

# Student Conduct Risk Management Procedure

Effective from 1 September 2024

This procedure is applicable to **all registered** students and should be read in conjunction with the [Student Disciplinary Policy](#), [Student Disciplinary Procedure](#), and any [relevant investigation protocol](#).

This document sets out how the University assesses and responds to risk during student disciplinary investigations.

## Introduction

The University has a duty of care to identify and manage risk of harm to all members of its community. This includes risk to its students, employees and visitors, and to its reputation.

During the course of a disciplinary investigation into any registered student, a risk assessment may be required in order to allow the University to fully consider all relevant circumstances to ascertain if any precautionary action should be taken to safeguard members of its community while the investigation is ongoing.

At all stages of this process, the [Student Health and Wellbeing Service](#) is available to provide additional wellbeing support to any student involved in a disciplinary investigation.

## Process

### 1. Risk assessment panel

Disciplinary reports about students can be received from other students, University employees, members of the public, or third-party agencies (for example, the Police or the Council). Where the nature of the report indicates that there may be a risk to any member of the University community or the reputation of the University, the Case Officer may decide to request a Risk Assessment take place.

The purpose of the Risk Assessment is to consider all evidence currently available to determine whether any temporary precautionary action is required by the University in order to safeguard its students, employees and visitors.

The Risk Assessment panel will normally be made up of:

- The Director of the Student Progress Service (or appropriate nominee);
- The Director of the Student Health and Wellbeing Service (or appropriate nominee)

The Case Officer will be in attendance at the Risk Assessment. Their role will be to present the circumstances of the case and make notes of the discussion; they will have no role in the decision-making process.

## 2. Consideration of relevant information

In cases where the nature of the report indicates that there may be an immediate risk to others, a risk assessment may take place prior to meeting with the Student Responder, and appropriate precautionary action taken. This will be an interim measure that will remain in place until a full risk assessment can be undertaken based on the complete set of circumstances of the Student Responder (and, where applicable, the Student Reporter). This will normally be within 7 calendar days of the interim measures being implemented.

Unless it can be established that there is a clear and present danger to any party, the risk assessment will take place after the Case Officer has met with the Student Responder. This is to ensure that the Student Responder's (and, where applicable, the Student Reporter's) personal circumstances are able to be considered during the risk assessment process.

If you are involved in a case (either as a Student Reporter or a Student Responder) which requires a risk assessment, you may be asked to provide information relating to:

- Your current living situation;
- Your academic progress;
- Your support network;
- Any factors you feel the University needs to be aware of (for example, pre-existing medical or mental health issues, or any other personal circumstances which may place you at further risk) to make an accurate decision.

## 3. Possible outcomes

The Risk Assessment Panel may choose to impose temporary precautionary measures to mitigate against any risk identified as part of the risk assessment process.

Temporary precautionary measures include (but are not limited to):

- No contact instructions, which prohibit the Student Responder from contacting a Student Reporter and/or any witnesses, and vice-versa for a set period of time;
- Temporary bans on the Student Responder from accessing the University campus or named relevant buildings which make up the University Campus;
- Temporary suspensions on the Student Responder entering any part of the Students' Union, following consultation with the relevant Students' Union representatives;
- Temporary suspension of studies of the Student Responder, following consultation with the relevant Head of Academic Unit or nominee.

It is important to note that precautionary measures are not an indication that the University considers misconduct to have occurred; rather, they are actions taken to mitigate against any identified risks to enable a full and impartial investigation into the report of misconduct to be undertaken.

We appreciate that receiving the outcome of a risk assessment may be distressing, so students are reminded that the [Student Health and Wellbeing Service](#) will remain available to them, even during periods of suspension. Wellbeing colleagues will normally be copied into any risk assessment outcomes shared with students so that appropriate support can be put in place.

#### 4. Communication of outcome

The Student Responder (and, where applicable, the Student Reporter) will be informed of the outcome of the Risk Assessment, and will be given details of how to appeal the outcome.

The Student Responder will also be provided with a copy of the Risk Assessment Action Plan, which provides a summary of the meeting and the reasons for the decision reached.

#### 5. Appeals

The Student Responder (and where applicable, any Student Reporter) has the right to appeal against any temporary measure put in place as a result of the Risk Assessment process. Appeals must be submitted within 21 calendar days of receiving the outcome of the Risk Assessment. You may only appeal based on one or more of the following grounds:

- New material evidence is available, of which the University was previously unaware;
- You consider that there has been a material procedural error or irregularity during the initial Risk Assessment process;
- You consider the precautionary actions to be disproportionate to the reported circumstances;
- Bias or prejudice on the part of the Risk Assessment Panel.

To submit an appeal, you should write to [casework@newcastle.ac.uk](mailto:casework@newcastle.ac.uk) and outline your grounds for appeal.

Appeals will be considered by the Academic Registrar (or appropriate nominee) within 5 working days of your appeal submission. If your appeal is upheld, the Academic Registrar may decide to:

- Remove or change any temporary precautionary action currently imposed on you;
- Recommend that a new Risk Assessment Panel considers the available evidence and decides whether any precautionary action is appropriate.

If your appeal is not upheld, the procedures of the University will be exhausted and you will be issued with a Completion of Procedures Letter.

## 6. Review of Risk Assessment

The outcome of the Risk Assessment will be reviewed at key points of the investigation to ensure that the University continues to identify and mitigate against any risks. 'Key points of the investigation' includes, but is not limited to:

- There is new material evidence available, of which the University was not previously aware when the initial Risk Assessment took place;
- Updated information provided by the police in relation to any criminal investigation
- The conclusion of any parallel criminal investigation or legal case;
- Charging decisions associated with any parallel legal case;
- The start of a new semester or Academic Year;
- Any decision made during the course of the University investigation (for example, the referral of a disciplinary case to a [Student Disciplinary Committee](#)).

If you are subject to any temporary precautionary action, and experience a change in circumstances which leads you to believe the precautionary action is no longer appropriate, you can request a review of the Risk Assessment Action Plan by writing to the Academic Registrar (via [casework@newcastle.ac.uk](mailto:casework@newcastle.ac.uk)). A review of your Risk Assessment Action Plan will normally take place within 7 calendar days of your request.