



SOUTH BANK STUDENTS' UNION

**A D V I C E**  
**S E R V I C E**

HALLS OF RESIDENCE DISCIPLINARIES

## **Halls of Residence Disciplinary**

When you take up a room in a Hall of Residence, you sign and accept that you will abide by the Accommodation Agreement. If you are suspected of breaching it, you might be subject to a disciplinary investigation. This is known as the Halls Disciplinary Procedure.

If you want to find out more about this procedure and how it could affect you, please seek advice as early as possible. The Students' Union Advice Service is here to help!

### **What are Halls Disciplinary?**

Below is a list of offences that are considered serious enough to be dealt with under the Halls Disciplinary procedure. This list does not cover everything; there could be incidents that are still investigated if your Residence Manager believes it should be dealt with as a disciplinary matter.

- You engage in abusive or unreasonable behaviour in the Student Residence or the nearby vicinity which might cause a disturbance, annoyance, nuisance damage or injury to residents, employees of the University, the occupiers of premises adjacent to or neighbouring the Student Residence, or to members of the public;
- You possess, use or supply drugs in the Student Residence or allow the flat or room to be used for the storage, use or supply of drugs by others;
- You carry on any illegal, immoral or improper activity in the room;
- You make or allow excessive noise (i.e. by shouting, slamming doors, playing music or other electrical equipment loudly) in the room, flat, shared areas or in the nearby vicinity of the Student Residence;
- You commit the criminal offence of tampering or interference with heat/smoke detectors, fire alarms, fire-fighting equipment, emergency exits or fire doors (including propping open fire doors);
- You smoke, or allow guests to smoke, in any area of the Student Residence with the exception of designated smoking areas;
- General failure to observe and cooperate with Health and Safety procedures.

This procedure will only be used if your behaviour in Halls of Residence is called into question and is separate to the Student Disciplinary Procedure. If the issue took place at the University or is believed to have an impact on the safety of other students and staff, the matter will be dealt with under the Student Disciplinary Procedure and may have an impact on your studies.

## **Who is responsible for the Disciplinary Process?**

The Director of Estates and Academic Environment is responsible for investigating incidents that take place in Halls of Residence, and will nominate a member of Halls of Residence staff to act as the 'local manager'. The local manager is responsible for the operation of the disciplinary process and for making decisions about how cases are handled, while the Head of Student Accommodation and the Director of Estates and Academic Environment deal with appeals.

### **Stage 1 – Informal Resolution**

Reports of unacceptable behaviour in Halls of Residence should be reported to your Residence Manager, who will seek to resolve the problem locally first. They will investigate whether the incident took place and determine if it was a breach of the Accommodation Agreement. Minor conduct issues can normally be resolved between you and the local manager by them giving either a verbal or written warning. Detailed notes will be kept on your accommodation file (this includes recording details of the breach, your full name, the date the breach occurred and the action was taken). The notes will be kept until you leave the University. However, if the matter is resolved informally, the notes will be destroyed as soon as you leave your Hall of Residence.

### **Stage 2 – The Disciplinary Committee**

If your Residence Manager is unable to deal with the issue informally, the case will be escalated to the Head of Student Accommodation and the Student Accommodation Central Administrator, who will initiate the formal proceedings by putting together a Disciplinary Committee. The Committee is made up of three people: The Head of Student Accommodation, the Student Accommodation Central Administrator or his/her nominee, and a representative of the Students' Union.

The next step is the Disciplinary Interview. You will receive an invitation that includes the date of the interview, names of the members of the Committee responsible for dealing with your case, along with details of the investigation carried out by the Residence Manager as well as a copy of the Halls of Residence Disciplinary procedure. You are invited to make an optional response no later than two teaching days before the interview takes place. Both oral and written evidence is considered and the Committee does not usually require other witnesses to be present if written statements have been made available.

All relevant information relating to the alleged breach must be forwarded to you. In the event that certain statements involve other incident(s), or individuals who should not or do not wish to be named, the Chair may exceptionally allow a written statement to be anonymised or paraphrased.

At the interview, you get the opportunity to explain the situation from your point of view, presenting any evidence you feel will support your case. You are allowed to bring a 3 friend along for the interview or an advisor from the Students' Union, provided they are not legally qualified.

The Committee makes their decision shortly after and will notify you in writing within five teaching days after the disciplinary interview.

### **What are the possible penalties/outcomes?**

- Dismissal of the case;
- Reprimanding you with an oral or written warning;
- Requiring you to pay for any damage made to the property in your Hall of Residence;
- Termination of your Accommodation Agreement;
- Referral to the Pro-Vice-Chancellor if the breach also constitutes a breach of the University's Student Disciplinary Procedure.

### **Stage 3 – Appeal**

If you are unhappy with the decision, you have the right to appeal. This request must be submitted in writing to [hallsdisciplinaryappeal@lsbu.ac.uk](mailto:hallsdisciplinaryappeal@lsbu.ac.uk) within five teaching days from the date of your outcome letter. The grounds are as follows:

1. There is evidence that the procedures have not been followed correctly, which may have affected the outcome/decision of the Halls of Residence Disciplinary Committee;
2. There is new information, which was not available at the time of the disciplinary interview that may have changed the decision of the Halls of Residence Disciplinary Committee if they had had it at the time.

The Head of Student Accommodation will reply to you within five teaching days of receiving the request, notifying you whether leave to appeal has been granted or not.

If your request is successful, the Director of Estates and Academic Environment or his/her nominee will review your case. This can take up to 28 teaching days.

The outcome is usually one of the following:

- Case dismissed: The Director of Estates and Academic Environment agree that the case was unreasonable and all sanctions imposed on you will be removed;
- Procedural error is proven and the case will be referred back to the stage in the procedure where the error occurred;
- The original outcome is upheld;
- The case is referred to the University's Student Disciplinary Procedure and records of your case will be made available to the Pro-Vice-Chancellor for Education and Student Experience. This happens if new evidence comes to light that might jeopardise the safety of staff and students.

## **FAQs**

### **How do I report unacceptable conduct?**

If you witness or experience unacceptable behaviour in your Hall of Residence, you should report it to your Residence Manager, who will investigate the incident. However, if your concerns are related to a student's conduct at University, this may fall under the Student Disciplinary Procedure and needs to be reported through this process instead.

### **I have a disability, is this taken into account?**

All efforts will be made to support students with disabilities who are under investigation. If the staff has concerns about your wellbeing during the process, the University's Wellbeing Team can be contacted for support. Similarly, if you are registered with DDS your circumstances will be taken into account when applying this procedure. However, suffering from a mental health condition or having a disability cannot be used as a defence for unacceptable behaviour.

### **I have been accused of a disciplinary offence and I'm not quite sure what to do. Who can help me?**

Your Students' Union is here to help. Please book an appointment with our Advice Service if you require support during the process. We are also able to accompany you to your Disciplinary meeting.

**I have been through all three stages and I am still unhappy with the outcome, what can I do?**

If at the end of the last stage of the Halls of Residence Disciplinary Procedure, you are still not happy with the outcome, you can make a complaint to the Office of the Independent Adjudicator (OIA), who reviews complaints by students against higher educational providers. Please visit <http://www.oiahe.org.uk/> for further information or book an appointment with the Students' Union Advice Service.

**What happens if I am under criminal investigation for the incident?**

If you are subject to a police investigation, the Local Manager will ask you to give consent for the police to provide information to the University on the progress of the police investigation. The Head of Security will then monitor the case and keep the Residence Manager and the University Solicitor informed.

The University reserves the right to either suspend or continue with the disciplinary process in cases where the police investigation is ongoing, or has been suspended or discontinued, and will make a decision based on the available evidence.

**My Accommodation Agreement has been terminated as a result of a disciplinary offence, will this affect my studies?**

The outcome of the Halls of Residence Disciplinary procedure will be disclosed in full to the University. While severe offences might result in a suspension or exclusion from your 5 courses, others will only impact your accommodation arrangements. If in doubt about the decision, please consult the Students' Union's Advice Service.

**What makes acceptable evidence in Halls Disciplinarys?**

During the investigation, the local manager will interview witnesses to the incident and gather documents relevant to the case. If you are invited to attend a disciplinary interview you have the opportunity to write a statement ahead of the meeting and bring any evidence you feel will help your case.



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