

## **Information Sharing, Reporting**

### **How can I report something anonymously?**

You can report something anonymously through the Report and Support Tool (insert link). We would not commence a misconduct investigation on the basis of an anonymous report, as under the principles of natural justice the responding student should know who is making the complaint.

### **I want the other person to know that they did something wrong, but I don't want them to know the complaint came from me. Can you send them a warning?**

Under the principles of natural justice and fairness, we always need the other person to know who the complaint came from, so we would not be able to issue a warning under these circumstances.

### **I want to report something that has affected a friend. The friend wants to remain anonymous, but I think something should be done.**

If the behaviour was witnessed by you, we could commence a misconduct investigation on that basis, but without your friend's consent we cannot make any reference to them within the papers that we would share with the responding student. Depending on how central your friend is to the matter, this could limit the efficacy of any investigation.

### **Is there a time limit on reporting something and are there any disadvantages to waiting to report?**

There is no time limit on reporting. The regulations however can only be applied to students that are currently enrolled at the University. Timely reports are also important as a delay may affect the evidence available, such as a witness's recollection or the availability of phone evidence.

### **What is Natural Justice**

This is about a fair, open, and transparent approach to all, listening to everyone's voice, and ensuring that the process is completed free from bias or any actions that might result in a perception of bias.

### **A few of us have been affected by the same issue. Can we report as a group, and can we talk about it in the same meeting?**

We would ask that everyone who wishes to be a complainant submits an individual allegation form. Whilst the wider matter would be treated as one investigation, it is important that every individual is able to record their own account and perspective, and the impact upon them. You can also specify the names of witnesses on your allegation form, and we will normally take statements from them separately.

### **I don't know whether I should report something to the University or the police. Is there someone I can talk to about my options?**

If you reach out to the Report and Support team or the Student Non-academic Misconduct (SNAM) team, we will be happy to help discuss your options. You can also obtain free and confidential advice from the Students' Union Advice Centre.

**I don't know how much detail to put on the allegation form. What would you advise? Can someone check it for me?**

We would always ask for you to put as much detail down as possible in the first instance, but don't worry if you can't remember everything or aren't sure. Even if it's just a brief summary, we will be able to review the report and consider a way forward. Through the course of an investigation, an Investigator will meet with you to try and obtain any missing detail. You are most welcome to contact the SNAM Team for advice on completing the allegation form. You can also contact the SUSU Advice Centre for independent advice

**Interim Measures, Reprisal**

**I'm thinking of reporting, but I'm worried of how the other student might react when they find out. I'm worried about seeing them on campus.**

At the outset of an investigation, we usually issue a 'no contact' provision which is an instruction that help prevent any contact between you and the other student. The investigations are confidential and private, with as few as people as necessary being informed about it. If you have concerns, please tell us and we can discuss your particular circumstances and how we can support you.

**If I am living in the same flat/house as the student I am complaining about, what will happen if I complain about them?**

Every case is assessed for the risk to you and to others. We would speak with you about how you feel about this, and work with you and other teams to help find an appropriate remedy. Sometimes we can help facilitate room moves or offer temporary accommodation where necessary.

**I don't feel safe in my university accommodation because of another student. Can you ask them to leave?**

We will do our best to help and we can usually offer room moves or emergency accommodation. Subject to the engagement of everyone involved we will also try to help mediate an appropriate way forward. It is not normally the case that we can compel another student to move unless adverse findings have been made against them as a result of an investigation, however this does depend on the circumstances of the case. We will consider interim measures to help you, and everyone involved and once the case reaches a conclusion, we will review what sanctions would be appropriate. Please speak with us if you have any concerns and we can discuss your personal circumstances and how we can help you.

**Even if I make a complaint, I will keep seeing the student in lectures because it's a small course. What can you do to help me?**

In these circumstances we will normally consider applying an advisory of no contact , instructing both students to avoid contact. Sometimes we will need to consider reasonable exceptions where appropriate and with everyone's consent. We can also review timetabled sessions and attendance on campus and can work with your school and the timetabling team to see if any changes to teaching allocation can help. It will depend on your personal circumstances, but we will help find suitable arrangements as far as is reasonable and practicable.

**I'm worried I will bump into them around campus.**

At the commencement of an investigation we will usually issue a no contact provision, and this will ensure that there is no intentional contact between you and the other student. There may be occasions when there is a chance meeting, which may be unavoidable (and not necessarily problematic), but you should inform us if this leads to any direct contact.

**I'm worried what others will think if they hear there has been a complaint made against me. How can I defend myself against gossip? I'm not allowed to talk about the case.**

The investigation will remain private and confidential. If you hear of any such comments, you should report them to the SNAM Team, and we can pro-actively deal with this

**I don't want to make a complaint; I just don't want to see the other student again. Can you help me?**

We can help signpost you to areas of support within the University, but we are unable to consider a No Contact provision without the requirement for a formal investigation and/or process. This is because any student is entitled as a matter of natural justice to understand and respond to any allegation made against them before the University levies any formal sanction against them.

**I'm thinking of reporting something, but I don't know how serious it is or if I'm just being sensitive. No one else seemed bothered by it. Is there someone I can talk to about it?**

You are always welcome to have a discussion with Report and Support or a member of the SNAM Team. We will listen carefully to what you have to say and can offer you advice as to the courses of action open to you. SUSU Advice Centre are also able to offer independent and confidential advice.

**I'm unsure about reporting, but I would like emotional support with what happened. Can I speak to someone?**

The University has a Report and Support Team where you can speak to a Specialist Advisor about your difficulties. The Advisor will support you to understand your options and provide emotional support whatever you choose to do.

The University also has a Student Hub where you can access Wellbeing support 24/7. Please contact them at [studenthub@soton.ac.uk](mailto:studenthub@soton.ac.uk) or 02380599599.

**I'm unhappy with the conduct of someone I am working with on a group project. I'm worried it's going to impact my mark. Is there a way to report their performance or conduct?**

For matters directly related to academic work, we would recommend that you try and resolve these informally in the first instance. If you feel comfortable, you can try bringing it up with the person concerned. We would recommend doing this in a

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way that isn't overly confrontational, for example in a neutral space and just one on one (rather than a group all giving feedback against one person).

If you continue to have concerns, please speak to the module convener, programme leader or Senior Tutor in the school to see if they can help. The school may be able to help address academic concerns, which could relate to someone's performance.

If you have significant concerns about another student's conduct, for example because of how they are treating you, you can start an enquiry with this team and make a complaint under the student non-academic misconduct regulations. We cannot investigate conduct directly related to academic submissions, such as cheating or plagiarism, these are covered by the Regulations Governing Academic Integrity (rather than SNAM). We are also happy to provide guidance and can signpost you to the correct source of support.

**I know that my behaviour wasn't perfect at the time of the incident I want to report. Could I end up being investigated if I report something about someone else?**

The focus will be upon the actions of the student whom you are reporting. In the interests of natural justice and fairness, it is likely the investigator will consider your behaviour too, as it may be relevant to the decision maker(s) when they decide upon a suitable outcome to the case. Your behaviour would not be the main focus of the investigation unless a counter complaint is made against you.

**I was using illegal substances at the time of the event. If I report something that happened to me, will I be penalised for that too?**

The focus will be upon the actions of the student whom you are reporting. In the interests of natural justice and fairness, it is likely the investigator shall make a reference to this, as it may be relevant to your clarity at that time as a witness, but your behaviour would not be the main focus of the investigation.

**I think the University should report another student to the police. If I give them the details, will they do that for me?**

Only in exceptional circumstances would the University report a student to the Police without the direct consent of the Complainant/Reporting Student. If you believe that the matter is appropriate to contact the Police, you should consider doing so.

**I don't feel like I'm in a good place to report something and to go through an interview about it now, but I'm concerned because it's affecting me and I'm finding it hard to concentrate on my academic work. Is there anything I can do?**

It is your choice as to when you would wish to report something. If you find your academic work is affected you should speak with your Personal Academic Tutor as soon as practicable and also consider applying for Special Considerations [Special Considerations | Quality Handbook | University of Southampton](#).

We can consider adjustments to the SNAM process and other ways we can support you if that would help you continue with the process, and the decision to proceed would be up to you.

## **Advisory of No Contact**

### **Can I tell a close friend about the case for support?**

Yes you can, as we know it is important that you have support, however, please do so carefully: We would always ask to respect the confidentiality and sensitivity of the investigation by only sharing this with those people that absolutely need to know. If you think they might be involved in the investigation as a complainant or witness, please speak with the SNAM team first, as we will likely need to avoid “contaminating” their evidence. Whilst you may wish to share this with a close friend for support, we would ask that you keep this to a very limited number of people and as private as possible.

### **How can I approach potential witnesses if I’m not allowed to talk about the case?**

If you inform the SNAM Team of a potential witness, and why you believe they may be a witness, we shall approach them. This provides a consistent approach for all witnesses and negates any suggestions that inappropriate conversations or the sharing of accounts took place.

### **If the other student breaches the advisory of no contact, what should I do?**

You should not respond or react and inform the SNAM team as soon as practicable. If you are able to provide evidence of the breach (screenshot of a message for example) you should do so at the same time as you report the breach. A student that breaches a no contact provision may be found to have broken the Misconduct regulations and we will deal with that appropriately.

### **I’m worried I’m going to accidentally bump into the other student and breach the advisory of no contact instruction.**

We understand that this may happen. An accidental meeting will not be classed as a breach. If this happens, remove yourself from the situation if you are able to do so and let the SNAM team know that there has been an accidental meeting. Unless you deliberately acted improperly, this will not be seen as a problem.

### **I need to contact the other student about something, but there is an advisory of no contact in place. What should I do?**

Please let the SNAM team know why you need to contact the student, and we will consider acting as an intermediary for you.

### **Can we still go to the same lectures or social events if we avoid each other?**

Yes you can, as long as all students involved are comfortable that the no contact provision can be appropriately managed within that environment. There may be circumstances where you are in the same building/room as the other student and the no contact can be managed. This will depend on the nature of the case and the impact on everyone involved. You are always welcome to contact the SNAM Team for advice.

**I'm considering seeking legal advice about an ongoing case with the University. Can I break the advisory of no contact to do this?**

Yes, you can, however you may wish to be mindful that we are operating a civil procedure concerning a code of conduct and are not running legal procedures.

**Interviews**

**If I report something, what will happen when I meet with the investigator?**

The investigator will invite you to a meeting at a time suitable for you. These may take place in person or via Microsoft Teams, depending on the preference or needs of those involved. The investigator will be accompanied by a member of the SNAM Team to take notes of the meeting. The investigator will ask you about the incident(s) you are reporting and its impact on you.

The member of staff taking the notes will send these to you afterwards for you to approve and verify. Only when you have approved these notes will they be used within the Investigation and will normally be shared with the responding student later on in the process.

**Will I have to face the student I'm complaining about during an investigation or at a hearing?**

No, you will not have to face the student during the investigation. If the matter proceeds towards a hearing, you may have to attend to give evidence, but we will make arrangements to ensure that you only speak with the panel, and you will not need to see or hear from the responding student.

**Outcomes, Proportionality**

**If I make a complaint about someone, is it likely they will have to leave the University?**

Each case is judged on its own merits. The full range of outcomes available are listed on our website as examples of possible sanctions. (Include link). We have a responsibility to investigate allegations. This means that any decisions regarding outcomes, would be made only when the decision maker(s) are in full possession of all of the facts of the case. We will consider interim measures when they are deemed necessary whilst an investigation is ongoing.

**Someone has made a complaint against me. I'm worried I'm going to be kicked out of the University. If I admit to doing something wrong, what will happen to me?**

Please rest assured that we are interested in finding a fair and reasonable outcome to help everyone involved and would only consider extreme sanctions as a last resort. If a less severe sanction (such as an apology or a warning) would be appropriate to manage the behaviour or address the concern, then this would be considered first.

Each case is judged individually. If you admit you have breached the regulations, this may avoid the need for an investigation, and this admission shall be considered by the Chair of the SNAM committee when deciding upon an outcome. Even if you do admit the allegation you are encouraged to provide a statement articulating all

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mitigating factors that should be taken into account also, so the Chair has a broad understanding of what happened and why and they will take this into consideration.

Any outcome will be reasonable and proportionate, so please don't worry that the University will take unreasonable or excessive action. The possible sanctions that can be levied if a finding of misconduct is made are set down in section A 6 of the Regulations and these start from sanctions such as a written warning or requiring an apology; the more severe sanctions will only be considered as a last resort and any decision maker will always start from the lowest possible sanction. The case can also be dismissed if a finding is made that there was no breach.

**Someone has made a complaint against me. I'm sorry they feel that way, even though I don't completely agree with their version of events, and I'd like to apologise and find a way forward. Is there a way I can do this? Will it leave me with a permanent record?**

If you are agreeable to try mediation, we can approach the reporting student to see if the matter can be resolved through mediation. If this happens we would cease our investigation and see if the matter could be resolved that way. A matter resolved through mediation is not classed as an upheld breach and no record of a finding shall be made.

If you find that you agree with only some of the complaint, you may make a 'partial admission' and we would speak with the reporting student to see if this were satisfactory and therefore no need for a further investigation.

We will always hold records about cases in accordance with the University's data retention schedule in order to fulfil our obligations and legal requirements. Where a sanction is brought against a student, this will be considered in the event of future findings of misconduct for 12 months for findings of misconduct or the remainder of a student's enrolment for findings of serious misconduct, as set down in the Regulations Governing Student Non-academic Misconduct Section A, 8).

**I want to complain about something inappropriate that has happened, but I know that the person doing it had their own issues at the time. I want them to learn it was wrong, but I also want them to get help. What can I do?**

Within the allegation form we have built in guidance to assist you. One of the sections within is about 'mitigating circumstances', and this relates particularly to the student who is being reported. You can record here what you feel are the issues and what help you feel they need. We are very much aware that responding students may have their own sensitivities and problems and we are interested in helping everyone involved while still addressing problematic conduct.

**What will happen if I report something, and the case is dismissed?**

If the case is dismissed you will be told that no breach was found to have occurred and that no further action will be taken. You will not be informed of the reasons behind this.

### **Sensitivity**

**Is it possible to request that the investigator is a female or an LGBT ally or similar, as this would make me feel more comfortable reporting?**

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Yes, you may request this, and we shall try to accommodate this request. All our investigators are trained and will interact with you sensitively, and we shall always consider your requirements when allocating an appropriate member of staff to investigate the matter. There is a need to balance the requirements of everyone involved in the investigation too.

### **I would like reassurance that a report about something extremely sensitive concerning trauma or sexual assault will be handled sensitively.**

Reports of sensitive matters are considered with a great deal of tact and privacy. You are welcome to be accompanied to any meeting, with whomever you feel comfortable with (as long as they are not a witness in the case). We will do our best to make you feel comfortable and will treat you with dignity and respect.

### **I'm from a minority and I am concerned that my perspective won't be understood.**

Our investigators will always seek to hear 'everyone's voice' and get a clear understanding of the case. We will treat you fairly and will ensure that your voice is heard.

### **I'm experiencing stress/anxiety about the ongoing case.**

The SNAM team will signpost you to the appropriate services to ensure that you get the support you need. It is natural to feel concerned and anxious about an investigation and we understand this. The SNAM team will help you access support if you are particularly anxious about your role within the investigation.

### **I need an adjustment as I have a specific learning difficulty or disability**

A key part of our process is identifying any disabilities. We will always seek to understand a disability and ensure that our processes are adjusted where reasonable and appropriate to ensure fairness for all.

## **Students' Union**

### **What happens with cases that also involve members of the same club or society**

Often cases that involve the same clubs and society can be managed by the club or society under their own rules or constitution via SUSU's own processes. Always consider raising the issue within the club or society first, however we will collaborate with senior staff in the Students' Union in the event that there are matters that should be dealt with under the University's Regulations. You can contact [activities@susu.org](mailto:activities@susu.org) for help and advice about these matters. Please feel free to ask if you would like advice about who to approach.

## **Off Campus**

### **Will the University investigate misconduct that is off campus?**

Yes, if the matter is reported to us regarding a student conduct we may investigate whether this is on or off campus. If the Police are involved, our investigation will only become effective once the Police have concluded their process.



**Can I report a dispute between me and my housemate in private rented accommodation? Can the University have them evicted if the case is upheld? Can the University help recover money from them for theft/damage/unpaid bills?**

Household disputes between tenants are not uncommon and reporting as misconduct is often seen as the final solution after you have tried other processes to resolve the dispute. If you report a student under the Misconduct regulations the University has no powers to seek evictions, or to help recover any lost monies. We will review the underlying misconduct issues, but the Misconduct Regulations and process should not be used to resolve a housing dispute. Sometimes we may recommend mediation to resolve such matters.

**Can I report inappropriate behaviour on social media?**

Yes you can. When reporting the behaviour it is often helpful to attach screenshots of the inappropriate material.

## **Timescales**

**The responding student is about to graduate. If I report something now will it still go on their record?**

The SNAM Regulations are only enabled whilst the Responding Student is enrolled at the University. The Regulations do not apply to someone who has already graduated, and this may mean that we are unable to continue with the process once they are awarded or have left the University.

**I'm about to graduate. If I start a complaint what will happen after I've finished my course?**

As long as the student that you are reporting is still a student enrolled at the University, the investigation and process shall continue. You do not need to be a current student to make a complaint under the SNAM regulations.

## **Outcomes**

**Will I be informed of any disciplinary sanction in a case that I have reported**

At the conclusion of the investigation we shall advise you whether the allegation has been upheld or not. You will not be told the specific sanctions applied, unless of course this relates directly to you, such as an apology or a continuance of a no contact order.

**(Reporting Student) Will the other student know I made a complaint?**

Yes, in the interests of natural justice the student will know the name of the complainant. We do not initiate investigations based on anonymous information, because this goes against the principles of natural justice.

**(Reporting Student) Will the other student see the contents of my complaint?**

Yes, the student will see the entirety of your allegation form and attached evidence, so they fully understand the allegation and the case against them. Prior to sending

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the allegation form, we shall liaise with you, and ask if any of the content is personal and sensitive, which you will require to be redacted. This will then be redacted and will not normally be considered further as part of the process.

### **(Responding student) When will I get the outcome?**

We are working hard to ensure investigations are concluded as swiftly as possible. At the commencement of the investigation you shall be provided with a document called the Terms of Reference. This will set out the scope, and boundaries of the investigation and also set a timeline for its completion. You will be told the outcome as soon as the case has reached a conclusion. For some straightforward cases this may take a few weeks, however most cases will take longer depending on the complexity of the investigation and the availability of those involved.

### **(Responding Student) Can I complain about the student who made a complaint against me?**

If you find yourself the subject of an investigation, and you feel that the Reporting Student has also committed potential acts of misconduct, you may make a counter allegation.

### **Will this go on my academic record?**

The outcome will be held by the SNAM team. Sanctions for acts of Misconduct remain on your record for 12 months, whilst sanctions for acts of Serious Misconduct remain on your student record for the duration of your enrolment at the University.

For students on programmes that are subject to the Fitness to Practise Regulations, there may also be implications and an obligation to disclose information about any student non-academic misconduct investigation for the purposes of professional registration. This will depend on the programme concerned and the professional body and advice can be sought from your Personal Academic Tutor or Programme Leader.