

Guidance for the Reporting Student (Conduct Cases)

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

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

1 Remit of the procedures

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

Matters will not be excluded from consideration simply because the alleged act could constitute a serious criminal offence. There are University staff and external organisations that can discuss how to pursue a criminal complaint if you choose to report an incident as a criminal offence, see 3 below.

If a criminal/police investigation starts or is already in progress, then the University will typically continue with precautionary measures, but suspend its investigation of the student conduct case. We do this so that the University process does not interfere with the police investigation.

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

If you have experienced or witnessed what you believe is a breach of the Student Conduct Regulations, including sexual violence, hate crime or harassment involving students, you can complete the [Student Conduct Report Form](#). (Please note you will need to log in to your Brookes google account to access this form.) This is a formal report and the Student Investigation and Resolution Team will contact regarding the next steps.

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

3 What support can I get?

There is a lot of information regarding the support available on the [Report and Support website](#). A full list of University support is available on the [Student Support webpage](#)

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

The Student Information and Resolution Team is also available for procedural advice:

sirt@brookes.ac.uk.

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

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

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

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

5 Who can I talk to about what is happening?

You are welcome to talk to whoever you wish for support of course and we encourage you to. Please remember that you are only in control of what you say and you cannot control what others do with the information. We generally recommend students speak to people who have a duty of confidentiality, e.g. student support services, personal therapists etc. because then they can ensure that information does not get disseminated unnecessarily, or misconstrued in any way.

Unfortunately it is easy for rumours to spread around a small network, e.g. a sports club, a society or a course and this has potential to impact upon any investigation.

The University wants students to feel free to make reports about other students' behaviour and recognises the importance of being able to. We would not victimise anyone for reporting information they believe to be true. However, other people can take action outside of the University processes, e.g. legal processes, if they believe another person has falsely spread information about them which impacts their reputation. That is beyond the University's remit and open to everyone.

The student welfare team have experience working with students who are going through the conduct proceedings. They can be contacted via studentwelfare@brookes.ac.uk

6 What happens if the case is considered under the Student Conduct Regulations?

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

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

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

7 Precautionary Measures

The University will assess whether precautionary measures are necessary for students involved in a conduct case. More information can be found in section 4 of the Student Conduct Procedures.

An assessment will take place and a plan can be created to mitigate against future incidents occurring or restrictions put in place to reduce the likelihood of the reporting student and reported student meeting each other. We put in measures such as:

- No contact between the students involved
- No access to certain areas, e.g. accommodation
- Restricted access to facilities, e.g. sports centre

These plans are made on a case by case basis and you will be involved in any discussion.

8 Will I be invited to the investigative interview?

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

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

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

9.1 Conduct Investigation

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

9.2 The University Conduct Committee

If the Student Investigation and Resolution Officer decides that the case deserves a significant penalty they will refer the case to be considered at a University Conduct Committee. Please see the Student Conduct Regulations for a list of penalties.

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

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

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

9.3 Appeal Committee

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

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

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

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

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

The Reporting Student or witness cannot request that decisions made under the Student Conduct Regulations are reversed.

If the Reporting Student can demonstrate that something was not done correctly with the procedure, a formal complaint (under the Student Complaint Regulations) can be submitted regarding this. The [regulations and procedures for student complaints](#) can be found on the Student Investigation and Resolution website.

11 Confidentiality

Any case file will be shared with people who are involved in making decision, e.g. a member of a conduct panel. The University is asking everyone involved in the conduct procedure to keep the details of the report, investigation and outcome confidential. As the reporting student, this does not mean that you are not allowed to discuss this case with your support network or with a support service, such as counselling. You will usually have access to key information, e.g. whether a conduct committee is taking place, but we may not be able to give you full details about every aspect of the case.

The police can ask for any records held by the University in relation to the alleged incident at any time. However, should the police make a request the University does have strict procedures in place that are in line with the requirements of the Data Protection Act 2018.

Last updated by Student Information and Resolution Team: April 2023

Appendix - Process

Conduct Procedures Flowchart

