

Student Code of Conduct Policy

Introduction

The Code of Conduct is built on the principle that all students are expected to maintain a standard of conduct which supports our commitment to excellence in education and scholarship and promotes good order and the good name and reputation of the University of Essex Online.

Of crucial importance to the continuing success of students at the University of Essex Online (UoEO) is that each student interacts harmoniously with other students as well as with members of staff (both academic and administrative) and that students in their dealings with UoEO act in a professional and honest manner and do not engage in any activity that would bring UoEO into disrepute.

1. Broad Principles

1.1 Standard of Proof

Our Student Code of Conduct procedures are not a criminal process and therefore allegations of breaches of the Conduct Regulations need not be proved 'beyond reasonable doubt'. The standard of proof applied is the 'balance of probabilities', which means that, when assessing the evidence objectively, the view is that it is more likely than not that the allegation is true.

1.2 Zero Tolerance to Sexual Misconduct, Harassment and Hate Crime

The University of Essex Online does not tolerate any acts of sexual misconduct, harassment, or hate crime. Zero tolerance means that

- we will take action and
- the action will be proportionate to the circumstances of the case.

Allegations of sexual misconduct by students reported to the University of Essex Online including posting of inappropriate sexual or violent content on the learning platform are investigated and addressed following the procedures set forth in this code.

1.3 Policy on Academic Freedom and Freedom of Speech

In accordance with our commitment to academic freedom and freedom of speech we have instituted a policy to ensure that we can promote the above freedoms within the law for the students and staff of the University of Essex Online and for online guest speakers. More information can be found here: [Use of the Virtual Learning Environment and Social Media](#) policy and the [Prevent Policy](#).

1.4 Mental Health, Illness and Disability

Where there is concern that mental health, illness or disability may have impacted negatively on the student's behaviour and/or conduct, the proceedings may be adjourned at any stage for the matter to be considered under any other procedure as appropriate.

1.5 Advice, Support, Representation and Guidance

All students have the right to be accompanied at any stage during the procedures described in the Student Code of Conduct by a fellow student, member of University of Essex Online staff (e.g. their Student Adviser). Non-



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members of the University of Essex Online and legal representatives are not permitted to be present at any stage of the conduct process.

1.6 Criminal Investigations and Convictions

In cases of alleged breaches of conduct which would also constitute serious offences under criminal law, the Conduct Procedures will not be invoked or will be suspended until the matter has either been prosecuted, or a decision not to prosecute has been taken, at which time the Student Conduct Officer will decide whether disciplinary action will be taken or continued. Conviction by the Police or in a Criminal Court will be taken as conclusive evidence that the alleged offence has occurred, and no further investigations will be required by the University.

Under the circumstances, the focus of any subsequent Student Code of Conduct proceedings will include an assessment of the risk posed to staff or students. Any penalty imposed by the criminal court will be taken into account.

Whilst criminal investigations are underway, the student is obliged to keep the University of Essex Online informed of any progress and/or change in status regarding his/her case. The Director of Quality and Student Services or nominee will review the case on a monthly basis and will make a recommendation to the Student Conduct if any action is required during this period.

Where the victim of an alleged offence chooses not to report the matter to the police or does not co-operate with their inquiries, and irrespective of whether or not a preference for internal disposal has been indicated, the University of Essex online reserves the right not to invoke the Student Conduct Procedures.

In cases where an allegation is withdrawn, the University of Essex Online reserved the right to continue with its investigations and invoke internal Conduct Procedures or refer the matter to the Police as appropriate.

In the case of a criminal conviction, where proceedings (including bail conditions, period of time spent on remand, period of time served in custody following conviction) result in a student being absent from his/her studies for a period of fewer than 12 months the student will normally be required to intermit from their studies for this period. It is the student's responsibility to notify their Student Adviser of the date of their release from custody and the matter will then be referred to a Student Conduct Committee to determine whether the nature of the offence poses an ongoing risk to the University of Essex Online community, and whether there are any outstanding matters of concern that have not been addressed by the criminal proceedings.

In the case of a criminal conviction, where proceedings (including bail conditions, period of time spent on remand, period of time served in custody following conviction) result in a student being absent from his/her studies for a period of 12 months or more, the student will be deemed withdrawn from the University of Essex Online. The student may then reapply for admission, and as part of the standard readmission process will be required to declare criminal convictions to be considered prior to a decision regarding an offer of a place.

1.7 Conferral of Degrees

Except with the special permission of the University of Essex Senate, no degree of the University of Essex will be conferred upon, or certificate or diploma granted to a person who is subject to on-going action in accordance with the procedures contained in the University of Essex Online Student Code of Conduct Policy, including the hearing of any appeal under the procedures or outstanding criminal investigations or proceedings.



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1.8 Confidentiality

The operation of the Student Code of Conduct seeks to protect individual confidentiality at all stages. Throughout the operation of these procedures, the University of Essex Online will seek to ensure that confidentiality is maintained. This approach will not prevent the University of Essex Online from disclosing information where necessary for the discharge of duties or as required by law, nor will it prevent the University of Essex Online, where appropriate, from disclosing information about any outcome under this procedure.

Records relating to conduct offences will be held by the Quality and Enhancement Team on a central database and will not normally be included in the student's centrally held academic file.

Records of conduct cases are destroyed by the Quality and Enhancement Team six academic years after the academic year in which the incident is dealt with.

2. Roles and Responsibilities

2.1 The Student Conduct Officer

The Student Conduct officer is a permanent member of the Student Support Team of the University of Essex Online. S/he is responsible for investigating alleged breaches of the Student Conduct Regulations and has the power to impose a range of penalties for minor offences. More serious cases are referred by the Conduct Officer to the Academic Director for consideration by a Student Conduct Committee and the Conduct Officer is required to attend to present the case against the student.

2.2 The Student Conduct Committee

The Student Conduct Committee is comprised of the Academic Director as Chair and a minimum of one member of the permanent academic team and a member to the SMT (other than the Academic Director). The Quality and Enhancement Team will provide secretarial support for the committee.

3. Student Code of Conduct Regulations

The following behaviour shall be treated as a breach of the Student Code of Conduct which may result in disciplinary action being taken:

- i. Infringing or attempting to infringe a Regulation of the University of Essex Online
- ii. Discrimination/and or prejudicial behaviour, in whatever form, on the grounds of age, race, gender identity, sexual orientation, religion or belief, disability, and/or any other status, background or personal circumstance.
- iii. Exhibiting threatening, intimidating or violent behaviour.
- iv. Exhibiting indecent or abusive language or behaviour
- v. Conduct amounting to harassment. Harassment is defined as any behaviour that appears or feels offensive, intimidating or hostile, which interferes with individuals' academic, working or social environment; or which induces stress, anxiety, fear or sickness on the part of the harassed person. The defining features are that the behaviour appears or feels offensive or intimidating to the recipient and would be so regarded by any reasonable person.



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- vi. Falsifying data or evidence as well as forgery or misuse.
- vii. Submitting a fraudulent claim of extenuating circumstances.
- viii. Behaving in such a way as may reasonably be deemed to harm the reputation of the University of Essex Online or its relationship with the local or wider community and/or attracting adverse publicity.
- ix. Conviction of a criminal offence in a court of law or having been formally cautioned for a criminal offence by a police officer.
- x. Attempting or inciting others to commit any breach of discipline.
- xi. Any conduct which obstructs frustrates or disrupts other UoEO students or UoEO staff.
- xii. Any other activity that would bring UoEO into disrepute.
- xiii. Failure to comply with a resolution or penalty previously imposed by the Academic Director or nominee, the Conduct Officer or a Student Conduct Committee.

UoEO expects all students to follow the rules of netiquette (the word netiquette is short for 'Internet etiquette').

Rules of netiquette have grown organically with the growth of the Internet to help users act responsibly when they access or transmit information online. Students are expected to be aware of the common rules of netiquette for the Web and to employ a style that complies with those rules. The following are seen as being part of those rules:

- a) Students should be considerate and must not engage in rude or threatening language, inflammatory assertions (often referred to as 'flaming'), personal attacks and other inappropriate communications will not be tolerated.
- b) Students should never post a message that is all in capital letters as this is deemed to constitute shouting. In similar vein, boldface and italics should be used sparingly as they can denote sarcasm.
- c) Messages should be kept short and to the point.
- d) Students should always practice good grammar, punctuation and composition.
- e) Students at all times when communicating online should be respectful and treat everyone as they would want to be treated themselves.

All students are required to agree with University of Essex Online Terms and Conditions including that they understand and agree to abide with this Student Code of Conduct Policy as part of their acceptance of an offer of a place.

4. Procedure for handling alleged breaches of the Student Code of Conduct

Alleged breaches of the Student Code of Conduct are initially investigated by the Conduct Officer¹ or nominee.

¹ The Conduct Officer will be the Head of Student Support or their nominee.

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The Conduct Officer will:

- 4.1. notify the student concerned, in writing, of the charge(s) and draw his/her attention to the Procedure for handling alleged breaches of the Student Code of Conduct
- 4.2. The Conduct Officer will discuss the allegations with the subject of the complaint, the person making the complaint and any other persons involved
- 4.3. determine whether the breach is a minor or major offence
- 4.4. deal with minor breaches where the student admits guilt
- 4.5. Pending the outcome of an investigation, when in the opinion of the Conduct Officer it is necessary for the protection of any person, the reputation of the University of Essex Online or the student him/herself, the Conduct Officer may impose on any student a requirement that the student has no contact or restricted contact, with a specified person or persons. Failing to comply with such a requirement, without good reason, shall amount to a breach of Student Code of Conduct regulation
- 4.6. refer more serious offences, second breaches and always where a student denies guilt to the Academic Director
- 4.7. prepare and present cases to the Student Code of Conduct Committee hearings
- 4.8. report resolutions of alleged breaches to the Academic Director

5. Minor Offences

The Conduct Officer may deal with minor breaches where the student admits guilt and may make one of more the following resolutions:

- 5.1. That the allegation should be dismissed, and no further action taken.
- 5.2. To issue a formal written warning to the student.
- 5.3. Require the student to make an apology to the parties affected by the breach of regulations.
- 5.4. To require the student to have restricted or no contact with a specified person or persons.
- 5.5. Any other proportional action specified by the Conduct Officer as he/she thinks proper.

The Penalty or penalties imposed will be determined by reference to the facts of the case, precedent in similar previous cases, any aggravating and mitigating factors, and the student's conduct history. Penalties will not last beyond the student's current programme of study. The imposition of a penalty, or part thereof, may be suspended on any reasonable terms decided by the Conduct Officer.

Students will be formally notified in writing of the outcome of the Conduct Officer's investigations and subsequent decision and advised of the procedure for submitting an appeal.

All outcomes will be centrally monitored by the University of Essex Online.

6. More serious offences, second breaches and always where a student denies guilt

If the Conduct Officer determines that the case is of a more serious nature or where there has previously been a series of minor offences, or where the student denies guilt, the case will be referred to the Academic Director.



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Upon receiving a referral from the Student Conduct Officer the Academic Director may convene a Student Conduct Committee.

Students will be formally notified in writing by the Quality and Enhancement team, of the referral, the allegation(s) and his/her attention drawn to the Conduct Procedures.

6.1 Temporary Suspension and Exclusions Pending a Conduct Hearing or Criminal Trial

The Academic Director or nominee may, pending a conduct hearing or a criminal trial, suspend or exclude a student who is the subject of a complaint of misconduct or against whom a criminal charge is pending or who is the subject of a police investigation.

Suspension or exclusion pending a hearing is not used as a penalty. The power to suspend or exclude under this provision is designed to protect a member or members of the University of Essex Online community and will only be used where the Academic Director or nominee is of the opinion that it is in the best interests of either the student or any member of the University of Essex Online community. Written reasons for the decision will be recorded and notified to the student. 'Suspension' includes a total prohibition access to the Learning Platform and on any participation in University of Essex Online activities.

An order of suspension or exclusion may include a requirement that the student should have no contact of any kind with a named person or persons.

A student who has been temporarily suspended or temporarily excluded by the Academic Director may make representations in person or in writing to the Academic Director or nominee. Such representations must be made within five working days of the date of the letter notifying the student of the temporary suspension or exclusion or as soon as practicable thereafter, if there is good reason why the student was prevented from making his/her representations within the deadline.

A decision to temporarily suspend or exclude a student will be kept under review by the Conduct Officer who will report any significant changes in the circumstances of the case to the Academic Director. Should the holding of a disciplinary hearing or criminal trial be delayed for whatever reason, and where the suspension or exclusion has continued for at least four weeks, the student may request a review of the decision. A review will be conducted by two members of the Senior Management Team (excluding the Academic Director) and the student will be given the opportunity to submit written representations and to make representations in person/virtually. Should the suspension or exclusion continue after the review, it will remain under constant review by the Conduct Officer who will report any significant changes in the circumstances of the case to the Academic Director or nominee and, at the request of the student, be subject to further independent reviews at four-weekly intervals thereafter, until a disciplinary hearing or criminal trial is held.

6.2. Convening a Student Conduct Committee

The Quality and Enhancement Team will inform each student in writing that their case has been referred to a Conduct Committee and the substance of the referral. Details of the practical arrangements for the hearing will be included. The student will be asked to respond via email within five working days of the date of the letter, indicating whether s/he admits to having committed the cited breach(es) and whether s/he has any objection to any of the members of the Committee. The grounds for any objection must be clearly stated and the Academic Director will rule whether the objection is valid.

If two or more students are involved in related misconduct, the Academic Director may determine that the cases are considered together by the same Committee.



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6.3 Attendance at a Student Conduct Committee

Students are required to attend any meeting of a Student Conduct Committee convened by the Academic Director. Meetings will be held virtually due to online nature of the provision. The Conduct Committee will proceed in the student's absence, should he/she fail to attend the hearing without good reason.

6.3.1 Evidence

Evidence will normally be presented orally but written evidence or electronic evidence may also be submitted for examination. The Chair has the power to determine whether any material appears irrelevant or appears unduly repetitive.

It is the responsibility of the student charged and the Conduct Officer to arrange for their respective witnesses to give oral evidence or to submit any written statements. A witness giving oral evidence may be cross-examined. A witness not available for cross-examination may submit evidence in writing, but written evidence may be given less weight than evidence presented in person. The Committee may choose to disregard evidence from witnesses who are not prepared to have their names revealed to the Committee.

6.4 Composition of a Student Conduct Committee

A Student Conduct Committee will comprise of the Academic Director as Chair and a minimum of one member of the permanent academic team and a member to the SMT (other than the Academic Director) who will constitute the quorum. The Chair will have an additional casting vote upon a tie. No member of the Student Conduct Committee will be from the same Department, School or Centre as the student subject to the proceedings

6.5. Order of Proceedings

- 6.5.1. Introduction of those present
- 6.5.2. The case against the student will be presented by the Conduct Officer.
- 6.5.3. The student and his/her representative respond to the allegation(s). Thereafter the student and their representative will be present whenever oral evidence is being heard by the Committee.
- 6.5.4. The Committee has the opportunity to question both the Conduct Officer and the student.
- 6.5.5. Either party may call witnesses who shall attend only to present their evidence and to answer any questions that the Committee or the other party may put to them through the Chair. Once the evidence has been heard and there are no more questions, witnesses are required to withdraw.
- 6.5.6. The Conduct Officer sums up the allegation(s).
- 6.5.7. The student provides a final summary.
- 6.5.8. The Conduct Officer and the student withdraw whilst the Committee reach their verdict.
- 6.5.9. If the Committee finds the student guilty of the breach of the Student Code of Conduct, the student is given the opportunity to put forward a case for mitigation of penalty.
- 6.5.10. The Conduct Officer informs the Committee of any previous breaches of the Student Code of Conduct by the student
- 6.5.11. The Conduct Officer and the Student withdraw whilst the Committee consider and appropriate penalty.
- 6.5.12. The decision of the Committee is then presented orally to the student.
- 6.5.13. Where, having heard and carefully considered all of the evidence presented by the Conduct Officer and by the accused student(s), the Committee determines that the evidence does not support the charge or charges put forward by the Conduct Officer but does support a breach of some other conduct regulation, the Committee may find the student(s) guilty of breaching



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that other regulation and may impose a penalty for that breach notwithstanding that it was not included in the original list of charges in the Conduct Officer's case against the student.

6.6 Adjourning a Student Conduct Committee

The Committee may, where it is appropriate to do so, adjourn consideration of a student's guilt or subsequent penalty in order to enable the student charged and/or their representative to be present. The Committee may adjourn a hearing in order to request that the Academic Director requires a witness to attend for cross-examination. The Committee may postpone its deliberations where a witness that the Committee considers to be a vital witness, fails to attend. The Committee may also adjourn where it is of the opinion that its proceedings are being impeded by any circumstances beyond its control.

The Committee will meet to consider an adjourned case, as soon as it is feasible and not later than three months after the adjournment, although the case does not need to be determined at the resumed meeting. Where it is not reasonably practicable for the same members to attend the Committee reconvened to hear an adjourned case, the Academic Director may co-opt up to three additional members to replace those unable to attend and, if necessary, may appoint from among those co-opted members a new Chair. Where two or more additional members are co-opted, the reconvened hearing will proceed as a new hearing. Where only one additional member is co-opted and the student charged requests it, the reconvened hearing will take the form of a new hearing.

6.7 Penalties

The Conduct Committee has the power to make one or more of the following resolutions:

- 6.7.1. That the allegation should be dismissed and no further action taken
- 6.7.2. To issue a formal written warning to the student.
- 6.7.3. To require the student to make an apology to the parties affected by the breach of regulations.
- 6.7.4. To require the student to have restricted or no contact with a specified person or persons.
- 6.7.5. To require the student to withdraw from their programme of study
- 6.7.6. Any other proportional action specified by the Conduct Officer as he/she thinks proper.

The penalty or penalties imposed will be determined by reference to the facts of the case, precedent in similar previous cases, any aggravating and mitigating factors, and the student's conduct history. Penalties will not last beyond the student's current programme of study. The imposition of a penalty, or part thereof, may be suspended pending on any reasonable terms decided by the Committee.

6.8 Formal Notification

Students will be formally notified in writing of the outcome of the committee's deliberations and decision and advised of the procedure for submitting an appeal.



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7. Student Conduct Appeals Process

7.1 Grounds for Appeal

A student has the right of appeal to the Director of Quality and Student Services, against any resolution of the Conduct Officer or a Student Conduct Committee on one or more of the following grounds:

- a) That there is evidence now available, which for good reason was not previously available to the Conduct Officer or the Conduct Committee, which might have materially affected the outcome; or
- b) That the Conduct Officer or Conduct Committee departed from the Student Conduct Procedures in a manner that may be prejudicial to the interests of the accused student; or
- c) On the balance of probabilities, the facts of the case do not warrant the decision that there was a breach of regulations; or
- d) That the penalty imposed by the Conduct Officer or Conduct Committee was unreasonable with regard to all the circumstances of the case.

7.2 Written Notice of Appeal

A student may exercise their right to appeal by completing an Appeal Form, setting out concisely the grounds for appeal (as described above) and sending it to the Quality and Enhancement Team at appealsandcomplaints-kol@kaplan.com within ten working days of the date on the letter containing the official notification of the outcome of conduct proceedings.

The Director of Quality and Student Services has absolute discretion to extend this submission deadline to twenty-eight working days from the date on the official outcome letter, providing that the student is able to show to the satisfaction of the Director of Quality and Student Services, that circumstances beyond his/her control prevented the standard time limit being adhered to and that injustice would result from adhering to it.

7.3 Minor cases where the Conduct Officer determined guilt and imposed a penalty

Upon receipt of an appeal, the Director of Quality and Student Services will review all the evidence in the case and determine whether or not the grounds set out in the appeal form have merit or should be dismissed. If the appeal is dismissed the student will be notified in writing normally within ten working days from receipt of the appeal.

Where the Director of Quality and Student Services determines that the finding(s) of guilt was/were not justified by the evidence, the Director of Quality and Student Services will void the finding(s) of guilt and dismiss the charges(s) against the student and any penalty or penalties imposed will be revoked. The student will be informed of the Director of Quality and Student Services decision normally within ten working days from receipt of the appeal.

Where the Director of Quality and Student Services determines that the finding(s) of guilt was/were justified by the evidence, but that the penalty imposed by the Conduct Officer or Student Conduct Committee was unduly harsh, the Director of Quality and Student Services will refer the case back to the Conduct Officer or the Student Conduct Committee setting out his/her reasons and instructing the Conduct Officer or the Student Conduct Committee to reconsider the penalty/penalties in light of the Director of Quality and



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Student Services reasoning. If the Conduct Officer or the Student Conduct Committee accepts the Director of Quality and Student Services reasoning, the Conduct Officer or the Student Conduct Committee will impose an alternative (lesser) penalty. If the Conduct Officer or the Student Conduct Committee does not accept the Director of Quality and Student Services' reasoning and believes that the original penalty/penalties should be maintained, the case will be automatically referred to a Student Conduct Committee of Appeal (in which case the procedure described below will apply).

7.4 Acquittal in a Court of Law

A student acquitted in a court of law of an offence related to an incident for which a penalty has been already imposed under the arrangements set out in this document shall have the right of appeal to a Conduct Committee of Appeal provided that such appeal is lodged in writing with the Quality and Enhancement Team within thirty working days of the date on which the verdict in the court of law is delivered.

7.5 Appeals against the outcome of a Student Conduct Committee

Upon receipt of an appeal, the Director of Quality and Student Services will determine whether the grounds set out in the appeal merit referral to a Student Conduct Committee of Appeal, or whether the appeal should be dismissed. The student will be informed of the Director of Quality and Student Services' decision normally within ten working days from receipt of the appeal.

On referring the case to a Conduct Committee of Appeal, the Director of Quality and Student Services will request from the Chair of the original Conduct Committee or the Conduct Officer, against whose decision the appeal is made, a Statement of Case, which will include details of the charge or charges in respect of which the decision was made, a brief summary of the evidence and of the relevant findings, the decision, details of any penalty imposed, a brief comment as to the reason for such findings, decision and penalty and any further information which the Conduct Officer or Committee Chair concerned considers to be relevant.

Within fifteen days of the notification of the Director of Quality and Student Services' decision to refer the appeal to a Student Conduct Committee of Appeal, the Quality and Enhancement team will provide the student with a copy of the Statement of Case, details of the practical arrangements for the hearing and the names of members of the Student Conduct Committee of Appeal. The student will be asked to respond to the Quality and Enhancement team via email within a specified period. The student has the right to object to any member of the proposed Conduct Committee of Appeal and the grounds for any objection must be clearly stated and the Director of Quality and Student Services will rule whether the objection is valid.

7.6 Withdrawing an Appeal.

The student may, within five days of the despatch of the Statement of the Case by the Conduct Officer or the Student Conduct Committee, withdraw the appeal. A student who fails to withdraw the appeal within this period must proceed with it unless the Student Conduct Committee of Appeal gives permission for its withdrawal.

7.7 Composition of a Student Conduct Committee of Appeal

A Student Conduct Committee of Appeal will consist of two appointed members of the permanent academic team, and one appointed member from the University of Essex Online Management Team (who shall constitute the quorum). One of the two appointed academic member will act as Chair of the proceedings and will have an additional casting vote upon a tie. No member of the Student Conduct Committee of Appeal will be from the same Department/School/Centre as the student subject to proceedings. No member of the original Student Conduct Committee will be a member of the Student Conduct Committee of Appeal.

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7.8 Order of Proceedings

The order of proceedings for a Student Conduct Committee of Appeal will normally be as follows:

- a. Introduction of those present;
- b. The Chair determines on what grounds the student is appealing and which charges/penalties are being appealed;
- c. The Conduct Officer or Chair of the original Student Conduct Committee sets out his/her view regarding the original resolution of the Conduct Officer or Conduct Committee;
 - d. The student presents the case for the appeal and is present with their representative whenever oral evidence is being heard by the Committee;
- e. The Committee has the opportunity to question both the Conduct Officer, Chair of the original Student Conduct Committee and the student;
- f. Either party may call witnesses who shall attend only to present their evidence and to answer any questions that the Committee or the other party may put to them through the Chair. Once their evidence has been heard and there are no more questions, witnesses are required to withdraw;
- g. The Conduct Officer/Chair of the original Conduct Committee and student are invited to provide a final summary;
- h. The Conduct Officer/Chair of the original Conduct Committee and the student withdraw whilst the Panel reach their verdict upon guilt where this is being appealed;
- i. The Conduct Officer/Chair of the original Conduct Committee and the student return for the delivery of the verdict upon guilt where this is being appealed;
- j. If the Committee confirms the decision to find the student guilty of a breach of the Conduct Regulations, the student is given the opportunity to put forward a case for mitigation of penalty;
- k. The Conduct Officer/Chair of the original Conduct Committee informs the Committee of any previous breaches of the Student Conduct Regulations by the student;
- l. The Conduct Officer/Chair of the original Conduct Committee and the student withdraw whilst the Committee consider whether the penalty under appeal appropriate;
- m. The decision of the Committee is then presented orally to the student.

7.9 Student Conduct Committee of Appeal Resolutions

A Conduct Committee of Appeal will make one or more of the following resolutions:

- a. Rescind the resolution of the Conduct Officer or Conduct Committee, that the student be found guilty and that any consequential penalties should also be rescinded;
- b. Confirm that the student be found guilty;
- c. Either confirm or amend a penalty issued by either a Conduct Committee or the Conduct Officer, provided that any amendment is consistent with the powers of the Proctor or the Conduct Committee which made the original resolution. It should be noted that this means that penalties may be increased as well as decreased.

7.10 Procedural Irregularity

Any appeal following the formal conclusion of the Student Conduct Committee of Appeal may be made on the grounds of procedural irregularity only, specifically that the Committee departed from the prescribed procedures. A student who wishes to appeal against the outcome of these procedures on the grounds of procedural irregularity should write to the Managing Director of the University of Essex Online within twenty working days of the date of the Student Conduct Committee of Appeal hearing, setting out in detail the nature of the evidence to



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support the claim that there were procedural irregularities in the process. If there is irrefutable evidence to support the claim then the case will be reviewed by The Managing Director of University of Essex Online. If the Managing Director determines that there were procedural irregularities in the process, then the case will be referred to a new Student Conduct Committee of Appeal.

7.11 The Office of the Independent Adjudicator (OIA)

The Office of the Independent Adjudicator for Higher Education (OIA) provides an independent scheme for the review of student complaints or appeals. When the internal procedures for dealing with complaints and appeals have been exhausted, the University of Essex Online will issue a Completion of Procedures letter. Students wishing to avail themselves of the opportunity of an independent review by the OIA must submit their application to the OIA within twelve months of the issue of the Completion of Procedures letter. Full details of the scheme are available on the website of [The Office of the Independent Adjudicator](#) and will be enclosed with the Completion of Procedures letter.