

# COVID-19 STUDENT BEHAVIOURAL BREACH DISCIPLINARY PROCEDURE

This document outlines the University of Greenwich approach to managing student behaviour in relation to Covid-19. Due to the potential serious consequences of a Covid-19 outbreak, the university takes such behaviour very seriously.

Students should therefore be aware that if there is a serious breach of behaviour in relation to Covid-19 (as defined below), the university will move to suspend a student. Subject to and following an investigation this may result in student expulsion. All such decisions will be approved by the Vice Chancellor.

All staff are required to demonstrate the same exemplary behaviours. If a report is made regarding a member of staff, this will in the first instance be passed to the line manager and Human Resources. The relevant University's HR procedures regarding suspension and gross misconduct will be applied if appropriate.

## 1. Introduction

The health, safety and wellbeing of our students and staff is our priority. Now that we have returned to campus this includes students living in our halls of residence and extends to visitors to our campuses.

Lots of work has gone into making our campuses, accommodation and facilities Covid-safe, and everyone has a role to play in keeping us and those around us safe.

Students and staff are asked to take responsibility for reading, understanding and following our [Covid-Safe Charter](#), and for keeping up-to-date with the guidance issued by the university, and by government.

There may be occasions when the university and government guidance is not followed. Students, staff and visitors have the right to raise those concerns through our [Accident Management System \(AMS\)](#) or directly to the Safety Unit at [safetyunit@gre.ac.uk](mailto:safetyunit@gre.ac.uk).

We take these reports seriously, and concerns that are raised and deemed to present a risk to our university community may include:

- a) serious breaches of the mandatory aspects of the Covid-Safe Charter and/or government guidelines or law;
- b) repetitive disregard of the mandatory aspects of the Covid-Safe Charter;
- c) resistance to the challenges and support which are offered to you regarding observing the Covid-Safe Charter.

We understand that sometimes when this guidance is not followed this may be because of a person's health status or disability and we will take this into account when investigating any reported behaviours and factor this into any subsequent support, guidance and advice you may need. However, for us to be able to do this you will need to share any health status or disability needs as soon as possible so that they are taken into consideration.

You should note that when decisions are made under this procedure we will be guided by an overriding concern for the protection of other students and staff, the public and the reputation of the university.

If an allegation raised under this procedure would be more appropriately dealt with using a different university procedure, e.g. Fitness to Study or Fitness to Practise, we will advise you which procedure will be used and why. If an allegation is made under another procedure, we may choose to consider it as a disciplinary matter instead. If so, we will explain why and confirm the correct procedure to be used.

## **2. Stages of the Procedure**

There are three stages to this procedure:

1. Localised management of low-level behaviours that breach the Covid-Safe Charter
2. Formal Investigation for repeated or serious offences
3. Referral to University Disciplinary Committee

We may consider escalating the stages of this procedure depending on the immediate assessment of the severity of the allegation and evidence against you. If we decide to escalate the procedure to section 6, 7 or 9 as listed below, we will explain to you why we have decided to do this. We can make decisions and apply outcomes at any stage of the procedure.

## **3. Examples of behaviours**

To support staff, students and the public we encourage you to be respectful and sensitive to others by considering that those on our campuses may:

- a) not be able to wear a face covering because they are exempt;
- b) feel more vulnerable because they or family members have underlying health conditions;
- c) come from different parts of the world and need to adapt to the guidance in place at the University of Greenwich, and in the UK.

We expect all members of our university community to help others to understand and follow the guidance. We recognise that it might take some people a short time to get used to the guidance, or they may just forget from time-to-time. If you see someone behaving inappropriately and not observing the mandatory aspects of the Covid-Safe Charter then you should remind them to follow the guidelines. If necessary, you can raise your concerns using the University's AMS System or directly to the Safety Unit.

Concerns and behaviours we encourage students and staff to raise are:

- a) A member of the university community is challenged on not observing the mandatory aspects of the Covid-Safe Charter and is resistant or behaves inappropriately in response to the request to modify their behaviour.

- b) Large gatherings totalling numbers that contravene any current government guidelines.
- c) Repeated disregard of requests to modify behaviour.
- d) Repeated disregard of the mandatory behaviours listed in the Covid-Safe Charter.

Any reports deemed to be a serious breach of government guidelines will be treated with more urgency and we will act quickly in order to investigate them.

#### **4. Malicious or Unfounded Complaints**

You should never raise allegations which are malicious or unfounded. If you raise a concern and we find out during our investigations that you have not been truthful we may refer you to an investigation under the Student Disciplinary Procedure.

#### **5. Reporting of incidents to the police**

If a report is made that you have breached any rules relating to gatherings and/or behaviours prohibited by the UK Government and/or local guidelines then we may report this incident to the Police immediately for investigation. If we receive a report from the police of illegal behaviour relating to a breach of government guidelines, we may also investigate it using this procedure. We may suspend any formal investigation where a police investigation or criminal proceedings are underway but precautionary action may be taken under section 6 listed below.

#### **6. Precautionary Action**

We take a risk-based approach to investigating concerns that have been raised. If we consider that your alleged behaviour puts you or others at serious risk, we may impose restrictions on your access to campus, your accommodation or on your university activities.

In cases where the safety and/or wellbeing of others is perceived to be at risk, the Vice-Chancellor (or designated senior staff member) is empowered to exclude or suspend a student with immediate effect.

**Exclusion** means you will be restricted in terms of your:

- i) access to the university (or to specified university premises)
- ii) access to university facilities
- iii) ability to act out duties of any office or committee membership in the university or the Students' Union.

You will be entitled to access the portal and your student record, Moodle etc. You will also have access to appropriate pastoral support by student wellbeing services.

**Suspension** means you will be totally prohibited from:

- i) attending or access to university facilities
- ii) any participation in university activities
- iii) accessing the student portal, your student record or Moodle etc.

You will not be eligible to register or graduate if you are suspended from the university.

If you are excluded or suspended, the reasons for the decision will be recorded and made available to you in writing.

All exclusions and suspensions will be reassessed every four weeks. Confirmation of either the continuation or the lifting of the exclusion/suspension will be provided in writing to you.

Under any of the circumstances outlined above, you will retain your right as a student to access the free independent and confidential Greenwich Students' Union Advice service who can offer advice and support as you progress through this stage and any further stages of the investigation.

## **7. Formal Investigation**

Where a repeated breach or serious offence is reported to the university the Formal Investigation will begin. If you are contacted regarding a Formal Investigation then you are encouraged to seek advice and support from the [GSU](#).

A Case Investigator will be appointed who will review the report of the breach along with any evidence available to determine whether there is merit to the allegation. The Case Investigator may decide that the allegation is serious enough for precautionary action to be taken as referenced above.

The Case Investigator will collate any relevant evidence relating to the allegation. This will likely include holding meetings with you and witnesses. Where you are invited to attend an interview, all evidence collated to date will be shared in advance and you will be given reasonable notice of the meeting.

Where you are unable to attend a meeting, if for good reason, this can be re-arranged on one occasion only.

The procedure complies with the rules of natural justice, which give you the right to know the case against you, the right to be given an opportunity to defend yourself, and the right for the case to be considered independently.

Once all available information and evidence has been collated and you have had opportunity to reply, the Case Investigator will reach a decision based on the balance of probabilities. You will be informed in writing of the outcome and advised of any remedial or further action to be taken.

### **7.1 Possible Outcomes**

- i) No Case and advice issued
- ii) Determine there is insufficient evidence to pursue the allegation
- iii) Final Written Warning and advice issued
- iv) Temporary exclusion from specified parts or facilities of the university including Halls of Residence
- v) Refer the matter to the University Disciplinary Committee to consider under the Student Disciplinary Procedure

Where a referral has been made following an investigation under the Halls of Residence Code of Behaviour ([Section 11 of the Accommodation Licence Agreement](#)), the investigation of the misconduct will be considered to constitute the Student Disciplinary Procedures investigation stage and the case will proceed directly to a meeting of the University Disciplinary Committee.

## **8. University Disciplinary Committee**

If your case is referred for consideration by the University Disciplinary Committee, you are required to read Section 11 of the [Student Disciplinary Procedure](#).

## **9. Appealing an outcome**

Where you have received a formal decision under this procedure you may request that the decision be reviewed. A review of the decision may be requested in accordance with the University's [Final Review Policy and Procedure](#).

Requests for a review must be made within 14 calendar days from the date the outcome was issued to you. You should complete the Final Review Request Form which is available to download via the Student Portal. Requests for a final review received later than this will not normally be considered.

## **10. Advice and Support**

Free independent advice and advocacy is available from the Greenwich Students' Union:

Email: [suadvice@gre.ac.uk](mailto:suadvice@gre.ac.uk)

Web: <https://www.greenwichsu.co.uk/advice>

Online contact form: [www.greenwichsu.co.uk/advice/triageform](http://www.greenwichsu.co.uk/advice/triageform)

For students at Medway, please visit: [www.greenwichsu.co.uk/medway/advice](http://www.greenwichsu.co.uk/medway/advice)

## **11. Related Procedures**

[Student Disciplinary Procedure](#)

[Fitness to Practise Procedure](#)

[Fitness to Study Policy & Procedure](#)

[Final Review Procedure](#)

[Principal Conditions of Registration](#)

[Bullying and Harassment Policy](#)

[Accommodation Licence Agreement](#)

Full details of all student related procedures and policies can be found on the 'Regulations, policies and procedures' page of the university web site [www.gre.ac.uk/policies](http://www.gre.ac.uk/policies).