1 General Matters

1.1 General Statement
Students are required to abide by all University Group policies, regulations, procedures and codes of practice. For avoidance of doubt, these are applicable and enforceable in their entirety for all students who are fit to study. All students agree to abide by these General Regulations on completion of enrolment.

1.2 Disclosure of information
Where documentary information is presented by a student for the purposes of any University procedure (e.g. third party evidence for a deferral), if the original document is not in English, it must be accompanied by a certified translation document. It is the student’s responsibility to provide this, not that of the University.

1.3 Failure to disclose all relevant information
A student may have their enrolment terminated and/or have his/her award(s) revoked if it is discovered that he/she has failed to disclose all relevant information when applying to the University, or if evidence of qualifications or other evidence cannot be provided or has made false statements or other misrepresentations when applying. All credit gained during the period of enrolment will be nullified. There is no appeal against an admissions decision.

1.4 Fees payment
All fees and other charges (for example, for items such as field trips, photocopying, printing (including computer printouts), interlibrary loans, remote computer access, copies of certificates, study packs, materials for art and design used to create artefacts which students are allowed to keep, special clothing which students need but which is retained by them, replacement of lost items such as ID cards, re-assessment, use of leisure/recreational facilities, registration with professional bodies), incurred as a Coventry University student are the responsibility of the student. Students who are sponsored by a third party are liable for all fees and other charges in the event that their sponsor defaults. Non-payment of fees incurred by a student may result in the termination of their course. Fees may be paid in instalments in accordance with such provisions as are notified to students.

1.5 Discharging financial obligations
In the following contexts, debts to partner colleges are deemed debts to the University.

1.5.1 Tuition fees become due on enrolment and residence fees immediately after taking up residence. The Vice-Chancellor will normally take steps to exclude any student failing to pay fees by specified dates. Students will not be permitted to progress to the next stage of the course, nor to enrol on another course, while previous debts to the University remain outstanding.

1.5.2 Students are required to settle all outstanding obligations to the University before leaving at the conclusion of their courses. Where such obligations remain to be met, the Vice-Chancellor as Chair of Academic Board has the right to defer the conferment of a University award, or in the case of other awards to request the award-making body to defer the award, until such time as all outstanding requirements of the University (which may include payment of financial debts) have been satisfactorily completed.

1.6 Cancellation of classes
The Vice-Chancellor has authority to discontinue any classes if, in his/her opinion, circumstances justify such cancellation. Such cases may include a shortage of staff or low student numbers.
1.7 Attendance

Students are expected to attend the classes for which they are enrolled punctually and regularly, and it is their personal responsibility to ensure that they do so. Students must meet all attendance requirements as specified for individual modules or as specified for their course overall in the programme specification. International students who have a Tier 4 visa are required to meet the requirements of their Tier 4 sponsorship with the University as their sponsor. As such, they have specific and required responsibilities in line with the Home Office guidance. Students should note that certain external agencies have the right to request information on their attendance (e.g. Student Loans Company, sponsoring bodies, professional bodies, Home Office).

1.7.1 Monitoring of attendance may take place at any point during a student’s enrolment and the use of academic facilities (e.g. the Library, Moodle) may also be monitored for this purpose.

1.7.2 All students must report their absence to the Faculty Registrar (or nominee).

1.7.3 Tier 4 students must not leave the UK or the University without gaining permission from the Faculty Registrar (or nominee).

1.8 Progress on course

Progress onto a higher stage of a course is dependent upon:

1.8.1 fulfilling the conditions laid down by procedures authorised by the Academic Board, and/or by external examining and validating bodies, together with such other University Regulations as may have been decided, all of which are available in the Library for consultation by students;

1.8.2 satisfying all relevant course regulations - see the programme specification for your particular course at http://www.coventry.ac.uk/life-on-campus/the-university/key-information/registry/programme-specifications/?theme=main

1.8.3 satisfying all relevant engagement and attendance requirements.

Students failing to meet the relevant academic requirements will be required to leave their course.

1.9 Examinations

A detailed statement of students’ examinations and other assessments responsibilities constitutes Appendix 1 to these Regulations.

1.10 Change of contact details

All students are required to inform the University immediately of any change of permanent or temporary contact details via the Student On-Line Academic Records facility (SOLAR). Students who cannot access this facility must notify their Faculty Registrar (or nominee) in writing of any changes. Any notice or correspondence sent to a postal or university email address held by the University as the student’s address will be deemed to have been received by the student.

1.11 Change of name

In their own interests students must inform the Academic Registry immediately, in writing, of any change of name, with documentary evidence. Degree certificates are legal documents therefore legal proof of a change of name is required before the date of the final Programme Assessment Board in order to issue the correct degree certificate. No changes will be made to issued certificates in a name different from the name with which the student was originally awarded with the following exceptions – gender reassignment and witness protection. In both cases documentary evidence will need to be supplied and the original certificate must be returned.
1.12 Notification of absence

Students must inform their Faculty Registrar (or nominee) if they are absent from the University through sickness or other reason. All Tier 4 students must conform to the requirements in line with Home Office guidance (see 1.7 above).

1.13 Withdrawal

If students withdraw from a course, they must inform the University immediately through the procedure notified, and complete a withdrawal form. Any entitlement to refund of fees will be as stated in the Fee Refund Policy in place at the time. The University reserves the right to require a student to withdraw on the grounds of academic failure or where the student has not fully engaged with the course or not complied with their financial commitment to the University. Examples (not exhaustive) of not fully engaging include: repeated non-attendance at teaching sessions and/or not taking part in (formal or informal) assessments and not responding to requests sent by the University to explain such non-attendance.

1.14 Confidential information

During your period as a student of the University, you may come into contact with confidential information (for example, as a student representative on Course Committees or other University Committees). Any unauthorised disclosure of confidential information will be deemed a breach of the Code of Conduct for which the disciplinary procedures may be invoked.

1.15 Ownership of Intellectual Property Rights

During your period as a student of the University, it is possible that you may generate work via, for example, a report, project, dissertation or thesis which may require protection by a Patent, Trademark, Registered Design or other form of protection. This work is known as Intellectual Property (IP). Although you are the creator or inventor of this IP, you may not necessarily be the owner. The University Group’s policy regarding ownership and exploitation of student intellectual property can be found at Appendix 12.

1.16 Students’ Union

1.16.1 The Education Act 1994 places requirements on the University Board of Governors to “take such steps as are reasonably practicable to secure that any students’ union for students at the establishment operates in a fair and democratic manner and is accountable for its finances”.

1.16.2 A code of practice as to the manner in which the requirements of the Act are effected appears as Appendix 11 to the General Regulations.

1.16.3 The Students’ Union has charitable status. The law dictates that charities must not have political objects but may do some things of a political nature as a means of achieving the purpose of the charity. The Charity Commission has issued guidance on the extent to which charities may properly engage in political activities. Copies of the guidelines may be consulted in the Library and in the office of the Group Registrar & Secretary.

1.16.4 Briefly summarised a charity can engage in political activity if:

   a) there is a reasonable expectation that the activity concerned will effectively further the stated purposes of the charity and so benefit its beneficiaries;
   b) the activity is within the powers which the trustees have to achieve those purposes;
   c) the activity is appropriate to a non-political organisation;
   d) the views expressed are based on a well-founded and reasoned case and are expressed in a responsible way.

1.16.5 the provisions of Section 43 of the Education (No.2) Act 1986 (freedom of speech in universities and colleges) are also relevant to the activities and conduct of the Union and
your attention is drawn to the Freedom of Speech: Principles and Code of Practice at Appendix 5 to these Regulations.

1.16.6 Membership of the Students’ Union is voluntary. Students who wish to opt out of membership must inform the Group Registrar & Secretary and the Students’ Union of their decision in writing by 1 November each year following enrolment. Any such decision shall be binding for the remainder of that academic year.

1.16.7 Students who opt out of membership will not be entitled to stand for any Union office, to vote in Union affairs or to represent the Union in any capacity. Copies of the Students’ Union Constitution are available for reference purposes in the Students’ Union, the University Library and in the office of the Group Registrar & Secretary.

1.17 University Group’s Liability

1.17.1 The University Group shall not be liable to students or be deemed to be in breach of contract by reason of any delay in performing, or any failure to perform, any of the University Group’s obligations in relation to the provision of courses and related services, if the delay or failure was due to any cause beyond the University Group’s reasonable control.

1.17.2 Without prejudice to 1.17.1, the following shall be regarded as causes beyond the University Group’s reasonable control:

a) act of God, explosion, flood, tempest, fire or accident;  
b) war or threat of war, sabotage, insurrection, civil disturbance or requisition;  
c) acts, restrictions, regulations, bye-laws, prohibitions or measures of any kind on the part of any governmental, parliamentary or local authority;  
d) import or export regulations or embargos;  
e) strikes, lock-outs or other industrial actions or trade disputes (whether involving employees of the University or of a third party);  
f) difficulties in recruiting staff with appropriate specific expertise;  
g) difficulties in obtaining fuel, parts or machinery, equipment;  
h) power failure or breakdown in machinery, I.T. or other equipment;  
i) closure for epidemics, pandemics and other public health reasons.
2 Code of Conduct

2.1 General
All students are expected to conduct themselves with due regard for their legal responsibility as adults and for the good name and reputation of Coventry University.

2.2 Identification cards
Staff and students are issued with identification cards on appointment or enrolment and are required to carry them at all times when on campus. Failure to produce a Coventry University identification card, when asked to do so by an authorised member of University staff, may result in the refusal of access to facilities and the inability to record attendance. Where appropriate, the University can require a student to provide ancillary visual proof of identity and, in the case of students wearing full head apparel they will be required to show their face to a member of staff of the same gender for confirmation of their identity. Students may not pass their card to any other person. Use of a card by a person other than that indicated on the front could lead to disciplinary action.

2.3 Access control and CCTV systems
The University operates a system of electronic locks, controlled by means of ID cards, to control access to University buildings. This system is intended to ensure the safety and security of University staff, students and property. Students should be aware that the electronic locking system allows individual access to buildings to be logged and that this information may also be used by the University in circumstances where it is necessary to confirm the movements of individuals, for example in the course of disciplinary proceedings.

The University also operates a CCTV system to protect staff, students and members of the public on the campus and in University buildings. Signs are in place to indicate where these cameras are in use. In addition to being used for the prevention and detection of crime, CCTV footage may also be used in the course of disciplinary proceedings. The University's use of access control and CCTV will be carried out in accordance with applicable legislation, including data protection legislation.

2.4 Safety Regulations
The University owes a duty of care to its students and staff and, as far as is reasonably practical, seeks to ensure that the University is a safe place to work. Students are required to comply with reasonable instructions from any member of staff of the University and to observe the safety regulations of the University; these include the wearing of eye protection and overalls for certain types of work. Students' responsibilities in this context are given in more detail in safety regulations which constitute Appendix 2 to these Regulations. Students are urged to report all personal accidents to their tutor.

2.5 Laser pointer pens
Students are strictly forbidden to use laser pointer pens on University premises.

2.6 University property
University property must not be removed from the University without prior written permission from the appropriate member of staff. Students will be held liable for damage to University property and may be held responsible collectively for damage not traceable to an individual.

2.7 Drugs
The University takes all reasonable measures within its powers to discourage the use of illegal drugs amongst its students. Students are reminded that possession of illegal drugs is a criminal offence and that possession with the intent to supply is a more serious offence. It is also an offence to permit illegal drugs to be used on one's premises; thus the University would break the law if it permitted proscribed drugs to be used on the premises under its control. The University will inform the police of
any student found to be using or in possession of any illegal drug (including cannabis) in any University owned or managed premises.

2.8 Alcohol

2.8.1 Students must report for studies, and remain throughout the working day, in a fit and safe condition to undertake their duties and not be under the adverse influence of alcohol.

2.8.2 Students must not consume alcohol drugs or other intoxicating substances during timetabled studies if doing so is likely to adversely affect the performance of their studies. Exceptions apply to drugs prescribed for the individual or over-the-counter medicines used for their intended purpose (in accordance with the instructions given by the prescriber, pharmacist or manufacturer) and where the safety of the individual or others with whom they come into contact is not compromised.

2.8.3 Students whose timetabled studies involve driving, the use of machinery, live electrical work or hazardous chemicals, or who are required to work at heights or in confined spaces, should not partake of alcohol at all during the timetabled day.

2.9 Noise Disturbance and Games

The creation of disturbances or an obstruction is forbidden. Disturbances include the ringing of mobile telephones or pagers in lectures/tutorials, laboratories, open access rooms and the Library. The playing of ball games within the Site must be confined to the appropriate sports facilities.

2.10 Display of posters

No notices or posters may be displayed or distributed on University premises without due authority: such authorised displays must be confined to the notice boards provided.

2.11 Smoking

Smoking is prohibited inside any building operated by the University (including corridors, foyers, toilets and entrances etc) other than in specifically designated “Smoking Areas”. This includes the use of e-cigarettes which are considered devices used for the purpose of smoking. Local rules apply in University residential accommodation.

2.12 Telephone calls

Students may not use the University telephone service or fax facilities for incoming or outgoing calls, other than when expressly permitted by an authorised member of staff in connection with a project or placement, except in cases of extreme emergency.

2.13 Recordings

2.13.1 The University may capture lectures seminars or other teaching sessions which may be made available in different formats (e.g.: podcast, video cast, etc) accessible via a variety of devices (e.g.: laptops, MP3 players, video iPods, etc) to enhance the teaching and learning process.

2.13.2 Lectures, or other teaching sessions, may be recorded by a student ONLY for the student's personal use, in order to assist them in the pursuit of their studies. Recordings are not permitted for any other purpose. Recordings may only be made with the prior knowledge and consent of the lecturer concerned. Covert recording is not permitted. Requests made for recordings as reasonable adjustments under the Equality Act cannot normally be refused. Where a recording is to be made, all those present must be notified of the fact at the outset. Where a recording is to be made as a reasonable adjustment under the Equality Act the confidentiality of the student who requires the recording must be retained.

2.13.3 Any other recordings are not permitted without the permission of those concerned.

2.13.4 The University may make recordings of students for the purposes of assessment.
2.13.5 Recording of lectures, seminars or other teaching sessions must be carried out in accordance with data protection legislation.

2.14 Care of personal property

2.14.1 Coventry University cannot in any circumstances, accept responsibility for the loss or theft of private property left or lost on University premises.

2.14.2 Students who suffer a loss of, or damage to, their personal property should advise the Reception area in the Alan Berry Building and inform the Police.

2.14.3 Students finding lost property should deliver it to the Reception area in the Alan Berry Building.

2.14.4 Bicycles should be stored in racks where provided and should be padlocked. Bicycles should be stored and motor bicycles parked in accordance with such University rules for this purpose as are laid down at the time. The Vice-Chancellor has the right to invoke the disciplinary procedure (see Appendix 7) in the event of any breach of these rules. The University cannot accept any responsibility for the safety of bicycles, motor bicycles or motor cars while they are on University premises.

2.14.5 Students are not allowed to park cars on University premises, except for students with disabilities related to mobility for which a local authority card designating disability has been obtained, who should contact the Disabilities Office for a special permit.

2.15 Criminal Convictions

Applicants and students of the Coventry University Group must notify the University immediately of any criminal allegations and/or convictions. The Group Registrar & Secretary shall conduct a Risk Assessment to assess whether the Group can accommodate, or continue to enrol, a potential or enrolled student with a criminal conviction. Failure to disclose a criminal conviction at any stage during the application, admissions or enrolment processes will result in offers being withdrawn or an enrolled student being subject to the stated disciplinary process. Students enrolled on courses accredited by the Health and Care Professions Council or Nursing and Midwifery Council may be subject to a Professional Suitability Panel in place of a disciplinary hearing. Coventry University will handle information relating to criminal allegations and/or convictions in accordance with all relevant legislation, including data protection legislation.

2.16 Student Behaviour Code of Conduct

Coventry University Group is committed to being a safe, positive campus where everyone feels able to achieve their very best and enjoy their experience. Students are therefore expected to adhere to the University Group’s Student Behaviour Code of Conduct.
APPENDIX 1 Examinations and Assessments: responsibilities of students

1.1 Definition of Terms

1.1.1 “Group Registrar & Secretary” refers to the person holding that role or to persons nominated to act on his/her behalf under these procedures as follows: Deputy Registrar or Group Director of Quality Assurance.

1.1.2 “Assistant Registrar” refers to the person holding the role of Assistant Registrar (Group Resolution Unit) or Assistant Registrar (Academic Registry) role or to persons nominated to act on his/her behalf under these procedures as follows: Principal Registry Officer or Senior Registry Officer.

1.1.3 “Faculty Registrar” refers to the person holding that role or to persons nominated to act on his/her behalf under these procedures as follows: Faculty Registry staff; Faculty Ethics Administrator; Doctoral College staff.

1.1.4 “Faculty” refers to the relevant Faculty of the University, University Research Centre, Faculty Research Centre, or Professional Services area.

1.1.5 “Academic misconduct” refers to all instances of academic misconduct or ethical misconduct (Section 1.5 refers).

1.2 Student Responsibilities

It is the responsibility of each individual student intending to present himself/herself for examination to:

1.2.1 submit a completed Individual Examination Arrangements (IEA) form, with appropriate evidence, for approval by the due date. Individual examination arrangements are available for students with a temporary or permanent disability or condition that affects their ability to sit examinations and/or tests under the prescribed conditions;

1.2.2 ascertain the date, time and place of the relevant examinations. Students are required to ensure that they are available throughout every examination period. Personal circumstances will not be taken into account in the compilation of the examination timetable;

1.2.3 ensure that they have their identification card with them;

1.2.4 be present for the examinations, noting that:

a) entry into a given examination will be allowed only up to 30 minutes after the stated time of commencement;

b) candidates will not be permitted to leave before the expiry of that period;

c) a candidate who has once left the room may not return except when he or she is obliged to leave for personal reasons, in which case he or she must be accompanied by an invigilator.

1.2.5 note that, once a student has entered the examination room and signed an examination attendance slip, a valid attempt at the examination has been made, unless illness or a similar urgent circumstance intervenes. No subsequent claim for extenuating circumstances will be accepted;
1.2.6 inform the Faculty Registrar (or nominee) in advance of an examination deadline if extenuating circumstances prevent attendance at an examination or it is felt by the student that his/her performance would be so seriously impaired that a deferral of assessment for the examination should be requested. The request must be submitted on the correct form and supporting verifiable and current documentary evidence, normally from a third party, must be attached. Extenuating circumstances cannot be used as a reason to raise marks, waive pass requirements of individual modules, reduce the requirements for progression or award, or raise a classification mark. If a deferral request is not granted, it will be deemed that an attempt has not been made.

1.2.7 inform the Faculty responsible for the course in advance of an assessment deadline if extenuating circumstances prevent submission of coursework to request an extension. If a student feels that an extension of up to two weeks would not be sufficient or that, despite being granted an extension, his/her performance in a piece of coursework will be seriously impaired, an application can be made for a deferral of assessment of coursework. The decision on whether to grant an extension or deferral lies with any University authorised individual. Both types of request must be made on the correct form and submitted together with supporting documentary evidence, normally from a third party, before the assessment deadline.

1.3 The following govern the conduct of University Examinations:

1.3.1 Smoking and the consumption of food and drink are not permitted in examination rooms.

1.3.2 Except as provided in 1.3.9 below for certain specified examinations, candidates are not permitted to have any written materials, such as books, papers or other prohibited articles with them in the examination room.

1.3.3 Mobile telephones, and equipment with telephone communication facilities (including watches with additional functionality), should not be brought into any examination room, whether switched off or not. However, where they are brought into an examination room, please see 1.3.5.

1.3.4 Any briefcases or similar articles which candidates cannot arrange to leave outside the examination hall or room may, together with books, papers etc., be deposited as directed by the invigilator.

1.3.5 Candidates will also be required to deposit any mobile telephones, tablets, watches, internet-enabled spectacles and any other device that can connect to third parties whether by mobile signal, Bluetooth or wireless and irrespective as to whether the device is on or not, in their possession as directed by the invigilator.

1.3.6 A candidate may be inspected to ensure that no unauthorised materials are concealed on their person (e.g. requested to empty their pockets or to remove unusually bulky clothing). If necessary, a student may be required to accompany an appropriate invigilator to a private area to allow any such inspections to be undertaken.

1.3.7 Candidates who are found to have with them any unauthorised materials, including any written materials, will be deemed to have committed academic misconduct and will fail that examination.

1.3.8 Coventry University cannot be held liable for students' property left, lost or damaged on its premises including materials brought into the examination rooms. Students should therefore avoid bringing valuable items with them.

1.3.9 In certain specified examinations, which will be clearly identified, candidates are entitled to consult notes, text books or other materials.

1.3.10 For the use of calculators and dictionaries in examinations refer to Appendices 8 and 9 to these General Regulations.

1.3.11 Candidates are forbidden from making copies of their examination answers for subsequent use outside the examination room.
1.3.12 Communication with other students is not allowed under any circumstances, and will constitute prima facie evidence of academic misconduct. This also applies if an examination is temporarily suspended, e.g. in case of emergency.

1.3.13 If a candidate claims to have found a mistake or ambiguity on the paper, an invigilator should be informed immediately.

1.3.14 Candidates must do any rough working in the answer book and cross it through when completed. No writing paper other than the answer book is to be used; supplementary sheets may be issued only when the answer book has been filled.

1.3.15 Candidates may not leave their places without permission from the invigilator and will be accompanied by an invigilator at all times if required to leave the examination room for any period of time.

1.3.16 Candidates are required to comply with requests made by invigilators, e.g. to be visually inspected. Any refusal to do so will be considered as academic misconduct and may result in a mark of zero for the assessment concerned. It may also be considered under the University’s Disciplinary Procedures at Appendix 7 to the General Regulations, depending on the severity of the case.

1.3.17 Candidates may not leave the room after 30 minutes before the end of the examination to avoid last-minute disturbances to other candidates finishing their scripts in time.

1.3.18 At the conclusion of the examination, the candidates will be requested:
   a) to stop writing;
   b) to tie any loose sheets (including drawings) securely inside the rear cover of the answer book;
   c) to remain seated until all the answer books have been collected by an invigilator.

1.3.19 No part of the answer book may be removed from the examination room.

1.3.20 It is the responsibility of each candidate to ensure that his/her script is collected by the invigilator before leaving the examination room.

### 1.4 Submission of work for assessment

1.4.1 It is the responsibility of each individual student submitting coursework, projects or other materials connected with assessment, to ensure that the work which they are submitting is the work which they wish to be assessed and that it is legible and accessible. The University accepts no liability for the consequences of work submitted in error by the student, nor is replacement work acceptable except as explicitly required or permitted by the Assessment Board.

1.4.2 A viva voce may be requested at any time for a student or students suspected of having sought to gain unfair advantage in an assignment/test/examination to test their understanding of their work.

1.4.3 Requests can be made by the Group Registrar & Secretary, any academic staff member, assessment board member, Faculty Registrar or Academic Conduct Officer.

1.4.4 In such cases, the student(s) shall be informed that a viva voce is required and it will be conducted under examination conditions in front of a member of the teaching team of the module concerned and an Academic Conduct Officer. The student shall also be informed that non-attendance, without good reason, will result in a mark of zero.

1.4.5 Should a student fail to attend a viva, without good reason, and they are able subsequently to present mitigation, they will be invited to a further meeting. Refusal to attend a viva will be considered under the Local Disciplinary Procedure – Appendix 7 refers.

1.4.6 Evidence of the viva and its outcome will be considered by an Academic Conduct Officer to consider whether further action is necessary (1.7.3 refers).
1.5 Definition of academic misconduct

1.5.1 Academic misconduct includes ethical misconduct and is defined as:

a) any attempt to gain an unfair advantage in an assessment (including examinations). This includes (but is not confined to):
   i) copying from other candidates;
   ii) collusion;
   iii) impersonation;
   iv) plagiarism i.e. presenting the work of others as if it is one’s own (this includes buying or acquiring work/effort/programming code from another party (in full or in part) for the completion of an assessment);
   v) the unacknowledged or un-referenced re-presentation of one’s own work (the submission of work presented previously or simultaneously for summative assessment at this or any other institution);
   vi) unauthorised access to unseen examination papers;
   vii) attempted or proven bribery;
   viii) falsification of data in projects, surveys or other assessed work;
   ix) the act of uploading assessment tasks, or work on a website or other such portal and inviting contributions or comments or asking for the work to be provided back as a finished or partially finished submission;

b) taking unauthorised materials into an examination. This includes any calculator or dictionary not permitted under Appendices 8 and 9. Also, mobile telephones, and equipment with telephone communication facilities, MP3 players, CD players, radios, computing devices, all watches, must not be brought into any examination room, whether switched off or not. The definition of unauthorised material extends to pencil cases, manuals for calculators, any written material (including notes written on arms and other parts of the body) and spare paper, and includes refusal to evidence whether or not one is carrying such material. This list is not exhaustive.

c) failure to observe the University’s Principles and Standards of Conduct on the Governance of Applied Research, including:
   i) failure to follow accepted procedures/codes of practice, or to exercise due care in carrying out responsibilities for avoiding unreasonable risk or harm to:
   ii) humans;
   iii) animals;
   iv) cells, blood, tissues;
   v) the environment;
   vi) the reputation of the University Group.
   vii) normally, failure to obtain ethical approval for an assessment submission;
   viii) late submission of ethical approval applications, including cases where data has already been collected (which may involve deception);
   ix) breach of ethical approval conditions, including deviations from an approved research programme;
   x) failure to renew or reapply for ethical approval when changes have occurred that have ethical implications;
   xi) failure to safeguard data, as well as the inappropriate handling of privileged or private information on individuals collected during research;
   xii) failure to follow the Computer Use, Data Management and Data Protection policies specific to storing and destroying data securely;
   xiii) fabrication, falsification and misrepresentation of information contained within an ethics application (including misrepresentation of possible conflicts of interest and risk).

d) assisting another student to do any of the above.

1.5.2 It is the University’s responsibility to prove an allegation of academic misconduct. The burden of proof to be used shall be ‘on the balance of probability’.
1.6 Suspected academic misconduct detected during or after an examination

1.6.1 If an invigilator suspects that there is academic misconduct, the attention of any other invigilator present should be drawn to the suspicious circumstances. If another candidate suspects that there is misconduct he or she should alert the invigilator(s).

1.6.2 The invigilators should approach the suspected candidate(s) and inform him or her of that suspicion, explain that they may complete the examination if they wish and that a statement can be made at the end of the examination.

1.6.3 The invigilators will annotate the candidate(s)’ work to indicate the point at which the suspected misconduct was detected. Should the invigilators suspect any further attempt at academic misconduct during the same examination the same procedure should be followed and the relevant section of the script also annotated appropriately. If any unauthorised material is discovered it will be confiscated by the invigilators at the point of discovery.

1.6.4 At the end of the examination the Assistant Registrar will inform the student(s) that the incident will be the subject of a formal investigation by an Academic Conduct Officer, who will write to the student(s) with the provisional outcome and the procedure to be followed (paragraph 1.8 refers). The student will be given an opportunity to provide a written statement.

1.6.5 Written accounts of the incident by the invigilators and other candidate(s), if appropriate, will be forwarded with the script, any unauthorised material and the student’s statement to the relevant Faculty Registrar.

1.6.6 If, during the marking, moderating or other processing of examination material, an examiner suspects that academic misconduct has taken place, the examiner must inform the Faculty Registrar and the Chair of the relevant Programme Assessment Board, and submit a written account to the Faculty Registrar as under paragraph 1.7.3 below. The student must be informed immediately as under paragraphs 1.8.6 or 1.11.1 below.

1.6.7 If, following an examination, another student has reason to suspect that academic misconduct took place, they must present a written account and any relevant evidence to the Faculty Registrar (or nominee). An anonymous statement shall constitute hearsay and not be deemed a legitimate allegation.

1.7 Academic misconduct in relation to assessed or other coursework

1.7.1 It is recognised that academic misconduct in assessed or other coursework raises a number of different issues from academic misconduct in a written examination.

1.7.2 All staff, students and persons authorised to work at the University have a responsibility to report, in confidence, any suspected incident of academic misconduct, whether witnessed directly or where there are reasonable grounds for suspicion. Allegations of suspected academic misconduct may be received from an internal source (i.e. from staff or students of the University Group) or an external source (i.e. from individuals outside of the University Group such as gatekeepers, funders or research participants).

1.7.3 Any Tutor who suspects when marking student(s)’ work that there has been academic misconduct should always inform the Faculty Registrar. The Tutor is responsible for providing evidence of the alleged academic misconduct. The Faculty Registrar will refer the case to an Academic Conduct Officer or Ethics Lead, who will determine the provisional outcome and procedure to be followed (section 1.8 refers).

1.7.4 Any student(s) wishing to make an allegation against another student should present a written account and any relevant evidence to the Faculty Registrar, who will refer the case to an Academic Conduct Officer or Ethics Lead as appropriate. Allegations will be handled sensitively and confidentially. An anonymous statement shall constitute hearsay and not be deemed a legitimate allegation.
1.7.5 The student(s)’ scripts or other form of coursework should be forwarded to the Faculty Registrar (or nominee), together with written statements from the member of staff or student(s) who made the original allegation.

1.7.6 Where academic misconduct is suspected in coursework or other assignments other than those formally assessed under the above criteria, for example in formative or background assignments, the same procedures shall be followed as in 1.7.3 to 1.7.5.

1.8 Primary Procedure

1.8.1 The ACO will normally take responsibility for those aspects of academic misconduct listed in 1.5.1 a) and b), while the Ethics Lead (EL) will take responsibility for those listed under 1.5.1 c). The role of the ACO and Ethics Lead (EL) is to:

a) provide advice and guidance to other academic staff regarding the detection of academic misconduct and determining the extent of academic misconduct;

b) consider each case of alleged academic misconduct and determine the correct procedure to be followed;

c) consider the evidence in relation to cases of alleged academic misconduct and determine the appropriate academic and/or disciplinary penalty;

d) provide academic guidance to students found guilty of academic misconduct;

e) act as a panel member of the Academic/Research Ethics Conduct Panel.

1.8.2 The ACO/EL will determine the correct procedure to be followed from the following:

a) the case is referred back to the Tutor to mark the work based on academic merit (where there is no case to answer or where the academic misconduct is so minor that it would not warrant a formal warning or academic penalty);

b) the case is considered by an ACO/EL (where the case warrants an academic and/or disciplinary penalty of less than expulsion);

c) the case is referred to an Academic/Research Ethics Conduct Panel for consideration. All cases that are extremely serious or complex and all ethical misconduct cases that are serious, including all cases that are likely to lead to expulsion because of the severity of the offence and/or because the student already has a Final Written Warning (which will have previously been identified by the Faculty Registrar);

d) the case is referred back to the School for a viva voce (section 1.4 refers).

1.8.3 The decision as to what procedure should be invoked should take into account:

a) the course stage;

b) the extent of academic misconduct;

c) whether the academic misconduct was a systematic and organised attempt to deceive;

d) the extent to which the assessment contributes to the final assessment;

e) the nature and extent of any previous offences on any module;

f) whether this is the student’s first examination session;

g) whether this is the student’s first written assignment period within the UK Higher Education sector.

1.8.4 In cases dealt with under 1.8.2b, the ACO/EL will determine the category of the offence, based on the evidence available, before being informed of any previous offences.

1.8.5 Any previous offences will only affect the determination of the level of the offence.

1.8.6 The ACO/EL will inform the student(s) of the nature of the suspicions and of the standard academic and/or disciplinary penalty for this type and category of offence in writing via their University email address.
1.8.7 The student(s) will normally be invited to attend a meeting with an ACO/EL to discuss the alleged misconduct. The student(s) will then normally be given at least three working days’ notice of this meeting via their University email address. The student(s) will also be advised to contact the Students’ Union for advice.

1.8.8 The student may be accompanied by one friend or supporter who may speak on his/her behalf, as long as the student informs the ACO/EL of the name of the person concerned at least 24 hours before the time of the meeting.

1.8.9 The ACO/EL may choose to invite another member of staff to attend the meeting.

1.8.10 The student will have access to the evidence against him/her in the meeting.

1.8.11 Exceptionally, in cases where there is not enough information to determine the standard academic penalty (e.g. in cases of suspected collusion), the ACO/EL may choose not to indicate the standard academic penalty in the initial email to the student. In such cases the ACO/EL will determine the academic penalty following their investigation and/or meeting with the student(s).

1.8.12 If the student(s) fail to attend a meeting and/or the offence remains unclear after the meeting, the ACO/EL may refer the case to the Academic Conduct Panel/Research Ethics Conduct Panel.

1.8.13 If the student informs the Faculty in advance of the meeting that they are unable to attend, a revised meeting date will be offered. If necessary, discussions can take place remotely (e.g. via Skype). If the student fails to attend the meeting with the ACO/EL without good reason being submitted in advance of the meeting, the ACO/EL will confirm the penalty, without this constituting grounds for appeal. If the student subsequently submits reasons for absence, the ACO/EL, at his/her discretion, may agree to arrange an alternative date. The student will not normally be given more than two opportunities to attend a meeting, irrespective of any reasons for non-attendance.

1.8.14 If the student prefers to accept the previously notified penalty without attending the meeting with an ACO/EL, they should confirm this via return email in advance of the meeting. If the student accepts the penalty in this way, they will have no right of appeal.

1.8.15 In all confirmed cases dealt with under 1.8.2b), the student(s) must be given an appropriate written warning (a copy of which will be kept on the student(s)’ personal file(s) as long as they are enrolled at this University) and the matter recorded on their student record, in addition to any academic penalty:

a) Where the student already has a Written Warning on file, or where the offence is considered serious enough to warrant a Final Written Warning being issued, the details and outcome of the case must be referred to the Chair of the Academic Conduct Panel/Research Ethics Conduct Panel in order that a Final Written Warning may be confirmed by the Chair.

b) Exceptionally, where the ACO/EL believes that the offence in question does not warrant a Final Written Warning, it may request that the Chair of the Academic Conduct Panel/Research Ethics Conduct Panel considers a further Written Warning, providing justification for their recommendation.

1.8.16 Following the meeting with the student(s), the academic and disciplinary penalties will be confirmed to the student in writing, via their University email address, stating clearly that any further proven misconduct may result in permanent exclusion from the University where the disciplinary penalty is that of Final Written Warning, and informing the student(s) of any right to appeal.

1.8.17 In all cases dealt with under 1.8.2c) the ACO/EL will inform the student(s) of the nature of the suspicions and of the proposed procedure to be followed via their University email address:

a) The student may be required to attend a viva voce style discussion in relation to the assessment under scrutiny.
b) They will also be given the opportunity to attend a meeting with an ACO/EL to discuss the alleged misconduct and the procedures of the Academic Conduct Panel or Research Ethics Conduct Panel.

c) The student will also be advised to contact the Students’ Union for advice.

d) The student may be accompanied by one friend or supporter as long as the student informs the ACO/EL of the name of the person concerned at least 24 hours before the time of the meeting.

1.8.18 Due to the nature of the cases that will be dealt with by an ACO/EL, the student will not be permitted legal representation at the meeting.

1.9 Appeal against an outcome from an EL/ACO meeting

1.9.1 Any student wishing to appeal the decision of the Ethics Lead/Academic Conduct Officer must lodge his/her appeal within 10 working days of receiving formal written notice of the outcome.

1.9.2 Appeals made against the decision of an Ethics Lead should be made in writing to the Associate Dean Research (or nominee); appeals made against the decision of the ACO should be made in writing to the Faculty Registrar and must specify the grounds for appeal. The only grounds for appeal which may be considered are that:

a) the procedures were not followed correctly prior to decisions being confirmed;

b) the nature of the academic misconduct does not justify the severity of the sanction.

1.9.3 The Associate Dean Research/Faculty Registrar will investigate the circumstances and decide whether or not to grant the appeal. Their decision in this respect is final.

1.9.4 If the appeal is granted, the Associate Dean Research/Faculty Registrar shall be empowered to set aside the decision of the ACO/EL and convene a Panel to reconsider the evidence afresh without knowledge of previous considerations (Section 1.10 refers).

1.9.5 The decision of this Panel is final.

1.9.6 A student submitting an appeal will receive an acknowledgment of receipt of their appeal normally within 5 working days of the documentation being lodged with the Associate Dean Research/Faculty Registrar (or nominee).

1.10 Secondary Procedure: Role of an Academic Conduct Panel (ACP) and Research Ethics Conduct Panel (RECP)

1.10.1 The Academic Board has established one ACP and RECP per Faculty to review and evaluate allegations of academic misconduct in examinations and other assessments, in order to establish the facts of the case. The Panel delegates authority to the ACOs/ELs for all cases that are not deemed to be extremely serious or complex.

1.10.2 Terms of Reference

a) To review, on behalf of Academic Board, cases (proven and unproven) of academic misconduct considered by the ACOs/ELs to ensure consistency of approach.

b) To consider extremely serious or complex cases of alleged academic misconduct, following referral by an ACO/EL.

c) To consider all cases where the student already has a Final Written Warning on their record, following referral by the Faculty Registrar.

d) To consider appeals against the decision of any ACO/EL to apply a penalty or confirm an allegation of academic misconduct as proven.

e) To determine one or more of the following outcomes:

i) dismiss the case or otherwise decide that no further action is required;

ii) defer action pending the outcome of further enquiries;
f) Where the allegation of academic misconduct is proven, the Panel will:

i) determine the academic penalty, taking into account any comments from the course/module representative present in order to ensure that the penalty has relevance and is effective in the context of the course/module concerned;

ii) issue either a Written or Final Written Warning or determine that the severity of the offence is such that it warrants a recommendation to the Deputy Vice-Chancellor that the student be permanently expelled;

iii) where there is already a Written Warning on file, the Panel must issue a Final Written Warning stating clearly that any further proven misconduct may result in their permanent expulsion from the University;

iv) where the student already has a Final Written Warning on file, the details and outcome of the case must be referred to the Deputy Vice-Chancellor in order that the student may be permanently expelled;

v) exceptionally, where the Panel believes that the offence in question does not warrant permanent expulsion, it may request that the Deputy Vice-Chancellor considers a temporary expulsion or a further Final Written Warning, providing justification for its recommendation;

vi) where a student has already been conferred with an award the Panel will recommend to the Group Registrar & Secretary that this be revoked under section 2.2.1(e) of the Academic Regulations.

1.10.3 Membership of an Academic Conduct Panel (hereafter referred to as the Panel) shall comprise:

a) Academic Dean, Associate Dean, senior member of academic staff with responsibility for academic conduct or other senior member of Faculty academic staff as Chair (or Deputy Chair in the absence of the Chair);

b) one Academic Conduct Officer (who is not the ACO presenting the case against the student);

c) two further members of academic staff familiar with academic misconduct issues from the student’s Faculty, who can be drawn from the ACOs and/or the wider academic staffing of the Faculty (to avoid any conflict of interest, these members must not include the student’s Module Leader(s), Course Director, the ACO presenting the case, any person with a direct involvement in assessing the student, or the Programme Manager. It may be necessary to substitute a Panel member from another Faculty);

d) when the Panel is convened to review the decisions of the ACOs, the membership may be increased to more than four to allow all ACOs to participate.

1.10.4 Membership of a Research Ethics Conduct Panel (hereafter referred to as the Panel) shall comprise:

a) Associate Dean Research or equivalent (or, where unavailable for an extended period of time, another Associate Dean of the Faculty) as Chair;

b) Ethics Lead (who is not the EL presenting the case against the student);

c) two members of academic staff who do not have direct involvement in assessing the student;

d) an ACO if necessary due to the nature of the case;

e) in extremely serious cases only, the Deputy Vice-Chancellor (or nominee).

f) The quorum shall be at least three members.
1.10.5 Where an allegation of ethical misconduct in research relates to data and/or incidents in a clinical or sensitive setting (e.g. NHS Trust, HM Prisons, Social Care Trust) or involves a student in receipt of external funding, a governance officer or manager (independent from the student) from the relevant organisation may be invited to attend the meeting. This is dependent on the nature and seriousness of the alleged misconduct and its relevance to the research carried out and/or to the organisation.

1.10.6 The Faculty Registrar shall nominate a representative to be in attendance throughout to advise the Chair on parity and equity of treatment for similar cases within the Faculty and elsewhere in the University.

1.10.7 The Secretary to the Panel will be responsible for the membership and administration of the Panel in accordance with the procedures of the Panel.

1.10.8 A Students’ Union sabbatical officer may be in attendance as an observer if they wish or at the request of the student. The Students’ Union sabbatical officer shall be in addition to any personal friend or supporter whom the student may wish to bring.

1.11 Procedures of the Panel

1.11.1 The Secretary will ensure that the student is informed of the allegation of misconduct via their University email address, attaching a copy of these procedures and advising them that they may contact the Students’ Union Advice Centre if they so wish.

1.11.2 The Secretary will ensure that the student is given the opportunity to admit or deny the alleged misconduct and to make any representations about the matter and provide any evidence in support of their case. Where the student admits the alleged misconduct they will only have a right to appeal the sanction that is imposed (if the grounds for appeal are met).

1.11.3 At least seven working days\(^1\) prior to the hearing, the Secretary to the Panel will ensure that the student(s), the Panel members, those presenting the case and all witnesses are sent the following:
   a) the time, date and venue of the Panel hearing;
   b) details of the allegation made against him/her;
   c) copies of all written evidence;
   d) a copy of these Regulations.

1.11.4 At the same time as notification of the meeting, the student will be advised:
   a) to contact the Students’ Union Advice Centre immediately;
   b) that he/she must attend the Panel meeting in person and cannot request that a friend or supporter attend in their absence;
   c) that he/she may be accompanied at the hearing by a friend or supporter who may speak on his/her behalf. The friend or supporter may assist in presenting the case if the student so chooses, subject to the following:
      i) the student may not normally be represented by another person in his/her absence, especially where the charges are denied;
      ii) the student remains responsible for presenting the case to the Panel, and for ensuring that any statements made by his/her friend or supporter are accurate;
      iii) no appeal can be made subsequently in relation to the omissions, actions or statements of the friend or supporter;

\(^1\) Working days will be defined as all weekdays other than statutory bank holidays and other days when the University is formally closed, irrespective of whether they fall outside of term time.
d) if the student fails to attend a hearing without good reason being submitted in advance, the hearing will go ahead in his/her absence without this constituting grounds for appeal. If the student subsequently submits reasons for absence the Chair and the Faculty Registry representative, at their discretion, may set aside any findings from the first hearing and arrange a second hearing. The student will not normally be given more than two opportunities to attend, irrespective of any reasons for non-attendance. It should be noted that hearings may take place outside of standard term time dates and this, in itself, will not be accepted as a reason for absence. This shall apply whether the charges are accepted or denied, and whether or not the student submits a written statement;

e) if the student expresses an intention not to attend, without good reason, the Panel meeting may (at the discretion of the Chair) proceed in his/her absence, without this constituting grounds for appeal. This shall apply whether the charges are accepted or denied, and whether or not the student submits a written statement;

f) at least five working days prior to the meeting the student shall inform the Panel Secretary as to whether he/she intends to be accompanied, and if so, the name of the person concerned. In the event that the student arrives at the hearing with more than one person accompanying them, the Chair has the authority to ask the student to choose whom he/she wishes to be present. All other friends or supporters will be required to leave.

1.11.5 If, in exceptional circumstances, the student wishes to be legally represented, they must inform the Secretary to the Panel five working days in advance of the hearing.

a) If such notice is not given sufficiently early to allow the University to arrange its own legal representation, the meeting will be rearranged but only one such extension will normally be granted.

b) The University reserves the right to instruct legal representatives to present the University’s case in connection with any hearing where a student is to be legally represented or in connection with any matter where the University feels that it is necessary because of the complexity or significance of the case.

c) The University will notify the student as soon as possible in advance of the hearing if the University intends to instruct legal representatives.

d) The student remains responsible for presenting his/her case, and for ensuring that any statements made by his/her legal representative are accurate. No appeal can be made subsequently in relation to the omissions, actions or statements of the legal representative.

1.11.6 The responsibility for preparing the case rests with the Faculty, and the case shall be presented by an ACO/EL, who may also advise the Panel on any questions relating to the context of the alleged offence and of the category of offence to be decided.

1.11.7 The ACO/EL may be accompanied by a senior member of the management team of the course on which the student is enrolled in order to advise on course specific matters. If the module to which the allegations apply is from a Faculty other than that which manages the course, a member of the module management team may (at the discretion of the Chair) also be required to be in attendance.

1.11.8 If the student wishes to present evidence to the Panel in mitigation of the alleged offence, full supporting documentation must be provided by the student including, where appropriate, signed statements from independent persons such as medical practitioners, tutors or counsellors and/or details of witnesses in advance of the hearing. In the absence of adequate supporting evidence the Panel will not normally accept the validity of the mitigating circumstances.

1.11.9 Students who knowingly submit false or forged evidence at any stage of the process render themselves liable to disciplinary proceedings under Appendix 7 of the University’s General Regulations.

1.11.10 The Panel Chair will seek assurances that the status of the hearing is understood by the student concerned and his/her representative.
1.11.11 The Panel Chair will inform all those present that any information known about any previous offences of academic misconduct proven against the student(s) must not be disclosed until after the Panel has made its decision regarding the category of the offence under consideration.

1.11.12 The ACO/EL will present the facts supporting the allegations and may call any witnesses in support. The student or his/her representative will have an opportunity to question the person presenting the case and his/her witnesses. The Panel may also ask questions.

1.11.13 The student or his/her representative may present the case in defence and may call witnesses. The ACO/EL will have an opportunity to question the student and his/her witnesses. The Panel may also ask questions.

1.11.14 The ACO/EL may sum up the case in support of the allegations.

1.11.15 The student or his/her representative may sum up the case in defence.

1.11.16 Both parties and any external representatives will be asked to withdraw while the Panel reaches a decision. The Faculty Registry representative shall remain in attendance to advise on parity and equity of treatment for similar cases within the Faculty and elsewhere in the University.

1.11.17 If the student is found guilty and has presented mitigation, this shall be taken into account in the consideration of the penalty to be imposed only.

1.11.18 The Panel will ensure that the Secretary to the Panel submits a written report (or minutes) to the Chair and secretary of the relevant Programme/Subject Assessment Board(s), the student's academic personal tutor or Director of Studies, and the Group Registrar & Secretary (in cases of expulsion).

a) In the case of non-assessed coursework or other assignments the report shall be sent to the relevant Course Tutor and in the case of research students to the University Research Committee.

b) Any disciplinary penalty imposed shall be reported for implementation to the Faculty Registrar or Research Degrees Lead as appropriate and the Group Registrar & Secretary.

1.12 Cases of admitted guilt

1.12.1 Where a student, who has been invited to appear before the panel under 11.1, wishes to plead guilty to a charge of academic misconduct, the student may either:

a) choose to follow the accelerated procedures in 1.12.2 - 1.12.6 below, or

b) choose to appear before a full hearing as in paragraph 1.11.3, in which case paragraphs 1.12.2 – 1.12.6 below do not apply.

1.12.2 A student must make a written submission to the Faculty Registrar admitting guilt and presenting any mitigating evidence:

a) supporting documents from other parties may be attached by the student in witness of this submission.

b) the student will not have the opportunity to present the case in person, nor may witnesses be called to appear in person.

c) if a submission is not received by the date notified to the student the case must normally be heard by a full hearing as in paragraph 1.11.3.

1.12.3 Three members of staff, chosen from amongst the Panel Chair or Deputy Chair and current members of the ACP/RECP, will consider the submission and mitigating evidence, and make a written report as in paragraph 1.11.18.

1.12.4 The Faculty Registry representative shall be in attendance to advise as appropriate.

1.12.5 It may be decided that further information should be sought from the student or others.
1.12.6 Students following the accelerated procedure will not have a right of appeal against the Panel's decision, except where the student wishes to appeal the sanction of expulsion, in which case the appeal must be submitted directly to the Group Registrar & Secretary in accordance with paragraph 1.13.8 below.

1.13 Appeal against an outcome from an ACP/RECP

1.13.1 Where a student is found to have committed academic misconduct, the student shall be informed of his/her right of appeal. The only grounds of appeal which will be considered are that:
   a) the procedures were not followed correctly prior to decisions being confirmed;
   b) the nature of the academic misconduct does not justify the severity of the sanction.

This right of appeal is equally applicable where the student has been found guilty by the Panel or during the proceedings has admitted guilt.

1.13.2 The appeal must be made to the Assistant Registrar via gru.reg@coventry.ac.uk in writing via within ten working days of the student receiving formal written notice of the outcome.

1.13.3 The appeal will be investigated and a decision made as to whether or not to grant the appeal. The decision in this respect is final.

1.13.4 If the appeal is granted, the Assistant Registrar shall be empowered to set aside the decision of the Panel and convene an Academic Conduct Appeal Panel (ACAP) or Research Ethics Conduct Appeal Panel (RECAP) to reconsider the evidence.

1.13.5 Where the student wishes to appeal the sanction of expulsion, the appeal must be submitted directly to the Group Registrar and Secretary in accordance with paragraph 1.13.9 below.

1.13.6 An ACAP or RECAP shall comprise:
   a) an Academic Dean or Associate Dean as Chair, other than those with a direct conflict of interest;
   b) one member of staff from a Faculty not connected with the student;
   c) one member of staff from the student’s Faculty, other than those with a direct conflict of interest;
   d) the Assistant Registrar (or nominee) to secretary the meeting and to advise on matters of parity and equity of similar cases across the University.

1.13.7 A Panel convened by the Assistant Registrar shall follow the procedures set out in section 1.11.

1.13.8 The decision and recommendations of the relevant Panel shall be final. However, if the disciplinary decision is one of expulsion, an appeal may be made on the grounds that the nature of the breach in discipline does not justify the expulsion.

1.13.9 The appeal must be made in writing to the Group Registrar and Secretary within ten working days of the student receiving written notification of the decision of the Deputy Vice-Chancellor, and giving grounds for appeal.

1.13.10 Where the Group Registrar and Secretary is satisfied that a prima facie case exists, he/she shall be empowered to set aside the Deputy Vice-Chancellor’s decision and convene a Board of Governor’s Disciplinary Appeals Committee. See Appendix 7 to the General Regulations.

1.13.11 The Deputy Vice-Chancellor's disciplinary action is subject to appeal in accordance with the Disciplinary Procedures set out in Appendix 7 to the General Regulations.

1.13.12 Students who have been found guilty of or admitted to a charge of academic misconduct in an examination or assessment have no right of appeal against a decision to record a failure in that assessment.
1.13.13 Students who have admitted to a charge of academic misconduct under the accelerated procedure (see section 12), have no right of appeal against the decision of the Panel.

1.14 Confiscated materials
All materials confiscated from students in cases of academic misconduct shall be retained by the University until the conclusion of the case after which time the student may apply in writing to the Assistant Registrar for the return of items.

1.15 Acceptance of the above responsibilities
Enrolment as a student of the University will be held to denote the acceptance of the above responsibilities.

1.16 Students on professional courses
Students on professional courses who are found guilty of academic misconduct may also be subject to the University’s Professional Suitability and Fitness to Practise Policy and Procedures.

1.17 The Office of the Independent Adjudicator (OIA) and Action following a Recommendation from the OIA.
The Office of the Independent Adjudicator for Higher Education (‘OIA’) operates an independent student complaints scheme pursuant to the Higher Education Act 2004. Students may take their complaint relating to a request for an appeal under the University’s Academic Conduct Panel procedures to the OIA once all internal processes have been exhausted. A ‘Completion of Procedures’ letter will be issued from the office of the Group Registrar & Secretary when it has been determined that all internal processes have been completed. The OIA must receive a completed Scheme Application Form within twelve months of the date of Completion of Procedures letter.
APPENDIX 2 Health and safety: student responsibilities

Coventry University Group is committed to providing a safe and healthy environment for all students. The University will take all reasonable steps to achieve this but the final outcome will also depend on the co-operation of all students in complying with this guidance and local policies and practices where they exist.

2.1 Students through their ‘duty of care’ have a responsibility to take reasonable care of the health and safety of themselves and others by their acts and omissions.

In brief this will mean:-

- **2.1.1** As well as looking after themselves, a student must not do anything which may cause injury to someone else i.e. indulging in horseplay, misusing equipment.
- **2.1.2** Students are expected to report all accidents, incidents, including near misses and other situations they consider to be a health and safety matter to their tutor or a responsible person within the University.
- **2.1.3** Students shall co-operate with the University as far as is necessary to enable any duty, statutory requirement etc. to be performed or complied with. This will include complying with instructions given by staff or participating in exercises such as fire drills.
- **2.1.4** With regard to fire safety students must not interfere with fire equipment, deface notices or activate false alarms. These actions could constitute a criminal offence and the Fire Service may or consider prosecution of the culprit. It is the policy of the University to co-operate with the authorities on matters of fire safety.
- **2.1.5** In relation to fire safety in residences there is a policy which is included in the ‘licence to occupy’. Students in University accommodation are advised to familiarise themselves with the policy.
- **2.1.6** Students must not attempt to gain entry to areas they know to be out of bounds. This will include laboratories and workshops where staff presence is a pre-requisite of student entry. But also included in out of bounds areas are roofs of all campus buildings (except areas open for free access), lift motor rooms, boiler houses, electrical switch gear rooms/substations, and building and construction sites. This list is not exhaustive but gives an indication of the type of areas students are prohibited from entering. If in doubt students should seek permission.
- **2.1.7** Workshops and laboratories may house machinery and hazardous substances. Students must not attempt to operate the machinery, use the substances until they have received instruction on the safe methods and demonstrated competence to their tutor or the technical staff for the area.
- **2.1.8** Personal property such as mains voltage electrical tools or specialist materials must not be brought onto campus unless permission has been obtained from the tutor or technician for the area where the equipment/materials are intended to be used. In the case of University accommodation the Internal Property Manager must be consulted. Domestic electrical appliances do not require permission for use in University accommodation.
- **2.1.9** Students should dress appropriately for the activities they will be involved in during classes. This is particularly relevant if working in workshops on machinery or in laboratories with chemicals and open flames. Consideration should be given to loose clothing, long hair, suitable footwear etc. Any student considered to be inappropriately dressed will be prohibited from participating in the activity.
2.1.10 Students are advised that they have a legal duty not to interfere with anything provided for safety purposes. This will include personal protective equipment such as gloves, goggles, ear defenders etc. and also devices on machinery and equipment such as guards, viewing screens, controls etc.

2.1.11 It is an offence to drop items from windows onto the public highways and the Police may seek to prosecute the offender. Where such activity occurs the policy of University is to identify the culprit where possible and co-operate with the authorities in their action.

2.1.12 While on campus students are responsible for the actions of their visitors and must ensure the requirements of this guidance are met. In the case of a breach the visitor will be requested to leave and the student could be subject to disciplinary action as defined in Appendix 7 of the General Regulations.

2.1.13 Students must follow the ethics procedure when carrying out project work and must ensure they follow the methods outlined in their ethics application or inform their supervisor if they need to alter their project. Further information is available on the Ethics portal.

2.2 Breach of this guidance

Any breach of this guidance is deemed to be a serious offence and thus subject to disciplinary action in accordance with the University’s disciplinary procedures as detailed in Appendix 7 to the General Regulations.
APPENDIX 3 Library Regulations

3.1 Purpose of Library regulations
The object of the Library regulations is to ensure the maximum efficiency of the Library service for all its users. The University Librarian is responsible for the maintenance of good order in the Library, and all users are expected to conduct themselves in a manner which does not interfere with the proper working of the Library.

3.2 Access to the University Library
  3.2.1 Access to the Library is controlled by access gates which are controlled by University identification cards. All university staff and students users must use their own card to open the gates; cards are non-transferable. Anyone who is not a member of the University may be allowed access at the discretion of the University Librarian. They will be required to complete a membership application form and present proof of identity including their name and current address at the Library Welcome Desk before access is granted.

  3.2.2 The Librarian has the right to refuse entry to anyone whom he/she does not consider has acceptable means of identification, does not have a valid reason for using the Library, or for any other reason whether in possession of a valid ID card or not. Students excluded by the University will not be allowed access to the Library.

  3.2.3 University staff and students should, in their own interest, notify the Academic Registry and the Library of any change in their personal information, since any notice sent by the Library to the borrower's last address is deemed to be adequate notification to the borrower. All other registered members should notify the Library of any changes to their personal information. Notifications sent by email to members of the University will be sent to the University email address for that person.

3.3 Registration as Library user
  3.3.1 The following categories of Library user are entitled to register for borrowing purposes:
    a) members of the Board of Governors, Students' Union full-time sabbatical officers and staff of Coventry University;
    b) students undertaking a research degree at the University;
    c) students registered for a taught postgraduate course of the University;
    d) other full-time, part-time, distance learning and sandwich course students of Coventry University;
    e) students who have left their course of study for a period of time but who have given an undertaking to return.

Students of CU Coventry, Scarborough and London are entitled to reference use only. In addition other persons may be granted borrowing or reference facilities at the Librarian's discretion, or by qualifying for membership under any of the access or reciprocal schemes currently available. Details of these are available from the Library.

3.4 Borrowing regulations
  3.4.1 Restrictions of different loan periods for different items apply to all Library users.
  3.4.2 Borrowers in categories 3.3.1a) to d) may have up to 20 items on loan at any one time.
  3.4.3 Borrowers in category 3.3.1e) and Associate and Corporate Members may have up to 5 items on loan at any one time. Corporate Members may have one or more borrower cards according to the fee paid. Corporate Membership cards will only be issued to a named individual who will accept full responsibility for items borrowed on that card.
3.4.4 Books borrowed on behalf of Library members by the Document Supply Service are subject to the restrictions and conditions imposed by the lending library concerned.

3.4.5 Borrowers' cards are not transferable, and registered readers are responsible for all items issued on their cards. Lost staff and student ID cards should be reported immediately to the Library and to Academic Registry. A charge normally will be made for replacing lost cards. Replacement cards and details of the current cost are available from the Academic Registry or from the Library. Lost Associate and Corporate Membership cards must be reported immediately to the Library.

3.5 Return of Loans

3.5.1 With the exception of paragraph 3.5.3 all items on loan must be returned on or before the date and time indicated on the borrower's on-line record. Borrowers are responsible for checking their on-line record and ensuring items are returned by the dates indicated. If they are not returned by that date overdue charges will be applied at the current rate. Details of overdue charges can be found online.

3.5.2 If an item is not returned 9 weeks after the due date the University will initiate action to recover from the borrower the current replacement value of the item, plus all outstanding charges and an administrative fee of £10 for each invoice.

3.5.3 Items borrowed from the Library may be recalled, and if not returned within 7 days of the date of the recall request will be treated as overdue from that date irrespective of the original due date on issue; charges will be incurred at current rates.

3.5.4 Loans may be renewed, at the Librarian's discretion and if not reserved by another user, by using the self-service kiosks, online through the customer account on the library catalogue (Locate) or using the telephone renewal service.

3.6 Limitations and restricted loan arrangements

Most books in the Library may be borrowed as detailed in regulation 3.4 above. The following exceptions should be noted.

3.6.1 Confined to use in the Library only
Material in the general reference and subject reference collections, law reports, newspapers, theses, ‘special collections’ including archive materials, periodicals and all abstracting and indexing services, and any other material designated for reference use only for purposes of security or special use.

3.6.2 One day loans
Items designated ‘one day loan’ may be borrowed at any time during the day until midnight on the following day.

3.6.3 One week loans
Items designated ‘one week loan’ are lent for one week only.

3.7 Non-book material

The majority of DVDs are available for loan. A limited number of restricted DVDs and all video tapes are available for loan to University staff members and are available for use in the Library by students and other Library users. Microfilm is for use in the library only.

3.8 Theses

3.8.1 Theses are strictly for use in the Library, whether the property of the University Library or obtained from elsewhere.

3.8.2 Users of theses etc. must sign an undertaking not to publish, reproduce, or quote from the thesis (in whole or part) or to use information contained in it without the consent of the rights holder.
3.9 Behaviour in the Library

3.9.1 Users must conduct themselves quietly in the Library: disorderly conduct will not be tolerated. People studying in areas designated for silent study must refrain from making noise or causing a disturbance of any kind whatsoever. People studying in group study and other areas must avoid disturbing other users, keep noise to a reasonable level and not impede the functioning of the Library or the ability of Library staff to carry out their duties.

3.9.2 Cold food and drink may be consumed in the Library. Hot food including food that was hot at the point of sale is not permitted in the Library building. Customers may be asked to take any food outside the Library if it smells strongly or is causing a mess. Customers are responsible for leaving study spaces clean and tidy for the next user.

3.9.3 In line with UK legislation, smoking is forbidden throughout the Library, this includes vaping.

3.9.4 The drinking of alcohol is forbidden throughout the Library. Users deemed to be intoxicated for any reason will be asked to leave.

3.9.5 Sleeping in the Library for prolonged periods is not permitted. Sleepers will be woken and may be asked to leave for their own safety.

3.9.6 Conversational use of mobile telephones is only permitted in the designated ‘zones’; mobiles must always be switched either to ‘silent’ or ‘off’. Audio use of IT equipment is only permitted with headphones and must not disturb other Library users.

3.9.7 Library property, equipment or the fabric of the building must not be marked, defaced or damaged. Anyone responsible for such damage may be required to replace the damaged item, and may face disciplinary action.

3.9.8 Seats, computers, and study spaces in the Library may not be reserved. Books, papers, and personal possessions left on the tables may be removed by the Library staff, and neither the University, nor its employees, can be held responsible for the loss of, or damage to, property left on the premises.

3.9.9 No item from the Library stock may be removed from the Library until the loan has been recorded through use of a self-issue kiosk or by a member of the Library staff. Actual or attempted unauthorised removal will be regarded as a serious disciplinary offence. All users leaving the Library with books or papers must allow them to be examined by a member of Library staff if requested to do so.

3.9.10 The children of Library users are welcome in the Library but must remain under the close supervision of their parents at all times.

3.10 Sanctions

3.10.1 The University Librarian or representative has authority to withdraw Library facilities from any reader infringing these regulations or in any way interfering with the proper working of the Library. In particular, Library facilities will be withdrawn for the following non-inclusive reasons:

a) failure to pay outstanding fines or invoices,

b) attempting to remove items without authorisation,

c) rude or abusive behaviour towards Library staff,

d) repeated disturbance of other users,

e) repeated breaches of these regulations.
3.10.2 Users whose behaviour in the opinion of Library staff is considered to be in breach of these regulations will be asked to comply with them and must do so immediately. If they do not comply with that request they will be asked to show their university ID card or other permission to use the University Library. Users who refuse to show such proof of identity will be asked to leave the Library and must do so immediately. Details may be taken of the name and ID number of students who refuse to comply with a request to observe the Library Regulations. These details may be used to monitor repeated breaches of the Library Regulations and may form the basis for disciplinary action or the withdrawal of Library facilities.

3.10.3 Where students are responsible for damage to library material or are deemed to have attempted to remove items from the Library without authorisation they may be charged the current cost of replacing the items and/or a sum up to a maximum of £100, depending on the nature of the damage and the circumstances surrounding the incident.

3.10.4 These regulations have been approved by the Board of Governors of the University and the University Librarian and his/her staff are charged with ensuring that they are observed.

3.10.5 Serious and/or repeated breaches of Library Regulations will be referred to the Executive Dean of the appropriate Faculty and may be referred to the Vice-Chancellor or Vice-Chancellor's nominee and may result in sanctions being taken including expulsion (see Appendix 7). Users who are not members of the university may have their Library membership summarily withdrawn for infringing these regulations. Users who are members of the University may be temporarily excluded from the Library while awaiting either local or group level disciplinary action.

3.11 Appeals

Appeals against the decision of the University Librarian can be made to the Deputy-Vice-Chancellor with responsibility for the Library.
APPENDIX 4 Acceptable Use Code of Conduct of ICT Facilities in Coventry University & Subsidiaries

4.1 A Simplified Summary

Governance
- Don't break the law;
- Do abide by Coventry University's Regulations, Policies and Guidelines;
- Do observe the regulations of any third parties facilities you access.

Identity
- Don't allow anyone else to use your IT credentials (e.g. Login ID and password);
- Don't disguise your on-line identity;
- Don't attempt to obtain or use anyone else's on-line identity.

Infrastructure
- Don't put Coventry University's IT facilities at risk by:
  o Introducing malware;
  o Interfering with hardware;
  o Loading unauthorised software.

Information
- Do safeguard personal data;
- Do respect other people's information;
- Don't abuse copyright material;
- Do remember that mobile devices may not be a secure way to handle information;
- Don't allow access to University controlled information to unauthorised persons or any 3rd party organisation, without authorisation.

Behaviour
- Don't waste IT resources;
- Don't interfere with others' legitimate use of IT;
- Don't behave towards others, when on-line, in a way that would not be acceptable in the physical world;
- Do observe UK law;
- Do comply with the 'Safe Use of IT Policy';
- Don't breach the University's code: it is a disciplinary offence.

4.2 Core Regulations

The issues covered by these regulations are complex and you are required to read both these and the accompanying guidance notes (which give more detailed information). If you have any questions or concerns you should seek further advice from IT Services.

This Code of Conduct provides a framework for the acceptable use of Coventry University's Information and Communications Technology in order to ensure that it can be used safely, lawfully and equitably.

The University is connected to the UK academic network known as JANET, and abides by the regulations of use as described in the JANET Acceptable Use Policy.
This code represents Coventry University’s ‘Terms and Conditions’ for the acceptable use of the University’s ICT Services, Systems and Facilities whether provided internally or under contract with external providers. It comes into force immediately upon the commencement of employment with the University or (for non-staff users) by virtue of a user account being activated by the authorised user logging into it for the first time.

Any infringement of this Code may result in disciplinary action and may in addition be subject to penalties under civil or criminal law.

4.3 Scope

This Code applies to all users of the University Group’s ICT irrespective of the location of the user.

University ICT

This includes all hardware, software, all internally provided ICT services, all University-approved ICT third party provided services, all on-line services, all data and voice systems inclusive of all facilities which are used, owned, contracted, leased, hired or otherwise arranged by Coventry University or its subsidiaries. It covers all ICT resources, services, facilities, systems or devices whether connected directly, indirectly or remotely to the institution’s network irrespective of their location, or the location of the user.

It also applies to all ICT resources, services, facilities, systems or devices used for University work either on or off the institution’s premises and whether owned by the University or privately, as well as to the use of any University-owned facilities, equipment, services or systems on University premises.

4.4 Governance

When using ICT (including social media), the user remains subject to the same obligations, laws and regulations as in the physical world.

All users must observe the requirements of University Regulations and Policies, as well as current UK law. Ignorance of the law is not considered to be an adequate defence for any unlawful conduct. Similarly, ignorance of this Code or other University regulations, policies or procedures will not be considered an adequate defence.

When accessing services from another jurisdiction, other than the UK, you must abide by all relevant local laws as well as those applicable to the location of the service and where the data are being collected, stored, processed or otherwise controlled by the University, all relevant data protection laws including the Data Protection Act 1998 (“DPA”) and Regulation EU 2016/679 (General Data Protection Regulation) (“GDPR”). You are also bound by the University’s Data Protection and Information Security policies and guidance.

You are bound by Coventry University’s General Regulations when using the University’s IT Facilities or when using any other IT facilities in connection with your work. You are required to act in accordance with this code, as well as all relevant laws and contractual obligations or licensing conditions relating to the services you are using and are required to always apply the highest standard of ethics.

You are responsible for ensuring the integrity and confidentiality of any data you are responsible for handling. You are also responsible for ensuring that any access to the University’s systems/services and data, remains authorised and appropriate.

Users must also ensure the safe collection, processing and storage of information handled, whether stored in, or transmitted from, those systems or services. You must abide by the regulations applicable to any other organisation whose services you access such as JANET, Eduserve and JISC collection.

When using services via Eduroam, you are subject to both the regulations of Coventry University, and of the Institution where you are accessing the service.
Some software licenses procured by Coventry University will set out obligations for the user – these should be adhered to. If you use any software or resources covered by a CHEST agreement (a specially negotiated licence for eJournals, eBooks, databases and learning materials), you are deemed to have accepted the Eduserv User acknowledgement of third party rights.

Breach of any applicable law or third party regulation will be regarded as a breach of these IT regulations.

4.5 Authority

These regulations are issued under the authority of the Vice-Chancellor who is also responsible for their interpretation and enforcement, and who may also delegate such authority to other people.

You must not use the IT facilities without the permission of the person with the delegated authority to give normal access to ICT facilities, services and systems, and to give permissions as stated in this Code. This is normally the Executive Dean, Director or CEO whose Faculty/Professional Service, department or subsidiary controls the ICT assets in question.

In the case of equipment, facilities or services on lease, hire or contract to the University, it is the Executive Dean/Director or CEO of the Faculty/Professional Service department or subsidiary who is responsible for controlling the lease, hire agreement or contract in question and it is they who are also responsible for ensuring that due diligence is applied before any such arrangements are entered into.

You must comply with any reasonable written or verbal instructions issued by people with delegated authority to enforce these regulations. If you feel that any such instructions are unreasonable or are not in support of these regulations, you may appeal to either the Vice-Chancellor of the University or the Deputy Vice-Chancellor responsible for ICT.

4.6 Intended Use

The ICT facilities are provided for use in the furtherance of the mission of Coventry University and its subsidiaries, for example to support a course of study or an element of research carried out in connection with your employment by the University.

Use of these services for personal activities is permitted (provided that this does not infringe any of the University’s regulations, policies or procedures or your contractual obligations and does not interfere with others’ valid use), but this is a privilege which may be withdrawn at any point.

Use of these IT facilities for non-institutional commercial purposes, or for personal gain, or for any activity which incurs a cost, or creates a benefit or financial advantage for other bodies, (such as employers of placement students), requires the explicit approval of an appropriate line manager, budget holder or other designated authority.

Use of ICT facilities by persons other than University staff or students must have the explicit prior permission of a designated authority and may be subject to a financial charge.

Use of certain licenses is only permitted for academic use and where applicable to the code of conduct published by the Combined Higher Education Software Team (CHEST) at http://www.eduserv.ac.uk/services/Chest-Agreements. See the accompanying guidance for further details.

Should the user need to use software for any other purpose (e.g. ‘paid for’ research), they should seek, in advance of such use, the written permission of the software vendor.

Use by staff of the University’s telephone system, or University supplied mobile telephones, for chargeable private calls is prohibited except either in the case of a local call home to notify family of an unexpected delay due to official business or due to the occurrence of a serious family emergency which necessitates contacting home or where express permission has been given by the appropriate line manager. Use by students of the University’s telephone system is prohibited, except where explicit permission has been given by an appropriate member of staff.
4.7 Identity
You must take all reasonable precautions to safeguard any IT credentials (for example a username and password, email address, smart card or other identity hardware) issued to you. You must not allow anyone else to either see or use your IT credentials. Nobody has the authority to ask you for your password and you must not disclose it to anyone.

You must not respond to any unexpected or unsolicited communications requesting your details/login credentials or follow any links from such communications.

You must not allow unauthorised persons access to any end user device (including mobile phones, tablets & smart watches etc.) which is connected and authenticated to any University system or service.

You must not attempt to obtain or use anyone else’s credentials.

You must not impersonate someone else or otherwise disguise your identity when using the IT facilities. This includes you not using a colleague’s account, even if they have either given you permission to, or an instruction to do so. In the latter case, you should politely refuse and refer the person instructing you to the Registrar & Secretary or HR.

4.8 IT Service Infrastructure
IT Service Infrastructure is a term which covers all IT service components (e.g. hardware, software, data, free external IT services, contracted IT services) which are employed by the Coventry University Group. You must not do anything to jeopardise the integrity of the University’s IT infrastructure by, for example, doing any of the following without approval:

- Damaging IT equipment;
- Transferring or lending IT equipment to others;
- Not reporting any lost equipment to Protection Services;
- Reconfiguring IT equipment or Systems without authority;
- Moving equipment without authority;
- Installing or loading software on Coventry University’s IT equipment other than in approved circumstances;
- Attaching unauthorised devices to University IT equipment;
- Reconfiguring or connecting equipment to the network other than by approved persons and methods;
- Setting up unauthorised servers on the network;
- Deliberately, negligently or recklessly introduce malware;
- Attempting to disrupt or circumvent any IT security measures;
- Releasing University controlled data/information onto unauthorised IT infrastructure including that of unauthorised 3rd party suppliers.

4.9 Information
If you handle personal, confidential or sensitive information, you must take all reasonable steps to safeguard it. You must be compliant with all relevant data protection legislation, including the DPA and the GDPR and also must observe Coventry University’s Data Protection and Information Security Policies and guidance available here. You must take particular care with regard to the risks associated with the use of insecure wireless services, removable media, mobile and privately owned devices when processing or accessing such information.

You must neither attempt to access, delete, modify nor disclose personal information belonging to other people nor may you use personal information for any purpose other than that for which consent was originally given without either the Data Subject’s permission, or the explicit written approval from the University’s Data Protection Officer.
You must not create, download, store or transmit unlawful material, or material that is indecent, offensive, violent, threatening or discriminatory. Coventry University has procedures to approve and manage valid activities involving such material; these are available at [http://www.coventry.ac.uk/life-on-campus/the-university/key-information/ethics/](http://www.coventry.ac.uk/life-on-campus/the-university/key-information/ethics/) and must be observed.

You must not infringe copyright, or break the terms of licenses for software or other material.

You must abide by Coventry University’s publication policy available [here](http://www.coventry.ac.uk/life-on-campus/the-university/key-information/ethics/) when using the IT facilities to publish information.

### 4.10 Behaviour

Real world standards of behaviour apply online and on social networking platforms such as Facebook, Blogger and Twitter.

You must not threaten or cause needless offence, concern or annoyance to others. You should also adhere to Coventry University’s guidelines on social media.

You must not send spam (unsolicited bulk email).

You must not deliberately, recklessly or negligently consume excessive IT resources such as processing power, bandwidth, storage or consumables.

You must not use the IT facilities in such a way that interferes with others’ valid use of them.

The Counter-Terrorism and Security Act 2015 places a duty on universities to have due regard to the need to prevent people from being drawn into terrorism. Accordingly, users must not access terrorist material whilst using University IT services as it is a criminal offence. However legitimate access for researchers can be obtained through the ethics process.

The University is now required to report to the authorities any confirmed attempts to access illegal terrorist or other criminal information via the University Group’s services. Any member of the University discovering such material, pictures or videos on internet sites can report such sites anonymously [here](http://www.coventry.ac.uk/life-on-campus/the-university/key-information/ethics/).

### 4.11 Monitoring

Coventry University monitors and records the use of its IT facilities for the purposes of:

- Ensuring business continuity;
- The effective and efficient planning and operation of the IT facilities;
- The detection and prevention of infringement of these regulations;
- Investigation of alleged misconduct (User Investigation Protocol);
- Accessing files or email in an employee’s absence.

In order to protect the University’s ICT assets, services and reputation, the University reserves the right to routinely access and monitor the content of University systems or services. Additionally, monitoring is carried out in order to further protect the integrity of those systems/services, the rights of other users and the observance of the law.

Monitoring may include access to user accounts, the use of automated systems that scan stored files, examination of logs, details of websites accessed and other checks on user compliance with current policies.

The University also reserves the right to undertake, without prior notification, covert monitoring of the use that any individual user/s is/are making of those systems/services. Where carried out, this will be done under our User Investigation Protocol (UIP).

Where such covert monitoring or records examination is invoked, it is always subject to a high level of justification and authorisation.
Users should bear these factors in mind if choosing to use University-provided facilities for personal use. You should be aware that there are circumstances where personal information stored in University Group systems or on University equipment may be viewed by authorised University staff or its agents.

However, you must not attempt to monitor any individual’s use of IT facilities without explicit authority.

Coventry University will comply with lawful requests for information from government and law enforcement agencies.

Access to absent staff members IT accounts, by staff other than the account holder, may be granted in circumstances where members of staff have an unplanned absence, or are on extended sick leave, or on extended holiday, or have been suspended from work duties or have left the University. In these, or similar, circumstances the staff member’s responsible line manager/s may request, and be given, normal access to that user’s account in order to facilitate the normal delivery of the University’s business. This can be done on the authority of the relevant Dean, Director or (equivalent deputy post) of the School, Faculty, Service or Business Unit that the affected user works within. Access to and use of absent staff members’ IT accounts is strictly subject to compliance with data protection legislation the University’s policies including in particular the University’s Data Protection and Information Security Policies.

4.12 Infringement

Infringement of these regulations will result in the suspension of your IT account and may result in additional sanctions under the University’s disciplinary processes.

Penalties may include withdrawal of services and/or fines and/or expulsion/dismissal. Offending material will be removed.

Information about any infringement may be passed to appropriate law enforcement agencies, and any other organisation’s regulations you have breached.

Coventry University reserves the right to recover from you any costs incurred as a result of your infringement.

You must inform the Group Registrar & Secretary if you become aware of any infringement of these regulations.

4.13 Guidance Notes

This guidance expands on the principles set out in the core regulations. It gives examples and is intended to help you relate to your everyday use of the IT Facilities and to the do’s & don’ts in the core regulations.

Where examples are given, these represent only some of the most common circumstances encountered; the list is not intended to be exhaustive.

Where the terms similar to Authority, Authorised, Approved or Approval appear, they refer to authority or approval originating from the person or body identified in section 4.13.8, or anyone with authority delegated to them by that person or body.

4.13.1 Users

These regulations apply to anyone using the Coventry University Group’s IT facilities. This means more than the students and staff. It could include, for example:

a) Visitors to Coventry University’s website, and people accessing the institutions online services from off campus;

b) External partners, contractors or agents based onsite or offsite and accessing the University’s services and systems;
c) Tenants of the University using the University’s computers, servers or network;
d) Visitors using the University’s Wi-Fi;
e) Students & staff from other Institutions logging on using Eduroam.

4.13.2 IT Facilities - The term IT facilities include:

a) IT hardware that Coventry University provides, such as PCs, laptops, tablets, smart phones, printers etc;
b) The University Network and connected components;
c) Software that the institution provides, such as operating systems, office application software, web browsers, etc. It also includes software that the Institution has arranged for you to have access to, for example special deals for students on commercial application packages;
d) Data that Coventry University acquires, process, provides or arranges access to. This might include on-line journals, data-sets or citation data-bases;
e) Access to the network or connected services provided or arranged by the institution. This would, for example, include network connections available in Halls of Residence;
f) On-line services arranged and authorised by Coventry University such as Office 365, email etc;
g) IT credentials, such as your use of your institutional login and password, or any other token (email address, smartcard, dongle) issued by Coventry University to identify yourself when using IT facilities. For example, you may be able to use drop-in facilities or Wi-Fi connectivity at other Institutions using Eduroam, by validating with your usual University credentials (one of the few circumstances where you are allowed enter your University credentials into a non-University system). While doing so, you are subject to these regulations as well as the regulations of the institution that you are visiting.

4.13.3 Governance

It is helpful to remember that using IT has consequences in the physical world.

Your use of IT is governed by IT specific and data protection laws as well as local IT-related regulations (such as these), but it is also subject to general laws and general regulations such as Coventry University’s general policies and guidelines.

4.13.4 Domestic Law

Your online behaviour is subject to the UK laws, even if those are not apparently related to IT (e.g. laws on fraud, theft and harassment).

There are many items of legislation that are particularly relevant, including:

- Obscene Publications Act 1959 and 1964;
- Protection of Children Act 1978;
- Police and Criminal Evidence Act 1984;
- Copyright Designs and Patents Act 1988;
- Criminal Justice and Immigration Act 2008;
- Computer Misuse Act 1990;
- Human Rights Act 1998;
- Data Protection Act 1998;
- Regulation EU 2016/679 (General Data Protection Regulation);
- Prevention of Terrorism Act 2005;
- Terrorism Act 2006;
- Counter Terrorism and Security Act 2015;
- Police and Justice Act 2006;
- Freedom of Information Act 2000;
- Freedom of Information (Scotland) Act 2002;
- Equality Act 2010;
- Privacy and Electronic Communications (EC Directive) Regulations 2003 (as amended);

So, for example, you may not:

- Create, store or transmit, or cause the transmission, of any offensive, threatening, obscene or indecent images, data or other material, or any data capable of being resolved into indecent images or material;
- Create or transmit material with the intent to threaten or cause annoyance, inconvenience or needless anxiety/distress to others;
- Create or transmit material with intent to defraud;
- Create or transmit defamatory material;
- Create or transmit material such that it infringes the copyright of another person or organisation;
- Create or transmit unsolicited bulk or marketing material to users of networked facilities or services, save where that material is embedded within, or is otherwise part of, a service to which the user or their organisation has chosen to subscribe;
- Deliberately attempt to gain unauthorised access to any IT systems, networked facilities or services belonging to the University or any other third party;
- Download, record, disseminate, store, display, print, produce, circulate or transmit any personal information relating to another person which they may have had access to in error.

4.13.5 Foreign Law

If you are using services that are hosted in a different part of the world, you may also be subject to their laws. It can be difficult to know where any particular service is hosted from, and what the applicable laws are in that locality.

In general, if you apply common sense, obey the UK laws, any local domestic laws and the regulations of the service you are using, you are unlikely to go astray.

If you are remotely using Coventry University Services (which are operated from within the UK and requires you to log in and authenticate through them) then, as a general rule, data protection laws will apply with regard to the data being processed or stored within that service and its underpinning systems. This is especially relevant in relation to the DPA and the GDPR, but may also require compliance with local laws and regulations.

If you are in any doubt, with regard to potential conflicts relating to prevailing jurisdiction for either yourself when working abroad, or for staff you are managing who are required to work overseas, then you should seek clarification from the Data Protection Officer in advance of using the working arrangement being considered.

4.13.6 General Institutional Regulations

You should already be familiar with Coventry University’s general regulations and policies. These are available at [http://www.coventry.ac.uk/study-at-coventry/student-support/academic-support/it-service-online](http://www.coventry.ac.uk/study-at-coventry/student-support/academic-support/it-service-online).

4.13.7 Third Party Regulations

If you use Coventry University’s IT facilities to access third party services or resources you are bound by the regulations associated with that service or resource. (The association can be through something as simple as using your institutional username and password.) Very often, these regulations will be presented to you the first time you use the service, but in some cases the service is so pervasive that you will not even know that you are using it.

Two examples of this would be:

a) Using Janet, the IT network that connects all UK higher education and research institutions together and to the Internet:

ii) The requirements of these policies have been incorporated into these regulations, so if you abide by these regulations you should not infringe the Janet policies.

b) Using Chest agreements - Eduserv is an organisation that has negotiated many deals for software and online resources on behalf of the UK higher education community, under the common banner of Chest agreements. These agreements have certain restrictions that may be summarised as: non-academic use is not permitted; copyright must be respected; privileges granted under Chest agreements must not be passed on to third parties; and users must accept the User Acknowledgement of Third Party Rights, available at www.eduserv.org.uk/services/Chest-Agreements/about-our-licences/user-obligations.

There will be other instances where Coventry University has provided you with a piece of software or a resource.

Licence agreements - Users shall only use software and other resources in compliance with all applicable licences, terms and conditions.

4.13.8 Authority

These regulations are issued under the authority of the Vice-Chancellor of Coventry University, who is also responsible for their interpretation and enforcement, and who may also delegate such authority to other people.

Authority to use the institution’s IT facilities is granted by a variety of means:

- the issuing of a username and password or other IT credentials;
- the explicit granting of access rights to a specific system or resource;
- the provision of a facility in an obviously open access setting, such as an institutional website; a self-service kiosk in a public area; or an open Wi-Fi network on the campus.

If you have any doubt whether or not you have the authority to use an IT facility you should seek further advice from Group Legal Services.

Attempting to use the IT facilities without the permission of the relevant authority is an offence under the Computer Misuse Act.

4.13.9 Intended Use

Coventry University’s IT facilities, and the Janet network that connects institutions together and to the Internet, are funded by the tax-paying public. They have a right to know that the facilities are being used for the purposes for which they are intended.

a) Use for Purposes in Furtherance of Institution’s Mission

The IT facilities are provided for use in furtherance of the institution’s mission. Such use might be for learning, teaching, research, knowledge transfer, public outreach, the commercial activities of the institution, or the administration necessary to support all of the above.

b) Personal Use

You may currently use the IT facilities for personal use provided that it does not breach the regulations, and that it does not prevent or interfere with other people using the facilities for University purposes (for example using a PC to update your
Facebook page when others are waiting to complete their assignments). However, this is a concession and can be withdrawn at any time.

c) Employees

Staff using the IT facilities for non-work purposes during working hours are subject to the same management policies as for any other type of non-work activity.

No personally subscribed to service belonging to staff (such as personal email accounts or personal social media accounts), may be used for work purposes. No University controlled data may be sent to or stored in such personal accounts.

4.13.10 Commercial Use and Personal Gain

Use of IT facilities for non-institutional commercial purposes or for personal gain, such as running a club or society, requires the explicit approval of the Head of Legal Services. The provider of the service may require a fee or a share of the income for this type of use. For more information, contact Legal Services.

Even with such approval, the use of licences under the Chest agreements for anything other than teaching, studying or research, administration or management purposes is prohibited, and you must ensure that licences allowing commercial use are in place.

4.14 Identity

Many of the IT services provided or arranged by the University require you to identify yourself so that the service knows that you are entitled to use it. This is most commonly done by providing you with a username and password, but other forms of IT credentials may be used, such as an email address, a smart card or some other form of security device.

4.14.1 Protect Identity

a) You must take all reasonable precautions to safeguard any IT credentials issued to you.

b) You must comply with the Password Policy.

c) You must change passwords when first issued and at regular intervals or as instructed. Do not use obvious passwords, and do not record them where there is any likelihood of someone else finding or accessing them. Do not use the same password as you do for personal (i.e. non-institutional) IT accounts. Do not share passwords with anyone else, not even with your manager, family or IT staff, no matter how convenient and harmless it may seem.

d) If you think someone else has found out what your password is, change it immediately and report the matter to the ITS Service Desk.

e) Do not use your University username and password to log in to web sites or services you do not recognise, and do not log in to web sites that are not showing the padlock symbol.

f) Do not click on links contained in unexpected, unsolicited emails.

g) Do not leave logged in computers unattended in an unlocked state, and always log out properly when you have finished your work session (e.g. at the end of the day).

h) Don’t allow anyone else to use your smartcard or other security hardware. Take care not to lose them, and if you do, report the matter to IT Services immediately.

4.14.2 Impersonation

Never use someone else’s IT credentials, or attempt to disguise or hide your real identity when using the institution’s IT facilities (this includes not using someone else’s IT account even if they have already logged and given you permission).
However, it is acceptable not to reveal your identity if the system or service clearly allows anonymous use (such as a public-facing website).

4.14.3 Attempt to Compromise Others’ Identities
You must not attempt to usurp, borrow, corrupt or destroy someone else’s IT credentials.

4.15 Infrastructure
The IT infrastructure is all the underlying stuff that makes the IT Service function. It includes University servers, network, PCs, printers, operating systems, databases, applications and a whole host of other hardware and software that has to be configured correctly in order to ensure the reliable, efficient and secure delivery of the provided IT services.

You must not do anything to jeopardise either the infrastructure or its configuration.

You must not acquire or procure other systems or services and try to use or to connect to them or to create an interface between them and the University’s IT Infrastructure, without first applying appropriate due diligence getting a change approval from IT Services.

4.15.1 Physical Damage or Risk of Damage
Do not damage, or do anything to risk physically damaging the infrastructure, for example such as being careless with food or drink at a PC, or playing football in a drop-in or pc cluster facility.

4.15.2 Reconfiguration
Do not attempt to change the setup of the infrastructure without authorisation, such as changing the network point that a PC is plugged in to, connecting devices to the network (except of course for Wi-Fi or Ethernet networks specifically provided for this purpose) or altering the configuration of the institution’s PCs. Unless you have been authorised to, you must not add software to or remove software from PCs or other supplied end-user devices. Do not move or remove equipment without authority.

4.15.3 Network Extension
You must not extend the wired or Wi-Fi network without authorisation. Such activities, which may involve the use of routers, repeaters, hubs or Wi-Fi access points, can disrupt the network, will be in breach of these Regulations, the Janet Security Policy, and the University Network Security Policy.

4.15.4 Setting up Servers
You must not set up any hardware or software that would provide a service to others over the network without permission. Examples would include games servers, file sharing services, IRC servers or web sites.

Permission for connecting servers must be the subject of a change approval from IT Services and are subject to the Server Policy.

Permission for new web-sites must be subject of approval by the head of Marketing and Communications and be compliant with the Website and DNS Policies.

4.15.5 Introducing Malware
You are required to take all reasonable steps to avoid introducing malware to the IT infrastructure and the IT operating environment.

The term malware covers many things such as viruses, worms, Trojans, but is basically any hostile program, software or code used to disrupt computer operation or subvert security.

It is usually spread by
- visiting websites of a dubious nature,
• downloading files or applications from untrusted sources,
• connecting unauthorised devices to your computer,
• connecting personal USB equipment to your computer,
• not keeping your end user device patched and up-to-date,
• using/inserting media the source of which is unknown,
• transferring files from non-University and possibly compromised devices.

If you avoid these types of behaviour, keep your anti-virus software up to date and switched on and run scans of your computer on a regular basis, you should not fall foul of this problem.

4.15.6 Subverting Security Measures

The Coventry University Group has taken measures to safeguard the security of its IT infrastructure, including things such as anti-virus software, firewalls, spam filters and so on.

You must not attempt to subvert or circumvent these measures in any way.

All PCs used by staff, contractors or agents employed by the University, to access Core Services, must be configured as ‘domain PCs’ to a configuration standard approved by IT Services. Any devices found to be in breach of this condition may be blocked from accessing the network without notice.

4.16 Information

4.16.1 Personal, Sensitive and Confidential Information

During the course of their work or studies, staff and students (particularly research students) may be required to handle personal information controlled by the DPA and the GDPR, or data that is sensitive, confidential or secret in some other way. For the rest of this section, these types of data will be grouped together as protected information.

Safeguarding the security of protected information is a highly complex issue, with organisational, technical and human aspects involved. The institution has policies on Data Protection and Information Management, and if your role is likely to involve handling protected information, you must make yourself familiar with and abide by these policies and attend any training that you are required to complete.

Additional guidance on the provisions of data protection legislation, including the DPA and the GDPR and how Coventry University ensures compliance with it is available here.

4.16.2 Transmission of Protected Information

When sending protected information electronically, you must use a method with appropriate security. Email is not inherently secure. Advice about how to send protected information electronically is available here, (‘Secure File Transfers’).

4.16.3 Removable Media and Mobile Devices

Protected information must not be stored on removable media (such as USB storage devices, removable hard drives, CDs, DVDs) or mobile devices (laptops, tablet or smart phones) unless it is encrypted, and the key kept securely.

If protected information is sent using removable media, you must use a secure, tracked service so that you know it has arrived safely. Advice on the use of removable media and mobile devices for protected information is available here (see ‘Memory Sticks’).

4.16.4 Remote Working

If you access protected information from off campus, you must make sure you are using an approved connection method capable of ensuring that the information cannot be intercepted between the device you are using and the source of the secure service.

You must also be careful to avoid working in public locations where your screen can be seen.
Advice on working remotely with protected information is available [here](#) (see ‘Remote Working Arrangements’).

### 4.16.5 Personal or Public Devices and Cloud Services

Even if you are using approved connection methods, devices which are not fully managed by Coventry University cannot be guaranteed to be free of malicious software which could, for example, gather keyboard input and screen display content. You should not therefore use such devices to access, transmit or store protected information.

Do not store protected information in personal cloud services (e.g. Dropbox, Google Docs, Free Survey Systems, etc) under any circumstances. If the University has not approved the service (approval means that due diligence will have been carried out and there will be a contract approved by the Data Protection Officer), then the University will have no means of controlling it, and this could lead to a breach of the Law. Consequently, you should not be using it.

Any services or devices either found, or suspected to be, in contravention of this policy may be blocked from access via the University network without notice and the person/s procuring the arrangement subject to potential disciplinary action.

### 4.16.6 Disposal of end User Devices

Any ‘end-of-life’ end user devices which have been connected to University services must be securely wiped and disposed of in compliance with the ‘Redeployment/Disposal of Computing Equipment Policy’.

### 4.16.7 Copyright Information

Almost all published works are protected by copyright. If you are going to use material (images, text, music, software), the onus is on you to ensure that you use it within copyright law. The key point to remember is that the fact that you can see something on the web, download it or otherwise access it does not mean that you can do what you want with it.

You should also be aware that whilst some on-line material might be advertised as ‘free’ (e.g. ‘free software’), it is often only made free to private individuals. Enterprise use is often not allowed under such ‘free’ arrangements – you must always check the terms and conditions small print before use to make sure that you can comply with them.

Copyright breaches can now be detected by JANET and external agents working for copyright holders (e.g. movie studios). These are reported to the University, and where they have been detected disciplinary or legal actions may be pursued.

### 4.16.8 Accessing Others’ Information

You must not attempt to access, delete, modify or disclose restricted information belonging to other people without their permission, unless it is obvious that they intend others to do this, or you have documented approval from the Data Protection Officer.

Where information has been created or stored by a user in the course of employment by the Coventry University Group, and that person is unavailable, the responsible line manager concerned (or some other person with authority to do so) may give permission for the information to be retrieved for work purposes. In doing so, care must be taken by any persons accessing the information, not to retrieve any obviously private information in the account, nor to compromise the security (i.e. the confidentiality, integrity, and access rights) of the account concerned.

Private information may only be accessed by someone other than the owner under very specific circumstances governed by Coventry University’s ‘User Investigation Protocol’ (UIP).

### 4.16.9 Information accessed in error

You must not download, record, disseminate, store, display, print, produce, circulate or transmit any personal information relating to another person which you may have had access to in error.
4.16.10 Confidential and sensitive information accessed in error
You must not download, record, disseminate, store, display, print, produce, circulate or transmit any confidential information and or sensitive information which you may have had access to in error.

4.16.11 Inappropriate Material
You must not create, download, store or transmit unlawful material, or material that is indecent, offensive, defamatory, threatening or discriminatory.

Coventry University has procedures to approve and manage valid activities involving such material for valid research purposes where legal with the appropriate ethical approval. For more information, please refer to https://share.coventry.ac.uk/students/ResearchDegrees/Pages/Ethics.aspx.


There is also an exemption covering authorised University staff involved in the preservation of evidence for the purposes of investigating breaches of University regulations or the law.

4.16.12 Publishing Information
Publishing means the act of making information available to the general public, this includes through websites, social networks and news feeds. Whilst Coventry University generally encourages publication, there are some general guidelines you should adhere to:

4.16.13 Representing the Institution
You must not make statements that purport to represent Coventry University without the approval of Legal Services.

4.16.14 Publishing for Others
You must not publish information on behalf of third parties using the institution’s IT facilities without the approval of Legal Services.

4.16.15 Storing non-work related personal data/ non-work related information on the University’s ICT network
You must not store any non-work related personal data and or any non-work related information on the University’s ICT network. The University neither accepts responsibility, nor liability, for any loss, damage or unauthorised access to non-work related personal data and or non-work related information.

4.17 Behaviour
The way you behave when using IT should be no different to how you would behave under other circumstances. Abusive, inconsiderate, threatening or discriminatory behaviour is unacceptable and, where it is identified and found in breach of the Law, will be reported to the authorities.

4.17.1 Conduct online and on social media
Coventry University’s regulations and policies concerning staff and students also apply to the use of social media. These include human resource policies, codes of conduct, acceptable use of IT and disciplinary procedures.

4.17.2 Spam
You must not send unsolicited bulk emails or chain emails other than in specific circumstances. Advice on this is available here.
4.17.3 Denying Others Access

If you are using shared IT facilities for personal or social purposes, you should vacate them if they are needed by others with work to do. Similarly, do not occupy specialist facilities unnecessarily if someone else needs them.

4.17.4 Disturbing Others

When using shared spaces, remember that others have a right work without undue disturbance. Keep noise down (turn ‘phones to silent if you are in a silent study area), do not obstruct passageways and be sensitive to what others around you might find offensive.

4.17.5 Excessive Consumption of Bandwidth / Resources

Use resources wisely. Don’t consume excessive bandwidth by uploading or downloading more material (particularly video) than is necessary. Do not waste paper by printing more than is needed, or by printing single sided when double sided would do, or in colour when monochrome will do. Don’t waste electricity by leaving equipment needlessly switched on.

4.18 Monitoring

4.18.1 Institutional Monitoring

Coventry University monitors and logs the use of its IT facilities for the purposes of:

- Detecting, investigating or preventing misuse of the facilities or breaches of the University’s regulations;
- Monitoring the effective function of the facilities;
- Investigation of alleged misconduct.
- Monitoring business emails incoming to an employee’s account in their absence

Coventry University will comply with lawful requests for information from law enforcement and government agencies for the purposes of detecting, investigating or preventing crime, and ensuring national security.

For more information, please refer to the University’s User Investigation Protocol.

4.18.2 Unauthorised Monitoring

You must not attempt to monitor the use of the IT without the explicit permission of the Director of IT Services.

This would include:

- Monitoring of network traffic;
- Network and/or device discovery;
- Wi-Fi traffic capture;
- Installation of key-logging or screen-grabbing software that may affect users other than yourself;
- Attempting to access system logs or servers or network equipment.

Where IT is itself the subject of study or research, special arrangements will have been made, and you should contact your course leader / research supervisor for more information.

4.19 Infringement

4.19.1 Disciplinary Process and Sanctions

Breaches of these regulations will be handled by Coventry University’s disciplinary processes, defined here.

This could have a bearing on your future studies or employment with the institution and beyond. Sanctions may be imposed if the disciplinary process confirms that you have breached the regulations, for example, imposition of restrictions on your use of IT facilities; removal of services or of
service privileges; withdrawal of offending material; expulsion or dismissal; fines and recovery of any costs incurred by the University as a result of the breach.

4.19.2 Reporting to Other Authorities
If the University believes that unlawful activity has taken place, it will refer the matter to the police or other enforcement agency.

4.19.3 Reporting to Other Organisations
If the University believes that a breach of a third party’s regulations has taken place, it may report the matter to that organisation.

4.19.4 Report Infringements
If you become aware of an infringement of these regulations, you must report the matter to the relevant authorities.

4.19.5 Data Protection (Breaches of Law)
Any actual, or suspected breach (e.g. release of personal data to unauthorised parties) MUST now be reported to the Information Commissioner’s Office by the Data Protection Officer. If any student or member of staff becomes aware of any actual or suspected data breach, they must report it to the Data Protection Officer immediately.

This is now a legal obligation and not optional. If a breach is proven, this could lead to a prosecution and significant fines being levied.
APPENDIX 5 Freedom of Speech: Principles and Code of Practice

5.1 Article 10 of the Human Rights Act

Article 10 of the Human Rights Act states that everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

5.2 Principles and Scope of Section 43, Education (No.2) Act 1986

Section 43 of the Education (No 2) Act lays down a number of statutory requirements. These are summarised as follows:

5.2.1 the governing body and management of an institution to ensure freedom of speech within the law so far as is reasonably practicable;

5.2.2 the discharge by staff of their teaching, research or other functions and the participation by students in classes and other academic aspects of their courses as well as in the general life of the University shall not be disrupted or prevented because of any views individual staff or students may hold or express to the extent permitted by law;

5.2.3 the governing body does not deny the use of facilities to individuals or bodies unless the proposed use is thought likely to be contrary to the criminal law, or make it liable to legal penalties under civil law;

5.2.4 the governing body must issue a code of practice and procedures to give effect to these requirements;

5.2.5 all those individuals and groups concerned with management of the institution have a duty to see that they comply with and implement the code.

5.3 General principles of the Code of Practice

5.3.1 Executive responsibility: In accordance with the Articles of Government the Vice-Chancellor is responsible inter alia for the organisation, direction and management of the University and for exercising effective supervision and discipline over staff and students within the framework set by the Board of Governors. He/she is authorised to exercise responsibility for implementing this code within the guidelines set down, delegating responsibility as necessary.

5.3.2 Coventry University acknowledges freedom of speech as an individual right, which is fundamental to the debate and challenge within the University’s academic and research agendas and will seek to give effect to that right to the extent permitted by the law.

5.3.3 Coventry University recognises that it has to balance its duty to ensure freedom of speech with its other legal duties including having due regard to the need to eliminate discrimination, harassment and victimisation; having due regard to the need to prevent people from being drawn in to terrorism; and taking steps to ensure the health, safety and wellbeing of staff, students, external speakers and visitors.

5.3.4 Academic Freedom of Speech: The Board of Governors regards the following as being contrary to Section 43 of the Act and in breach of this code of practice:
a) any action by members of staff or students individually or collectively to prevent or intimidate a member of staff or a guest lecturer from carrying out their teaching, research or other function in accordance with their contract of employment, or from having access to facilities which they may use as a member of staff or enrolled student;

b) any action by members of staff or students individually or collectively to prevent a formally enrolled student from pursuing his or her studies, attending classes and other academic activities connected with his or her course, participating in curricular activities and the social and other activities provided by the University;

c) any act designed to prevent the holding or continuance of any course lecture, tutorial or other academic activity or any meeting duly authorised within the provision of this code where disruption, intimidation or threats are uttered or implied;

excepting that the rights of individuals or groups of staff and employees in pursuance of industrial action which itself is not unlawful shall not be construed as being in any way inhibited by the foregoing clauses.

5.3.5 Non-employees (such as visitors, contractors, visiting speakers and visiting lecturers) are bound by the provisions of the code of practice while on campus.

5.3.6 Disciplinary Proceedings: Any action by a member of staff or student or an employee, whether individually or in a group which may be thought by the Vice-Chancellor to infringe or be contrary to the code of practice:

a) may be liable to such investigation as the Vice-Chancellor may require to establish the prima facie facts;

b) and subsequently may lead to an informal or formal disciplinary process, in accordance with the established disciplinary procedures for staff and students, depending upon the seriousness of the alleged offence.

5.4 Letting of university premises: Rules and procedures

5.4.1 All functions, events or meetings outside the normal teaching and research programmes of the University whether arranged by:

a) members of staff or persons with the status of members of staff though not directly employed by the University;

b) individual or groups of students whose activities are not formally sponsored by the Students’ Union;

c) student societies which are formally sponsored by the Students’ Union;

d) persons (or organisation), not being staff or students who apply to hire or have use of the premises;

shall be subject to the University’s standard procedures for the use, letting or hire of facilities as amended from time to time.

5.4.2 Such letting, hiring or provision for use shall continue to be made through the Estates Department; the attention of applicants will be drawn to the principles, the requirements of the code of practice and to their responsibilities via the conditions printed on the letting forms.

5.4.3 Any application where the use of facilities may be refused for one or more of the following reasons will be referred to the Vice-Chancellor, acting under his/her delegated powers (or his/her authorised representative) and he/she will decide whether or not the event should be permitted:

a) reasonable grounds exist for believing that the speakers or persons involved in the meeting or function will incite those attending to commit a criminal act(s) and therefore freedom of speech within the law will not be observed;

b) reasonable grounds exist for believing that views may be expressed in a way which is contrary to English law;
c) the event or function appears to be in direct support of an organisation which itself is unlawful;

d) reasonable grounds exist for believing that the event may be conducted in such way as to render the University liable for civil action for damages or criminal prosecution or other sanction for failure to carry out its statutory duties including those relating to the protection of human rights, health and safety, equality and diversity and having due regard to the need to prevent people from being drawn into terrorism;

e) the event or function will attract an audience from outside the University and there are reasonable grounds for believing that the risk of damage or injury to property and/or persons is such that it is not reasonably practicable to allow the event to proceed;

f) the event is likely to lead to breach of the peace in the Vice-Chancellor’s opinion having taken appropriate advice;

g) the scale or nature of the event is such that University premises cannot provide an adequate venue or the event is likely to interfere substantially with other activities of the University;

h) the persons seeking the letting, hiring or use, have deliberately misled or sought to deceive the University as to the nature of the event or those persons involved in it by giving false information on concealing material information which is requested.

5.4.4 Before refusing letting or hiring or the use of premises, the Vice-Chancellor or his/her authorised representative will consider whether in the particular circumstances the Chair and Deputy Chair of the Board (or the Board itself) should be consulted. In the event of the booking being refused for any of the above reasons the sponsors will be told the reasons in writing and the Chair and Deputy Chair of the Board will be informed.

5.4.5 A sponsor who is refused a booking by the Vice-Chancellor or his/her authorised representative may submit an appeal in writing against the decision to the Clerk to the Board for consideration by the Chair or by the Board itself (if the case justifies it and there is sufficient time for the matter to be dealt with at a scheduled meeting).

5.4.6 The University’s right to refuse a letting or hiring or use of its premises because the organisation or persons making the application are judged to be unable to comply with the letting conditions and/or to meet the hiring costs, because the facilities have already been firmly booked by or contracted to another organisation, or because reasonable notice has not been given, remain unaffected by this code of practice.

5.4.7 The University may refuse a letting or hiring or use of its premises to those who are intolerant of the free speech of others both generally and where it includes the denial of the right to hold or express an opposing opinion. This includes those who engage in the active prevention of permitting others to speak, such as the interruption - violent or otherwise - of meetings.

5.4.8 The University Group will pay due regard to the need to prevent people from being drawn into terrorism.

5.5 **Students’ Union constitution and use of its facilities**

5.5.1 The Students’ Union constitution includes:

a) the statutory requirement that every individual and body of persons concerned in the government of any such establishment (in the University) shall take such steps as are reasonably practicable ... to ensure that the requirements of the code of practice ... are complied with (section 43 clause (4));

b) the decision-making processes of the Students’ Union, particularly those relating to general meetings and the Executive have standing orders which comply with the provisions of section 43;

c) full acknowledgment of the academic freedom of staff and students, both collectively and individually as referred to at section 2 of this code and the Union’s responsibility in upholding academic freedom is affirmed;
d) the principle that access to the Union’s facilities will not be denied to formally recognised Students’ Union societies, other student groups or individual students in a manner which contravenes section 43 of the Act;

e) the requirement that, in submitting to the University requests for letting or hiring of University controlled facilities and premises on behalf of students’ societies which it formally sponsors, the Union Officers do not refuse to forward a booking request for reasons which constitute a breach of section 43 of the Act; when they refuse to forward such a booking for good reasons the Union’s standing orders provide for the relevant society’s officers and the University Secretary to be informed of the grounds in writing.

5.5.2 The Board requires that the Clerk and the General Manager of the Students’ Union shall maintain close liaison on the implementation of the letting arrangements as they apply to Students’ Union sponsored societies.
APPENDIX 6 Statement on Equality and Diversity

Equality, freedom and treating all persons with dignity and respect are fundamental human rights. As such, the University is committed to making these central in all its work.

A diverse student body and workforce benefit the University’s role as a provider of high quality education and employment in a modern and ever-changing society. The University is firmly committed to the promotion of equality and will not unlawfully discriminate, or tolerate discrimination (direct or indirect, harassment or victimisation) on grounds of age, disability, ethnicity (including race, colour, caste and nationality), gender identity, marriage or civil partnership, pregnancy or maternity, religion or belief, sex and sexual orientation; this includes discrimination by association or due to perception.

The University’s Equality Objectives, with supporting action plan, can be found at http://www.coventry.ac.uk/life-on-campus/the-university/key-information/equality-and-diversity. Further policies and information on equality can be found here also. Progress and successes are monitored by the Board of Governors and the Equality and Diversity Committee.

What does this mean to you?

As a potential employee you can be confident that you are applying to work for an organisation fully committed to ensuring equality and diversity and that the recruitment process fully supports and upholds this statement.

As an employee you are working for an organisation whose commitment to the promotion of equality and diversity is furthered by a range of policies and procedures, enhanced by Employee Support Groups, to ensure that the University is benefiting from best practice in this area.

As a student applying for a place at the University you will be treated with equality and fairness in accordance with our admissions policy and procedures. You will have access to information and advice throughout the admissions process to assist you with your decision making.

As a student you benefit from studying at a University with a diverse student body and workforce. Our commitment to equality and to dignity and respect is furthered in the University's 'Students’ Charter' which details your rights and responsibilities.

As a partner organisation in any sector (public, private or voluntary) you will be welcomed and treated with dignity and respect. You will work with the University to promote equality within joint activities for the benefit of all.

As a contractor working on our premises you have both rights and duties (as detailed in your contract) and will act in accordance with our principles and standards.

As a visitor you will be welcomed and treated with dignity, respect and courtesy.

Responsibilities

All staff and students are responsible for upholding this commitment. Discriminatory behaviour will be dealt with under the appropriate Complaints, Grievance or Disciplinary procedure.
APPENDIX 7 Student Disciplinary Regulations

These regulations are made by the Board of Governors of the University in accordance with Article 12.2 of the Articles of Government and apply to the University Group (thereafter referred to as ‘University’).

Impartial advice about these procedures may be sought from Group Resolution Unit, or the Students’ Union Advice Centre.

7.1 Introduction

7.1.1 The Vice-Chancellor is ultimately responsible for maintaining discipline among students of the University. However, the Vice-Chancellor has generally delegated specified powers under these procedures to the Deputy-Vice-Chancellor, Academic Deans, Group Registrar & Secretary, Director of Group Legal Services and the Assistant Registrar (Group Resolution Unit).

7.1.2 These procedures seek to ensure that student disciplinary matters are dealt with fairly and promptly at the appropriate level by those with clear authority from the University. The procedures apply to students who are enrolled at the University, or who were enrolled at the University at the time of the alleged misconduct (and have since withdrawn either on a temporary or permanent basis and who intend to return) including those who are suspended for whatever reason, and those individuals who are not yet enrolled but in University accommodation (Licence to Occupy refers).

7.1.3 Students are expected to conduct themselves at all times in a manner which demonstrates respect for the University, its staff, fellow students and the wider community and to maintain a standard of conduct which does not cause actual or potential damage or harm to the University or others (including reputational damage or harm) and which does not impede or interfere with the functioning, activities or operation of the University nor with the work, studies or activities of those who are in any way connected with the University (including those who work at, study at and visit the University).

7.2 Principles

7.2.1 The standard of proof to be applied shall be the balance of probabilities i.e. more likely than not.

7.2.2 The University shall not act on allegations of misconduct which it considers to be vexatious, spurious or malicious.

7.2.3 A student who is alleged to have committed an act of misconduct shall have the right to be informed of and to respond to the allegations.

7.2.4 Sanctions imposed under these procedures shall be reasonable, proportionate and consistent.

7.2.5 The person bringing the allegation only has the right to know about the outcome of a case in line with the terms of the relevant data protection legislation (the Data Protection Act 1998 and Regulation EU 2016/679 (General Data Protection Regulation) and appreciating the rights of the accused.

7.3 Definition of Terms

7.3.1 “Working days” refers to days when the University is generally open and excludes weekends, Bank Holidays and other statutory days.

7.3.2 “Group Registrar & Secretary” refers to the person holding that role or to persons nominated to act on his/her behalf under these procedures as follows: Deputy Registrar or Group Director of Quality Assurance.

7.3.3 “Assistant Registrar” refers to the person holding the role of Assistant Registrar (Group Resolution Unit) or to persons nominated to act on his/her behalf under these procedures as follows: Senior Registry Officer.
7.3.4 “Director of Group Legal Services” refers to the person holding that role or to persons nominated to act on his/her behalf under these procedures as follows: Deputy Director of Group Legal Services.

7.3.5 “Academic Dean” or “Director” refers to the person holding that role or to persons authorised to take action under these procedures as follows: Deputy Dean, Associate Dean, Head of School, Deputy Director (or equivalent), Head of Professional Service unit (or equivalent), Registrar, Assistant Registrar or staff with appropriate management responsibilities.

Where an Academic Dean or Director has brought the allegation of misconduct against a student, or who has had any previous involvement in the issue under consideration, they are excluded from leading on the processes as set out in this procedure and must nominate someone to act on their behalf who has had no prior involvement in the case.

7.3.6 Where the procedure allows a student to be accompanied by a “friend” to a hearing, the friend might be, for example, a relative, friend, member of clergy, member of academic staff, or member of staff from the Students’ Union Advice Centre who may attend the hearing with the student to provide moral support.

7.4 Scope

7.4.1 These procedures apply to alleged misconduct:

a) in the University, and this extends to all buildings and grounds belonging to or leased by or to the University Group, including residences and accommodation (the Licence to Occupy relates) and sporting facilities;

b) whilst students are undertaking studies away from the University, including placements, field trips and study abroad programmes, which may include local disciplinary procedures;

c) occurring on or off University premises (including via social media), where the alleged victim is the University itself, a student or employee of the University or others visiting, working or studying at the University.

The University may also apply these procedures when the alleged misconduct could damage or harm the University’s reputation, including behaviour in private accommodation.

7.4.2 Discipline of students within the Students’ Union and in relation to Student Union activities shall be subject to the procedures set out by the Students’ Union.

7.4.3 Examination and other assessment irregularities are dealt with in accordance with Appendix 1 to the General Regulations.

7.4.4 Disciplinary proceedings may be deferred if a student is temporarily withdrawn, but the matter will normally be considered in anticipation of or upon the student’s return to the University.

7.4.5 Students shall not be permitted to graduate until disciplinary proceedings have been completed.

7.4.6 Any allegations of misconduct should be reported within 10 working days of the incident, or the last in a series of incidents. Allegations will only be considered outside of this timeframe in exceptional circumstances.

7.4.7 Allegations of misconduct received from an anonymous source will be dealt with appropriately, however anonymous allegations could impede an investigation. Consideration will be given as to whether anonymity can reasonably be maintained.

7.5 Fitness for Professional Practise

As part of the function of the University, graduation from certain courses entitles a graduate to practise in a profession or to obtain professional status. Special procedures exist for the certification of fitness to practise, and students found to have committed a disciplinary offence put their future career at risk. The Assistant Registrar shall refer disciplinary cases involving such students (a) to the
relevant Academic Dean, to consider whether the matter should be referred to a Professional Practise Panel; or (b) directly to the relevant Professional Practise Panel.

7.6 Definition and Examples of Misconduct

7.6.1 A breach of discipline is, for the purpose of these procedures, called an "act of misconduct".

7.6.2 Examples of misconduct include, but are not limited to, the following:

**General**

a) Failure to observe all University rules and regulations, codes of conduct or codes of practice including local regulations and codes of conduct in relation to the academic Faculties, Schools and Centres, Academic Subsidiaries, Professional Services and University Residences;

b) Disruption of, or improper interference with the academic, administrative, sporting or other social activities of the University, whether on University premises or elsewhere;

c) Obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff or other employee of the University or any authorised visitor;

d) Acts/omissions/statements intended to deceive the University including making false claims or submitting fraudulent documents or impersonating others in connection with admission, academic attainments or financial awards;

e) Behaviour (on or off campus) which has damaged or could have damaged the reputation of the University;

f) Behaviour which interferes with the legitimate exercise of freedom of speech, ideas, actions or enquiry of other students or members of staff or which disrupts or interferes with University processes and procedures;

g) Failure to disclose name and other relevant details to an officer or employee of the University in circumstances when it is reasonable to require that such information be given;

h) Attempts to subvert University procedures by means of fraudulent claims or documents;

i) Breach of written undertaking.

**People**

j) Conduct (including behaviour on social media) which causes or could cause physical or mental damage, harm, alarm or distress to others including:

i) Physical misconduct including fighting, punching, kicking, slapping, biting, pushing;

ii) Sexual misconduct including sexual intercourse or engaging in a sexual act without consent; attempting to engage in sexual intercourse or engaging in a sexual act without consent; sharing private sexual materials of another person without consent; kissing without consent; touching inappropriately through clothes without consent; inappropriately showing sexual organs to another person; repeatedly following another person without good reason; making unwanted remarks of a sexual nature;

iii) Abusive behaviour including making threats to hurt another person; abusive comments relating to an individual’s gender, sexual orientation, religion or belief, race, pregnancy/maternity, marriage/civil partnership, gender reassignment, disability or age; acting in an intimidating and hostile manner; repeatedly contacting another person (for example, by phone, email, text or on social networking sites) against the wishes of the other person.

**Property**

k) Damage to, or defacement of University property or the property of any student, member of staff or visitor of the University caused intentionally or recklessly;

l) Taking property belonging to another without permission or assisting/permitting others to do so;
m) Misappropriation, misuse or unauthorised use of University funds, assets or property;

n) Act/omission that caused or potentially caused a health and safety concern on University premises including throwing objects from premises and tampering with fire safety equipment.

**Criminal conduct**

o) Any conduct which constitutes a criminal offence. For example, where it appears that the conduct:

i) involved the University, other students, a member of staff or visitor to the University (or others studying, working or visiting the University) directly or indirectly; or

ii) took place on University premises; or

iii) affected the interests of the University; or

iv) affected or concerned other members of the University community; or

v) damaged the reputation of the University; or

vi) was an offence of dishonesty, where the student held an office of responsibility in the University; or

vii) breached University rules and regulations.

The above lists are illustrative only and are not exhaustive.

**7.7 Offences under Criminal Law**

7.7.1 The following shall apply where the alleged misconduct may also constitute an offence under the criminal law if proved in a court of law.

7.7.2 **Reporting** - Where a potential criminal offence has been committed against the University, the University will decide whether or not to report the incident to the police. Where the victim is not the University, the University will usually allow the victim to decide whether or not to report the matter to the police. The University may report an alleged crime to the police contrary to the wishes of the victim if the University decides that such action is justified (for example, if disclosure of the information is necessary to protect the reporting student (or others) from harm or to prevent a further crime taking place).

7.7.3 **Criminal Process** - If the matter is being investigated or prosecuted under the criminal law, then save for taking any necessary precautionary action (see section 7.8 below), the internal disciplinary process shall usually be suspended until the criminal process is at an end. However, the University may invoke its disciplinary procedures more immediately if it considers this to be appropriate.

7.7.4 **Outcome of a criminal process – conviction.** If a student is convicted of a criminal offence then the conduct or behaviour that they have been found to have committed can be relied upon to establish a disciplinary offence and the focus of any disciplinary process by the University will be to consider the impact and effect of the conduct or behaviour in order to determine the sanction/s (if any) to be applied by the University.

7.7.5 Where a student is convicted of a criminal offence, a risk assessment will be conducted by the Group Registrar & Secretary. Where that risk assessment indicates that the student would present an ongoing and unacceptable or unmanageable risk to the University, its staff, its students or its wider community should the student remain enrolled at the University (for example, sentence/licence conditions may make attendance at University unmanageable), the Deputy Vice-Chancellor has the power to exclude the student immediately or to immediately impose conditions on the student for the remainder of their course, a breach of which would lead to exclusion.

7.7.6 The student shall be informed of the decision and shall have a right of appeal to the Vice-Chancellor on the ground that the nature of the criminal offence does not justify the severity of the sanction. The request for such an appeal must be made in writing, giving full supporting evidence, to the Vice-Chancellor within ten working days of the receipt of the decision of the Deputy-Vice-Chancellor, and giving the grounds for appeal. The Vice-Chancellor may:
a) uphold the decision of the Deputy Vice-Chancellor;
b) set aside the conditions/exclusion and decide that no further action is required or
decide to impose different conditions or decide to impose an exclusion instead of
conditions; or
c) may require the matter to be reconsidered under these disciplinary procedures.

7.7.7 Outcome of a Criminal Process – Acquittal. If a student is acquitted of a criminal offence,
the University may still take disciplinary action against the accused student if it appears
that misconduct under these disciplinary procedures occurred.

7.8 Restrictions and Suspensions

7.8.1 A student who is the subject of a complaint or allegation of misconduct or against whom a
criminal charge is pending or who is the subject of police investigation may be subject to
restriction or suspension by the Vice-Chancellor pending the disciplinary hearing or the
criminal process. A student will normally remain restricted or suspended until the
conclusion of the disciplinary process which includes the appeal stage. Every application
of a restriction or suspension will be reviewed within five working days.

7.8.2 A restriction is designed to minimise the impact of the outcome on a student’s studies.

7.8.3 A restriction may involve a selective prohibition on:
   a) attendance at the University;
   b) access to University facilities;
   c) participation in University activities;
   d) exercising the functions or duties of any office or committee membership in the
      University or the Students’ Union.

7.8.4 A suspension shall involve a total prohibition on attendance at or access to the University,
and on any participation in University activities.

7.8.5 A restriction or suspension shall not be used as a sanction. The power to restrict or
suspend under this provision is precautionary in nature and does not indicate that the
University has concluded that the student has committed a disciplinary offence.

7.8.6 The student may make representations against the Vice-Chancellor’s decision to restrict
or suspend within five working days from the date of restriction or suspension. The Vice-
Chancellor will consider the representations and may:
   i) uphold the original decision; or
   ii) change the terms or scope of the restriction or suspension (the scope may be
      increased or decreased); or
   iii) remove the restriction or suspension.

7.8.7 In all cases the Vice-Chancellor shall review the restriction or suspension every eight
weeks and as part of the review shall consider any developments and any
representations made by the student or anyone else on the student’s behalf. The student
is responsible for informing the Vice-Chancellor’s Office of any developments which may
have implications for the terms of the restriction or suspension. The student may request
an earlier review if there is a material change in circumstances.

7.8.8 In cases where the student has been charged with a criminal offence and is awaiting a
court hearing, the suspension will only be reviewed when new information is brought to
the University’s attention or at the end of the criminal process.

7.8.9 In the absence of the Vice-Chancellor, suspension under these procedures may only be
authorised by a Deputy-Vice Chancellor or the Group Registrar & Secretary. Authority to
carry out this Regulation may not be devolved to any other nominated individual.

7.8.10 Following a period of restriction or suspension, if the outcome of the case is to permit the
student to return to the University, this will be subject to the student’s academic status
and return to the course/programme being at a time deemed academically appropriate.
The decision will be taken within the Faculty responsible.
7.8.11 Students should be aware that following a period of restriction or suspension, a return to their course might incur additional financial costs in relation to their tuition fees and/or accommodation.

7.8.12 International students who are sponsored to study at Coventry University on a Tier 4 visa may be required to leave the UK during the restriction or suspension period. The Tier 4 Compliance Team will assess students on a case by case basis, taking into account the duration and nature of the suspension (i.e. whether total or selective restriction) and if appropriate will seek advice from UK Visas & Immigration. If it is decided that sponsorship must be withdrawn, a notification will be made to UK Visas & Immigration which will lead to the curtailment of the student’s Tier 4 visa. The University will advise the student that they must leave the UK, and a new visa will be required if the student is approved to resume their studies at a later date. If following withdrawal of sponsorship by the University the student is required to remain in the UK by the authorities, for example to face criminal proceedings, the terms of leave to remain will be a matter to be agreed between the student, police and UK Visas & Immigration.

7.9 Local Procedure

7.9.1 In the event of an allegation of misconduct, the relevant Academic Dean or Director is the authorised person who is responsible for investigating and collecting the appropriate evidence.

7.9.2 Examples of alleged misconduct which may be considered minor and therefore may be dealt with via the Local Procedure are set out below. The list is illustrative and not exhaustive.

General
a) minor breaches of the University’s regulations and codes of conduct;
b) attempted deception;
c) disruption of, or improper interference with the academic, administrative, sporting or other social activities of the University, whether on University premises or elsewhere;
d) misuse of alcohol, drugs or legal highs;

People
e) student conduct issues within the classroom or connected to academic activity, such as behaviour which disrupts learning activities;
f) incidents between students or students and staff which show a lack of respect or courtesy or where informal attempts to deal with the behaviour have failed;
g) minor misuse of social media;
h) malicious allegations against other students, staff or members of the public (depending on severity and context).

Property
i) misuse or unauthorised use of University property;
j) minor damage to University property, or the property of staff, students, visitors or neighbours of the University.

7.9.3 If the alleged misconduct is such that the relevant Academic Dean or Director decides that it should be considered serious misconduct, the matter shall be referred to the Assistant Registrar immediately to follow the University Level Procedure. This referral may be made at any stage of the process. The circumstances and context of each case will be taken into account when determining which level of the procedure is appropriate.

7.9.4 Where the allegation concerns a number of students from different Faculties, the Director of Student Services is responsible for the investigation and collection of evidence.

7.9.5 Students who have previously received a Final Written Warning, and where a further proven case of misconduct will therefore result in the student’s permanent exclusion from the University, must be considered under the University level procedure.
7.9.6 The Academic Dean or Director will, as soon as is reasonably practicable, investigate the
allegation of misconduct and shall be entitled to call for such papers, to interview such
witnesses (the student may be invited to attend an interview) and to conduct such
enquiries into the matter as he/she believes to be appropriate. The Academic Dean or
Director will inform the student of the allegation of misconduct via their University email
address, attaching a copy of these procedures and advising them that they may contact
the Student's Union Advice Centre if they so wish.

7.9.7 The student will be given an opportunity to make any representations about the matter
and provide evidence in support of their case. The student will also be given the
opportunity to admit or deny the alleged misconduct. Where the student admits the
alleged misconduct, they will have no right of appeal.

7.9.8 Students who are required to attend interviews will be given at least seven working days’
notice of any interview via their University email address.

a) The student may be accompanied by one friend or supporter as long as the student
informs the Academic Dean or Director of the name of the person concerned at least
24 hours before the time of the meeting. Due to the nature of the cases that will be
dealt with under the Local Procedure, the student will not be permitted legal
representation at the interview.

b) The interview may be attended by the person bringing the allegation (e.g. Module
Leader), if deemed to be appropriate, as well as the Academic Dean or Director.

7.9.9 Should the student fail to attend an interview without good reason and/or fail to provide
representations and/or evidence after being given the opportunity to do so, the Academic
Dean or Director may reach a conclusion based upon the evidence they have collected
without this constituting grounds for appeal. If the student subsequently submits evidence
and exceptional reasons for absence the Academic Dean or Director may set aside
findings from the first interview and arrange a second interview.

7.9.10 Where the alleged offence is admitted, the Academic Dean or Director will determine
whether it is appropriate to impose a sanction/s on the student and, if so, determine which
sanction/s should be imposed.

7.9.11 Where the alleged misconduct is denied, the Academic Dean or Director will determine if
there is sufficient evidence to establish, on the balance of probabilities, that misconduct
has occurred and will determine if it is appropriate to impose a sanction/s on the student
and if so, determine which sanction/s should be imposed. Consequently, the Academic
Dean or Director will either:

a) dismiss the allegation;

b) uphold the allegation, but take no further action;

c) uphold the allegation and issue a warning to the student;

d) uphold the allegation and impose an appropriate sanction/s;

 e) conclude that the alleged misconduct is such that it would be considered serious
 misconduct and should be dealt with under the University Level Procedure.

7.9.12 Sanctions - The circumstances and context of each case will be taken into account when
determining whether a sanction/s should be imposed and, if so, what sanction/s should
be imposed and, where relevant, the timeframe for compliance. The following list
provides examples of sanctions which may be imposed by the Academic Dean or Director
for minor misconduct. The list is illustrative and not exhaustive.

a) a Faculty/Departmental advice letter;

b) a written warning, whether first or final;

c) requirement for a formal apology;

d) completion of a written undertaking as to future conduct within five working days;

e) reparation in respect of loss caused by the misconduct;
f) removal of access to a service provided by the University or to the use of specified facilities or from any part of the University for a given period, normally, of no longer than two weeks;

g) one or more of the charges as set out in the table below:

<table>
<thead>
<tr>
<th>Anti-social Behaviour</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to abate noise after an instruction to do so</td>
<td>£80</td>
</tr>
<tr>
<td>Verbally abusive or offensive conduct</td>
<td>£80</td>
</tr>
<tr>
<td>Throwing objects from windows</td>
<td>£150</td>
</tr>
<tr>
<td>Breach of University Smoking Policy</td>
<td>£80</td>
</tr>
<tr>
<td>General nuisance (e.g. drunken disorder, and general disturbance to other users of the facility)</td>
<td>£80</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Substance Misuse</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Possession of an illegal substance</td>
<td>£100</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Breaches of Fire Safety</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activating a smoke or heat detector without due care</td>
<td>£50</td>
</tr>
<tr>
<td>Failure to evacuate a building due to an alarm</td>
<td>£50</td>
</tr>
<tr>
<td>Activation of a fire alarm call point accidently</td>
<td>£100</td>
</tr>
<tr>
<td>Activation of a fire alarm call point deliberately without due cause</td>
<td>£150</td>
</tr>
<tr>
<td>Action leading to the attendance of the Fire Brigade</td>
<td>£150</td>
</tr>
<tr>
<td>Interfering with smoke/heat detectors</td>
<td>£100</td>
</tr>
<tr>
<td>Propping open a fire door or obstructing fire exits</td>
<td>£100</td>
</tr>
<tr>
<td>Discharging a fire extinguisher without due cause</td>
<td>£100</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Academic Misconduct (excluding examinations and assessments)</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Copyright infringement and distributing copyrighted materials</td>
<td>£200</td>
</tr>
<tr>
<td>Fraudulent behaviour (e.g.: giving false third party evidence)</td>
<td>£230</td>
</tr>
<tr>
<td>Inappropriate behaviour in lectures</td>
<td>£200</td>
</tr>
<tr>
<td>Inappropriate postings on the web, Moodle, blogs, etc</td>
<td>£200</td>
</tr>
<tr>
<td>Inappropriate or abusive behaviour towards University staff</td>
<td>£200</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Breaches of Security</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interfering with security locks</td>
<td>£150</td>
</tr>
<tr>
<td>Failure to follow reasonable instructions of security officers</td>
<td>£100</td>
</tr>
<tr>
<td>Failure to follow security evacuation procedures as posted or instructed</td>
<td>£150</td>
</tr>
<tr>
<td>Scanning ID cards for other students; signing on behalf of another student</td>
<td>£100</td>
</tr>
</tbody>
</table>

All fines shall be added to the Student Hardship fund.

7.9.13 Non-payment of charges or other payments required to be made under these procedures within ten working days of notification will be treated as debt.

7.9.14 A record of any outcome where misconduct has been admitted or where the Academic Dean or Director has determined that misconduct has occurred, will be recorded against the student’s record. Where there is already a Written Warning on file in relation to any other University Regulation, the Academic Dean or Director must issue a Final Written Warning stating clearly that any further proven misconduct may result in their permanent exclusion from the University.

7.9.15 The Academic Dean or Director will notify the student of the outcome, to their University email address, normally within 10 working days of the interview being held (or, if no interview was undertaken, within 10 working days of the deadline by which the student was required to respond to the allegation).
7.9.16 If a student breaches a written undertaking required by the Local Disciplinary procedure, further disciplinary action may be taken.

7.9.17 Appeal Process

a) Any student wishing to appeal the decision of the Academic Dean or Director must lodge his/her appeal within 10 working days of the date of the decision as given in the email. The appeal should be made in writing to the Group Registrar & Secretary and must specify the grounds for appeal. The only grounds for appeal which may be considered are:
   
i) there is relevant evidence which was not considered by the Academic Dean or Director before the decision was taken and which may have affected the outcome. In this case, the new evidence must be included in support of any appeal at the time the request is lodged and the student must explain why they were not able to submit the new evidence to the Academic Dean or Director at the relevant time. No appeal shall be granted if all the evidence submitted was considered by the Academic Dean or Director or if the new evidence could reasonably have been submitted to the Academic Dean or Director by the student before the decision was taken; or
   
ii) the procedures were not followed correctly prior to decisions being taken and that irregularity may have affected the outcome.

b) The Group Registrar & Secretary will review the appeal and may either:
   
i) uphold the finding of misconduct and the sanction/s imposed by the Academic Dean or Director;
   
ii) uphold the finding of misconduct by the Academic Dean or Director and impose a different sanction;
   
iii) set aside the decision of the Academic Dean or Director and substitute their own decision.

b) The Group Registrar & Secretary will review the appeal and may either:

  
i) uphold the finding of misconduct and the sanction/s imposed by the Academic Dean or Director;
  
ii) uphold the finding of misconduct by the Academic Dean or Director and impose a different sanction;
  
iii) set aside the decision of the Academic Dean or Director and substitute their own decision.

   
c) A student submitting an appeal will receive an acknowledgment of receipt of their appeal normally within 5 working days of the documentation being lodged with the Group Registrar & Secretary.

7.10 University Level Procedure

7.10.1 Where the allegation of misconduct is of sufficient seriousness, it may be referred directly to the Assistant Registrar for consideration by a Student Disciplinary Panel

7.10.2 The Assistant Registrar shall investigate the allegation of misconduct and shall be entitled to call for such papers, to examine such witnesses and to conduct such other enquiries into the matter as he/she may think fit. The Assistant Registrar shall decide whether there is sufficient evidence for the case to proceed to a Student Disciplinary Panel, whether to call for additional evidence, whether there is insufficient evidence for the case to proceed to a Student Disciplinary Panel but sufficient evidence for a written warning to be issued or whether to dismiss the case.

7.10.3 The Assistant Registrar will ensure that the student is informed of the allegation of misconduct via their University email address, attaching a copy of these procedures and advising them that they may contact the Student’s Union Advice Centre if they so wish.

7.10.4 The Assistant Registrar will ensure that the student will be given the opportunity to admit or deny the alleged misconduct and to make any representations about the matter and provide any evidence in support of their case. Where the student admits the alleged misconduct they will have no right of appeal.

7.10.5 The Assistant Registrar may seek to invite the student who is alleged to have committed misconduct to attend an investigatory interview in order to gather information about the alleged misconduct unless such an interview has already been undertaken by an Academic Dean or Director. The student will not be permitted legal representation at the interview.
7.10.6 Students will be given at least five working days’ notice of any investigatory interview via their University email address, and will be required to attend.

a) The student may be accompanied by one friend or supporter as long as the student informs the Assistant Registrar of the name of the person concerned at least 24 hours before the time of the meeting.

b) The interview may be attended by the person bringing the allegation (e.g. Module Leader), if deemed to be appropriate, as well as the Assistant Registrar.

7.10.7 Should the student fail to attend an interview without good reason and/or fail to provide representations and/or evidence after being given the opportunity to do so, the Assistant Registrar may proceed based upon the evidence and information that is available or has been collected.

7.10.8 Should the Assistant Registrar determine that there is sufficient evidence for the case to proceed to a Student Disciplinary Panel, he/she shall convene a meeting of the Student Disciplinary Panel as soon as is practical giving the student at least ten working days written notice via their University email address.

7.10.9 Student Disciplinary Panel - Terms of Reference:

a) to investigate the allegation;

b) to decide whether or not the student has committed misconduct;

c) to assess the gravity of any misconduct;

d) to establish whether there were any mitigating circumstances;

e) to determine one or more of the following outcomes:

   i) dismiss the case or otherwise decide that no further action is required;
   ii) defer action pending the outcome of further enquiries;
   iii) reprimand and/or warn the student formally, in writing. Written warnings will remain on the student’s file so long as he/she is a student at the University;
   iv) issue a final written warning which means that should the student be subject to further disciplinary action under any University Regulation he/she can expect to be excluded. Such warning will remain on the student’s file so long as he/she is a student at the University;
   v) require the student to give a written undertaking as to his/her future conduct within the University;
   vi) withdraw access to specified facilities or take some other appropriate action. For final year students this sanction may include exclusion from the awards ceremony and/or prohibition from enrolling on any Coventry University course in the future;
   vii) require the student to pay for any damage to property he/she has caused, or to recompense the University for any loss it may have suffered or costs incurred arising directly or indirectly from the student’s misconduct;
   viii) recommend to the Deputy Vice-Chancellor that the student be excluded (either for a specified period or permanently). Where the student already has a final written warning on file, the details and outcome of the case must be referred to the Deputy Vice-Chancellor to decide if the student should be permanently excluded. Exceptionally, where the Panel believes that the misconduct in question does not warrant permanent exclusion, it may request that the Deputy Vice-Chancellor considers a temporary exclusion or a further final written warning, providing justification for its recommendation;
   ix) refer the matter to the Group Registrar & Secretary to be dealt with under another University procedure.

7.10.10 If a student breaches a written undertaking required by a Student Disciplinary Panel, further disciplinary action may be taken.

7.10.11 Membership of the Panel shall comprise:
a) three members of staff nominated by the Assistant Registrar, from amongst the Academic Deans and Directors, at least one of whom shall be an Academic Dean or a member of the Academic Dean’s Senior Management Team;

b) the Students’ Union President or his/her nominee.

7.10.12 The quorum shall be at least three members.

7.10.13 The Assistant Registrar shall nominate a Secretary to the Panel who will be responsible for the membership and administration of the Panel in accordance with the procedures of the Panel.

7.10.14 Where the Panel may require specialist advice in order to interpret the evidence submitted, an advisor from the appropriate professional service will be nominated to the Panel by the Assistant Registrar.

7.11 Procedures of the Student Disciplinary Panel

7.11.1 At least ten working days prior to the hearing, the Secretary will ensure that the student is sent the following:

a) the time, date and venue of the disciplinary hearing;

b) details of the allegation made against him/her;

c) the evidence against him/her;

d) the University’s Disciplinary Procedures.

7.11.2 At the same time as notification of the meeting, the student will be advised:

a) to contact the Students’ Union Advice Centre immediately;

b) to provide up to date contact details including correspondence address, telephone number and email address;

c) to provide details of any witnesses he/she wishes to attend the hearing to present evidence in support of their case;

d) to provide a copy of any documentary evidence they wish to rely upon in support of their case;

e) that he/she must attend the disciplinary hearing in person and cannot request that a friend or supporter attend in their absence;

f) that he/she may be accompanied at the hearing by a friend or supporter. The friend or supporter may assist in presenting the case if the student so chooses, subject to the following:

i) the student may not be represented by another person in his/her absence;

ii) the student remains responsible for presenting the case to the Panel, and for ensuring that any statements made by his/her friend or supporter are accurate;

iii) no appeal can be made subsequently in relation to the omissions, actions or statements of the friend or supporter.

g) if the student fails to attend a hearing without good reason being submitted in advance the hearing will go ahead in his/her absence without this constituting grounds for appeal. If the student subsequently submits evidence and exceptional reasons for absence the Assistant Registrar may set aside any findings from the first hearing and arrange a second hearing. The student will not normally be given more than two opportunities to attend a hearing, irrespective of any reason for non-attendance. It should be noted that hearings may take place outside of standard term time dates and this, in itself, will not be accepted as a reason for absence. This shall apply whether the allegation is accepted or denied, and whether or not the student submits a written statement.
h) if he/she expresses an intention not to attend, without good reason, the Panel meeting may (at the discretion of the Chair) proceed in his/her absence, without this constituting grounds for appeal. This shall apply whether the charges are accepted or denied, and whether or not the student submits a written statement;

i) that at least five working days prior to the hearing the student must inform the Secretary to the Panel of:
   i) whether he/she intends to admit the alleged misconduct;
   ii) whether he/she intends to be accompanied at the hearing, and if so, the name of the person concerned. In the event that the student arrives at the hearing with more than one person accompanying them, the Chair has the authority to ask the student to choose whom he/she wishes to be present. All other friends or supporters will be required to leave;
   iii) whether or not witnesses are to be called and, if so, to provide their contact details;
   iv) any documentary evidence they intend to rely upon and provide a copy of any such evidence to the Secretary.

j) if, in exceptional circumstances, the student wishes to be legally represented, they must inform the Secretary to the Panel seven working days in advance of the hearing.
   i) If such notice is not given sufficiently early to allow the University to arrange its own legal representation, the hearing will be rearranged but only one such extension should normally be granted.
   ii) The University reserves the right to instruct legal representatives to present the University’s case in connection with any hearing where a student is to be legally represented, or in connection with any matter where the University feels that it is necessary because of the complexity or significance of the case.
   iii) The University will notify the student as soon as possible in advance of the hearing if the University intends to instruct legal representatives.
   iv) The student remains responsible for presenting his/her case, and for ensuring that any statements made by his/her legal representative are accurate; no appeal can be made subsequently in relation to the omissions, actions or statements of the legal representative.

7.11.3 In terms of preparing and presenting the University’s case, where the alleged misconduct:
   a) took place in a Professional Services area or Students’ Union, the Director of the professional service in question or General Manager of the Students’ Union (or his/her nominee) shall be responsible for preparing and presenting the case;
   b) involved student accommodation whether University owned, University managed or private owned, the Director of Student Services shall be responsible for preparing and presenting the University’s case;
   c) took place in a Faculty other than the student’s, the Academic Dean of that Faculty/School shall be responsible for preparing and presenting the case;
   d) involved damage to, or defacement of University buildings, the Director of Estates shall be responsible for preparing and presenting the case;
   e) in all other cases the student’s Academic Dean of Faculty shall be responsible for preparing and presenting the case.

7.11.4 If the student admits the misconduct, the hearing may proceed directly to consider the sanction (if any), hearing any witness(es) or evidence of the student in mitigation only.

7.11.5 If the student wishes to present evidence to the Panel in mitigation of the alleged misconduct, full supporting documentation should be provided. The Panel will not normally accept the validity of the mitigation if supporting documentation is not provided.

7.11.6 If the student denies the alleged misconduct he/she shall have the right to be present throughout the hearing.

7.11.7 A written record of the hearing will be produced.
7.11.8 Any sanction/s will be confirmed to the student and University representative and forwarded to the Deputy Vice-Chancellor for approval. The Deputy Vice-Chancellor is not obliged to accept the recommendation of the Panel and may impose another and/or additional penalty as laid out under 7.10.9 above within seven working days of the date of the hearing.

7.11.9 The Deputy Vice-Chancellor shall make his/her decision known to the student and Academic Dean/University representative concerned within seven working days. In the event of exclusion, the student’s current employer or other sponsor shall be advised after the time allowed for making an appeal has lapsed or after any appeal that is made has been dealt with.

7.11.10 Appeal against an Outcome from a Student Disciplinary Panel

Where a student is found to have committed misconduct, the student shall be informed of his/her right of appeal to the Board of Governors’ Disciplinary Appeals Committee. The only grounds of appeal which will be considered are that there is relevant evidence which was not considered by the Student Disciplinary Panel before the decision was taken and which may have affected the outcome. In this case, the new evidence must be included in support of any appeal at the time the request is lodged and the student must explain why they were not able to submit the new evidence to the Student Disciplinary Panel; no appeal shall be permitted if all the evidence submitted was considered by the Student Disciplinary Panel or if the new evidence could reasonably have been submitted to the Student Disciplinary Panel by the student before the decision was taken; or

a) the procedures were not followed correctly prior to decisions being taken and that irregularity may have affected the outcome; or

b) where the result of the disciplinary action was permanent exclusion, the student shall have the right of appeal on the additional grounds that the nature of the breach of discipline does not justify exclusion.

7.11.11 If the student wishes to appeal the decision of the Student Disciplinary Panel, they must notify the Vice-Chancellor within ten working days of the date of receipt of the Student Disciplinary Panel’s decision. Such appeals shall be made in writing, giving the grounds for appeal and attaching all supporting evidence.

7.11.12 The Vice-Chancellor shall nominate a member of the University’s Senior Leadership Team who has not had any previous involvement with the case to review the appeal. That individual shall decide if the appeal has a real prospect of success or if there is some other compelling reason why the appeal should be considered. If the member of the University’s Senior Leadership Team decides that the appeal has a real prospect of success or that there is some other compelling reason why the appeal should be considered then it shall be referred to a Board of Governors’ Disciplinary Appeals Committee. If not, then the decision of the Student Disciplinary Panel will stand. The student shall be notified in writing of the decision together with the reasons for the decision as soon as practicable after the decision has been made.

7.12 Board of Governors’ Disciplinary Appeals Committee (“Appeals Committee”)

7.12.1 Terms of Reference

a) to review the case presented to the Student Disciplinary Panel but not to re-hear the evidence (witnesses will therefore not usually be permitted at the hearing);

b) to examine any relevant evidence which was not considered by the Student Disciplinary Panel before the decision was taken and which may have affected the outcome, and which the student was not able to submit to the Student Disciplinary Panel;

c) to determine whether the procedures were followed correctly by the Student Disciplinary Panel.

d) where the result of the disciplinary action was permanent exclusion, to consider whether the nature of the breach of discipline justified the sanction;
e) to determine whether or not to uphold the Deputy Vice-Chancellor’s decision;

7.12.2 Where the Appeals Committee decide not to uphold the Panel’s or the Deputy-Vice-Chancellor’s decision, it may recommend an alternative course of action including:

a) Finding in favour of the appellant and overturning the original decision;

b) dismissing the case or deciding that no further action is required;

c) reprimanding and/or warning the student formally, in writing. Written warnings will remain on the student’s file so long as he/she is a student at the University;

d) issuing a final written warning which means that should the student be subject to further disciplinary action under any University Regulation he/she can expect to be excluded. Such warning will remain in the student’s file so long as he/she is a student at the University;

e) requiring the student to give a written undertaking as to his/her future conduct within the University;

f) withdrawing access to specified facilities or take some other appropriate action. For final year students this sanction may include exclusion from the awards ceremony and/or prohibition from enrolling on any Coventry University course in the future;

g) requiring the student to pay for any damage to property he/she has caused, or to recompense the University for any loss it may have suffered or costs incurred arising directly or indirectly from the student’s misconduct;

h) suspending the student from the University for a specified period;

i) permanently excluding the student from the University;

j) referring the matter to the Group Registrar & Secretary to be dealt with under another University procedure.

7.12.3 Membership of the Appeals Committee shall comprise of three members of the Board of Governors, other than the Vice-Chancellor or staff or student members, appointed by the Chair of the Board of Governors. Members serving on the Committee shall have no connection with the student concerned nor have had any previous contact with the student’s case.

7.12.4 The quorum of the Appeals Committee shall be three members.

7.12.5 The Secretary shall be nominated by the Group Registrar & Secretary; and the Group Registrar & Secretary may attend and advise on matters of procedure.

7.13 Procedures of the Appeals Committee

7.13.1 At least ten working days prior to the hearing, the Secretary will ensure that the student is sent the following:

a) the time, date and venue of the appeal hearing;

b) the grounds of the appeal (and any evidence provided in support of that appeal);

c) a copy of the evidence previously submitted to the Student Disciplinary Panel;

d) the University’s Disciplinary Procedures.

7.13.2 At the same time as notification of the hearing, the student will be advised:

a) that he/she may wish to seek advice from the Students’ Union Advice Centre (if he/she has not already done so);

b) to provide up to date contact details including correspondence address, telephone number and email address;

c) to provide dates of availability for the hearing and that of any witnesses to be called;

d) that he/she must attend the disciplinary hearing in person and cannot request that a friend or supporter attend in their absence;
e) that he/she may be accompanied at the hearing by a friend or supporter who may speak on his/her behalf. The friend or supporter may to assist in presenting the case if the student so chooses, subject to the following:

i) that he/she may not normally be represented by another person in his/her absence, especially where the charges are denied; and

ii) that he/she remains responsible for presenting the case to the Committee, and for ensuring that any statements made by his/her friend or supporter are accurate.

f) if the student fails to attend a hearing without good reason being submitted in advance of the hearing or expresses an intention not to attend, the appeal will be dismissed and the original decision of the Student Disciplinary Panel shall stand;

g) if the student subsequently submits evidence and exceptional reasons for absence which is supported by evidence to the Group Registrar & Secretary (or nominee), the Group Registrar & Secretary may postpone the hearing and arrange an alternative date. The student will not be given more than two opportunities to attend a hearing, irrespective of any reason for non-attendance;

h) whether there is any new evidence which the appellant wishes to submit that was not available at the time of the original decision. It is only in these circumstances will this new evidence be considered;

i) that at least five working days prior to the hearing the appellant shall inform the Secretary to the Appeals Committee of:

i) whether he/she intends to withdraw their appeal;

ii) whether he/she intends to be accompanied at the hearing, and if so, the name of the person concerned. In the event that the appellant arrives at the meeting with more than one person accompanying them, the Chair of the Appeals Committee has the authority to ask the student to choose whom he/she wishes to be present. All other friends and supporters will be required to leave;

iii) whether or not new witnesses are to be called in relation to any new evidence which the student intends to present to the Appeals Committee, together with their contact details;

j) if, in exceptional circumstances, the student wishes to be legally represented, they must give written notice to the University at the time of lodging their appeal.

i) If such notice is not given sufficiently early to allow the University to arrange its own legal representation, the hearing will be rearranged but only one such extension should normally be granted.

ii) The University reserves the right to instruct legal representatives to present the University’s case in connection with any hearing where the student is to be legally represented, or in connection with any matter where the University feels that it is necessary because of the complexity or significance of the case.

iii) The University will notify the student as soon as possible in advance of the hearing if the University intends to instruct legal representatives.

The student remains responsible for presenting his/her case, and for ensuring that any statements made by his/her legal representative are accurate.

7.13.3 A written record of the hearing will be produced.

7.13.4 After consideration of the appeal the Appeals Committee shall have the power to annul, vary or confirm the decision of the Deputy Vice-Chancellor. The decision of the Appeals Committee shall be final and all parties shall be notified of the decision in writing, within seven working days of the meeting. There shall be no further permissible appeal against this sanction.

7.14 The Office of the Independent Adjudicator (OIA)

The Office of the Independent Adjudicator for Higher Education ("OIA") operates an independent student complaints scheme pursuant to the Higher Education Act 2004. Students may take their
complaint relating to a request for an appeal under the University’s Disciplinary Procedures to the OIA once all internal processes have been exhausted. A “Completion of Procedures” letter will be issued from the office of the Group Registrar & Secretary notifying the student of the outcome of their appeal request when it has been determined that all internal processes have been completed. The OIA must receive a completed Scheme Application Form within twelve months of the date of Completion of Procedures Letter.

Other conduct procedures refer to disciplinary procedures. These include:

- Appendix 1 to the General Regulations: Examinations and other Assessments: responsibilities of students
- Data Protection Policy
- Appendix 4 to the General Regulations: Acceptable Use Code of Conduct of ICT Facilities in Coventry University & Subsidiaries
- Chapter 2 of the General Regulations: Code of Conduct
- Student Behaviour Code of Conduct
APPENDIX 8 Policy statement on the use of calculators in examinations

1 Except as specified in paragraphs 2 to 5 below students are permitted to use any calculator in formal University examinations.

2 All calculators used must be:
   - not capable of storing text, nor of displaying text other than as built in error messages;
   - battery operated;
   - silent;
   - not annotated in any way on the calculator or case.

3 Calculators, or other devices capable of acting as a calculator, which have a full range of alphabetic keys are not allowed in any formal written examination; devices with keys in the range A-F for use with hexadecimal numbers are not covered by this ban. Portable computers are not permitted.

4 Devices capable of communicating directly with other similar devices, with or without the use of cables, are not permitted in any University examination.

5 A Faculty Board, via the appropriate Assessment Board, may decide that there should be particular restrictions on calculators in individual examinations, or extensions to these provisions, where such a variance is required by the subject matter or method of examination. The Faculty Board decision shall be recorded in the module descriptor, either as explicit specification of particular types, or as a reference to a list of approved types. It is the Faculty’s responsibility to inform the Academic Registry of any revised requirement, to ensure that the appropriate examination arrangements are made for the module.

6 Candidates are responsible for providing batteries for their calculators.

7 The policy will also apply to modules being delivered at partner colleges under a franchise arrangement. The Faculty is responsible for ensuring that appropriate monitoring procedures are set up at the colleges concerned.

8 Any candidate found using an unauthorised calculator shall be reported as specified in the regulations on Suspected Cheating During or After an Examination. The device shall be confiscated immediately, without the University being under any obligation to issue the student with a replacement device.
APPENDIX 9 Policy statement on the use of dictionaries in examinations

1. Students whose first language is not English are allowed to use a translation dictionary during the first 15 minutes of any examination, in order to clarify the meaning of the questions. This dictionary must be a translation dictionary only and not contain diagrams or illustrations or encyclopaedic definitions. All dictionaries must be clean and not annotated in any way.

2. Dictionaries will be collected by the invigilators 15 minutes after the start of the examination. Students arriving late for the examinations will not be permitted an extension to this period. Students will not be permitted to consult their dictionaries after this period has elapsed.

3. Students are responsible for identifying their own dictionary and collecting it at the end of the examination. The University accepts no responsibility for reissue of dictionaries to the correct student.

4. After collection of the dictionaries the invigilators will check that only translation dictionaries have been used; any dictionaries which appear to transgress this provision (e.g. by extensive definitions, formulae tables or diagrams) will be reported to the Group Registrar & Secretary and the student will be informed as soon as the transgression becomes apparent. At the discretion of the invigilator the Group Registrar & Secretary may be asked to inspect the dictionary and retain it.

5. After collection of the dictionaries the invigilators will also check them for annotations and concealed notes which may have been used for academic misconduct. Any dictionaries which appear to transgress this provision will be retained by the invigilators and handed to the Group Registrar & Secretary as covered under the regulations for suspected academic misconduct. The student will be informed immediately.

6. If a student is granted special examination facilities arising from conditions such as dyslexia, the use of a dictionary (English, foreign language or bilingual) may be considered where appropriate, but must be approved in advance, and the edition approved must not contain any technical data of potential use to the student. This approval must be agreed with the examiner(s) for the module and notified to the relevant Assessment Board. Electronic dictionaries or spelling checkers will not normally be permitted unless a special case is agreed with the Group Registrar & Secretary.

7. A Faculty Board, via the appropriate Board of Studies, may decide that there should be particular restrictions on dictionaries or extensions to these provisions in individual examinations, where such a restriction is made necessary by the subject matter or method of examination. The Faculty Board decision shall be recorded in the module information, either as explicit specification of particular types, or as a reference to a list of approved types.

8. Other than as covered for special cases in paragraph 6 above, the use of electronic dictionaries and spell-checkers shall not be permitted.

9. Any candidate found using a dictionary other than under the above provisions shall be reported as specified in the regulations on Suspected Academic Misconduct During or After an Examination.

10. The policy will also apply to modules being delivered by partner colleges under a franchise arrangement. The Faculty is responsible for ensuring that appropriate monitoring procedures are set up at the colleges concerned.

11. Dictionaries must be the students’ own property. Copies from University libraries or public libraries are not permitted.
APPENDIX 10 Complaints Procedure

10.1 Introduction
Coventry University aims to provide a high quality service to its students, members of the public and other organisations. Unfortunately, things occasionally go wrong. As a result, there may be occasions when individuals or organisations wish to make a complaint. The Complaints Procedure is a mechanism to raise any such concerns. In all cases, we encourage any complainant to informally address any concerns as soon as possible after the problem arises, either with the person directly, or with a member of staff in the relevant School or Service Area. Where it might be more appropriate, the University offers a Conciliation Scheme allowing students to informally resolve complaints with a University Conciliator providing impartial advice and support.

10.2 Principles

10.2.1 The University will seek to make reasonable adjustments to allow anybody with specific requirements to use the Complaints Procedure. Anyone who may require assistance in making their complaint should seek support from the Disabilities Office, Group Resolution Unit or the Students’ Union Advice Centre.

10.2.2 Complaints will be handled sensitively and confidentially. Information will only be released to those who need it for the purposes of investigating and responding to a complaint. Individuals named in a complaint will be made aware of the allegations to ensure that they have an opportunity to put their case forward.

10.2.3 The procedure will be clear, transparent and fair to all parties.

10.2.4 All complaints will be taken seriously, investigated thoroughly and can be made without fear of penalty.

10.2.5 Anyone accessing the complaints procedure and all staff involved in investigating and responding to a complaint should act reasonably and fairly towards each other, respecting the process at all times.

10.2.6 Informal resolution will be promoted in as many cases as possible.

10.2.7 The University will adhere to published deadlines; where this might not be possible the student will be kept informed and a revised deadline provided. The Student Complaints Procedure will normally be completed within 90 days of the complaint being made, with effect from stage 1 of the complaint.

10.2.8 The University will be accountable and will apologise if mistakes have been made or the University has fallen short of reasonable expectations. Where necessary action will be taken to ensure such mistakes do not happen again.

10.2.9 If what is being requested as an outcome is more than the University can reasonably provide or is not possible, we will let you know at an early stage.

10.2.10 Where complaints are considered to be vexatious or frivolous, the University may terminate consideration of a complaint. Please see section 10.12.6 for full information.

10.2.11 Complaints will be monitored and where problems are identified, changes to practice will be effected. An annual report on complaints will be produced for the University Leadership Team.

10.2.12 The procedure will be applied consistently throughout all Faculties and Service Areas.

10.3 Scope - What is and what is not a complaint?

10.3.1 For the purpose of this procedure, a complaint is defined as: ‘An expression of dissatisfaction about the University’s action or lack of action or about the standard of service provided by or on behalf of the University.’

10.3.2 Complaints can be wide-ranging. Concerns raised might include, but might not be limited to:
• quality of facilities provided by the University;
• student accommodation;
• teaching and supervision;
• unfair treatment or inappropriate behaviour by a staff member;
• misleading or incorrect information;
• the quality and standard of any service that we provide or our failure to provide such a service;
• dissatisfaction with University policies and or procedures.

10.3.3 There are issues that cannot be considered through the Complaints Procedure. These include:

a) A complaint about a student’s behaviour. Such issues would be dealt with under the Student Disciplinary Procedures, Appendix 7 to the General Regulations. If the issue relates to student behaviour in accommodation that is not University-owned, affected residents are encouraged to use the University’s antisocial behaviour policy.

b) A complaint about a student’s behaviour in non-University accommodation. Such issues are dealt with via the University’s antisocial behaviour policy.

c) Complaints about academic decisions made by a Programme Assessment Board. Any student who disagrees with the decision of a Programme Assessment Board and meets the grounds for academic appeal can access the academic appeal procedure and should refer to Appendix 2 of the Academic Regulations.

d) Those matters which are currently being considered by the Office of the Independent Adjudicator for Higher Education (OIA), a court or tribunal.

e) Routine first time requests for information.

f) An attempt to have a complaint reconsidered where the University has completed its procedures.

g) Complaints from staff. Such complaints would be dealt with via the People Team.

The above list is not exhaustive.

10.4 Who can use the Complaints Procedure?

10.4.1 The Complaints Procedure is open to:

a) An individual student studying either full or part-time and on any programme of study.

b) A group of students. In such cases the group must nominate a spokesperson who will represent the group on all matters relating to the complaint. Please see section 10.7: General Provisions for full information.

c) Former students of the University who are either complaining within three months of leaving the University about a matter in relation to their study at Coventry University or are complaining about a service offered by the University.

d) Third parties acting for a student. We would always encourage students wishing to make a complaint to deal with us directly. However, in cases where a complaint is received from a third party (including a parent), the student will be asked to provide his/her written consent authorising the University to deal with their representative.

e) Anonymous complaints. Complaints received from an anonymous source will be given consideration at the University’s discretion. The University encourage any student to raise a concern without fear of suffering any disadvantage. A complaint made anonymously could impede the investigation and communication of the outcome.

10.4.2 In exercising discretion the following factors will be taken into account:

a) the seriousness of the complaint;

b) the likelihood of confirming the allegation from attributable sources;

c) whether enough information has been provided to enable any further action;
d) whether anonymity can reasonably be maintained.

10.5 Procedure Overview

10.5.1 The complaints procedure is divided into informal and formal stages.

a) For students:
   - Conciliation or informal review directly with the individual/area concerned (informal)
   - Stage 1 (formal)
   - Stage 2 (formal)

b) For non-students:
   - Informal review directly with the individual/area concerned (informal)
   - Stage 1 (formal)
   - Stage 2 (formal)

10.5.2 If a student contacts the Vice-Chancellor, Deputy Vice-Chancellor or other member of the University’s Senior Leadership Team directly without using either the informal stage or stage 1 of the complaints procedure, the complaint will be referred automatically to the most appropriate complaint stage.

10.6 Support

10.6.1 The University will seek to make reasonable adjustments to allow anyone with specific requirements to use the Complaints Procedure. Anybody who may require assistance in making his/her complaint should seek support from the Disabilities Office, the Group Resolution Unit or the Students’ Union Advice Centre.

10.6.2 If a student finds the complaints process or the details of the complaint itself have caused them to feel anxious or stressed, s/he may wish to contact the University’s Health and Wellbeing team for additional support.

10.6.3 The Coventry University Students’ Union Advice Centre are available to provide a student with support at any point in the process. This might include: helping to find the right words to explain your concerns as clearly as possible; explaining how the complaint process works and helping to decide whether this course of action is the best way of resolving concerns; providing support at any meetings attended in relation to a formal complaint.

10.7 Time Limits

10.7.1 Raising a concern as soon as possible after the problem occurred makes it easier for issues to be resolved. Delays often mean it can be difficult to investigate properly.

10.7.2 Complaints received more than 3 months after the event(s) in question shall not normally be investigated.

10.7.3 The complainant will have 10 working days from receipt of the outcome of the Stage 1 investigation to submit a Stage 2 complaint should s/he not be satisfied with the outcome.

10.7.4 The Complaints Procedure will normally be completed within 90 calendar days of the complaint being made, with effect from stage 1 of the complaint.

10.8 Conciliation (Students only)

10.8.1 Coventry University offers a Conciliation Scheme to provide students with an informal supportive route to resolving complaints. Students are encouraged to raise any concerns or queries at the earliest opportunity.

10.8.2 The University has a number of Conciliators within all Faculties and Professional Services. Students are encouraged to approach any one of them for objective advice and guidance and, where necessary, assistance when seeking to informally resolve a complaint.
10.8.3 In addition, students can raise matters relating to course based issues at Student Fora. Once it is clear that informal resolution is either not successful or is not appropriate, a student should access the formal complaints procedure.

10.8.4 Before submitting a formal complaint, a student may wish to obtain advice about the procedure that they should follow and informal advice can be received from the Group Resolution Unit. Such advice can be provided either by email, telephone or in person. In addition students may find it helpful to approach the Students Union Advice Centre as they can support a student through, what can for some, be a difficult experience, and offer advice as to whether making a complaint is the best course of action or whether another procedure is more appropriate.

10.9 Stage 1 Complaints Procedure

10.9.1 The complaint must be made in writing, preferably via the University’s Complaints form, which is available on the University’s website. Using the complaints form or making a written complaint in any form will assume the granting of consent to data processing under the General Data Protection Regulation (GDPR).

The complaint should include:

- full name;
- Student ID number (if a student);
- email address (current students must use their University email address);
- details of the complaint being made;
- steps taken to resolve the complaint so far.

10.9.2 The complaint should be written clearly and tell the University what the issues are and how the complaint could be resolved satisfactorily.

10.9.3 If the complaint covers a number of different issues, it would be helpful to separate them under different headings.

10.9.4 The Group Resolution Unit will acknowledge a complaint in writing as promptly as is practical, normally within two working days. The acknowledgement will give an indication of the timescale for a response to be provided, normally 20 working days, and who is investigating the complaint.

10.9.5 The complainant will also be asked to provide evidence, normally within 5 working days, to support their complaint.

Evidence might include but is not limited to:

- relevant emails from staff members/student;
- photographs;
- independent statements from witnesses;
- contract/agreement

10.9.6 In order to progress the investigation it may be necessary to obtain further information, which may be arranged either in writing or in the form of a meeting.

10.9.7 If a complaint is made about a staff member, that individual will be informed both that a complaint has been made and the nature of the complaint.

10.9.8 If the normal time limit (20 working days from the date of the written acknowledgement of the complaint) does not allow for a full or appropriate investigation and response to the complaint, the time limit may be extended and the student will be notified.

10.9.9 Once a comprehensive investigation has been carried out, the student will be advised in writing of the outcome.

10.9.10 This concludes stage 1 of the complaints procedure.
10.10 Stage 2 Complaints Procedure

10.10.1 If the complainant remains dissatisfied by the outcome of his/her complaint, she/he should submit a written request addressed to the Vice-Chancellor, via complaints.reg@coventry.ac.uk or by letter. This must be done within 10 working days of receipt of the outcome of the investigation.

10.10.2 The written request should include:

- the reasons why the student remains dissatisfied by the outcome of the stage 1 complaint response;
- any new evidence;
- the outcome being sought.

10.10.3 Upon receipt of a stage 2 complaint, the Vice-Chancellor may elect a senior member of University staff to investigate as nominee on his behalf.

10.10.4 The Group Resolution Unit will acknowledge the complaint as promptly as is practicable, normally within two working days. The acknowledgement will give an indication of the timescale for a response to be provided, normally 20 working days, and if appropriate, the name of the Vice-Chancellor’s nominee who will be investigating the complaint.

10.10.5 The Vice-Chancellor (or nominee) will carry out a full review of the complaint, examine all evidence and conduct any further enquiries as appropriate. The Vice-Chancellor (or nominee) may decide at this point that no further action is required or to overturn the original Stage 1 decision. In either case, the Vice-Chancellor’s (or nominee) decision is final.

10.10.6 The final decision will be conveyed via email or letter and for complaints from students, will also represent a Completion of Procedures letter.

10.10.7 This concludes the University’s procedures.

10.11 The Office of the Independent Adjudicator (OIA)

10.11.1 The OIA is an independent body set up to review individual student complaints against universities in England and Wales.

10.11.2 Current or former students may only take their complaint to the OIA once the University’s internal complaints procedures have been exhausted and a Completion of Procedures letter has been issued.

10.11.3 The OIA must receive a completed Scheme Application form within twelve months of the date of the Completion of Procedures letter.

10.12 General Provisions

10.12.1 Collaborating Institutions

a) Students at collaborating institutions must use the complaints procedure of their local institution in the first instance.

b) If a student’s complaint relates to an academic matter, they have the ultimate right of appeal to Coventry University’s Group Registrar & Secretary who will consider the case.

c) If the academic complaint is upheld, it will be referred to the collaborating institution with the recommendation of the Group Registrar & Secretary. The decision is final and a Completion of Procedures letter will be issued to the student by Coventry University.

d) If the complaint is not upheld, a Completion of Procedures letter will be issued to the student.

10.12.2 Complaints involving organisations which provide a service on behalf of the University

a) Where the complaint directly relates to the service provided by an organisation on behalf of the University, but where the University cannot reasonably be expected to have had involvement in the issue, the complainant should follow the complaints procedure of the service provider.
b) Where the complaint relates to the service provided by an organisation on behalf of the University and the University does have responsibility for the issue raised, the complainant should follow the University’s complaints procedure.

10.12.3 Students on Work Placement

   a) Students on work placement are expected to use the complaints procedure of the placement provider if the complaint relates to issues within the placement itself and where the University cannot reasonably be expected to have had any involvement.

   b) If the complaint relates to issues where the University can reasonably be expected to have had some involvement or the issues have impacted on the student’s learning experience, the student should follow the University’s complaints procedure. Examples of where the University complaints procedure can be invoked include the organisation of the placement or the feedback arrangements.

10.12.4 Students Studying Abroad

   a) Students who are spending up to twelve months studying abroad should use the complaints procedure of the host University if the complaint relates to issues within their study and the University cannot reasonably be expected to have had any involvement.

   b) If the complaint relates to issues where the University can reasonably be expected to have had some involvement or has impacted on their learning experience at Coventry University, for example the organisation of study abroad, the student should follow the University’s complaints procedure.

10.12.5 Complaints involving the Students’ Union

   a) The matter shall be referred to the General Manager of the Students’ Union for investigation if:
      i) a complaint is received about a student(s) of the University whilst representing the Students’ Union or
      ii) the student is dissatisfied in his/her dealings with the Students’ Union or
      iii) the student feels unfairly disadvantaged by exercising their right not to be a member of Coventry University’s Students’ Union or
      iv) the complaint concerns a member(s) of staff employed by the Students’ Union.

   b) If the General Manager (or nominee) determines that there is a case, he will invoke the Coventry University Students’ Union Complaints and Appeals Procedure.

   c) If a complaint concerns the Students’ Union Advice Centre (SUAC), SUAC’s Complaints Procedure shall be invoked. If the student remains dissatisfied by the outcome of this process, the complaint may be referred to the Students’ Union General Manager who will invoke the Coventry University Students’ Union Complaints and Appeals Procedure.

   d) Where a complaint is made against the Students’ Union General Manager, the matter will be referred to the Vice-Chancellor who will determine the nature of any subsequent action.

   e) Where the complaint relates to the behaviour of the Union as a body, the matter shall be referred to the Vice-Chancellor who shall determine the nature of any subsequent action.

   f) In all cases within this section, if the student remains dissatisfied they may escalate the matter to the Vice-Chancellor (or nominee) **within 10 working days** of receipt of the outcome. The Vice-Chancellor will invoke Stage 2 of Coventry University’s Student Complaints Procedure.

10.12.6 Unreasonable Behaviour
a) The University expects all participants of the complaints procedure to act with respect towards any other party(ies). Where the behaviour of a student/complainant or his/her representative becomes unreasonable and adversely affects the ability of staff to carry out their duties, the University reserves the right to restrict contact with the student/complainant and if appropriate, invoke its disciplinary procedure. Wherever possible the University strives to allow the complaint to progress to completion.

b) Examples of unacceptable behaviour might include:

i) Aggressive or abusive behaviour. This could include the threat or use of physical violence, verbal abuse or harassment towards staff. This is likely to result in the ending of all direct contact with the complainant and could result in a report being submitted to the police.

ii) Unreasonable demands. This includes instances where a complainant continues to demand responses being provided within an unreasonable time-scale; insists on seeing or speaking to a particular member of staff; makes continual contact; repeatedly changes the substance of the complaint or raises unrelated concerns.

iii) Unreasonable persistence. This could include a persistent refusal to accept a decision made in relation to a complaint; persistent refusal to accept explanations relating to what can or cannot be done about the complaint, and continuing to pursue a complaint without presenting any new information.

iv) Vexatious or frivolous complaints. The University regards complaints to be vexatious or frivolous where:

- the complaint does not have any serious purpose or value or is not serious or sensible in attitude;
- is designed to cause disruption or annoyance or gives rise to disproportionate inconvenience or expense;
- has the effect of harassing any of the University’s staff, or can be fairly characterised as obsessive or unreasonable;
- it is reasonable to assume that there is no intention for the complaint to be seen as serious or sensible but not to the extent that it can be considered vexatious or malicious.

If the investigation of a complaint reveals the complaint to be vexatious or frivolous in nature, the University reserves the right to dismiss the complaint and to take disciplinary action against the student. The student will be notified of this decision in writing and will be issued with a Completion of Procedures letter.

10.12.7 Student Group Complaints

The group should nominate one person to act as spokesperson and primary contact. All group members must be identified in the complaint and must demonstrate that they have been affected by the issue which is the subject of the complaint. All group members must confirm in writing via their University email account that they agree to the nominated spokesperson acting on their behalf.

10.13 Exceptions to the normal Stage 1 and Stage 2 Procedure

10.13.1 Where a complaint is made directly about a Governor/Executive Dean/Director/Deputy, Pro- or Associate Pro-Vice-Chancellor, the complaint will be forwarded to the Vice-Chancellor who will determine the nature of any subsequent action.

10.13.2 Where a complaint is made directly against or involves the Vice-Chancellor, the complaint will be forwarded to the Clerk to the Board of Governors who will consider the detail of the complaint and determine the nature of any subsequent action, which may include reference to an independent person appointed by the Board of Governors.

10.13.3 Where a complaint is made about an individual member of the Board of Governors whilst acting in that capacity, the Vice-Chancellor will refer the matter to the Chair of the Board of Governors or to an independent person for review or determine such other action as is deemed appropriate.
10.13.4 Complaints about the Chair of the Board of Governors or the Board of Governors as a whole will be considered by the Vice-Chancellor, who may refer the matter to an independent person for review or determine such other action as is deemed appropriate.

10.13.5 In cases listed in 10.13.1 – 10.13.4, investigations will normally be completed within two calendar months of receipt of the complaint.
APPENDIX 11 Students’ Union Code of Practice

11.1 Introduction

Coventry University Students’ Union (CUSU) shall operate in accordance with the Education Act 1994 and the Charities Act 2006 to ensure democratic accountability and the charitable status of the students’ union. The University’s Board of Governors is required to ensure that CUSU operates in a fair and democratic manner and is financially accountable. The University must also ensure that a number of specific requirements are met and must show how these requirements will be satisfied through a code of practice.

11.2 Students’ Union Articles of Association

11.2.1 CUSU as a registered charity and company limited by guarantee operates in accordance with Articles of Association (also known as the Constitution) which is approved by students and CUSU’s Board of Trustees. The Articles are subject to review by the Trustees at intervals of not more than five years. No amendment to the Articles shall be valid unless approved by a quorate Student Council and by its Board of Trustees.

11.2.2 Copies of the Articles are available on request from the offices and the web site of the Students’ Union (www.cusu.org). Reference copies are also available in the Library and in the office of the Academic Registrar.

11.3 Membership

11.3.1 Membership of the Students’ Union is voluntary. All students of Coventry University are deemed to be members of the Union unless they indicate in writing to the Registrar & Secretary and to the Chair of the Executive Committee of the Students’ Union, their decision to opt out of membership. Any such decision shall be binding for the remainder of that academic year.

11.3.2 Students who exercise their right not to be a member shall not be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of their having done so.

11.4 Provisions of the Articles of Association (Constitution)

11.4.1 The Articles of the Students’ Union provides for (inter alia) the following:

a) appointment to major union offices (defined as all sabbatical officers of the Students’ Union) shall be by election in a secret ballot in which all members are entitled to vote;

b) all elections shall be fairly and properly conducted in accordance with the election regulations set out in an appendix to the Articles;

c) no person shall hold sabbatical union office, or paid elected union office, for more than two years in total at the University;

d) the procedure for allocating resources to groups or clubs within the Union shall be as set out in the Articles or as an appendix to the Articles;

e) details of decisions to affiliate to an external organisation shall be published and made available to the Board of Governors (via the Clerk to the Board of Governors), and to all students;

f) the current list of affiliations shall be submitted to Student Council members annually;

g) students who are dissatisfied in their dealings with the Students’ Union or who claim to be unfairly disadvantaged by reason of their having exercised their right not to be a member, as provided by the Education Act 1994, shall have recourse to the University Complaints Procedure, details of which are published in the General Regulations.

11.5 Proper Conduct of Affairs

11.5.1 The Articles also makes provision for the conduct of the financial affairs of the Union through detailed financial Regulations, which appear as an appendix to the Articles. This section of the Code serves to amplify those regulations.
11.5.2 The Union is responsible for ensuring that funds provided to it by the University are used only in accordance with the Education Act 1994 and any other statutory requirements and/or conditions that the University may from time to time prescribe as a condition of grant. The Board of Governors, in exercising its responsibilities under the Act, shall have regard to the Union’s separation of funding between that which is provided by the University by means of grant, and that which is self-generated. The Union shall have regard to its responsibilities irrespective of the funding source, including any subsidiary companies, recognising that the Union’s powers to operate, derive from the Charities Commission as a registered charity and the University’s Articles of Government, section 12.

11.5.3 The Union General Manager is required to satisfy the University (and secure as part of the external audit certificate) that all such conditions are complied with. The Union General Manager has the responsibility of advising the Union if at any time, any action or policy under consideration by the Union appears to be incompatible with any code of practice, rules, regulations or Acts. Should the Union decide nevertheless to proceed, the Union General Manager shall notify the University and the Students’ Union Board of Trustees in writing and the Union shall not proceed with the action or policy within ten working days of receipt of such notification.

11.6 Particular requirements

11.6.1 The Students’ Union is required to:

a) keep accounts and accounting records in accordance with normal professional accounting standards;

b) maintain a sound system of internal financial management and control;

c) plan and conduct its financial affairs so as to ensure that its total income is at least sufficient, taking one year with another, to meet its total expenditure and that its financial solvency is maintained;

d) secure a professional external audit service from an eligible provider of significant size and reputation. The Union will ensure that the contract of engagement makes it clear to the provider that ultimate responsibility for the Union rests with the Board of Trustees, and will include the requirement for the external audit service to meet with the Deputy-Vice-Chancellor (Planning and Resources) and/or the Vice-Chancellor on completion of the annual audit to supply a verbal briefing, answering any relevant questions on which they are competent to answer and supplying a draft copy of the management letter, such letter to be produced at the end of each annual audit and submitted to the Board of Governors Finance and Audit Committees;

e) participate in the internal audit service secured by the University to recognise the receipt, from the University, of public funds;

f) inform the University in advance of any transaction in excess of £30,000 which shall require the approval of the Board of Trustees of CUSU for equipment, movable plant or internal redecoration and to any transaction involving land, buildings or attachments to the external frame or internal plant of the buildings;

g) not give any guarantees or indemnities incurring contingent liabilities other than in the normal course of business;

h) maintain adequate insurance cover for its services and activities;

i) communicate immediately with the Chair of the Board of Trustees, the University and external auditor in the event of the resignation or dismissal of the General Manager or Finance and Operations Manager, and work with these parties on action to deal with the interregnum facilitating the involvement of appropriate University staff in the subsequent recruitment and selection process;

j) ensure that the training given to sabbatical officers fully covers all relevant aspects of responsibilities, accountability in general and financial accountability in particular.
11.7 Approval of Budgets

11.7.1 The Students' Union is required to:

a) prepare and submit to the Deputy-Vice-Chancellor (Planning and Resources) by 7 May in any year, a revised budget for the current financial year, first budget for the following financial year and a financial forecast for the three financial years thereafter. The budgets and forecasts will be submitted in the normal layout for the income and expenditure account, balance sheet and cash flow and be accompanied by notes listing and detailing proposed donations to external organisations and any payments proposed by way of subscription or similar fee and/or donation to affiliated external organisations;

b) obtain the approval of the Board of Trustees to such budgets before the commencement of the financial year.

11.8 Monitoring of income and expenditure

11.8.1 The Students' Union is required to:

a) prepare audited annual accounts in accordance with generally accepted accounting principles within five months of the end of the financial year (which shall be 31 July). It is generally assumed that any trading companies owned by the Union will be consolidated in the accounts and other financial reports. In the event that consolidation does not arise under generally accepted accounting principles then full disclosure of such activities will be made to the University in the style and to the timescales of financial reporting for the affairs of the Union.

b) obtain the approval of the Board of Trustees to such accounts, make them available to all students and to submit them, together with the final copy of the external audit management letter, to the University within six months of the end of the financial year;

c) provide periodic reports of income and expenditure against budget and balance sheet data for consideration by the Board of Trustees and University, at such times and for such periods as the University may from time to time determine, and make them available to all students. The University’s primary requirements are to receive 10 consecutive sets of full management accounts from October onwards in each year which will, as a minimum, detail the income and expenditure report in the agreed format, showing budget, phased budget, actual position, cash variance between phased budget and actual and the cash variance so obtained as a percentage of the phased budget. These reports must be received by the 21st day of the month following the quarter dates and failure to do so may result in grant being withheld. Depending on results, all documents or extracts thereof may be forwarded to the University Finance Committee, and at least the extract will be forwarded to Finance Committee each quarter;

d) include, within its annual accounts and all financial reports (including budgets, estimates and budgetary control), a list and details of the external organisation to which it has made donations and any payments made by way of subscription or similar fee and/or donation to affiliate to external organisations;

e) make available the books and accounting records of the Union to the University or the authorised agents of the University, particularly the University’s external auditors and internal audit service, for inspection on request to the Board of Trustees.

11.9 Effective date

11.9.1 This revised code of Practice, approved by the Board of Governors, shall be effective from May 2014, and be subject to annual review thereafter.
APPENDIX 12 Intellectual Property Rights Policy: Students

12.1 Introduction

This policy is about Intellectual Property, the output generated every day by students. "Intellectual Property" means rights such as patents for inventions and trademarks, domain names and registered designs as well as design rights, copyright and moral rights, database rights, unregistered trademarks, know-how and confidential information. Most are explained in more detail in the Appendix to this Policy.

Coventry University recognises that Intellectual Property generated by research and other work undertaken at Coventry University is an important asset, and wishes to encourage all students to contribute towards this activity. Coventry University has the responsibility to identify, protect and manage its Intellectual Property effectively.

Coventry University intends that the benefit of having such a Policy will include wider recognition of individual achievements and the reputation of the intellectual contribution made by its students.

This Policy, dated 30th April 2013, will apply to all Intellectual Property generated after that date and may be modified or amended by Coventry University from time to time to reflect good Coventry University practice and changes in law.

The Intellectual Property Team – ipr@coventry.ac.uk at Coventry University is responsible for the communication and administration of the University’s Intellectual Property policy. Overall responsibility is vested in the Vice-Chancellor.

12.2 Intellectual Property Right ownership

12.2.1 Undergraduate rights - Undergraduates at enrolment and registration will be required to agree that Coventry University has ownership of Intellectual Property they create during the period of, and relating to, their studies and/or research in return for exploitation rewards as if they were a member of staff. For the avoidance of doubt, any Intellectual Property created by the undergraduate purely in a personal capacity and without use of Coventry University’s facilities and/or resources, will be owned by the student.

12.2.2 Postgraduate rights - Ownership of Intellectual Property created by postgraduate students is primarily determined by the source and conditions of their funding. Externally funded postgraduate students shall inform Coventry University of the funding terms and conditions when they enrol.

12.2.3 Subject to any agreement between Coventry University and an external sponsoring body, postgraduate students shall be required to agree that Coventry University has ownership of Intellectual Property they create during the period of, and relating to, their studies and/or research in return for exploitation rewards as if they were a member of staff, provided this does not contravene the conditions of grant and other agreements with grant awarding bodies. For the avoidance of doubt, any Intellectual Property created by a postgraduate student purely in a personal capacity and without use of Coventry University’s facilities and/or resources, will be owned by the student.

12.3 Reasons why Coventry University asserts ownership over Intellectual Property created by Students

12.3.1 Research and other projects form a part of many degree programmes at both undergraduate and postgraduate level. Such projects are usually proposed by members of academic staff. The student may be joining a team to investigate one particular aspect of a much larger programme. This is usually of great benefit to the student as, rather than starting from a blank sheet, he/she can draw upon the considerable expertise, reputation and infrastructure of the Coventry University Group.
12.3.2 It is therefore appropriate for Coventry University to assert ownership of Intellectual Property created by students for the following reasons:

a) the Intellectual Property developed by the student will sometimes be needed to enable use to be made of the whole technology developed by a research/project team;

b) the Intellectual Property will often be based on advice and ideas contributed by many others including staff, third parties and other students;

c) the project may be conducted under the terms of agreements with, or grants from, third parties, including both commercial and non-commercial funding bodies. These terms may require that the Intellectual Property be owned by the third party or Coventry University;

d) any Intellectual Property is likely to be created whilst using Coventry University’s facilities/resources;

e) Coventry University can, where necessary, negotiate commercial terms with third parties to obtain the best possible deal for both Coventry University and the student.

12.4 Intellectual Property that Coventry University asserts ownership rights over

Intellectual Property Rights will arise in many forms, as Coventry University engages in many activities across multiple disciplines. In respect of students, it is most likely to result from discoveries during research and learning.

12.5 Publication

A student shall obtain consent from Coventry University (via Legal Services) before entering a contract with a publisher or producer of works in other media in relation to copyright in a work produced by that student but where the Intellectual Property belongs to Coventry University. Coventry University will usually agree to the assignment of copyright to the publisher in paper printed materials intended for publication in academic journals or books unless a) it relates to materials specifically produced as learning materials or b) where publication could result in certain rights of Coventry University being adversely affected, for example, inability to apply for a patent protection. In the latter case consent will be given once the adverse effect no longer exists. Other cases will be considered on a case by case basis.

12.6 Disclosure of Intellectual Property Rights

12.6.1 Where a student of Coventry University creates any Intellectual Property he or she shall disclose it to the IPR Team in the Enterprise and Innovation Group using the Business Support Enquiry Form found on the IPR website. This form is then sent to MyIdea@coventry.ac.uk. These documents support ownership claims and protect the confidentiality rights of the individual and Coventry University and should contain all necessary information concerning the provenance of the Intellectual Property and the circumstances in which it was created (including information on research funding and other contributions to the work).

12.6.2 Coventry University shall determine whether it has any obligations to research sponsors or other organisations in respect of the Intellectual Property. Where there are no such obligations, Coventry University - following consultation with the creator of the Intellectual Property - shall decide upon and implement the most appropriate route for exploitation of the Intellectual Property, usually, but not exclusively, through a licence agreement with a third party or through use in a spin-out company.

12.6.3 In the event of a dispute between the creator of the Intellectual Property Right and Coventry University concerning ownership, protection or exploitation of the Intellectual Property the matter shall be referred to Legal Services. Following consultation with the parties and any external expert that Legal Services considers to be desirable, Legal Services shall decide upon a course of action to finally resolve the dispute.
12.6.4 Where Coventry University decides to seek exploitation, the creator of the Intellectual Property shall provide reasonable assistance with the exploitation process by (for example) providing information promptly upon request, attending meetings with patent attorneys, potential partners and advising of further development.

12.7 Intellectual Property Rights Reversion

12.7.1 If having received full disclosure from all students Coventry University decides not to protect or exploit the Intellectual Property, Coventry University will normally upon request assign its rights to the person who created the Intellectual Property. In the event that the assigned rights were subsequently exploited Coventry University might require the person who created the Intellectual Property to pay the reasonable costs incurred by Coventry University in relation to those rights. In certain circumstances Coventry University may not be free to assign its rights, for example if a public sector body has funded work, that body may acquire the rights if Coventry University does not exploit them.

12.7.2 For the avoidance of doubt, Coventry University is not under any obligation to protect or exploit Intellectual Property.

12.8 Confidentiality

Students should be aware of the importance of maintaining confidentiality in relation to the Intellectual Property. Commercially sensitive documents should be marked as “Confidential”. Coventry University will assist with the correct confidentiality requirements should external confidential disclosure be required. Students are not authorised to enter into confidentiality agreements with third parties on behalf of Coventry University.

12.9 Protection of Intellectual Property

Students should ensure that all Intellectual Property is properly documented in a form that would enable the date of creation to be clearly established. This may be through regular dating and signatures on log-books, or through writing-up and regular filing as appropriate. Copyright in a work should be properly asserted (using the © symbol followed by Coventry University and the year of creation of the work on all relevant documentation).

12.10 Exploitation of Intellectual Property

12.10.1 Coventry University actively encourages its students to take the initiative in identifying Intellectual Property which has potential exploitation or publicity value or which could otherwise enhance the reputation of Coventry University together with the potential scope of its exploitation.

12.10.2 Coventry University will consider all reasonable proposals in relation to Exploitation of Intellectual Property made by its students. Where such Intellectual Property belongs to Coventry University, it will fall under the revenue share provisions below. In all other cases assistance may be given with Exploitation subject to agreeing satisfactory arrangements which ensure that Coventry University receives an appropriate share of any monetary or other revenue or value derived from Exploitation.

12.11 Revenue sharing from Exploitation of Intellectual Property Rights

12.11.1 While Coventry University will retain the ownership of Intellectual Property as set out above, it will also provide an incentive to its students by sharing revenue generated from Intellectual Property.

12.11.2 Any Revenues which arise from Exploitation of the Intellectual Property Rights which are received by Coventry University will be apportioned in accordance with a sliding scale as set out below.

12.11.3 Exploitation is taken to mean any sale, transfer, assignment, licence or other dealing in the Intellectual Property and/or the supply, sale or licence of goods or services involving use of the Intellectual Property.
12.11.4 Revenue is taken to mean any capital and/or income received or receivable in respect of exploitation of Intellectual Property received by Coventry University from external partners and sources as a payment for commercial research, consultancies, training contracts, general Intellectual Property development, licence fees and royalties as a result of exploitation of Intellectual Property through the Exploitation process but excluding Revenue received from a company in which the student has an interest whether as shareholder or otherwise.

12.11.5 Where more than one student is involved in the development of Intellectual Property Coventry University will decide in its discretion on their respective shares of the Inventor’s percentage below. There will be a presumption that joint inventors will each have equal shares unless there is a specific agreement to the contrary. Any student who is aggrieved by the share apportioned to it shall be entitled to refer the matter to Legal Services whose decision shall be final.

12.11.6 Coventry University shall be entitled to recoup from Revenue any costs or expenses it incurs in protection and exploitation of the Intellectual Property Rights including:

- The costs associated with protection of the Intellectual Property
- The costs of defence of the Intellectual Property
- The costs of marketing the Intellectual Property
- The costs of any legal agreements associated with the Intellectual Property
- The costs of any development work that is not externally funded or recoverable
- Any other costs that are deemed by Coventry University to be necessary to the successful commercialisation of the Intellectual Property
- An appropriate apportionment of the costs of Coventry University overheads on all of the above
- The risk cost of any capital sums applied as appropriate at the appropriate market rates

Any remaining Revenue shall be divided as follows:

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Inventors’ share</th>
<th>University share</th>
</tr>
</thead>
<tbody>
<tr>
<td>First £10,000</td>
<td>90%</td>
<td>10%</td>
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<tr>
<td>of Revenue</td>
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<tr>
<td>Next £20,000</td>
<td>75%</td>
<td>25%</td>
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<td>of Revenue</td>
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<td>Next £70,000</td>
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<td></td>
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</tr>
<tr>
<td>£100,000</td>
<td>25%</td>
<td>75%</td>
</tr>
</tbody>
</table>

12.12 Use of third party Intellectual Property

Documents, information or other materials belonging to third parties should only be used in connection with Coventry University activities or incorporated into Coventry University’s promotional, teaching or research materials with the consent of the third party. Failure to do so could lead to Coventry University being sued for unauthorised use and damage to the reputation of both Coventry University and the individual concerned.

12.12.1 Internet Materials - It is sometimes thought that material posted on the internet is freely available for use. This is not true. Most material will be the copyright of the author of it and his/her permission must be sought before any such material is used in any Coventry University promotional, teaching or research materials. Coventry University may assist with advice and suitable acknowledgement wording.

12.12.2 Trademarks and Brands - A trademark is a designation of goodwill. Where third party trademarks such as logos, company or product names or other branding are used in any Coventry University teaching or research materials the permission of the trademark owner must be sought in advance. Coventry University may assist with advice and suitable acknowledgement wording.
12.12.3 **Newspaper, Journal and Magazine articles and photos** - Most Newspaper, Journal and Magazine articles and photos will be the copyright of the publisher and its permission must be sought in advance. Coventry University may assist with advice and suitable acknowledgement wording.

12.12.4 **Open source materials** - Some software and databases are freely licensed under what is called open source licences. Where such materials are used, it is often a requirement that the end product produced with them is also made freely available under open source. Any proposed use of open source materials in Coventry University teaching or research materials, especially those with external funding should be discussed with the Enterprise and Innovation Group before any such use.

12.13 **Use of Coventry University branding**

Coventry University’s name and branding shall be used in all external activities as appropriate, in order to further the Coventry University reputation. Requests for the use of Coventry University name and/or branding by third parties in endorsing research and products shall be referred to the Director of Marketing and Communications. Such requests will be normally approved in cases where they will further Coventry University’s reputation and will be subject to formal agreement and such financial terms as are reasonable in the circumstances.

12.14 **Contracts with sponsoring or funding bodies**

12.14.1 Coventry University will look for sponsorship and funding of its activities from a broad base.

12.14.2 When negotiating with external sponsors, Coventry University retains the discretion to reach an agreement with the sponsor in relation to proper exploitation of the Intellectual Property. Where commercial bodies provide sponsorship Coventry University will still generally seek to retain the Intellectual Property but will usually agree to give the sponsor a licence to exploit the rights on a commercial basis. On occasions, retention of the rights in Intellectual Property may not be feasible or commercially acceptable to the sponsor. Contracts with the sponsors clearly setting out the position will be negotiated before the start of the work in order to avoid subsequent disputes.

12.14.3 Coventry University will take the lead in negotiations with sponsoring or funding bodies.

12.14.4 Coventry University may delegate its powers to negotiate to a member of staff in a particular case but will take due account of the need to avoid conflicts of interest. Negotiations with external sponsors will take into account the level of overheads paid by the sponsoring body whilst reflecting the overall public interest in Coventry University retaining the Intellectual Property.

*If you would like to discuss any aspect of this policy please contact ipr@coventry.ac.uk.*