

## CHAPTER II

# MATRICULATION, RESIDENCE, ADMISSION TO DEGREES, DISCIPLINE, CONDUCT, COMPLAINTS

## MATRICULATION

How it is  
effected.

**1.** A person shall be deemed to be matriculated from the beginning of the term in which a completed Matriculation Registration Form and satisfactory evidence of their qualification to matriculate are received by the Registry. Unless otherwise determined by Statute or Ordinance, any such qualification<sup>1</sup> must pre-date the first day of that term.

Matriculation  
Registration  
Form.

**2.** Every candidate for matriculation shall subscribe to the following declaration by signing the Matriculation Registration Form:

‘I promise to observe the Statutes and Ordinances of the University as far as they concern me, and to pay due respect and obedience to the Chancellor and other officers of the University.’

Submission of  
Form.

**3.** The Matriculation Registration Form when completed, together with any necessary evidence of matriculability, shall be submitted to the Registry by the proper authority of the College to which the candidate belongs or, if the candidate is not a member of a College, by the Head of the Department or other person who would be qualified to present the candidate for a degree under Regulation 9 for admission to degrees. For a candidate pursuing a course of study towards an undergraduate degree or other award, the completed Matriculation Registration Form and evidence of matriculability must be sent to the Registry so as to arrive not later than the division of the candidate’s first term of residence; provided that the Registry shall have power to accept such form and evidence at a later date, subject to the payment of a fine of £1 in respect of each candidate unless the Tutor concerned has adduced reasons for delay which are regarded as adequate by the Council.

## CLASSES OF PERSONS QUALIFIED TO MATRICULATE

In addition to the persons qualified under Statute B I 1, the following classes of persons have been approved as qualified for matriculation:

- (a) persons to whom the Council have granted the status of Master of Arts;
- (b) persons who have been granted leave by the Degree Committee for the Faculty of Law to present themselves as candidates for the degree of Master of Law;
- (c) persons who have been approved by a Faculty Board, Degree Committee, or other body concerned as candidates for any one of the following University awards:  
Certificate of Higher Education in the Arts, Humanities and Social Sciences and Advanced Diploma in Theology, Religion, and Philosophy of Religion;
- (d) persons who have been approved by the Head of the Faculty of Education for admission to the course of study leading to the Postgraduate Certificate in Education;
- (e) persons employed by the University or by a College who hold appointments approved by the University for the purpose of Special Ordinance A (i) (f);<sup>2</sup>
- (f) persons approved as clinical students by the authorities of the School of Clinical Medicine for admission to courses leading to the degrees of Bachelor of Medicine and Bachelor of Surgery;
- (g) members of an institution within the Cambridge Theological Federation who at the end of their first year of studying in an institution with the Federation have passed the Qualifying Examination in Theology for Ministry (with a view to becoming candidates for the B.Th. Degree);
- (h) members of the Regent House who are not otherwise qualified for matriculation.

## MATRICULATION REQUIREMENTS FOR CERTAIN PROSPECTIVE STUDENTS

**1.** In order to matriculate as an undergraduate student or an affiliated student under Statute B I 1(a) or (d), or as a student in such other classes of persons qualified to matriculate as may be determined by Ordinance<sup>3</sup> which are not governed by the general regulations for certain postgraduate degrees and other qualifications, a person must satisfy the requirements for matriculation by showing evidence of

<sup>1</sup> Including the meeting of any age criteria; see p. 1117.

<sup>2</sup> See p. 110.

<sup>3</sup> See p. 160.

a broad educational background and good standards of literacy and numeracy, and by demonstrating in public examinations high academic attainment, or the potential for such attainment, in the chosen areas of study. They must also meet any stated prerequisites for their intended programme of study, as published from time to time on behalf of the University.

2. Persons shall satisfy the requirements for matriculation under these regulations if they satisfy the requirements judged to be appropriate by the admitting College or other body authorized to admit persons as students of the University; in taking each decision a College or body shall have regard to such advice as may be issued from time to time by the General Board.

3. If a person is not in the judgement of the College or body completely qualified in accordance with Regulation 2, but the College or body believes that the person is fit to be admitted as a candidate for honours, the College or body may deem the person to be qualified. In taking such a decision a College or body shall have regard to such advice as may be issued from time to time by the General Board.

4. A College or body shall supply such information about compliance with the examination requirements for matriculation or about a decision taken under Regulation 3 in the report of a student or students admitted as the General Board shall require in any particular instance or generally.

#### [RESIGNATION OF MEMBERSHIP OF THE UNIVERSITY]

If any matriculated person wishes to resign their membership of the University in accordance with Statute B I 2 and so informs the Registry, and if the Council deems the reasons given sufficient and decides to allow such resignation, that person's name shall be removed from the list of members of the University at the next publication of the list, and any name so removed shall be reinstated only in accordance with a subsequent decision of the Council which shall not be taken until a period of five years has elapsed from the date of removal. The name of any matriculated person which under this section is removed from the list of members of the University shall if such person is a member of the Senate be removed also from the register of the Senate in accordance with the provisions of Statute A I 7.]<sup>1</sup>

#### ⟨RESIGNATION OF MEMBERSHIP OF THE UNIVERSITY AND RENUNCIATION OF DEGREES

1. If any matriculated person wishes to resign their membership of the University in accordance with Statute B I 2 and so informs the Registry, and if the Council deems the reasons given sufficient and decides to allow such resignation, that person's name shall be removed from the list of members of the University at the next publication of the list, and any name so removed shall be reinstated only in accordance with a subsequent decision of the Council which shall not be taken until a period of five years has elapsed from the date of removal.<sup>2</sup> The name of any matriculated person which under this section is removed from the list of members of the University shall if such person is a member of the Senate be removed also from the register of the Senate in accordance with the provisions of Statute A I 7.

2. Unless a matriculated person specifically asks to renounce their degree or degrees, resignation of membership of the University shall not entail cancellation of any degree held.<sup>3</sup>

3. Renunciation of a degree entails resignation of membership of the University. The procedure for renunciation of degrees and their reinstatement is the same as the procedure relating to resignation of membership as set out in Regulation 1.)<sup>1</sup>

<sup>1</sup> Subject to the approval by His Majesty in Council of the amendments of Statute approved by Grace 2 of 14 February 2024 the Ordinance in angular brackets will replace the Ordinance in square brackets and will take effect from the date on which the amendments of Statute take effect.

<sup>2</sup> The Council may, at its discretion, reinstate membership after a period of less than five years has elapsed if that membership was renounced prior to [the date that these changes are approved]. This discretion will cease on [a date five years after the changes are approved].

<sup>3</sup> See also Statute B I 2(c), p. 14.

## AFFILIATED STUDENTS

1. Any person who before matriculation in the University of Cambridge has received or become qualified to receive a degree from another institution of higher education shall be entitled, on or after matriculation, to be approved as an Affiliated Student, provided that

(a) on becoming qualified for the degree they had been a member of one or more such institutions for not less than three academic years;

(b) the degree has been approved for the purpose by the Council of the University.

2. In particular cases the Council may approve as an Affiliated Student

(a) a member or former member of an institution of higher education who does not fulfil the requirements of Regulation 1;

or (b) an adult student of exceptional qualifications who is specially recommended by the Strategic Committee of the Institute of Continuing Education, provided that the student has followed courses of study in adult education classes for at least four years, of which three years shall have been spent in University extra-mural classes, or distributed between such classes and an institution of full-time higher education.

3. The Council may, on the recommendation of the General Board, approve as Affiliated Students a cohort of members of an institution of higher education who do not fulfil the requirements of Regulation 1.<sup>1</sup>

4. Application for approval as an Affiliated Student other than as a cohort under Regulation 3 shall be made on a student's behalf by their Tutor to the Registry, and shall be accompanied by evidence of the student's qualification for such approval. Such application may be made at any time after the student has been provisionally accepted for admission to a College but not later than the end of the student's first term of residence. Approval of a student as an Affiliated Student shall have effect from the beginning of their first term of residence.

5. A person approved as an Affiliated Student shall be deemed to have satisfied the matriculation requirements for certain prospective students. For the purposes of the regulations for Triposes and the regulations for degrees other than the Ph.D., M.Sc., M.Litt., M.Phil., M.A.St., M.Res., M.Fin., and M.B.A. Degrees, an Affiliated Student's first term of actual residence shall be reckoned as their fourth term of residence and they shall be deemed to have kept by residence the three terms preceding the first term of actual residence.

6. In the application of the regulations for Ordinary B.A. Degree an Affiliated Student shall be deemed to have the equivalent of one Part I Honours Examination.

7. Provided always that (unless otherwise prescribed below for a particular Tripos) no student shall take Part II of any Tripos as their first Honours Examination later than the sixth term after the first term of actual residence, an Affiliated Student shall have the following privileges:

*Anglo-Saxon, Norse, and Celtic*

If the Faculty Board of English allow it in a particular case, leave to take Part II of the Anglo-Saxon, Norse, and Celtic Tripos under the same conditions as if they had previously obtained honours in another Honours Examination, with or without the further privilege of taking the examination in the second term after the student's first term of actual residence.

*Archaeology*

If the Faculty Board of Human, Social, and Political Sciences allow it in a particular case, leave to take Part IIA of the Archaeology Tripos in the second term after the student's first term of actual residence.

*Asian and Middle Eastern Studies*

If the Faculty Board of Asian and Middle Eastern Studies allow it in a particular case, *either*

(i) leave to take Part IB of the Asian and Middle Eastern Studies Tripos in the second term after the student's first term of residence, *or*

(ii) leave to take Part II of the Asian and Middle Eastern Studies Tripos in the eighth term after the student's first term of residence.

<sup>1</sup> The Council has approved the following cohort: students from the University of Hong Kong in accordance with a memorandum of understanding dated 20 June 2017.

### *Chemical Engineering*

If the Chemical Engineering and Biotechnology Syndicate allow it in a particular case, *either*

- (i) leave to take Part I of the Chemical Engineering Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (ii) leave to take Part IIA of the Chemical Engineering Tripos under the same conditions as if the student had previously obtained honours in Part I of that Tripos, with or without the further privilege of taking the examination in the second term after their first term of actual residence.

### *Classics*

*Either*

- (i) the right to take Part II of the Classical Tripos under Regulation 25 not earlier than the fifth term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (ii) if the Faculty Board of Classics allow it in a particular case, leave to take Part II of the Classical Tripos under Regulation 24 in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination.

### *Computer Science*

If the Faculty Board of Computer Science and Technology allow it in a particular case, leave to take Part IB of the Computer Science Tripos in the second term after the student's first term of actual residence or Part II of the Computer Science Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination.

### *Economics*

If the Faculty Board of Economics allow it in a particular case, leave to take Part IIA of the Economics Tripos not earlier than the second term after the student's first term of actual residence under the same conditions as if they had previously obtained honours in Part I of the Tripos.

### *Education*

If the Faculty Board of Education allow it in a particular case, leave to take Part II of the Education Tripos not earlier than the fifth term after the student's first term of actual residence without having previously obtained honours in an Honours Examination.

### *Engineering*

If the Faculty Board of Engineering allow it in a particular case, *either*

- (i) leave to take Part IB of the Engineering Tripos in the second term after the student's first term of actual residence;
- (ii) leave to take Part IIA of the Engineering Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (iii) leave to take Part IIB of the Engineering Tripos under the same conditions as if the student had previously obtained honours in Part IIA of that Tripos, with or without the further privilege of taking the examination in the second term after their first term of actual residence.

### *English*

The right to take in the second term after the student's first term of actual residence the Preliminary Examination for Part II of the English Tripos; and the right to take in the fifth term after the student's first term of actual residence Part II of the English Tripos, subject to the regulations for that Part which apply to Affiliated Students.

### *Geography*

If the Faculty Board of Earth Sciences and Geography allow it in a particular case, *either*

- (i) leave to take Part IB of the Geographical Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (ii) leave to take Part II of the Geographical Tripos under the same conditions as if they had previously obtained honours in another Honours Examination, with or without the further privilege of taking the examination in the second term after the student's first term of actual residence.

*History**Either*

- (i) the right to take Part I of the Historical Tripos in the fifth term after the student's first term of actual residence, *or*
- (ii) the right to take Part II of the Historical Tripos either in the second term or in the fifth term after the student's first term of actual residence under the same conditions as if they had previously obtained honours in another Honours Examination.

*History of Art*

The right to take Part IIA of the History of Art Tripos in the second term after the student's first term of actual residence and to take Part IIB of the Tripos in the fifth term after the student's first term of actual residence, under the same conditions as if they had previously obtained Honours in another Honours Examination.

*Human, Social, and Political Sciences*

If the Faculty Board of Human, Social, and Political Sciences allow it in a particular case, leave to take Part IIA of the Human, Social, and Political Sciences Tripos in the second term after the student's first term of actual residence.

*Land Economy*

If the Board of Land Economy allow it in a particular case, *either*

- (i) leave to take Part IB of the Land Economy Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (ii) leave to take Part II of the Land Economy Tripos in the fifth term after the student's first term of actual residence without having previously obtained honours in another Honours Examination.

*Linguistics*

The right to take Part IIA of the Linguistics Tripos in the second term after the student's first term of actual residence and to take Part IIB not earlier than the fifth term after the student's first term of actual residence, under the same conditions as if they had previously obtained honours in another Honours Examination.

*Management Studies*

If the Faculty Board of Business and Management allow it in a particular case, leave to take the Management Studies Tripos under the same conditions as if they had previously obtained honours in another Honours Examination, with or without the further privilege of taking the examination in the second term after the student's first term of actual residence.

*Mathematics**Either*

- (i) the right to take Part IB of the Mathematical Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (ii) if the Faculty Board of Mathematics allow it in a particular case, leave to take Part II of the Mathematical Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination.

*Modern and Medieval Languages*

- (a) The right to take Part II of the Modern and Medieval Languages Tripos under Regulation 24(d) not earlier than the fifth term after the student's first term of actual residence.
- (b) If the Faculty Board of Modern and Medieval Languages and Linguistics allow it in a particular case, leave to take Part II of the Modern and Medieval Languages Tripos under Regulation 24(e) in the second term after the student's first term of actual residence.

*Music*

The right to take Part IB of the Music Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination.

*Natural Sciences**Either*

- (i) the right to take Part IB of the Natural Sciences Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (ii) if the Faculty Board or comparable authority concerned with the subject that the student desires to offer allow it in a particular case, leave to take the Preliminary Examination for Part II of the Natural Sciences Tripos.

*Philosophy**Either*

- (i) the right to take Part IB of the Philosophy Tripos in the second term after the student's first term of actual residence, *or*
- (ii) the right to take Part II of the Philosophy Tripos either in the second term or in the fifth term after the student's first term of actual residence under the same conditions as if they had previously obtained honours in another Honours Examination.

*Theology, Religion, and Philosophy of Religion*

The right to take Part IIA of the Theology, Religion, and Philosophy of Religion Tripos under Regulation 22 in the second term after the student's first term of actual residence and to take Part IIB of the Theology, Religion, and Philosophy of Religion Tripos under Regulation 25 in the fifth term after the student's first term of actual residence without having previously obtained honours in an Honours Examination.

8. Any application for leave which a student may wish to seek under the provisions of Regulation 7 shall be made, not later than the end of the student's first term of residence, through a Tutor to the Registry, who shall transmit it to the Faculty Board or Syndicate concerned.

A Faculty Board may delegate its functions under Regulation 7 to the Degree Committee for the Faculty, and shall inform the Registry of the period of any such delegation.

9. All or any of the privileges of Affiliation (that is to say, the privileges which under this Ordinance may be granted to Affiliated Students) may be granted by the Council to any particular applicant who is a member or former member of an institution engaged in the education of adult students, although the requirements of this Ordinance have not been fulfilled.

## STATUS OF BACHELOR OF ARTS

1. A postgraduate student who is not a graduate of the University and has not the status of Master of Arts shall, so long as they are registered as a postgraduate student, have the status of Bachelor of Arts.

2. The Council may grant the status of Bachelor of Arts to a person resident in the University who does not qualify for that status under Regulation 1 and who

- (a) holds a degree of another university, or a qualification deemed by the Council to be equivalent to a degree, and
- (b) has attained the age of twenty-one years, and
- (c) has been recommended by the Head of a College or a Tutor of a College and is certified to have been admitted to the College;

provided that

- (i) such a person, if not already matriculated as a member of the University, shall be so matriculated at the first opportunity after the grant of that status;
- (ii) the grant shall be for a period specified in each case, and may be revoked by the Council at any time.

3. A possessor of the status of Bachelor of Arts

- (a) shall have the same privileges as a Bachelor of Arts with regard to the Libraries and Museums of the University, and the Botanic Garden;
- (b) shall be entitled to wear the B.A. gown without strings, but not the hood.

4. A possessor of the status of Bachelor of Arts shall not be a candidate for any examination leading to the degree of Bachelor of Arts or Bachelor of Music.



## STATUS OF MASTER OF ARTS

1. A matriculated postgraduate registered student or other person who has previously had the status of Bachelor of Arts shall, on attaining the age of twenty-four years, have the status of Master of Arts for so long as they are not of standing to proceed to the degree of Master of Arts.

2. The Council may grant the status of Master of Arts to any of the following if they have attained the age of twenty-four years and have not proceeded to the degree of Master of Arts or any higher degree:

- (a) a University officer during their tenure of office, or a person in the Press and Assessment Department to be treated as such under Statute J 7;
- (b) a Fellow of a College during their tenure of a Fellowship;
- (c) a person employed by the University who holds an appointment approved by the University for the purpose of Special Ordinance A (i) (f) during their tenure of the appointment;<sup>1</sup>
- (d) the Commandant and the Adjutant for the time being of the University Air Squadron, the University Officers Training Corps, and the University Royal Naval Unit;
- (e) a person who holds a degree of another university, or a qualification deemed by the Council to be equivalent to a degree, and who has been recommended by the Head of a College or a Tutor of a College and is certified to have been appointed to a College office, or admitted to the College;
- (f) a graduate of another university or a visiting scholar working in the University, or in an institution connected with the University recognized for this purpose by the Council, who is recommended by the Chair of a Faculty Board or the Head of a Department as an appropriate person for the grant of this status;<sup>2</sup>

provided that

- (i) such a person, if not already matriculated as a member of the University, shall be so matriculated at the first opportunity after the grant of this status;
- (ii) a grant made under subsection (e) or subsection (f) above shall be for a period specified in each case, and may be revoked by the Council at any time.

3. A possessor of the status of Master of Arts:

- (a) shall have the same privileges as a Master of Arts with regard to the Libraries (other than the University Library), the Museums, and the Botanic Garden of the University;
- (b) shall be entitled to wear the M.A. gown without strings, but not the hood;
- (c) for the purpose of keeping terms by residence, may certify their own residence;
- (d) shall not be subject to the regulations for motor vehicles or the regulations for bicycles and boats.

4. A possessor of the status of Master of Arts shall not be a candidate for any examination leading to the degree of Bachelor of Arts or Bachelor of Music.

## INCORPORATION

Conditions.

1. A person who is a graduate of the University of Oxford or the University of Dublin (Trinity College) may be admitted by incorporation to a degree which in the opinion of the Council is equivalent to the highest degree which either of those Universities has conferred upon them, provided that the person concerned:

- (a) has been matriculated as a member of the University;
- (b) has attained the age of twenty-four years (unless in a particular case the Council see fit to grant exemption from this provision);
- (c) has satisfied the Council that the qualifications required for the Oxford or Dublin degree in question included residence as well as the passing of examinations or the performance of other exercises;

<sup>1</sup> See p. 110.

<sup>2</sup> For the purpose of this regulation the term 'Chair of a Faculty Board' shall be taken to include the Chair of a Board, Syndicate, or other body responsible for a University institution, and the term 'Head of a Department' shall be taken to include the Director of a Sub-department or a Centre of Studies. The Council have agreed that the institutions recognized for the purpose of granting M.A. status under Regulation 2(f) shall include all the institutions recognized from time to time by the General Board for the purpose of Regulation 5(4)(a) of the regulations for the use of the University Library (see p. 662).

(d) has been admitted to a University office or a Headship or a Fellowship (other than an Honorary Fellowship) of a College, or is a member of the Press and Assessment Department approved to be treated as a University officer under Statute J 7, or is a Head-elect or designate of a College; provided also that, if the person concerned holds one of the positions specified in sub-paragraph (d) or is to be treated as a University officer under Statute J 7, and on initial appointment or election to the position held at the point at which eligibility is being determined did not carry tenure to the retiring age, that person has already held such a position, or any combination of such positions, for a total period, which need not be continuous, of at least three years.

2. Each application by or on behalf of a candidate for admission to a degree by incorporation shall state: Applications.

- (a) the candidate's full name and date of birth;
- (b) the name of the College, if any, to which they have been admitted or approved for admission;
- (c) the University office, College Headship, or College Fellowship that they hold;
- (d) evidence of the degree conferred by the University of Oxford or Dublin in respect of which application is made;

and shall be sent to the Registry.

3. The standing of a person admitted to a degree by incorporation shall be reckoned from the date of their corresponding Oxford or Dublin degree. Standing.

4. A candidate for a degree who has kept one or more terms by residence at the University of Oxford or the University of Dublin (Trinity College) shall be allowed not more than the same number of terms towards the terms required to be kept for the Cambridge degree, if the Council are satisfied that for each term so allowed they have resided, according to the requirements of the University of Oxford or Dublin, for not less than fifty-six days of term. Allowance of terms.

5. If a student is so allowed a term or terms previous to the term in which they became a member of the University, that student's standing shall be reckoned from the beginning of the first term in which they were a member of the University of Oxford or of Dublin (Trinity College).

## TERMS AND LONG VACATION

1. There shall be three terms in the year, called respectively the Michaelmas Term, the Lent Term, and the Easter Term. The University shall determine the days on which each term shall begin and end, provided that the three terms shall together include two hundred and twenty-seven days at least.

2. The University libraries, laboratories, and museums shall be closed, and lectures shall not be given, on Good Friday.

3. The University shall determine from time to time by Ordinance what portion of each term, being not less than three-fourths, shall constitute full term.

4. The term 'academic year' shall mean the year beginning on the first day of the Michaelmas Term.

## DATES OF TERM AND FULL TERM

1. The Michaelmas Term shall begin on 1 October and shall consist of eighty days, ending on 19 December. The Lent Term shall begin on 5 January and shall consist of eighty days, ending on 25 March or in any leap year on 24 March. The Easter Term shall begin on 10 April and shall consist of seventy days ending on 18 June, provided that in any year in which Full Easter Term begins on or after 22 April the Easter Term shall begin on 17 April and end on 25 June.<sup>1</sup>

2. Full Term shall consist of three-fourths of the whole term reckoned from the first day of Full Term as hereinafter determined.

3. The dates on which Full Terms begin and end shall be as shown in the table appended to these regulations.<sup>2</sup>

4. The portion of each term during which students shall be required to reside in order to keep the term shall be three-fourths. Portion of term to be kept.

5. Except as may be provided by the Ordinances relating to a particular institution, the term in which a person who is required to keep certain terms by residence first resides in accordance with First term of residence.

<sup>1</sup> Division of Term is half-way through Term (not Full Term). The dates are the same for every year except for Easter Term: 9 November, 13 February, and 14 May or 21 May depending on whether Easter Term starts on 10 April or 17 April.

<sup>2</sup> Dates approved by Graces 4 of 6 October 2010 and 3 of April 2024.



Regulation 3 or 4 for the Residence and Precincts of the University, as the case may be, shall be accounted that person's first term of residence whether they keep the term, or are allowed it, or not.

Allowance of  
terms not kept  
by residence.

6. For the purposes of admissibility to examinations or competitions, or of the payment of emoluments of Studentships, Scholarships, and the like, a term allowed by the Council shall be reckoned as a term kept.

7. The Council shall have the same power to allow terms of residence to candidates for Diplomas and Certificates as they have under the regulations for Allowances to Candidates for Examinations in respect of candidates for degrees.

8. A course of instruction given during the Long Vacation shall not occupy more than four weeks. Except with the approval of the Council on the recommendation of the General Board, no such course given within the Precincts of the University shall begin earlier than the second Monday after General Admission or end later than the sixth Saturday after the Saturday of General Admission.

Year	Full Mich. Term		Full Lent Term		Easter Day	Full Easter Term		General Admission Wed.–Sat.
	begins Oct. Tu.	ends Dec. Fri.	begins Jan. Tu.	ends March Fri.		begins Apr. Tu.	ends June Fri.	
2023–24	3	1	16	15	31 Mar.	23	14	26/27/28/29 June
2024–25	8	6	21	21	20 Apr.	29	20	2/3/4/5 July
2025–26	7	5	20	20	5 Apr.	28	19	1/2/3/4 July
2026–27	6	4	19	19	28 Mar.	27	18	30 June/ 1/2/3 July
2027–28	5	3	18	17	16 Apr.	25	16	28/29/30 June/ 1 July
2028–29	3	1	16	16	1 Apr.	24	15	27/28/29/30 June
2029–30	2	30 Nov.	15	15	21 Apr.	23	14	26/27/28/29 June
2030–31	8	6	21	21	13 Apr.	29	20	2/3/4/5 July
2031–32	7	5	20	19	28 Mar.	27	18	30 June/ 1/2/3 July
2032–33	5	3	18	18	17 Apr.	26	17	29/30 June/ 1/2 July
2033–34	4	2	17	17	9 Apr.	25	16	28/29/30 June/ 1 July
2034–35	3	1	16	16	25 Mar.	24	15	27/28/29/30 June
2035–36	2	30 Nov.	15	14	13 Apr.	29	20	2/3/4/5 July
2036–37	7	5	20	20	5 Apr.	28	19	1/2/3/4 July
2037–38	6	4	19	19	25 Apr.	27	18	30 June/ 1/2/3 July
2038–39	5	3	18	18	10 Apr.	26	17	29/30 June/ 1/2 July
2039–40	4	2	17	16	1 Apr.	24	15	27/28/29/30 June

#### NOTICE

When application is made for the allowance of a single term the Council will require to be satisfied that the applicant has kept by actual residence as much as practicable of Full Term in the term applied for.

If the student commenced residence later than the commencement of Full Term in the term applied for, the reason must be stated in the application.

The Council request that any application for the allowance of a second term may be accompanied by a repetition of particulars concerning the term previously allowed. Apart from very exceptional circumstances the Council will not allow a second term unless a good part of the two terms has been kept.

## RESIDENCE AND PRECINCTS OF THE UNIVERSITY

1. A person who is required by Statute, Ordinance or Regulation to keep certain terms by Residence shall be deemed to have kept a term by residence if they have resided within the University Precincts during such part (being not less than three-fourths) of that term, and in such manner, as the University may prescribe by Ordinance. The University may prescribe by Ordinance areas in and about Cambridge (not necessarily within the University Precincts) within which terms of residence may be kept by specified classes of person, and the University may delegate the power to determine that terms of residence may be kept in exceptional cases elsewhere than within the University Precincts or the prescribed areas. The terms 'reside', 'residence', and 'University Precincts' shall have the meanings ascribed to them in this Ordinance. Terms of residence.

2. The Precincts of the University shall be the area within a boundary defined as extending three miles from Great St Mary's Church, measured in a straight line, and as including Madingley Hall and such other places about Cambridge as may from time to time be determined by Grace, or by such authority as may be provided by Grace, whether generally or with respect to particular persons or classes of persons. Boundaries for keeping terms.

3. A person keeping terms by residence who is pursuing a course leading to the LL.M., M.A.St., M.C.L., M.Eng., M.Sci., M.Math., Vet.M.B., Mus.B., B.A., or B.Th. Degree, or the M.B., B.Chir. Degrees (if pursuing their clinical studies in the University) shall reside within the Precincts of the University

- (a) in the College<sup>1</sup> of which they are a member, or in a building provided and controlled by that College as a hostel;
- or (b) in any of the following places which shall be recognized as houses of residence for such number of students in each case as the Council may from time to time determine: Margaret Beaufort Institute, Institute for Orthodox Christian Studies, Ridley Hall, Wesley House, Westcott House, and Westminster College;
- or (c) with the permission of their College,<sup>1</sup> in other accommodation within the Precincts of the University, not being part of any College; provided that, before granting such permission, the College authorities must be satisfied with the arrangements for observing the normal conditions of residence;
- or (d) in any hospital or nursing home within the precincts of the University, or in any University Hospital, Associate Teaching Hospital or Associate Teaching General Practice;
- or (e) in exceptional circumstances, and for grave cause approved by the student's College, in some other place outside the Precincts of the University.

4. A person keeping terms by residence who is pursuing a course leading to a qualification of the University other than a degree or degrees specified in Regulation 3, or who is a postgraduate registered student pursuing a course that is not leading to a qualification of the University, or who is the possessor of the status of Master of Arts, shall not be subject to the conditions of place prescribed by that regulation but shall reside in the area within a boundary defined as extending ten miles from Great St Mary's Church, measured in a straight line; provided that in exceptional circumstances, and for grave cause approved by the General Board in the case of a postgraduate registered student or otherwise by the student's College, such a person may be granted permission to reside outside that area.

5. Residence shall be reckoned by days. No person keeping terms by residence shall be considered to have resided during any day unless they have resided during some part of such day and of the following night and has complied with such other conditions of residence, if any, as may be required by the authorities of their College; provided that a part of the day on which such a person completes their residence for the term may be counted as a day of residence. Days of residence.

6. For the purpose of reckoning residence the day shall be held to extend from 6 a.m. to midnight.

7. In circumstances which interfere with the normal tenor of residence of a large number of students, the Council may grant allowances of terms, in addition to the allowances hereinbefore provided, to students who fulfil such conditions as the Council may specify.

8. Residence shall be certified to the University under the hand of the Head of the College to which the student belongs. Certificate of residence.

<sup>1</sup> Or Approved Society.

9. Save as may otherwise be provided for,<sup>1</sup>

- (a) no one shall be admitted to the degree of Bachelor of Medicine or Surgery, or Master of Advanced Study or Accounting or Architecture or Business Administration (having followed a one-year course of study prescribed by Ordinance) or the Conservation of Easel Paintings or Design or Finance or Law or Research, or to the degrees of Master of Letters or Science or Philosophy, or Doctor of Philosophy having followed a full-time course, or to the degree of Doctor of Business or Engineering, unless they have kept three terms at least by residence;
- (b) no one shall be admitted to the degree of Bachelor of Theology for Ministry unless they have kept five terms at least by residence;
- (c) no one shall be admitted to the degree of Bachelor of Arts or Music or Veterinary Medicine unless they have kept nine terms at least by residence;
- (d) no one shall be admitted to the degree of Master of Engineering or Mathematics or Natural Sciences unless they have kept twelve terms at least by residence.

10. A postgraduate registered student may be granted, in circumstances approved and published by the General Board from time to time, an allowance of not more than three terms towards the three terms required to be kept under Regulation 8(a) above for any of the degrees of Master of Letters or Master of Science or Doctor of Philosophy, and an allowance of up to one term towards the number of terms required to be kept for the degree of Master of Philosophy.

## ADMISSION TO DEGREES

### SUPPLICATS

Form of  
Supplicats.

1. Every Supplicat, that is to say, every Grace for a complete degree not conferred under Statute B II 2, shall be in the form prescribed from time to time by the Council, and shall be signed by the Head or Praelector or the deputy for the Head or Praelector of the applicant's College; provided that, if the applicant is a University officer who is not a member of any College, the Supplicat shall be signed by the Chair of the Faculty Board or the Head of the Department or other institution to which the applicant's office is assigned.

Submission of  
Supplicats and  
certificates of  
terms.

2. Except as hereinafter provided no degree shall be conferred unless a Supplicat and certificate of terms (if necessary) have been sent to the Registry so as to arrive not later than 10 a.m. on the morning of the day next but seven before that on which the degree is to be conferred, or, if a degree is to be conferred on a day of General Admission, not later than 10 a.m. on the morning of the day next but ten before that day.

3. Notwithstanding that the provisions of Regulation 2 have not been satisfied, a degree may be conferred at any Congregation provided that the necessary documents have been received by the Registry in time for proper consideration, and provided that a fine of £1 shall be paid in addition to the degree fee, if any. A fine shall not be charged in respect of a candidate who needs to keep the current term in order to qualify for the degree but has not done so on the day preceding the day on which the Supplicat is due to be received by the Registry; provided that the Supplicat has been received at the proper time together with a statement of the reason for the delay in submitting the certificate of terms.

Submission of  
Graces and  
Supplicats to  
the Regent  
House.

4. No degree shall be conferred upon any person unless *either*

- (a) a Grace has been approved by the Regent House authorizing the conferment of the degree, of which due notice has been given in accordance with Regulation 20 of the regulations for Graces and Congregations of the Regent House; *or*
- (b) a Supplicat in the prescribed form has been sent to the Registry in accordance with Regulation 2 or 3 of these regulations and the conferment of the degree has been approved in the manner hereinafter provided.

No person shall be admitted in absence to the title of a degree, nor shall any person be admitted to a complete degree in absence unless this has been requested in the Supplicat or in the application for a degree conferred under Statute B II 2.

Certificate of  
terms.

5. No degree for which residence is required as a qualification shall be conferred on any person unless the Head of the person's College or the deputy for the Head has certified to the Registry that that person has kept the residence required.

<sup>1</sup> See also the regulations for Affiliated Students (p. 162).

6. No Grace for a degree or for the title of a degree shall be in force longer than one calendar year from the date of its approval. Time limit.

7. By 4 p.m. on the day before the date appointed for each Congregation at which any degree is to be conferred (other than a degree for whose conferment a Grace has been approved by, or will at that Congregation be submitted to, the Regent House) the Registry shall cause to be posted on the University website<sup>1</sup> (or if that is not possible, in the Schools Arcade) a list of names of persons whose Supplicants have been received and who are certified by the Registry to have done all that is required of them by the Statutes and Ordinances and to be qualified to proceed on that day to the degrees for which they have applied. If any member of the Regent House informs the Vice-Chancellor in writing, not later than an hour after the posting of the list, that they intend to *non placet* the conferment of a degree upon any person named in the list, the Vice-Chancellor shall cause that person's name to be struck out from the list. At the Congregation the conferment of the degrees set out in the Registry's list upon the persons named therein shall be proposed to the Regent House in the following collective formula:

*Supplicant reverentiis vestris viri mulieresque ———<sup>2</sup> quorum nomina juxta senaculum in porticu proposuit hodie Registrarius nec delevit Procancellarius (or Procancellaria) ut gradum quisque quem rite petivit assequatur.*

8. Where the Vice-Chancellor, having received written notice of *non placet*, has, in accordance with Regulation 7 above, caused the name of the person in respect of whom that notice is given to be struck out from the Registry's list, the degree in respect of which notice of *non placet* has been given shall not be conferred upon that person unless a Grace to that effect has been submitted to and approved by the Regent House after the giving of due notice in accordance with Regulation 20 of the regulations for Graces and Congregations of the Regent House.

9. The following are exceptions, in whole or in part, to the above regulations:

Exceptions.

- (a) (i) Women upon whom, before 27 April 1948 the title of a degree has been conferred shall be deemed to have been admitted to the corresponding degree on the date of the diploma conferring the title of the degree, provided always that any such woman who shall apply through her College to the Registry to be admitted to the degree in person shall be so admitted on payment of a fee to be determined by the University.
- (ii) Any woman qualified before 27 April 1948 to receive the title of a degree who has not received it shall be entitled to be admitted to the corresponding degree.
- (iii) Residence kept by members of Girton College or of Newnham College before 27 April 1948 shall be deemed to be residence kept for the purposes of Statute or Ordinance.
- (b) Any person who satisfied the Examiners for the LL.B. Examination before 1 October 1982 may,
  - (i) if they have already proceeded to the degree of Bachelor of Law, apply to the Registry through their College for the redesignation of the degree as Master of Law,
  - or
  - (ii) if they have not already proceeded to the degree of Bachelor of Law, supplicate instead for the degree of Master of Law.

On receipt of an application under (i) above the Registry shall issue a certificate of redesignation and shall amend the University's records accordingly.

#### PRESENTATION AND ADMISSION OF CANDIDATES FOR DEGREES

10. Recipients of titular degrees conferred under Statute A II 14 and candidates for complete degrees, if they are admitted to their degrees after presentation in person, shall be presented in the order prescribed in Regulations 11–13 by the persons specified in the following sub-paragraphs (a)–(g); provided that

By whom  
candidates are  
to be presented.

- (i) no one shall be presented by a person who is not a member of the Senate;
- (ii) in exceptional circumstances the Vice-Chancellor or other person presiding at the Congregation may authorize presentation by a deputy for the person specified in the appropriate sub-paragraph below.
- (a) Recipients of titular degrees shall be presented by the Orator, who shall make a speech in presenting each person.

<sup>1</sup> <https://www.student-registry.admin.cam.ac.uk/graduation/supplicat-lists-degree-ceremonies>.

<sup>2</sup> When this formula is used at each Congregation on the days of General Admission, at this point of the formula will be inserted the name of the College or names of the group of Colleges (e.g. '*Collegii Regalis et Collegii Sanctae et Individuae Trinitatis*') whose candidates are about to be presented, and the words '*vir mulieresque*' and '*quorum*' will be adapted as necessary.

- (b) Candidates for the degree of M.A. conferred under Statute B II 2(a), or for the degrees of Ph.D. or M.A. by incorporation, who are not members of Colleges, and candidates for the degrees of Sc.D. or Litt.D. by incorporation, shall be presented by the Head of the Department or by the Chair or Secretary of the Board, Syndicate, Faculty Board, or other body under whose supervision they are working, or, if they hold a University office assigned to one of the central administrative offices, by the Registry.
- (c) Candidates for the degrees of D.D. or B.D., LL.D., Med.Sc.D., and Mus.D., shall be presented by the Regius Professors of Divinity, Law, and Physic, and the Professor of Music, respectively, or by their deputies, the deputy being required to be a Doctor in the same Faculty as the Professor, or, for the degree of Mus.D., the Chair of the Faculty Board of Music.
- (d) Candidates for the degrees of Sc.D. or Litt.D. (other than candidates for those degrees by incorporation) shall be presented by the Chair of the Degree Committee which has recommended them for the degree, or by a Doctor of Science or of Letters (as the case may be) deputed by the Chair.
- (e) Candidates for the degree of M.Chir. shall be presented by the Regius Professor of Physic, or by a Doctor of Medicine or Master of Surgery deputed by the Professor.
- (f) Candidates for the degrees of M.D. and Vet.M.D. shall be presented by the Chair of the Degree Committee for the Faculties of Clinical Medicine and Veterinary Medicine, or by a Doctor of Medicine, Science, or Veterinary Medicine deputed by the Chair.
- (g) Candidates for other degrees shall be presented by the Praelectors of their Colleges.

In any case of doubt the Vice-Chancellor shall decide by whom a candidate is to be presented.

**11.** At each Congregation for the conferment of degrees the various degrees shall be conferred, subject to the provisions of Regulation 15, in an order corresponding to the order of seniority of graduates; provided that

- (a) every titular degree shall be conferred before any complete degree is conferred;
- (b) all degrees for which candidates are presented under Regulation 10(b)–(f) shall be conferred before any candidates are presented by Praelectors of Colleges under Regulation 10(g);
- (c) candidates for the degree of M.A. under Statute B II 2(a) or for any degree by incorporation under Statute B II 2(b), whether they are presented under Regulation 10(b) or under Regulation 10(g), shall be presented before other candidates are presented under the same regulations for the same degree;
- (d) the approval at a Congregation of the collective formula prescribed in Regulation 7 shall, in the case of each person referred to in the formula who is not presented in person at that Congregation, constitute the conferment of the degree and admission to the degree for which they are a candidate (other than a title of a degree).

**12.** All the candidates to be presented for degrees under Regulation 10(g) who are members of the same College shall be presented by the Praelector of that College before any candidate for a degree is presented by the Praelector of any College which follows it in the order of Colleges prescribed in Regulation 13; provided that the Vice-Chancellor shall have power to order that, at any Congregation other than a Congregation for General Admission to Degrees, all the candidates for the same degree shall be presented by the Praelector of each College in turn before any candidate is presented for the degree which next follows it in the order of seniority of graduates.

**13.** Except as provided by Regulation 16, the order of Colleges shall be King's College, Trinity College, St John's College, followed by the other Colleges specified in Statute G I 1 in order of their foundation, followed by the Colleges recognized under Statute G in order of their recognition.

**14.** Every year the Wednesday, Thursday, Friday, and Saturday in the week next but one following the last week of Full Easter Term shall be days of General Admission to Degrees. On each day of General Admission there shall be one or more Congregations for General Admission to Degrees at such hours as the Vice-Chancellor shall appoint.

Order of  
presentation  
and  
conferment.

M.A. under  
Statute B II 2.

Presentation by  
Praelectors.

Order of  
Colleges.

General  
Admission.



15. The following provisions shall apply to Congregations for General Admission to Degrees:

- (a) except with the approval of the Vice-Chancellor, no degree other than that of B.Th., B.A., Vet.M.B., or the degree of M.Eng. or M.Sci. or M.Math. or M.Des. if conferred with the B.A. degree in a single admission, may be conferred at a Congregation for General Admission to Degrees;<sup>1,2</sup>
- (b) a candidate proceeding to the degree of M.Eng. or M.Sci. or M.Math., and to the degree of B.A. at the same Congregation shall be presented for the two degrees together.

16. The assignment of Colleges to each of the several Congregations for General Admission shall be determined by the Council from time to time in consultation with the Colleges; provided that, except with the consent of the Colleges concerned, the assignment shall not be such as to change the order of Colleges which is prescribed in Regulation 13.

17. The preceding regulations notwithstanding, the person responsible for presenting for admission to a degree a candidate who is prevented by an established religious observance from attending a Congregation on a particular day, may, if the Proctors are satisfied that there are reasonable grounds to do so and consent, present that candidate at a Congregation held on some other day, present them outside the usual order in which candidates are to be presented, and appoint another member of the Senate to make the presentation.

#### FORMS OF PRESENTATION FOR DEGREES

1. Subject to the provisions of Regulation 2 concerning shortened forms of presentation, the following formulae shall be used by Praelectors and other persons in presenting candidates for degrees:

*For the degree of Bachelor of Arts, Medicine, Music, Surgery, Theology for Ministry, or Veterinary Medicine* B.A. etc.

Dignissime domine, Domine Procancellarie,<sup>3</sup> et tota Academia, praesento vobis

{ (for a man) hunc virum, quem scio tam moribus quam doctrina esse idoneum<sup>4</sup>  
or  
(for a woman) hanc mulierem, quam scio tam moribus quam doctrina esse idoneam<sup>4</sup>

ad gradum assequendum...;<sup>5</sup> idque tibi fide mea praesto totique Academiae.

*For the degree of Master of Arts, Advanced Study, Architecture, the Conservation of Easel Paintings, Design, Business Administration, Corporate Law, Education, Engineering, Finance, Accounting, Law, Letters, Mathematics, Music, Natural Sciences, Philosophy, Research, Science, Studies, or Surgery* M.A. etc.

Dignissime domine, Domine Procancellarie,<sup>3</sup> et tota Academia, praesento vobis

{ (for a man) hunc virum, quem scio tam moribus quam doctrina esse idoneum<sup>4</sup>  
or  
(for a woman) hanc mulierem, quam scio tam moribus quam doctrina esse idoneam<sup>4</sup>

ad gradum assequendum...;<sup>5</sup> idque tibi fide mea praesto totique Academiae.

<sup>1</sup> No person qualifying for the M.Eng. Degree on the basis of performance in an examination taken in 1989 or an earlier year may proceed to the degree, either in person or in absence, at a Congregation for General Admission to Degrees (see Grace 31 of 11 December 1991).

<sup>2</sup> No person qualifying for either the M.Math. Degree or the M.A.St. Degree on the basis of examination performance before 2011 shall be permitted to proceed to the degree, either in person or in absence, at a Congregation for General Admission to Degrees.

<sup>3</sup> This form of words is to be used when the person presiding at the Congregation (the Vice-Chancellor or duly appointed deputy) is a man. Other forms of words are to be used as follows:

When the person presiding at the Congregation (the Vice-Chancellor or duly appointed deputy) is a woman:

Dignissima domina, Domina Procancellaria,...

When the Chancellor is presiding the word 'Cancellarie' (for a man) or 'Cancellaria' (for a woman) is used instead of 'Procancellarie'.

<sup>4</sup> Other forms of words are to be used as follows:

(for two or more men)	hos viros, quos scio tam moribus quam doctrina esse idoneos
(for two or more women)	has mulieres, quas scio tam moribus quam doctrina esse idoneas
(for a group consisting of men and women)	hos viros et has mulieres, quos scio tam moribus quam doctrina esse idoneos
	or hos viros et hanc mulierem, quos scio tam moribus quam doctrina esse idoneos
	or hunc virum et has mulieres, quos scio tam moribus quam doctrina esse idoneos
	or hunc virum et hanc mulierem, quos scio tam moribus quam doctrina esse idoneos

<sup>5</sup> The words appropriate to the particular degree are to be inserted here. See the Schedule to these regulations.

M.Eng. or  
M.Sci. or  
M.Math. with  
B.A. Degree.

*For the degrees of Master of Engineering or Natural Sciences or Mathematics and Bachelor of Arts when candidates are presented for the two degrees together*

Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis

{ (for a man) hunc virum, quem scio tam moribus quam doctrina esse idoneum<sup>2</sup>

or

{ (for a woman) hanc mulierem, quam scio tam moribus quam doctrina esse idoneam<sup>2</sup>

ad gradus assequendos Magistri in Ingeniaria (or Scientiis Naturalibus or Mathematica) necnon Baccalaurei in Artibus; idque tibi fide mea praesto totique Academiae.

M.A. under  
Stat. B II 2.

*For the degree of Master of Arts under Statute B II 2*

Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis

{ (for a man) hunc virum, ut, habita officii ad quod admissus est ratione, co-optetur in ordinem Magistrorum in Artibus.

or

{ (for a woman) hanc mulierem, ut habita officii ad quod admissa est ratione, co-optetur in ordinem Magistrorum in Artibus.

B.D. D.D.

*For the degree of Bachelor or Doctor of Divinity*

Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis

{ (for a man) reverendum hunc virum, quem scio tam moribus quam doctrina esse idoneum

or

{ (for a woman) reverendam hanc mulierem, quam scio tam moribus quam doctrina esse idoneam

ad gradum assequendum...;<sup>3</sup> idque tibi fide mea praesto totique Academiae.

Bus.D. Ed.D.  
Eng.D. LL.D.  
Litt.D. M.D.  
Med.Sc.D.  
Mus.D. Ph.D.  
Sc.D. Vet.M.D.

*For the degree of Doctor of Business, Education, Engineering, Law, Letters, Medical Science, Medicine, Music, Philosophy, Science, or Veterinary Medicine*

Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis

{ (for a man) hunc virum, quem scio tam moribus quam doctrina esse idoneum

or

{ (for a woman) hanc mulierem, quam scio tam moribus quam doctrina esse idoneam

ad gradum assequendum...;<sup>3</sup> idque tibi fide mea praesto totique Academiae.

Degree by  
incorporation.

*For a degree by incorporation*

Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis

{ (for a man) hunc virum, ut in nostra Academia incorporetur et sit eodem gradu quo est apud suos...<sup>4</sup>

or

{ (for a woman) hanc mulierem, ut in nostra Academia incorporetur et sit eodem gradu quo est apud suos...<sup>4</sup>

<sup>1</sup> This form of words is to be used when the person presiding at the Congregation (the Vice-Chancellor or duly appointed deputy) is a man. Other forms of words are to be used as follows:

When the person presiding at the Congregation (the Vice-Chancellor or duly appointed deputy) is a woman:

Dignissima domina, Domina Procancellaria,...

When the Chancellor is presiding the word 'Cancellarie' (for a man) or 'Cancellaria' (for a woman) is used instead of 'Procancellarie'.

<sup>2</sup> Other forms of words are to be used as follows:

(for two or more men)	hos viros, quos scio tam moribus quam doctrina esse idoneos
(for two or more women)	has mulieres, quas scio tam moribus quam doctrina esse idoneas
(for a group consisting of men and women)	hos viros et has mulieres, quos scio tam moribus quam doctrina esse idoneos
	or hos viros et hanc mulierem, quos scio tam moribus quam doctrina esse idoneos
	or hunc virum et has mulieres, quos scio tam moribus quam doctrina esse idoneos
	or hunc virum et hanc mulierem, quos scio tam moribus quam doctrina esse idoneos

<sup>3</sup> The words appropriate to the particular degree are to be inserted here. See the Schedule to these regulations.

<sup>4</sup> The word appropriate to the candidate's previous degree is to be inserted here, as follows:

For a graduate of the University of Oxford	Oxonienses
For a graduate of Trinity College, Dublin	Dublinenses

For the title of a degree, *honoris causa*

Titular degree.

Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis

{ (for a man) egregium hunc virum, ut honoris causa habeat titulum gradus...<sup>2</sup>  
 or  
 (for a woman) egregiam hanc mulierem, ut honoris causa habeat titulum gradus...<sup>2</sup>

2. When presenting two or more groups of candidates for the same degree, a Praelector shall use one of the following formulae for each group after the first:

(for a man) Hunc etiam praesento et de hoc idem vobis praesto.

(for two or more men) Hos etiam praesento et de his idem vobis praesto.

(for a woman) Hanc etiam praesento et de hac idem vobis praesto.

(for two or more women) Has etiam praesento et de his idem vobis praesto.

## FORMS OF ADMISSION TO DEGREES

1. Subject to the provisions of Regulation 2, the following formulae shall be used by the Chancellor, or by the Vice-Chancellor, or by a duly appointed deputy, in admitting candidates to degrees or to the titles of degrees:

*For the degree of Master of Arts under Statute B II 2*

M.A. under  
Stat. B II 2.

Auctoritate mihi commissa admitto te in ordinem Magistrorum in Artibus, in nomine Patris et Filii et Spiritus Sancti.

*For a degree by incorporation*

Degree by  
incorporation.

Auctoritate mihi commissa admitto te ad gradum...<sup>2</sup> ut in nostra Academia incorporeris et sis eodem gradu quo es apud tuos...,<sup>3</sup> in nomine Patris et Filii et Spiritus Sancti.

*For the title of a degree honoris causa*

Titular degree.

Auctoritate mihi commissa admitto te honoris causa ad titulum gradus...,<sup>2</sup> in nomine Patris et Filii et Spiritus Sancti.

*For the degrees of Master of Engineering or Natural Sciences or Mathematics and Bachelor of Arts when the two degrees are conferred together*

M.Eng. or  
M.Sci. or  
M.Math. with  
B.A. Degree

Auctoritate mihi commissa admitto te ad gradus Magistri in Ingeniaria (or Scientiis Naturalibus or Mathematica) necnon Baccalaurei in Artibus, in nomine Patris et Filii et Spiritus Sancti.

*For all other degrees*

All other  
degrees.

Auctoritate mihi commissa admitto te ad gradum...,<sup>2</sup> in nomine Patris et Filii et Spiritus Sancti.

2. The person conferring degrees is authorized, at their discretion,

(a) to vary the formulae given in Regulation 1 by omitting the words 'in nomine Patris et Filii et Spiritus Sancti' or replacing them with the words 'in nomine Dei';

(b) in admitting candidates to any degree, except for a doctoral degree or the degrees of B.D., M.Chir. or the M.A. under Statute B II 2, to use one of the following shortened formulae, as appropriate:

In eodem nomine te etiam admitto ad gradum (or gradus)...<sup>2</sup>

Te etiam admitto ad gradum (or gradus)...<sup>2</sup>

Te etiam admitto ad eundem gradum (or ad eosdem gradus)

<sup>1</sup> This form of words is to be used when the person presiding at the Congregation (the Vice-Chancellor or duly appointed deputy) is a man. Other forms of words are to be used as follows:

When the person presiding at the Congregation (the Vice-Chancellor or duly appointed deputy) is a woman:

Dignissima domina, Domina Procancellaria,...

When the Chancellor is presiding the word 'Cancellarie' (for a man) or 'Cancellaria' (for a woman) is used instead of 'Procancellarie'.

<sup>2</sup> The words appropriate to the particular degree are to be inserted here. See the Schedule to these regulations.

<sup>3</sup> The word appropriate to the candidate's previous degree is to be inserted here, as follows:

For a graduate of the University of Oxford

Oxonienses

For a graduate of Trinity College, Dublin

Dublinenses

*SCHEDULE*

The words appropriate to the particular degree are to be inserted in the formulae for presentation for degrees and admission to degrees, as follows:

For the B.D. Degree	Baccalaurei in Sacra Theologia
For the M.B. Degree	Baccalaurei in Medicina
For the Vet.M.B. Degree	Baccalaurei in Veterinaria Medicina
For the Mus.B. Degree	Baccalaurei in Musica
For the B.A. Degree	Baccalaurei in Artibus
For the B.Th. Degree	Baccalaurei in Theologia Pastoralis
For the M.Chir. Degree	Magistri in Chirurgia
For the M.A. Degree	Magistri in Artibus
For the LL.M. Degree	Magistri in Jure
For the M.Sc. Degree	Magistri in Scientiis
For the M.Litt. Degree	Magistri in Litteris
For the M.Phil. Degree	Magistri in Philosophia
For the M.Eng. Degree	Magistri in Ingeniaria
For the M.B.A. Degree	Magistri in Negotiis Administrandis
For the M.Fin. Degree	Magistri in Re Pecuniaria
For the M.Acc. Degree	Magistri in Arte Ratiocinandi
For the M.Ed. Degree	Magistri in Educatione
For the M.Sci. Degree	Magistri in Scientiis Naturalibus
For the M.St. Degree	Magistri in Studiis
For the M.Res. Degree	Magistri in Arte Vestigandi
For the M.Arch. Degree	Magistri in Architectura
For the M.C.E.P. Degree	Magistri in Tabularum Pictarum Conservatione
For the M.Des. Degree	Magistri in Rebus Designandis
For the M.Math. Degree	Magistri in Mathematica
For the M.A.St. Degree	Magistri in Studio Ampliore
For the M.Mus. Degree	Magistri in Musica
For the M.C.L. Degree	Magistri in Jure Negotiationis Societatum
For the D.D. Degree	Doctoris in Sacra Theologia
For the LL.D. Degree	Doctoris in Jure
For the M.D. Degree	Doctoris in Medicina
For the Sc.D. Degree	Doctoris in Scientiis
For the Litt.D. Degree	Doctoris in Litteris
For the Mus.D. Degree	Doctoris in Musica
For the Vet.M.D. Degree	Doctoris in Veterinaria Medicina
For the Ph.D. Degree	Doctoris in Philosophia
For the Bus.D. Degree	Doctoris in Negotiis
For the Eng.D. Degree	Doctoris in Ingeniaria
For the Ed.D. Degree	Doctoris in Educatione
For the Med.Sc.D. Degree	Doctoris in Scientiis Medicinis

## ORDER OF SENIORITY OF GRADUATES

## 1. The order of seniority of graduates shall be as follows

The Chancellor	The Regius Professor of History
The Vice-Chancellor	The Regius Professor of Botany
The High Steward	The Regius Professor of Engineering
The Deputy High Steward	Professors, the Orator, the Registry,
The Commissary	the Librarian, the Director of the
The Pro-Vice-Chancellors	Fitzwilliam Museum, if Doctors,
Heads of Colleges	in the order of their complete degrees
The Regius Professor of Divinity	Doctors of Divinity
The Regius Professor of Civil Law	Doctors of Law
The Regius Professor of Physic	Doctors of Medicine <sup>1</sup>
The Regius Professor of Hebrew	Doctors of Medical Science
The Regius Professor of Greek	Doctors of Science and Doctors of Letters

<sup>1</sup> Persons who proceeded to this degree before 1 March 2014.

Doctors of Music	Masters of Architecture
The Orator	Masters of Music
The Registry	Masters of Mathematics
The Librarian	Masters of Advanced Study
Professors, the Director of the Fitzwilliam Museum, if not Doctors, in the order of their appointment	Masters of Engineering
Members of the Council	Masters of Design
Bachelors of Divinity	Masters of Business Administration
Doctors of Medicine <sup>1</sup>	Masters of Finance
Doctors of Veterinary Medicine	Masters of Accounting
Doctors of Philosophy	Masters of Education
Doctors of Engineering	Masters of Natural Sciences
Doctors of Business	Masters of Studies
Doctors of Education	Masters of the Conservation of Easel Paintings
Masters of Surgery	Bachelors of Medicine
Masters of Arts	Bachelors of Surgery
Masters of Law	Bachelors of Law
Masters of Corporate Law	Bachelors of Veterinary Medicine
Masters of Science and Masters of Letters	Bachelors of Music
Masters of Research	Bachelors of Arts
Masters of Philosophy	Bachelors of Education
	Bachelors of Theology for Ministry

2. Of two persons holding the same or an equal degree, the senior shall be the person who was admitted to the degree on the earlier day.<sup>2</sup>

3. Of two persons admitted to the same or an equal degree on the same day, the senior shall be the person who was the senior in virtue of any degree previously held; or, if neither of them was previously senior to the other, the person whose surname comes before the other's in alphabetical order.<sup>2</sup>

4. For the purpose of determining seniority among Bachelors of Arts, the days of General Admission in the Easter Term shall be counted as one and the same day.

5. In processions the following conventions shall be observed:

Processions.

(a) the Esquire Bedells precede the Chancellor and the Vice-Chancellor;

(b) the Vice-Chancellor is accompanied by the Registry and followed immediately by the Proctors;

(c) in a procession before the conferment of honorary degrees the Vice-Chancellor is accompanied also by the Orator;

provided that the Vice-Chancellor, after consulting the Proctors, shall have power to vary the order of any procession, subject to giving notice on each occasion of any intended variation in the normal order.

## ACADEMICAL DRESS

### GENERAL

1. Members of the University *in statu pupillari* shall be required to wear the academical dress appropriate to their status in this University 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.

Wearing of  
academical  
dress by those  
*in statu*  
*pupillari*.

2. Members of the University not *in statu pupillari* shall wear the academical dress appropriate to their respective degrees of this University in the University Church, the Senate-House, and the Schools, and generally on public occasions and at official meetings, and on all other occasions on which the Vice-Chancellor may by public notice request that academical dress be worn.

Wearing of  
academical  
dress by those  
not *in statu*  
*pupillari*.

3. The Doctors in the several Faculties shall wear their festal gowns in public on Christmas Day, Easter Day, Ascension Day, Whitsunday, Trinity Sunday, All Saints' Day, on the day appointed for the Commemoration of Benefactors, on the days of General Admission to Degrees, and on all other occasions on which the Vice-Chancellor may by public notice request that festal gowns be worn.

Scarlet days.

<sup>1</sup> Persons who proceeded to this degree after 1 March 2014.

<sup>2</sup> For the purpose of determining the seniority of a woman upon whom the title of a degree was conferred before women became eligible for complete degrees of the University, the date of the Diploma conferring the title of the degree is deemed to be the day on which she was admitted to that degree.



4. Notwithstanding the foregoing regulations, on the occasions specified in Regulation 3 any member of the University who holds a degree of another university or degree-awarding institution may wear the academical dress appropriate to that degree; save that this provision shall not apply to the Chancellor, the Vice-Chancellor, the High Steward, the Deputy High Steward, the Commissary, the Proctors, the Registrary, or the Esquire Bedells, or to a deputy for any of those officers, or to any person presenting or being presented for a degree of the University.

The Proctors  
and Esquire  
Bedells.

5. A Proctor or a deputy for a Proctor or an Esquire Bedell, when carrying out the duties of their office, shall wear the academical dress of a Master of Arts.

6. The senior Esquire Bedell shall be familiar with all details of academical dress of the University and shall draw the Vice-Chancellor's attention to unauthorized variations.

7. Drawings of hoods and gowns of the University, and specimens of the proper materials and colours, shall be kept by the Registrary.

8. Notwithstanding the regulations for academical dress which follow, a member of the University, other than a Proctor or a deputy for a Proctor or an Esquire Bedell when carrying out the duties of their office, may continue to wear any academical dress of the University which when they first wore it conformed to the practice of the time.

#### BLACK GOWNS

D.D.: a full-sleeved gown, or alternatively the M.A. gown, either of which should have a looped cord and a button at the back and should be worn with a black silk scarf;

LL.D.: a gown with square-ended sleeves slit vertically above the arm-slits and sewn across below them, wings on the shoulders, and a flap-collar at the back;

M.D.<sup>1</sup> or Med.Sc.D.: a gown with square-ended sleeves sewn across below the arm-slits and a flap-collar at the back, trimmed with a single row of Doctors' lace down each front and round the collar, across each sleeve at the bottom and above the arm-slit, and with two vertical rows from the centre of the arm-slit to the shoulder;

Sc.D.: the M.A. gown but with a single row of Doctors' lace placed horizontally above each arm-slit;

Litt.D.: the M.A. gown but with a single row of Doctors' lace placed vertically above each arm-slit;

Mus.D.: the M.D. gown but with a double row of Doctors' lace on the lower part of the collar;

B.D.: the M.A. gown but with a looped cord and a button on the back as on the D.D. gown;

M.D.<sup>2</sup>: the Ph.D. gown;

Vet.M.D.: the Ph.D. gown;

Ph.D.: the M.A. gown but with Doctors' lace, four inches (10 cm) in length, placed horizontally above each arm-slit, the bottom edge of the lace being three inches (7.5 cm) from the edge of the opening;

Bus.D.: the Ph.D. gown;

Eng.D.: the Ph.D. gown;

Ed.D.: the Ph.D. gown but with four buttons placed in a horizontal row above the Doctors lace;

M.Chir.: the M.A. gown but with three rows of single black silk cord across the sleeve above each arm-slit, showing a space of half an inch (1.25 cm) between row and row, the first row being three-eighths of an inch (1 cm) above the opening;

M.A.: a silk or stuff gown with glove sleeves, having horizontal slits to free the arm, and with strings;

LL.M.: the M.Chir. gown but with two rows of single cord across the sleeve;

M.C.L.: the LL.M. gown;

M.Mus.: the M.A. gown but with three buttons joined by cords forming a triangle, two buttons on the upper edge of each arm-slit, five inches (12.5 cm) apart, the third in the middle five inches (12.5 cm) above the slit;

M.Sc.: the M.A. gown but with three buttons placed horizontally, two-and-a-half inches (6.25 cm) apart and joined by a cord, along each arm-slit;

M.Litt.: the M.Sc. gown but with the buttons and cord placed vertically;

M.Res.: the M.Phil. gown but with the buttons joined by two vertical cords;

<sup>1</sup> For persons awarded the degree before 1 March 2014.

<sup>2</sup> For persons awarded the degree after 1 March 2014.

M.Phil.: the M.A. gown but with a vertical cord from the centre of the arm-slit to the shoulder and with one button at the top of the cord and one button at the bottom of the cord on each sleeve;

M.Arch.: the M.A. gown but with a circle of cord on the sleeve;

M.C.E.P.: the M.A. gown but with a circle of cord on the sleeve;

M.Des.: the M.A. gown but with a circle of cord on the sleeve with a button in the centre;

M.Math.: the M.A. gown but with a circle of cord on the sleeve with a button in the centre;

M.A.St.: the M.A. gown but with a double circle of cord on the sleeve with a button in the centre;

M.Eng.: the M.A. gown but with a circle of cord on the sleeve with a button in the centre;

M.B.A.: the M.A. gown but with four buttons joined by cords forming a square on the upper edge of each arm-slit;

M.Fin. and M.Acc.: the M.A. gown but with four buttons joined by cords forming a diamond on the upper edge of each arm slit;

M.Ed.: the M.A. gown but with five buttons joined by cords forming a cross on the upper edge of each arm-slit;

M.Sci.: the M.A. gown but with a circle of cord on the sleeve with a button in the centre;

M.St.: the M.A. gown but with five buttons joined by cords forming a cross on the upper edge of each arm-slit;

M.B.: a gown of black silk or stuff, shorter than the M.A. gown, with open sleeves, not slit but turned back to form a triangle bisected by one black cord about five inches (12.5 cm) long with a button at the top of the cord, and with strings;

B.Chir.: the M.B. gown but having on each sleeve three parallel cords half an inch (1.25 cm) apart, with a button at the top of each cord;

B.A.: a stuff gown like the M.B. gown, with open sleeves not turned up with a cord but slit vertically from the shoulders and caught together at the bottom of the slit;

LL.B.: the M.B. gown but having on each sleeve two parallel cords, with a button at the top of each cord;

Mus.B.: the M.B. gown but on each sleeve one cord and button, with another button on each side of the sleeve at the corner of the triangle formed by the turned-back piece of sleeve;

Vet.M.B.: the M.B. gown but with two buttons placed vertically one at the top and one at the bottom of the cord on each sleeve;

B.Ed.: the B.A. gown but having on each sleeve four parallel cords about one inch (2.5 cm) apart and five inches (12.5 cm) long with a button at the top of each cord;

B.Th.: the B.A. gown but with a looped cord and a button on the back as on the B.D. gown;

Possessor of the status of Master of Arts: the M.A. gown but without the strings;

Possessor of the status of Bachelor of Arts: the B.A. gown but without the strings.

Undergraduates' gowns shall reach to the knees.

The buttons of black gowns are of 26-line flat black twill-mohair; the cords are of  $\frac{1}{8}$  black 'silk', and twisted double except in the M.Chir. and LL.M. gowns.

#### HOODS<sup>1</sup>

Doctor, other than M.D.,<sup>2</sup> Vet.M.D., Ph.D., Bus.D., Eng.D. or Ed.D.: of the same material as the festal gown, lined with the same material as the lining of the gown;

B.D.: of black corded silk lined with black silk;

M.D.<sup>2</sup>: the Ph.D. hood but with a part lining of mid-cherry silk four inches (10 cm) deep;

Vet.M.D.: of black corded silk lined with scarlet cloth, the hood part-lined with mid-cherry silk, four inches (10 cm) deep;

Ph.D.: of black corded silk lined with scarlet cloth;

Bus.D.: of black corded silk lined with dark green silk, the hood part-lined with scarlet cloth, four inches (10 cm) deep;

Eng.D.: of black corded silk lined with bronze silk, the hood part-lined with scarlet cloth, four inches (10 cm) deep;

<sup>1</sup> The fur used for Bachelors' hoods is artificial fur.

<sup>2</sup> For persons awarded the degree after 1 March 2014.

Ed.D.: of black corded silk lined with light blue silk, the hood part-lined with scarlet cloth, four inches (10 cm) deep;

M.Chir.: of black corded silk lined with mid-cherry silk;

M.A.: of black corded silk lined with white silk;

LL.M.: of black corded silk lined with light-cherry silk;

M.C.L.: the LL.M. hood but with a part lining of white silk four inches (10 cm) deep;

M.Mus.: of black corded silk lined with dark-cherry satin;

M.Sc.: of black cloth lined with pink silk shot with light blue;

M.Litt.: of black cloth lined with scarlet silk;

M.Res.: of black cloth lined with dark plum red silk;

M.Phil.: of black cloth lined with blue silk;

M.Arch.: the M.Sc. hood but with a part lining of white silk four inches (10 cm) deep;

M.C.E.P.: the M.A.St. hood but with a part lining of white silk four inches (10 cm) deep;

M.Des.: the M.Eng. hood but with a part lining of white silk four inches (10 cm) deep;

M.Math.: of black cloth lined with slate blue silk;

M.A.St.: of black cloth lined with gold silk;

M.Eng.: of black cloth lined with bronze silk;

M.B.A.: of black cloth lined with dark green silk;

M.Fin.: of black cloth lined with light green silk;

M.Acc.: the M.Fin. hood but with a part lining of white silk four inches (10 cm) deep;

M.Ed.: of black corded silk lined with light blue silk;

M.Sci.: of black corded silk lined with pink silk shot with light blue;

M.St.: of black corded silk lined with yellow silk;

M.B.: the hood and tippet of mid-cherry silk, the hood part-lined with white fur and the tippet edged with white fur;

B.Chir.: the M.B. hood but with no fur edging to the tippet;

B.A.: of black stuff, part-lined with white fur, the tippet edged with white fur; *or, until further order*, of black stuff, part-lined with white, the tippet edged with white;

LL.B.: the M.B. hood and tippet but of light-cherry silk;

Mus.B.: the M.B. hood and tippet, but of dark-cherry satin;

Vet.M.B.: the M.B. hood but with an edging of white fur, two inches wide (5 cm), to the tippet;

B.Ed.: of black stuff, part-lined with blue silk and an edging of white fur, the tippet edged with white fur;

B.Th.: of black stuff, lined with black silk, the tippet edged with white fur.

The neckband of a hood is of the outer colour, with no edging of the lining material. The corners of tippets are square.

#### FESTAL GOWNS

D.D.: a gown of scarlet cloth lined with dove-coloured silk, that is silk of a turquoise-blue shot with rose-pink; at the back and on each sleeve a black button (22-line flat silk) and  $\frac{1}{8}$  black twisted cord; black strings: under this gown a black silk cassock should be worn;

LL.D.: a gown of scarlet cloth lined with light-cherry silk; scarlet buttons and cords and strings;

M.D.<sup>1</sup> or Med.Sc.D.: a similar gown lined with mid-cherry silk;

Sc.D.: a similar gown lined with pink silk shot with light blue;

Litt.D.: a similar gown lined with scarlet silk to match the cloth;

Mus.D.: a gown of cream damask, lined with dark-cherry satin, having short wide sleeves; the buttons, cords, and strings to match the satin;

M.D.<sup>2</sup>: the Ph.D. festal gown;

Vet.M.D.: the Ph.D. festal gown;

Ph.D.: the silk M.A. gown but with a facing of scarlet cloth, four inches (10 cm) wide, the full length of the front or the Ph.D. black gown but with a facing of scarlet cloth, four inches (10 cm) wide, the full length of the front;

<sup>1</sup> For persons awarded the degree before 1 March 2014.

<sup>2</sup> For persons awarded the degree after 1 March 2014.

Bus.D.: the Ph.D. festal gown;  
 Eng.D.: the Ph.D. festal gown;  
 Ed.D.: the Ed.D. black gown but with a facing of scarlet cloth, four inches (10 cm) wide the full length of the front.

#### HEADRESSES

With a festal gown, for a Doctor of Divinity a black velvet cap, for a Doctor in another Faculty a wide-brimmed round velvet bonnet with gold string and tassels: provided that a Doctor, when taking part in ceremonial in the Senate-House, may with the festal gown wear the square cap;

with all other gowns, for residents the square cap: provided that an undergraduate shall wear either the square cap or no headdress.

#### DRESS AT GRADUATION

1. Any person presenting a candidate for a doctorate other than the M.D., Vet.M.D., Ph.D., Bus.D., Eng.D., Ed.D., or for the degree of B.D., wears a cope.<sup>1</sup>

2. All persons presenting for degrees wear dark clothes with their academical dress.

3. A person being admitted to the title of a degree *honoris causa* wears the gown of the degree without a hood.

4. A person being admitted to a degree by incorporation or to the degree of M.A. under Statute B II 2 wears the gown and hood of the degree that they are to receive.

5. A graduate of the University being admitted to a degree wears the gown and hood of the highest degree that they have received from the University.

6. A possessor of the status of B.A. or M.A. who is not a graduate of the University and who is being admitted to a degree, other than the degree of M.A. under Statute B II 2 or a degree by incorporation, shall wear the gown appropriate to their status, and the hood of the degree, or of the higher of the two degrees, that they are to receive.

7. An undergraduate being admitted to a degree wears an undergraduate gown, and the hood of the degree, or of the higher of the two degrees, that they are to receive.

8. All persons being admitted to degrees wear dark clothes with their academical dress. Persons wearing a dinner jacket or lounge suit wear white ties and bands.

9. The Proctors shall have power, on request from a person who is to present a graduand for a degree, to grant the presenter or the graduand dispensation from Regulation 2 or 8 concerning dress at graduation as appropriate, and also, if necessary, to grant such a person dispensation from the regulations concerning headdresses; provided that the Proctors shall be satisfied in every case that there are reasonable grounds for granting such dispensation.

#### ADDRESSES TO THE SOVEREIGN AND FORMAL LETTERS TO OTHER UNIVERSITIES

1. The presentation of an address to the Sovereign shall require approval by the University. The text of such an address shall be approved by the Council.

2. An address to the Sovereign shall be presented by the Chancellor, provided that, if the Chancellor is absent, or if the office of Chancellor is vacant, it shall be presented by the Vice-Chancellor.

3. The Chancellor shall be accompanied in the presentation of an address by the Esquire Bedells and by a deputation consisting of the Vice-Chancellor, the Orator, the Proctors, and the Registrary, together with not more than six other members of the University nominated by the Vice-Chancellor; provided that the Vice-Chancellor shall not be required to nominate additional members to the deputation on a particular occasion.

4. The presentation of a formal letter to another university or similar institution shall require approval by the University. The text of such a letter shall also be approved by the University.

<sup>1</sup> Three copes of different lengths are kept in the Senate-House for the use of persons presenting for degrees.

## SERMONS AND COMMEMORATIONS

Commemora-  
tion of  
Benefactors.

1. The service for the Commemoration of Benefactors<sup>1</sup> shall be held each year on the first Sunday in November, except in any year in which this day is appointed as Remembrance Sunday when the Service shall be held on either the preceding or the following Sunday as determined by the Select Preachers Syndicate.

Preacher.

2. It shall be the duty of the Lady Margaret's Preacher to preach at the service.

Ramsden  
Sermon.

3. The annual Ramsden Sermon, founded by Mrs Ramsden through J. H. Markland, Esq., is to be delivered on such Sunday of Full Term and by such preacher as the Vice-Chancellor for the time being shall appoint, upon the subject of Church Extension overseas, especially within the Commonwealth of Nations.

Mere's  
Commemora-  
tion.

4. The sermon at Mere's Commemoration<sup>2</sup> shall be preached on the first Tuesday in Full Easter Term.

Great St  
Mary's Church.

5. The arrangement of the seats in the University Church at all University services shall be entrusted to the Vice-Chancellor.

## UNIVERSITY OF CAMBRIDGE STUDENTS' UNION

Objects of the  
Union.

1. There shall be a University of Cambridge Students' Union (the Union), which shall be a charitable company limited by guarantee. The Union shall be the students' union authorized by the University to be the recognized representative channel between all students and the University.

2. The articles of association (the Articles) of the Union shall provide for the objects of the Union to be:

(a) the advancement of education of students at the University of Cambridge for the public benefit by:

(i) promoting the interests and welfare of students at the University of Cambridge during their course of study and representing, supporting, and advising students;

(ii) being the recognized representative channel between students and the University of Cambridge and any other external bodies; *and*

(iii) providing social, cultural, sporting, and recreational activities and forums for discussions and debate for the personal development of students; *and*

(b) the promotion of equality of opportunity in education for the public benefit by in particular:

(i) promoting access to, and success at, the University of Cambridge and its affiliated institutions; *and*

(ii) encouraging access to the University of Cambridge for applicants from backgrounds under-represented in the University.

Amendments.

3. No amendment of the Articles of the Union to give effect to a change in the objects of the Union shall be made unless Regulation 2 has been amended by the University. No other amendment of the Articles of the Union shall be made unless approval has been given by the Council.

Financial  
assistance.

4. The Council shall have discretion to provide financial assistance to the Union.

Estimates of  
income and  
expenditure.

5. The Presidents of the Union shall jointly be accountable to the Council for the financial management of the Union. In the Michaelmas Term of each academic year the Presidents shall submit to the Council estimates of the Union's income and expenditure for the Union's next financial year.

Accounts.

6. Before the division of the Lent Term in each academic year the Presidents of the Union shall provide the Council with the audited accounts of the Union for the Union's previous financial year.

Offices.

7. The offices of President shall be defined as major union offices for the purposes of Section 22(2)(d) of the Education Act 1994. The General Board shall have discretion to make an allowance under Regulation 1(b) for Allowances to Candidates for Examinations, where necessary, for the Presidents and any other full-time officers of the Union, on the application of a Tutor of the respective College.

Recognition by  
Council.

8. The Union shall be recognized by the Council as an organization representing registered student members of the University, in University as distinct from College matters, subject to the conditions set out in these regulations.

<sup>1</sup> The Form of Service for the Commemoration of Benefactors is published by Cambridge University Press & Assessment. Copies are available in Great St Mary's Church on the day of the Commemoration.

<sup>2</sup> See *Endowments*, 1904, pp. 19, 20. This sermon is preached either by the Vice-Chancellor or by a preacher nominated by the Vice-Chancellor.



9. Any member of the Union who wishes to opt out of membership of the Union in a particular academic year shall be entitled to do so by giving notice in writing, on a prescribed form, to the Registry. The Registry shall inform the Presidents of the opt-out, and the Presidents shall forthwith delete the name of the person from any electoral roll or register of the Union, with immediate effect. Such an opt-out shall be effective for the remainder of the academic year, and such person shall not be regarded as represented by the Union under the provisions of these regulations. A person who has exercised this right, and who holds an office of the Union, or membership of any committee or other body in the Union, shall thereby vacate it.

Opt out of membership.

10. If a complaint by a member of the Union, or a person who would be entitled to be a member if they had not exercised the right to opt out under Regulation 9, cannot be satisfactorily resolved by the officers of the Union, the complainant may refer the complaint to the Junior Proctor, who shall seek the opinion of the appropriate officer or officers of the Union, shall investigate the matter, and shall report on it in writing in such terms as the Junior Proctor considers appropriate, indicating a finding as to whether or not the complaint is upheld, giving such reasons as the Junior Proctor thinks fit, and stating provisionally what remedy, if any, is proposed. Notice of such findings and of any provisional remedy shall be sent by the Junior Proctor to the Presidents or other appropriate officer of the Union, to the complainant, and to the Registry. The Junior Proctor shall consider any representations made by these persons and shall then confirm, modify, or withdraw their findings and provisional remedy. Any remedy so confirmed, whether or not after modification, shall be executed without delay. The final decision of the Junior Proctor shall be notified to the Vice-Chancellor and those to whom the provisional decision was notified. Any functions of the Junior Proctor under this regulation may be delegated by that officer to another Proctor or Pro-Proctor.

Complaints.

11. The Presidents of the Union shall submit to the Council each year in the Michaelmas Term an electoral scheme for the conduct of elections in the Union in the remainder of the academic year. The scheme shall provide for the appointment, subject to confirmation by the Council, of returning officers, and for the Council to receive from the returning officers a report on the conduct of each election.

Elections.

#### CODE OF PRACTICE IN RESPECT OF STUDENT UNIONS ISSUED UNDER SECTION 22 OF THE EDUCATION ACT 1994

1. Section 22 of the Education Act 1994 places a number of responsibilities on governing bodies of universities (as defined by section 21, sub-section 5). Sub-section 3 of that section provides that every governing body shall prepare and issue, and where necessary revise, a code of practice as to the manner in which the requirements of sub-sections 1 and 2 are to be carried into effect in relation to any students' union for students of the establishment, setting out in relation to each of the requirements details of the arrangements made to secure its observance. The present code of practice is issued by the Council in respect of the University of Cambridge Students' Union (the Union).

##### *General duty of governing bodies*

2. Sub-section 1 requires the governing body to take 'such steps as are reasonably practicable to secure that any students' union for students of the establishment operates in a fair and democratic manner and is accountable for its finances'. This requirement is fulfilled through compliance with the requirements of the Ordinances for each union, with the provisions of the present code of practice, and with the articles of association of the Union (the Articles).

##### *Particular requirements of the Act*

3. Sub-section 2 requires governing bodies to take 'such steps as are reasonably practicable to secure that the following requirements are observed by or in relation to any students' union for students of the establishment'. These detailed requirements are dealt with below.

(a) **Written constitution.** *Unions should have a written constitution.*

As a charitable company limited by guarantee, the Union has Articles.

(b) **Constitutions to be approved by the governing body and to be reviewed by it.** *The provisions of unions' constitutions are to be subject to the approval of the governing body of the university and to review by it at intervals of not more than five years.*

The Articles of the Union were reviewed on their recognition by the University and will be reviewed on subsequent occasions when amendments are proposed; the Articles of the Union require amendments to the Articles to be approved by the University and provide a process for the review by the Council of amendments to by-laws that require University approval because they relate to a requirement of the Act. The Articles require the University to review the provisions of the Articles at intervals of not more than five years and the Articles are reviewed in the Easter Term each year by the Council, acting through its Committee for the Supervision of the Student Union (CCSSU).

(c) **Opting out.** *A student should have the right not to be a member of a union or in the case of a representative body which is not an association to signify that they do not wish to be represented by it and students who exercise that right should not be unfairly disadvantaged with regard to the provision of services or otherwise by reason of their having done so.*

The Articles provide for students to opt out of membership. The Union's by-laws include provision governing opting out by members; a form for this purpose may be obtained from the University Offices, The Old Schools, or from the officers of the Union. The Council has been informed that the Union would nevertheless wish to continue to make its services available to students who choose not formally to be members and the Council has made it a condition of University funding of the Union that this should be so. Payments should normally continue to be made by College student unions to the Union in relation to any student who has opted out of membership.

(d) **Election to major union offices.** *The Act provides that appointment to major union offices should be by election in a secret ballot in which all members are entitled to vote.*

The Articles for the Union indicate which sabbatical offices are to be regarded as major union offices and the Union's by-laws require that election to these and other sabbatical offices is by secret ballot.

(e) **Union elections.** *Governing bodies are required to satisfy themselves that union elections are fairly and properly conducted.*

The by-laws for the Union require the Union to submit to the Council electoral schemes for the conduct of elections. The Union has agreed that the Council is to be informed of the appointment of returning officers, to confirm their appointment, and to receive from the returning officers a report on the conduct of elections. The CCSSU deals with this business on behalf of the Council.<sup>1</sup>

(f) **Sabbatical or paid elected offices.** *A person is not to hold sabbatical union office, or paid elected union office, for more than two years in total at the establishment.*

A provision to this effect is included in the Articles.

(g) **Financial management.** *The financial affairs of unions are to be properly conducted and appropriate arrangements are to exist for the approval of unions' budgets, and the monitoring of expenditure by the governing body.*

It is a condition of University grant to the Union that interim half-yearly reports on expenditure should be made to the Council, and the Council will invite the CCSSU, and if necessary the Finance Committee, to consider these reports, and the accounts and estimates of the Union.

(h) **Financial reports.** *Financial reports of unions are to be published annually or more frequently, and are to be made available to the governing body and to all students; each report is in particular to contain a list of external organizations to which the union has made donations in the period to which the report relates and details of these donations.*

Compliance with these requirements is a condition of grant from the University. The Union will circulate its accounts annually to JCR and MCR presidents and equivalent, who will make them available for reference in Colleges by junior members. The accounts will also be available for reference by registered student members in the University Offices, The Old Schools, and at the Union's own office.

(i) **Groups or clubs.** *The procedure for student unions to allocate resources to groups or clubs is to be fair and is to be set down in writing and freely accessible to all students.*

In Cambridge the principal allocations to University clubs and societies are made not by the Union, but by two University bodies, the Societies Syndicate and the University Sports Committee. To the limited extent that the Union makes allocations to groups, clubs, or societies, it is required under its by-laws to make reasonable attempts to ensure that access to that support is equally available to any society and to approve a written procedure, to be approved by the Council through the CCSSU.

(j) **Affiliation to external organizations.** *If a union decides to affiliate to an external organization it must publish notice of its decision stating the name of the organization and details of any subscription or similar fee paid or proposed to be paid and of any donation made or proposed to be made to the organization, and such notice is to be made available to the governing body and to all students.*

Appropriate reference has been made in the by-laws of the Union. Notice to the governing body is to be given to the CCSSU on the Council's behalf, and notice to students is by circulation of notices for display in Colleges.

(k) **Report on affiliation.** *When a union is affiliated to any external organization a report is to be published annually or more frequently containing a list of external organizations to which the union is currently affiliated and details of subscriptions or similar fees paid or donations made to such organizations in the past year or since the last report, and such reports are to be made available to the governing body and to all students.*

Appropriate provision has been made in the Union's by-laws and each year a list of the external organizations to which the Union is affiliated shall be reported to the CCSSU on the Council's behalf.

(l) **Review of affiliations.** *There are to be procedures for the review of affiliations to external organizations under which the current list of affiliations is submitted for approval by members annually or more frequently, and at such intervals of not more than a year as the governing body may determine and under which a requisition may be made by such proportion of members, not exceeding five per cent, as the governing body may determine, that the question of continued affiliation to any particular organization be decided upon by a secret ballot in which all members are entitled to vote.*

<sup>1</sup> The Council has agreed that the Chair of the CCSSU may appoint returning officers.

Appropriate provision has been made in the Union's by-laws. The Council has determined that the proportion of members seeking a requisition for a secret ballot shall be two per cent, and that such a requisition may be made once a year, in the Lent Term. Each year the Union shall report to CCSSU to confirm that the current list of affiliations has been submitted for approval by members, as required under the Union's Articles.

*(m) Complaints procedures for students. There is to be a complaints procedure to be available to all students or groups of students who are dissatisfied in their dealings with a union or who claim to have been unfairly disadvantaged by reason of their having exercised the opt-out right referred to in paragraph (c) above, and this complaints procedure is to include provision for an independent person appointed by the governing body to investigate and report on complaints.*

The Union's by-laws include provision for a complaints procedure, the Junior Proctor being the independent person to investigate complaints. There is provision in the University regulations for delegation of a matter to another Proctor or Pro-Proctor if the Junior Proctor has a conflict of interest or otherwise believes that it is not possible properly to act independently in a particular case.

*(n) Remedies. Complaints are to be dealt with promptly and fairly and where a complaint is upheld there should be an effective remedy.*

The Union's by-laws state that complaints shall be considered and dealt with promptly and fairly. University regulations for the Union require any remedy confirmed after an investigation under 3(m) to be executed by the Union without delay. The Union is required to notify the Secretary of the CCSSU confirming that the remedy has been implemented. Compliance with these remedies is a condition of University grant to the Union. If a remedy is not implemented, the matter will be referred to the CCSSU so that abatement or termination of University grant, or other measures, can be considered.

#### *Sub-section 4*

*4. Governing bodies are to bring to the attention of all students at least once a year the code of practice; any restrictions imposed on the activities of student unions by the law relating to charities; and where applicable, the provisions of section 43 of the Education (No. 2) Act 1986 about freedom of speech in universities and colleges, and of any code of practice issued under it relevant to the activities or conduct of unions.*

An account of the restrictions on the activities of student unions, together with information on charity law, and the provisions of Section 43 of the 1986 Act concerning freedom of speech and the University's code of practice under that section, are included on the student gateway at <https://www.cambridgestudents.cam.ac.uk/cambridge-life/student-unions>. These matters are brought to the attention of students by email once a year providing links to the location of this information on the University's online student gateway and by the publication annually of Proctorial notices.

#### *Sub-section 5*

*5. Governing bodies are to bring to the attention of all students at least once a year and to include in any information generally made available to persons considering whether to become students of the establishment information about the right of opt-out from union membership (paragraph (c) above) and about arrangements made for services for students who have opted out.*

The location of this information on the University's online student gateway is drawn to the attention of current students by email once a year and confirmed in core documents provided to prospective students.

## DISCIPLINE

### GENERAL

In accordance with the University's duty to maintain good order and discipline within the University, the following regulations shall apply only to members of the University (and others)<sup>1</sup> within the jurisdiction of the University Tribunal under Statute D II 2:<sup>2</sup>

**1.** No member of the University shall intentionally or recklessly disrupt or impede or attempt to disrupt or impede the activities and functions of the University, or any part thereof, or of any College.

**2.** No member of the University shall intentionally or recklessly impede freedom of speech or lawful assembly within the Precincts of the University. No member of the University shall intentionally or recklessly fail to give any notice which is required to be given to a University officer or a University authority under the terms of a code of practice issued under the provisions of section 43 of the Education (No. 2) Act 1986.

**3.** No member of the University shall intentionally occupy or use any property of the University or of any College except as may be expressly or by implication authorized by the University or College authorities concerned.

<sup>1</sup> Subject to the approval by His Majesty in Council of the amendments of Statute approved by Grace 2 of 14 February 2024 the text in angular brackets will be inserted and will take effect from the date on which the amendments of Statute take effect.

<sup>2</sup> See p. 29.

4. No member of the University shall intentionally or recklessly damage or deface or knowingly misappropriate any property of the University or of any College.

5. No member of the University shall intentionally or recklessly endanger the safety, health, or property of any member, officer, or employee of the University within the Precincts of the University.

6. (a) No member of the University shall engage in the harassment of:

(i) a member, officer, or employee of the University or a College; or

(ii) any other person where the harassment takes place either within the Precincts of the University or in the course of a University or College activity.

(b) Harassment shall include single or repeated incidents involving unwanted and unwarranted conduct towards another person which is reasonably likely to have the effect of (i) violating that other's dignity or (ii) creating an intimidating, hostile, degrading, humiliating, or offensive environment for that other.

7. No member of the University shall assist a candidate in any form of academic misconduct against the Rules of Behaviour for Registered Students and Formerly Registered Students.<sup>1</sup>

8. No member of the University shall forge or falsify or knowingly make improper use of any degree certificate or other document attesting to academic achievement, or knowingly make false statements concerning standing or concerning results in examinations.

9. All members of the University shall comply with any instruction given by a University officer, or by any other person authorized to act on behalf of the University, in the proper discharge of that officer's or person's duties.

10. All members of the University shall state their names and the Colleges to which they belong when asked by a Proctor or Pro-Proctor, or by any other person in authority in the University or in any of the Colleges in the University.

#### RULES AND PROCEDURES MADE BY THE GENERAL BOARD

##### RULES OF BEHAVIOUR FOR REGISTERED STUDENTS AND FORMERLY REGISTERED STUDENTS

*Amended by Grace 1 of 14 February 2024*

All registered and formerly registered students are responsible for following the Rules of Behaviour. Not knowing or forgetting about the rules or their consequences is not a justification for not following them.

1. A registered student must:

(a) comply with instructions issued by any person or body authorised to act on behalf of the University, in the proper discharge of their duties;

(b) comply with all health and safety regulations and instructions issued by the University, a College or other associated institution;

(c) inform the University of any relevant unspent criminal conviction;

(d) comply with the terms of the code of practice issued under the provisions of section 43 of the Education (No. 2) Act 1986 regarding meetings and public gatherings on University Premises;

(e) comply with the Statutes and Ordinances and any rules and procedures established under the Statutes and Ordinances.

2. A registered student must not:

(a) interfere or attempt to interfere in the activities of the University, a College, or any member of the collegiate University community in the pursuit of their studies or in the performance of their duties;

(b) damage, misappropriate or occupy without appropriate permission any University or College property or premises, or any property or premises accessed as a result of a College or University activity;

(c) interfere in the freedom of speech or lawful assembly of a member of the collegiate University community or visitor to the University;

(d) engage or attempt to engage in physical misconduct, sexual misconduct or abusive behaviour: towards a member of the collegiate University community; or towards anyone within the precincts of the University<sup>2</sup> or during the course of a University or College activity;

(e) damage or misappropriate property belonging to a member of the collegiate University community; or belonging to anyone within the precincts of the University or during the course of a University or College activity;

(f) endanger the health and safety of anyone within the precincts of the University or in the course of a University or College activity;

(g) engage in any form of academic misconduct;

<sup>1</sup> See below.

<sup>2</sup> See Regulation 2 of the regulations for Residence and Precincts of the University (p. 169).



- (h) forge, falsify or improperly use information to gain or attempt to gain an academic or personal advantage;
- (i) where research is undertaken that does not form part of work prepared for examination or assessment, engage in any form of research misconduct, as defined from time to time by the procedure approved by the General Board and the Council for the investigation of allegations of research misconduct.

3. A formerly registered student must not forge, falsify or improperly use examination results, academic achievements, data, documents, or awards from the University.

4. The following definitions are applied under the Rules of Behaviour:

- (a) A 'formerly registered student' is a person who has previously had the status of a registered student.<sup>1</sup> Where a formerly registered student is also an employee of the University and the alleged misconduct concerns conduct in that capacity as employee, the matter shall not be dealt with under the student disciplinary procedure and shall be referred for consideration under the relevant staff disciplinary procedure.
- (b) 'Activities of a University or a College' include activities in which a student is participating that involve other organisations working in partnership with the University or a College. A non-exhaustive list of examples of such organisations are other higher education institutions, research institutes, research funders, collaborators, and work placement settings.
- (c) 'Physical misconduct' is any unwanted and unreasonable contact. Physical misconduct includes pinching, punching, kicking, slapping, pulling hair, biting, pushing, shoving, using weapons and using items as weapons.
- (d) 'Sexual misconduct' is any unwanted and unpermitted sexual activity. Sexual activity includes sexual acts, kissing, sharing private sexual materials of another, touching through clothes, showing sexual organs and remarks of a sexual nature. Sexual misconduct can take place in physical or virtual environments.
- (e) 'Abusive behaviour' is any unwanted behaviour which is reasonably likely to cause harm; or have the effect of violating another's dignity; or create an intimidating, hostile, degrading, humiliating or offensive environment for that other. It includes threats, abusive comments, the use of or supply of illicit substances, making malicious accusations, repeatedly contacting someone, and abuse that takes place within an intimate relationship. Abusive behaviour can take place in physical or virtual environments.
- (f) The word 'unwanted' means 'unwelcome' or 'uninvited'. It is not necessary for a person to object to the behaviour for it to be unwanted.
- (g) The word 'unpermitted' means 'not permitted' or 'unauthorised'. A number of behaviours can indicate where permission has been given, for example, verbal comments or physical actions. Permission for an activity can only be given at the time it is taking place and where the person has the choice to give or not give permission. Where there is disagreement as to whether an activity was unpermitted, the applicable test shall be, taking all circumstances into account, whether a reasonable person would consider the activity was unpermitted.
- (h) 'Academic misconduct' is gaining or attempting to gain, or helping others to gain or attempt to gain, an unfair academic advantage in formal University assessment, or any activity likely to undermine the integrity essential to scholarship and research. It includes being in possession of unauthorised materials or electronic devices during an examination, including recording or communication devices or devices that can store data, even where the Registered Student is unaware that such materials or devices are unauthorised, has no intention of using them, or is unaware that they have them in their possession. Academic misconduct also includes:
  - Plagiarism: using someone else's ideas, words, data, or other material produced by them without acknowledgment;
  - Self-plagiarism: using the Registered Student's own ideas, words, data or other material produced by them and submitted for formal assessment at this University or another institution, or for publication elsewhere, without acknowledgement, unless expressly permitted by the assessment;
  - Contract cheating: contracting a third party to provide work, which is then used or submitted as part of a formal assessment as though it is the Registered Student's own work;
  - Collusion: working with others and using the ideas or words of this joint work without acknowledgment, as though it is the Registered Student's own work, or allowing others to use the ideas or words of joint work without acknowledgment;
  - Impersonating someone or being impersonated in an examination or arranging for someone to impersonate someone else by sitting their examination;
  - Fabrication, falsification or misrepresentation of data, results or other outputs or aspects of research, including documentation and participant consent, or presenting or recording such data, etc, as if they were real; or
  - Failure to meet legal, ethical and professional obligations in carrying out research. This includes failure to follow agreed protocol if this failure results in unreasonable risk or harm to humans, other sentient beings or the environment, and facilitating of misconduct in research by collusion in, or concealment of, such actions by others. It includes any plan or conspiracy to attempt to do any of these things.

<sup>1</sup> These regulations apply to allegations that are made on or after 1 October 2019. Where those allegations concern conduct that took place before that date, the regulations in force at the time of the conduct in question will be applied to determine whether a breach has occurred (e.g. under these Rules of Behaviour for conduct on or after 1 October 2019, or under the General Regulations for Discipline that were in force at the time for conduct prior to that date), and the respondent will be offered a choice of the case being determined under the Student Disciplinary Procedure in force from 1 October 2019 (p. 188) or the procedure in force at the time of the conduct.



- (i) 'Instructions issued by any person or body authorised to act on behalf of the University' include requests to attend meetings, to provide identification upon request, and to share primary datasets or data analysis with a supervisor.
- (j) A 'College or University activity' is an academic, sporting, social or cultural activity either within the Precincts of the University or elsewhere in the context of a person's membership of the University.
- (k) A 'relevant' unspent criminal conviction includes a conviction for the following:
  - Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which resulted in at least actual bodily harm.
  - Sexual offences, including those listed in the Sexual Offences Act 2003.
  - The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking (drug offences only involving possession are not relevant offences).
  - Offences involving firearms.
  - Offences involving arson.
  - Offences involving terrorism.

If a student was convicted outside the United Kingdom for the type of offence listed above, this is also considered a relevant conviction.

For the purposes of this definition, out of court disposals are considered to be convictions. Penalty notices for disorder (PNDs), anti-social behaviour orders (ASBOs) or other orders are not considered to be convictions, unless contesting a PND or breaching the terms of an ASBO or other order has resulted in a criminal conviction. Whether or not an offence is considered 'spent' is defined by the Rehabilitation of Offenders Act 1974 and subsequent revisions to the Act.

- (l) 'The code of practice issued under the provisions of section 43 of the Education (No. 2) Act 1986' relates to meetings and public gatherings on University premises. The Code of Practice is available at: <https://www.cambridgestudents.cam.ac.uk/new-students/rules-and-legal-compliance/freedom-speech>.
  - (m) 'Rules and procedures established under the Statutes and Ordinances' include: procedures that govern student conduct; regulations governing information services, motor vehicles, bicycles and boats; and the payment of fees and fines.
  - (n) 'Registered student', 'respondent', 'reporting person', 'witness', and 'collegiate University community' have the same meanings as they are given in the Student Disciplinary Procedure.
5. Any breach of the Rules of Behaviour 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<sup>1</sup> or perceived protected characteristics of another;
  - (c) the respondent has previously been found to have breached the same Rule of Behaviour;
  - (d) the respondent has not complied with any sanction or measure under the Student Disciplinary Procedure;
  - (e) the respondent has breached precautionary action measures whilst the Student Disciplinary Procedure has been ongoing;
  - (f) the respondent has not provided the University with reasonable information upon request so that it can assess the risk the respondent may pose to the collegiate University community;
  - (g) the respondent has attempted to conceal or destroy evidence, or coerce or intimidate officers, reporting persons or witnesses, in relation to that breach;
  - (h) the respondent has abused a position of power or trust.

## STUDENT DISCIPLINARY PROCEDURE<sup>2</sup>

### 1. Glossary of key terms

1.1 In this procedure, the following terms shall have the meanings set out below:

Appeal Committee	A panel of three trained persons; two appointed by the General Board, and one Proctor, Deputy Proctor or Pro-Proctor, which determines whether an appeal against a decision of the Discipline Committee is upheld or dismissed, with the authority to amend, quash or impose sanctions or measures
Collegiate University Community	All Registered or Formerly Registered Students, other matriculated persons, all members of the Regent House, and all University and College employees, workers, staff or secondees, visiting scholars and visiting students
Completion of Procedures Letter	A letter that confirms the completion of the University's internal procedures, following which a student may be able to raise a complaint with the Office of the Independent Adjudicator
Concern	The description of the behaviour causing concern, reported by the Reporting Person and submitted using a Concern Form
Discipline Committee	A panel of three trained persons, appointed by the General Board, which determines whether the Rules of Behaviour have been breached or whether a Registered Student's criminal conviction requires the University to take further action and, if so, has the authority to impose sanctions or measures

<sup>1</sup> 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.

<sup>2</sup> Procedure revised with effect from 1 October 2023 (Notice, *Reporter*, 6732, 2023–24, p. 407).

Formerly Registered Student	A person who has previously had the status of a Registered Student. <sup>1</sup> Where a Formerly Registered Student is also an employee of the University and the alleged misconduct concerns conduct in that capacity as employee, the matter shall not be dealt with under the student disciplinary procedure and shall be referred for consideration under the relevant staff disciplinary procedure
Investigator	A person who meets the criteria outlined in Appendix B <sup>2</sup> with responsibility for conducting an investigation into a potential breach of the Rules of Behaviour and presenting the investigation findings to a Discipline Committee
Investigation Report OSCCA	The report created by the Investigator following an investigation The Office of Student Conduct, Complaints and Appeals
Registered Student	Any person who has accepted an offer to study or is currently pursuing a course of study at the University; or a person who had such student status at the time of the circumstances about which the Concern is being raised. Visiting Students are covered by the terms and conditions of their contract
Reporting Person	A person who is reporting a Concern about a Registered Student or Formerly Registered Student
Respondent	A Registered or Formerly Registered Student whose conduct is the subject of a Concern
Rules of Behaviour	The rules established by the General Board concerning the conduct of Registered Students and Formerly Registered Students
Student Discipline Officer (SDO)	A trained member of Regent House who meets the criteria outlined in Appendix C <sup>2</sup> , appointed by Grace, with responsibility for: commissioning an investigation into a potential breach of the Rules of Behaviour; determining whether a Registered Student's criminal conviction requires the University to take further action; or deciding the University course of action following an investigation, with the authority to impose sanctions
Witness	A person who has witnessed the Respondent's behaviour or has witnessed a matter connected to the Respondent's behaviour as alleged in the Concern, including a disclosure. The Witness may be someone to whom the behaviour was directed, or a third party
Working days	The days the University expects an employee to work, normally Monday to Friday, except bank holidays and the week between Christmas day (25 December) and New Year's day (1 January). 5 working days is usually the equivalent of 1 week.

## 2. Scope and principles

**2.1** This procedure enables the University to consider whether a Registered Student or Formerly Registered Student has breached the Rules of Behaviour and, if it is found that the Rules have been breached, to impose proportionate sanctions. The procedure enables the University to respond appropriately to breaches of the Rules of Behaviour, to protect the University and the Collegiate University Community. It does not exist to resolve personal disputes.

### *Legal representation*

**2.2** This procedure is an internal process and does not have the same degree of formality as proceedings in a court of law. It is not normally necessary or appropriate for a Respondent or the University to be legally represented at any meetings that form part of the procedure apart from in exceptional circumstances. Where a Respondent wishes to use a legal representative, at their own cost, in relation to this procedure, permission should be sought from the Student Discipline Officer for legal representation relating to the investigation stage of the procedure, or Chair of the Discipline Committee in relation to attendance or involvement with the Discipline Committee. Legal representation will normally be granted in serious cases.

### *Support*

**2.3** The procedure itself can be stressful for those involved. The Investigator and decision-makers will take into account the potential effects upon those engaging with the procedure and, where reasonable, assist in minimising these effects. All Reporting Persons, Respondents and Witnesses will receive information about how to access support during this process. The appropriate support will depend on the circumstances of the case, but may be delivered by a College, the University, the Student Advice Service or external support organisations. All Respondents, Reporting Persons and Witnesses can bring a supporter to any meeting. Supporters must not be witnesses to the Concern.

<sup>1</sup> These regulations apply to conduct that allegedly took place on or after 1 October 2019. Where those allegations concern conduct that took place before 1 October 2019, the regulations in force at the time of the conduct in question will be applied to determine whether a breach has occurred (e.g. under the Rules of Behaviour for conduct on or after 1 October 2019 (p. 186), or under the General Regulations for Discipline that were in force at the time for conduct prior to that date), and the respondent will be offered a choice of the case being determined under the Student Disciplinary Procedure in force from 1 October 2019 or the procedure in force at the time of the conduct.

<sup>2</sup> See: [https://www.studentcomplaints.admin.cam.ac.uk/files/2023-10-01\\_revised\\_sdf\\_and\\_sdp.pdf](https://www.studentcomplaints.admin.cam.ac.uk/files/2023-10-01_revised_sdf_and_sdp.pdf).

**2.4** Before, during and following the procedure, those involved may wish to access personal support in order to help them process and understand their experiences. The University does not limit the sources of support for individuals. Sources of personal support can include the College welfare system, Student Support and the Student Advice Service. However, students may also feel more comfortable seeking support from friends or family. Where they do so, it is important that any information shared about the case is treated confidentially; the friend or family member should not share the information with others while the investigation is ongoing. To do so may negatively impact the investigation. Where a friend or family member receive an account from a Reporting Person or Respondent they may be approached as a witness. While support can be given by anyone to those involved, it is preferable for a reporting person or respondent not to discuss their detailed account of what happened with someone who was present for some or all of that time.

#### *Reasonable adjustments*

**2.5** Reasonable adjustments shall be made to the procedure to allow fair access for students with a disability. For example, receiving correspondence in a particular format or via an authorised representative, where necessary, as a result of an underlying condition or disability. Respondents, Reporting Persons and Witnesses are requested to make any reasonable adjustments known to the Investigator so that these can be put in place. The Investigator may seek expert opinion regarding reasonable adjustments to ensure appropriate implementation. The Investigator shall keep a record of any such adjustments.

#### *Anonymous concerns*

**2.6** It will not normally be possible for the Reporting Person to submit a Concern anonymously, apart from in exceptional circumstances where there is a compelling case as decided by the Student Discipline Officer, supported by evidence, for the matter to be investigated. Where an anonymous Concern is accepted, the Concern will normally be accompanied by independent evidence enabling an investigation to take place without the involvement of the anonymous Reporting Person.

#### *Timeliness*

**2.7** The University can investigate and take action even where a Registered Student has since graduated or stopped pursuing a course of study. However, it will be necessary for the University to consider whether a matter can practicably be investigated and whether it is appropriate to do so, noting the limitations on the potential sanctions available.

**2.8** Concerns are ideally 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 academic misconduct only becomes apparent after a significant period of time, or where a matter has significantly impacted an individual and the effects of this impact has led to a delay in reporting. There is no arbitrary deadline for the submission of a Concern, or a time limit based on whether someone who was a Registered Student at the time of the alleged breach of the rules remains a Registered Student when the Concern is submitted. The timeframe may however have an impact on the investigation, for example, the accuracy of witnesses' memories; or on decisions, and potential sanctions, for example, where students have graduated.

**2.9** The University must investigate and consider Concerns in a timely manner, providing reasonable deadlines at each stage of the process for decision-makers to provide decisions and for Respondents, Reporting Persons and Witnesses to provide information. The University normally aims to complete the initial investigation and Discipline Committee decision within 60 days of informing the Respondent of the Concern. However, where a Concern involves sexual misconduct, multiple witnesses or a complex set of allegations, or where for good reason Respondents, Reporting Persons or Witnesses are unavailable for a period of time, the investigation is likely to take longer. Respondents and Reporting Persons will be provided with updates about the anticipated timeline as more information becomes available.

#### *Engagement with the procedure*

**2.10** Reporting Persons and Witnesses are expected to engage fully with the procedure, as far as is reasonable in the circumstances. Respondents shall engage fully with the procedure and are required to provide contact details during this time.

**2.11** It may be necessary to pause the procedure as a result of ill health or other grave cause relating to those involved. Where a Respondent, Reporting Person or Witness is unable to engage in the procedure, information shall be provided to the Investigator or Secretary of the relevant Committee confirming the nature of the reason for non-engagement, providing medical or independent evidence of the circumstances and confirming when they expect to be able to re-engage with the Procedure. The SDO or Chair of the Committee will then consider this information and determine whether it is reasonable in all the circumstances to pause the Procedure. The decision-maker will consider the impact of the person not engaging with the procedure and the impact on all parties if the procedure is paused. The decision-maker may determine that: the Procedure be paused; the Procedure continue without the engagement of the specified person, or that the circumstances provided by the person do not warrant pausing the procedure and the person should continue to engage in the Procedure.

**2.12** Meetings can take place virtually or physically, taking into account the preference of the Respondent, Reporting Person or Witness, with the final decision being made by the Investigator or Chair of the Discipline Committee. Where necessary and reasonable, physical meetings can be replaced by virtual meetings, where a Respondent, Reporting Person or Witness may attend a meeting by video or telephone call at the discretion of the Investigator or Chair of the Committee.

**2.13** Respondents, Witnesses, Reporting Persons and their supporters and representatives, as well as decision-makers and Investigators, are required to communicate and act respectfully and reasonably at all times whilst using the procedure and to treat the processes with respect. Abusive 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 engage in a limited manner, even if this impacts upon the consideration of the Concern or a subsequent appeal.

**2.14** Except as set out in paragraph 3.8, the Reporting Person or Witness cannot challenge a decision not to proceed with a disciplinary case under this procedure, or the outcome decision of the Student Discipline Officer or Discipline Committee, following an investigation. However, if there are concerns about how the matter was handled or the process used in reaching a decision, then a Reporting Person or Witness (who is a student) may be able to make a complaint under the Student Complaint Procedure.

#### *Role-holder training and deputies*

**2.15** All decision-makers and Investigators will receive appropriate training to undertake their role and be appropriately resourced and supported. No decision-maker or Investigator will have any previous involvement with the matter that they are considering, or personal knowledge of the people involved. Except in cases of academic misconduct, decision-makers and Investigators will not be a member of the same College or Department as the Respondent or the Reporting Person.

**2.16** Any reference in this procedure to a University officer or other named role includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.

#### *Conduct that may constitute a criminal offence*

**2.17** Some breaches of the Rules of Behaviour could also constitute criminal offences. The University will not normally investigate a matter where criminal proceedings are ongoing (including criminal investigations and appeal processes), pausing any action under this procedure until criminal proceedings are complete. Where criminal proceedings are instituted after action under this procedure has begun, the University will normally pause such action until the criminal proceedings are complete. Respondents have a responsibility to update the University of any proceedings. Following an investigation undertaken by the police and any subsequent criminal proceedings, where it appears unlikely that criminal proceedings will take place, or where the behaviour being investigated by the University is different to the behaviour being considered through criminal proceedings, the University may take its own action under this or another procedure.

**2.18** The University will treat relevant police fines, cautions, reprimands, final warnings<sup>1</sup> or criminal convictions received by the Respondent as evidence that the behaviour, on which the offence was based, took place. A 'not guilty' or 'no further action' outcome from the police or criminal proceedings will not prevent the University from undertaking its own investigation as to whether a breach of the Rules of Behaviour has occurred.

#### *Alternative procedures*

**2.19** Sometimes a Concern will be more appropriately investigated under another procedure, for example, the Procedure to Support and Assess Capability to Study, if the behaviour has been wholly caused by an underlying medical condition, or the Fitness to Practise Procedure for students undertaking professional courses, where the requirements for student behaviour are stricter. It will be at the discretion of the Student Discipline Officer, in consultation with relevant University Officers, to decide which procedure is most appropriate to investigate student behaviour. The University reserves the right to refer a matter to another procedure at any time during this procedure. Sometimes a Concern will be appropriately investigated under this procedure but nonetheless, following the outcome, it will be necessary to refer the matter to another procedure, for example the Fitness to Practise Procedure, to consider the Respondent's ability to continue on a professional course of study where a breach of the Rules of Behaviour has been found. If a breach of the Rules of Behaviour has been found, this will be treated as evidence that the breach of the Rules of Behaviour has occurred, but there may be other elements of a Respondent's ability to study that cannot be considered under this procedure.

**2.20** Some breaches of the Rules of Behaviour will also be in breach of a College's Statutes and Ordinances and may result in the Respondent's College taking disciplinary action. The University shall take into consideration any action taken by the College to ensure that the Respondent is not punished twice for the same breach. However, even where the College chooses to take no action, it may still be appropriate for the University to take its own action, after receiving information from the College.

#### *Multiple Respondents or Reporting Persons*

**2.21** Where a Concern involves more than one Respondent or more than one Reporting Person, it will be at the discretion of the Investigator to decide whether the Concern should be separated into separate investigations for some or all of the Respondents or Reporting Persons. Where an investigation includes more than one Respondent and/or Reporting Person and the Student Discipline Officer has chosen to refer the matter to the Discipline Committee, the Chair of the Discipline Committee shall have the discretion to decide whether there shall be a single meeting for all of the Respondents and/or Reporting Persons, or a separate meeting for each Respondent and/or Reporting Persons. Where a meeting involving multiple Respondents takes place, the personal mitigation of each Respondent, unless it refers to the other Respondent(s), shall not be shared with the other Respondent(s). Where multiple Respondents appeal the decision of the Discipline Committee, decision appeals

<sup>1</sup> Reprimands and final warnings are no longer issued by the police but are noted here to provide a complete list of the types of warnings that are covered by this paragraph.



shall usually be considered separately but by the same Appeal Committee. Where multiple Reporting Persons review the decision of the SDO or complaint about the handling of the Concern, the review or complaint shall usually be considered separately but by the same Reviewer or Complaint Officer.

*Precautionary and interim action*

**2.22** Special Ordinance D (v) concerning Precautionary Action permits precautionary measures to be put in place where an investigation is ongoing and when it is necessary to do so in the circumstances. It is the responsibility of OSCCA, where appropriate, to ensure updates relating to this procedure are provided to the decision-makers to ensure that the ongoing risk can be monitored.

**2.23** While the procedure is ongoing, unless explicitly permitted by the Student Discipline Officer, a Respondent must not contact or attempt to contact the Reporting Person or any other Respondent(s) to the alleged misconduct either directly or via another person. This includes in person or via electronic means, including messaging or following or responding to social media. Where the Respondent comes across the Reporting Person(s), the Respondent should not acknowledge their presence either verbally or non-verbally or anyone who is with them and keep a distance from them. The same requirement applies for witnesses who have been directly impacted by the Respondent's behaviour or are specified by the Investigator. To facilitate this no-contact arrangement, it is necessary for the Reporting Person to have no contact with any Respondent(s).

**2.24** When reaching a decision regarding the Concern, regardless of the decision made, the relevant decision-maker shall consider whether it is appropriate to require or request the Respondent and the Reporting Person, if they are a student, to have no direct contact or interaction. This would normally include: not initiating conversations with the other person; not sitting immediately adjacent to one another in communal spaces, not initiating contact online, for example, sending direct messages; not sending letters or items to the other person, and not entering the other person's bedroom. This instruction would take into account the views of the Respondent and Reporting Person, and the College, where both individuals share the same College. A breach of the no-contact order would be a breach of the Rules of Behaviour, under Rule 1(a).

**2.25** Except where precautionary action precludes it, Respondents may continue to pursue and complete their studies, including graduating, unless informed otherwise by the Student Discipline Officer.

**2.26** The University will treat all members of the Collegiate University Community, including Reporting Persons, Witnesses and Respondents with equal fairness.

*Standard and burden of proof*

**2.27** The standard of proof used when making determinations under this procedure is on the balance of probabilities. This means that it is necessary to prove that it is more likely than not that a breach of the Rules of Behaviour occurred before the decision-maker can impose any sanctions on the Respondent. Decisions must be supported by evidence; it is not enough to simply believe that something is likely to have happened. This requirement means that there may be some cases in which the University decides that it is not appropriate to take or continue action under this procedure.

**2.28** The burden of proof that a breach of the Rules of Behaviour has occurred rests with the University. This means that it is for the University to prove that there has been a breach of the Rules of Behaviour, it is not for a Respondent to prove that a breach of the Rules of Behaviour did not take place.

*Information sharing*

**2.29** OSCCA shall share the information and evidence related to an investigation and outcome with relevant members of staff, the Respondent, the Reporting Person and Witnesses where it is necessary in the interests of fairness to do so in order to process, investigate, and/or determine the outcome of an alleged breach of the Rules of Behaviour, or to implement any sanctions following a finding. All information received from a Reporting Person, Respondent, Witness or staff member will be handled sensitively and in accordance with the University's Data Protection Policy.

**2.30** The University shall share all evidence considered in reaching a decision (except where the decision-maker determines that there is a compelling reason not to do so), the decision itself, the reasons for the decision and any sanctions, with the Respondent. The evidence considered in reaching a decision may not be shared with the Respondent where the identity of the Reporting Person, or the identity of a Witness, or personal data or special category data belonging to another 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 Concern and therefore it does not need to be relied upon. Any student affected by such a decision can request a review using the Procedure for the Review of Decisions of University Bodies. Where information is unable to be shared with the Respondent, this may affect the decision-maker's ability to rely on this evidence in reaching a decision. Where evidence is not relied upon by the decision-maker, this will be specified in the reasons for the decision.

**2.31** The University shall share the initiation of an investigation, the investigation findings and the reasoned determination of the SDO or Discipline Committee, including any sanctions, with the Respondent's College Senior Tutor (if the Respondent is a member of a College) and the Respondent's Head of Department. Where relevant, the University shall also share this information with internal bodies (for example a fitness to practise committee), regulatory bodies (for example, the Disclosure and Barring Service), professional bodies (for example, the General Medical Council), or other organisations with whom the student may be connected, where it is appropriate to do so (for example, where the student holds a position of responsibility for children or vulnerable adults). Where formally requested to do so, or where the University considers that someone may be at significant and immediate risk of harm, the University may disclose information received through this procedure to the



police. When initiating an investigation, the Investigator will inform the Respondent in writing that information about the case will be provided to the police if formally requested by the police or if the SDO considers that there is an immediate and significant risk to the Collegiate University Community.

**2.32** The University shall share a copy of any Investigation Report, or relevant information from the investigation findings and the reasoned determination of (as appropriate) the SDO, Discipline Committee, or Appeal Committee and sanctions with the Reporting Person where they have been the person directly affected by the Concern. The copy of the Investigation Report may be redacted to remove personal information including any mitigation, relating to the Respondent that is not directly relevant to the Concern. Witnesses may also receive relevant information about the procedure where they have been personally affected by the original incident or the disciplinary process. 'Relevant' information is that which it is reasonably necessary to share in order to safeguard the interests of the Reporting Person or Witness in the interests of fairness.

**2.33** 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 may discuss their personal experience of the procedure with others. However, individuals need to remain mindful of the information they share with others, including how it is shared. Information provided should not constitute or contribute to any abusive behaviour, as defined in the Rules of Behaviour, towards others involved. Otherwise, this may lead to the individual becoming the subject of disciplinary proceedings.

### **3. Submitting a Concern**

**3.1** The University will normally be informed of a potential breach of the Rules of Behaviour by a Reporting Person. The Reporting Person may be a person who has been impacted by the reported behaviour, witnessed the reported behaviour or became aware of the reported behaviour through other means. Where the Concern originates from someone who has not been directly impacted, the University will normally attempt to engage with the person(s) directly impacted to understand whether they will voluntarily engage with any investigation. This further information may impact the decision to investigate the Concern.

**3.2** For Concerns relating to academic misconduct in examinations, see paragraph 6.

**3.3** To submit a Concern, the Reporting Person must complete and submit the Concern Form to the Investigator via OSCCA.

**3.4** Within 5 working days, the Investigator shall communicate with the Reporting Person to acknowledge the Concern that has been received, to request further information, and/or to provide further procedural information.

**3.5** Within 5 working days of receiving all the relevant information, the Concern Form will be presented by the Investigator to the Student Discipline Officer (SDO) who will consider whether the following criteria are met:

- (a) there is an allegation that, on the face of it, would appear to breach the Rules of Behaviour;
- (b) this procedure is the most appropriate procedure to use to investigate the matter; and
- (c) the Concern has not already been investigated using this procedure or any other relevant University or College procedure.

**3.6** The SDO will provide a decision within 5 working days. Where all the criteria have been met, the SDO shall commission an investigation into the Concern. Where at least one of the criteria under paragraph 3.5(a) or (b) has not been met, or where the Concern has already been investigated using this procedure, the SDO shall not commission an investigation under this procedure, although the SDO may refer the matter for investigation under another University procedure in line with paragraph 2.18. Where the Concern has already been investigated under another University or College procedure, the SDO will consider whether, taking into account all the circumstances of the case, any further action under this procedure is appropriate or possible.

**3.7** Where part of the Concern has previously been investigated, it is at the discretion of the SDO whether it is in the University's interest to investigate the aspect that has not yet been investigated, taking into account why the matter was not previously fully investigated, the length of time that has elapsed since the investigation, the severity of the misconduct, the impact on the Respondent of undergoing a second discipline investigation, and whether there would be repercussions for the Respondent's fitness to practise were the decision taken not to investigate the matter.

**3.8** The SDO shall give written reasons for the decision about whether to commission an investigation and the Investigator shall communicate the decision and the reasons to the Reporting Person in writing, within 5 working days of receiving the SDO's decision. Reporting Persons who are students may be able to seek a review of a decision not to commission an investigation, or about the scope of the proposed investigation, under the Procedure for the Review of Decisions of University Bodies within 10 working days of being notified of the decision.

**3.9** Subject to the outcome of any review process as set out in paragraph 3.8, where an investigation is not commissioned and where the Concern is not withdrawn by the Reporting Person, the Respondent shall normally be notified in writing of the Concern, the decision of the SDO, the reasons for the decision, and confirmation that no further action will be taken under this procedure. This notification shall normally be provided to the Respondent within 15 working days of the SDO's decision, to allow for a student Reporting Person to request a review, or within 5 working days for other types of Reporting Person, or following the completion of a review, where this process is commenced by a student. However, where sharing this information with the Respondent may impact upon an investigation being undertaken under a different procedure or by an external body, a delay to informing the Respondent may be necessary.

### **4. Investigating a Concern**

**4.1** Where an investigation is commissioned, the Investigator shall write to the Respondent to confirm that a Concern naming them has been received, including the nature of the alleged behaviour, the relevant Rules of Behaviour that have allegedly been breached and the decision of the SDO to proceed with an investigation. The

Investigator will provide a brief summary of the Concern, naming the Reporting Person (unless, exceptionally, an anonymous Concern has been accepted), and outlining the limitations on contact with others, investigation process, the possible outcomes, including referral to other procedures, for example fitness to practise, and who may need to be informed of these outcomes. The Investigator will inform the Respondent and the Reporting Person of the avenues of support available to them and the potential consequences if the Concern relates to alleged misconduct that may constitute a criminal offence.

**4.2** The Reporting Person and Respondent should not attempt to investigate the matter themselves, instead providing all potential relevant information to the Investigator.

**4.3** The Investigator shall conduct the investigation. The investigation may require written statements, meetings and evidence from any member of the Collegiate University Community relevant to the investigation. In addition, the Investigating Officer may request written statements, meetings and evidence from anyone outside of the Collegiate University Community.

**4.4** A written record shall be kept of all investigative meetings. During an investigative meeting, a person can present oral and written information, evidence and the names of any Witnesses. The Investigator will provide a copy of the meeting's written record to the person interviewed, providing them with 5 working days to provide clarifications as an addendum.

**4.5** The Investigator shall normally meet with the Reporting Person and with the Respondent to receive an oral account of the circumstances leading to the Concern, to receive relevant evidence relating to the Concern and the names of any Witnesses. The Investigator may meet with any Witnesses or instead collect information through written statements and other types of evidence.

**4.6** In addition to investigating the Concern itself, the investigation shall include gathering information about: the seriousness of the Concern; any impact of the Concern on the Reporting Person(s) or witness(es); any mitigation relevant to the Respondent's actions; and any relevant previous breaches of the Rules of Behaviour by the Respondent. The relevant information will be determined by the Investigator.

**4.7** During the investigation, it may be necessary to request further information and responses from those who have already provided oral or written accounts. Information the Investigator may consider collecting, where relevant and available, includes information validating accounts and evidence 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 Investigator may request any information the Investigator considers will provide value to the investigation. The University does not have the resources to undertake its own forensic investigation or investigation that relies on the significant involvement of third parties and therefore, unless this type of information is provided by the party seeking to rely on it, the Investigator shall not normally seek it.

**4.8** The Investigator may require a Respondent to engage in an expert assessment(s) to assess the level of risk they present to themselves, members of the Collegiate University Community, anyone within the Precincts of the University, and anyone with whom the Respondent comes into contact whilst engaged in study. Where a Respondent does not engage with the process, this may make any breach of the Rules of Behaviour more serious, as outlined in Regulation 5 of the Rules of Behaviour. In addition, not engaging with the process is likely to be a separate breach of Regulation 1(a) of the Rules of Behaviour and further disciplinary action may be taken. Where a Respondent does not engage with an expert assessment, commissioned to assess the level of risk associated with the Respondent, the Investigator may assume that there is a high level of risk associated with the Respondent. Any action taken must be proportionate to the circumstances; however, the level of risk may be relevant to any precautionary action taken, or to any sanction imposed by the SDO, Discipline Committee or Appeal Committee.

**4.9** The Investigator shall produce an Investigation Report, outlining the findings of the investigation. The Investigator will share a copy of the Investigation Report and all evidence with the SDO.

**4.10** In a case referred from the Procedure for the Investigation of an Allegation of Research Misconduct, a finding of research misconduct shall be treated as a breach of Regulation 2(i) of the Rules of Behaviour, and the report of the investigation and the evidence collected under stage 3 of that procedure shall be treated as the Investigation Report and evidence in relation to that breach, under this procedure.

## **5. Student Discipline Officer (SDO) decision**

**5.1** The SDO shall consider the Investigation Report and evidence from the investigation. At the SDO's discretion, the Investigator may be asked to obtain further evidence or to clarify any aspect of the Investigation Report.

**5.2** The SDO shall reach one of the following decisions:

- (a) To impose a sanction listed in paragraph 5.4 where the SDO is satisfied that a breach of the Rules of Behaviour has occurred and that such a sanction is appropriate;
- (b) To refer the case to the Discipline Committee where the SDO considers that a breach of the Rules of Behaviour may have taken place and that sanctions beyond those listed in paragraph 5.4 may be required;
- (c) Where neither (a) nor (b) is appropriate: (i) to take no further action; (ii) to refer the matter for decision under another University procedure.

**5.3** In considering whether to impose a sanction, or refer the case to the Discipline Committee, the SDO shall give consideration to Regulation 5 of the Rules of Behaviour and any guidance published by the General Board in relation to sanctions, as well as the following factors:

- (a) The seriousness of the breach;
- (b) The harm or damage caused;

- (c) The advantage gained or the advantage that could have been gained by the Respondent as a result of the breach;
- (d) The intent and planning involved in the breach;
- (e) The impact on the Collegiate University Community, including the content of any Impact Statement;
- (f) Whether the Respondent has admitted to the breach and when such an admission took place;
- (g) Whether the Respondent has expressed remorse and/or shown insight into the impact of the breach;
- (h) The evidenced personal circumstances of the Respondent.

**5.4** Where the SDO decides to impose a sanction, one or more of the following sanctions are available:

- (a) To require the Respondent to pay the cost of material damages up to the amount of £250;
- (b) To require the Respondent to provide a written apology;
- (c) To require the Respondent to engage with an educative or reflective session;
- (d) To require the Respondent to complete a written reflection;
- (e) To impose a 'no contact' order, specifying actions to prevent interaction between the Respondent and named person(s).

**5.5** The SDO shall provide the decision and the reasons for the decision in writing to the investigator within 10 working days of receiving the Investigation Report. Within 5 working days of receiving the SDO's decision and reasons, the Investigator shall communicate this in writing alongside a copy of the Investigation Report and evidence to the Respondent and others in line with 2.25–2.28 of this procedure.

**5.6** Where the SDO has imposed a sanction, the Respondent will have 10 working days from receiving the decision to appeal the decision in accordance with paragraph 9 of the procedure.

**5.7** The SDO shall refer the case to the Discipline Committee for consideration where the Respondent does not comply with the sanction so that the Discipline Committee can consider imposing more serious sanction(s).

**5.8** The SDO may at any time withdraw a referral to the Discipline Committee. Such a decision will be communicated in writing to the members of the Discipline Committee, the Respondent and others in line with 2.25–2.28 of this procedure. If a referral to the Discipline Committee is withdrawn then the SDO shall substitute an alternative decision in accordance with paragraph 5.2.

## **6. Investigating Academic misconduct**

**6.1** Any person who suspects that a Registered Student has engaged in academic misconduct, should report this using a Concern Form to the Senior Examiner or Chair of Examiners for undergraduate students, or the Chair of the Degree Committee for postgraduate students. The Concern can be reported directly to the appropriate person, or to OSCCA, who will refer the Concern Form onto the appropriate person.

**6.2** The Chair of Examiners, Senior Examiner or Chair of the Degree Committee will determine whether it is reasonable to commission an investigation, or alternatively to take no further action on the basis of the information provided.

**6.3** Where an investigation is commissioned, the Chair of Examiners, Senior Examiner or Chair of the Degree Committee will undertake the investigation or delegate the investigation to a specified individual.

**6.4** The investigation will involve the following steps:

- (a) Gathering and analysing relevant documentation, for example: Turnitin reports; original source material; detection tool software outcomes; confiscated examination materials; the information provided to the candidate about the assessment and academic misconduct;
- (b) A meeting or written statement from the Respondent. An invitation to meet with the Respondent should provide an outline of the Concern. An invitation for the student to provide a written statement should include all documentation relevant to the Concern. If a meeting takes place, a written record will be produced, and the Respondent given 5 working days to provide any clarifications as an addendum. The meeting may include questions about the academic substance of the assessment, to help determine the Respondent's knowledge and ability in relation to the assessment task. The Respondent shall also be given an opportunity to provide any mitigation relevant to the Concern;
- (c) A meeting or written statement from the Reporting Person or other relevant Witnesses. Having shared with them such information about the allegation or response as is necessary in the circumstances.

**6.5** Following the investigation, the documentation will be provided to the Chair of Examiners, Senior Examiner or Chair of the Degree Committee, who will consider all of the information, normally consult with at least one other Examiner or member of the Degree Committee and make one of the following decisions:

- (a) There is no evidence of academic misconduct, and no further action should be taken;
- (b) There is evidence of academic misconduct and sanctions from paragraph 6.6 will be imposed, in accordance with the sanctions guidance;
- (c) There is evidence of academic misconduct and further sanctions than those available in paragraph 6.6 may be required, consequently, the matter requires a referral to the Discipline Committee.

**6.6** The sanctions that a Chair of Examiners, Senior Examiner or Chair of the Degree Committee can impose are as follows:

- (a) An educative session regarding academic integrity;
- (b) A mark for the assessment that only reflects the parts of the assessment not affected by academic misconduct;
- (c) A mark of 0 for the assessment affected by academic misconduct;
- (d) An apology;
- (e) A written reflection;
- (f) Where re-sits are permitted by the course of study regulations, a re-sit assessment where the maximum mark permitted is a pass mark.

**6.7** The Chair of Examiners, Senior Examiner or Chair of the Degree Committee shall:

- (a) Notify the Respondent and OSCCA of the decision, the reasons for the decision and a copy of all of the investigation materials within 5 working days. Where a Reporting Person or Witness(es) has been directly affected by the alleged academic misconduct, for example, they have reported concerns that their writing has been used without due acknowledgement by the Respondent, then a copy of the outcome and the investigation report shall be provided to them in accordance with paragraph 2.24–2.28.
- (b) Refer the matter to the Chair of the relevant Fitness to Practise Committee where a sanction has been imposed in accordance with paragraph 6.6 and the student is on a course with fitness to practise requirements.

**6.8** The Respondent shall have 10 working days from receiving the decision to appeal outcome 6.5(b) to the Appeal Committee.

## **7. Registered Students who receive a relevant criminal conviction while a Registered Student or are suspected of using fraudulent information during the University application process**

### *Relevant criminal conviction*

**7.1** It is a Registered Student's responsibility to inform the University immediately about any relevant criminal conviction received while a Registered Student. If a relevant criminal conviction is not reported within 5 calendar days of conviction, then the Registered Student will be in breach of Regulation 1(c) of the Rules of Behaviour.

**7.2** The purpose of a student reporting a criminal conviction is so that the University can assess whether the Registered Student is able to continue to study at the University and whether there are any further actions that need to be taken. The behaviour resulting in the criminal conviction may not necessarily be in breach of any of the Rules of Behaviour.

**7.3** Where a Respondent has already received a criminal conviction as a result of behaviour that is raised within a Concern, an investigation shall be conducted in accordance with paragraph 4 of the procedure. The conviction will be used as evidence that the behaviour on which the conviction was based has taken place.

**7.4** Any criminal sentence given to the Respondent will be taken into account by decision-makers when considering whether to apply any sanctions under this procedure. There is a need for all action taken and sanctions imposed by the University to be proportionate.

**7.5** Where a Registered Student reports a criminal conviction to OSCCA, or where the University is informed by a third party that a Registered student has received a criminal conviction, the Investigator shall require the Registered Student to provide relevant court documentation, including a copy of the sentence, any judgement and any pre-sentence report. The Registered Student shall also have the opportunity to provide a written statement. Where the Registered Student does not provide this documentation, it is likely that this will result in the Registered Student's removal from their current course of study.

**7.6** The Investigator shall present the information to the Student Discipline Officer, and the Student Discipline Officer shall decide either that:

- (a) the criminal conviction does not require the University to take any further action; or
- (b) the criminal conviction or the non-reporting of the criminal conviction requires the University to take further action.

### *Fraudulent admissions information*

**7.7** When applying for entry, it is an applicant's responsibility to provide accurate and true information. In accordance with the terms and conditions of an offer of admission, using fraudulent information is grounds for withdrawing an applicant or student's offer of study.

**7.8** Where information is received by OSCCA that a registered student, or someone acting on their behalf, used fraudulent documentation and/or claims as part of their admissions application, the Investigator shall require the Registered Student and any other relevant organisation to provide verification of the documentation. The Investigator shall require the relevant Department or Faculty to provide a statement on the impact of the alleged fraudulent information and/or claims. The Registered Student shall also have the opportunity to provide a written statement within 5 working days.

**7.9** Once the information has been gathered, it shall be presented to the SDO, who shall determine within 5 working days:

- (a) The Registered Student's application contained no false or fraudulent information and can continue on the course of study; or
- (b) The Registered Student's application contained false or fraudulent information and the Registered Student should be withdrawn from the course; additional sanctions from paragraph 5.4 may also be applied; or
- (c) The Registered Student's application contained false or fraudulent information. However, the information was of such limited relevance to the application that the Registered Student can continue on the course of study with sanctions from paragraph 5.4;
- (d) Further information is required prior to a decision being made, and will be reviewed by the SDO once the further information has been provided.

### *Actions following the SDO's decision*

**7.10** The Investigator shall provide the Registered Student, a letter confirming the SDO's decision and the reasons for the SDO's decision within 5 working days of receiving the decision. A record of this decision shall be retained by OSCCA in accordance with the University's retention policy.

**7.11** Where paragraph 7.6(b) is the decision, the SDO shall refer the matter to the Discipline Committee for further consideration. The Discipline Committee shall consider whether to impose any sanction outlined in



paragraphs 5.4 or 8.18 of this procedure for the protection of the interests of the University, in accordance with the process outlined in paragraph 8. Where the student has not reported the criminal conviction, the Discipline Committee shall also consider imposing a sanction for the breach of Rule of Behaviour 1(c).

**7.12** The Registered Student will have 10 working days to appeal the SDO's decision to the Appeal Committee, in accordance with paragraph 9.

## **8. Discipline Committee consideration**

**8.1** Where the SDO, or for academic misconduct the Chair of Examiners, Senior Examiner or Chair of the Degree Committee, refers any case to the Discipline Committee, a member of OSCCA shall act as Secretary to the Discipline Committee and shall assign by lot a Chair and two members to the Discipline Committee from among the members of the Panel appointed by General Board who are available and in accordance with paragraph 2.11.

**8.2** The Discipline Committee shall consist of:

- (a) A Chair, who shall be experienced in decision-making relating to misconduct, either through legal training or in relation to student, staff or professional procedures;
- (b) A member of Regent House;
- (c) A Registered Student or a Sabbatical Officer of Cambridge Students' Union.

**8.3** Except as set out in this procedure, the Chair of the Discipline Committee has the power to determine its own procedure, including adjournment.

**8.4** The Secretary of the Discipline Committee shall organise a meeting of the Discipline Committee and will communicate the membership of the Committee, date, time and location of the meeting to the Discipline Committee members, the Investigator, the Respondent, the Respondent's Senior Tutor, and the Reporting Person. A copy of the Investigation Report, the Student Disciplinary Procedure, the sanctions guidance, and an order of meeting will be provided to all invitees at least 5 working days prior to the Committee.

**8.5** The Respondent shall be expected to attend the Discipline Committee meeting either in person or virtually.

**8.6** Where the Respondent does not admit the alleged breach(es) of the Rule(s) of Behaviour during the investigation or within 5 working days of receiving the investigation report, the Reporting Person shall be invited to observe the part of the Committee that determines whether a breach of the Rules of Behaviour has occurred. The Reporting Person may also attend to answer any questions from the Committee, which may include questions received from the Respondent. The Reporting Person may choose to attend via video link, or if the meeting takes place in person, to attend in person. If the Reporting Person chooses to attend by video link, they can choose whether to be visible on camera or not.

**8.7** Where the Respondent admits the alleged breach(es) following 5 working days of the Investigation Report but before the Discipline Committee determines whether a breach of the Rules of Behaviour has occurred, it will be for the Chair of the Discipline Committee to determine whether to accept the admittance or have the Discipline Committee determine whether a breach of the Rules of Behaviour has occurred.

**8.8** Where the Respondent does not admit the alleged breach(es) and disputes evidence in the Discipline Committee papers provided by a Reporting Person or Witness and has questions for that person, the Respondent can request, within 5 working days of receiving the Investigation Report, that the person attends the fact-finding part of the Committee to answer questions from the Committee, which may include questions received from the Respondent that the Chair determines are relevant to be asked. The request shall include the questions that the Respondent wishes to be asked of the person. A request to call a person will be considered by the Chair, who shall determine whether to request the person to attend or provide evidence in an alternative format as outlined at paragraph 8.6. Where the Respondent is dissatisfied with the Chair's decision, the Respondent can appeal this decision following the Discipline Committee to the Appeal Committee.

**8.9** Where the Respondent admits the alleged breach(es) of the Rules of Behaviour, the Discipline Committee will focus on what, if any, sanctions to impose. The Reporting Person will not be permitted to attend this part of the Discipline Committee.

**8.10** The University has no power to compel the attendance of a person before the Discipline Committee. If the Respondent is unable to attend the Discipline Committee meeting, it shall be at the Chair's discretion as to whether the Respondent has provided a sufficient reason for absence, and is likely to attend at a future date, in which case the meeting date should be re-arranged. The Discipline Committee meeting may nevertheless proceed in the Respondent's absence. Where a person other than the Respondent declines to attend, the Discipline Committee will take into account their reasons for doing so in determining what weight to attach to the information they have provided.

**8.11** The Investigator will be present during the Discipline Committee to outline the information gathered and presented in the Investigation Report and answer questions from those in attendance at the Committee. In matters of academic misconduct, the Chair of Examiners, Senior Examiner or Chair of the Degree Committee will attend to present the information gathered and referred to the Discipline Committee.

**8.12** During the Discipline Committee meeting, there shall be the opportunity for the Committee members to ask questions of the Investigator and, if in attendance, the Respondent, Reporting Student(s) and Witness(es). Where the Discipline Committee meeting includes determining whether there has been a breach of the Rules of Behaviour, the Respondent and Reporting Person (and any representatives) shall have the opportunity to submit questions for the other to the Chair. If the Chair determines the questions are relevant, then the Chair shall ask these questions. The Investigator shall also have the opportunity to ask questions. The Respondent shall have the opportunity to make a final statement before the Discipline Committee meet privately to determine whether an alleged breach of the Rules of Behaviour has occurred or to determine what sanctions, if any, to impose.



**8.13** Where the Respondent wishes to challenge the evidence of a Reporting Person or a Witness, the Chair of the Discipline Committee will determine the most appropriate format for this. Appropriate formats may include the Reporting Person or Witness attending the Discipline Committee meeting in person or by video link to answer questions asked by the Chair. Alternatively, a further written response may be sought from the Reporting Person or Witness. The Discipline Committee may pause the meeting to request further information where the Chair deems it appropriate to do so.

**8.14** Once the Discipline Committee is satisfied that it has received all of the relevant information, all persons except for the Committee members, the Secretary and the note taker of the Discipline Committee shall withdraw.

**8.15** The Discipline Committee 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 Rules of Behaviour.

**8.16** Where the Discipline Committee has found that the Rules of Behaviour have been breached, the Secretary shall inform the Discipline Committee of any previous breaches of the same Rule. The Respondent and the Investigator shall be invited back into the meeting, informed of the outcome and given the opportunity to make a statement and answer questions regarding the sanctions, if any, to be imposed. The Committee may ask questions of the Respondent and the Investigator. The Respondent shall have the opportunity to make a final statement.

**8.17** All persons except for the Committee members, the Secretary and the note taker shall withdraw. The Discipline Committee shall then consider the sanctions, if any, to be imposed. Consideration shall be given to the factors outlined in Regulation 5 of the Rules of Behaviour and paragraph 5.3 of this procedure and the sanctions guidance. The Discipline Committee can impose any sanctions listed at paragraph 5.4 or 8.18.

**8.18** Sanctions the Discipline Committee can impose are as follows:

- (a) Restrictions or conditions on the right to use or access University premises, facilities or services or, with the permission of the relevant College, College premises, facilities or services;
- (b) The amendment of academic results or the temporary or permanent removal of academic awards;
- (c) Temporary or permanent exclusion from membership of the University;
- (d) Restrictions on representing the University, or membership of University clubs or societies;
- (e) Any penalty considered by the Discipline Committee to be lighter.

**8.19** In deciding upon the appropriate sanctions, the Discipline Committee shall consider each sanction in turn and shall impose the lowest sanctions commensurate with the breach, using the sanctions guidance to inform typical sanctions. The Discipline Committee shall record the reasons for the sanctions imposed. Sanctions affecting the academic results or academic awards of a Respondent shall only be imposed where it is proportionate to do so.

**8.20** The Discipline Committee shall consider whether to stipulate more serious sanctions that will be imposed in the circumstance that the Respondent does not comply fully with the sanctions initially imposed by the Discipline Committee.

**8.21** The Secretary of the Discipline Committee, within 5 working days of the Discipline Committee reaching a decision, shall provide to the Respondent and Reporting Person a written document explaining the Discipline Committee's decision, reasons for the decision and any sanctions applied. The Respondent shall be given information regarding the right of appeal and any Reporting Person who is a student will be given information about raising a student complaint. The notes of the Discipline Committee meeting will be shared with the Respondent within 10 working days of the Discipline Committee meeting. The notes of the fact-finding element of the Discipline Committee will be shared with the Reporting Person where they attended or requested the notes that be shared with them. The outcome will be shared with others in line with 2.28–2.32 of this procedure.

**8.22** Where a Respondent subsequently fails to comply with any sanctions imposed by the Discipline Committee, the Respondent will be subject to any sanction specified by the Discipline Committee under paragraph 8.20; or, where other action has not been specified, further disciplinary action may be taken under Regulation 1(a) of the Rules of Behaviour.

## **9. The Appeal Committee**

**9.1** A member of OSCCA who has had no previous involvement in the case shall act as Secretary to the Appeal Committee. The Secretary to the Appeal Committee has the authority to extend the appeal deadline, where there is a compelling reason to do so.

**9.2** An appeal can be submitted on the following grounds, that:

- (a) The procedures were not followed properly;
- (b) The Discipline Committee 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 is bias or reasonable perception of bias during the procedure;
- (e) The penalty imposed was disproportionate, or not permitted under the procedures.

**9.3** The Respondent will need to complete and submit an Appeal Form to OSCCA, which includes all evidence the Respondent wishes to be considered as part of the appeal. The University will normally aim to make a decision regarding an appeal within 30 days of the Respondent making the appeal.

**9.4** If the appeal has been made on the specified grounds and within the timeframe, as determined by the Secretary of the Appeal Committee, the Secretary shall assign by lot a Chair and a member of the Regent House from among the members of the Panels appointed by General Board who are available and have not had prior

involvement in the case, and require the Proctors to confirm a Proctor, Deputy Proctor or Pro-Proctor who is available and has not had any prior involvement in the case.

**9.5** The Appeal Committee shall consist of:

- (a) A Chair, who shall be experienced in decision-making relating to misconduct, either through legal training or in relation to student, staff or professional procedures;
- (b) A member of the Regent House;
- (c) A Proctor, Deputy Proctor or Pro-Proctor.

**9.6** Except as set out in this procedure, the Chair of the Appeal Committee has the power to determine its own procedure, including adjournment.

**9.7** The Secretary of the Appeal Committee shall organise a meeting of the Appeal 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 membership of the Appeal Committee attending the meeting.

**9.8** The Appeal Committee shall receive the Respondent's Appeal Form and evidence, the Discipline Committee outcome, the notes of the Discipline Committee and the material considered by the Discipline Committee at least 7 days before the Appeal Committee meeting.

**9.9** The Appeal 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 and be given an opportunity to provide a written response.

**9.10** The Appeal Committee shall consider all the information that has been provided and reach one of the following decisions:

- (a) To dismiss the appeal;
- (b) To uphold the appeal.

**9.11** Where the Appeal Committee has upheld an appeal on the grounds of new material evidence relating to a breach of the Rules of Behaviour, it will normally send the matter back for re-consideration by a Discipline Committee. Where the Appeal Committee has upheld an appeal on any other ground(s), it can choose to send the matter back for re-consideration by a Discipline Committee, or alternatively it has the power to impose its own decision, including sanctions. Where the Appeal Committee considers a breach of the Rules of Behaviour has taken place, it can impose any sanction outlined in paragraphs 5.4 and 8.18 of this procedure, including more or less significant sanctions than were imposed by the Discipline Committee for the same breach.

**9.12** The Secretary of the Appeal Committee, within 5 working days of the Appeal Committee reaching a decision, shall provide to the Respondent a written copy of the Appeal Committee's decision, reasons for the decision, and any substituted decision. This is the final stage of the internal process and therefore the Respondent will be issued with a Completion of Procedures letter.

**9.13** Where the Appeal Committee has upheld an appeal, any affected Reporting Person or Witness will be given a copy of the Appeal Committee's decision and, reasons for the decision and any substituted decision, along with information about the Student Complaint Procedure where applicable.

**9.14** Where the Discipline Committee has imposed a sanction and the Respondent has appealed, the sanctions will not normally be implemented while the appeal is being considered. Paragraph 2.22 of the procedure will remain in place during this time. Following the Appeal Committee's decision, any sanctions shall be implemented, even if the Respondent intends to raise a complaint with an external body.

**9.15** Where a Respondent subsequently fails to comply with any sanctions imposed by the Appeal Committee, the Respondent will be subject to any action specified by the Appeal Committee to be imposed in this circumstance; or, where other action has not been specified, further disciplinary action may be taken under Regulation 1(a) of the Rules of Behaviour.

## **10 Reporting and Monitoring**

**10.1** OSCCA shall monitor all Concerns reported using this procedure and shall produce an annual report summarising the anonymised decisions made by the SDO; the Chair of Examiners, Senior Examiner or Chair of the Degree Committee in relation to academic misconduct; the Discipline Committee; and the Appeal Committee. The annual report shall be submitted to the General Board through its Education Committee and to the Council.

**10.2** The purpose of this monitoring shall be to ensure that decisions are made consistently and at the appropriate level; that appropriate action is taken on issues identified and that information gathered is used to improve guidance and support for students and staff involved in the procedure.

## **NOTICES BY THE GENERAL BOARD**

### **RULES FOR THE GUIDANCE OF CANDIDATES AND FOR THE PREVENTION OF MISCONDUCT IN EXAMINATIONS**

*Amended by Notice (Reporter, 2023–24, p. 440)*

**1.** Candidates shall not commence writing at the start of an examination session until authorized to do so by the Supervisor or Senior Invigilator. Candidates shall stop writing at the end of an examination session when similarly instructed.

**2.** Except with the consent of the Supervisor or Senior Invigilator, no candidate shall be allowed to enter an examination room later or to leave an examination room earlier than thirty minutes after the beginning of a session.

3. A candidate may take a small bottle of non-carbonated drink to their desk for consumption during an examination session provided that no disturbance is thereby caused to other candidates. Except with the written consent of the Head of Examinations<sup>1</sup> no food or other items of drink may be taken into an examination room; cigarettes, e-cigarettes, and the like are also prohibited from all examination venues. A Supervisor, Invigilator, or Examiner has authority to deprive a candidate of unauthorized items until the examination session is ended.

4. No candidate shall take into an examination room or have in their possession during an examination any book or paper relevant to the examination unless specifically authorized. A Supervisor, Invigilator, or Examiner has authority to confiscate such documents.

5. No candidate shall take into an examination room any electronic calculator or other means of data storage or retrieval unless specifically authorized. A Supervisor, Invigilator, or Examiner has authority to confiscate unauthorized items. If a candidate is suspected of unfair means, the item will be confiscated until the Advocate has authorized its return. Where also specified, an electronic calculator must carry an official mark indicating that it has been approved for use in University examinations.

6. No candidate shall have in their possession during an examination any electronic communication or audio device. A Supervisor, Invigilator, or Examiner has authority to deprive a candidate of such equipment until the examination session is ended.

7. Candidates shall not remove from an examination room any paper except the question paper and such books or papers, if any, as they were authorized to take into the room. Until the time at which candidates are allowed to leave the examination room, no copy of any examination paper shall be taken from the room without the consent of the Supervisor or Invigilator.

8. No candidate shall communicate with any other candidate during an examination session.

9. Candidates shall not leave their places during a session except with the consent of the Supervisor or an Invigilator.

10. Candidates shall be dressed decently and not in a manner that is likely to create a disturbance in the examination room, or to distract the attention of other candidates.

11. A Supervisor, Invigilator, or Examiner shall report to the Head of Examinations<sup>1</sup> any breach of these rules and shall inform the candidate concerned that such a report is to be made. A candidate shall not be dismissed from a session except as provided in Rule 12.

12. A candidate who acts in such a way as to disturb or inconvenience other candidates shall be warned and may, at the discretion of the Supervisor, Invigilator, or Examiner, either be required to change seat or be dismissed from the session.

13. Candidates attending a practical examination must comply with the safety requirements of the laboratory in which the examination is held.

14. Candidates shall have regard for the welfare of others, including the general public, at the end of examination sessions (both their own sessions and those of others). In particular they should avoid: noise that might disturb active examinations or other work nearby; littering or damage, especially with food or drink; and obstructing highways or thoroughfares. Candidates shall comply with instructions given by University staff performing their duties.

## FINES

*Amended by Notice (Reporter, 2023–24, p. 440)*

The General Board<sup>1</sup>, the Information Services Committee and the Library Syndicate shall have power to impose a fine not exceeding £175 on any person who infringes the regulations for those bodies or the rules made by them under those regulations. A request for review of a decision to impose a fine by a registered student (or a person who at the time of the imposition of the fine was a registered student) shall be made under the Procedure for the Review of Decisions of University Bodies established by the General Board.<sup>2</sup>

## MOTOR VEHICLES

1. A member of the University *in statu pupillari* shall not keep, use, or cause to be kept for their use any motor vehicle other than a moped within ten miles of Great St Mary's Church while in residence in term or in the Long Vacation period of residence, unless they shall have obtained, on their Tutor's written recommendation, a licence for that vehicle issued by the Senior Proctor or a person appointed for the purpose by the Senior Proctor under this Ordinance (where the Senior Proctor has appointed a person to act on their behalf any reference to the Senior Proctor in this Ordinance shall be construed as referring to that person). The Senior Proctor may issue such a licence to any member of the University *in statu pupillari* who is a graduate of a university, or who has the status of

<sup>1</sup> The General Board has delegated authority to the Head of Examinations.

<sup>2</sup> See p. 218.

Bachelor of Arts, or who has kept (or been allowed) nine terms by residence, or to whom the Senior Proctor decides that its issue is warranted by exceptional individual circumstances.

2. A member of the University *in statu pupillari* who is not qualified to hold a licence under Regulation 1 may, on the written recommendation of their Tutor, be granted a licence to keep a motor vehicle to be used for the purposes of a University Department or of a University or College club or society, or for any other purpose approved by the Senior Proctor, provided that the application be supported in writing, in the case of a University Department by the Head of the Department or a duly appointed deputy, and in the case of a University or College club or society, by the committee of the club or society.

3. A licence shall normally be valid until the end of the academic year in which it is issued but it may be suspended or revoked at any time by the Senior Proctor. A member *in statu pupillari* who is dissatisfied with a decision to suspend or revoke that member's licence may request a review of that decision. A request for review shall be made under the Procedure for the Review of Decisions of University Bodies established by the General Board.<sup>1</sup>

4. An application for a licence must be made within fourteen days of the vehicle being brought within a ten-mile radius of Great St Mary's Church, or, if it is already within that radius, within fourteen days of its coming into the possession of the applicant, or within the first fourteen days of Full Michaelmas Term if the application is for a renewal.

5. A licence shall at all times be prominently displayed on the vehicle for which it is issued.

6. The issue of a licence may be conditional upon the person to whom it is issued being covered by insurance on behalf of passengers, and upon restrictions on the garaging and parking of a vehicle for which it is issued.

7. These regulations for motor vehicles shall not apply to

- (a) the use of motor vehicles licensed by the Cambridgeshire Police Authority, or in charge of or driven by tradesmen or their employees,
- (b) the hiring of motor vehicles, or the receiving of driving instruction.

8. The Senior Proctor shall have power to impose a fine not exceeding £175 for an offence against any of these regulations or for a breach of any condition made by the Senior Proctor under Regulation 6. A member *in statu pupillari* (or a person who at the time of the imposition of the fine was a member *in statu pupillari*) can request a review of a decision to impose a fine. A request for review shall be made under the Procedure for the Review of Decisions of University Bodies established by the General Board.<sup>1</sup>

#### BICYCLES AND BOATS

1. A member of the University *in statu pupillari* shall not keep, or cause to be kept for their use, a bicycle within the Precincts of the University, unless it bears a distinguishing mark in accordance with instructions to be issued from time to time by the Proctors.

2. A member of the University *in statu pupillari* shall not keep, or cause to be kept for their use, a boat to be used within the Precincts of the University, unless it is registered annually with the Conservators of the River Cam and bears a distinguishing mark in accordance with instructions to be issued from time to time by the Proctors.

#### CLUBS AND SOCIETIES

1. Any club or society consisting wholly or partly of members of the University who are registered students may apply to the Junior Proctor for registration as a University society. A club or society applying for registration shall submit to the Junior Proctor a statement of its current financial position and a copy of its constitution. The Junior Proctor may refer such an application to the Societies Syndicate. If the Junior Proctor refuses to register a club or society the club or society may appeal to the Societies Syndicate, who may if they think fit register the club or society.

2. All registered clubs or societies shall deposit any changes in their constitution with the Junior Proctor, and shall notify the Junior Proctor of any change of officers.

<sup>1</sup> See p. 218.

3. By 31 December each year every registered club or society shall deposit with the Junior Proctor a copy of its accounts for the previous academic year approved and signed by the Senior Treasurer who shall be a member of the Regent House or if not shall be a member of the Senate approved for the purpose by the Junior Proctor. A club or society that has been permitted by the Junior Proctor to amend its constitution under Regulation 4 so as to remove the requirement to have a Senior Treasurer may be required by the Junior Proctor to submit its accounts in such manner as may be determined by the Junior Proctor in each case.

4. A club or society whose constitution requires it to have a Senior Treasurer shall not amend its constitution so as to remove this requirement without obtaining the prior approval of the Junior Proctor and submitting to the Junior Proctor a statement of its current financial position.

5. Any club or society sanctioned by the Proctors before these regulations take effect shall be deemed to have been registered in accordance with these regulations.

6. Any registration granted or deemed to have been granted under these regulations may be withdrawn at the discretion of the Junior Proctor, subject to a right of appeal by the club or society to the Societies Syndicate.

7. No club or society consisting wholly or partly of members of the University who are registered students, whether registered under the provisions of these regulations or not, shall, while occupying University premises, engage in trade without the permission of the Finance Committee of the Council. The Finance Committee may make such permission conditional on the submission to them of annual audited accounts or subject to such other conditions (including the condition that the club or society shall be registered as a limited liability company) as the Finance Committee may deem desirable in the interests of the University or of its members. For the purpose of this regulation

(a) the term 'trade' shall include the buying or selling of goods or services, whether for profit or otherwise, but shall not include the sale of tickets for admission to a public performance given by a club or society, or the sale of any paper, magazine, or journal published by a club or society or of advertising space in such a publication;

(b) the term 'occupying' shall not include the occasional hiring of University premises.

8. These regulations shall not apply to sports clubs.<sup>1</sup>

## MEETINGS AND PUBLIC GATHERINGS ON UNIVERSITY PREMISES

CODE OF PRACTICE ISSUED UNDER SECTION 43 OF THE EDUCATION (No 2) ACT 1986<sup>2</sup>

*Rescinded by Grace 3 of 12 June 2024*

## UNIVERSITY TRIBUNAL

### INITIATION OF PROCEEDINGS BEFORE THE UNIVERSITY TRIBUNAL

1. Any proceedings against a person to whom the Schedule to Statute C applies shall be subject to the provisions of Chapter III of that Schedule. Proceedings against any other member of the University before the University Tribunal shall be subject to the provisions of Special Ordinance D (iv) 6.

2. (a) If the Vice-Chancellor has directed under the Schedule to Statute C, Chapter III 8, that a charge is to be preferred against a person to whom the Schedule to Statute C applies, the case shall be presented by the University Advocate.

(b) If in response to a complaint made under Special Ordinance D (iv) 6 the University Advocate determines that proceedings shall be brought against a member of the University before the University Tribunal, the case shall be presented either by the Advocate or by the complainant, as may be decided by the Advocate; provided that, if a charge arises from a complaint made by the Proctors, the Advocate shall be responsible for presenting the case on behalf of the University.

3. The Advocate shall give written notice to the Registry and to the complainant of the decisions taken in accordance with Special Ordinance D (iv) 6 and Regulation 2(b) above; if the Advocate

<sup>1</sup> See the regulations for the University Sports Committee (p. 143). This regulation will come into effect on a date agreed by the Junior Proctor and the Chair of the University Sports Committee.

<sup>2</sup> Section 43 of the Education (No 2) Act 1986 was reproduced in *Reporter*, 1986–87, p. 578.



decides that a person is to be charged, written notice shall be given to the Secretary of the appropriate court.

4. If a member of the University is alleged to have committed an act or to have engaged in conduct for which they are liable to be prosecuted in a court of law and which is also a breach of the general regulations for discipline or other offence against the discipline of the University, the Advocate shall have discretion to determine whether or when to bring a charge under the University's regulations, after taking into account whether, in their opinion, any proceedings against the member in a court of law in respect of that act or conduct are likely to be brought, and any other factors which appear relevant to them.

5. In these regulations all references to conviction in a court of law shall mean that the court has found that the offence charged has been proved and that the person so charged has not been acquitted either upon trial or upon appeal.

#### APPOINTMENT OF MEMBERS OF THE UNIVERSITY TRIBUNAL

1. The Council shall maintain a panel, hereinafter referred to as panel (a), of persons who are eligible under Special Ordinance D (i) 3 to serve as Chair of the University Tribunal and who are willing to do so, and shall appoint in the Michaelmas Term each year such number of persons as the Council may think fit, to serve as members of the panel for one year from 1 January following their appointment. No member of the Council or of the Septemviri shall be a member of panel (a). Panels.

2. The Council shall maintain a panel, hereinafter referred to as panel (b), of members of the Regent House who are willing to serve as members of the University Tribunal, and shall appoint up to fifteen persons to the panel in the Michaelmas Term each year, to serve for one year from 1 January following their appointment. No member of the Council or of the Septemviri shall be a member of panel (b).

3. Not later than 31 December in each year the Vice-Chancellor shall appoint a member of panel (a) to serve as Chair of the University Tribunal for one year from 1 January next following; in making the appointment the Vice-Chancellor shall, if possible, select a person who is not a member of the Regent House. If the person appointed is unable or unwilling to act as Chair for a particular case, the Vice-Chancellor shall appoint another member of panel (a) to act as Chair for that case. Chair.

4. When a member of the University is to be charged before the University Tribunal, the Chair of the Tribunal shall appoint a date, time, and place for a hearing. The Chair shall have power, if the circumstances require it, to cancel a hearing so arranged at any time before the commencement of the hearing, and to appoint a different date, time, and place.

5. When a hearing has been arranged, the Clerk of the Tribunal shall forthwith send written notice to all members of panel (b), informing them of the date, time, and place appointed, and requiring them to indicate, not later than 5 p.m. on the fourth day after the day on which the notice is despatched, whether they are able and willing to serve. The Chair shall then appoint the other members of the Tribunal by causing lots to be drawn from among those members of panel (b) who have informed the Clerk of the Tribunal that they are able and willing to serve; and the Clerk shall thereupon inform the persons appointed of the charge or charges to be heard and the name of the person charged. The Chair shall in like manner appoint three reserve members of the Tribunal from panel (b) who shall be required to attend the Tribunal at the commencement of the proceedings so that lots may be drawn from among them if it becomes necessary to replace any member or members of the Tribunal who have failed to attend or who have otherwise become unable or unwilling to serve or against whose membership the Chair has under Regulation 6 allowed an objection. No member of the Tribunal shall be replaced after the commencement of the hearing. Appointment of Tribunal.

6. A person charged before the Tribunal shall be entitled to object for good cause to any member appointed to serve on the Tribunal for those proceedings. The Chair alone shall rule on any such objection and their decision shall be final.

7. If at the commencement of the proceedings the Chair is unable, using the procedure prescribed in Regulation 5, to appoint the appropriate number of members of the Tribunal from panel (b), they shall appoint such number of members from the panel as may be needed to fill the vacant place or places.

8. If on any occasion there are insufficient members of panel (b) who are able and willing to serve as members of the Tribunal, the Vice-Chancellor shall appoint the appropriate number of members of the Regent House to fill the vacant places.

9. If after the commencement of proceedings the Chair becomes unable or unwilling to act, the Vice-Chancellor shall discharge the Tribunal and a new Tribunal shall be appointed in accordance with the provisions of Regulations 3–8. If after the commencement of proceedings any other member of the Tribunal becomes unable or unwilling to act, the remaining members shall continue to act, so long as there remain two members in addition to the Chair who are able and willing to act, but not otherwise. If more than two members become unable or unwilling to act, the Vice-Chancellor shall discharge the Tribunal and a new Tribunal shall be appointed in accordance with the provisions of Regulations 3–8.

#### RULES OF PROCEDURE

Notice.

1. When a member of the University is to be charged before the University Tribunal, the University Advocate, or other person responsible for presenting the case, shall send written notice to the Clerk of the Tribunal of the charge or charges to be brought before the Tribunal and the particulars thereof, and shall send with the notice any documents which it is proposed to produce and a list of all witnesses whom it is proposed to call, together with statements of the evidence that they are expected to give.

Parties.

2. The parties to a hearing by the Tribunal shall be:

- (a) the person charged;
- (b) the University Advocate or other person responsible for presenting the case;
- (c) any person who may be added as a party by the Tribunal, either on application or of their own motion.

3. The person charged and any person added as a party by the Tribunal shall be entitled to be represented by another person, whether such person is legally qualified or not, in connection with or at any hearing by the Tribunal.

Summons.

4. The Clerk of the Tribunal shall not less than fourteen days (or such shorter period as may be agreed by the Clerk with the parties) before the date appointed for the hearing send to each party (a) a notice of the hearing, which shall contain information and guidance concerning attendance at the hearing, the calling of witnesses and the bringing of documents, representation by another person, and written submissions, and (b) a copy of the charge or charges, together with the other information specified in Regulation 1.

5. It shall be the duty of the person presenting the case to make any necessary arrangements for the summoning of witnesses and the production of documents, and generally for the proper presentation of the case to the Tribunal.

6. No additional witness or documentary evidence may be introduced by the person presenting the case, beyond those of which notice has been given under Regulation 1, without the consent of the Tribunal, and such consent shall not be given save for good reason; if such late introduction is permitted, the person charged shall be allowed an adjournment sufficient to enable them to consider the additional evidence and respond to it, and to introduce further evidence as appropriate.

7. A charge shall not be determined without an oral hearing at which the person charged and any other parties to the hearing are entitled to be present together with their representatives, if any.

Admission to hearing.

8. The Tribunal may sit either in public or *in camera* at the discretion of the Chair, provided that if the person charged so requests they shall normally sit *in camera*. The Tribunal shall have power, if they think it appropriate in the circumstances, to hear charges against two or more persons at the same hearing.

9. The Tribunal shall have power to proceed with a hearing in the absence of any of the persons entitled to be present and, notwithstanding the provisions of Regulation 7, the Chair shall have power to exclude any person from a hearing if in the opinion of the Chair such exclusion is necessary for the maintenance of order.

10. (a) The fact that any person has been, or is liable to be, prosecuted in a court of law in respect of an act or conduct which is the subject of proceedings before the University Tribunal shall not affect the jurisdiction or the powers of the Tribunal under Chapter III of the Schedule to Statute C; but the Tribunal shall consider the advisability of referring the matter to the police and, if they so refer the matter, shall adjourn their proceedings for such time as is reasonable in the circumstances to enable a prosecution to be undertaken.

(b) Evidence that a person has been convicted of an offence by or before any court of law, or that any court of law has found proved an offence with which a person was charged, shall, for the purpose of proving that the person committed the offence or was guilty of any act or conduct in respect of

which they were so charged or convicted, be admissible in any proceedings before the University Tribunal.

**11.** Each party to a hearing before the Tribunal, or their representative, shall be entitled to make an opening statement, to give evidence, to call witnesses, to question any witness concerning any relevant evidence, and to address the Tribunal after the evidence has been heard. Conduct of hearing.

**12.** Subject to the provisions of the Schedule to Statute C and of these Ordinances, the Tribunal shall have power to regulate their own procedure. The Chair may set time-limits for each stage of the proceedings, and any meeting of the Tribunal may be postponed or adjourned at the discretion of the Chair. It shall be the duty of the Tribunal and of the Chair to ensure that a charge is heard and determined as expeditiously as is reasonably practicable.

**13.** The Tribunal shall have power to dismiss a charge for want of prosecution, or, in the case of a charge brought under Chapter III of the Schedule to Statute C, to remit the charge to the Vice-Chancellor for further consideration.

**14.** The Tribunal shall not find a charge proved unless they are satisfied that it has been proved beyond reasonable doubt.

**15.** If the Tribunal find a charge proved, they shall, after giving the parties an opportunity to address them concerning the penalty to be imposed, determine the appropriate penalty (if any) in accordance with the provisions of Statute D II 3 or, in the case of a person charged under the Schedule to Statute C, in accordance with the provisions of Chapter III 12 of the Schedule to Statute C; and the Tribunal or the Chair, as appropriate, shall have power to impose such penalty. Penalty.

**16.** The Clerk of the Tribunal shall be entitled to be present throughout the hearing and at any meeting of the Tribunal, and shall keep a sufficient record of the proceedings of the Tribunal.

**17.** The Tribunal's decision shall be recorded in a document signed by the Chair which shall contain: Decision.

(a) the Tribunal's findings of fact regarding the charge;

(b) the reasons for the Tribunal's decision;

(c) the penalty (if any) determined by the Tribunal;

(d) the penalty (if any) imposed by the Tribunal or the Chair, as appropriate.

**18.** The Clerk of the Tribunal shall send a copy of the document specified in Regulation 17 to the Vice-Chancellor, the person charged, and the other parties to the hearing, and shall also send to the person charged a copy of Special Ordinance C (xiii) and Special Ordinance D (iii) 1–5 concerning appeals.

**19.** The Chair shall have power by certificate under their hand to correct in documents recording the decisions of the Tribunal any clerical errors arising therein from accidental mistakes or omissions.

## MEDICAL BOARDS

**1.** When a Medical Board is appointed to hear a case under Chapter IV 5 of the Schedule to Statute C,

(a) the competent authority concerned shall appoint a person to present the case to the Board;

(b) the Chair of the Board shall appoint a person to act as Secretary of the Board.

**2.** If after the commencement of proceedings a member of the Board becomes unable or unwilling to act, the Vice-Chancellor shall discharge the Board and a new Board shall be appointed in accordance with the provisions of Chapter IV 5 of the Schedule to Statute C.

**3.** The parties to a hearing before a Medical Board shall be: Parties.

(a) the person whose possible retirement on medical grounds is under consideration by the Board, hereinafter referred to as the person concerned;

(b) the person appointed to present the case to the Board.

**4.** The person concerned shall be entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing by the Board.

**5.** The person appointed to present the case to the Board shall send to the Secretary of the Board a written statement of the case and any relevant medical evidence, and shall send with the statement any documents which it is proposed to produce and a list of all witnesses whom it is proposed to call, together with statements of the evidence that they are expected to give.

**6.** The Chair of the Board shall appoint a date, time, and place for a hearing by the Board. The Chair shall have power, if the circumstances require it, to cancel a hearing so arranged at any time before the commencement of the hearing, and to appoint a different date, time, and place.

Summons.

7. When a hearing has been arranged, the Secretary of the Board shall not less than fourteen days (or such shorter period as may be agreed by the Secretary with the parties) before the date appointed for the hearing send notice of the hearing to the person concerned and to any representative appointed under Regulation 4. Such notice shall include:

- (a) information and guidance concerning attendance at the hearing, the calling of witnesses and the bringing of documents, representation by another person, and written submissions;
- (b) a statement of the case, together with the other information specified in Regulation 5.

8. It shall be the duty of the person presenting the case to make any necessary arrangements for the summoning of witnesses and the production of documents, and generally for the proper presentation of the case to the Board.

9. No additional witness or documentary evidence may be introduced by the person presenting the case, beyond those of which notice has been given under Regulation 5, without the consent of the Board, and such consent shall not be given save for good reason; if such late introduction is permitted, the person concerned shall be allowed an adjournment sufficient to enable them to consider the additional evidence and respond to it, and to introduce further evidence as appropriate.

10. A case shall not be determined without an oral hearing at which the person concerned is entitled to be represented. Any hearing of or in connection with a case by a Medical Board shall take place *in camera*.

Conduct of hearing.

11. A Medical Board shall have power to proceed with a hearing in the absence of the person concerned or of their representative and, notwithstanding the provisions of Regulation 10, the Chair shall have power to exclude any person from a hearing if in the opinion of the Chair such exclusion is necessary for the maintenance of order.

12. Each party to a hearing before a Medical Board, or their representative, shall be entitled to make an opening statement, to give evidence, to call witnesses, to question any witness concerning any relevant evidence, and to address the Board after the evidence has been heard.

13. Subject to the provisions of the Schedule to Statute C and of these Ordinances, a Medical Board shall have power to regulate their own procedure, and any meeting of the Board may be postponed or adjourned at the discretion of the Chair. It shall be the duty of the Board and of the Chair to ensure that a case is heard and determined as expeditiously as is reasonably practicable.

14. A Medical Board shall not determine that any person's removal from office would be justified by reason of incapacity on medical grounds unless they are satisfied that the incapacity has been proved beyond reasonable doubt.

15. The Secretary of the Board shall be entitled to be present throughout the hearing and at any meeting of the Board, and shall keep a sufficient record of the proceedings of the Board.

Decision.

16. The Board's decision shall be recorded in a document signed by the Chair which shall contain:

- (a) the Board's medical findings;
- (b) the Board's other findings of fact;
- (c) the reasons for the Board's decision.

17. The Secretary of the Board shall send a copy of the document specified in Regulation 16 to the person concerned, to their representative (if any), and to the person responsible for presenting the case to the Board, and shall also send to the person concerned a copy of Special Ordinance C (xiii) and Special Ordinance D (iii) 1–5 concerning appeals.

18. The Chair shall have power by certificate under their hand to correct in documents recording the decisions of the Board any clerical errors arising therein from accidental mistakes or omissions.

## SEPTEMVIRI

Appointment.

1. Except as provided by Special Ordinance D (i) 1–2 members of the Court of the Septemviri shall be appointed as follows:

- (a) the Chair shall be appointed in the Michaelmas Term to serve for four years from 1 January following their appointment;
- (b) in each year three Septemviri shall be appointed in the Michaelmas Term to serve for two years from 1 January following their appointment.

2. The Registrar, or a deputy appointed by the Registrar, shall act as Clerk of the Septemviri.

Notice of appeal.

3. Any person who wishes to institute an appeal to the Septemviri under the provisions of Statute D or Special Ordinance C (xiii) shall send to the Clerk of the Septemviri a notice in writing setting out

the grounds of appeal and stating whether the appeal is in respect of the whole or in respect of any specified part of any finding of fact, decision, or sentence. In the proceedings of an appeal the appellant shall not be entitled, except with the leave of the Septemviri, to rely on any grounds of appeal not specified in the notice of appeal.

4. When an appeal to the Septemviri is instituted, the Chair of the Septemviri shall appoint a date, time, and place for the hearing of the appeal. The Chair shall have power, if the circumstances require it, to cancel a hearing so arranged at any time before the commencement of the hearing, and to appoint a different date, time, and place.

5. The parties to an appeal shall be:

Parties.

(a) the appellant;

(b) (i) in the case of an appeal against a decision of a competent authority under Chapter II of the Schedule to Statute C, the competent authority;

(ii) in the case of an appeal against a decision of the University Tribunal or any other University court, or of a Medical Board, or an appeal arising from proceedings before such a body, the University Advocate or other person who was responsible for presenting the case to the Tribunal or other body;

(iii) in the case of an appeal against a disciplinary decision of any other University authority, the authority concerned;

(iv) in the case of an appeal against any dismissal of a University officer otherwise than in pursuance of Chapters II, III, or IV of the Schedule to Statute C, the competent authority concerned;

(c) any other person added as a party by the Septemviri or by the Chair of the Septemviri, either on application or otherwise.

6. When a hearing has been arranged, the Clerk shall send to each party

(a) a notice of the hearing which shall contain information and guidance concerning attendance at the hearing, the bringing of documents, representation by another person, and the calling of fresh evidence;

(b) a copy of the notice provided by the appellant under Regulation 3.

7. Any party to an appeal shall be entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at the hearing of the appeal.

8. An appeal shall not be determined without an oral hearing at which the appellant and their representative, if any, are entitled to be present.

9. The Septemviri may sit either in public or *in camera* at the discretion of the Chair, provided that if the appellant so requests they shall normally sit *in camera*. The Septemviri shall have power, if they think it appropriate in the circumstances, to hear appeals by two or more parties at the same hearing.

Admission to hearing.

10. The Septemviri shall have power to proceed with a hearing in the absence of any of the persons entitled to be present and, notwithstanding the provisions of Regulation 8, the Chair shall have power to exclude any person from a hearing if in the opinion of the Chair such exclusion is necessary for the maintenance of order.

11. Each party to a hearing before the Septemviri shall be entitled to make a statement and to address the Septemviri; but witnesses may not be called save with the consent of the Septemviri. Leave to adduce fresh evidence, or to recall witnesses examined at first instance, shall be given only if the Septemviri are satisfied that it is necessary or expedient in the interests of justice.

Conduct of hearing.

12. Subject to the provisions of Statute D II, and Special Ordinance C (xiii) and Special Ordinance D (iii), and of these Ordinances, the Septemviri shall have power to regulate their own procedure. The Chair may set time-limits for each stage of the proceedings, and any meeting of the Septemviri may be postponed or adjourned at the discretion of the Chair. It shall be the duty of the Septemviri and of the Chair to ensure that any appeal is heard and determined as expeditiously as is reasonably practicable.

13. The Chair of the Septemviri shall not impose under Statute D II 15 any fine exceeding £175.

14. The Septemviri shall have power to allow or dismiss an appeal, or to dismiss an appeal for want of prosecution, or to remit an appeal for further consideration in accordance with the provisions of Special Ordinance C (xiii) 5.

15. The Clerk of the Septemviri shall be entitled to be present throughout the hearing and at any meeting of the Septemviri, and shall keep a sufficient record of the proceedings.



Decision.

**16.** The decision of the Septemviri shall be recorded in a document signed by the Chair which shall contain:

- (a) any findings of fact which differ from those reached by any other University authority which has previously considered the case;
- (b) the reasons for the decision of the Septemviri;
- (c) any penalty determined by them.

**17.** The Clerk of the Septemviri shall send a copy of the document specified in Regulation 16 to the Vice-Chancellor, the appellant, and the other parties to the appeal.

**18.** The Chair shall have power by certificate under their hand to correct in documents recording the decisions of the Septemviri any clerical errors arising therein from accidental mistakes or omissions.

### CONSIDERATION OF COMPLAINTS AND REQUESTS FOR REVIEW BY STUDENTS

**1.** The General Board shall publish and keep under review the following for the consideration of complaints and examination review by any registered student, or who held such student status at the time of the circumstances about which the complaint is being made:

- (a) a procedure and explanatory notes for the review of examination results;
- (b) a procedure and explanatory notes for investigating and determining complaints about the University's action or lack of action, or the provision of service by or on behalf of the University.

**2.** The General Board shall publish and keep under review a procedure and explanatory notes for the review of decisions made by such University bodies as shall be determined from time to time by the General Board.

**3.** The procedures under Regulation 1 shall include an informal local stage, a formal stage, and a review stage. During the formal stage, the matter shall be investigated and initial decisions (including whether the complaint should be considered under another procedure in accordance with Regulation 6) shall be taken by a University officer who may:

- (a) require any member of the University to provide information and assistance;
- (b) seek external advice and assistance.

**4.** The decision at the conclusion of the formal stage following investigation and at the review stage of the procedures under Regulation 1, and at the conclusion of the review procedure under Regulation 2, shall be taken by a University officer who is a member of the academic staff of the University.

**5.** The procedures under Regulations 1 and 2 shall be concluded by the issue of a letter to the student who brought the complaint or other matter which confirms, in accordance with guidance published from time to time by the Office of the Independent Adjudicator, that the University's internal procedures have been exhausted.

**6.** The following shall not be considered under the procedures:

- (a) complaints or other matters concerning College provision;
- (b) complaints or other matters to which other University procedures apply unless otherwise determined by the relevant University officer under Regulations 3 or 4 above.

**7.** The University will act reasonably in considering complaints and other matters under the procedures, having regard to the individual circumstances of the case. Every effort will be made to ensure that all parties are treated with fairness and dignity. None of those carrying out the procedures will have any previous knowledge of the case or any material connection with any party to the complaint or other matter. In the event of a conflict of interest arising, the Vice-Chancellor shall have power to appoint other University officers to act in place of, and with the same powers as, those appointed under the procedures.

**8.** If a complaint or other matter is upheld, the University officer who is a member of academic staff under Regulation 4 shall be empowered to require any member of the University and/or any University institution to take such action as the University officer considers necessary. If the member of the University and/or University institution is unable or unwilling to act, the University officer may refer the matter to the competent authority for the institution concerned.

**9.** The Council and the General Board shall receive a report annually on the number, type, and outcomes of complaints and other matters considered under the procedures, together with any recommendations concerning those procedures.

## PROCEDURES MADE BY THE GENERAL BOARD

## STUDENT COMPLAINT PROCEDURE

*Amended by Notice (Reporter, 2023–24, p. 669)***1. Glossary of key terms**

**1.1.** In this procedure, the following terms shall have the meanings set out below:

Case Handler	A member of OSCCA who determines whether a complaint is eligible to be investigated or reviewed and who conducts any investigation under the Formal Resolution stage. Where the complaint relates to OSCCA, the Case Handler role may be undertaken by an appropriately trained and experienced staff member within Education Services appointed by the Academic Secretary
Complainant	A Registered Student who makes a complaint under this procedure
Complaint Officer	A trained member of the Regent House who decides whether a complaint is upheld or dismissed under the Formal Resolution stage; or in the case of a formal complaint relating to staff misconduct, the Head of Department or Responsible Person who determines the scope of the investigation and whether a complaint is upheld or dismissed under the Formal Resolution stage
Completion of Procedures Letter	A letter that confirms the end of the University's internal proceedings, following which, a student may be able to raise a complaint with the OIA
HR Investigator	Where the complaint under this procedure runs in tandem with an HR investigation of staff misconduct, a person conducting the single investigation run in accordance with paragraphs 4.16–4.20
Institution	The University body which the Complainant believes is responsible for the subject of the complaint including, but not limited to: Faculties, Departments, Non-School Institutions, and administrative offices or student services within the Unified Administrative Service
OIA	Office of the Independent Adjudicator, external ombudsman for higher education students
OSCCA	The University's Office of Student Conduct, Complaints, and Appeals
Registered Student	A person who has matriculated as a student and is currently pursuing a course of study in the University; or any person pursuing a course of study leading to the award of a degree, diploma, or certificate of the University; or a person who had such student status at the time of the circumstances about which the complaint is being made
Responsible Officer	The person authorised by the Institution to respond to complaints from Registered Students under the Local Resolution stage
Reviewer	A trained member of the Regent House who decides whether a complaint is upheld or dismissed under the Review stage
Working days	Monday to Friday, except bank holidays and the week between Christmas Day (25 December) and New Year's Day (1 January). Five working days is usually the equivalent of one week

**2. Scope and Principles**

**2.1.** This procedure applies where a Registered Student wishes to express dissatisfaction, either about the University's action or lack of action, or the standard of service provided by or on behalf of the University, for example, by a placement provider. Grounds for complaint may include: an Institution not meeting specified obligations or providing misleading or incorrect information; supplying poor quality provision or services; or concerns regarding the behaviour of staff towards students. Where the service has been provided on behalf of the University by a third party, the third party may investigate the complaint in the first instance in accordance with the guidance issued by the OIA.

**2.2.** This procedure cannot be used to make a complaint relating to the following:

- (a) College provision, for which the student should consult the relevant College policies;
- (b) Decisions with specific routes of review or appeal in another procedure, for example, the Examination Review Procedure, the Procedure for the Review of Decisions of University Bodies or the Student Disciplinary Procedure (except where the Reporting Student under that Procedure has an explicit option to use the Student Complaint Procedure);<sup>1</sup>
- (c) Complaints about Cambridge Students' Union, which should be made through its own complaints procedure in the first instance;
- (d) Matters that have already been investigated or matters that are better investigated by other University procedures including but not limited to academic or research misconduct, student discipline, capability to study and fitness to practise;<sup>2</sup>

<sup>1</sup> Examination Review Procedure, see p. 215; Procedure for the Review of Decisions of University Bodies, see p. 218; Student Disciplinary Procedure, see p. 188.

<sup>2</sup> Discipline, see p. 185; Procedure for the Investigation of an Allegation of Research Misconduct, see p. 242; Procedure to Support and Assess Capability to Study, see p. 236; Fitness to Practise Procedure, see p. 225.

(e) academic judgement, which is a matter that cannot be investigated using any University internal procedure, the OIA or a court of law.

**2.3.** The procedure has three stages: Local Resolution, Formal Resolution, and Review. Before making a complaint, Complainants should read the procedure. All Complainants are encouraged to seek support from a College Tutor, a member of the Cambridge Students' Union Student Advice Service, or other advisor of the student's choosing.

**2.4.** Complaints shall be determined on the balance of probabilities, based on the submitted evidence. Complainants will not be disadvantaged for raising a valid complaint regardless of whether it is subsequently investigated or upheld. The University will act reasonably in considering complaints under this procedure and decisions will be made fairly and transparently.

**2.5.** The Responsible Officer, Case Handler, HR Investigator, Complaint Officer, and Reviewer shall have no material involvement in the matters raised as part of the complaint or in the earlier stages of the procedure and will be independent and impartial.

#### *Representatives*

**2.6.** The University expects Complainants to correspond directly with the Case Handler and others, to ensure that their views are accurately represented. However, there may be circumstances when it is reasonable for a Complainant to receive and send correspondence via a representative, for example, as a result of a disability or where an underlying health condition is impacting on the Complainant's judgement. Complainants will need to request permission from the Case Handler to use a representative, explaining the reason for the request in writing. A Case Handler will permit a representative to be used where the Case Handler considers it is reasonable to do so.

**2.7.** This procedure is an internal process and does not have the same degree of formality as proceedings in a court of law. It is not normally necessary or appropriate for Complainants or the University to be legally represented at any meetings that form part of the procedure except in exceptional circumstances. A Complainant wishing to use a legal representative at their own cost shall need to request permission for this in writing from the Case Handler. A Case Handler will permit a legal representative where the Case Handler considers it is reasonable to do so.

**2.8.** Where a representative or legal representative has been permitted, the University will communicate only with the representative and therefore any reference in this procedure about communication to or from a Complainant includes the Complainant's representative.

#### *Meetings*

**2.9.** A Complainant may be invited to attend a meeting under paragraph 3.2, 4.11, and 4.14. A Complainant who is invited to attend a meeting shall be entitled to choose whether to attend the meeting and whether to be accompanied by a supporter of the Complainant's choosing.

**2.10.** Where a meeting is held during the Formal Resolution or Review stage of this procedure, a note-taker will be present. The notes taken will be presented to those in attendance at the meeting for factual clarification; any disagreement about the accuracy of the notes will be included as an appendix to the notes. Subsequently, the notes (including any appendix) will become the formal record of the meeting.

#### *Group complaints*

**2.11.** Group complaints can be submitted, but a group representative must be identified with whom the University will correspond and who will be responsible for liaising with the other Complainants. In such cases, references in this procedure to the 'Complainant' shall be construed as referring to more than one person. The University may separate group complaints where it considers that the issues raised impact Complainants differently or where Complainants are seeking different remedies.

#### *Anonymous complaints*

**2.12.** Anonymous complaints will not normally be accepted, as anonymity may limit the investigation and communication of the outcome. Exceptionally, an anonymous complaint may be considered if the Case Handler considers there to be a compelling case, supported by evidence, for the matter to be investigated.

#### *Deputies*

**2.13.** Any reference in this procedure to a University officer or other named role includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.

#### *Timeframes*

**2.14.** Complainants are required to raise a complaint or request for a Review as soon as possible and within the required timeframe to enable an effective investigation and potential remedy (see paragraph 3.1, 4.1, and 5.1). Complaints or evidence submitted outside this timeframe will not be accepted unless there is a valid reason for delay, supported by evidence, which will be judged on a case-by-case basis by the Responsible Officer, Case Handler, HR Investigator Complaint Officer, or Reviewer, as appropriate.

**2.15.** Examples of matters that shall not normally be accepted as sufficient reason for delay include revising, studying, seeking advice or waiting to find out academic results. In addition, repeated or protracted correspondence following a Responsible Officer's response during the Local Resolution stage shall be discounted when calculating a Complainant's timeframe to submit a complaint for Formal Resolution and will therefore shorten the time available for submission or lead to a complaint being considered to be out of time.

**2.16.** The University aims to process any formal complaint through Formal Resolution and any Review within three months. The three month timeframe requires Complainants to comply with any timescales set down in this procedure. There may be circumstances when, for good reasons, the University will need to extend the timeframe and in these circumstances the Complainant will be notified and kept updated as to the progress of their complaint. Examples of such circumstances include: where additional material is requested; where the matter of complaint is complex, including complaints about staff misconduct; or where the procedure is suspended to enable another procedure to take place first.

*Malicious, frivolous and vexatious complaints*

**2.17.** The Case Handler, Complaint Officer, or the Reviewer may terminate consideration of a complaint if it is considered to be malicious, frivolous or vexatious. Examples of vexatious complaints are those which are obsessive, harassing, or repetitive; insist on pursuing unrealistic or unreasonable outcomes; and/or which appear to be designed to cause disruption or annoyance. If a complaint is terminated then the Complainant will be issued with a Completion of Procedures letter.

*Respectful behaviour*

**2.18.** Complainants, their advisors, and staff of the University are required to communicate respectfully and reasonably at all times whilst using the procedure. Abusive or threatening behaviour and language will not be tolerated, including unreasonable persistence, unreasonable demands, lack of co-operation, or any aggression or threat of aggression. If, following a warning, a Complainant behaves in an unacceptable manner, the Case Handler, the Complaint Officer, or the Reviewer may terminate the complaint without further consideration. If a complaint is terminated then the Complainant will be issued with a Completion of Procedures letter.

*Reasonable adjustments*

**2.19.** When using this procedure, disabled Complainants are encouraged to provide details of any reasonable adjustments which may be appropriate. Case Handlers will routinely check a Complainant's student record for information regarding relevant reasonable adjustments where there is permission to view this record. Where it may be helpful and following the consent of the Complainant, an appropriately trained University staff member may be asked to provide a decision regarding reasonable adjustments to this procedure. A Complainant shall be informed of any adjustments that have or have not been made and the reasons for doing so.

*Information sharing*

**2.20.** The University will only share the information and evidence submitted in a complaint with members of staff where it is strictly necessary in order to process, investigate, and consider the complaint. All information received from a Complainant will be handled sensitively and in accordance with the Policy on the use of personal information under the Student Complaint Procedure set out in the appendix.<sup>1</sup>

**2.21.** OSCCA shall share the information and evidence related to an investigation and outcome with relevant members of staff, including the subject of the complaint and witnesses where it is necessary in the interests of fairness to do so in order to process, investigate, and/or determine the outcome of a complaint. All information received from all parties shall be handled sensitively and in accordance with the University's Data Protection Policy.

**2.22.** The University shall share the complaint, all evidence considered in the complaint investigation, the complaint decision and reasons for the decision with the Complainant and the subject of the complaint (except where the decision-maker determines that there is a compelling reason not to do so). A compelling reason may include where the information is of no relevance to the complaint and therefore it does not need to be relied upon. Any Complainant affected by such a decision not to share certain information can request a review of that decision using the Procedure for the Review of Decisions of University Bodies. Where information is unable to be shared with the subject of the complaint, this may affect the decision-maker's ability to rely on this evidence in reaching a decision. Where evidence is not relied upon by the decision-maker, this will be specified in the reasons for the decision.

**2.23.** The Complainant shall receive a copy of the investigation report. The copy of the Investigation Report may be redacted to remove personal information including any mitigation, relating to the subject of the complaint that is not directly relevant to the complaint. Witnesses may also receive relevant information about the procedure where they have been personally affected by the original incident. 'Relevant' information is that which it is reasonably necessary to share in order to safeguard the interests of the Complainant or witness in the interests of fairness.

**2.24.** 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 complaint procedure (including any action taken under other procedures), those involved may discuss their personal experience of the procedure with others. However, individuals need to remain mindful of the information they share with others, including how it is shared. Information provided should not constitute or contribute to any abusive behaviour, as defined in the University's Rules of Behaviour set out in the Student Disciplinary Framework, towards others involved. Otherwise, this may lead to the individual becoming the subject of disciplinary proceedings.

<sup>1</sup> This can be viewed at: <https://www.studentcomplaints.admin.cam.ac.uk>.



**2.25.** Where formally requested to do so, or where the University considers that someone may be at significant and immediate risk of harm, the University may disclose information received through this procedure to the police.

### **3. Local Resolution**

**3.1.** Complainants should raise complaints, in writing or in person, with the Responsible Officer of the Institution concerned. It is expected that an issue will be raised as soon as possible and in any event within 20 working days of it occurring. Students are normally informed of the name and contact details of the Responsible Officer within handbooks or other written guidance. Where a Complainant is uncertain about the identity of the Responsible Officer, the complaint should be addressed to the person responsible for the management of the service which is the subject of the complaint, or the Head of the Institution.

**3.2.** The Responsible Officer shall investigate the complaint and respond to the Complainant in a timely manner and normally within 15 working days of receipt of the complaint. The response should be in writing where an investigation has taken place or where the complaint is submitted in writing and should include information about the next stage of the procedure in the event that the Complainant remains dissatisfied with the response. Where a response cannot be provided within 15 working days, the Responsible Officer will write to the Complainant within that period to indicate the reasons for the delay and when a response is likely to be provided. The Responsible Officer may invite the Complainant to a meeting as part of an investigation, but is not obliged to hold such a meeting.

### **4. Formal Resolution**

**4.1.** Where a Complainant is either dissatisfied with the outcome of the Local Resolution; or where Local Resolution is inappropriate as the issues raised are serious or systemic, the Complainant can raise a complaint under Formal Resolution with OSCCA. Complainants should raise a complaint by fully completing and submitting the Formal Complaint form (available at <https://www.studentcomplaints.admin.cam.ac.uk>) within 20 working days of either:

- (a) the Responsible Officer's response to the complaint at Local Resolution; or
- (b) the matter of complaint first arising, where the Complainant reasonably considers Local Resolution is inappropriate.

**4.2.** Where a complaint relates to the action or inaction of OSCCA or a member of OSCCA the same complaint form shall be submitted. However, the complaint may be referred onto the Academic Secretary who shall appoint a Case Handler.

**4.3.** Where relevant, the Case Handler shall determine whether there is an exceptional reason to accept a complaint beyond the 20 working days' timeframe. Paragraph 2.15 gives examples of reasons unlikely to be exceptional. Reasons that may be accepted as exceptional where corroborative evidence is submitted include: where a Complainant has been unable to raise a complaint as a result of hospitalisation; or where the matter of complaint is so serious that it impacted the Complainant's judgement. Complaints relating to serious staff misconduct are likely to be accepted beyond the 20 working days' timeframe, providing the staff member remains an employee of the University as a result of the impact on the Complainant's judgement.

**4.4.** The complaint should set out the Complainant's concerns clearly and succinctly and provide written evidence to substantiate the issues raised. Evidence may include independent medical evidence, reports by professionals, financial information, or witness statements. The Case Handler may take steps to verify any submitted evidence. If evidence is found not to be genuine the complaint will be terminated and the Case Handler may refer the matter to the Student Disciplinary Procedure, which may lead to the Complainant being subject to sanctions.

**4.5.** A Case Handler shall consider the submitted complaint and will make one or more of the following determinations:

- (a) the complaint in whole or in part is eligible to be investigated using paragraphs 4.10–4.14 of this procedure;
- (b) the complaint in whole or in part is eligible to be investigated and relates to staff misconduct and so shall be investigated using paragraphs 4.15–4.20 of this procedure;
- (c) the complaint in whole or in part should be referred for consideration under an alternative procedure;
- (d) the complaint in whole or in part is ineligible to be considered by the University. For example, it is out of time under this procedure or an alternative procedure, has already been investigated, is listed as a matter that cannot be investigated under paragraph 2.2, lacks substantive content, or is considered malicious, vexatious, or frivolous;
- (e) the Complainant should attempt Local Resolution before investigation of the complaint under the Formal Resolution stage of the procedure;
- (f) the complaint is unclear and/or diffuse and/or lacks evidence and cannot be accepted in its current form. However, the Complainant will be given a final opportunity to amend the submitted complaint and evidence for further eligibility consideration by the Case Handler.

**4.6.** Where a determination is made under paragraphs 4.5(c)–(f), the reasons for this and information about the options available to the Complainant will be provided in writing within five working days of the decision.

**4.7.** If the Complainant disagrees with the determination under paragraph 4.5(d) or (e), the reasons for the disagreement should be provided by the Complainant, in writing and within five working days of receiving the decision, to the Head of OSCCA who will review the determination within a further 10 working days. Where a complaint cannot be considered further by the University a Completion of Procedures letter will be issued.



**4.8.** Where the Case Handler considers that matters raised within the complaint would be more appropriately considered under alternative procedures, the Case Handler will inform the Complainant about which matters will be considered under which procedure. In some circumstances, it may be necessary to suspend one procedure pending the completion of another.

**4.9.** Some complaints may require the University to take swift action, for example where the issues raised have substantive detrimental consequences for the Complainant's mental health or where external time limits apply, for example, in meeting regulatory requirements for the completion of courses. In such circumstances, the procedure may be expedited. A Complainant shall inform the University of any known reason to expedite a complaint, alongside evidence in support of the reason, in writing at the time a complaint is submitted. Any request for expedition shall be considered and determined by the Case Handler.

#### *Investigating a formal complaint*

**4.10.** Where a determination is made under paragraph 4.5(a) the Complainant will be informed and the Case Handler will conduct an investigation, requiring written statements and evidence from witnesses and Institutions concerning the events and applicable procedures, as appropriate.

**4.11.** A Case Handler may or may not meet individually with the Complainant, the Responsible Officer, or witnesses as part of the investigation, or collect further evidence, at the Case Handler's discretion and where the Case Handler believes it to be beneficial to do so.

**4.12.** The Case Handler shall prepare a report setting out the process that has been followed, the information that has been gathered, the conclusions that have been drawn, and any recommendations. The Case Handler shall also consider whether mediation or conciliation could be effective at this stage.

**4.13.** Following investigation, the Case Handler will provide all of the materials to a Complaint Officer, appointed by the Case Handler from a panel of Complaint Officers maintained by the Council.

**4.14.** The Complaint Officer will consider all of the materials provided. In exceptional circumstances the Complaint Officer may request further written statements, hold a meeting with any individual involved in the complaint, and/or hold a hearing. The Complainant will receive all of the materials, save for any redactions in accordance with paragraph 2.23, considered by the Complaint Officer at least five working days in advance of any meeting or hearing.

#### *Investigating a formal complaint relating to staff misconduct*

**4.15.** A complaint may involve the action or inaction of University staff and be investigated in accordance with paragraphs 4.10–4.14. However, where the complaint relates to misconduct by a member of University staff (for example bullying, harassment or sexual misconduct), this procedure works in tandem with a staff conduct procedure and therefore any investigation will take place in accordance with paragraphs 4.16–4.20. This is to ensure the Complainant and staff member are both treated fairly and receive appropriate support and to enable a single investigation to take place.

**4.16.** Where the complaint is eligible in whole or part for investigation, the Case Handler will liaise with the relevant HR business partner, who shall initiate the relevant staff conduct procedure. The decision-maker in the staff conduct procedure shall determine the scope of the investigation, taking into account the requirements of this complaint procedure and shall take the role of the Complaint Officer. The investigator in the staff conduct procedure (referred to within this procedure as the HR Investigator) shall conduct an investigation that gathers such information and makes findings as shall enable the Complaint Officer to reach a decision under this complaint procedure. During this phase, it is highly likely that alternative arrangements shall be made for any academic or welfare responsibility that the staff member has for the Complainant.

**4.17.** The Complainant will be informed of the identities of the Complaint Officer and the HR Investigator and receive an invitation from the HR Investigator, normally within ten working days, to provide an account of the complaint.

**4.18.** The HR Investigator shall gather evidence about the complaint and invite relevant individuals to meetings to take their account of the complaint including, the Complainant, the staff member who is the subject of the complaint and any relevant witnesses. The HR Investigator may request written statements rather than meetings and further evidence relevant to the investigation.

**4.19.** The HR Investigator shall prepare an investigation report that includes setting out the process that has been followed and the information that has been gathered.

**4.20.** Following investigation, the HR Investigator will provide the relevant materials to the Complaint Officer who determined the original scope of the investigation.

#### *Complaint Officer decision*

**4.21.** Following consideration of the investigation report, the Complaint Officer will have the power to make one or more of the following decisions:

- (a) that further steps should be taken to resolve the complaint informally (for example, through mediation with the agreement of both parties);
- (b) to uphold the complaint in whole or in part and where appropriate require such remedies as necessary;
- (c) to dismiss the complaint in whole or in part where it is found that:
  - (i) the University acted reasonably and in line with its procedures and written documentation; and/or
  - (ii) the substance of the complaint was not justified; and/or
  - (iii) the Complainant has not been substantively disadvantaged by any variation in the University's procedures or written documentation.

**4.22.** The nature of the remedy will be dependent upon the nature of the complaint and the relevant remedies available. Where possible a remedy will be practical and attempt to provide the Complainant with the expected service or action, taking into account any comments from the Complainant regarding remedy. Complainants shall normally be given a timeframe within which to accept any remedy offered by the University.

**4.23.** Where a complaint under this procedure relates to staff misconduct, it shall be possible to uphold a student complaint while not making a finding of misconduct under the staff conduct procedure. In such circumstances, a remedy can still be applied using this procedure, albeit that there may be no further action taken under the staff conduct procedure. Where the staff conduct procedure includes consideration by a Tribunal, it may be necessary to wait until the outcome of the Tribunal before the Complaint Officer can determine the outcome under this procedure.

**4.24.** The Complainant will receive confirmation in writing of the Complaint Officer's decision, the reasons for the decision, and copies of the material considered by the Complaint Officer, normally within five working days of the Complaint Officer's decision.

**4.25.** Where a complaint relates to staff misconduct, there may be elements of the investigation or the outcome that cannot be shared with the Complainant because they constitute personal information about the staff member, which the University does not have permission to share and there is no lawful reason to share it with the Complainant. In such circumstances the Complainant will be made aware that there is redacted information and the reason for the redaction.

**4.26.** Regardless of the decision made, the Complaint Officer may make observations and recommendations to Institutions for consideration following the outcome of a complaint.

**4.27.** Institutions are required to abide by any remedies issued by the Complaint Officer, including the payment of any financial remedy.

**4.28.** Heads of Institutions are required to consider recommendations and observations made by the Complaint Officer. They are also required to ensure that the outcome of that consideration is reported back to OSCCA, including reasons for not acting upon any recommendations and observations.

## **5. Review**

**5.1.** If a Complainant is dissatisfied following the Formal Resolution decision, the Complainant can submit a Request for Review form within 10 working days of the Formal Resolution decision being communicated. Alternatively, if the Complainant is dissatisfied with the decision but does not believe the reasons for the dissatisfaction would meet the grounds for a Review, the Complainant can request a Completion of Procedures letter.

**5.2.** The Review will not usually consider issues afresh or involve a further investigation. A Review can only be requested on the following grounds:

- (a) procedural irregularities that occurred during Formal Resolution, which were material or potentially material to the decision reached; and/or
- (b) the Formal Resolution decision is unreasonable, in that no reasonable person could have reached the same decision on the available evidence; and/or
- (c) the availability of new evidence, which materially impacts the complaint outcome and which, for valid reasons, could not have been submitted at an earlier stage.

**5.3.** Where the Request for Review form has been fully completed and submitted, a different Case Handler will determine if it has been made on the specified grounds, and within the timeframe. Where the request is considered eligible, in whole or in part, the Case Handler will appoint a Reviewer from a panel of Reviewers appointed by the Council to consider the request for Review. Where a request cannot be considered further by the University a Completion of Procedures letter will be issued.

**5.4.** The Reviewer will consider the Complainant's request for Review, the information considered during Formal Resolution, the decision, and any new information. The Reviewer shall consider the redacted version of the information considered during Formal Resolution where paragraphs 2.23 and 4.25 apply. The Reviewer may request further information. Any further information not seen previously by the Complainant shall be made available to the Complainant, who shall normally be given five working days to provide comment on the further information, prior to the Reviewer making a decision about the Review.

**5.5.** Following consideration, the Reviewer will have the power to either:

- (a) uphold the complaint in whole or in part and require such remedies as necessary; or
- (b) dismiss the request for Review and confirm the Complaint Officer's decision.

**5.6.** The Complainant will receive the Reviewer's decision and the reasons for the decision, in writing, normally within 20 working days of submitting the Request for Review form. This is the final stage of the University's internal process and therefore the Complainant will be issued with a Completion of Procedures letter.

**5.7.** Irrespective of a decision by the Complainant to raise a complaint with the OIA or elsewhere, the Reviewer's decision will be enacted until such time, if any, that the OIA or other body recommends otherwise.

## **6. Reporting and monitoring**

**6.1.** OSCCA will monitor all complaints and decisions made under the procedure and will produce an annual report summarising the anonymised decisions, remedies, and recommendations (including the implementation of these) made by Case Handlers, Complaint Officers and Reviewers. Cambridge Students' Union sabbatical officers shall be invited to provide feedback on the annual report. The annual report shall be submitted to the General Board's Education Committee.

## EXAMINATION REVIEW PROCEDURE

*Amended by Notice (Reporter, 2023–24, p. 440)***1. Glossary of key terms**

**1.1.** In this procedure the following terms shall have the meanings set out below:

Academic Judgement	The decision made by academic staff on the quality of the work itself or the criteria being applied to mark the work, which is not a permitted ground of complaint or appeal
Case Handler	Member of OSCCA or the Student Registry who determines whether a request is eligible to be investigated and conducts any subsequent investigation under the reconsideration of Examination Results stage
Candidate	A student or former student who has taken a University examination
Completion of Procedures Letter	A letter that confirms the end of the University's internal proceedings, following which a student may be able to raise a complaint with the Office of the Independent Adjudicator
Examination Results	The final results of an examination that have been agreed by the Examining Body, and subsequently provided to the Candidate, which may be by means of publication on the Candidate's electronic student record
Examination Review Officer	A trained member of academic staff who decides whether a request for the reconsideration of Examination Results is upheld or dismissed
Examining Body	The University body or bodies responsible for agreeing the Examination Results (a board of Examiners, or a Degree Committee, as appropriate)
OSCCA	The Office of Student Conduct, Complaints, and Appeals
Reviewer	A trained member of academic staff who considers a Review of the decision following reconsideration of Examination Results under the Review Stage of the procedure
Student Registry	Administrative department that manages aspects of student administration including examination arrangements
Tutor	The Candidate's College Tutor or equivalent officer

**2. Scope and principles**

**2.1.** This procedure applies where a Candidate submits a request for the reconsideration of Examination Results. The procedure has two stages: Reconsideration of Examination Results; and Review (see Sections 3 and 4).

When does this procedure apply?

**2.2.** The procedure allows for the reconsideration of Examination Results on the following grounds:

- (a) A procedural irregularity in the examination process that has adversely impacted on the Candidate's Examination Results;
- (b) Demonstrable bias or the perception of bias within the examination process;
- (c) (For Candidates for the degrees listed in the Schedule to this procedure) serious illness or other grave cause which has clearly impacted upon the examination itself and of which, for sufficient reason, the Examining Body was not aware.

**2.3.** The procedure cannot be used for reconsideration of Examination Results relating to:

- (a) Arithmetical mark checks unless requested as a result of the permitted grounds; Candidates should liaise with their Tutor if they have informal questions about their marks;
- (b) Academic Judgement;
- (c) Teaching or supervision arrangements, complaints regarding which, if organized by the College should be submitted under the College's complaints procedure, or if organized by the University should be submitted under the Student Complaint Procedure.

**2.4.** The General Board shall approve and keep under review explanatory notes, to be read in conjunction with this procedure. Those notes shall include a policy on the use of personal information under this procedure.<sup>1</sup> Before requesting reconsideration of Examination Results, Candidates should read the procedure and the explanatory notes on the procedure. All Candidates are encouraged to seek support from a College Tutor, a member of the University of Cambridge Students' Union's Advice Service, or other advisor of the student's choosing. Candidates may also choose to discuss the matter informally with their Tutor. Requests for reconsideration of Examination Results should be made by Candidates themselves, although in limited circumstances the University will accept a request from a third party acting as the Candidate's authorized representative. In this circumstance the University will communicate only with the authorized representative and therefore any reference in this procedure about communication to or from a Candidate includes the Candidate's authorized representative.

Advice, support, and guidance.

**2.5.** This procedure is an internal process and does not have the same degree of formality as proceedings in a court of law. It is not normally necessary or appropriate for Candidates or the University to be legally represented at any meetings that form part of the procedure except in exceptional circumstances.

**2.6.** Candidates will not be disadvantaged for raising a valid request for reconsideration of Examination Results. The University will act reasonably in considering requests under this procedure and decisions will be made fairly and transparently. The Case Handler, the Examination Review Officer, and the Reviewer will have had no material

Principles and delegation.

<sup>1</sup> This can be viewed at: <https://www.studentcomplaints.admin.cam.ac.uk>.

involvement in the matters raised as part of the complaint or in earlier stages of the procedure and will be independent and impartial.

**2.7.** Any reference in this procedure to a University officer or other named role includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.

Timeliness.

**2.8.** Candidates are required to request a reconsideration of Examination Results as soon as possible and within 28 days of the Examination Results becoming available. A request for reconsideration of Examination Results or evidence submitted outside this timeframe will not be accepted unless there is a sufficient reason for delay, which will be judged on a case-by case basis by the Case Handler or the Reviewer, as appropriate.

**2.9.** The University aims to provide a written response concluding this procedure within 90 calendar days of receipt of a formal request for reconsideration of Examination Results (including any Review). The 90 calendar day timeframe requires Candidates to comply with any timescales set down in this procedure. There will occasionally be circumstances when, for good reasons, the Case Handler, Examination Review Officer, or Reviewer will need to extend the timeframe, and in these circumstances the Candidate will be notified and kept updated as to the progress of their request.

Confidentiality.

**2.10.** The University will only share the information and evidence submitted in a request for review with members of staff where it is strictly necessary in order to process, investigate, and consider requests made using this procedure. All information received from a Candidate will be handled sensitively and in accordance with the policy on the use of personal information under this procedure.

Frivolous or vexatious complaints.

**2.11.** The Case Handler, the Examination Review Officer, or the Reviewer may terminate the reconsideration of Examination Results or Review if it is considered to be frivolous or vexatious. If a request is terminated then the Candidate will be issued with a Completion of Procedures letter.

Managing behaviour.

**2.12.** Candidates, their advisors, and staff of the University are required to communicate respectfully and to behave reasonably at all times whilst using the procedure. Abusive or threatening behaviour and language will not be tolerated. If, following a warning, a Candidate continues to behave in an unacceptable manner, the Case Handler, Examination Review Officer, or the Reviewer may terminate the reconsideration of Examination Results or Review without further consideration. If a request is terminated then the Candidate will be issued with a Completion of Procedures letter.

Reasonable adjustments for disabled complainants.

**2.13.** When using this procedure, Candidates are encouraged to provide details and evidence of any disability and/or any reasonable adjustments which may be appropriate in light of their disability. Where it may be helpful and following the consent of the Candidate, an appropriately trained University staff member may be asked to provide a decision regarding reasonable adjustments.

### 3. Reconsideration of Examination Results

**3.1.** Candidates may request reconsideration of their Examination Results by submitting the Examination Review form to OSCCA within 28 calendar days of receiving notification of their Examination Results (which may be communicated via their electronic student record).

**3.2.** A Case Handler will consider the request and will make one or more of the following determinations:

- (a) the request in whole or in part is eligible to be investigated using this procedure;
- (b) the request in whole or in part should be referred to an alternative procedure;
- (c) the request is ineligible to be considered by the University, for example because it is out of time, questions academic judgement, or is vexatious.

**3.3.** Where a determination is made under paragraphs 3.2(b) and (c), the reasons for this and information about the options available to the Candidate will be provided in writing within 7 calendar days. Where matters raised within the request would be more appropriately considered under alternative University procedures, the Case Handler will inform the Candidate about which matters will be considered under which procedure. In some circumstances, it may be necessary to suspend this procedure pending the completion of another.

**3.4.** If the Candidate disagrees with the determination under paragraph 3.2, the reasons for disagreement should be provided by the Candidate, in writing and within 7 calendar days of receiving the decision, to the Head of OSCCA who will review the determination within 14 calendar days. Where, in the opinion of the Head of OSCCA, a request cannot be considered further by the University a Completion of Procedures letter will be issued.

**3.5.** Some requests may require the University to take swift action, for example where the issues raised have detrimental consequences for the Candidate's mental health or where external time limits apply for example in meeting regulatory requirements for the completion of courses. If this is the case, this procedure may be expedited.

**3.6.** Where a determination is made under paragraph 3.2(a) the Candidate will be informed and the Case Handler will conduct an investigation, requiring a factual statement and any relevant evidence from the Chair of the Examining Body.

**3.7.** Following receipt of the evidence requested, the Case Handler will provide all of the materials to an Examination Review Officer, appointed by the Case Handler from a panel of Examination Review Officers appointed by the General Board.

**3.8.** The Examination Review Officer will consider all of the materials provided. In exceptional circumstances the Examination Review Officer may request further written statements and/or will have discretion to hold a meeting or hearing.

**3.9.** Following consideration of all of the evidence and whether any of the grounds under paragraph 2.2 have been met, the Examination Review Officer will have the power to make one or more of the following decisions:

- (a) uphold the Candidate's request where at least one of the grounds has been met and refer the matter back to the Examining Body for reconsideration in accordance with the Examining Body's written rules and guidance, or require the Examining Body to re-examine the Candidate in conditions considered appropriate to the Examination Review Officer including:



- (i) to require the Examining Body to examine or re-examine the Candidate;
- (ii) to require new Examiners to re-examine the Candidate;
- (iii) to permit the Candidate to submit a revised dissertation or other assessment;
- (iv) to require one or more additional Examiners to make an independent report or reports on the work submitted by the Candidate;
- (v) to require the Examining Body to set the Candidate new examination papers or other assessments.

(b) dismiss the Candidate's request where it is found that none of the grounds has been met.

**3.10.** The Candidate will receive confirmation in writing of the decision, the reasons for the decision, and copies of the evidence considered by the Examination Review Officer, normally within 45 calendar days of having submitted the Examination Review form.

**3.11.** Regardless of the decision made, the Examination Review Officer may make observations and recommendations to the Examining Body for consideration following the outcome of a review of Examination Results.

#### **4. Review**

**4.1.** If a Candidate remains dissatisfied following the decision of the Examination Review Officer, the Candidate can submit a Request for Review form within 14 calendar days of the decision being communicated. Alternatively, if the Candidate is dissatisfied with the decision but does not believe the reasons for the dissatisfaction would meet the grounds for a Review under paragraph 4.2, the Candidate can request a Completion of Procedures letter.

**4.2.** The Review will not usually consider issues afresh or involve a further investigation. A Review can only be requested on the following grounds:

- (a) procedural irregularities that occurred during the reconsideration of Examination Results which were material or potentially material to the decision reached; *and/or*
- (b) the Examination Review Officer's decision (and/or that of the Examining Body) is unreasonable, in that no reasonable person or body could have reached the same decision on the available evidence; *and/or*
- (c) the availability of new evidence, which materially impacts on the Examination Review Officer's decision and which, for valid reasons, could not have been submitted at an earlier stage.

**4.3.** If the request for Review has been made on the specified grounds and within the timeframe, as determined by OSCCA, OSCCA will appoint a Reviewer from a panel of Reviewers appointed by the Council, to consider the request for Review. Where a request cannot be considered further by the University a Completion of Procedures letter will be issued.

**4.4.** The Reviewer will consider the Candidate's request for Review, the information considered by the Examination Review Officer and the decision reached by the Examination Review Officer, including the consideration of whether any of the grounds under paragraph 2.2 have been met. The Reviewer may request further information.

**4.5.** Following the consideration under paragraph 4.4, the Reviewer will have the power to make one or more of the following decisions:

- (a) uphold the request for Review, in whole or in part, either referring the request back to the Examination Review Officer and/or the Examining Body for reconsideration, or requiring the Examining Body to re-examine the candidate on conditions considered appropriate to the Reviewer including:
  - (i) to require the Examining Body to examine or re-examine the Candidate;
  - (ii) to require new Examiners to re-examine the Candidate;
  - (iii) to permit the Candidate to submit a revised dissertation or other assessment;
  - (iv) to require one or more additional Examiners to make an independent report or reports on the work submitted by the Candidate;
  - (v) to require the Examining Body to set the Candidate new examination papers or other assessments.
- (b) dismiss the request for Review and confirm the decision of the Examination Review Officer (and/or the decision of the Examining Body, as appropriate).

**4.6.** The Candidate will receive the Reviewer's decision and the reasons for the decision in writing, normally within 28 calendar days of submitting the Request for Review form. This is the final stage of the University's internal process and therefore the Candidate will be issued with a Completion of Procedures letter.

#### **5. Reporting and monitoring**

**5.1.** OSCCA will monitor all reconsiderations of Examination Results and decisions made under the procedure and will produce an annual report summarizing the anonymized decisions, remedies, and recommendations (including the implementation of these) made by the relevant University bodies and Reviewers. The University of Cambridge Students' Union's sabbatical officers will be invited to provide feedback on the annual report. The annual report will be submitted to the General Board's Education Committee.



## SCHEDULE

**Examinations to which paragraph 2.2(c) shall apply**

*Examinations, including progress examinations approved under the regulations for the degree or other award, leading only to the following qualifications:*

B.D. Degree	M.Chir. Degree by thesis
M.D. Degree	M.Chir. Degree by special regulations
Vet.M.D. Degree	M.Sc. Degree
Ph.D. Degree	M.Litt. Degree
Ph.D. Degree by special regulations	M.Phil. Degree by thesis
Bus.D. Degree	Certificate of Postgraduate Study
Eng.D. Degree	

## PROCEDURE FOR THE REVIEW OF DECISIONS OF UNIVERSITY BODIES

**1. Glossary of key terms**

**1.1.** In this procedure the following terms shall have the meanings set out below:

Case Handler	A member of OSCCA who determines whether a request for Review is eligible to be investigated under the procedure
Complainant	A person who has received a decision listed in the Schedules to this procedure and has chosen to request a review of the decision
Completion of Procedures Letter	A letter that confirms the end of the University's internal proceedings, following which a student may be eligible to raise a complaint with the Office of the Independent Adjudicator
OSCCA	The Office of Student Conduct, Complaints, and Appeals
Reviewer	A trained member of academic staff who decides whether a complaint is upheld or dismissed

**2. Scope and principles**

When does this procedure apply?

**2.1.** This procedure applies where a person who has received a decision listed in the Schedules to this procedure wishes a review of the decision to be undertaken. The Procedure has one stage: Review.

**2.2.** The Review will not usually consider issues afresh or involve a further investigation. The procedure allows for a decision listed in the Schedules to be reviewed on the following grounds:

- (a) procedural irregularities that occurred during the decision-making process, which were material or potentially material to the decision reached; *and/or*
- (b) the decision is unreasonable, in that no reasonable person or body could have reached the same decision on the available evidence; *and/or*
- (c) the availability of new evidence, which materially impacts on the outcome and which, for valid reasons, could not have been submitted at an earlier stage.

Advice, support, and guidance.

**2.3.** The General Board shall approve and keep under review explanatory notes, to be read in conjunction with this procedure. Those notes shall include a Policy on the use of personal information under this procedure.<sup>1</sup> Before making a request for Review, Complainants should read the procedure and the explanatory notes on the procedure. All Complainants are encouraged to seek support from a College Tutor, a member of the University of Cambridge Students' Union's Advice Service, or other advisor of the student's choosing.

**2.4.** This procedure is an internal process and does not have the same degree of formality as proceedings in a court of law. It is not normally necessary or appropriate for Complainants or the University to be legally represented at any meetings that form part of the procedure except in exceptional circumstances.

Who can use this procedure?

**2.5.** This procedure can only be used by the person who has received a decision listed in the Schedules. The request for Review can only be made by the Complainant themselves, although in limited circumstances the University will accept a request from a third party acting as the Complainant's authorized representative. In this circumstance the University will communicate only with the authorized representative and therefore any reference in this procedure about communication to or from a Complainant includes the Complainant's authorized representative.

Principles and delegation.

**2.6.** Complainants will not be disadvantaged for raising a valid complaint. The University will act reasonably in considering requests under this procedure and decisions will be made fairly and transparently. The Case Handler and the Reviewer will have had no material involvement in the matters raised as part of the complaint or in earlier stages of the procedure and will be independent and impartial.

**2.7.** Any reference in this procedure to a University officer or other named role includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.

<sup>1</sup> This can be viewed at: <https://www.studentcomplaints.admin.cam.ac.uk>.

**2.8.** Complainants are required to raise requests for Review as soon as possible and within 14 calendar days of the decision to be reviewed being communicated. Requests or evidence submitted outside of this timeframe will not be accepted unless there is a valid reason for delay, which will be judged on a case-by-case basis by the Case Handler or Reviewer, as appropriate.

Timeliness.

**2.9.** The University aims to process any request for Review within 90 calendar days. The 90 calendar day timeframe requires Complainants to comply with any timescales set down in this procedure. There will occasionally be circumstances when, for good reasons, the University will need to extend the timeframe and in these circumstances the Complainant will be notified and kept updated as to the progress of their request.

**2.10.** The University will only share the information and evidence submitted in a request for Review with members of staff where it is strictly necessary in order to process, investigate, and consider the request for Review. All information received from a Complainant will be handled sensitively and in accordance with the Policy on the use of personal information under the Review of Decisions of University Bodies procedure.

Confidentiality.

**2.11.** The Case Handler or the Reviewer may terminate a Review if it is considered to be frivolous or vexatious. If a Review is terminated then the Complainant will be issued with a Completion of Procedures letter.

Frivolous or vexatious complaints.

**2.12.** Complainants, their advisors, and staff of the University are required to communicate respectfully and to behave reasonably at all times whilst using the procedure. Abusive or threatening behaviour and language will not be tolerated. If, following a warning, a Complainant behaves in an unacceptable manner, a Reviewer may terminate the Complainant's Review without further consideration. If a request is terminated then the Complainant will be issued with a Completion of Procedures letter.

Managing behaviour.

**2.13.** When using this procedure, Complainants are encouraged to provide details and evidence of any disability and/or any reasonable adjustments which may be appropriate in light of their disability. Where it may be helpful and following the consent of the Complainant, an appropriately trained University staff member may be asked to provide a decision regarding reasonable adjustments.

Reasonable adjustments for disabled Complainants.

### 3. Review

**3.1.** If a Complainant is dissatisfied following a decision listed within the Schedules to this procedure, the Complainant can submit a Request for Review form within 14 calendar days of the decision being communicated. Alternatively, if the Complainant is dissatisfied with the decision but does not believe the reasons for the dissatisfaction would meet the grounds for a Review, the Complainant can request a Completion of Procedure letter.

**3.2.** If the request for Review has been made on the specified grounds and within the timeframe, as determined by the Case Handler, OSCCA will appoint a Reviewer from a panel of Reviewers appointed by the Council to consider the request for Review. Where a request cannot be considered further by the University a Completion of Procedures letter will be issued.

**3.3.** The Reviewer will consider the Complainant's request, the information considered in reaching the decision, the decision itself, and any new information. The Reviewer may request further information.

**3.4.** Following consideration of the materials, the Reviewer will have the power to either:

- uphold the request for Review in whole or in part, either referring back to the decision-making body for reconsideration, or where this would be unsuitable, requiring such remedies as necessary; *or*
- dismiss the request for Review and confirm the original decision.

**3.5.** The Complainant will receive the Reviewer's decision and the reasons for the decision, in writing, normally within 28 calendar days of submitting the Request for Review form. This is the final stage of the University's internal process and therefore the Complainant will be issued with a Completion of Procedures letter.

### 4. Reporting and monitoring

**4.1.** OSCCA will monitor all reviews of decisions made under the procedure and will produce an annual report summarizing anonymized decisions, remedies, and recommendations (including the implementation of these) made by Reviewers. The University of Cambridge Students' Union's sabbatical officers will be invited to provide feedback on the annual report. The annual report will be submitted to the General Board's Education Committee.

## SCHEDULE

*Amended by Notice (Reporter, 2023–24, p. 9)*

All formal decisions taken in the exercise of the powers of the following University bodies/officeholders which concern individual students or candidates,<sup>1</sup> except decisions concerning admissions and examination results:

- Examination Access and Mitigation Committee
- Faculty Boards
- General Board and all General Board Sub-Committees
- Degree Committees and all Degree Committee Sub-Committees
- Information Services Committee
- Library Syndicate
- Senior Proctor
- Accessibility and Disability Resource Centre
- Fee Remission Panel

<sup>1</sup> These decisions include (but are not limited to) those concerning progression, reasonable adjustments, the granting of examination allowances and allowances of terms, the granting of additional attempts of certain examinations, the imposition of a fine, and the suspension or revoking of permissions or licences.

The following decisions made under the Student Disciplinary Procedure:

- Decisions made under paragraph 2.27 not to share with a student all evidence considered in reaching a decision under that procedure;
- Decisions made by the Student Discipline Officer not to commission an investigation or to limit the scope of an investigation.

The following decisions made under the Informal Complaint Procedure for Student Misconduct:

- Decisions made under paragraph 6.4 not to refer the complaint for consideration under that procedure;
- Decisions made under paragraph 8.3 to determine the appropriate action following consideration of the complaint.

## CASES OF STUDENT MISCONDUCT

The Council shall publish and keep under review a procedure for handling cases of misconduct between registered students.

### PROCEDURE MADE BY THE GENERAL BOARD

#### INFORMAL COMPLAINT PROCEDURE FOR STUDENT MISCONDUCT

##### 1. Glossary

1.1. In this procedure, the following terms shall have the meanings set out below:

Facilitator	A trained person who the Head of OSCCA will appoint to handle the consideration of the case and provide a report following such consideration
Group	The Group that receives the Informal Complaint Form (see paragraph 6.4)
Informal Complaint Form	The Form to be used to report a complaint under this procedure
Misconduct	Behaviour as described in paragraph 2
Misconduct Panel	The Misconduct Panel (see paragraph 8)
OSCCA	The Office of Student Conduct, Complaints and Appeals
Reporting Student	A Student who has made a complaint under this procedure
Respondent Student	A Student about whom a complaint has been made under this procedure
sexual misconduct	Behaviour as defined at paragraph 2.2
Student	A Registered Student as defined in Statute A X 2(c). <sup>1</sup> For the purposes of the membership of a Misconduct Panel, this definition includes sabbatical officers of the University of Cambridge Students' Union

##### 2. Types of behaviour amounting to misconduct under this procedure

2.1. Physical misconduct is any unwanted and unreasonable contact. Physical misconduct includes pinching, punching, kicking, slapping, pulling hair, biting, pushing, shoving, using weapons and using items as weapons.

2.2. Sexual misconduct is any unwanted and unpermitted sexual activity. Sexual activity includes sexual acts, kissing, sharing private sexual materials of another, touching through clothes, showing sexual organs and remarks of a sexual nature. Sexual misconduct can take place in physical or virtual environments.

2.3. Abusive behaviour is any unwanted behaviour which is reasonably likely to cause harm; or have the effect of violating another's dignity; or create an intimidating, hostile, degrading, humiliating or offensive environment for that other. It includes threats, abusive comments, the use of or supply of illicit substances, making malicious accusations, repeatedly contacting someone, and abuse that takes place within an intimate relationship. Abusive behaviour can take place in physical or virtual environments.

2.4. The behaviour covered by these forms of misconduct can include actions that appear to have been influenced by someone's protected characteristics or their perceived protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation. The behaviour can take place in person or online. A non-exhaustive list of these types of behaviours include:

- (a) making sexually offensive comments about dress or appearance, the display or distribution of sexually explicit material, or demands for sexual favours;
- (b) engaging in harassment on the grounds of a person's sexuality or gender (or assumptions about a person's sexuality or gender) including making derogatory homophobic, transphobic, or biphobic remarks or jokes aimed at a particular person, offensive comments relating to a person's sexuality, refusal to acknowledge a person's gender or identity, or threats to disclose a person's sexuality to others;
- (c) making offensive references to a person's race, ethnicity, skin colour, religion or nationality, dress, culture, background or customs which have the effect of ridiculing or undermining an individual or fostering hatred and/or prejudice towards individuals or particular groups;
- (d) ignoring, disparaging, or ridiculing a person because of mistaken assumptions about their capabilities, or making offensive reference to an individual's appearance, in the context of their disability;

<sup>1</sup> See p. 12.

(e) controlling or coercive behaviour, such as pressure to subscribe to a particular political or religious belief.

2.5. The word 'unwanted' means 'unwelcome' or 'uninvited'. It is not necessary for a person to object to the behaviour for it to be unwanted.

2.6. The word 'unpermitted' means 'not permitted' or 'unauthorised'. A number of behaviours can indicate where permission has been given, for example, verbal comments or physical actions. Permission for an activity can only be given at the time it is taking place and where the person has the choice to give or not give permission. Where there is disagreement as to whether an activity was unpermitted, the applicable test shall be, taking all circumstances into account, whether a reasonable person would consider the activity was unpermitted.

### 3. Scope of procedure

3.1. The University is committed to providing an environment that is free from discrimination and affirms the right of all members to be treated with dignity and respect.

3.2. This procedure provides a mechanism to limit interactions between Reporting and Respondent Students by the agreement of both parties. This Procedure does not seek to investigate the misconduct which caused the Reporting Student to submit an Informal Complaint Form and it will not reach any findings on whether any misconduct has taken place. As a result, the procedure does not require the Reporting Student to provide a detailed account of the misconduct, nor does it require the Respondent Student to provide a response to the content of the Informal Complaint Form.

3.3. This procedure applies where a Student (the Reporting Student) wishes to complain about the misconduct of another Student (the Respondent Student).

3.4. OSCCA will provide procedural advice to a Reporting Student about any other complaint procedures that are available. As the purpose of this procedure is to limit interaction between a Reporting Student and Respondent Student, complaints made by a third party and anonymous complaints cannot be accepted.

3.5. A complaint under this procedure may be brought by two or more Reporting Students and/or against two or more Respondent Students where the complaint describes misconduct arising from the same event(s). In such cases references in this procedure to the 'Reporting Student' or the 'Respondent Student' shall be construed, as appropriate, as referring to more than one person.

3.6. A Reporting Student may choose to raise a complaint under this procedure or under an equivalent College procedure. Subject to the Group's<sup>1</sup> determination that this procedure would be appropriate, it is the expectation of the Colleges and the University that this procedure will normally be used where:

- (a) the complaint relates to sexual misconduct;
- (b) the complaint relates to conduct occurring in the context of University societies or sports clubs;
- (c) the complaint is brought against Respondent Students at more than two Colleges.

3.7. A complaint cannot be brought under this procedure where the Reporting Student has previously made a complaint about the same event(s) which has been dealt with under the University's Student Complaint Procedure or a formal College complaints procedure.

3.8. The General Board shall approve and keep under review a policy on the use of personal information<sup>2</sup> under this procedure.

### 4. General principles

4.1. Any reference in this procedure to a University officer or other named role-holder includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.

4.2. The University will act reasonably in considering complaints under this procedure, having regard to the individual circumstances of the case. Every effort will be made to ensure that all parties are treated with fairness and dignity.

4.3. Reporting Students who believe they have suffered any reprisal, or have received a threat of reprisal, as a result of making a complaint in good faith should raise the matter with the Head of OSCCA.

4.4. The time limits set out in this procedure may be varied by the Head of OSCCA for good reason, after consultation with the Reporting Student and the Respondent Student as appropriate.

4.5. The Head of OSCCA acting reasonably may suspend the consideration of a complaint at any stage of this procedure and/or refer the matter for consideration under another procedure including:

- the University's Procedure to Support and Assess Capability to Study or an equivalent College procedure;
- the University's Fitness to Practise Procedure.

4.6. A complaint may be brought under this procedure whether or not it has been reported to the police. The Head of OSCCA will normally suspend the procedure pending the outcome of any police investigation and/or criminal proceedings and, if there are reasonable grounds to do so, may also refer the matter to the Academic Secretary to consider the matter under Special Ordinance D (v): Precautionary Action.

4.7. The Reporting Student may withdraw a complaint at any time during this procedure, by notifying the Head of OSCCA in writing. Where a complaint is withdrawn no further action will be taken under this procedure.

4.8. None of the members of any body constituted under this procedure will have any previous knowledge of the case or any material connection with either the Reporting Student or the Respondent Student. Normally, no person who is a member of the Department/Faculty or College of the Reporting Student or the Respondent Student will be involved in the consideration of the case. The holders of the offices to which this procedure refers shall appoint standing deputies to act on their behalf in the event of any conflict of interest.

<sup>1</sup> See paragraph 6.4.

<sup>2</sup> See the Appendix below.

## 5. Support and guidance

**5.1.** OSCCA will provide advice at the outset to help both the Reporting Student and Respondent Student to understand this procedure. All parties will be directed to appropriate sources of advice and support throughout the procedure.

**5.2.** The Reporting Student and the Respondent Student are able to bring a supporter to any meeting held under this procedure. However, the supporter should not be someone who could be a witness to events related to the misconduct. A College Tutor or an advisor from the Students' Union's Advice Service are good sources of support for all Students, and the Sexual Assault and Harassment Advisor is available to support Reporting Students reporting sexual misconduct. As this is an informal procedure it is not normally necessary for a Reporting Student or a Respondent Student to have a legally qualified supporter. However, both the Reporting Student and the Respondent Student may access and use legally qualified supporters at their own cost.

## 6. Raising a complaint

**6.1.** A Student considering raising a complaint may discuss or meet with a member of OSCCA who can provide a description of the procedure.

**6.2.** To raise a complaint, a Reporting Student must complete and submit the Informal Complaint Form.<sup>1</sup> Reporting Students can be assisted in completing the form by a supporter.

**6.3.** In cases where the Informal Complaint Form describes conduct that could constitute a criminal offence, the Reporting Student will be informed that if the complaint is considered through a University procedure before reporting it to the police this may undermine any later police investigation and subsequent proceedings.

**6.4.** On receipt of the Informal Complaint Form, a Group comprising the Head of OSCCA (convener), the Pro-Vice-Chancellor (Education), and the Secretary of the Senior Tutors' Committee will consider the form and determine (by a majority decision) whether to:

- (a) refer the complaint for consideration under this procedure;
- (b) dismiss the complaint because it is considered to be without merit, or vexatious, frivolous, or malicious;
- (c) reject the complaint because it does not fall within the scope of this procedure;
- (d) decline to refer the complaint for consideration under this procedure and recommend to the Reporting Student that the complaint is raised under a College procedure;
- (e) decline to refer the complaint for consideration under this procedure for other reasons.

**6.5.** OSCCA will normally notify the Reporting Student of the Group's decision within a week of the submission of the Informal Complaint Form.

**6.6.** If the Reporting Student is dissatisfied with the Group's decision, the Reporting Student shall have the right to request a review of that decision in accordance with the Procedure for the Review of Decisions of University Bodies.<sup>2</sup>

## 7. Consideration of the complaint

**7.1.** Where a complaint is referred for consideration, this will be carried out by a trained Facilitator, appointed by the Head of OSCCA. The role of the Facilitator is to prepare a report, which sets out any undisputed facts and makes recommendations around proposed actions for resolution, based on the responses of both the Reporting Student and Respondent Student.

**7.2.** The Facilitator shall determine how to handle the case, within the context of the general principles, including the duty to act fairly and reasonably, set out in paragraph 4. The Facilitator will invite the Reporting Student and the Respondent Student to separate meetings with the Facilitator. The aim of the meetings will be to establish actions with which both parties would agree and which would limit interaction between the two parties. Each meeting will be minuted and the minutes agreed with those present as a correct record (or any disagreement noted), at which point any other record of the meeting will be destroyed.

**7.3.** When or before inviting the Respondent Student to a meeting, the Facilitator must:

- (a) provide sufficient information to enable the Respondent Student to understand the nature of the complaint, including a summary of the complaint, the identities of those involved and the place and time where the described behaviour occurred;
- (b) inform the Respondent Student that there does not need to be any response to the complaint and that no adverse inferences may be drawn from the Respondent Student's failure to attend for interview or otherwise participate in this procedure;
- (c) warn the Respondent Student that the University may be required to provide as evidence in any subsequent criminal investigation or proceedings in a court of law information regarding the complaint, including any admission made in the course of this procedure (or any subsequent disciplinary proceedings) and that any admission made in the course of this procedure may also be used as evidence in University disciplinary proceedings;
- (d) remind the Respondent Student that it is not normally necessary to bring a legally qualified supporter to any meetings during this procedure. However, Respondent Students may access and use legally qualified supporters at their own cost.

**7.4.** Where the Respondent Student declines to cooperate with the process, the Facilitator may continue with the consideration in the absence of the Respondent Student's cooperation. The Facilitator will aim to provide the report to the Head of OSCCA within four weeks of the complaint being referred for consideration, but some

<sup>1</sup> The form is available on the OSCCA website: <https://www.studentcomplaints.admin.cam.ac.uk/reporting/>

<sup>2</sup> See p. 218.



cases may require longer, in which case the Facilitator will keep the Reporting Student and the Respondent Student updated.

**7.5.** On receipt of the Facilitator's report, the Head of OSCCA may:

- (a) refer the report for consideration by a Misconduct Panel under paragraph 8; or
- (b) reach a decision regarding the report under paragraph 8 without reference to the Misconduct Panel.

**7.6.** The Head of OSCCA will normally refer a report involving sexual misconduct to the Misconduct Panel.

## **8. Determining the outcome of the complaint**

**8.1.** If the report is referred to a Misconduct Panel, the Registry will appoint three members of the University, one of whom shall be a Student, to serve on the Misconduct Panel.

**8.2.** The Head of OSCCA or the Misconduct Panel shall consider the complaint and the report prepared by the Facilitator.

**8.3.** Having considered the complaint and the report, the Head of OSCCA or the Misconduct Panel (by a majority decision) may:

- (a) propose one or more of the resolutions set out in paragraph 9;
- (b) dismiss the complaint because it is considered to be without merit, or vexatious, frivolous, or malicious;
- (c) decide that no further action should be taken under this procedure;
- (d) with the consent of the Reporting Student, refer the complaint for consideration under the University's disciplinary procedures in accordance with paragraph 10.

**8.4.** The Reporting Student and the Respondent Student will be notified in writing of the decision of the Head of OSCCA or the Misconduct Panel within four weeks of the Head of OSCCA receiving the Facilitator's report.

**8.5.** If the Reporting Student is dissatisfied with the decision of the Head of OSCCA or the Misconduct Panel under paragraph 8.3, the Reporting Student shall have the right to request a review of that decision in accordance with the Procedure for the Review of Decisions of University Bodies.<sup>1</sup>

## **9. Resolutions**

**9.1.** The Head of OSCCA or the Misconduct Panel may propose a resolution to the complaint, which may include (but are not limited to) the following:

- (a) that the Respondent Student will agree to abide by a conduct agreement issued by the Head of OSCCA. A conduct agreement may include an undertaking by the Respondent Student to refrain from contact with the Reporting Student for a specified period of time. A record of the agreement will be retained by the University. If the agreement is breached then this breach can be investigated and sanctioned under the Student Disciplinary Procedure.<sup>2</sup> In addition, the agreement may also be taken into account if a further complaint is made against the Respondent Student under this procedure;
- (b) with the prior approval of the relevant body, that the Respondent Student will take a period of intermission from study;
- (c) that the Respondent Student will attend behaviour awareness training or workshops.

The relevant body for the purpose of the consideration of a request for intermission will be the Postgraduate Committee for applications concerning postgraduate students and the Examination Access and Mitigation Committee concerning other students.<sup>3</sup> Approval may be granted by Chair's action on behalf of the relevant body.

**9.2.** The proposed resolution will only stand if the agreement of both the Reporting Student and the Respondent Student are obtained. The Facilitator will facilitate the process of reaching agreement between the Reporting Student and the Respondent Student and will issue written confirmation of any agreed resolution(s) to them.

**9.3.** If attempts at reaching an agreed resolution are unsuccessful the Head of OSCCA, with the Reporting Student's consent, may refer the complaint for consideration under the University's disciplinary procedures in accordance with paragraph 10.

**9.4.** If there are grounds to believe that the Respondent Student has failed to comply with the terms of an agreed resolution, the Head of OSCCA shall determine whether the original complaint and/or the alleged breach of the agreed resolution should be referred for consideration under the University's disciplinary procedures in accordance with paragraph 10.

## **10. Disciplinary proceedings**

**10.1.** Where the Head of OSCCA or the Misconduct Panel refers a complaint for consideration under the University's disciplinary procedures, it will be referred, with the consent of the Reporting Student, to the Student Discipline Officer or the University Advocate, depending on whether the described misconduct took place before or after 1 October 2019. The Head of OSCCA will provide information on the relevant disciplinary procedure, including the timeframe within which the Reporting Student and Respondent Student will be notified in writing of a decision about whether or not to invoke disciplinary proceedings.

**10.2.** All relevant material, including the report of the Facilitator and the decision of the Head of OSCCA or the Misconduct Panel will be made available to the relevant disciplinary body.

## **11. Reporting**

**11.1.** An annual report of complaints considered under this procedure will be made to the Council, the General Board, and the Colleges, in which references to individual cases will be made anonymously.

**11.2.** The Head of OSCCA will be responsible for the regular review of this procedure.

<sup>1</sup> See p. 218.

<sup>2</sup> See p. 188.

<sup>3</sup> See the regulations for Allowances to Candidates for Examinations (p. 254).

**Appendix - Policy on the use of personal information under the Informal Complaint Procedure for Student Misconduct.**

*A copy of this appendix is to be provided to the Reporting Student and the Respondent Student at the earliest contact.*

1. The overall purpose of processing personal data in the context of the consideration and resolution of complaints under this procedure is to decide what steps can appropriately be taken in response to such complaints. Personal data will be disclosed only to those persons who need to see such data for the purposes of preparing a report following receipt of a complaint, or determining or recommending a resolution, or deciding what other steps can appropriately be taken. Such persons may include the Head of OSCCA, the Pro-Vice-Chancellor (Education), the Secretary of the Senior Tutors' Committee, the Academic Secretary, members of the Misconduct Panel, the Facilitator, solicitors in the University's Legal Services Division, the University Advocate or Student Discipline Officer (or other relevant officer), and Officers or Reviewers appointed under a University complaint or review procedure. Documentation generated in the course of the consideration of a complaint under the procedure may not be disclosed in full to the Reporting Student and the Respondent Student except in so far as is reasonably necessary to conduct and to progress a fair consideration of the complaint, or where a person has explicitly consented to the disclosure of personal data to the extent that the data relate to them.

2. (a) The University shall share the Informal Complaint Form, the Facilitator's report and agreed actions for resolution, with the Respondent Student's College Senior Tutor (if the Respondent Student is a member of a College) so that the Senior Tutor is aware of the complaint and able to assist in providing support. In some cases, a Reporting Student's written consent may also be sought to disclose information to the following:

- The Respondent Student's Head of Department or equivalent
- The Respondent Student's Supervisor (for research students)

(b) Where relevant, the University shall also share this information with internal bodies (for example, a fitness to practise committee), regulatory bodies (for example, the Disclosure and Barring Service), professional bodies (for example, the General Medical Council), or other organisations with whom the Respondent Student may be connected, where it is appropriate to do so (for example, where the Respondent Student holds a position of responsibility for children or vulnerable adults).

3. Where formally requested to do so by one or more of the bodies listed in paragraph 2(b), or where the University considers that someone may be at significant and immediate risk of harm, the University may disclose information received through this procedure to the police. When initiating a consideration, the Facilitator will inform the Respondent Student in writing that information about the case will be provided to the police if formally requested by the police or if the Head of OSCCA considers that there is an immediate and significant risk to the Collegiate University Community. Unless there are exceptional reasons related to the case, the Head of OSCCA will normally inform the Reporting Student of the intention to report the matter to the police and give reasons before doing so.

4. The Facilitator's report will normally be released to the Reporting Student and the Respondent Student, but the minutes of any individual meetings will not usually be disclosed with the report. If the matter subsequently becomes the subject of disciplinary proceedings, all materials relating to this procedure will form part of the evidence in those proceedings and can therefore be expected to be disclosed to both sides in full.

5. Following completion of the procedure, the Facilitator's report and a record of the outcome, including any conduct agreement entered into by the Respondent Student, will be retained securely in accordance with the University's retention policy. This information will be used for the purposes of responding to any complaints regarding the application of this procedure as well as for compiling anonymous statistics regarding its use. Further, where any complaint is subsequently submitted under this procedure in respect of the same Respondent Student, giving the University reasonable cause for concern regarding an emerging pattern of potential misconduct, this information may be taken into account by the Group, Head of OSCCA or the Misconduct Panel, as appropriate, in reaching a decision under the procedure, and may also be provided to the University Advocate, the Student Discipline Officer or other relevant officer if relevant for the purposes of conducting disciplinary proceedings or referral for consideration under another procedure.

6. Nothing in this policy is intended to prejudice any rights of access to personal data which any person may have under the General Data Protection Regulations or otherwise.

7. If there are any questions or concerns about this policy, please contact the Head of OSCCA in the first instance.

## FITNESS TO PRACTISE PROCEDURE

*Amended by Grace 1 of 14 February 2024***1. Glossary of key terms**

**1.1.** In this procedure, the following terms shall have the meanings set out below:

Code of Conduct	The list of behaviours that describe the required standards of behaviour for the individual course of study, with which a student on the course of study must comply
expression of concern	A concern originating from any source relating to a student's fitness to practise
FTP	Fitness to Practise
FTP Committee	The group which considers an expression of concern when initially received and following any investigation determines what action, if any, should be taken, including agreement of actions or referral to an FTP Adjudication Panel
Investigator	A member of the FTP Panel who investigates an expression of concern at the FTP Committee's request
FTP Adjudication Panel	The decision-makers that determine whether a student is fit to practise following a referral from the FTP Committee, including whether the student should remain on the Student Register and/or should be subject to actions
FTP Appeal Panel	The decision-makers who consider a student's appeal of an FTP Adjudication Panel's decision
FTP Panel	A panel appointed by the relevant Faculty Board(s), from which Investigators or members of the FTP Adjudication Panel are appointed
OSCCA	Office of Student Conduct, Complaints and Appeals; this Office has the responsibility for maintaining the FTP Procedure
Regulator	The external organisation responsible for the professional standards that registrants and/or students adhere to in order to become or continue to be members or student members of that profession
student	Any person who has accepted an offer to study; or who is currently studying; or who has intermitted or is temporarily suspended from their studies; or a person who had such status at the time of the circumstances about which the expression of concern is being raised, on a relevant course which requires their fitness to practise to be monitored
Student Progress Panel	A group of staff who monitor and, where needed, provide additional support to students who are pursuing professional courses of study; the Student Progress Panel for preclinical and clinical medical and veterinary students is the Medical and Veterinary Student Progress Panel (MVSPP), and for P.G.C.E. students it is the relevant P.G.C.E. examination board
Student Register	A formal list of all students who are considered to be fit to practise, maintained by the Faculty Board

**2. Scope and Principles**

**2.1.** The following procedure shall govern students pursuing courses of study that will require them to register or provisionally register with a Regulator during or following their course of study, so that there can be assurance of their fitness to practise. The relevant courses of study and professional bodies are as follows:

- Preclinical and clinical medical students. The General Medical Council (GMC) has a duty, as a matter of public safety under the Medical Act 1983, to ensure that medical students are fit to practise medicine, as defined in guidance issued by the Medical Schools Council and GMC, when they apply to the GMC for provisional registration.
- Preclinical and clinical veterinary students. The Royal College of Veterinary Surgeons (RCVS) has a duty to ensure that veterinary students are fit to practise veterinary medicine when they apply for registration.

- P.G.C.E. students. The Department for Education (DfE) through the Teachers' Regulation Agency has a duty to ensure that P.G.C.E. students are fit to teach.

**2.2.** The University has a duty to ensure that students are fit to practise in the profession leading on from their professional course, or will be when they complete the course. This is in order to:

- (a) protect present or future patients, clients, learners, service users and members of the public;
- (b) safeguard public confidence in the profession;
- (c) comply with the requirements of the Regulator; and
- (d) ensure that students are not awarded a qualification that permits them to practise a profession if they are not fit to do so.

**2.3.** Fitness to practise issues can arise from a student's conduct, health, or performance. Students have a responsibility to report anything that may affect their fitness to practise to the following:

- (a) for medical students, the Clinical Dean;
- (b) for veterinary students, the Director of Teaching;
- (c) for P.G.C.E. students, the primary or secondary P.G.C.E. course manager, as appropriate.

**2.4.** A non-exhaustive list of matters that may give rise to concerns about a student's fitness to practise include:

- (a) committing an offence under the criminal law;
- (b) any breach of the University's Rules of Behaviour;<sup>1</sup>
- (c) unsafe or incompetent practice;
- (d) poor communication skills and/or inappropriate communications;
- (e) behaviour likely to undermine the public's trust in the profession;
- (f) failure to seek appropriate help and engage with appropriate treatment in relation to personal health issues;
- (g) failure to engage with any aspect of the course.

**2.5.** Monitoring of a student's academic progress and additional support for students is provided by the Student Progress Panel; these matters can include issues relating to ill health or any other concern that does not merit a referral to the FTP Committee.

**2.6.** The consideration of whether or not a student is fit to practise shall be determined in accordance with the following procedure, which comprises of:

- (a) preliminary consideration by the FTP Committee of an expression of concern;
- (b) an investigation, where commissioned by the FTP Committee, into the concern;
- (c) consideration of the investigation report by the FTP Committee, to determine whether any action is required, or the student would benefit from remedial measures being put in place, or the matter should be referred to the FTP Adjudication Panel;
- (d) where referred, consideration by the FTP Adjudication Panel;
- (e) consideration of any appeal from the student by the FTP Appeal Panel;
- (f) following the conclusion of this internal procedure, students will be informed of the process for raising a complaint with the Office of the Independent Adjudicator for Higher Education, the external ombudsman.

**2.7.** A student must engage fully with this procedure and, where required to do so, attend meetings or hearings (whether in person or virtually), including occupational health or other expert assessments requested by the FTP Committee or FTP Adjudication Panel, and provide information upon request in a timely manner. Any failure to engage or improper engagement with this procedure may result in a student being found not fit to practise if it prevents or limits the collection of information necessary to determine the student's fitness to practise. Where a student does not engage, the process may continue in the student's absence.

**2.8.** Correspondence with the student will be primarily conducted using the student's University of Cambridge email address, where available. It is the responsibility of students to ensure that their contact details on their student record (CamSIS) are accurate. Where a student believes it is not possible to engage with the procedure for medical or other reasons, the Chair of the relevant committee will consider the evidence provided by the student and determine whether the procedure will be suspended and if so, when it will be recommenced.

**2.9.** When applying for provisional registration or registration with a Regulator, or when applying for any role that requires the student to have a professional qualification, students must comply with

<sup>1</sup> See p. 186.

any request by the Regulator or employer to provide the details of any referral to the FTP Committee and any and all matters that might have a bearing on the student's fitness to practise.

**2.10.** All FTP Panel and FTP Committee members will be appointed or re-appointed for terms of three years and receive appropriate training to undertake their role and be appropriately resourced and supported. No decision-maker or Investigator will have any previous material involvement with the matter that they are considering, or material personal knowledge of the people involved. Where a conflict or reasonable perception of conflict arises, or where the appointed members are unavailable, an alternative person will be appointed by the body responsible for appointing that person. It is at the responsible body's discretion whether any objection made by the student is reasonable and requires an alternative person to be appointed.

**2.11.** Some students may find engaging with this procedure worrying or challenging, as it may include consideration of whether they are able to continue with their course of study. The student will receive information on how to access support during the procedure. Support may be delivered by a College, the University, the Students' Union's Advice Service or external support organisations.

**2.12.** Students may bring a supporter of their choosing to any investigatory meetings. It is recommended that this is not a family member. In any FTP Adjudication Panel or FTP Appeal Panel hearing in which the outcome could be career-ending students may bring a supporter or representative with them, and such a person may act (at the student's expense) as the student's legal representative. Students must make the meeting secretary aware of who will accompany them at least 7 days in advance of the meeting.

**2.13.** If students have a disability and require reasonable adjustments to the process, then they should discuss this with the Chair of the FTP Committee or the Chair of the FTP Adjudication Panel or FTP Appeal Panel (as appropriate) who will determine the reasonable adjustments, seeking advice as appropriate. Examples of reasonable adjustments include extensions to timeframes or access to different support or representation in either investigatory meetings or panel hearings.

**2.14.** Where a concern about a student is raised and is already under consideration by the police or another University procedure, the Chair of the FTP Committee will normally wait for that process to be completed before taking action, except in relation to precautionary action as described in Regulation 4.2 and/or as outlined in Special Ordinance D (v)<sup>1</sup> or in other exceptional circumstances.

**2.15.** If at any stage of this procedure the Chair of any of the bodies involved considers that the student may have committed an offence under the criminal law or a breach of University discipline, the Chair may suspend proceedings and refer the circumstances to the police or to the University's Student Disciplinary Procedure for consideration, as appropriate. In any such instances, precautionary action may be taken under Special Ordinance D (v) and/or Regulation 4.2 of this procedure. Any unlawful conduct found by criminal proceedings or any breach of the University's Statutes and Ordinances found under the Student Disciplinary Procedure shall be confirmation of the student having committed the offence or breached the University's Rules of Behaviour.

**2.16.** The Chair of the FTP Committee or Chair of an FTP Adjudication Panel or Chair of an FTP Appeal Panel may seek and receive legal advice to ensure that they are acting lawfully.

**2.17.** Any reference in this procedure to a University officer or other named role-holder includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer or role-holder under this procedure.

**2.18.** Throughout this procedure and following any decisions, the relevant decision-makers may share relevant information with placement providers or other external organisations.

### **3. Submitting an expression of concern**

**3.1.** Any expression of concern that a student may not be fit to practise shall be made in writing to the Secretary of the FTP Committee, who is appointed by the relevant Faculty Board.

**3.2.** Expressions of concern will normally be made by the Chair of the relevant Student Progress Panel, or by the student's Senior Tutor, but any person may make an expression of concern. This may include a decision-maker within an alternative procedure, for example, the Student Disciplinary Procedure, or a self-referral from a student.

**3.3.** The expression of concern shall include the author's name, contact details and relationship to the student. Anonymous referrals shall only be acted upon in exceptional circumstances at the discretion

<sup>1</sup> See p. 103.



of the FTP Committee, having regard to the seriousness of the issues raised and the fairness to any individuals mentioned in the referral. The FTP Committee may also consider that the identity of individuals, although known to the FTP Committee, may need to be withheld from the student in exceptional circumstances.

#### **4. Consideration of the expression of concern**

**4.1.** An expression of concern shall be considered by the FTP Committee. The FTP Committee shall comprise of three members, appointed by the Faculty Board aligned to the relevant professional body, except where stated:

- (a) a Chair who shall be a qualified member of the professional body;
- (b) a practising member of the professional body; and
- (c) a member of the Regent House who shall not be registered with the professional body, appointed by the Faculty Board of Biology for medical and veterinary students, and by the Faculty Board of Education for P.G.C.E. students.

**4.2.** The Secretary of the FTP Committee shall communicate the expression of concern to the Chair of the FTP Committee, who shall decide whether the student shall during the course of any fitness to practise procedures:

- (a) continue with the course of study without limitation;
- (b) continue with the course of study under specified conditions;
- (c) be prohibited from entering specified preclinical and/or clinical facilities as a medical student, or veterinary facilities as a veterinary student, or specified educational facilities as a P.G.C.E. student;
- (d) be provisionally suspended from the relevant Student Register and therefore from the professional components of the course.

**4.3.** In circumstances where the expression of concern is not made by the Chair of the Student Progress Panel, or by the student's Senior Tutor, the Chair of the FTP Committee may discuss the matter with some or all of the above individuals. The Chair of the FTP Committee may determine that the expression of concern is not of sufficient substance to require consideration under FTP processes (in which case students will not have to declare to the relevant Regulator that they have been referred to FTP). The Chair of the FTP Committee may also refer the concern into an alternative procedure. The student will be informed of this decision.

**4.4.** Within 7 days of the referral of an expression of concern to a FTP Committee, the Secretary of the FTP Committee shall inform the student and the student's Senior Tutor of:

- the details of the expression of concern;
- the identity of the members of the FTP Committee.

**4.5.** The student shall have 7 days to object to the membership of the FTP Committee. The Chair or Deputy of the nominating Faculty Board shall consider any representations and shall appoint another person if they consider there is a conflict of interest or bias, or a reasonable perception of a conflict of interest or bias.

**4.6.** Following consideration of the expression of concern, normally within 14 days of the letter informing the student of the expression of concern, the FTP Committee, by majority decision, shall determine whether the expression of concern shall be:

- (a) dismissed (because it is frivolous, vexatious, insufficiently serious, lacks sufficient evidence or for some other valid reason);
- (b) referred for investigation by an Investigator and/or request the student to undergo specialist assessment by a practitioner appointed by the FTP Committee;
- (c) referred to the police or other recognised investigatory body or to an alternative University procedure, including the Student Disciplinary Procedure;
- (d) referred to an FTP Adjudication Panel.

**4.7.** The student and the student's College will receive a letter from the Secretary of the FTP Committee within 7 days of the FTP Committee making a determination under Regulation 4.6, setting out its decision and the reasons for its decision. Where an investigation is required, the letter will explain the scope and nature of the investigation and how this relates to the relevant professional standards.

## 5. Investigating the expression of concern

**5.1.** Where the FTP Committee determines that an investigation should be conducted, the FTP Committee shall appoint an Investigator from the course-specific FTP Panel (as described in Regulation 5.2), normally within 7 days of informing the student of the investigation. The FTP Committee shall also confirm the scope of the investigation, including specific evidence to be considered and/or the requirement for specialist assessments.

**5.2.** The members of the course-specific FTP Panel are nominated by the relevant Faculty Board(s); for medical and veterinary students, this includes the Faculty Board of Biology in addition to the subject Faculty Board. Each course-specific FTP Panel will include at least six members appointed by each relevant Faculty Board. At least two members must be practising and registered members of the Regulator.

**5.3.** The Investigator shall normally attempt (either in person or virtually) to meet with the student concerned, the author of the expression of concern (unless an anonymous concern has been permitted), and any other relevant persons. It is expected that the Investigator will normally conduct these meetings within four to six weeks of being appointed. The Investigator should give at least a week's notice of the meeting with the student who is the subject of the concern. During the meeting with the student concerned, the Investigator shall invite the student to submit any relevant evidence and the names of any person(s) that the student considers that the Investigator should contact or meet. The student will be given a week following the meeting to submit this information. If the Investigator does not think that contacting or meeting any particular person will be of relevance, the Investigator shall discuss the matter with the Chair of the FTP Committee who will determine whether or not that person should be contacted. Where the student does not agree to meet with the Investigator in a timely way, the Investigator shall proceed with the investigation. As outlined in Regulation 2.7, there may be adverse consequences for any student who does not engage fully with the procedure.

**5.4.** A formal note of each interview shall be prepared by the Investigator (the Investigator may work with a note-taker during the interviews and on the preparation of the notes of each meeting and the final investigation report) and agreed with the person who has been interviewed. In the event that a person does not agree that a note is an accurate record of the meeting, a record of that disagreement will be appended to the note, but the record of the meeting shall not be altered without the agreement of the Investigator. In the event that a person does not respond to the request to agree that a note is an accurate record of the meeting, the Investigator shall proceed to complete their investigation report and shall include the record of the meeting and an explanatory comment that the meeting note has not been agreed. The Investigator shall also take reasonable steps to obtain or receive other relevant evidence, e.g. copies of postings on social media or messages.

**5.5.** A written report shall be prepared and submitted by the Investigator to the Secretary of the FTP Committee, normally within two weeks of the investigation receiving the final piece of evidence. The student will be kept informed if delays occur, which will normally be due to the complexity of the concern raised.

**5.6.** In a case referred from the Procedure for the Investigation of an Allegation of Research Misconduct,<sup>1</sup> a determination that there is sufficient evidence of research misconduct shall be treated as a breach of Regulation 2(i) of the Rules of Behaviour, and the report of the investigation and the evidence collected under stage 3 of that procedure shall be treated as the Investigator's report and evidence in relation to that breach, under this procedure.

## 6. Consideration of the Investigator's report

**6.1.** On receipt of the Investigator's report and any specialist assessment requested under Regulation 4.6(b), the FTP Committee, by majority decision and normally within 14 days following receipt of all information, shall take one of the following decisions:

- (a) there is no further action to be taken;
- (b) there is no serious issue to be determined with regard to the student's fitness to practise, but the student would benefit from supportive or remedial measures being put in place; where this is the decision, the Chair of the FTP Committee shall on behalf of the FTP Committee:
  - (i) agree such measures with the student, the student's Senior Tutor, and the Director of Education or Director of Learning and Teaching in the relevant Faculty; or

<sup>1</sup> See Special Ordinance D (vi) (p. 104) and the Procedure for the Investigation of an Allegation of Research Misconduct (p. 242).

- (ii) in the event of failure to agree such measures, the FTP Committee shall refer the matter to a FTP Adjudication Panel;
  - (c) there may be a serious issue to be determined concerning the student's fitness to practise and the matter shall be referred to a FTP Adjudication Panel.
- 6.2.** The Secretary of the FTP Committee shall inform the student, the Student Progress Panel, and the student's Senior Tutor in writing of the FTP Committee's decision, the reasons for that decision and any agreed measures within 7 days of the FTP Committee decision being made.
- 6.3.** Where the FTP Committee decides that a matter shall be referred to a FTP Adjudication Panel, the Secretary of the FTP Committee shall notify OSCCA and the student's Faculty Board Secretary.

## **7. Consideration by the FTP Adjudication Panel**

**7.1.** The FTP Adjudication Panel shall comprise three members of the FTP Panel as set out in Regulation 5.2, and will be appointed by the Chair of the relevant Faculty Board:

- (a) a Chair who shall be a qualified member of the relevant professional body;
- (b) two other members, including at least one external member where this is required by the Regulator.

**7.2.** The Secretary of the student's current Faculty Board or a person appointed by the Secretary shall be Secretary of the FTP Adjudication Panel.

**7.3.** The Secretary of the FTP Adjudication Panel will write to the student and the student's Senior Tutor, providing confirmation of:

- (a) the members of the FTP Adjudication Panel and how the student can object to the membership within 7 days of the date of the letter;
- (b) the documents that will be considered by the FTP Adjudication Panel, including the Investigator's report and any further information or reports requested by the FTP Adjudication Panel;
- (c) the names of any persons who may be asked to attend a FTP Adjudication Panel to give evidence, which will normally include the Investigator and the Chair of the FTP Committee;
- (d) the fact that the student may provide further written submissions or evidence to the FTP Adjudication Panel, and the names of witnesses (if any) that the student would like to attend the FTP Adjudication Panel hearing. If submitting evidence or making requests for new witnesses to attend the hearing, students must explain why they did not submit the evidence or ask the Investigator to interview any witnesses earlier in the process. The FTP Adjudication Panel may decline to consider new evidence or hear witnesses in the absence of a reasonable explanation;
- (e) the deadline for the submission of information set out in paragraph (d), which will normally be two weeks before the date of the hearing; it shall be at the Chair's discretion whether any later submissions or late requests for witnesses to attend will be considered;
- (f) the date, time and place for the hearing, normally between 4–6 weeks from the date of the letter.

**7.4.** Where the student has good cause to object to any member of the FTP Adjudication Panel the action outlined in Regulation 2.10 will be taken.

**7.5.** A FTP Adjudication Panel may, at the Chair's discretion, consider the case in the student's absence. Where the student provides a valid reason for not being able to attend a hearing, the hearing may, at the Chair's discretion, be re-arranged or conducted by video conference. As outlined in Regulation 2.7, there may be adverse consequences for any student who does not engage fully with the procedure.

**7.6.** The student's Senior Tutor (or a deputy appointed by the Senior Tutor) shall be entitled, with the student's consent, to be present at any hearing (as the student's representative or in addition to such a representative).

**7.7.** The Chair of the FTP Adjudication Panel shall determine the procedure for the conduct of a FTP Adjudication Panel hearing, including requiring an adjournment at any time. The procedure shall normally be as follows:

- (a) The Chair shall introduce all those present at the hearing and explain the powers of a FTP Adjudication Panel.
- (b) The Chair shall ask the student whether they accept the investigation findings. Where the student accepts in full the investigation findings, and the Panel is satisfied it has sufficient information regarding the findings, the Chair shall direct the hearing from paragraph (j) onwards. Where the student does not fully accept the investigation findings, the Chair shall continue with the procedure from paragraph (c) onwards.

- (c) The Chair shall invite the Investigator to make an opening statement and shall then invite FTP Adjudication Panel members to ask questions.
- (d) The Chair shall invite the student and/or the student's representative to make a statement and shall then invite FTP Adjudication Panel members to question the student.
- (e) The Chair shall invite any witnesses or other persons called upon to attend the hearing to make a brief statement and shall then invite FTP Adjudication Panel members to ask questions.
- (f) At each stage, the Chair shall have discretion to allow reciprocal questioning by all parties.
- (g) When the Chair is satisfied that the FTP Adjudication Panel has completed its questioning and that the student and other persons present have had a full opportunity to convey information to a FTP Adjudication Panel, the student and/or the student's representative shall have the opportunity to make a final statement. Following this, all other persons not on the FTP Adjudication Panel except the Secretary of the FTP Adjudication Panel shall withdraw. The Secretary of the FTP Adjudication Panel shall remain to provide advice on procedure but shall take no part in the FTP Adjudication Panel reaching its decision on the case itself.
- (h) The FTP Adjudication Panel shall then discuss the case and reach a conclusion on whether the expression of concern has been proven on the balance of probabilities.
- (i) Those attending the first part of the hearing shall all be invited back into the hearing once the FTP Adjudication Panel has concluded its discussions and the Chair shall outline the FTP Adjudication Panel's decision to the student.
- (j) The Chair shall, if appropriate, ask the student to submit any evidence in mitigation and shall then invite FTP Adjudication Panel members to ask questions.
- (k) The student and all other persons not on the FTP Adjudication Panel except the Secretary of the FTP Adjudication Panel shall then withdraw whilst the Panel considers whether the student's fitness to practise has been impaired.
- (l) Where practicable, those attending the first part of the hearing shall all be invited back into the hearing once the FTP Adjudication Panel has concluded its discussions and the Chair shall then outline the FTP Adjudication Panel's decision to the student.

**7.8.** At any point during the hearing the Chair of the FTP Adjudication Panel has the discretion to seek any further clarification the Panel requires, including a request for further materials or information to verify or respond to matters raised, to call for a further adjournment or adjournments to allow that information to be provided. Where this additional material or information comes from a source other than the student, the student will be given an opportunity to comment on such additional material.

**7.9.** The FTP Adjudication Panel, following consideration of the case, may make one of the following decisions on the balance of probabilities and by a simple majority:

- (a) determine that there has been no breach of the Code of Conduct and therefore, no further action should be taken;
- (b) determine that there has been a breach of the Code of Conduct and:
  - (i) declare that the student is fit to practise and may continue on the course with no conditions or other actions;
  - (ii) declare that the student is fit to practise but provide a formal warning that will be added to the student's record;
  - (iii) declare that the student is fit to practise but impose conditions including educative or supportive actions;
  - (iv) declare that there are grounds for concern as to the student's fitness to practise, provide a formal warning and impose other conditions in respect of the student's continuation on a course of study, which may include:
    - that the student be temporarily suspended from the Student Register, specifying the arrangements for monitoring by the FTP Committee of the suspension (including a minimum period if appropriate) and the arrangements for the removal of the suspension;
    - that the student be required to undergo an occupational health assessment or referral to another specialist agency; and/or
    - that the student be required to undertake monitoring and engage with additional support;
  - (v) declare that the student is unfit to practise, that the student be removed from the Student Register and that any relevant professional body, Regulator and the Disclosure and Barring Service be informed of this action. The FTP Adjudication Panel may stipulate further conditions as appropriate to the case, for example whether the student may continue with a non-professional course of study or be awarded an exit qualification.

**7.10.** The student will receive the decision of the FTP Adjudication Panel, the reasons for the decision and information about the right to appeal in writing from the Secretary within 7 days of the FTP Adjudication Panel hearing taking place. A copy of the letter will also be provided to the Student Progress Panel, the FTP Committee Secretary, the student's Senior Tutor and the relevant Director(s) of Education or equivalent.

## **8. Appeal**

**8.1.** A student shall have the right to appeal the decision of the FTP Adjudication Panel by submitting an appeal on the permitted grounds to the Head of OSCCA, who shall be Secretary of the FTP Appeal Panel, alongside all evidence to be considered, within 28 days of the student being informed of the written decision.

**8.2.** An appeal may be made on only one or more of the following grounds:

- (a) the procedures were not followed properly;
- (b) the decision-maker(s) reached an unreasonable decision;
- (c) there is material new evidence that the student was unable, for valid reasons, to provide earlier in the process;
- (d) there was bias or a reasonable perception of bias during the procedure;
- (e) the action taken by the FTP Adjudication Panel is disproportionate or not permitted under the procedures.

**8.3.** The FTP Appeal Panel shall comprise of members appointed by the Council to that role and drawn by lot from those who are available, except for the Chair who shall be nominated by the Vice-Chancellor. Membership of the FTP Appeal Panel shall be as follows:

- (a) a Chair, experienced in decision-making relating to misconduct either through legal training or in relation to student, staff or professional procedures, who is not a member of Council;
- (b) a member of the Regent House not in a Faculty linked to the Regulator;
- (c) an external member, who is a qualified/registered and practising member of the relevant professional body.

**8.4.** On receipt of the appeal, where it is within time and within the appeal grounds, as determined by the Secretary of the FTP Appeal Panel, the Secretary of the FTP Appeal Panel shall organise a FTP Appeal Panel to hear the appeal.

**8.5.** During the consideration of the appeal, the decision of the FTP Adjudication Panel shall remain in force.

**8.6.** The FTP Appeal Panel consideration shall take place as soon as possible, and normally within 4 weeks of the date of submission of the appeal.

**8.7.** The student shall have an opportunity to object to the FTP Appeal Panel membership in accordance with Regulation 2.10.

**8.8.** Unless, at the discretion of the Chair of the FTP Appeal Panel, the FTP Appeal Panel requests that a hearing should take place, the appeal will be considered on the basis of the papers provided, which will include the material considered by the FTP Adjudication Panel; the decision of the FTP Adjudication Panel; the minutes of the FTP Adjudication Panel hearing; and the appeal of the student. Where necessary, the FTP Appeal Panel may request further materials or information to verify or respond to matters raised in the appeal. Where this takes place and comes from a source other than the student, the student will be given an opportunity to comment on such additional material.

**8.9.** Where a hearing takes place, the student, the student's representative and the Chairs of the FTP Committee and FTP Adjudication Panel will be invited to attend, with at least 14 days' notice. During the hearing, the Chair of the FTP Appeal Panel will invite each of those in attendance to make a statement and there will be the opportunity for the FTP Appeal Panel to ask questions of those in attendance and, at the Chair's discretion, to allow the parties to put questions to one another. Once the FTP Appeal Panel considers it has sufficient information, the others in attendance will withdraw, except for the Secretary of the FTP Appeal Panel, and the FTP Appeal Panel will consider the case.

**8.10.** Following consideration, the FTP Appeal Panel may confirm, quash, amend, or refer back the decision to the same, or a newly constituted, FTP Adjudication Panel. The outcome of the FTP Appeal Panel or a further FTP Adjudication Panel may result in a more severe or lenient outcome for the student.

**8.11.** The Secretary of the FTP Appeal Panel shall inform the student in writing of the decision and the reasons for the decision within 7 days of the appeal decision being made. Where a case is not



being referred back for consideration by a FTP Adjudication Panel, the decision will be accompanied by a Completion of Procedures letter to explain that the student may be eligible to raise a complaint with the Office of the Independent Adjudicator for Higher Education. The decision of the FTP Appeal Panel shall remain in force whilst any complaint to the Office of the Independent Adjudicator remains ongoing. The Secretary to the FTP Appeal Panel shall also inform the Chair of the FTP Adjudication Panel, the Chair of the FTP Committee, the Student Progress Panel, the Senior Tutor of the student's College, the Director of Education at the relevant Faculty Board(s) and, where appropriate, the Regulator and the professional body of the decision of the FTP Appeal Panel.

## **9. Record and declaration**

**9.1.** The FTP Committee and the relevant Faculty Board shall make a record of any actions taken by any decision-makers or undertakings provided by a student relating to arrangements for the monitoring or supervision of the student's conduct, health, or performance.

**9.2.** A student upon whom conditions have been imposed or who has undertaken to comply with arrangements for the management and supervision of the student's conduct, health or performance shall be required to confirm compliance with such conditions or arrangements in writing. Any breach of the conditions or arrangements may result in a further expression of concern being considered under this procedure.

**9.3.** As specified in Regulation 2.9, where relevant, students shall inform the Regulator or employer of the details of any referral to the FTP Committee and any and all matters that may have a bearing on the student's fitness to practise. The University shall refer to fitness to practise proceedings in references regarding the student.

## **10. Reporting and monitoring**

**10.1.** The Faculty Board shall be responsible for regularly reviewing and publicising the Code of Conduct, as well as publicising the Fitness to Practise Procedure. OSCCA shall have responsibility for reviewing and maintaining the Fitness to Practise Procedure.

**10.2.** The FTP Committee shall submit the minutes of its meetings to the relevant Faculty Board(s), the Education Committees and OSCCA, in addition to complying with any reporting requirements of the Regulator. OSCCA will provide anonymous case figures for the procedure in its annual report to the Council and the General Board.

# **PROCEDURES TO DETERMINE THE PROGRESS OF PRECLINICAL AND CLINICAL MEDICAL STUDENTS AND PRECLINICAL AND CLINICAL VETERINARY STUDENTS**

## *Introduction*

**1.** The Medical and Veterinary Student Progress Panel (MVSPP) shall be a joint body of the Faculty Boards of Biology, Clinical Medicine, and Veterinary Medicine in consultation with the Colleges.

**2.** The MVSPP shall review or advise on the progress of a student having regard to:

- (i) academic performance including failure in M.B. or Vet.M.B. examinations;
- (ii) ill health.

Additionally, the advice of the MVSPP may be sought as a result of:

- (iii) cause for concern about the student's conduct but not meriting immediate referral to the Fitness to Practise Committee or Veterinary Fitness to Practise Committee.

## **THE ROLES, DUTIES, AND COMPOSITION OF THE MEDICAL AND VETERINARY STUDENT PROGRESS PANEL (MVSPP)**

**3.** The MVSPP shall consist of:

- (a) the Clinical Dean in the Clinical School (who shall chair the MVSPP);
- (b) the Director of Education (MVST) in the Faculty of Biology;
- (c) the Director of Teaching in the Veterinary School;
- (d) the Clinical Sub-Dean (West Suffolk Hospital);
- (e) the Clinical Sub-Dean (Welfare);
- (f) the postholders with responsibility for student welfare and academic support in the School of Clinical Medicine, as determined from time to time by the Head of the School;<sup>1</sup>

<sup>1</sup> The Head of the School of Clinical Medicine has confirmed that the Deputy Lead for Student Welfare and the Student Academic Support Lead will be members of the Panel until further notice.

- (g) three members appointed by the Senior Tutors' Committee;
- (h) one member appointed by the Faculty Board of Biology;
- (i) one member appointed by the Faculty Board of Clinical Medicine;
- (j) one member appointed by the Faculty Board of Veterinary Medicine;
- (k) not more than three persons co-opted by the Panel.

There shall be an administrative officer appointed by the Faculty Board of Clinical Medicine, an administrative officer appointed by the Faculty Board of Biology, and an administrative officer appointed by the Faculty Board of Veterinary Medicine who shall act as joint secretaries to the MVSP and shall attend all meetings of the Panel.

4. In respect of each individual case before the MVSP, all members of the MVSP shall be required to make a declaration of interest in the case.

5. Members in classes (g)–(j) shall be appointed in the Michaelmas Term to serve for three years from 1 January following their appointment.

6. The duties of the MVSP shall include:

- (a) to meet termly, and whenever there is any business to consider, to provide expert advice to the Colleges, and to work with Colleges to ensure that students who have not achieved the required academic standard or are experiencing health or other personal problems receive appropriate support;
- (b) to review the progression of all students annually in the Michaelmas Term;
- (c) to review all requests made on behalf of medical and veterinary students for additional attempts in exceptional circumstances at M.B. and Vet.M.B. examinations, and to give advice to the relevant Faculty Board;
- (d) to prepare an annual summary report on any issues arising for the attention of Senior Tutors and Faculty Boards.

7. Five members shall constitute a quorum. The MVSP shall report to the Faculty Boards of Biology, Clinical Medicine, and Veterinary Medicine.

#### PROCEDURE MADE BY THE GENERAL BOARD

##### APPEAL PROCESS FOR F1 DOCTORS

###### *Introduction*

1. A holder of the degree of M.B.B.Chir. from the University who seeks full registration with the General Medical Council (GMC) and who satisfies the requirements of the Medical Act 1983 as to experience, may apply to the University for a Certificate of Experience under Section 10 of that Act following satisfactory completion of an approved Foundation Year Programme (F1 Programme) of placements in a formal employment setting. In these procedures, a doctor with a degree of M.B.B.Chir. from the University on an approved F1 Programme is referred to as a 'F1 doctor'.

2. The initial decision to provide a Certificate of Experience to a F1 doctor who holds a M.B.B.Chir. from the University, is taken, on behalf of the University, by Health Education East of England (HEEoE) which is the Local Education and Training Board (LETB) linked to the University. This decision is based on evidence, collated for the Annual Review of Competency Progression (ARCP), that the F1 doctor has completed the requirements of the Foundation Programme Curriculum for Foundation Year 1. This evidence is collated by the LETB (or equivalent body) linked to the F1 doctor's Foundation School.

3. In these procedures, the LETB (or equivalent body) linked to the F1 doctor's Foundation School is referred to as 'the LETS'. The LETS makes a recommendation to HEEoE on whether the F1 doctor has completed the requirements of the Foundation Programme Curriculum for Foundation Year 1 (approved by the GMC). In any case in which the LETB recommends that the F1 doctor has not completed the requirements of the Foundation Programme Curriculum and that the F1 doctor be released from the Foundation Programme, HEEoE will decline to issue a Certificate of Experience and the F1 doctor may appeal to the University under these procedures.

4. Such appeals will normally only be heard after the initial period of F1 training has been extended by the LETS due to the F1 doctor concerned being unable to provide evidence of the acquisition of competences and performance in practice in accordance with the requirements of the Foundation Programme curriculum.

5. Appeals with respect to a decision to extend the F1 year of training will normally be heard by the LETS.

###### *The composition, roles, and duties of the F1 Doctor Appeal Panel*

6. A F1 Doctor Appeal Panel shall be appointed to consider an appeal which is made by a F1 doctor in respect of a decision by the LETS to recommend the F1 doctor is released from the Foundation Programme (ARCP Outcome 4). A F1 Doctor Appeal Panel shall be appointed by the Registry, following consultation with the Clinical Dean of the Clinical School of the University, as soon as practicable after receiving the notice of the appeal. The F1 Doctor Appeal Panel shall comprise the Clinical Dean of the Clinical School of the University as

Chair (or a nominated deputy) and a minimum of four other members, one of whom shall not be a GMC-registered medical practitioner.

7. The Secretary of the Faculty Board of Clinical Medicine, or their nominated deputy, shall serve as Clerk to the F1 Doctor Appeal Panel.

8. No member of the F1 Doctor Appeal Panel shall have had any material involvement or interest in respect of the individual case before the panel. All members of the F1 Doctor Appeal Panel shall be required to make a declaration of interest in the case.

#### *F1 Doctor Appeal Panel procedures*

9. A F1 doctor may appeal on one or more of the following grounds:

- (i) irregularity in the process followed by the LETS;
- (ii) the coming to light of fresh evidence, which was not available and/or presented to the LETS for a good reason;
- (iii) the recommendation of the LETS was manifestly unreasonable.

10. A notice of appeal shall be in writing and shall be received by the LETS within twenty-one days of the F1 doctor being notified of the decision.

11. The notice of appeal shall state the grounds on which the appeal is made. The F1 doctor shall not be entitled to rely, during the appeal, without the permission of the F1 Doctor Appeal Panel, on any grounds other than those set out in the notice of appeal.

12. On receipt of the notice of appeal, the LETB shall inform the Registry and the Clinical Dean of the Clinical School of the University. The Registry shall then appoint a F1 Doctor Appeal Panel to determine the appeal.

13. If the F1 doctor formally withdraws, in writing, from the F1 Programme at this stage, the LETB shall confirm the position in writing with the F1 doctor and shall inform the Registry and the Clinical Dean. The Clerk of the F1 Doctor Appeal Panel shall write to the F1 doctor to confirm that no further action will be taken on the appeal.

14. The Chair of the F1 Doctor Appeal Panel shall determine the procedure to be adopted by the F1 Doctor Appeal Panel which shall normally include:

- (a) informing the F1 doctor of the persons appointed to be members of the F1 Doctor Appeal Panel;
- (b) informing the F1 doctor and the LETB of the evidence required for consideration by the F1 Doctor Appeal Panel;
- (c) informing the F1 doctor and the LETB of the names of any persons who may be asked to attend a F1 Doctor Appeal Panel hearing to give evidence and setting out the basis upon which the F1 doctor may call persons who may have information relevant to the case to give evidence either orally at the hearing or in writing;
- (d) setting a timetable for the progress of the proceedings, including time limits for each step of the proceedings and making arrangements for any hearing.

15. The Clerk of the Appeal Panel shall inform the F1 doctor of the procedure to be followed and whether they are required to attend any appeal hearing.

16. If the F1 doctor has good cause to object to the membership of a F1 Doctor Appeal Panel, they shall provide grounds to the Clerk of the F1 Doctor Appeal Panel in writing within seven days of being notified of the membership of the panel. The Registry shall decide whether to replace that member of the panel and shall appoint an alternative member as considered appropriate. The Clerk of the F1 Doctor Appeal Panel shall inform the F1 doctor accordingly. The decision of the Registry shall be final.

17. The F1 doctor may choose to be accompanied by another person chosen by them. The F1 doctor shall, at least seven days in advance of any hearing, inform the Clerk of the F1 Doctor Appeal Panel of the identity and contact details of any such person, their relationship to the F1 doctor (if any) and the capacity in which they are attending.

18. The hearing shall be held in private unless the Chair of the F1 Doctor Appeal Panel agrees to a request from the F1 doctor that the hearing be held in public.

19. The Chair of the F1 Doctor Appeal Panel shall determine the procedure for the conduct of any hearing. The Clerk of the F1 Doctor Appeal Panel shall notify the F1 doctor and the members of the panel of the procedure to be followed.

20. The F1 Doctor Appeal Panel shall consider its decision in private. The Clerk of the F1 Doctor Appeal Panel shall be present throughout the hearing and throughout consideration by the panel of its decision.

21. The F1 Doctor Appeal Panel shall normally make a decision on the day of the hearing. If this is not possible the panel shall reserve its decision for a later date to be notified to the parties. The decision of the F1 Doctor Appeal Panel shall be by a simple majority and the Chair shall have a casting vote.

22. The F1 Doctor Appeal Panel may confirm the original decision, or may substitute the previous decision with the recommendation of an alternative course of action in accordance with the options available under F1 Programme guidance.

23. As soon as possible, normally within seven days from the F1 Doctor Appeal Panel hearing, the Clerk of the F1 Doctor Appeal Panel shall inform the F1 doctor in writing of the decision.

24. The decision of the F1 Doctor Appeal Panel is final and there is no further right of appeal within the University.

25. The Faculty Board of Clinical Medicine and the LETS shall make a record of the decision and any recommendations or actions to be taken.

26. The Faculty Board of Clinical Medicine shall send a copy of the record to the LETB, HEEoE, and the General Medical Council.

## PROCEDURE TO SUPPORT AND ASSESS CAPABILITY TO STUDY

*Amended by Notice (Reporter, 2023–24, p. 440)***1. Glossary of key terms****1.1.** In this procedure, the following terms shall have the meanings set out below:

ADRC	Accessibility and Disability Resource Centre
Collegiate University community	All registered or formerly registered students, other matriculated persons, all members of the Regent House, and all University and College employees, workers, staff or secondees, visiting scholars and visiting students
Committee	The Study Capability Assessment Committee (see Regulation 6).
Decision-maker(s)	Those who have authority to make decisions concerning capability to study under this procedure (see Regulations 5 and 6)
Department	The University institution at which the student is studying. References to the Head of Department or Departmental staff refer to the Head and the staff of that institution, who may be the Chair of the Faculty Board and the staff of that Faculty
OSCCA	Office of Student Conduct, Complaints and Appeals
Rules of Behaviour	Rules of Behaviour for Registered Students and Formerly Registered Students <sup>1</sup>
student	Registered student as defined in Statute A X 2(c) <sup>2</sup>

**2. Scope and principles***Introduction*

**2.1.** This procedure sets out the steps that will be taken by the University when there is concern that a student's behaviour or health is adversely impacting upon the welfare or academic progress of the student, or of others within the Collegiate University community, or has the potential to do so.

**2.2.** Where an alleged breach of the Rules of Behaviour is likely to have been caused by an underlying health condition, this procedure should be initiated.

**2.3.** All students should be encouraged to engage fully with their studies. Students should be informed about how to access relevant academic skills support, pastoral support and, for students with disabilities, how to ask for reasonable adjustments that will be offered and put in place unless declined by the student.

**2.4.** Where concerns regarding the student's behaviour or health remain after the actions in Regulation 2.2 have been taken, this procedure should be initiated.

*Stages*

**2.5.** The procedure has two stages:

Stage 1 – support to study (see Regulation 5)

Stage 2 – assessing a student's capability to study (see Regulation 6)

Students will have the opportunity to ask for a review of a stage 2 decision using the Procedure for Review of Decisions of University Bodies.<sup>3</sup> The decision on the completion of that review will be the final stage of the University's internal procedure and therefore a Completion of Procedures letter will be issued. The Completion of Procedures letter will explain to the student how to raise a complaint with the external ombudsman, the Office of the Independent Adjudicator, if the student remains dissatisfied with the University's action or inaction.

*Engagement with the procedure*

**2.6.** A student must engage fully with this procedure, including responding to emails, adhering to deadlines and attending meetings either physically or virtually. If a student does not engage fully with the procedure, this is likely to lead to escalation within the procedure and for the decision-makers to assess that the risk to the student or the Collegiate University community is high, resulting in precautionary action under Special Ordinance D (v).

<sup>1</sup> See p. 186.

<sup>2</sup> See p. 12.

<sup>3</sup> See p. 218.

**2.7.** Some students may find engaging with the procedure worrying or challenging, particularly stage 2, as it may include consideration of whether the student is currently capable to continue studying. The student will receive information on how to access support during the procedure. The appropriate support will depend upon the student's circumstances but may be delivered by a College, the University, the Students' Union's Advice Service or external support organisations. Decision-makers will take into account the potential effects upon the student made known to them in reaching their decisions.

**2.8.** Reasonable adjustments shall be made to the procedure to allow fair access for students with a disability requiring them. Students are requested to inform their Department of any requests for reasonable adjustments when accessing Regulation 5 of the procedure, or the Head of OSCCA when accessing Regulation 6 of the procedure, where these have not already been anticipated and put in place.

**2.9.** The student and all others involved in the procedure are always required to communicate and act respectfully and reasonably whilst using the procedure. Abusive 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. Where the student is continuing to behave in an unacceptable manner, this behaviour may lead a decision-maker to consider that the risk the student poses to the Collegiate University community or themselves is high and refer the concern to the Academic Secretary to consider precautionary action under Special Ordinance D (v).

#### *Representation*

**2.10.** In order to ensure that a student's views are accurately represented during the procedure, it is preferable for the University to correspond directly with the student. Where this is not in the best interests of the student, for example because the student lacks capacity or requires support to receive correspondence as a result of an underlying health condition, correspondence can be directed through an authorised representative where explicit permission is given by the student.

**2.11.** This procedure is an internal process and does not have the same degree of formality as proceedings in a court of law. It is not normally necessary for a student to be legally represented at any meetings that form part of the procedure, other than in exceptional circumstances.

#### *Decision-making*

**2.12.** Any action taken under this procedure will be limited to that necessary and proportionate to protect the best interests of the student, and other members of the Collegiate University community.

**2.13.** The standard of proof when making decisions under this procedure is the balance of probabilities. The burden of proof that some form of action is required to be taken in relation to the student's studies rests with the University. This means that it is necessary to prove that it is more likely than not that behaviour occurred which requires action to be taken. Decisions must be supported by evidence, and will take into account the credibility of evidence.

**2.14.** All decision-makers will receive appropriate training to undertake their role and be appropriately resourced and supported. Decision-makers in stage 2 will not have had any previous involvement with the matter or any personal knowledge of the student.

**2.15.** A student may choose to intermit at any time during this procedure. The decision-maker will normally accept any request for intermission provided criteria for intermission are met.

**2.16.** This procedure can be suspended at any time by a decision-maker to enable a student to intermit from study or for a criminal investigation or proceedings to be completed. When a student intends to return to study after intermission or when the criminal proceedings have been completed or a decision has been taken not to take further action through the courts, the decision-maker may request additional medical evidence or resume this procedure in order to ensure the student is fit to resume study.

**2.17.** Any reference in this procedure to a University officer or other named role-holder includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer or role-holder under this procedure.

### **3. Circumstances under which this procedure may be implemented**

**3.1.** A student's capability 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:

- (a) Students who have individual learning plans in place and are struggling to manage their studies or other elements of their course;



- (b) Students who are not attending, submitting work and/or repeatedly not responding to emails;
- (c) Students with complex personal circumstances (for example, health, family or financial issues);
- (d) Students who regularly submit applications for examination allowances as a result of ongoing health concerns;
- (e) Students whose health, wellbeing or behaviour is causing concern to others, although there may be no negative impact on their academic work and progression;
- (f) Students whose behaviour is impacting upon the health and safety of others.

#### 4. Raising a concern

**4.1.** The following individuals and bodies may initiate this procedure:

- (a) the student's Head of Department;<sup>1</sup>
- (b) the student's Senior Tutor;
- (c) the University Advocate or Student Discipline Officer; *or*
- (d) the General Board.<sup>2</sup>

Where the student's Head of Department initiates the procedure and considers that support to study under stage 1 of this procedure is appropriate, the Head of Department shall manage that process and report on any actions taken to the Head of OSCCA, and Regulations 4.2–4.8 shall not apply.

In all other cases, the person or body will initiate the procedure by making a written referral to the Head of OSCCA setting out the grounds for concern and all relevant evidence about the student's capability to study.

**4.2.** The Head of OSCCA, following consultation with the student's Head of Department and, where applicable, the student's Senior Tutor, will consider the grounds contained in the referral and shall determine whether to refer the concern:

- (a) to stage 1 of this procedure;
- (b) to stage 2 of this procedure;
- (c) to an alternative procedure where appropriate, for example, an equivalent College procedure, the Student Disciplinary Procedure or the University's Fitness to Practise Procedure.

**4.3.** The Head of OSCCA may in addition refer the concern to the Academic Secretary to consider precautionary action under Special Ordinance D (v) where there are reasonable grounds to consider the student is a risk to themselves, or to the Collegiate University community, and there is a need for immediate action to be taken.

**4.4.** The Head of OSCCA when making a decision under Regulation 4.2 shall take into account whether the concern is likely to be resolved with additional supportive actions from the Department. Where stage 1 does not appear likely to resolve the concern, or actions equivalent to stage 1 have already been attempted without success, it will be referred to stage 2.

**4.5.** Where a student is also a member of a College, the College may also have a procedure to support or assess the student's capability to study. There are a number of factors that can determine which procedure is most suitable to use, including whether:

- (a) the behaviour that has prompted the concern is occurring primarily within a College or University setting;
- (b) the College has a procedure sufficient to consider the concern;
- (c) the student's relationship with the College or the University has broken down.

**4.6.** In some circumstances it may be appropriate for the College to take forward the equivalent of stage 1 of this procedure. Where the concern is not resolved by this action, the College may decide to refer any consideration equivalent to stage 2 into the University procedure by making a written referral under paragraph 4.1.

**4.7.** The decision regarding which procedure to use will be made jointly by the student's Senior Tutor and the Head of OSCCA.

**4.8.** The Head of OSCCA shall write to the student within 7 days of the decision being made under Regulation 4.2, outlining the concern and informing the student of the decision and the reasons for the decision.

<sup>1</sup> In the case of students on inter-departmental courses, referral may be by the Head of any of the Departments teaching the student.

<sup>2</sup> Or bodies acting under powers delegated by the General Board, including the General Board's Education Committee and the Postgraduate Committee.

## 5. Stage 1 – support to study

**5.1.** The Head of Department will nominate a member of Departmental staff to undertake the actions under stage 1.

**5.2.** The student will be required to attend a Support to Study meeting with the nominated Departmental staff member to understand why staff have concerns regarding the student's behaviour and to discuss what supportive actions can be taken to help address the behaviour.

**5.3.** The student will normally be given at least 7 days' notice of the meeting taking place. The student will be informed of the purpose of the meeting including a summary of the behaviour which has led to the meeting taking place and will be able to bring an appropriate supporter and a College Tutor to the meeting. Where the student has an ADRC advisor, this person may also attend to provide expert information in relation to any adjustments or other support options that may be discussed.

**5.4.** During the meeting, the Departmental staff member will outline the behaviour that led to the meeting taking place and the student will be given an opportunity to provide a response or explanation for the behaviour. Where a student disagrees that the behaviour has taken place then this should be noted, with the student still having the opportunity to agree to engaging with supportive actions.

**5.5.** Supportive actions can be any actions that may assist students in continuing with their courses. Supportive actions must be agreed between the Departmental staff member and the student. Some examples of these actions may include:

- (a) additional meetings with College or University staff to discuss behaviour expectations or academic work;
- (b) additional study skills or language sessions;
- (c) mentoring, which can either be specific mentoring to support a student in managing their studies with a disability or more general mentoring (mentoring should only be carried out by staff, not peers);
- (d) interim milestones or deadlines for academic work to ensure that formal deadlines will be met;
- (e) the student engaging with the ADRC, or with counselling or other medical or health professionals, including agreeing to undertake further assessments;
- (f) a review of reasonable adjustments in place;
- (g) the student not contacting or communicating with named staff or students, or to only communicate or contact named staff or students as explicitly defined by the action;
- (h) using named University facilities or buildings as explicitly defined, for example, not using particular spaces out of hours or without supervision.

**5.6.** Any actions that will require the input of staff or a service outside of the Department must be agreed with the relevant staff or service before the supportive action is finalised.

**5.7.** Within 7 days of the meeting taking place, the student will receive from the Departmental staff member a summary of the content of the meeting and a list of the agreed supportive actions, and a date of review to check that the agreed actions have improved matters. The student will be required to confirm agreement to the supportive actions within 7 days of receiving the written copy.

**5.8.** Where a student does not agree to any supportive actions being put in place; or where the student has failed to comply with the actions; or where following the review date the actions have not had the desired impact, the Head of Department may refer the matter to the Head of OSCCA for possible consideration under stage 2 of the procedure.

## 6. Stage 2 – assessing capability to study

**6.1.** Where a concern is referred to stage 2 of this procedure, a Study Capability Assessment Committee will be appointed by the Head of OSCCA within 21 days of the referral from standing panels appointed annually by the Council. The Head of OSCCA will be Secretary to the Committee.

**6.2.** A Study Capability Assessment Committee shall comprise:

- (a) a member of the Regent House who shall act as Chair;
- (b) a Senior Tutor from a College other than that of the student concerned; *and*
- (c) a medically qualified person.

**6.3.** The Chair will set a date for a formal meeting of the Committee to hear the case, which date may be changed by the Chair if the circumstances require it.

**6.4.** The Secretary of the Committee shall give the student at least 14 days' notice of the date of the meeting of the Committee. The student will also be informed of the time, venue, and purpose of the meeting, and will be provided with any documents, including a summary of the concerns to be

considered at the meeting. The student will be invited to provide any documentation which the student wishes the Committee to consider in advance of the meeting. The Secretary of the Committee will ensure that all parties have access to the same documents.

**6.5.** If the student is unable to attend the meeting, or declines to do so, the Committee may agree to proceed in the student's absence.

**6.6.** The student may be supported and/or represented (including in their absence) at the meeting by a supporter or representative of the student's choice. A support worker may also accompany a disabled student. The student should notify the Secretary of the Committee at least 7 days in advance of the meeting if the student intends to attend the meeting and if the student will be accompanied and/or represented, and, if so, by whom. Where a student and a representative attend the meeting the student may still be required to answer questions at the Chair's discretion.

**6.7.** The purpose of the meeting will be to consider the information available and to reach an appropriate decision, action plan, or other outcome. The student's Senior Tutor and Head of Department will be requested to provide relevant written evidence to the Committee, and may be requested to attend at the Chair's discretion. The Committee may request other specialist or relevant opinion, including medical reports or reports from other specialist advisers, and may also request to see documents and records resulting from consideration of the student's case by the student's College under its procedures or any other evidence considered necessary and proportionate. The Committee may ask the student to attend a consultation with an expert but the Committee may proceed to consider the student's capability to study notwithstanding a refusal or failure by the student to attend a consultation as requested. Subject to the express provisions of this procedure, the Chair shall otherwise acting reasonably regulate the arrangements for the provision of documentation and other evidence (including adjourning the meeting where necessary so that additional information can be sought), as well as the conduct of the meeting.

**6.8.** The Committee shall make such decisions by a simple majority in respect of a student's capability to study as it considers necessary and proportionate. These decisions may include, but are not limited to, one or more of the following:

- (a) to agree that no further action be taken by the University;
- (b) to agree a plan of action(s) with the student;
- (c) to make the student's access to University facilities and premises subject to specified conditions;
- (d) to make such recommendations, including to the student's College, and/or direct such actions, in respect of the student, as the Committee considers fit;
- (e) in the case of a medical or veterinary student, to refer the case for consideration under the University's Fitness to Practise Procedure;
- (f) to refer the case for consideration under the University's disciplinary procedures;
- (g) to suspend the studies of the student temporarily and to determine the minimum period after which the University will consider an application to resume study, and what conditions, if any, must be met before an application to resume study may be made;
- (h) to withdraw the right of a student to continue to study on a given course, or on any course, offered by the University;
- (i) to remove the student's University membership and exclude the student permanently from the University.

**6.9.** For the purposes of candidature for an examination or competition, any terms during which a student's studies are temporarily suspended by the Committee will be disregarded.

**6.10.** Where the Committee decides that a student's access to University facilities and premises shall be subject to specified conditions, the Committee shall stipulate arrangements for monitoring the student's compliance with those conditions and for dealing with any alleged breach of those conditions on the part of the student.

**6.11.** The student, the relevant Senior Tutor, and the relevant Head of Department shall be notified in writing of the decision of the Committee, with reasons, within 7 days of the meeting of the Committee. The letter shall also include the procedure to be followed where the student wishes to review the Committee's decision.

**6.12.** Where the student asks for review of the Committee's decision using the Procedure for Review of Decisions of University Bodies, the decision will continue to be implemented until such time, if any, that the review results in an alternative decision.

## **7. Return to study**

**7.1.** A student whose studies have been temporarily suspended under this procedure may make an application addressed to the Registry for permission to resume study after such period and subject to meeting such conditions as may have been determined under Regulation 6.8(b) above. Where the Registry considers that the application appears to meet the conditions to return to study, it will be considered at the discretion of the Registry either by the same Committee that made the decision temporarily to suspend the student or by a differently constituted Committee appointed in accordance with Regulation 6.2 above. The application shall be heard at a meeting of the Committee managed in accordance with Regulations 6.3–6.8, save that, if, having reviewed the student's application and any documentation submitted with it, the Committee agrees that the student may be permitted to resume study either unconditionally or subject to specified conditions to which the student consents in writing, the Committee may proceed without a meeting.

**7.2.** The Committee shall make such decisions by a simple majority in respect of a student's capability to return to study as it considers necessary and proportionate. These decisions may include, but are not limited to, one or more of the following:

- (a) to permit the student to resume study, subject (if the Committee considers it appropriate) to specified conditions, including in the case of a disabled student defining reasonable adjustments, as appropriate, to support the student's studies and examination;
- (b) to make such recommendations in respect of the student, including to the student's College, as the Committee considers fit;
- (c) in the case of a medical or veterinary student, to refer the case for consideration under the University's Fitness to Practise Procedure;
- (d) to refuse the application to resume study and to determine the minimum period after which the University will consider a further application to resume study, and what conditions, if any, must be met before such an application to resume study may be made;
- (e) to withdraw the right of a student to continue to study on a given course, or on any course, offered by the University;
- (f) to remove the student's University membership and exclude the student permanently from the University.

**7.3.** It may not always be possible for a student to return to exactly the same course following a long period of suspension, as the course may have been discontinued or significantly modified. It may also be necessary for a student to return to the course at a point prior to which they left, if this is necessary for academic reasons or to enable support mechanisms to be set up.

**7.4.** Where a Committee has allowed a student to resume their studies, the Committee may, at the request of the student, allow a term of residence, put the student in standing for the purposes of examination, or agree such other academic arrangement as the Committee may think fit.

**7.5.** Where a Committee decides that a student's resumption of studies shall be subject to specified conditions, the Committee shall stipulate arrangements for monitoring the student's compliance with those conditions and for dealing with any alleged breach of those conditions on the part of the student.

**7.6.** The Secretary of the Committee will communicate in writing, within 7 days of the decision being made, the decision and reasons for the decision to the student, the Head of Department, and the Senior Tutor. The Secretary will also confirm the process for reviewing the Committee's decision.

**7.7.** Where the student requests a review of the Committee's decision using the Procedure for the Review of Decisions of University Bodies, the decision will continue to be implemented until such time, if any, that the review results in an alternative decision.

## **8. Reporting and monitoring**

**8.1.** OSCCA shall monitor all concerns reported using this procedure and shall produce an annual report summarising the anonymised decisions made by the Head of OSCCA and the Study Capability Assessment Committee. The annual report shall be submitted to the General Board through its Education Committee and to the Council.

**8.2.** The purpose of this monitoring shall be to ensure that decisions are made consistently and at the appropriate level, that appropriate action is taken on issues identified and that information gathered is used to improve guidance and support for students and staff using the procedure.

## RESEARCH MISCONDUCT

## PROCEDURE MADE BY THE GENERAL BOARD

PROCEDURE FOR THE INVESTIGATION OF AN ALLEGATION OF RESEARCH MISCONDUCT<sup>1</sup>*Grace 1 of 14 February 2024***1. Overview**

**1.1** The University of Cambridge is committed to the highest standards of rigour and integrity in its research. For further information, please see the University's information relating to research integrity at <https://www.research-integrity.admin.cam.ac.uk/>.

**1.2** The University is committed through the adoption of this procedure to ensuring that allegations of Research Misconduct are investigated with all possible thoroughness, transparency and sensitivity and in a robust, fair, consistent and timely manner. This is in compliance with and part of the University's commitment to the Concordat to Support Research Integrity.<sup>2</sup>

**1.3** This procedure will be reviewed every three years.

**1.4** Appendix A of this procedure provides additional guidance on the implementation of this procedure and should be read alongside the main procedure.

**2. Scope**

**2.1** This procedure applies where there is an allegation of Research Misconduct (as defined in section 3) against any person undertaking research either as a member of or whilst connected to a University institution or using University facilities or funding. This includes, but is not limited to, University employees and workers (staff), students, visiting scholars, emeritus staff, individuals with an honorary contract or voluntary research agreement with the University, and those holding honorary clinical contracts. (See paragraph 4.3). This procedure does not apply to staff engaged for employment under Statute J 6 when undertaking research in the service of the Press and Assessment Department.

**2.2** The University may also consider under this procedure allegations of Research Misconduct made against individuals where they relate to research carried out at a time when they were employed by or otherwise associated with the University, including former students. Allegations relating to individuals who have left the University may be investigated or acted upon, having regard to the seriousness of the issue raised, the credibility of the allegation, and the prospects of being able to investigate the matter fully and fairly.

**2.3** This procedure does not apply to allegations of bullying, harassment, discrimination, sexual misconduct and victimisation as set out in the University's Dignity at Work Policy.<sup>3</sup> These should be raised informally or formally via the relevant grievance or disciplinary procedure<sup>4</sup> for employees as appropriate. If an investigation under this procedure uncovers evidence of these types of inappropriate behaviour, this will be referred to the relevant disciplinary procedure.

**2.4** This procedure does not apply to allegations relating to student work being prepared for examination or assessment. Such allegations should be handled according to the procedures and policy for investigating academic misconduct.<sup>5</sup> This procedure also does not apply to complaints about the conduct of employees or other students, which are dealt with under other student procedures.<sup>6</sup>

**2.5** This procedure is not part of the University's formal disciplinary procedures, nor does it override such procedures. However, the outcome of an investigation under this procedure may be to initiate other University procedures, including the relevant University disciplinary procedure. Allegations concerning the conduct of research will normally be considered first under this procedure, prior to any referral to a disciplinary procedure, unless the person responsible for the disciplinary procedure directs that the investigation is to be dealt with under that disciplinary procedure. Any evidence identified or produced through this procedure and the report of the Formal Investigation may be considered as part of any subsequent disciplinary process.

**2.6** In cases involving a University employee, a finding of Research Misconduct may be considered serious or gross misconduct or, in the case of University officers, 'good cause' for dismissal under Section 4 of Chapter I in the Schedule to Statute C. Information gathered as part of an investigation conducted under this procedure, along with any findings, may be taken into account for the purposes of any disciplinary, capability or other University procedure, which could lead to formal disciplinary sanctions, up to and including dismissal. In cases involving a worker or a visiting scholar, a finding of Research Misconduct may result in the assignment or relevant visitor agreement (as appropriate) being terminated before the agreement end date.

<sup>1</sup> Appendix A: Supplementary Information on the Implementation of the Procedure for the Investigation of an Allegation of Research Misconduct and Appendix B: Dispute Resolution Process are available at: <https://www.research-integrity.admin.cam.ac.uk/research-misconduct>.

<sup>2</sup> UUK, The Concordat to Support Research Integrity (2019), <https://www.universitiesuk.ac.uk/topics/research-and-innovation/concordat-support-research-integrity>.

<sup>3</sup> <https://www.hr.admin.cam.ac.uk/policies-procedures/dignity-work-policy>.

<sup>4</sup> <https://www.hr.admin.cam.ac.uk/policies-procedures/disciplinary-action-grievances-and-appeals-0>.

<sup>5</sup> See: <https://www.plagiarism.admin.cam.ac.uk/investigating>.

<sup>6</sup> <https://www.studentcomplaints.admin.cam.ac.uk/harassment-sexual-misconduct/i-want-know-more-about-universitys-policies>.



**2.7** In cases involving students or former students, a finding of Research Misconduct may be considered a breach of the University's Rules of Behaviour for Registered Students and Formerly Registered Students.<sup>1</sup> Information gathered as part of an investigation conducted under this procedure, along with any findings, may be taken into account for the purposes of any disciplinary or other University procedure, which could lead to formal disciplinary sanctions, up to and including removal of University membership, removal of academic awards and permanent exclusion.

**2.8** Allegations of misconduct unrelated to or having no impact on the research process do not fall under the remit of this procedure. Allegations relating to the misuse of research funds or equipment will not fall under the remit of this procedure unless the conduct complained of affects the manner in which research is conducted.

**2.9** Complaints under this procedure may be made by any individual, regardless of whether that individual is employed by or is a student of the University, or by any organisation.

### 3. Definitions

In this procedure, the following terms shall have the following meanings:

Appeal Manager	A University officer appointed by the Academic Secretary to hear an appeal.
Appeal Stage	The part of this procedure described in section 13.
Appellant	The Respondent or Complainant who is making the appeal.
Complaint	A report of alleged Research Misconduct that it has been decided should be investigated under this procedure, as set out in section 6.
Complainant	An individual or individuals who, or organisation or organisations which, raises a Concern or makes a Complaint.
Concern	A matter relating to potential Research Misconduct that has not yet been formally classed as a Complaint as set out under section 6.
Dispute Resolution Process	The process for handling Concerns that do not require investigation under this procedure, as set out in Appendix B.
Formal Investigation	An investigation under Stage 3 of this procedure (see section 10).
Formal Investigation Committee	A Committee consisting of at least three persons, at least one of whom should be external to the University, appointed by the relevant University committee to undertake a Formal Investigation as set out in sections 10 and 11.
Head of Institution	A Head of Department, Chair of Faculty Board or head of any other University Institution under the supervision of either the Council or the General Board.
Independent Investigator	An individual or individuals appointed by the Responsible Person to undertake an Initial Screening Review and/or Preliminary Investigation as set out in sections 8 and 9. The Independent Investigator will normally be a University officer and must have appropriate expertise, and experience in the relevant field, to investigate the case (see section A5). Where there are two Independent Investigators, they act jointly as an Investigatory Panel.
Preliminary Investigation Research <sup>2</sup>	An investigation under Stage 2 of this procedure (see section 9). A process of investigation leading to new insights, effectively shared. It includes work of direct relevance to the needs of commerce, industry, and to the public and voluntary sectors; scholarship <sup>3</sup> ; the invention and generation of ideas, images, performances, artefacts including design, where these lead to new or substantially improved insights; and the use of existing knowledge in experimental development to produce new or substantially improved materials, devices, products and processes, including design and construction.
Research Governance and Integrity Team	A team within in the University Research Office designated to offer support to the Responsible Person in handling investigations under this procedure (email: <a href="mailto:researchintegrity@admin.cam.ac.uk">researchintegrity@admin.cam.ac.uk</a> ).

<sup>1</sup> See p. 186.

<sup>2</sup> The definition of Research adopted here is that given in: UUK, The Concordat to Support Research Integrity (2019), p. 18.

<sup>3</sup> Scholarship is defined as the creation, development and maintenance of the intellectual infrastructure of subjects and disciplines, in forms such as dictionaries, scholarly editions, catalogues, and contributions to major research databases. UKRIO, Procedure for the Investigation of Misconduct in Research (2008), p. 30, see <https://ukrio.org/wp-content/uploads/UKRIO-Procedure-for-the-Investigation-of-Misconduct-in-Research.pdf>.

Research Misconduct<sup>1</sup>

Behaviours or actions that fall short of the standards of ethics, research and scholarship required to ensure that the integrity of research is upheld.

Research Misconduct includes, but is not restricted to:

- Fabrication: making up results, other outputs (for example, artefacts) or aspects of research, including documentation and participant consent, and presenting and/or recording them as if they were real.
- Falsification: inappropriately manipulating and/or selecting research processes, materials, equipment, data, imagery and/or consents.
- Plagiarism: using other people's ideas, intellectual property or work (written or otherwise) without acknowledgement or permission.
- Failure to meet legal, ethical and professional obligations, for example:
  - not observing legal, ethical and other requirements for human research participants, animal subjects, or human organs or tissue used in research, or for the protection of the environment;
  - breach of the duty of care for humans involved in research, including failure to obtain appropriate informed consent;
  - misuse of personal data, including inappropriate disclosures of the identity of research participants and other breaches of confidentiality;
  - improper conduct in peer review of research proposals, results or manuscripts submitted for publication. This includes failure to disclose conflicts of interest; inadequate disclosure of clearly limited competence; misappropriation of the content of material; and breach of confidentiality or abuse of material provided in confidence for the purposes of peer review.
- Misrepresentation of:
  - data, including suppression of relevant results/data or knowingly, recklessly or by gross negligence presenting a flawed interpretation of data;
  - involvement, including inappropriate claims to authorship or attribution of work and denial of authorship/attribution to persons who have made an appropriate contribution;
  - interests, including failure to declare competing interests of researchers or funders of a study;
  - qualifications, experience and/or credentials;
  - publication history, through undisclosed duplication of publication, including undisclosed duplicate submission of manuscripts for publication.
- Improper dealing with allegations of misconduct: failing to address possible infringements, such as attempts to cover up misconduct and reprisals against whistleblowers, or failing to adhere appropriately to agreed procedures in the investigation of alleged Research Misconduct accepted as a condition of funding. Improper dealing with allegations of misconduct includes the inappropriate censoring of parties through the use of legal instruments, such as non-disclosure agreements.

For the avoidance of doubt, Research Misconduct includes acts of omission as well as acts of commission. It also includes actions meeting the definitions above undertaken through recklessness or gross negligence.

The standards by which allegations of Research Misconduct shall be judged are those applicable at the date that and for the discipline in which the behaviour under investigation took place. As such, no individual may be found guilty of Research Misconduct for systematic problems or failings. Any such issues should be handled through recommendations for action as set out in paragraph 14.1(e) below.

Honest errors and differences in, for example, research methodology or interpretations do not constitute research misconduct.

Research Misconduct does not include any alleged failure to meet legal, ethical or professional obligations not directly related to the research process (such as financial fraud, copyright or IP infringement, or export control violations), which will be handled under different University policies.

<sup>1</sup> The definition of Research Misconduct adopted here has been adapted from that given in: UUK, *The Concordat to Support Research Integrity* (2019), pp. 12–13.

Respondent	An individual or individuals about whom a Complaint is made.
Responsible Person	The head of the University Institution in which the Research Misconduct is alleged to have occurred, or where the Respondent is not a member of a University institution, the Chair of the Board, Syndicate, or other body which is chiefly concerned with the Respondent's research. Where there is more than one University Institution involved or in the event of doubt, the Secretary of the Process will decide who is the Responsible Person.
Secretary of the Process	<p>(a) In any case where all potential Respondents are assistant staff, the Secretary of the Process shall be the Secretary of the Human Resources Committee.</p> <p>(b) In all other cases the Secretary of the Process shall be either of the following:</p> <p>(i) Where the Complaint concerns a University institution under the supervision of the General Board or postgraduate students registered with the University but working at a University Partner Institution recognised by the General Board, the Academic Secretary or a deputy appointed for this purpose (email: <a href="mailto:academic.secretary@admin.cam.ac.uk">academic.secretary@admin.cam.ac.uk</a>).</p> <p>(ii) In the case of all other University institutions, the Registry or a deputy appointed for this purpose (email: <a href="mailto:registry@admin.cam.ac.uk">registry@admin.cam.ac.uk</a>).</p> <p>(c) A member or members of the Research Governance and Integrity Team may act on behalf of the Secretary of the Process at any stage at the request of the Secretary of the Process.</p>
Student	Any student pursuing a course of study at the University of Cambridge, including those studying for a University of Cambridge qualification at another institution, who has undertaken research where that research does not form part of work prepared for examination or assessment (see paragraph 2.4).
University Institution	A Faculty, Department or other body under the supervision of the Council or the General Board.
Working Day	Any day excluding UK public holidays and weekends.

#### 4. Procedure

**4.1** The Secretary of the Process is responsible for overseeing the application of this procedure in relation to any Complaint. The Research Governance and Integrity Team supports the administration and running of the procedure.

**4.2** The Research Governance and Integrity Team may, where necessary in the interests of fairness (for example, to resolve conflicts, inconsistencies or other practicalities), propose to the Secretary of the Process the variation of this procedure in a particular case. This may include the suspension or termination of an investigation under this procedure where necessary, for example where another procedure is more appropriate for handling a Complaint. The Secretary of the Process shall have discretion to approve variations where the Secretary judges that fairness to all parties is maintained and the objective of this procedure, as defined in paragraph 1.2, is achieved. Where the procedure is varied, a formal record of this decision and the reasons for it will be kept by the Research Governance and Integrity Team. Reasonable adjustments will be made to enable the full participation of any person involved in the procedure.

**4.3** Where a Complaint concerns collaborative Research with other institutions, for example another University or NHS Trust, or where it concerns a Student registered with the University whilst pursuing a course of study at an approved University Partner Institution, an appropriate investigatory procedure will be determined between the relevant institutions. This will, where possible, be carried out according to the principles established in the Russell Group Statement of Cooperation in respect of cross-institutional research misconduct allegations.<sup>1</sup> The resultant approach may be as laid out in a formal agreement between the institutions, or as determined on a case by case basis by the Secretary of the Process in liaison with the other institution. This may, where appropriate, include a joint investigation.

**4.4** Any breaches of statutory or regulatory requirements will be handled as required by the relevant statutory or regulatory framework. The nature of a Complaint may mean that it is necessary to notify legal or regulatory authorities, which may require the University to comply with an investigation led by a legal or regulatory authority, which will ordinarily take precedence over this procedure. This procedure may continue in parallel, but the Secretary of the Process may suspend the procedure, terminate it or take such other action as may be appropriate under the discretion in paragraph 4.2 above.

<sup>1</sup> Russell Group Statement of Cooperation in respect of cross-institutional research misconduct allegations, <https://russellgroup.ac.uk/policy/policy-documents/research-integrity-statement-of-cooperation/>.

**4.5** This procedure is designed to feed into other established University procedures where appropriate. Should a matter being investigated under this procedure be referred at any stage to an alternative University procedure, the alternative procedure shall be followed to the exclusion of this procedure, save for the matters set out in sections 14–16 and section A4, unless the involvement of other Respondents requires that investigation under this procedure continues in parallel. In such circumstances, information obtained through this procedure may be admitted in the parallel procedure, and vice versa.

**4.6** No Complainant should be penalised by, or suffer any detriment within, the University for bringing a Complaint, unless that Complaint is found to be malicious or vexatious (see 4.8 below). Any employee or student who has made a Complaint and who feels that, as a result, they have suffered adverse treatment may submit a formal complaint under the relevant Grievance Procedure<sup>1</sup> or Student Complaint Procedure<sup>2</sup>. In the case of workers or visiting scholars the matter will be dealt with according to the University Payment System (UPS) handbook<sup>3</sup> or the relevant visitor agreement.

**4.7** Where a member of staff feels unable to raise Concerns through this procedure, for example where they have reason to believe that doing so may lead to their suffering detrimental treatment, they may alternatively make an initial allegation under the process set out in the University's Whistleblowing Policy.<sup>4</sup> Allegations made under the Whistleblowing Policy must be made in the public interest. Where an allegation is made under the Whistleblowing Policy, it shall be open to the person to whom the allegation is made to determine whether any internal investigation to be undertaken is carried out according to this procedure.

**4.8** If a Complaint is found to be malicious or vexatious at any stage of the procedure, appropriate action may be taken against the Complainant, which may in some cases include referral to the relevant disciplinary procedure if the Complainant is an employee.<sup>5</sup>

**4.9** At each stage of the procedure, the Responsible Person may recommend that the Respondent should be suspended, excluded from University premises, and/or required to carry out restricted duties. Any such recommendation should be taken in accordance with the guidance on suspension provided in section A1.

**4.10** Counter-allegations of Research Misconduct made during the course of the procedure will be handled as separate Complaints under this procedure.

**4.11** Where there are multiple Respondents, each Respondent will be kept informed through separate meetings and separate written correspondence. Throughout the procedure every effort will be made to keep matters confidential to each Respondent and distinct where practical.

**4.12** The Secretary of the Process may seek confidential advice in relation to any aspect of this procedure from those with relevant expertise, including on behalf of the Responsible Person or the Formal Investigation Committee.

## **5. Raising Concerns informally**

**5.1** The University promotes an open culture which supports confidential discussion of any concerns about standards of conduct in Research at the earliest opportunity.

**5.2** Should any individual or organisation have a Concern of any sort but be unsure whether there are grounds to make a formal Complaint, they are strongly encouraged to raise their Concern at the earliest opportunity informally with the relevant Head of Institution. For the avoidance of doubt, seeking informal advice is not a required stage of this process; a formal Complaint under section 6 of this procedure may be made without seeking informal advice.

**5.3** Informal and confidential advice may alternatively be sought from the Research Governance and Integrity Team by contacting [researchintegrity@admin.cam.ac.uk](mailto:researchintegrity@admin.cam.ac.uk). Specialist advice is also available from the Human Resources Division and the Office of Student Conduct, Complaints and Appeals Office in accordance with section A8.

## **6. Raising Concerns formally**

**6.1** Concerns may be raised formally by an individual or organisation contacting the relevant Head of Institution in writing. Where the Complainant believes that the Head of Institution may have a conflict of interest in the matter, Concerns may be raised with the Secretary of the Process. Concerns relating to Research Misconduct received through other means will be referred to the Head of Institution, the Research Governance and Integrity Team, or the Secretary of the Process as appropriate.

**6.2** Where a Concern has been raised with a Head of Institution, the Head of Institution shall decide whether the matter relates solely to their University Institution. In such cases, the Head of Institution will normally become the Responsible Person for implementing this procedure. Where a Concern has been raised directly with the Secretary of the Process, or the Head of Institution has a conflict of interest in the matter (see section A5), the Secretary shall identify an appropriate Responsible Person.

**6.3** Upon receipt of a Concern, the Responsible Person will first consider whether it would be more effective to handle the Concern through the Dispute Resolution Process (as set out in Appendix B) than for it to be investigated under this procedure.

<sup>1</sup> <https://www.hr.admin.cam.ac.uk/policies-procedures/disciplinary-action-grievances-and-appeals-0>.

<sup>2</sup> <https://www.studentcomplaints.admin.cam.ac.uk/student-complaints>.

<sup>3</sup> See the key documents on the following webpage: <https://www.hr.admin.cam.ac.uk/information-workers>.

<sup>4</sup> <https://www.hr.admin.cam.ac.uk/policies-procedures/whistleblowing-policy-public-disclosure-university-employees>.

<sup>5</sup> A vexatious complaint is one that is made with the intention to harass, annoy or subdue somebody, or that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted.

A malicious complaint is one that is made with the intention to intimidate, to lower the reputation of, or otherwise injure or harm to an individual, through knowingly providing false or misleading information or withholding information about an incident or issue.

**6.4** It may be appropriate to refer a Concern to the Dispute Resolution Process where:

- (a) the Concern is one brought to seek redress or to settle a dispute (such as a Concern regarding unfair authorship practices or seeking a correction to a published article); and
- (b) it remains possible to address the Concern (e.g. through an agreement by the Respondent to take particular action to address the Concern, such as correcting a published article); and
- (c) the Responsible Person is satisfied that, should the Concern have substance, corrective action would be sufficient to address the Concern (i.e. disciplinary action against the Respondent would not be appropriate).

**6.5** Should the Responsible Person decide that a Concern would most effectively be handled through the Dispute Resolution Process, the Responsible Person shall write to the Complainant to seek consent for this process to be used. Concerns may only be referred to the Dispute Resolution Process with the written consent of the Complainant. Should the Complainant agree, the Dispute Resolution Process may be followed to the exclusion of this procedure (please refer to Appendix B).

**6.6** Should the Responsible Person decide that the Dispute Resolution Process would not be appropriate or the Complainant does not consent to its use, the Concern shall henceforth be considered a Complaint of Research Misconduct and this procedure will continue to be followed.

## 7. Investigation stages

### 7.1 Summary table

	<i>Name of stage</i>	<i>Purpose</i>	<i>Carried out by</i>	<i>Approximate timeline</i>
Stage 1	Initial screening review	To determine whether the Complaint falls within the scope of the procedure, meets the definition of Research Misconduct, and is not trivial or clearly without foundation, and therefore should be subject to a Preliminary Investigation.	Independent Investigator	Complete within approximately 15 Working Days of receipt of the Complaint.
Stage 2	Preliminary Investigation	To evaluate the facts of the Complaint in order to ascertain whether there is sufficient evidence of a case of Research Misconduct to require a Formal Investigation.	Independent Investigator	Complete within approximately 30 Working Days from the date a decision is taken to move to Stage 2.
Stage 3	Formal Investigation	To examine and evaluate all the relevant evidence and conclude whether Research Misconduct took place and if so, who was responsible.	Formal Investigation Committee	Complete within approximately 40 Working Days from the date a decision is taken to move to Stage 3.

## 8. Stage 1 – Initial screening review

**8.1** Once it has been decided that a Concern will be handled under this procedure, the Responsible Person will inform and seek advice from the Secretary of the Process and the Research Governance and Integrity Team. Advice should also be sought from a HR Business Partner or HR Adviser or, in the case of a Respondent who is a current or former Student, the Senior Tutor of the Student's College and the Head of the Student Conduct, Complaints and Appeals Office (see section A4).

**8.2** The Responsible Person shall determine whether the Complaint identifies a situation where immediate action is needed to prevent risk of harm to humans, animals or to the environment, or to prevent illegal activity, and if necessary take such action as the Responsible Person thinks fit and in accordance with section A1. Where the Responsible Person identifies potential for serious reputational harm to the University, they shall inform the Academic Secretary of the risk.

**8.3** The Responsible Person, or the Research Governance and Integrity Team on the Responsible Person's behalf, shall acknowledge receipt of the Complaint in writing and provide the Complainant with a copy of this procedure.

**8.4** The Responsible Person will appoint an Independent Investigator (or two Independent Investigators acting jointly as an Investigatory Panel in more complex cases) to conduct the initial screening review (see section A5).

**8.5** The Independent Investigator will then carry out an initial screening review. The review will normally take the form of a paper review of the evidence provided as part of the Complaint. The Independent Investigator may request further information from the Complainant if this is required to make a judgement. The purpose of the initial screening review is to determine that:

- (a) the Complaint falls within the scope of this procedure as set out in section 2 above;
- (b) the subject-matter of the Complaint falls within the definition of Research Misconduct, as set out in section 3 above; and
- (c) the Complaint is not trivial or clearly without foundation.



**8.6** The initial screening review should be completed as soon as possible, normally within 15 Working Days of receipt of the Complaint. This is an indicative deadline and may be extended where the Responsible Person judges this necessary. Nonetheless, the Responsible Person will acknowledge receipt of the Complaint within 15 Working Days and will inform the Respondent and the Complainant if the initial screening will take longer than set out above and the reasons for this.

**8.7** The Independent Investigator shall inform the Responsible Person of the outcome of the initial screening review. The Independent Investigator's findings should be provided to the Responsible Person in writing, but not necessarily in the form of a formal report, and should clearly set out whether, in the opinion of the Independent Investigator, the Complaint meets all of the requirements set out in paragraph 8.5. Where two Independent Investigators have been appointed and they disagree on whether those requirements are met, the nature and reasons for the disagreement shall be set out in writing.

**8.8** Should the initial screening review conclude that the Complaint does not meet all of the requirements set out in paragraph 8.5, the Responsible Person may dismiss the Complaint or refer the Complaint to an alternative internal or external procedure or authority, as appropriate.

**8.9** If the initial screening review concludes that the Complaint meets all of the requirements set out in paragraph 8.5, the Responsible Person shall establish a Preliminary Investigation under Stage 2.

**8.10** The Responsible Person shall inform the Complainant, the Secretary of the Process and the Research Governance and Integrity Team of their decision in writing.

**8.11** The Complainant may appeal a decision to dismiss a Complaint under section 13.

## **9. Stage 2 – Preliminary Investigation**

**9.1** Once a decision has been made to establish a preliminary investigation, the Responsible Person will, seeking confidential advice where necessary:

- (a) comply with any requirement under grant conditions, law, or other obligations, to report the establishment of a Preliminary Investigation to funders of Research, publishers, regulators and professional and/or statutory bodies (see paragraph A4.6). Reports to such bodies may also be required at subsequent stages of the procedure.
- (b) take all possible steps to ensure that relevant Research, records or materials which might be required for evidentiary purposes or which may have been compromised by the alleged Research Misconduct, are preserved and if appropriate secured.

**9.2** The Responsible Person will ask the Independent Investigator to conduct the Preliminary Investigation. If required, for whatever reason, the Responsible Person may choose to appoint a new or a second Independent Investigator at this stage (see section A5).

**9.3** The Responsible Person will:

- (a) inform the Complainant in writing that the Complaint will be subject to a Preliminary Investigation, providing the identity of the Independent Investigator, a copy of this procedure and any materials necessary for the Complainant's involvement in the investigation, and explain the next steps and timescales;
- (b) inform the Respondent of the intention to establish a Preliminary Investigation, providing details of the Independent Investigator, copies of the materials and a copy of the written findings of the initial screening review (subject to paragraph A2.5), a copy of this procedure, and explain the next steps and timescales, including the opportunity for the Respondent to respond to the Complaint and provide additional information or evidence, and the potential consequences should the Complaint be upheld. Where possible this should be done at a confidential meeting to which the Respondent may be accompanied as set out in section A3. Where this is not possible (for example, because the Respondent is no longer based in the University), this should be done through a formal confidential letter (delivered by post or electronically);
- (c) advise the Complainant and the Respondent on the circumstances in which they may request the replacement of the Independent Investigator as set out in paragraph A5.4.

**9.4** The Responsible Person should take all reasonable steps to inform the Respondent of the Preliminary Investigation and give the Respondent an opportunity to respond to the Complaint. Should it not prove possible, after a reasonable number of attempts, to contact the Respondent, or should the Respondent refuse to participate in the investigation, the investigation may continue without the Respondent's participation and decisions will be based on the evidence available.

**9.5** The Responsible Person will provide the Independent Investigator with copies of all materials necessary to undertake the Preliminary Investigation. The Secretary of the Process will arrange administrative support for the Preliminary Investigation, which will usually be provided by the Research Governance and Integrity Team.

**9.6** The purpose of the Preliminary Investigation is to evaluate the facts of the Complaint in order to ascertain whether there is sufficient evidence of a case of Research Misconduct to require a Formal Investigation under Stage 3 of this procedure. The Independent Investigator will need to be satisfied that the information is sufficiently complete to be able to reach an informed decision. The Preliminary Investigation will normally include interviewing the Complainant and the Respondent. Any new evidence collected by the Independent Investigator, including notes of interviews, will be provided to the Respondent. The Complainant will receive any materials necessary for their involvement in the investigation.

**9.7** The investigation should normally take no more than 30 Working Days from the date of the decision to establish a Preliminary Investigation until the delivery of the draft report to the Respondent (see paragraph 9.9 below). Should the Independent Investigator determine that more time will be needed to complete the Preliminary Investigation, the Independent Investigator may seek the permission of the Secretary of the Process to extend this

deadline. The Secretary of the Process will inform the Respondent and the Complainant of any extension to the deadline and the reasons for this.

**9.8** The Independent Investigator will prepare a written report, setting out the evidence which has been evaluated and a conclusion as to whether in their opinion there is sufficient evidence of a case of Research Misconduct to require a Formal Investigation under Stage 3. Where the investigation has identified systemic challenges to research integrity or identified potential improvements to University policies, procedures or support, these should also be clearly set out in the report.

**9.9** The Independent Investigator will provide the Respondent with a draft copy of the report and give the Respondent an opportunity to comment in writing on the factual accuracy of the report within 10 Working Days. The Respondent's written comments will be attached as an annex to the report. Only where the Independent Investigator judges that the report contains errors of fact should the Independent Investigator modify the report. If changes are made, the Independent Investigator will provide the Respondent with an amended copy of the report, with amendments clearly identified, and will give a further opportunity to the Respondent to comment on the changes made.

**9.10** The Independent Investigator will provide the Responsible Person and the Respondent with the final version of the report. The report will set out the outcome of the Preliminary Investigation, which will be one or more of the following findings:

- (a) There is insufficient evidence of a case of Research Misconduct and the matter should be closed.
- (b) It is not appropriate to consider the matter under this procedure and it should be referred for consideration under another University procedure or be dealt with by other means. This could include a referral for consideration under another disciplinary procedure, in which case the Responsible Person would consider whether any actions are necessary under section 14 after the conclusion of that disciplinary procedure.
- (c) There is insufficient evidence of a case of Research Misconduct for the matter to require further investigation under this procedure, but there is evidence of a lesser infraction or an honest error, with no evident intention to deceive and not the result of recklessness or gross negligence, that should be addressed through mentoring, education and training or other non-disciplinary approaches.<sup>1</sup> The Responsible Person must consider the advice of the Secretary of the Process before concluding that a case may be dealt with through non-disciplinary measures.
- (d) There is sufficient evidence of a case of Research Misconduct to require a Formal Investigation under Stage 3 (see section 10 below).

**9.11** The Responsible Person will inform the Secretary of the Process and Research Governance and Integrity Team in writing of the Independent Investigator's decision, providing them with a copy of the report. Where the Responsible Person is not the Respondent's Head of Institution, the Head of Institution should also be informed and provided with a copy of the report. Where any Respondent is a member of staff, the Director of Human Resources or their nominated deputy shall also be provided with a copy of the report. Where the Respondent is a Student, the Senior Tutor of the Student's College shall also be provided with a copy of the report. The Responsible Person shall write to the Complainant and to the Respondent to inform them of the outcome of the Preliminary Investigation and explain the next steps.

**9.12** If an investigation is closed at Stage 2, the Complainant may appeal that decision under section 13. If the decision is a finding under paragraph 9.10(b), (c) or (d) above, the Respondent may appeal that decision under section 13.

## **10. Stage 3 – Formal Investigation**

**10.1** If it is established that there is evidence of a case of Research Misconduct the Responsible Person shall refer the case to the Secretary of the Process and the Research Governance and Integrity Team to establish a Formal Investigation.

**10.2** The purpose of a Formal Investigation is to examine and evaluate all the relevant evidence and whether it is sufficient to support a decision by the Responsible Person that Research Misconduct has taken place and, if so, who was responsible and what action should ensue.

**10.3** The Secretary of the Process shall ask the relevant University committee to appoint a Formal Investigation Committee to undertake a Formal Investigation.

- (a) The relevant University committee shall be the Human Resources Committee where the Respondent is a member of assistant staff, the General Board where the Complaint concerns a University Institution under the supervision of the General Board or a postgraduate Student registered with the University but working at a University Partner Institution recognised by the General Board, and the Council where the Complaint concerns any other University Institution. In any instances where it is unclear which body should appoint the Formal Investigation Committee, the Secretary of the Process shall decide the most appropriate means of doing so. The Secretary of the Process may, where the Secretary considers this necessary, ask the Chair of the relevant University committee to appoint the members of the Formal Investigation Committee by Chair's action, for subsequent report to the University committee.

<sup>1</sup> For example, an accidental failure in referencing caused by a poorly managed drafting process or an infraction clearly attributable to lack of appropriate training might be dealt with in this fashion.

- (b) The Formal Investigation Committee shall consist of at least three persons, one of whom shall be appointed as the Chair and at least one of whom shall be an external member.<sup>1</sup> Those members of the Formal Investigation Committee who are not external shall be University officers and shall not hold an affiliation or appointment in the same University Institution as either the Respondent or the Complainant. The Chair will not normally be an external member. All members must have appropriate expertise to investigate the case, experience in the relevant field, and must have no conflict of interest in, or previous involvement with, the case (see section A5).

**10.4** The Secretary of the Process will:

- (a) define in writing the Complaint to be investigated;
- (b) inform the Respondent and the Complainant in writing of the Complaint to be formally investigated, the names of the members of the Formal Investigation Committee and details of next steps and timescales;
- (c) explain to the Respondent and the Complainant the circumstances in which they may request the replacement of members of the Formal Investigation Committee under paragraph A5.3;
- (d) inform the Complainant that they will be invited to be interviewed and the Respondent that they will be invited to a hearing in due course, explaining the arrangements for these meetings (including that the Respondent will be able to ask questions about the evidence, provide additional information and call witnesses as part of the hearing);
- (e) appoint an individual to act as secretary to the Formal Investigation Committee, who will usually be a member of the Research Governance and Integrity Team.

**10.5** The Formal Investigation should normally take up to 40 Working Days from the date of the decision to establish a Formal Investigation until the delivery of the draft report to the Respondent (see paragraph 10.11 below). Should the Chair of the Formal Investigation Committee determine that more time will be needed to complete the Formal Investigation, they may seek the permission of the Secretary of the Process to extend this deadline. The Secretary of the Process will inform the Respondent and Complainant of any extension to the deadline and the reasons for this.

**10.6** The Formal Investigation Committee will:

- (a) examine all relevant documentation from Stages 1 and 2 of the procedure;
- (b) identify whether it requires further information and obtain this;
- (c) interview the Complainant, as well as any other individuals whom the Formal Investigation Committee believe may possess knowledge or information relevant to the Complaint. With the exception of the Complainant, individuals interviewed at the Preliminary Investigation Stage will not be interviewed again unless the Chair of the Committee considers this necessary;
- (d) provide the Respondent with all evidence, including notes of interviews, subject to paragraph A2.5; and
- (e) provide the Complainant with all evidence necessary to participate in the Formal Investigation.

**10.7** Once all interviews have been completed and all notes and evidence have been shared with the Respondent, the Formal Investigation Committee will then invite the Respondent, in writing, to a hearing, which will be held without unreasonable delay. The Respondent will be provided with a reasonable amount of time to prepare their case in advance of the hearing. The Respondent may submit additional evidence in advance of the hearing and will be invited to call witnesses to support their case. The Respondent must provide reasonable advance notice to the secretary of the Formal Investigation Committee of any intention to call witnesses. Witnesses called by the Respondent or the Formal Investigation Committee may attend the hearing to provide their statement in person or instead provide a witness statement in advance of the hearing if they attend but prefer not to present their own statement or if they are unable to attend (hearings will not be delayed to enable witnesses to attend in person). The Respondent should make every effort to attend the hearing.

**10.8** At the hearing the Formal Investigation Committee will explain the Complaint, discuss the evidence, and ask the Respondent questions. The Respondent will be given the opportunity to set out their response to the Complaint, ask the Committee questions, present their own evidence, call witnesses to support their case and raise points about the information provided by witnesses. The Respondent is encouraged to provide any new written evidence in advance of the meeting. If the Chair of the Formal Investigation Committee considers that it is in the interest of fairness to do so, the Respondent may introduce new additional evidence (including the calling of additional witnesses) after circulation of the papers for the hearing or at the hearing. The Chair of the Formal Investigation Committee may at their discretion decide to adjourn the hearing, provided that any adjournment will not lead to an unreasonable delay.

Following the hearing, the Formal Investigation Committee will consider its conclusions in private. The Formal Investigation Committee will aim to make a unanimous decision, failing which a majority decision will be acceptable.

**10.9** The Formal Investigation Committee will prepare a final written report. The report will summarise the evidence collected by the Formal Investigation Committee (and by the Respondent, if applicable) and provide its conclusions, with the reasons for these, and may make recommendations for actions to be taken by the Responsible Person (see paragraph 11.3). Where the Formal Investigation Committee is unable to reach a definitive conclusion, it will give its reasons and make recommendations on possible methods for closure.

<sup>1</sup> For the purposes of this procedure, the definition of 'external member' in Special Ordinance A (viii) 6 shall apply, i.e. any person who at the time of appointment is not qualified to be a member of the Regent House except under Special Ordinance A (i) (a)(ii) nor is an employee of the University or any of its companies or a College. For allegations involving staff on honorary clinical contracts the Committee may include members from the employing NHS Trust, but those members will not be considered external members.

**10.10** The Formal Investigation Committee may also make any further recommendations as it sees fit. This might include measures to safeguard Research participants, correct the Research record or investigate other matters of possible misconduct. Where the Formal Investigation has identified systemic challenges to research integrity or identified potential improvements to University policies, procedures or support, these shall also be clearly set out in the report.

**10.11** The secretary to the Formal Investigation Committee shall provide the Respondent with a draft copy of the report and an opportunity to comment in writing on the factual accuracy of the report within 10 Working Days. The written comments will be attached as an annex to the report. Only where the Formal Investigation Committee judges that the report contains errors of fact should it modify the report. If changes are made, the secretary to the Formal Investigation Committee shall provide the Respondent with an amended copy of the report, with amendments clearly identified, and give the Respondent a further opportunity to comment on the changes made.

**10.12** The secretary to the Formal Investigation Committee shall provide the final version of the report to the Respondent, the Secretary of the Process, the Responsible Person and the Research Governance and Integrity Team.

## **11. Action on receipt of a Stage 3 report**

**11.1** The Responsible Person, taking the advice of the Secretary of the Process and the Research Governance and Integrity Team, will consider the report and will take such action as they deem appropriate in light of the findings of the Formal Investigation Committee.

**11.2** Actions taken by the Responsible Person will be one or more of the following:

- (a) a determination that Research Misconduct has not taken place, and the Complaint should be dismissed;
- (b) a determination that Research Misconduct has taken place such that it will be referred for consideration under the applicable University disciplinary procedure (see section 12). For the purposes of reporting and other consequential actions under section 14, this will be considered a finding of Research Misconduct on the balance of probabilities against the Respondent. Results of any investigation undertaken under this procedure, including the final report and any evidence collected, may be taken into account for the purposes of any disciplinary procedure;
- (c) a determination that Research Misconduct has not taken place, but the evidence does indicate a lesser infraction or an honest error, with no evident intention to deceive and not the result of recklessness or gross negligence, that should be addressed through mentoring, education and training or other non-disciplinary approaches. The Responsible Person must consider the advice of the Secretary of the Process before concluding that a case may be dealt with through non-disciplinary measures;
- (d) a determination that Research Misconduct has not taken place, but the Formal Investigation has identified matters that should be referred for consideration under another University procedure or be dealt with by other means;
- (e) in the case of a Complaint relating to a Respondent who is not a University employee or a Student, a recommendation as to the appropriate next step bearing in mind the status of the Respondent.

**11.3** The secretary to the Formal Investigation Committee shall provide the Respondent and the Complainant with written confirmation of the decision following the Final Investigation and the actions being taken, which should summarise the reasons for those decisions.

**11.4** If the Complaint is dismissed at Stage 3, the Complainant may appeal the decision under section 13.

**11.5** If the decision following the Formal Investigation is any of the actions under paragraph 11.3(b)–(e), the Respondent may make an appeal under section 13.

## **12. Referral to a disciplinary procedure**

**12.1** Should there be a decision at the Formal Investigation stage of this procedure (Stage 3) that the matter should be referred for consideration of the appropriate sanction under the University disciplinary procedure applicable to the Respondent, the matter shall proceed according to that disciplinary procedure. Where more than one procedure may be appropriate, the Secretary of the Process shall take advice from HR or, in the case of students, the Office of Student Conduct, Complaints and Appeals.

**12.2** In the case of University officers, for whom the relevant disciplinary procedure is contained in Chapter III of the Schedule to Statute C, a decision will be made by the Responsible Person under that disciplinary procedure as to whether the matter should be addressed within the Department or other institution under sections 2 or 3, or referred to the Vice-Chancellor under section 5, of that chapter.<sup>1</sup> The Responsible Person may ask the Formal Investigation Committee to provide an additional report assessing its findings against the higher standard of proof (beyond reasonable doubt) where the matter has or may be referred to the Vice-Chancellor under Chapter III of the Schedule to Statute C.

**12.3** For unestablished academic and academic-related staff (including contract research staff), the matter will be handled according to the Statement of the University's policy and procedures relating to disciplinary action, grievances and appeals in respect of unestablished academic and academic-related staff.<sup>2</sup>

**12.4** In the case of assistant staff, the matter will proceed according to the Disciplinary Procedures set out in the Assistant Staff Handbook.<sup>3</sup>

<sup>1</sup> See p. 23.

<sup>2</sup> <https://www.hr.admin.cam.ac.uk/policies-procedures/disciplinary-action-grievances-and-appeals-0/disciplinary-grievances-and-appeals>.

<sup>3</sup> <https://www.hr.admin.cam.ac.uk/hr-staff/information-staff/assistant-staff-handbook/disciplinary-procedures>.



**12.5** In the case of clinical staff, the matter will proceed according to the disciplinary procedures relevant to both the University and the relevant NHS Trust where the postholder holds an honorary clinical contract. The report on the Formal Investigation and any relevant information including the outcome of any disciplinary process will be shared with the relevant NHS Trust and regulatory body (GMC/NMC/HCPC) where appropriate.

**12.6** In the case of University Students or former Students, the matter will proceed according to the University Student Disciplinary Procedure.<sup>1</sup>

**12.7** In cases in which the Respondent is not an employee, Student or former Student of the University, it will not be possible for the University to take disciplinary action. In the case of workers employed by the University or visiting scholars, the matter will be dealt with according to the UPS handbook or the relevant visitor agreement as appropriate and may lead to the termination of the assignment or visitor agreement.

**12.8** The decision following a Formal Investigation under this procedure resulting in an action under paragraph 11.2(b) will not be retrospectively affected by any subsequent disciplinary procedure. For the avoidance of doubt, a determination under paragraph 11.2(b) shall not be reversed by the decision in subsequent disciplinary proceedings. The Respondent may appeal the findings of an investigation undertaken under this procedure as part of an appeal against the decision following the Formal Investigation under section 13.

### **13. Appeal**

**13.1** Should either the Respondent or Complainant wish to appeal the outcome of this procedure, they can do so by making written representations to the Secretary of the Process within 15 Working Days of receipt of the decision. For the purpose of this Appeal Stage, the outcome is the decision that concludes the procedure as described in previous sections, including but not limited to any actions the Responsible Person decides to take under paragraph 11.2. The Respondent or Complainant will set out the grounds of appeal and state whether the appeal is in respect of the whole or any specified part of any finding of fact or decision.

**13.2** The Academic Secretary will appoint an Appeal Manager, who will be a University officer of seniority equivalent to or greater than the Responsible Person, and who has no conflict of interest and has had no previous involvement in the case. A member of the Research Governance and Integrity Team and an HR representative will be appointed to provide procedural advice to the Appeal Manager. The Appeal Manager will receive all documents relied upon by the Responsible Person in reaching a decision.

**13.3** During the appeal proceedings, the Appellant will not be entitled, except with the agreement of the Appeal Manager, to rely on any grounds of appeal not specified in their written appeal.

**13.4** Where the appeal directly affects another person (for example, the Complainant, if the Respondent submits an appeal, or vice versa), that person should be advised of the appeal, the likely timescale for considering it, and the outcome of the appeal. If new information is required from that person in order to decide the outcome of the appeal, they will be provided with the necessary information and an opportunity to respond to the points made in the grounds of appeal. The person affected will be told if anyone else is to be informed about the appeal outcome and about the type of information they will be given.

**13.5** An appeal hearing should be arranged without unreasonable delay. Notes will be taken at the appeal hearing.

**13.6** The Appellant may make representations in person and/or in writing at the appeal hearing.

**13.7** Unless the Appellant has indicated they do not wish to make representations in person, they must make every effort to attend the hearing. If the Appellant fails to attend without good reason, or is persistently unable to do so, the Appeal Manager may proceed on the evidence available in the Appellant's absence.

**13.8** Others involved in the investigation (e.g. the Responsible Person, the Investigator or witnesses) may be asked to attend the appeal hearing, or to provide written representations in advance of the hearing, to respond to questions raised by the Appeal Manager. Anyone attending the appeal hearing may be accompanied as set out in section A3.

**13.9** The Appeal Manager may set time-limits for each stage of the appeal proceedings, including a time-limit within which the hearing will take place, so that the appeal will be heard and determined as expeditiously as is reasonably practicable. The Appeal Manager may at their discretion decide to adjourn the appeal hearing, provided that any adjournment will not lead to an unreasonable delay.

**13.10** Following the appeal hearing, the Appeal Manager will consider the facts of the case and may uphold or dismiss the appeal, in whole or in part.

**13.11** The Appeal Manager will notify the Appellant of their decision in writing, setting out reasons for the decision. This should occur without unreasonable delay and wherever possible within 10 Working Days of the appeal hearing. A copy of the letter will be sent to the Secretary of the Process. In cases where the Respondent is not the Appellant, the Respondent should be advised of any parts of the Appeal Manager's decision relevant to them.

**13.12** The Appeal Manager may decide to vary the above Appeal Stage procedure as they deem appropriate, provided the appeal is dealt with fairly and impartially and without unreasonable delay.

**13.13** There is no further right to appeal the outcome of this procedure.

### **14. Completion of the procedure**

**14.1** Following the issue of a decision in writing concluding the procedure, or the referral of the matter for consideration under another procedure (following, if appropriate, the conclusion of any appeal under section 13), the Responsible Person shall ensure that the following actions are taken, aiming to complete them within three months of completion of the Formal Investigation:

<sup>1</sup> <https://www.studentcomplaints.admin.cam.ac.uk/student-discipline>.



- (a) the notification of all regulatory, funding or other bodies required to be notified of the outcome of the procedure under grant conditions, by law or other obligations;
- (b) the notification of Research participants or patients (and their doctors) as circumstances, contractual and ethical obligations and statutory requirements dictate;
- (c) the notification of any third parties deemed by the Responsible Person to have a legitimate interest in the outcome of the procedure, for example, other employing institutions;
- (d) the recommendation of any changes to the internal management procedures governing the Research concerned, including training and enhanced supervision where appropriate;
- (e) discussion with the Research Governance and Integrity Team of any recommendations or lessons learnt that suggest the need for changes to University policies, procedures or support. Where serious systemic research integrity issues have been identified, the Research Governance and Integrity Team will inform the Pro-Vice-Chancellor with responsibility for Research and agree steps for action to address these;
- (f) the rectification of the Research record where required, including but not limited to informing the editors of any journals that have published articles concerning Research linked to a Complaint which has been upheld.

**14.2** If, at any stage of the procedure, a Complaint is dismissed, withdrawn or found to be unsubstantiated, the Responsible Person shall take any action they deem necessary to protect the interests and reputation of the Respondent and the University. This may include ensuring that all those who had been made aware of the Complaint are informed in writing that the Complaint has been investigated and that no further action is to be taken. If the Complaint or the substance of the Complaint was published, the University will make public the outcome of the procedure.

**14.3** In handling the outcome of this procedure, or of any procedure to which a Complaint made under this procedure is referred, the Responsible Person will not make inappropriate use of legal instruments, such as non-disclosure agreements, to censor parties.

**14.4** Where the decision under Stage 2 or Stage 3 of this procedure is that the Respondent is to undertake mentoring, education, training or another activity, the Respondent's failure to participate in such activity may result in disciplinary action being taken.

## **15. Continuation of investigation**

**15.1** The Responsible Person may decide to take no further action at any point during this procedure for good cause, including the receipt of new information about the Complaint. The Respondent resigning from, or otherwise leaving, the University before the conclusion of this procedure alone shall not constitute good cause. The Respondent should also be advised that the University may inform, and in some cases may be legally obliged to inform, future employers, regulatory, funding or professional bodies that a Complaint has been made, irrespective of whether the procedure has concluded.

**15.2** Where the Respondent admits the Complaint made against them, or otherwise admits Research Misconduct, the Responsible Person, with the advice of the Secretary of the Process, will decide whether to continue with this procedure or to refer the matter for consideration under a University disciplinary procedure as set out in section 12.

**15.3** Where the Complainant withdraws the Complaint or fails to participate in the procedure, the Responsible Person, with the advice of the Secretary of the Process, will nevertheless seek, wherever possible, to complete the procedure.

## **16. Record-keeping**

**16.1** On the completion of any investigation under this procedure, the Responsible Person and, if appropriate, the secretary to the Formal Investigation Committee will provide the Research Governance and Integrity Team with all substantive records in their possession relating to the investigation procedure, including notes of meetings. A record of every Complaint, its outcome and the location of all records relating to that Complaint will be kept by the Research Governance and Integrity Team.

**16.2** The Research Governance and Integrity Team will ensure that proper records of all stages of the procedure are kept in accordance with the University's Statement of Records Management Practice and Master Records Retention Schedule.<sup>1</sup>

<sup>1</sup> <https://www.information-compliance.admin.cam.ac.uk/records-management>.