Hughes Hall Disciplinary Policy
Approved by College Council, 4 July 2018

Introduction

This policy is established under Statute IX.3-4 and Ordinance E.I. It applies to any apparent breach by students of college discipline as set out in Statutes, Ordinances or published policies, including (but not restricted to) those on Harassment, Accommodation and IT.

Where possible, issues are first addressed in other contexts, e.g. via the Fitness to Study policy, or through tutorial and/or bursarial discussion. However, if the issues cannot be resolved elsewhere or are significantly serious, the college will invoke this Disciplinary Policy and ask the Dean to investigate.

1. Stage One: Informal

1.1. The Dean will investigate informally any apparent breach of discipline, and must consult the student’s Tutor, the Senior Tutor and the Disability Equality Officer (all issues), the Director of Studies or graduate equivalent (if an academic issue) and the Bursar (if a financial issue). The Dean should also consult any other people deemed relevant to the matter.

1.2. The Dean will investigate the matter and should report back to the student within five working days. If this is not possible, the student will be kept informed of progress.

1.3. If the Dean concludes that the offence does not merit temporary or permanent removal from college, they will recommend an appropriate penalty and/or redress. If the student accepts this and fulfils the penalty and/or redress, no further disciplinary action will be taken, unless further information causes the Dean to reconsider their recommendation.

1.4. The Dean will proceed to Stage Two if any of the following apply:
(a) the student does not co-operate with the investigation;
(b) the student does not accept the Dean’s conclusion;
(c) the student accepts the Dean’s conclusion but does not fulfil the penalty and/or redress;
(d) the Dean concludes that the offence merits temporary or permanent removal from college.

2. Stage Two: Disciplinary Panel and Council Decision

2.1. The Dean will notify the President (as chair of College Council), who will convene and chair a Disciplinary Panel (DP). The DP will include at least two other members of Council or, if not possible, of Governing Body. The Secretary to Council will act as secretary. The DP may not include the Vice-President, the Dean or anyone who has been obligatorily consulted under 1.1 above or who is otherwise conflicted.

2.2. If necessary, the President’s role can be devolved to the Vice-President.

2.3. The student may request that the DP consist of Fellows only. Otherwise the chair will invite the MCR President to nominate two members of the MCR Committee (who may include the MCR President) to attend the DP hearing. They may contribute to the discussion but not to the decision.

2.4. The chair will set a DP meeting date and give notice to all parties of at least five working days.

2.5. The Dean will put their case in writing, and send it to the student and the DP at least five working days in advance of its meeting. The Dean will also be invited to address the DP in person.
2.6. The student may be accompanied by one supporting person who is a current member of the college or the university, e.g. tutor or fellow student. Both the student and their supporter may address the DP.

2.7. The chair may summon statements and/or witnesses on their own initiative and on the request of the Dean and the student. The DP meeting is held in private; only those invited or mentioned above may attend, as directed by the chair.

2.8. The hearing will be conducted on principles of natural justice, and each party will be able to address any aspect relevant to their case. However, the chair’s direction of proceedings must be respected.

2.9. The DP’s recommendation must be supported by at least three of its members. The chair will convey the recommendation to all parties within five working days. If this is not possible, all parties will be kept informed of progress.

2.10. The chair will also convey the DP’s recommendation to the Council who, with the Vice-President absent, will discuss it and take a decision. The Council will convey its decision to all parties within five working days.

3. Appeal Procedure

3.1. Both the Dean and the student may appeal, for one or more of the following reasons: (a) there has been a significant procedural irregularity; or (b) the DP has ignored important evidence; or (c) the penalty is inappropriate. The appeal must state clearly the reason(s) for appeal, and be addressed in writing to the Vice-President.

3.2. If the President’s role in the DP has been devolved to the Vice-President, the latter’s role in the appeal is then devolved to the Pro-Vice-President.

3.3. The appeal must be presented within five working days of receipt of the Council’s decision. If this is not possible, within five working days the student must state their intent to appeal and the reason for requesting a delay. The Vice-President will decide whether or not to accept this request.

3.4. The Vice-President will convene and chair an Appeal Panel (AP), to include two other Fellows from Hughes Hall (Class A-G) who have had no previous role in the case. If it is the student who appeals, then one of the Hughes Hall Fellows will be replaced by a Fellow of another Cambridge college, on condition that (a) the student gives permission for all relevant information to be made available to this external Fellow, (b) this Fellow agrees to maintain confidentiality, and (c) references to student witnesses are anonymised.

3.5. The AP will conduct an appropriate investigation into the appeal, make a ruling, and convey it in writing to all parties within five working days. If this is not possible, the parties will be kept informed of progress.

3.6. There is no restriction on the AP’s ruling, for instance it may dismiss the appeal, emend the DP’s recommendation or dismiss the case. The AP’s decision constitutes the college’s final ruling, unless the decision is to refer the matter back to the DP or to propose a new DP.

3.7. In the case of a second DP hearing the above procedure will be repeated identically, except that in the case of any appeal the AP may not convene a third DP hearing.

3.8. A student who appeals under this Disciplinary Policy may not also appeal under the college’s Grievance Procedure, either against the decision of the Council or against the ruling of the AP.

3.9. Any further appeal must be addressed to the Office of the Independent Adjudicator, see www.oiahe.org.uk.