

Guidance on suspensions

Suspension

A student may be suspended from attendance at the University for alleged misconduct or other good or urgent cause for a limited period of time. Suspension is not a penalty but a precautionary measure which the University may use in order to exercise its duty of care or whilst necessary investigation takes place. The decision to suspend a student may only be taken by a BCU staff member of the University Executive Group. The student will be notified by letter of the reasons for the suspension, the terms of the suspension and the right of appeal. The period of suspension cannot exceed three weeks unless an extension has been agreed by a member of the Vice-Chancellor's Office (VCO). The member of VCO will determine the length of the extension having regard to the circumstances of the case. The student will be advised in writing if an extension is agreed and informed of the length of the extension. A student who wishes to appeal against a suspension should write to the Vice-Chancellor. The appeal will be considered by a member of VCO who has not previously been involved in the case. The student will be issued with a response within 5 working days following receipt of the request.

Who can make the decision to suspend a student?

Only BCU staff members of UEG and Directors of Professional Services may take the decision to suspend a student.

What should be taken into account when considering suspension?

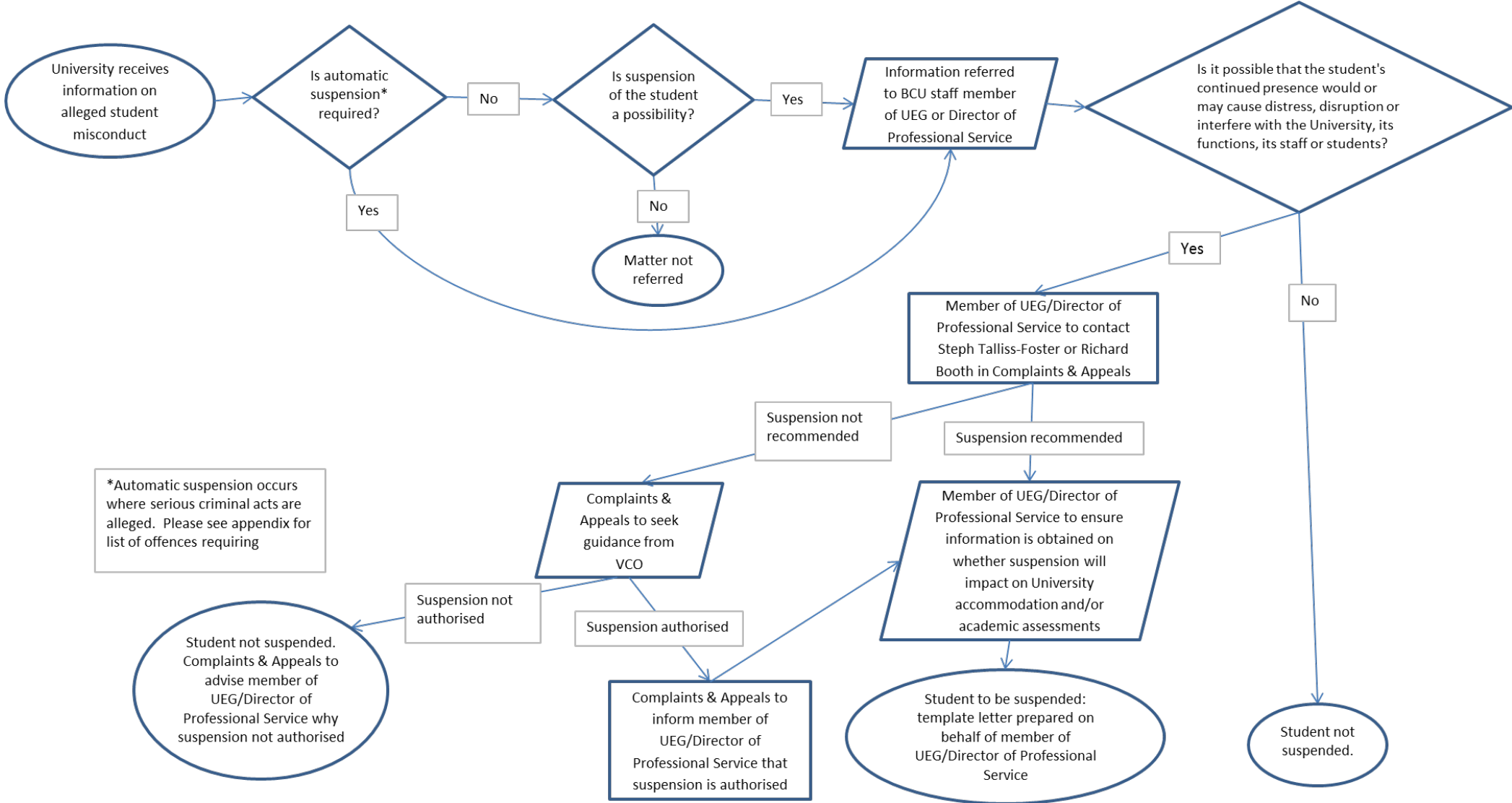
It is important to remember that a suspension is not a penalty and may be imposed as a safeguarding mechanism. Depending on the circumstances, a range of factors may be taken into account. As a minimum, consideration must be given to:

- The University's duty of care. This means whether the continued presence of the student being considered for suspension would or may likely cause distress, disruption or interference with the University, its functions, its staff or its students (including the student for whom suspension is considered). As the University owes a duty of care to all its members as well as its business, any significant actual or perceived threat to the reputation of the University may result in a suspension being made for reasons of duty of care.
- Any investigation to be carried out. In the event that suspension is being considered as a result of serious alleged general misconduct, a suspension may be imposed to ensure the associated investigation can proceed unimpeded. It would not normally be necessary to suspend a student where the alleged misconduct relates solely to academic matters.

How should a decision to suspend be made?

The following diagram indicates how a decision should be made:

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*Automatic suspension occurs where serious criminal acts are alleged. Please see appendix for list of offences requiring

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The reasons for suspending a student very often necessitate swift decision-making. Where there are concerns that a suspension may be necessary, all relevant information must be passed without delay to the relevant member of UEG or Director of Professional Service who should then contact either Steph Talliss-Foster or Richard Booth in Complaints and Appeals to discuss whether suspension is the appropriate option. In order to preserve remaining members of VCO for any subsequent appeal or disciplinary case involving the student, Complaints and Appeals staff will consult VCO as required for guidance.

Once a decision to suspend has been made, the member of UEG or Director of Professional Service must ensure that it is established if any of the following may be affected by the suspension:

Accommodation – if the student being suspended currently resides in University-owned or operated accommodation, a decision must be taken as to whether the suspension includes or excludes their residence. Suspensions from University accommodation are not common and are normally only invoked where the alleged serious misconduct involves significant disruption to other students in that accommodation, or there is a threat of harm or fear as a result of the continued residence in University accommodation. Where a student is being suspended from University accommodation it is important to allow reasonable notice for removal from accommodation, and also to be certain that the notice for removal has been received. In most cases, once the suspension has expired, the student will be permitted to return to University accommodation.

Assessments – where the student may be required to visit University premises (for example to attend examinations or other live assessments or to submit work for assessment), consideration must be given to finding reasonable alternatives. For example, to attend examinations it may be possible to allow the suspended student to visit University premises for the duration of the examination provided they report to Security upon their arrival on premises and report their departure. Where the student is scheduled to take part in University-related activities on non-University premises, consideration must be given to whether the suspension extends to this off-campus activity.

Once all the relevant factors have been taken into account, the attached suspension template letter must be completed according to requirements.

How should a decision to suspend be communicated?

Through the use of the template suspension letter attached, sent to all current addresses held for that student. To ensure notification of the suspension has been received, the suspension should be

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communicated in hard copy using current term-time and home addresses, email using the University and any personal accounts provided to the University by the student. A copy of the suspension letter must also be circulated to:

- The relevant Director of Faculty Administration;
- The Complaints and Appeals office;
- Library and Learning Services;
- Campus Management and Services

How long does a suspension last?

With the exception of the appended list of offences for which an open-ended suspension is permitted, an initial suspension should be sufficient but no more than is needed to investigate the issue further and must be no more than 3 weeks. This 3-week period may be extended provided the suspension has not expired. Where there is good reason to extend a suspension, Complaints and Appeals must be advised of the reasons and the period of extension.

Where a suspension is to be extended, the member of UEG or Director of Professional Service who originally invoked the suspension must seek approval for the extension from a member of VCO.

Where approved, the member of UEG or Director of Professional Service must write to the student advising them of the extension to the suspension, providing a reason for the extension. A template letter that can be supplemented as required is attached to this guidance.

How does a suspension end?

Suspensions can end in the following ways:

- The initial period of suspension expires and no extension is necessary. In such cases, the member of UEG staff who suspended the student must write again to confirm the suspension has ended;
- The student successfully appeals the decision to suspend. A letter confirming the decision to uphold the suspension appeal will be issued by VCO or a nominee on behalf of VCO (such as Complaints & Appeals);
- The member of UEG or Director of Professional Service invoking the suspension can overturn their own decision. This may occur where the reason for suspension no longer exists or any parallel investigation has been concluded. The member of UEG staff or Director of Professional Service who suspended the student must write to the student to indicate the end of the suspension.

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Who keeps records of suspended students?

Complaints and Appeals keep records of all student suspensions. Consequently they must be kept informed of suspensions and any extensions to suspensions so that the value and effectiveness of suspensions can be monitored. At least three working days before a period of suspension is due to expire, Complaints and Appeals will contact the relevant member of UEG staff who suspended the student to request further information on whether the suspension is to expire or an extension is to be sought. The member of UEG staff or Director of Professional Service who suspended the student must write to the student to indicate either the end of the suspension or the period of the extension.

Complaints and Appeals will offer regular reports on suspension activity to the Student Complaints, Appeals and Discipline Committee.

Appendix 1 – Automatic suspension

The University seeks select information regarding criminal charges and convictions during the admissions process. However, the University may become aware of a student having been charged with or convicted of an offence during their enrolment. Students are encouraged to discuss with their personal tutor any charge or conviction they receive during their enrolment.

A limited number of criminal offences (either a charge or conviction) will result in the automatic suspension of a student in order to allow the University to assess any likely impact of the alleged offence on the University, its staff and/or students. An open-ended suspension is permitted until the outcome of any criminal trial is known. Such suspensions must be authorised by a staff member of UEG or Director of Professional Service. The offences resulting in automatic suspension include being charged with or convicted of:

- Murder;
- Attempted murder;
- Manslaughter;
- Rape;
- Attempted rape;
- Serious sexual offence;
- Grievous bodily harm;
- Terrorism;
- Supply of drugs;
- Any act which poses a serious child protection or safeguarding risk;

In addition, use of University network and/or computing resources for illegal purposes will result in an automatic suspension from the University and also from the University IT network.