

Reporting Misconduct

If you are the recipient of, or witness to, misconduct it is vital that information is gathered quickly, fully and accurately, to ensure that the accused are dealt with fairly and appropriately.

Please note this guidance relates to misconduct on the part of students and in relation to 'non-academic' misconduct. There are separate processes for dealing with academic misconduct which can be found at <http://www.southampton.ac.uk/studentadmin/appeals/>.

Reporting an Incident:

If you are the recipient of, or witness to, misconduct you can report this to the University in a number of ways:

- Within Halls of Residence contact a member of the residence team.
- With your academic department contact a member of the academic or administrative staff.
- Contact the central Non-academic Misconduct team on student.discipline@southampton.ac.uk

Once you report an incident you may be asked to complete an allegation form and provide a statement. You should be aware that this information may be used as evidence in a Non-academic Misconduct hearing.

What if I have concerns for my safety?

If an incident occurs that gives you cause to consider yourself in immediate danger or risk you should:

- **On campus:** contact security on extension 3311
- **Off campus:** contact the police on 999, and then report to the University as soon as possible

Should you have safety concerns about making an allegation, please flag this at the stage of reporting the incident, and the University will consider how to proceed (this is inclusive of offering personal support).

What protection will the University give me?

Depending on the seriousness of the case possible options range from offering temporary residential accommodation or teaching arrangements through to formal exclusion of the accused from all or part of campus (although such powers are normally reserved for cases where there is a very clear safety risk e.g. where a violent offence has resulted in a criminal charge).

The University cannot accept anonymous accusations so you will need to identify yourself when reporting an incident. Under the principles of Natural Justice the accused has the right to a clear understating of the allegation, including its source, in order to respond properly. During the process of an investigation the accused will normally be given access to all information which may include your initial statement. We appreciate that this may be difficult but it is a key principle in allowing a fair process of defence for the accused. Should a case progress to a Non-academic Misconduct hearing you may be asked to attend at the same time as the accused. In very exceptional circumstances consideration may be taken to not disclose your identity to the accused.

Concerns about reporting Misconduct:

The [SUSU Advice Centre](#) can offer advice and support to students considering submitting an allegation and can talk through your options before making a decision. Additionally this service can assist you through the process. There are separate Regulations governing [Academic appeals and complaints](#) which cover complaints and concerns relating to most issues relating to academic programmes, University staff, facilities and services.

Although the University and the Students' Union respect your right to confidentiality, where the incident is a potential criminal offence or where the nature of the incident could lead to others being at risk of harm we may be legally obliged to disclose information to other colleagues within the University or to the police (please see Criminal Behaviour below).

After you report an incident:

Following the submission of your incident report and the gathering of any other appropriate information, a decision will be made on what action the University will take. The decision is made in accordance to Regulation A.4: *Decisions and Actions before starting the Disciplinary Procedure*.

A decision will be made to ascertain if the allegation falls within the scope of the Student Non-academic Misconduct Regulations to be investigated as misconduct or serious misconduct or to be referred to alternative Regulations. In some circumstances it may be that no further action can and/or is taken.

Where the accused is to be investigated under the Student Non-academic Misconduct Regulations the accused will be informed and required to attend an investigation meeting to explore the allegation. Action may be taken to suspend or exclude the alleged offender from campus activities. An investigator may recommend that the allegation is progressed to a Non-academic Misconduct Hearing. Our Non-academic Misconduct meetings are often conducted on the basis of the initial written report and any other information that has been gathered, however, as the complainant and/or witness you may also be asked to attend a hearing to give evidence and answer questions.

During the process, and where appropriate, special arrangements may be made to minimise the contact between the parties.

What level of proof is required?

The University will review the evidence and information provided to reach a decision based on the “balance of probabilities”. To clarify, it is more likely than not that the allegation is true in whole or in part given the information that is available.

What are the possible outcomes?

Where it is found that the allegation is proven to be true (on the balance of probabilities) then normally a penalty will be imposed on the perpetrator(s). The available penalties are set out in Regulation A.6.3. with further detailed examples offered in the document “Examples of Disciplinary Sanctions” on the [Student Non-academic Misconduct Website](#).

Criminal Behaviour:

The University supports students who witness, or are the subject of, suspected criminal actions and will assist the police with any resulting investigations. Our internal processes cannot normally consider a criminal matter directly. In such cases the University will normally wait until the criminal justice process has concluded before considering whether to pursue any disciplinary action of its own however the University may take the action of excluding the accused from all or part of campus subject to period review of the case. The internal process should not be seen as an alternative way of addressing criminal behaviour.

Further Information:

The student Non-academic Misconduct process is administered by The Student Non-academic Misconduct Team who can be contacted on:

Email: student.discipline@southampton.ac.uk

Postal: The Student Non-academic Misconduct Team
c/o The Secretary of the Committee of Non-academic
Misconduct
Building 37, Highfield Campus

The Student's Union Advice Centre can offer advice and support to students throughout the Student Non-academic Misconduct process and can be contacted on:

Website: <http://www.susu.org/help-and-support/advice-centre/>

Email: advice@susu.org

Tel: +44 (0)23 8059 2085

Postal: The Advice Centre

Southampton University Students' Union

Building 40, Level 3, Highfield Campus