology to one or more individuals.
- three Personal Conduct Orders imposed.
- one community service, training, workshops or restorative meetings, which normally take the form of specified unpaid activities, for which no expenses shall be paid.

The team also carried out 25 advisory meetings for households that addressed noise disturbance and/or anti-social behaviour in private housing, resulting in written apologies delivered to the complainants

5.5 The University's sexual violence, hate crime and harassment reporting tool

The reporting tool allows students to flag up issues such as bullying, harassment, stalking, hate incidents and sexual violence, or other unwanted conduct. It is possible for students to submit reports either anonymously or with contact details. If details of the reporting party are provided, the Student Welfare team will be in touch within three working days to offer support and consider possible next steps with the student.

Typically the University cannot investigate anonymous reports. However, there may be other actions that can be taken, for example reporting to the police, triangulating information, communicating about acceptable behaviour and other remedial action.

The Student Welfare team will encourage students reporting issues that may constitute a student conduct matter to take the case to SIRT, and they will support students throughout the investigation if they wish. The two teams cooperate closely and Student Welfare will provide support to all students engaging with SIRT processes if required.

During the reporting period, 49 reports were made via the tool; 19 anonymous reports and 30 made by people who identified themselves.

From the 30 reports in which the reporting party could be identified, the following outcomes occurred:

- 19 received support solely from Student Support Services
- nine received support from Student Support Services, as well as being referred to external support services
- two people were offered support, but they did not take up the offer
- for nine of the reports, information was passed to a relevant, alternative University team for appropriate action.

5.6 Precautionary measures

When a conduct concern is reported, trained staff will carry out a precautionary measures assessment if there is reason to believe that the reported student may:

- interfere with the investigation,
- repeat the alleged breach,
- pose a danger to themselves or others; or
- the nature of the breach makes it not reasonable for staff and/or other students to associate with the reported student while the matter is investigated.

Measures such as a suspension, a no-contact agreement, or a move to alternative accommodation may be put in place as a safeguarding measure.

During the reporting period, precautionary measures were applied in five cases, with the typical outcome being a no-contact agreement between students. No-contact agreement requires no direct contact between the parties and may involve other specific extra measures, such as moving seminar groups, or one party having specific days to attend the library or

the gym. These measures are designed to minimise contact as much as possible. In the previous reporting period (2022 to 2023) precautionary measures were used in 19 cases. The significant decrease is likely due to the introduction of Alternative Resolution. A no-contact agreement or an agreement to move to alternative accommodation is a common provision of Alternative Resolution. If both parties accept the terms of Alternative Resolution and there are no wider safeguarding concerns, a mediated resolution means the case will not progress to an investigation negating the need for precautionary measures.

It is also possible for the member of staff carrying out the assessment to suspend the reported student (either from campus, or entirely) until a case has been concluded, as has happened in two cases in the reporting period. The decision to suspend a student is never taken lightly, and will usually involve a discussion with the Academic Registrar. The impact on all students involved needs to be carefully considered as are other factors, including any information given by third parties such as the police.

5.7 Office of the Independent Adjudicator for Higher Education (OIA)

If a student has exhausted the appeal stages within the University's procedures and they are not satisfied with the outcome, they are entitled to take their case to the **Office of the Independent Adjudicator** (OIA). This independent body is set up to review student complaints about higher education providers in England and Wales and is a free service for students.

The OIA usually accepts cases up to a year after the student has received the final relevant procedural letter from the University. The adjudication process generally takes several months to reach an outcome and, due to these timelines, it is very difficult to directly link the number of cases that we have in the reporting period to OIA outcomes. Conduct cases are rarely taken to the OIA: in the reporting period, the OIA issued the final case completion outcome in relation to a conduct matter which occurred in the academic year 2021/22.

In its outcome letters, the OIA finds a student's complaint either Justified, Partly Justified or Not Justified, and may make recommendations to the University such as a change in general approach or a change in the relevant case outcome.

6. University response

6.1 Action taken in the last year

The total number of student conduct reports has increased by 15% from the preceding report period (2022 to 2023). More cases in total are being referred to other departments for resolution, concentrating SIRT resources on reports that carry most risk or require the specialist skillset of appropriately trained Conduct Officers.

The most notable change from the preceding reporting period is that significantly fewer reports are closed without investigation, that is without structured resolution. While previously, reports may have been resolved using measures such as moving accommodation or agreeing to limited contact and change behaviours, the formalised approach of Alternative Resolution ensures these efforts are appropriately recorded and monitored.

The number of students reporting conduct or accused of misconduct is negligible in the context of the student body population, less than 0.01%. It is positive that so few students are subjected to conduct that falls below the standard expected of Brookes students, and it is positive that so few students are accused of serious misconduct.

In the last year, SIRT achieved the following:

- Piloted and introduced Alternative Resolution as a new method for resolving reports of conduct.
- Launched new Guidance for Reporting and Reported Students.
- Installed a new Deputy Head of the Student Investigation and Resolution Team, responsible for non-academic student conduct.
- Reviewed and improved the presentation of University Conduct Committees, specifically with regard to Committees dealing with allegations of sexual misconduct.
- Provided internal training to SIRT staff investigating conduct and provided separate training to Chairs and Student Representatives participating in University Conduct Committees in relation to allegations of sexual misconduct.
- Introduced a mandatory requirement that all Reported Students are offered in-person welfare support either during or immediately after a University Conduct Committee or University Appeal Committee.
- Worked with colleagues in the Inclusive Support Service to deliver guidance on investigating Reported Students with mental health issues and other disabilities.
- Risk-based and trauma-informed approach extended to Reported Students, including notifying in-person of allegations where appropriate.
- Worked closely with the accommodation team, the Residences Conduct Officer and Brookes Sport to improve understanding of Student Conduct; provided support for managing risk and training on first disclosure of a serious conduct report.
- Continued engagement with the Academic Registrars Council's nationwide network of conduct investigators, including attending an in-person training day.

6.2 Future outlook

In the year ahead we plan to:

- Improve data collection on reports closed via Alternative Resolution including better data to accurately report timescales at all stages of the process.
- Deliver training to enable more staff members to manage Alternative Resolution.
- Revised the wording of the breaches to reduce overlap. Making the breaches more specific should reduce multiple selections, this will improve the accuracy and quality of data reported about categories of breaches. Pilot removing the ability of Reporting Parties to select allegations at the initial reporting stage.
- Introduce a new breach so that allegations of sexual misconduct can be more accurately categorised based on the severity of conduct and harm.

7. Useful links (resources, guidance and regulation)

Office for Students Condition E6: Harassment and sexual misconduct

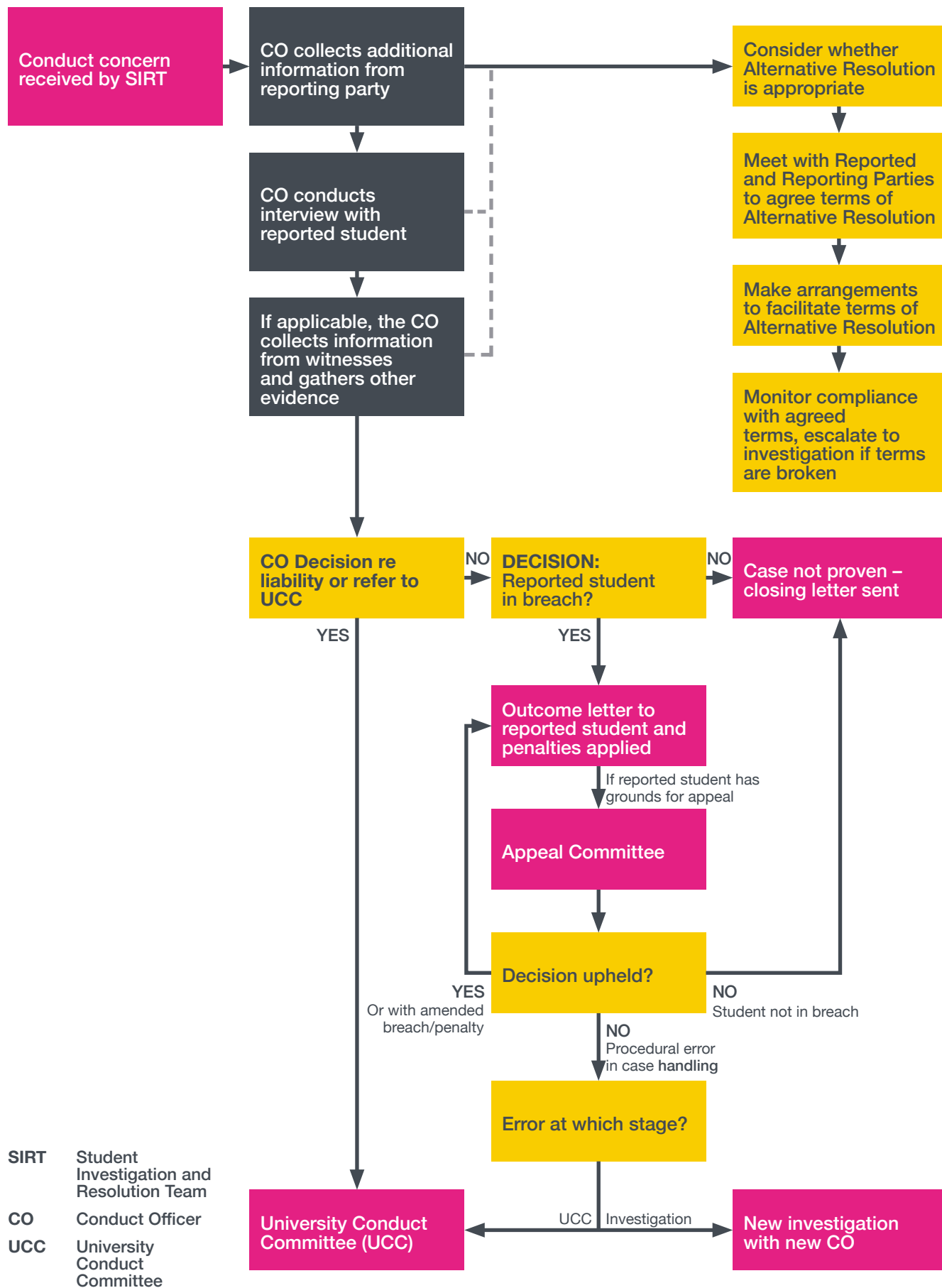
Universities UK: How to handle alleged student misconduct: case studies
Supplemental note to UUK–Pinsent Masons guidance

The Office of the Independent Adjudicator for Higher Education – The good
practice framework: Disciplinary procedures

Universities UK: Tackling harassment

Appendices

Appendix 1: Conduct Procedures Flowchart



Appendix 2: Categorisation of breaches and number of reported breaches

*Column C is the number of reports alleging the corresponding breach

Category of Breach	Individual breaches as listed in the Procedures	*C
Interference with OBU processes	5.6 (a) Dishonesty and deceit, in relation to the University, its staff, students, visitors, or procedures.	2
	5.6 (b) Disruption of or improper interference with the academic, administrative, sporting, social or other activities of the University.	3
	5.6 (c) Failure to disclose names, relevant details, or documentation to any employee or agent of the University who reasonably requires it,	0
	5.6 (h) Breach of one or more of the University Policies listed in 5.3.	0
	5.7 (i) Persistent failure to comply with reasonable requests from staff, or failing to respond to or to comply with any disciplinary sanction imposed under the Student Conduct procedures.	0
	5.7 (j) Provision of false or misleading information, or withholding relevant information from OBU staff	1
	5.7 (l) Unauthorised accessing or amendment to, or interfering in any way with the security, integrity or privacy of any files or confidential material	0
Discrimination, harassment, bullying or violence	5.7 (q) Coercing, pressuring or forcing others into taking part in any ceremonies or activities that could be demeaning or dangerous.	3
	5.7 (t) Bullying, harassment or discrimination against another person, including the use of discriminatory language.	20
	5.7 (w) Threatening, indecent, offensive or violent behaviour directed towards any member of the University community or member of the public.	12
	5.7 (z) Any threatening, violent or discriminatory act that is motivated by prejudice based on any protected characteristic under the Equality Act 2010.	8
	5.7 (v) Physical, written, or verbal abuse or intimidation against another person, including via social media.	15
Sexual Misconduct	5.7 (x) Sexual harassment, violence or abuse.	13
Health and safety	5.6 (e) Negligent behaviour that presents a risk to health and safety for any member of the University community.	3
	5.6 (f) Misuse or interference with any equipment provided in the interests of health and safety.	0
	5.7 (r) A third breach under the fixed penalty policy.	0
Drugs or criminal offences	5.6 (g) Possession, storage, use or misuse of a controlled drug or psychoactive substance	3
	5.7 (p) Production of, and/or supply or offer to supply, a controlled drug or psychoactive substance	0
	5.7 (aa) The supply of drugs, or possession with intent to supply drugs prohibited by the University or illegal	0
	5.7 (y) Any criminal activity	1
	5.7 (s) Failure to declare any relevant criminal offence for which a conviction has occurred after enrolling.	0
	5.7 (o) Damage to or taking property from University staff or the University without permission.	1
	5.7 (m) Keeping any offensive weapons within the premises or grounds of OBU or any University residences.	0

Category of Breach	Individual breaches as listed in the Procedures	*C
Other unwanted or disruptive behaviour	5.6 (d) Disorderly or disruptive, behaviour directed towards, or affecting, any member of OBU community or visitors.	17
	5.7 (k) Vexatious, reckless or malicious allegations, complaints, or reports against members of OBU community or visitors.	2
	5.7 (n) Any act which damages the University's reputation or the relationship with its local communities, e.g substantiated complaints from residents, local authority representatives, the media or a police dispute.	4
	5.7 (u) Victimisation of anyone because they have raised a complaint or exercised any other right under a University or other procedure.	3

Appendix 3: Student Conduct Penalties Tariff

Who imposed the Penalty	Student Conduct Penalty Tariff
Conduct Officer or University Conduct Committee imposed sanctions	<p>6.4 Penalties for a minor breach (One or more of the following):</p> <ul style="list-style-type: none"> a. An absolute discharge. This means that the student technically breached these procedures but no blame should be attached to them. b. A formal warning about future behaviour, which shall indicate the errors or omissions. c. A requirement that the student make an oral or written apology to one or more in individuals. d. The imposition of a personal conduct order. e. A fixed penalty. f. Community service, training, workshops or restorative meetings, which shall normally take the form of specified unpaid activities, for which no expenses shall be paid
University Conduct Committee only imposed sanctions	<p>6.5 Penalties for a major breach (One or more of the following):</p> <ul style="list-style-type: none"> a. Any penalty available for a minor breach, as listed above. b. The temporary or permanent confiscation, without compensation, of any object or material prohibited by, or which was involved in a breach of these procedures. c. A fine* d. Full or partial restitution of the cost of the damage or loss suffered by the University or any associated organisation or person, or by a member of the public. e. The temporary or permanent exclusion of the student from one or more of the University's, or an associated organisation's, premises, grounds, facilities or services. f. A requirement that the student relocate within or between residences associated with the University. g. Expulsion from University owned or managed accommodation. h. The required temporary withdrawal of the student from the University. i. The permanent expulsion of the student from the University.

Appendix 4: Disposal Pathways comparison with preceding reporting period

Disposal Pathway	2022-2023 Previous reporting period	2023-2024 Current reporting period	Numerical Increase/ Decrease	% change
Total eligible conduct reports	44	51	7	+15.9%
Referred to accommodation	1	3	2	+200%
Referred to Community Engagement Team	1	0	-1	-100%
Referred to Faculty	0	3	3	N/A
Reports dealt with by SIRT	42	51	9	+21.4%
Reports closed without investigation*	19	11	-8	-42.1%
Alternative Resolution	0	15	+15	N/A
Ongoing Reports	0	2	2	N/A
Report paused pending criminal justice proceedings	4	1	-3	-75.00%
Cases investigated by SIRT	19	16	-3	-15.8%
Cases found in breach	10	7	-3	-30%
Cases found not in breach	8	3	-5	-62.5%
Cases with outcome pending	1	0	-1	-100.00%
Of total cases investigated, number referred to UCC	7	6	-1	-14.3%