

# Al-Maktoum College of Higher Education

## Code of Student Discipline: Non-Academic Misconduct

Department/Team	Policy
Academic	Academic 017
Reference No.	Version No.
ALM/ACD/POL/017/RV1	1

Approved by:

Board/Committee	Date
Academic Council	04.07.2024

Date of next review:
July 2025

This Code of Conduct follows Abertay University regulations.

## 1. About this code

As members of the College/University, students subscribe to institutional regulations, which enable all members of the Abertay and Al-Maktoum community to live and work together constructively and with respect. These regulations require all members of the College and University community to observe certain standards of behaviour. The purpose of the Code is to be corrective, where appropriate, rather than punitive; to help and encourage students to achieve and maintain acceptable standards of conduct; to ensure consistent and fair treatment for all; and to protect the College and University community.

### **Principles**

Our policy and practice should:

- be fair;
- be applied consistently;
- encourage students to interact with one another and the College/University in a positive and respectful way;
- not disadvantage students accused of alleged misconduct; and
- be simple, understandable and administratively straightforward.
- be dealt with in a timeous manner.

### **Practice**

This Code is intended to demonstrate how the College and University will proceed where it is alleged students do not comply with the standards of behaviour expected of them; the process through which allegations of misconduct by students will be considered; and the possible sanctions that may be applied where such misconduct is proven.

### **Purpose of this code**

As members of the College/University, students subscribe to institutional regulations that enable all members of the community to live and work together in a constructive environment. These regulations require all members of the College and University community to observe certain standards of behaviour. This code provides a route map as to how the College and University will proceed where students do not comply with the standards of behaviour expected; the process through which allegations of misconduct will be considered; and the possible sanctions that may be applied where such misconduct is proven. The purpose of the Code is to be corrective rather than punitive; to help and encourage students to achieve and maintain acceptable standards of conduct;

to ensure consistent and fair treatment for all; and to protect the College and University communities.

The College/University has jurisdiction over the conduct of our students:

1. where the conduct relates to the work of the College or University, whether on the College or University property or elsewhere;
2. where the conduct involves, affects or concerns other members of the College or University, whether on College or University property or elsewhere;
3. where the conduct
  - a. jeopardises or damages or may jeopardise or damage the good name and reputation of the College or University,
  - b. causes or is likely to cause injury or impair safety to other members of the College or University, whether on College or University property or elsewhere, or
  - c. raises the question as to whether a student should remain a member of the College or University because they pose a danger to other members, or to the good order of the University, even where the conduct may not be related to the work of the College or University, may not have taken place on the College or University property and may not have impacted directly on other members of the College or University.

The University and College distinguishes between the above and academic matters, which are dealt with elsewhere under academic misconduct policy and procedures. Some cases, however, may incorporate allegations of both academic and non-academic misconduct. Examples include that of a student who fraudulently presents false information either verbally or in writing to the College or University (this may include falsified medical documentation, an untrue explanation of circumstances affecting study or false reasons for absence). Other examples include that of a student found to be in possession of unauthorized materials in an examination who, when challenged, becomes aggressive and/or abusive to the invigilator. In such cases, the Student Disciplinary Board will comprise members of both academic and non-academic staff and will be empowered to impose those penalties or sanctions.

Where the misconduct is the subject of a police investigation and/or prosecution, the University or College will normally suspend the disciplinary procedure and await the outcome of any criminal proceedings before deciding whether or not to apply its own processes. A finding of guilt or acquittal in a criminal court will not preclude the College or University from thereafter taking disciplinary action in respect of the same incident.

The College or University may report to the police any allegation of criminal misconduct if it believes that this will best serve the interests of the College or University community or the wider public interest. This also applies to any investigations, prosecutions, and/or any enforcement or other action taken by any other bodies, including those acting under immigration regulations; national security or defence; the Student Awards Agency for Scotland; Health & Safety Executive; HM Revenue & Customs, or others.

Examples of misconduct are given in Appendix A. The list is not exhaustive and does not prevent the College or University considering and adjudicating on any other conduct or action that may be a breach of discipline, whether on College or University property or elsewhere. Students who are covered by the General Regulations on Fitness to Practice may also be referred to the appropriate Fitness to Practice Procedure. Any student who assists a fellow student, or students, to commit misconduct will be deemed to have committed misconduct and will be dealt with in accordance with this procedure.

The time limit for raising an allegation of misconduct is normally six months from the date that the misconduct is alleged to have occurred, in line with the Complaints Handling Procedure. Cases of sexual misconduct which will not be subject to any indicative time limit.

All non-academic misconduct cases will be investigated at the local institution, depending on the location of which the incident took place.

### **COVID-19 restrictions**

Students are expected to adhere to the appropriate public health and University guidelines with respect to social distancing, quarantine, and other measures to assist in stopping the spread of COVID-19. A failure by any student to comply with quarantine requirements; and/or observe social distancing and/or any other measures to protect against infection of COVID-19 whether that happens (a) in the University or (b) outwith the University but with a potential impact for the University, will be considered to be potentially serious misconduct (depending on the extent of the failure) and will be dealt with under this Code of Discipline.

## 2. Suspension or exclusion from the university/college in cases of urgency

In cases of urgency, the Principal/ Head of College, the Deputy Principal/Pro-Vice Chancellor (Al-Maktoum College), or the University Secretary shall have the power to take immediate action to suspend or exclude a student temporarily from the College or University. These powers will only be used if it is believed that such action is necessary to protect members of the College or University community or members of the public in general, or to protect a particular member or members. The terms 'suspension', 'exclusion' and 'expulsion' are defined in [Appendix D](#).

Reasons for the decision will be recorded in writing and provided to the student. The student will also be informed of the duration of the suspension or exclusion, which will normally be 10 working days, in the first instance, and subject to review at the end of that period.

During any period of suspension or exclusion, all reasonable efforts will be taken to minimise any academic disadvantage to the student (e.g. provision of lecture notes, sitting exams away from the main examination locations etc). Suspension pending a hearing is not a penalty.

## 3. Procedure in cases of alleged non-academic misconduct/offence(s)

An allegation of non-academic misconduct can arise in a number of ways; it may be reported via an incident report from a member of staff, such as Security or a lecturer, or a complaint from another student or member of the public. Where a complaint relates to a student's behaviour, but has been raised through the Complaints Handling Procedure, it should be re-directed to this disciplinary procedure.

For the purposes of this Code, the following terms are used:

**Reporting Person(s):** any person(s) making an allegation of misconduct against the Responding Student, typically where that complaint relates to the individual e.g. bullying, harassment etc.

**Witness:** a third-party observer to an allegation of misconduct.

**Responding Student(s):** the student(s) against whom an allegation of misconduct has been made.

### **Fact-Finding Investigation**

Before embarking on any disciplinary action, it is important that the facts are established through a preliminary fact-finding investigation. Alleged misconduct/offence(s) will initially be investigated by Authorised Investigators (AI), via interviews and evidence gathering.

### **Reporting Person(s) (if applicable)**

Where a complaint (i.e. report of alleged misconduct) has been made by a student, an AI with no prior involvement with the Responding Student(s) will contact the student(s) making the allegation(s) of misconduct and will normally conduct an interview with them to confirm their version of events. The AI will give reasonable notice of the time, date and place at which the student(s) may attend. The student will have an opportunity to submit a written statement regarding the allegation(s) prior to the meeting, at which they may be accompanied by another member of the College or University community (i.e. a fellow student, a member of staff or a member of Abertay Students' Association, or College or University support worker), and to present evidence. The AI will also gather evidence from other sources, such as witness statements. They may also conduct interviews with members of staff and/or other students.

### **Responding Student(s)**

As part of the fact finding investigation an AI with no prior involvements with the Reporting Person will normally conduct an interview with the student(s) against whom the allegation(s) of misconduct have been made, in order to confirm their version of events in a report to the Student Disciplinary Panel. The AI will inform the student(s) as soon as possible of the alleged offence or offences and give reasonable notice of the time, date and place at which the student(s) may attend. The student(s) will have an opportunity to submit a written statement regarding the allegation(s) before the meeting, which should indicate whether they intend to admit or deny responsibility. At the meeting, the student(s) may only be accompanied by another member of the College or University community, i.e. a fellow student, a member of staff or a member of Abertay: Abertay Students' Association, or University support worker, AI-Maktoum College: Student Welfare Officer. The student(s) will have the opportunity to present evidence and/or make a statement in mitigation, if they wish. Failure to attend the meeting will not preclude the AI from making their report to the Student Disciplinary Panel, based on the evidence available. The AI will also gather evidence from other sources, such as witness statements, and may also conduct interviews with members of staff and/or other students. The AI will consult Student and Academic Services (Abertay University) or Student Administration (AI-Maktoum College) to ascertain whether the student has a previous record of misconduct.

In both cases, the AIs will encourage the student(s) to seek support from relevant sources, both internal and external to the University<sup>1</sup>.

---

<sup>1</sup> In cases of alleged sexual assault, the AI will make the alleged victim(s) aware of local services, such as Dundee Women's Aid, Rape Crisis, WRASAC and the Tayside Sexual Assault Referral Network (SARN), if they do not wish to report the matter to Police Scotland at the time.

The AIs will each submit the reports of their investigations to the Student Disciplinary Panel, which will take a view on whether, based on the balance of probabilities, misconduct has occurred and whether escalation to a formal Student Disciplinary Board hearing is warranted.

In cases of alleged sexual assault, the AI will make the alleged victim(s) aware of local services, such as Dundee Women's Aid, Rape Crisis, WRASAC and the Tayside Sexual Assault Referral Network (SARN), if they do not wish to report the matter to Police Scotland at the time.

### **Student Disciplinary Panel**

The Student Disciplinary Panel ('the Panel') is intended to ensure a consistent approach to risk and needs identification, and their management. The Panel will be chaired by the Student Services Manager or appropriate nominee, who will convene a meeting with at least two members of AI-Maktoum or Abertay staff not previously involved in the investigation, the Abertay Students' Association Vice-President or their nominee and a clerk.

Details of the Disciplinary Panel composition and conduct of the panel meeting are given in [Appendix B](#).

In assessing the reports on the investigation, the Panel will give consideration to:

- the severity of the alleged misconduct
- the individual<sup>2</sup> and organisational<sup>3</sup> risks posed by the alleged misconduct
- the risk posed to the Reporting Person(s) by the Responding Student(s).

Following discussion, the Panel may:

- (a) dismiss the allegation of misconduct;
- (b) decide that, although misconduct did occur, the matter has now been resolved;
- (c) decide that the best course of action is mediation/reconciliation between students involved;
- (d) decide that misconduct did occur and offer the Responding Student(s) the option of a written reprimand;
- (e) where the Responding Student(s) does not accept a panel decision under (c) or (d), refer the matter to a meeting of the Student Disciplinary Board to consider the alleged misconduct and determine the case in accordance with the procedures set out in [Appendix C](#); or
- (f) where the Panel believes that further consideration is required, refer the matter to a meeting of

---

<sup>2</sup> For example, likelihood of further breaches of the code; impact of any breach of the code on the reporting student and the University/College community; risk of continued harassment or bullying for the reporting person; breach of other university/college policies, etc

<sup>3</sup> For example, impact of any breach of the code on the University community; reputational damage to the University/College; breach of other university/college policies, etc.

the Student Disciplinary Board to consider the alleged misconduct and determine the case in accordance with the procedures set out in [Appendix C](#).

The Clerk to the Panel will communicate the decision to the student in writing normally within five working days of the date of the Panel meeting. For sanction (c), the notice confirming the decision will give an opportunity to accept a written reprimand and will detail the process to be followed should the reprimand not be accepted. The decision will also be communicated to Student and Academic Services (Abertay University) or Student Administration (Al-Maktoum College), in order to be lodged in the student's record, where appropriate.

In addition, the Panel will make recommendations on any support and precautionary measures for all students involved, which will be communicated to the students involved and relevant members in the School as appropriate.

### **Student Disciplinary Board**

The Student Disciplinary Board ('Disciplinary Board') will normally be chaired by the Head of Governance or appropriate nominee and will comprise of two other members of the College or University staff, the Abertay Students' Association President, or their representative and a clerk. If misconduct is admitted or, following the hearing, established, the Disciplinary Board may impose one or more of the following penalties, as appropriate (this list is not exhaustive):

- (a) a written or oral reprimand.
- (b) exclusion for a period not exceeding 28 days.
- (c) suspension of registered student status for a period.
- (d) suspension of access to University/College facilities, such as IT and Library services.
- (e) restitution or compensation for damage caused.
- (f) expulsion from residence in University Halls of Residence.
- (g) recommendation to the Principal/Head of College that the student be expelled from the University or College.

The Disciplinary Board will communicate its decision to the Responding Student(s) in writing normally within five working days of the date of the Disciplinary Board hearing. The notice confirming the decision will give details of the right of appeal. The decision will also be communicated to Student and Academic Services, in order to be lodged in the student's record, and to the School, in order to make any necessary support arrangements, if appropriate.



## 4. Rights of Appeal

Responding Student(s) may appeal against the decision of a Student Disciplinary Panel or Student Disciplinary Board, but only if there are valid grounds to appeal.

The only valid grounds for appeal are:

- (a) procedural irregularity; or
- (b) bias or prejudice; or
- (c) substantive new evidence which has become available and which was not presented to the original Panel/Board for good reason.

An appeal against a decision of a Disciplinary Panel or Board must be made in writing to Student and Academic Services, stating clearly the grounds of appeal, not more than 10 working days after the date on the decision letter. The appellant should also make explicit whether they are appealing the finding of the Panel or Board, the penalty imposed, or both the finding and the penalty.

On receipt of the appeal, the Director of Student and Academic Services will review the case to determine whether there are grounds for the appeal to proceed.

If the appeal or complaint is deemed not to contain grounds to proceed, the appellant will be advised of this normally within 5 working days of receipt of the appeal and provided with the reason/s. The student will be informed of their right to seek an independent review of the University's decision by the Scottish Public Services Ombudsman (SPSO).

If the Director of Student and Academic Services considers that the appeal should proceed, the matter will be referred to an Appeal Panel, whose composition is detailed below under [Appendix E](#).

Where an appeal is upheld, the Appeal Panel can remove the sanction and/or refer the matter back to the Student Disciplinary Panel or Board with recommendations for the matter to be reviewed. The panel can also reach a partially upheld decision, when appropriate. If the appeal is rejected, the Appeal Panel will review the level of penalty imposed and may confirm it, reduce it or increase it. The decision will also be communicated to the School and to Academic Services, in order to be lodged in the student's record.

As part of its review of the appeal, the Appeal Panel may also make recommendations to Schools or Services in order to improve College or University services.

The decision of the Appeal Panel is final and concludes the College or University's internal procedures.

## 5. Complaints

For programmes awarded by Abertay University:

A student who remains dissatisfied with the operation of the University's internal processes may have grounds to complain. Following internal processes, students have the right to seek an independent review of the University's process by the Scottish Public Services Ombudsman (SPSO).

The SPSO's contact details are:

SPSO

Bridgeside House

99 McDonald Road

Edinburgh

EH7 4NS

For programmes award by Al-Maktoum College: A student who remains dissatisfied with the operation of the University's/College's internal processes may have grounds to complain. Following internal processes, students have the right to seek a review by the Board of Directors, by contacting the Operations Manager Benjamin Roberts [b.roberts@almcollege.ac.uk](mailto:b.roberts@almcollege.ac.uk)

## Appendix A – Examples of Misconduct/Offences under the Code

A person who, without good cause, seriously disrupts, abuses or interferes with the functions, duties or activities of any member of the College or University community or any College or University activity, is guilty of misconduct under this Code.

Examples of offences include, but are not limited to:

- Minor anti-social behaviour (this includes excessive noise at anti-social times, minor vandalism and throwing items out of windows).
- Refusal to leave a building during a fire alarm.
- Tampering with fire alarms or fire extinguishers.
- Using threatening, abusive or offensive language, whether expressed orally or in writing.
- Posting material which is defamatory, in breach of copyright or the Data Protection Act of 1998, brings the University in disrepute, constitutes bullying, harassment or otherwise generally unacceptable behaviour. This includes communication via email and social media<sup>5</sup>.
- Misusing or making unauthorised use of College or University premises or items of property, including computer misuse, infringement of copyright when copying or downloading published information.
- Intentionally or recklessly damaging College or University property or the property of any member of the University community.
- Behaving in a violent, indecent or threatening manner.
- Engaging in deception or other forms of dishonesty in relation to the College or University.
- Behaving in a way likely to cause injury to any person or impair safety.
- Carrying an offensive weapon.
- Harassing any member of the College or University community. For these purposes 'harassment' means behaviour or language which is regarded by the person to whom it is directed as harassment, and which would be regarded as harassment by any reasonable person<sup>6</sup>.
- Discriminating against any member of the College or University community on any ground such as colour, race, nationality, national origins, disability, sexual orientation, religion or belief, family circumstances, political beliefs, gender, gender reassignment, trade union membership, age, or any other unfair distinction.
- Deliberately doing, or failing to do, anything that thereby causes the College or University to be in breach of a statutory obligation
- Fraud, deceit or dishonesty in relation to the College or University, its staff, students and visitors.
- Misuse of drugs or alcohol.

- Sexual misconduct, relating to all unwanted conduct of a sexual nature, either in person or online. This includes sharing explicit personal images or videos without the person’s consent.
- Assisting another student, or students, to commit misconduct.
- Failing to comply with a previously imposed penalty under this Code.

Note: The standard of proof to be used in all discipline cases is the balance of probabilities. Any penalty imposed will take account of the severity of the actual misconduct, the wider circumstances, including any mitigating evidence presented by the student, and any previously recorded incidents in which misconduct by the same person was either admitted or investigated and established.

5: See also the Social Media Guidelines

6: See also University Bullying and Harassment Guidelines for Staff and Students

## **Appendix B – The Student Disciplinary Panel**

### **Composition of the Disciplinary Panel**

The Chair of the Disciplinary Panel will normally be the Student Services Manager/Student Administration Manager or their nominee.

Members of the Disciplinary Panel will normally be two School Academic Advisors that are not from the same School as the students involved, or alternatively drawn from the wider Disciplinary Board pool of staff. In addition, the Abertay Students’ Association Vice-President (Abertay University ) or the Student Welfare officer (Al-Maktoum College) or their nominee will attend as a member, along with a clerk to take notes and write the outcome letter on behalf of the Panel. All members will be required to declare any potential conflicts of interest.

### **Conduct of Disciplinary Panels**

The Disciplinary Panel will meet privately to review the alleged misconduct. Members will be provided in advance with evidence from the fact-finding investigation, which may include incident reports, AI reports, witness statements and any other relevant submitted evidence, such as letters, reports, video recordings, photographs, or screenshots. The Panel may invite Authorised Investigators (AI) to join the meeting in order to seek clarification on any points within the documentation, if required. AIs will be asked to leave the meeting once any queries have been addressed.

In reviewing the available evidence, the Panel will take each report of misconduct in turn to consider whether there are grounds for disciplinary and the severity of the alleged misconduct. The Panel may find that the alleged misconduct did or did not occur, based on a balance of probabilities, and consider sanctions available. If the Panel finds that more consideration is required, or that the

sanctions available are not sufficient for the severity of the misconduct, the Panel may defer a decision to the Student Disciplinary Board.

The Panel will next consider the risks to the individuals (Reporting Person/s, Responding Student/s and any witnesses, as appropriate) and organisational risks to the institution. In assessing the associated risks, the Panel will recommend support mechanisms and precautionary measures for the students involved, to be recorded and communicated to students by the clerk. The Panel may also make recommendations to Schools or Services involved, in order to improve College or University services.

## **Appendix C – The Student Disciplinary Board**

### **Composition of the Disciplinary Board**

The Chair of the Disciplinary Board will normally be the Head of Governance or their nominee (a senior member of College or University staff).

Members of the Disciplinary Board will be drawn from a pool of staff, both academic and non-academic. Alongside the Chair, the Disciplinary Board will comprise two staff members and the President of the Abertay Students' Association (Abertay University) or Student Welfare Officer (Al-Maktoum College) or their nominee, and a clerk to record the decision of the Board.

No Board members will be drawn from the same School as the Responding Student(s) and all members will be required to declare any potential conflicts of interest.

The Responding Student(s) will be informed in advance of the composition of the Board and given adequate notice of the date, time and venue for the hearing. At the hearing, the Responding Student(s) may be accompanied by another member of the College or University community, i.e. a fellow student, a member of staff or a member of the Students' Association. The Responding Student(s) should confirm prior to the hearing the name of any individual accompanying them and in what capacity they are accompanying the Responding Student(s).

### **Conduct of Disciplinary Board hearings**

The Disciplinary Board will meet in private prior to the hearing to agree the issues to be addressed and the details of how the hearing will be conducted. Witnesses and the Responding Student(s) will not be in the hearing at the same time. Where there is more than one Responding Student, each will normally be heard by the Board separately.

Witnesses will be called into the hearing, if appropriate. The Chair will outline the procedures to be followed by any witnesses after which any witness(es) will be called in to give evidence and provide any clarifications to Board members.

The Chair of the Disciplinary Board will invite the Chair/representative of the Disciplinary Panel to make a brief statement regarding the decision reached following the investigation at the meeting of the Panel.

The Board will take the opportunity to seek clarification on any points raised with the Chair/representative of the Disciplinary Panel before they leave the hearing.

The Responding Student will be called into the hearing. The Chair will outline the procedures to the Responding Student, and then outline the nature of the allegation(s) against the Responding Student and invite them to state whether they admit or deny the allegations.

The Chair will invite the Responding Student to make a statement.

The Responding Student and/or their representative may at this stage present supporting evidence to the Disciplinary Board. Evidence may include oral evidence of witnesses or written submissions, including mitigating evidence, which should have been submitted to the Clerk no less than two working days before the hearing. The Responding Student or representative may not call as a witness or cross-examine the Reporting Person(s).

The Board will take the opportunity to seek clarification on any points raised with the Responding Student and/or their representative.

The Responding Student and/or their representative will be invited to address questions through the Chair on any witness(es) statement(s).

The Responding Student and/or their representative will be invited to give a concluding statement. This will be the final stage at which new evidence can be submitted. Where a Responding Student introduces new material at the hearing, it will be at the discretion of the Board whether to accept the evidence. The Board reserves the right to consider any new evidence separately and may suspend or defer the hearing in order to consider any such submission.

The Responding Student and/or their representative will have the right to ask questions of any members of the Student Disciplinary Board at the hearing.

When all statements have been made, all witnesses heard and all questioning completed, all persons present other than the members of the Disciplinary Board must leave the room. The Clerk will, however, remain with the Disciplinary Board.

The Disciplinary Board will consider the evidence and reach a decision, which will be sent by the Clerk to the Responding Student in writing normally within five working days. The decision will also be communicated to Student and Academic Services (Abertay University) or Student Administration (Al-Maktoum College) , in order to be lodged in the Responding Student record, and to the School, in order to make any necessary support arrangements, if appropriate.

Where a Responding Student cannot attend the hearing, they may nominate another person to represent them but is not required to do so. Where a Responding Student elects to nominate another person to represent them at the hearing, written notification of this must be submitted in advance to the Clerk. A Responding Student may only nominate another member of the College or University community (i.e. a fellow student, a member of staff or a member of Abertay Students' Association, or College or University support worker) as their representative, unless there are exceptional circumstances.

Where a Responding Student has been given sufficient notice to appear but does not attend, it will be at the Chair's discretion whether the hearing proceeds in the student's absence. Where a Responding Student has indicated their intention to appear but is prevented from so doing for reasons out with their control (for example by a medical emergency or having been taken into Police custody), the Board will re-convene at a later date in order to allow the Responding Student to attend.

#### **Appendix D - Definition of expulsion, suspension or exclusion**

Expulsion is the permanent termination of registered student status involving a total prohibition on attendance at or access to the College or University and on any participation in College or University activities. A student who has been expelled will not normally be eligible for re-admittance to the College or University.

Suspension of registered student status involves a temporary total prohibition on attendance at or access to the College or University and on any participation in College or University activities; but it may be subject to qualification, such as permission to attend for the purpose of an examination. Suspension should be used only where exclusion from specified activities or facilities is considered inadequate.

Exclusion involves selective restriction on attendance at or access to the College or University or prohibition on exercising the functions or duties of any office or committee membership in the College or University or Students' Association. It may also extend to restriction on access to other places such as hospital wards or school premises (where access to such places is integral to the student's programme of study or professional training). The exact details of such exclusion must be specified in writing and elements of it may be temporary or permanent.

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

## **Appendix E – The Appeal Panel**

### **Composition of the Appeal Panel**

The Appeal Panel will normally comprise three members of Senior Management who will not have had any significant prior involvement in the matter, one of whom will act as Chair. No Panel members will be drawn from the same School as the Responding Student(s) and all members will be asked to declare any potential conflicts of interest.

The Director of Student and Academic Services (Abertay University) or Pro-Vice Chancellor (Academic) (Al-Maktoum College) will appoint a clerk who will not have been involved in any prior decision making of the case to administer the Appeal Panel and record the decision(s). The appellant will be informed in advance of the composition of the Appeal Panel and given adequate notice of the date, time and venue for the hearing. At the hearing, the appellant may be accompanied by another member of the College or University community, i.e. a fellow student, a member of staff or a member of Abertay Students' Association or College or University support worker. The appellant should confirm prior to the hearing the name of any individual accompanying them and in what capacity they are accompanying the appellant.

### **Conduct of Appeal Panel hearings**

The Appeal Panel will meet in private prior to the hearing to agree the issues to be addressed and the details of how the hearing will be conducted.

The appellant should submit any evidence no less than three working days before the hearing.

Where an appellant introduces new material at the hearing, it will be at the discretion of the Panel whether to accept the evidence. The Appeal Panel reserves the right to consider any new evidence separately and may suspend or defer the hearing to consider any such submission.



The Appeal Panel may seek the assistance of a suitably qualified person at a hearing where it is considered beneficial. Such persons are not entitled to participate in Appeal Panel decisions but may provide advice to the Appeal Panel at the invitation of the Chair, either during the hearing or when the Panel is sitting in private to discuss the case in advance of the hearing or in reaching its decision following the hearing.

The Appeal Panel will invite the Chair of the Student Disciplinary Board, or another representative of the Student Disciplinary Board, to attend briefly to provide a statement on how the Board reached their decision.

The Appeal Panel will take the opportunity to seek clarification on any points raised with the Chair/representative of the Disciplinary Board before they leave the hearing.

Witnesses will be called into the hearing individually. The Chair will outline the procedures to be followed by any witness(es) after which any witness(es) will be called in to give evidence.

The Appeal Panel will address any questions or clarifications to the witness(es).

Any witnesses and the appellant will not be in the appeal hearing at the same time. Where there is more than one appellant, each will normally be heard by the Board separately.

The Chair will invite the appellant or the person accompanying them into the hearing to present their case.

The Appeal Panel will ask questions of the appellant or the person accompanying them. The appellant or the person accompanying them will have the right to ask questions of any members of the appeal panel at the hearing.