

## When something has gone wrong ....

### Guidance on choosing the right Student Procedure

We are committed to providing a high-quality education to help you achieve your academic goals, and ensure your safety, wellbeing and the quality of education you receive whilst studying with us. Unfortunately, sometimes you may feel that something has gone wrong – that is, something is interfering with your ability to get on with studying, or you think a decision has not been fair. We have a set of formal processes that enable you to raise questions and make representations about these situations, and this document guides you to know which process you can use in different scenarios.

Formal processes should be accessible for everyone and we try to ensure that our processes are not unnecessarily complicated or time-consuming to use (we would welcome feedback on how we can make our processes more streamlined and user-friendly). There is never a financial cost to you for accessing these processes. We aim to make it clear how you can raise issues with us. This guide is intended to help you choose the right procedure.

### **The Student Code of Conduct**

**Headline: the Student Code of Conduct describes the behaviour expected of members of our community, and gives examples of types of behaviour that are unacceptable.**

When you accept an offer of a place to study at the University of Cumbria, you are asked to sign up to the Student Code of Conduct. This Code lays out expectations of behaviour that mean everyone can study and work together in a safe and respectful environment. The Student Code of Conduct includes the requirement that you meet the expectations of any professional body governing your subject (for example, in areas such as Nursing or Teaching).

### **Student Disciplinary Procedure**

**Headline: If you are found to have breached the Student Code of Conduct, you will normally be subject to the Disciplinary Procedure.**

The Disciplinary Procedure includes processes for informal resolution, fact-finding, investigation and formal decisions about outcomes and sanctions. If you are alleged to have breached the Student Code of Conduct you have the opportunity to explain your side of the story and to provide information and evidence in the process.

## **Precautionary Measures and Student Suspension Procedure**

**Headline: if it is alleged that your behaviour poses a risk to others, the University may, as a precautionary measure, take the decision to impose temporary conditions or suspend you as an initial response to the seriousness of allegations or concerns.**

Precautionary action may restrict your access to campus, halls, placement/practice learning, the University's IT systems or your programme of study (or from two or more of these). Precautionary actions and suspensions are implemented without prejudice and are reviewed regularly. Processes to end temporary conditions and suspension are undertaken as quickly as possible within the University; sometimes the precautionary action may be extended due to waiting for action by external agencies such as the Police. If it is possible to enable you to continue studying while temporary conditions or a suspension are in place, we will offer that opportunity.

## **Fitness to Practise Policy**

**Headline: If you have professional standards as part of your course, you must meet those standards consistently, for protection of the public. Concerns about your adherence to the professional standards will be investigated through the Fitness to Practise process.**

Programmes which bring you as a student into close contact with children, service users or vulnerable adults must protect the safety of the public by maintaining the relevant professional behaviours. The Fitness to Practise policy provides an opportunity for concerns to be raised about your health and wellbeing or your ability to complete the professional requirements of the programme. If you are subject to a Fitness to Practise process you have the right to explain your side of the story. A member of the relevant professional body will normally be involved in the Fitness to Practise hearing. If you are on a professionally regulated course and returning from a period of intercalation, you may be asked to agree to an Occupational Health referral, and in some cases a Fitness to Practise process may be required before you can resume study.

## **Fitness to Study Policy**

**Headline: This policy is used when you have mental and/or physical health issues that are having a detrimental effect on your studies, or on the ability of others to study or work safely. It may apply to concerns arising from the way you interact with University services and accommodation, with your course, or with other students or staff members. The process is used to support**

### **you and to manage any risks to you or to others around you.**

The Fitness to Study policy provides a mechanism to establish facts and find appropriate actions in the situation where your level of ill health is such that it cannot be managed by the standard processes for sickness absence and extenuating circumstances. Safeguarding and Health and Safety are taken into account when making decisions about fitness to study. Where you are on a course leading to professional registration in a Health area, or to regulated programmes in Education, the Fitness to Practise policy will apply instead of Fitness to Study.

### **Student Progress Review Policy and Procedure**

**Headline: This is a supportive process to review any difficulties you are having. It is not part of the Disciplinary process.**

A Progress Review meeting may be initiated by staff, or at your request. It may follow a period of illness absence, or unexplained absence, or concerns about your engagement or lack of progress on the course of study. A Progress Review will be a normal part of preparing for return to study after intercalation. A Progress Review may result in forming an action plan for you to follow. In this case, you would be expected to make reasonable efforts to complete the action plan and where this appears not to be happening, you may be deemed in breach of the Student Code of Conduct.

### **Extenuating Circumstances**

**Headline: use the Extenuating Circumstances process if illness or adverse circumstances have negatively affected your assessed work.**

Extenuating Circumstances (ECs) is the process to use, before or soon after an assignment deadline or exam, to tell us about circumstances beyond your control which have had a negative impact on your ability to do your best work. These may be circumstances such as serious illness, a family crisis, serious disruption to your home environment. ECs are considered in confidence by a panel, taking into account the evidence you have provided. If you feel that the decision of the EC panel has not followed the process correctly, you may ask for the decision to be reviewed by using the Academic Appeal process.

### **Academic Appeals**

**Headline: If you believe that you were not treated fairly when your work was assessed, or when a decision was made about your right to progress to the next stage of study, or when your award was classified, use the academic appeals process.**

When you get your assignment or module marks, or you are told whether

or not you can proceed to the next year of study, or you are notified of the classification of your degree, you may feel that some aspect of the process was not correctly followed and so was unfair. In this case you would use the academic appeals process. You cannot appeal against academic judgements about your work, but you can appeal if the assessment rules and procedures seem not to have been followed. For example, if a page was missing from the exam paper; your module component marks were aggregated incorrectly mathematically; or you lost marks for something which was not part of the assignment brief and assessment criteria.

In some cases, you may allege that you have been disadvantaged in assessment as a result of the actions of another student which constitute breaching the Student Code of Conduct (see Student Code of Conduct above). Where this happens, you should use the appeal process to make the notification of student misconduct and to explain how it disadvantaged you in the assessment. If the alleged misconduct is confirmed by the investigation and disciplinary processes, the appeal will be upheld and a remedy offered within the academic appeal process.

### **Academic Malpractice**

**Headline: If we suspect that you are trying to submit work that is not the outcome of your own efforts for assessment, the facts will be investigated under this procedure.**

It is vital that we give you and all other students credit for your own learning, and we support good academic practice so that you know how to prepare and present work that genuinely represents your own efforts. We have processes in place to identify any attempts to get credit for work that is not your own. If there is any reason to think that your submitted work is plagiarized, or that you have had inappropriate help from someone else to create it, we will use the Academic Malpractice process to establish the facts and what action should be taken. If you are accused of any form of academic malpractice you will have a chance to hear why the allegation has been made and to give your explanation and evidence.

### **Student Complaint Policy and Procedure**

**Headline: The complaints system can be used when you believe the university has not delivered the service or opportunities that it should have.**

The complaint process should be used when you (individually, or as one in a group of students) believe that the University has failed to provide a level of service or opportunity that it had promised to provide, and/or that it was reasonable for you to expect it would provide. This may be experienced as one incident or as a situation over an extended period of

time; it may refer to actions or lack of action by one or multiple staff members, or to the conduct or outcomes of a process. For example, if you are living in University-owned accommodation and the lock on your door is broken, and the repair is not made in a reasonable period of time and this means you cannot go out as you choose, you may make an informal or formal complaint.

Note that the Complaints process is for raising issues about the University, the conduct of its staff and its processes. A student complaint about the actions of another student will be considered under the Student Disciplinary Procedure.

### **Making an allegation of misconduct against another student**

**Headline: All students are expected to abide by the Student Code of Conduct. If you want to make an allegation, or raise a concern, that another student's behaviour has harmed you, you may report it to the University for investigation under the Student Disciplinary Procedure.**

Members of the public, students and staff may notify the University that a student appears to have breached the Student Code of Conduct. For the safety and wellbeing of all in the University community, the University will first undertake an assessment which includes initial factfinding. The University will normally decline to take action on an allegation if the misconduct alleged is trivial or if it amounts to an interpersonal disagreement between students. Note that allegations of violence, bullying, harassment and/or sexual misconduct may be reported through the You Report, We Support tile on Student Hub. If you or someone you are supporting has been the victim of a crime, you should consider reporting the matter to the Police.

### **You Report, We Support (YRWS)**

**Headline: Use You Report, We Support (YRWS) on the student hub to report bullying, harassment or sexual misconduct.**

This is a dedicated system to enable you to report any incident that you believe is sexual misconduct, bullying, harassment or discrimination, including hate speech. When you make a report on YRWS you will be offered advice and guidance. Using this system does not automatically make a complaint (against the university) or a notification of misconduct (about another student), but if you use the YRWS system, you will have the choice of how to proceed, including deciding to use one of those processes, or to involve the Police.