



UNIVERSITY OF SOUTH WALES PRIFYSGOL DE CYMRU

STUDENT CODE OF CONDUCT

1. INTRODUCTION

- 1.1 The Student Code of Conduct (the Code) should be read with the [Student Misconduct & Fitness to Practise Regulations](#) and associated Procedures, which outlines the process for managing alleged breaches of the Code.
- 1.2 The University of South Wales is committed to providing a quality student experience, to supporting equality, diversity and inclusion, and to building a strong sense of community for our students.
- 1.3 The Code is based upon respect for the University community, the wider local community, for individuals, property and the environment.
- 1.4 Failure to comply with this Code will be treated as misconduct and any allegations will be dealt with under the appropriate Procedure.
- 1.5 This Code and the associated Procedures apply to:
 - Students studying with the University of South Wales.
 - Students studying on work placements or engaged in work-based learning.
 - Students on an approved leave of absence.
 - Students enrolled with collaborative partners, in respect of professionally registered courses only.
 - Apprentices.
(NB Any reference to 'student(s)' should also be read as 'apprentice(s)').
- 1.6 This Code and the associated Procedures do not apply to:
 - students who are enrolled with collaborative partners (where the partners' own disciplinary procedures will apply) other than students on courses leading to professional registration.
 - students who are also members of staff of the University, in cases where it is more appropriate for staff disciplinary procedures to apply.
- 1.7 Section 4 of this document provides a non-exhaustive list of behaviours which would constitute breaches of the Code. Section 5 provides additional, non-exhaustive examples of misconduct specific to courses leading to professional registration (fitness to practise).

- 1.8 For those registered on professional programmes of study such as nursing and midwifery, education, social work, etc, which impose their own professional standards or fitness to practise regulations, this Code is complementary to, and does not replace, those standards, regulations or professional conduct requirements.
- 1.9 The University has a duty under the Counter-Terrorism and Security Act 2015 to prevent students from being radicalised or drawn into non-violent extremism, violent extremism and/or terrorism, including radicalising or drawing others into such activities/behaviours, and to ensure they are being given appropriate advice and support. If a member of staff or a student has reasonable grounds for concern that a student is being radicalised or drawn into, or is drawing others into, activities which may lead to acts of non-violent extremism, violent extremism and/or terrorism they should raise the matter with the designated Academic Manager (or equivalent) in the first instance (see the University's Prevent Protocol).
- 1.10 In applying this Code, the University seeks to comply with all relevant legislation promoting privacy, equality of opportunity and anti-discrimination.

2. STUDENT STANDARDS OF CONDUCT

- 2.1 Students must observe all University codes, regulations, procedures and policies, including those which are specific to a programme of study. There are also separate regulations: the Student Charter (which sets out what our students can expect from the University and what the University expects in return); and the Students' Union Standing Orders, covering student usage of Students' Union facilities and expected behaviours when engaging in Students' Union activities.
- 2.2 All students are expected to be considerate to the needs of fellow students, visitors and staff and to positively integrate with the local community.
- 2.3 Students are expected to be mindful of others and recognise how their behaviours can impact on other students, staff and the wider community.
- 2.4 Students are expected to use all forms of spoken, written and digital communication (including social media and networking sites) responsibly, and to always respect the right to privacy of others.
- 2.5 The expectations of student conduct are in addition to the expectations of the Students Union in respect of societies, clubs and Students Union events and premises.

3. GENERAL PRINCIPLES

- 3.1 The Code applies to all students in their relationship with:

- the University;
- fellow students;
- staff of the University;
- visitors to the University;
- members of the public while away from the University.

The Code applies during all University activities where they occur:

- on University premises;
- via electronic means, including social media;
- during work-based learning, field trips, volunteering or Students' Union club activities;
- off-site between members of the University.

- 3.2 Concerns may be raised by members of the University, placement staff, apprenticeship employers or members of the public.
- 3.3 The Code and Procedures are designed to ensure that the University acts fairly and consistently in relation to all students.
- 3.4 The University will conduct disciplinary cases in a confidential and sensitive manner, and it is expected that students will act in the same way.
- 3.5 The University will not disclose any information to third parties regarding investigations and outcomes from student conduct cases unless legal exceptions under the UK's data protection regulations apply.
- 3.6 Unauthorised recording, copying or distribution of recordings or written material in relation to activities of the University that are deemed to be confidential will be considered a disciplinary offence.

4. EXAMPLES OF MISCONDUCT

- 4.1 An act will be regarded as misconduct, and therefore the subject of disciplinary action:
- if it constitutes or is likely to constitute improper interference with the proper functioning and activities of the University, or of those who work or study in the University;
 - if it damages or is likely to damage the reputation of the University; or,
 - any conduct that could amount to or has been proven as a criminal offence.
- 4.2 The following constitutes a ***non-exhaustive*** list of examples of possible misconduct, some of which may also constitute a criminal act.

The Guidelines for the Application of Sanctions can be found at:

<https://registry.southwales.ac.uk/student-regulations/student-conduct/>

4.2.1 Harassment and bullying

- Unwanted physical contact or injury including: punching, pushing, shoving, grabbing, kicking, slapping, biting, pulling hair;
- Offensive or intimidating comments or gestures;
- Repeatedly following another person without good reason;
- The intentional hurting of one person or group by another person or group via physical, verbal, non-verbal or psychological means.

4.2.2 Sexual misconduct

- Engaging, or attempting to engage in sexual intercourse or a sexual act without consent;
- Administering a substance in order to engage in sexual intercourse or a sexual act without consent;

- Non-fatal strangulation for sexual gratification;
- Taking intimate/indecent photographs of another person without their consent, for example upskirting;
- Sharing, or threatening to share, private sexual materials of another person without consent and/or the editing of images to make them sexually explicit;
- Voyeurism;
- Inappropriately exposing oneself or sending, sharing, showing or displaying sexual organs, intimate images or sexually explicit content to another person, including behaviour recognised as "cyber-flashing";
- Repeatedly following another person, in a way that may make them feel uncomfortable;
- Making unwanted remarks of a sexual nature;
- Coercion or bullying with sexual elements;
- Child sex offences, including grooming;
- Trafficking for sexual exploitation;
- Sexual invitations and/or demands.

4.2.3 Abusive behaviour

- Threats to hurt another person;
- Engaging in any activity or behaviour that contravenes the University's Strategic Equality Plan or Dignity at Study/Dignity at Work policies, including acts of racial hatred, non-violent extremism, violent extremism and/or terrorism including radicalising or drawing others into such activities/behaviour and abusive comments relating to an individual's sex, sexual orientation, religion or belief, race, pregnancy, marriage/civil partnership, gender reassignment, disability or age¹;
- Failing to observe the principles of freedom of speech, as outlined in the University [Freedom of Speech Code of Practice](#) and/or the [Speaker Policy](#);
- Acting in an intimidating and hostile manner (including the intimidation of any party involved in an ongoing casework matter);
- Malicious or vexatious allegations against other members of the University community;
- Use of inappropriate language;

¹ It is to be noted that incidents which appear to the victim or anyone else to be based on prejudice towards them because of their race, religion, sexual orientation, disability or transgender identity are known as hate incidents. When a hate incident is also a criminal offence it is known as a hate crime. Hate crime is not a specific criminal offence in itself, rather it denotes a criminal offence such as assault, harassment, sexual offences, criminal damage and hate mail, which is perceived to be motivated by hostility or prejudice based on race, religion, sexual orientation, disability or transgender identity.

- Repeatedly contacting another person (by phone, email, text or on social networking sites) against the wishes of the other person (see also the University's Social Media Policy: <https://its.southwales.ac.uk/policies-and-regulations/>).

4.2.4 Damage to property

- Causing damage to University property or property of other students, staff or visitors.

4.2.5 Unauthorised taking or use of property

- Failure to comply with the [IT Computing Regulations](#);
- Misuse of University property (for example computers and laboratory equipment);
- Unauthorised entry onto or unauthorised use of University premises;
- Purchase or order goods on behalf of the University without due authorisation.

4.2.6 Causing a health or safety concern

- Act/omission that did cause or could have caused serious harm on University premises or during University activities (for example, disabling fire extinguishers or possessing/supplying controlled drugs) and including interfering with anything provided in the interests of Health and Safety at Work;
- Act/omission that did cause or could have caused a health and safety concern on University premises or during University activities (for example, smoking cigarettes in non-designated areas);
- Possessing weapons while on a University campus or University-owned property.

4.2.7 Operational obstruction

- Acts/omissions/statements intended to deceive the University²;
- Failure to inform the University of a police interview or arrest for any criminal offence, including a caution or reprimand, as soon as possible after it has taken place and within a period of five working days for students on non-professionally registered courses/the next working day for students on professionally registered courses;³
- Failure to keep the University informed of the progress/outcome of a police investigation for a criminal offence, within five working days of a substantial change for students on non-professionally registered courses/the next working day for students on professionally registered courses;
- Disruption of the activities of the University (including academic, administrative, sporting and social) on University premises or elsewhere;

² Where an act is committed to gain admission to the University, eg falsification of qualifications, where no credit has been awarded, this will be considered through the admissions procedures. Where credit has been gained, the matter will be dealt with through the Student Misconduct & Fitness to Practise Regulations.

³ The list of professionally registered courses can be found at Appendix 1 of the Student Misconduct & Fitness to Practise Regulations.

- Disruption of the functions, duties or activities of any student or employee of the University or any authorised visitor to the University;
- Bribery or an attempt to bribe a member of University staff;
- Improper interference with the activities of the University (including academic, administrative, sporting and social) on University premises or elsewhere;
- Improper interference with the functions, duties or activities of any student or employee of the University or any authorised visitor to the University;
- Failure to comply with the reasonable request of an authorised individual;
- Failure to give their name and address to an officer or employee of the University when reasonably requested to do so by such officer or employee in the course of their duties.

4.2.8 Reputational damage

- Behaviour that has caused, or could have caused, damage to the reputation of the University.

Students' obligations where misconduct is also a criminal offence

- 4.3 As per 4.2.7 of this Code, failure to inform the University of a police interview or arrest for any criminal offence, including a caution or reprimand, within five working days (for students on non-professionally registered courses) or the next working day (for students on professionally registered courses) will be regarded as misconduct.

The University has a duty of care to its staff and students and therefore must be informed of any alleged criminal activity by its students.

If at any time during their registration as a student at the University, a student is cautioned, arrested for, or charged with a criminal offence, they are required to report this within ten working days and to report on the progress of any criminal proceedings to the Student Casework Unit.

- 4.4 If a student is sent for trial, the Student Casework Unit must be kept informed at all levels either by the student or by their solicitor/representative. If a student is subsequently convicted, then this must also be reported along with details of any penalty or sentence imposed.
- 4.5 For further information about misconduct which is also a criminal offence, please refer to the [Student Misconduct & Fitness to Practise Regulations](#).

5. EXAMPLES OF MISCONDUCT SPECIFIC TO PROFESSIONALLY REGISTERED COURSES ([FITNESS TO PRACTISE](#))

- 5.1 The following is a list of **non-exhaustive** examples of behaviour and conduct, which would constitute professional misconduct and thereby trigger an investigation of a student's fitness to practise; in addition to the examples set out under Section 4:

Professional unsuitability

- 5.2 Professional unsuitability may be demonstrated in numerous ways. The following are common indicative examples:

- a) Failure to adhere to process and procedures and inappropriate attitude or behaviour which may be manifested by:
- failure to accept and follow advice from the University or placement/practice learning provider;
 - failure to follow recommended procedures/practices that may put other people, clients, students, staff at risk of harm;
 - persistent lack of motivation or interest and/or non-participation in learning activities (eg practice learning/placements, presentations, timetabled academic sessions, academic or pastoral tutorials, clinical skills sessions, direct client care);
 - non-attendance at class, practice learning/placement or other relevant appointments;
 - poor application to and failure to submit work;
 - continuously failing required professional competencies/proficiencies.
- b) Unprofessional behaviour which may be manifested by:
- misuse of the internet and social networking sites;
 - failure to keep appropriate professional or sexual boundaries;
 - breach of confidentiality;
 - unlawful discrimination;
 - persistent rudeness to people, colleagues or others;
 - unsocial behaviour that adversely affects the proper operation of the professional practice context;
 - dishonesty.

Health concerns

- 5.3 The University recognises that students may have, or may develop, health conditions that may impact upon their fitness to practise. In most cases, health conditions (including disabilities) will not raise concerns in relation to a student's fitness to practise. The University's inclusive practices and procedures are primarily designed to meet the needs of students with disabilities.

Further adjustments can also be made to ensure students are not disadvantaged due to a health condition/disability, taking into consideration any health and safety issues. Students may also be asked to adjust their practice to ensure they are able to study and work safely and effectively.

- 5.4 Unfortunately, there may be circumstances when a student's fitness to practise is impaired, and it is not possible to provide reasonable adjustments due to health and safety/other restrictions. This may make it impossible for a student to graduate with a professionally approved/accredited award, preventing them from entering further training, registering or obtaining further annotation/registration with the relevant professional body.
- 5.5 The University will consider what evidence, if any, it requires from the student so that it can properly assess their fitness to practise and support them in their studies. This might include medical evidence and/ or occupational health referral. The University will support students in obtaining this evidence, for example, by directing them to the appropriate expert and paying for the report where this is proportionate. The evidence provided by the appropriate expert must reflect the student's fitness to undertake practice safely.

6. PROCESSES FOR HANDLING ALLEGATIONS OF STUDENT MISCONDUCT

- 6.1 Please refer to the [Student Misconduct & Fitness to Practise Regulations](#), which provides outlines of the procedural stages for student misconduct and fitness to practise concerns and links to the relevant Procedures.