

UNIVERSITY COLLEGE BIRMINGHAM

GENERAL STUDENT REGULATIONS

These General Student Regulations must be read in conjunction with any regulations specific to particular programmes of study

Approved by the Higher Education Corporation

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UNIVERSITY COLLEGE BIRMINGHAM
GENERAL STUDENT REGULATIONS
(Issue 24)

FOREWORD

These regulations are published by authority of the Student Services and Standards Sub-Committee of the Board of Governors on the recommendation of the Vice-Chancellor & Principal and Academic Board. The rules and procedures separately made by the Vice-Chancellor & Principal, the Board of Governors or Academic Board and included in these regulations may only be amended or revoked by the authority which made them.

These regulations shall have effect from the 10th September 2020 and will be made public.

All students will be subject to the General Student Regulations in force at any time during the period of their programme of study.

These regulations must be read in conjunction with the relevant Programme information which may place extra requirements or conditions on students or staff.

DEFINITIONS

'UCB' means any location at which official activity takes place relating to students following a programme approved by the Academic Board of University College Birmingham. This includes; UK off-site teaching locations, international block mode teaching locations, student residential accommodation and any venue for an official educational visit/exchange.

'Local Administrator' means:

For students following programmes at Summer Row, Richmond House, McIntyre House and Moss House: any member of UCB staff;

For students at any UK off-site teaching locations: the senior manager at the location, or their designated member of staff;

For students at international block mode locations: the official designated as the local administrator of the collaborating organisation.

Section A - Registration and General Conditions of Entry

1. Registration

A person will be recognised as a registered student of UCB in a particular session when the following conditions have been met:

- i. Online enrolment has been completed by the student and they have been fee assessed by the Finance Unit.
- ii. A personal identification card has been issued to the student if they have not received one in a previous session.
- iii. All the appropriate fees have been paid on time and no sums are owing, or the student has entered into a payment schedule approved by the Pro-Vice-Chancellor (Finance and Funding).

A student's registration lasts until the scheduled end of the programme, including any extensions that may be given. The minimum and maximum periods of study are set out in the Academic Regulations.

<https://www.ucb.ac.uk/downloads/policies-and-procedures/learning-teaching-and-assessment/academic-regulations/academic-regulations-part-1.pdf>

For Higher Education students this will be the date of the meeting of the final Examination Board of the final Academic Session. A student may also write to their personal tutor at UCB to formally end their registration or they may be withdrawn from their programme by a member of UCB staff.

A student may request permission for leave of absence (deferral) from their studies by writing to UCB using the pro-forma from the Academic Registry.

<http://www.ucb.ac.uk/downloads/policies-and-procedures/student-administration-and-support/deferral-application-form.pdf>

2. Payments to UCB

Students are required to pay any monies owed to UCB promptly. If a student faces difficulty in paying, they are strongly advised to inform the Pro-Vice-Chancellor (Finance and Funding) at the earliest opportunity.

Where a student is enrolled on the basis that a sponsor or agency (such as an employer or the appropriate student finance company) will be responsible for the payment of fees, UCB reserves the right to charge the student directly if the sponsor or agency subsequently fails to pay.

All fees are required to be paid in full before final award certificates, written transcripts or references are released to students. The current fees are available on request.

UCB reserves the right to offset any refunds due to students against any other debts they may have to UCB.

A student in UCB residential accommodation must undertake to pay the appropriate residence fees in accordance with the terms of their contract with UCB, or in accordance with a payment schedule approved by the Pro-Vice-Chancellor (Finance and Funding).

Any student whose payment of tuition fees is in arrears will be monitored by the Pro-Vice-Chancellor (Finance and Funding), who may impose requirements and limitations on the use of UCB facilities if payment is not forthcoming. This may include preventing students from sitting assessments and/or receiving confirmation of examination or assessment results until payment is made.

If a student has not paid accommodation or tuition fees by the due date, or honoured the payment schedule agreed with the Pro-Vice-Chancellor (Finance and Funding), their case will be referred to the Executive Director of Engagement, Employability and E-learning, who will invite the student to a Debtor's Hearing and encourage them to seek the support of the Guild of Students throughout the process. This hearing will make an assessment of the circumstances regarding payment and if the Executive Director of Engagement, Employability and E-learning is of the opinion that the student has made no effort to pay the outstanding fees, and/or that the student is not likely to be in a position to pay the fees in the near future, the student's registration at UCB may be ended and/or may be required to leave the Halls of Residence. In such cases it may also be necessary to inform agencies such as the appropriate student finance company. International students may be referred by the University to the Home Office in line with the requirements of its Tier 4 Sponsor Status.

Students will have a right of appeal against the ending of their registration by following the appeal process outlined in the Disciplinary Procedure at Section C, point 6, of these Regulations.

In addition to the above, UCB recognises the role of the Office of the Independent Adjudicator (OIA) in respect of student grievances.

3. Reasonable Diligence

Students should demonstrate reasonable diligence in their studies and other work at UCB as defined in the Code of Practice on Student Reasonable Diligence. A full copy of the Code of Practice on Student Reasonable Diligence can be viewed on the UCB website. <http://www.ucb.ac.uk/downloads/policies-and-procedures/learning-teaching-and-assessment/code-of-practice-and-policies/student-code-of-practice-on-reasonable-diligence.pdf>

4. Change of Name or Address (including mobile phone number and email address)

During online enrolment, students must give details of a home address and local residential address, where appropriate, and a mobile phone number and email address. The name given on the enrolment form must be the same as that on a student formal document such as a Passport or Birth Certificate and will be used for all formal purposes within UCB and will be included on any certificate awarded.

A student must keep his/her personal details, such as any change of name, address and contact details up to date at all times via the Student Dashboard. Students following programmes at centres other than at the main UCB sites should contact their local administrator.

5. Data Protection Act

By signing the enrolment form or submitting an online declaration a student agrees to UCB's use of the information provided on it under the terms of its registration under the Act.

6. Intellectual Property Rights

This Policy refers to all intellectual property rights including patents, registered designs, trademarks and service marks (both registered and unregistered), copyright and related rights, design rights and any application for these rights in any part of the world, rights in and to confidential information and know-how, and database rights.

In the interest of encouraging the development of new ideas by its students, UCB does not assert ownership over Intellectual Property Rights developed, made or created by its students in the course of their study or research at UCB, unless a student:

- i. Holds a sponsored studentship under which the sponsor has rights to the arising Intellectual Property Rights.
- ii. Is employed by UCB (in which case they will be treated as an employee and the ownership of Intellectual Property Rights resides wholly with UCB).
- iii. Participates in a research programme under the terms of which arising Intellectual Property Rights are committed to the research sponsor.
- iv. Generates Intellectual Property Rights which build upon the existing Intellectual Property rights of UCB; or
- v. Creates Intellectual Property Rights making more than incidental use of UCB facilities, equipment or resources;

in which case such Intellectual Property Rights will automatically vest in UCB to the extent possible in law and equity. If any such Intellectual Property Rights do not automatically vest in UCB the student will assign their Intellectual Property Rights to a) UCB or b) any party designated by UCB.

Students will be required (at the expense of UCB) to sign and execute all documents and do all acts and things as UCB may reasonably require in order to vest in UCB, or in any third party which UCB might nominate, and to protect and/or exploit any Intellectual Property Rights as described in this Policy.

7. Health and Safety

All students admitted to UCB agree to observe and comply with UCB's Health and Safety Policy, a copy of which is available on the UCB website:

<http://www.ucb.ac.uk/downloads/policies-and-procedures/human-resources/health-and-safety-policy-general-statement.pdf>

Students also agree to observe and comply with the Health and Safety Regulations, a copy of which is available on-line at UCB and at each of the centres where our programmes are delivered. Students on placement are required to follow the Health and Safety policy of the employer.

Students following a programme which involves the handling of food must comply with specific legal regulations of which they will be made aware at the start of their programme. Appropriate clean protective clothing must be worn where required.

Neither UCB nor the local centre accept responsibility for loss of, or damage to, property belonging to students. If private insurance cover is required for personal possessions brought into UCB it is the student's responsibility to ensure that it is arranged. (This regulation does not affect students' statutory rights provided by laws of the local country.)

Any theft of, or damage to, personal property should be reported to the local administrator – as given in the programme details.

In all cases of injury, students should obtain the assistance of an approved first aider (UCB Security or the local administrator will advise). A UCB accident report form must be completed to record the incident in detail – no matter how trivial it may seem.

8. Fitness to attend UCB

On rare occasions, the present fitness or general state of health of an applicant to a programme or an existing student may be such that his/her admission to, or continuing attendance at, UCB represents a risk to the health and safety of the student and/or the UCB community, or a significant impediment to the progress of the student or his/her group.

If the matter relates to an application from a person with a criminal conviction, the Admissions Policy for such applications will be followed. In all other cases, the following Fitness to Attend Procedure will apply.

Fitness to Attend Procedure

If a member of staff is of reasonable opinion that a student's present fitness or general state of health is such that his/her continuing attendance at UCB may represent a risk to the health and safety of the student and/or the UCB community, or a significant impediment to the progress of the student or his/her group, they shall report their opinion, and any evidence which supports their opinion, to a member of the Executive Management Team.

If the student is in imminent danger or is considered to be placing other students and staff at risk, any member of the Executive Management Team (EMT) may suspend the student until such time as it is suitable for the student to return. During the course of a suspension, the student is excluded from any property owned or controlled by UCB. The student concerned may not enter these areas without the permission of the EMT member. Suspension in this case is not a disciplinary sanction and is intended to ensure the safety of all in the UCB community. At the same time, the EMT member will initiate contact with any external agency that may be relevant in the circumstances.

The case will be immediately forwarded to the Executive Dean of School who will consider the evidence provided and may request additional information as relevant. In some cases, such as those involving medical issues, it may be required that the student obtain an opinion from UCB's medical advisor (this would necessitate the consent of the student for UCB to contact his/her Medical Practitioner) as to the issue of whether he/she is medically fit to be on UCB premises and to attend the programme of study on which he/she is enrolled. In the case of a student under the age of eighteen, UCB will involve the parent or guardian of the student from the outset unless there is very good reason not to.

If, on receipt of the evidence and other information, the Executive Dean of School is no longer of the opinion that the student's attendance at UCB represents a risk, the student will be informed in writing of the decision to not pursue the matter further.

If, on receipt of the evidence and other information, the Executive Dean of School is still of the reasonable opinion that the student's attendance at UCB represents a risk, or he/she refuses to give consent to a medical opinion being sought, the student will be notified of the time and date of a Fitness to Attend meeting at which his/her case will be discussed. The student shall be given at least 5 days' notice in writing of the time, date and place of the meeting.

Past and Present Conduct and Concerns over Fitness to Attend

If information comes to light about a student suggesting concerns over their fitness to attend, it should be reported immediately to the Executive Dean of School who will carry out a risk assessment and, if this concludes that the student may be a risk, a Fitness to Attend meeting will be called.

The Fitness to Attend Meeting

The procedure for the meeting shall be determined by the Executive Dean of School. The student may be accompanied by another UCB student or a representative of the UCB Guild of Students, who may speak on behalf of the student. During the meeting the student will be given every opportunity to ask questions and to make a statement.

If, at the conclusion of the meeting, having considered all the evidence (including any medical opinion which has been provided) the Executive Dean of School is of the reasonable opinion that the student's attendance at UCB represents a risk to the health and safety of the student and/or the UCB community, or a significant impediment to the progress of the student or his/her group, the Executive Dean of School may exclude him/her on the grounds of unsatisfactory state of health, or posing a potential risk to members of the UCB community, or others.

After the meeting outlined above has been concluded UCB shall notify the student in writing of the outcome of the meeting.

A student may only appeal against the decision of the Executive Dean of School on the grounds that there is new and relevant evidence.

Appeals Process

The student must appeal in writing to the University Secretary and Registrar within 7 days of the decision, stating the grounds for the appeal.

The University Secretary and Registrar shall notify the Vice-Chancellor & Principal who will hear the appeal where there are grounds to do so. The student shall be given at least 10 days' notice in writing of the time, date and place of the meeting.

The procedure for the Appeal Hearing shall be as determined by the Vice-Chancellor & Principal. During the hearing the student will be given the opportunity to ask questions and make a statement.

The Appeal Hearing shall only hear and consider the specific grounds on which the appeal has been made.

The Vice-Chancellor & Principal may decide that the evidence presented in the Appeal Hearing justifies a change in the original decision and/or penalty. If so, he will announce his own decision and/or penalty (if appropriate), which will then become the final and binding one.

In addition to the above, UCB recognises the role of the Office of the Independent Adjudicator (OIA) in respect of student grievances.

9. Equal Opportunities Policy

UCB is committed to a policy of equal opportunities. The aim of the policy is to ensure that all applicants, students, employees and all those involved in its work and other users of UCB facilities receive fair and equal treatment. UCB aims to provide a service that, in its teaching, administration and support actively promotes equality of opportunity and freedom from discrimination on the grounds of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief (including lack of belief), sex or sexual orientation.

UCB continues to have due regard to the need to:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act (Equality Act 2010);

Advance equality of opportunity between people who share a protected characteristic and those who do not;

Foster good relations between people who share a protected characteristic and those who do not.

UCB has a duty to promote and foster an environment where discrimination is seriously challenged. It is committed to equality and justice by attempting to eradicate discrimination in all spheres of its influence. The principles of fairness, justice, equality, dignity and respect are central to UCB's equality of opportunity strategy.

Full copies of the Equal Opportunities Policy can be viewed on the UCB website. <http://www.ucb.ac.uk/downloads/policies-and-procedures/human-resources/equality-of-opportunity-policy.pdf>

10. Student Attendance

Students are required to attend both regularly and punctually for their programme of study, including any periods of work placement. Students must always refer to the FE programme and HE Student Handbooks for instructions on the procedure to be followed when absent due to ill health. All students should be aware that missing scheduled teaching and learning sessions may affect their chances of achieving their qualification. A Further Education student in receipt of Discretionary Bursary Scheme payments will forfeit his/her weekly payment if any session during the week is missed for any reason.

Further Education students have a responsibility to report any absences, their cause and duration, on the Absence Hotline, the number of which is provided on induction. This should be done at the earliest date possible, and in all cases before 9 am on the day of the absence. Retrospective reporting of absences is not permitted other than in exceptional circumstances that would be considered on an individual basis. A medical certificate will be required for periods of absence due to illness of more than 5 days or earlier in cases where

illness is regular or recurring. These, however, will only be accepted where a record exists that the relevant absence was correctly reported.

This evidence would be required, for example, in the event of a claim for special consideration by an Examination Board, Awarding Body or an Assessment Appeal hearing.

If a student is prevented by illness from attending an examination on the due date, it is essential that a medical certificate for that date is produced and submitted in a timely manner for consideration by the Extenuating Circumstances Board of the Examination Board and/or the Awarding Body as detailed in these Regulations.

Higher Education students, who for exceptional reasons need to be absent from their programme, must obtain leave of absence from their Year Manager or Head of Department before such absence takes place. If this is not possible, a student must notify their Year Manager in writing, stating the reasons for the absence. If the Year Manager is satisfied that the absence is unavoidable and for a short period only, no further action need be taken. If the absence is prolonged, a medical certificate or other evidence must be supplied. It should be noted that approval for absence is not automatic and students are expected to arrange for elective medical treatment and other events to take place outside term dates unless absolutely unavoidable. If a student believes that illness or another valid reason for absence has affected their assessment performance, they should make a claim for extenuating circumstances. Students should refer to the Extenuating Circumstances Procedure on the UCB website. Advice on eligibility and submitting extenuating circumstances is also available from the Academic Registry.

If the student's absence is not agreed, UCB has a responsibility, where appropriate, to report the matter to the student's Parents/Guardian (if the student is under 18 years of age), Employer or Sponsor, particularly where the absence is prolonged or habitual. In such instances where students are in receipt of public monies, UCB has a responsibility to inform the relevant awarding authority of any break in study whether agreed or not and this may result in reduced support. In addition, in such instances UCB reserves the right to withdraw the provision of childcare support and/or Learner Support Fund travel allowance.

UCB reserves the right to withdraw a student from a programme where his/her level of attendance and academic progress is deemed to be unsatisfactory. In such circumstances, an Executive Dean of School will act in accordance with the Code of Practice on Student Reasonable Diligence.

When a deferral of study is granted, a student may be required to recommence their studies at a specified point in the following session.

International Students/Home Office

Under the conditions of its Tier 4 Sponsor Licence, UCB is obliged to monitor the attendance of international students and to notify the Home Office if:

- i. A successful international applicant fails to enrol on the programme.
- ii. An international student is absent from their programme for more than 10 consecutive 'contact points' without permission or if the Tier 4 Attendance Monitoring Policy is breached. A 'contact point' can include (but is not limited to) time tabled sessions, assignment hand-in dates, seminars, lectures, dissertation tutor interactions and attendance on placements. This will usually lead to withdrawal from the programme.
- iii. An international student discontinues or suspends their study for any reason, including that resulting from disciplinary action.
- iv. There are any significant changes to an international student's circumstances.
- v. UCB becomes aware that an international student is breaching the conditions of his/her Student Visa.
- vi. A student changes immigration category.

11. Code of Practice on Freedom of Speech and Assembly

UCB supports and promotes the principle of freedom of speech and expression within the law; a principle upon which all institutions of learning should be founded. It will ensure that all UCB staff and students have the freedom to put forward new ideas, to express their opinions and to question existing policy. All members of the UCB community should be aware of their personal responsibilities and obligations in complying with this Code of Practice.

The Code shall apply to:

- i. All staff employed by UCB or whose normal place of work is on UCB premises.
- ii. All students enrolled at UCB.
- iii. The Guild of Students, including employees, societies, clubs and associations.
- iv. Visitors and guests on UCB premises

11.1 Academic Freedom

No person or body to whom this code applies shall take action (other than by reasonable and peaceful persuasion) to prevent any lecture, tutorial or academic activity taking place because of the lawful views held or expressed by the lecturer or tutor concerned. This will also extend to visiting and guest lecturers lawfully present by invitation of UCB or any UCB tutor.

No person or body to which this code applies shall take action (other than by reasonable and peaceful persuasion) to prevent any student from attending any academic activity associated with their programme, because of the lawful views held or expressed by the student concerned.

11.2 Meetings

Any person or organisation, to which this code applies, may hold a meeting to express their lawfully held views on UCB premises. Any refusal of permission by UCB or the Guild of Students shall not merely be on the grounds of disagreement with the views held, or a belief that the meeting may be controversial.

Permission to hold such meetings may be refused if UCB or the Guild of Students reasonably believes that:

- i. The views likely to be expressed are contrary to the law.
- ii. The meeting is intended to incite breaches of the law or breaches of the peace.
- iii. The meeting may promote an illegal organisation or purpose.
- iv. The meeting will contravene UCB policy.
- v. The meeting may harm the interests of UCB.
- vi. The meeting may lead to the presentation of extremist or unbalanced views which could alienate sections of UCB and local communities.

It is the responsibility of the organisers of any meeting or activity at which they may reasonably expect disruption or controversy of any kind to inform UCB at the time the booking is made of the names of the proposed speakers and the subject matter of their talks. The organisers must complete an 'External Speaker Approval Form' detailing the nature of the risks associated with the event going ahead. Where such prior notice is not given and there subsequently appears to be risk of disruption, the hirer shall be in breach of the conditions of the booking and UCB reserves the right to withdraw permission for the use of its premises and require cancellation of the meeting or activity at any time.

Where UCB or the Guild of Students reasonably believes that the lawful meeting will give rise to disorder, they may take whatever measures they consider necessary to ensure the safety of personnel, the maintenance of order and the security of UCB. This may include the imposing of conditions and requirements upon the organisers as to the provision of stewards; variation of location and time and regulation of public access. The requirements must be in proportion to the degree of disorder expected.

Where the expected degree of disorder is likely to exceed the ability of UCB or the Guild of Students to regulate it, in line with the 'External Speaker Policy', UCB may consult the police with regard to establishing whether a police presence would prevent or be able to control the expected disorder. If the police express doubt as to their ability to maintain control of the meeting, UCB may refuse permission for the meeting to go ahead.

Any such meeting must be agreed with the Pro-Vice-Chancellor (Access, Participation and Student Experience) at least 7 days before the date of the proposed meeting.

It is the duty of the organisers of a meeting or event under this code and External Speaker Policy to ensure it is properly conducted so that the rights of freedom of speech are protected. Organised heckling or disruption of a similar nature is contrary to the requirements of the code.

It is contrary to the code for any person or body subject to the code to attempt to prevent a meeting or event from taking place or continuing (other than by reasonable and peaceful persuasion) save for the provisions above.

Students undertaking study in other countries must comply with any local laws and regulations. The local administrator will provide details of any regulations and requirements which relate to the accommodation in which teaching and learning take place. Permission for any meeting must first be gained from the local centre. The local administrator will provide details of the procedure to follow. UCB shall provide reports for the Board of Governors to review on any events where a speaker has not been allowed or where permission to organise an event has been withheld.

11.3 General

It is the duty of all those subject to the code to assist UCB in upholding the rights of freedom of speech recognised in the code.

If any person or group believes the actions of the Pro-Vice-Chancellor (Access, Participation and Student Experience) in refusing permission, withholding facilities or imposing conditions for a proposed meeting are unreasonable, they may make written representation to the Vice-Chancellor & Principal who will consider the matter.

Where a breach of this code occurs, it shall be the duty of those to whom this code applies to take reasonable action to attempt to identify those involved in the breach.

Where breaches of the criminal law occur, and where charges are preferred, the Vice-Chancellor & Principal may decide not to proceed with any internal disciplinary proceedings resulting from the same incident, pending the conclusion of the case.

Any breach of the provisions of this code may be dealt with under the Disciplinary Code of UCB.

12. Interruption of Educational Services

UCB will take all reasonable steps to provide the teaching, examination, assessment and other educational services it offers. However, should industrial action or other circumstances beyond the control of UCB interfere with its ability to provide educational services, UCB will take all reasonable steps, within its power, to minimise the resultant disruption to those services.

Section B - Academic Progress

1. Subject Boards, Boards of Studies and Examination Boards

Every programme of study at UCB has a duly constituted Subject Board and, where appropriate, an Examination Board. Each Subject Board reports to a Board of Studies (a sub-committee of Academic Board).

The Subject Boards are made up of those academic staff having main responsibility for the content, teaching and assessment of the related programmes and representatives of the students studying on the programmes. The Boards of Studies are made up of all relevant programme managers and Deans of School together with a representative of the students from each relevant Subject Board. The Examination Boards are made up of academic staff and Academic Registry representatives having responsibility for the qualifying assessment of the programme and the External Examiners/Verifiers (where appropriate) under the chairmanship of a senior academic staff member.

The main functions of Subject Boards are:

- i. To monitor and discuss the progress and performance of a cluster of related programmes;
- ii. To involve both staff and students in a forum whereby opportunities for programme enhancements may be identified.

The main functions of the Boards of Studies are:

- i. To receive key items arising from Subject Boards;
- ii. To discuss and comment upon matters which affect whole areas of study and assessment at different levels;
- iii. To engage students in the development and enhancement of academic provision and standards;
- iv. To report to Academic Board on the academic progress of the

University's programmes;

- v. To consider any other issues which may be raised by Academic Board.

The main functions of Examination Boards are:

- (i) To consider the performance of individual students in assessment.
- (ii) To make decisions concerning student progress within a programme of study.
- (iii) To make decisions concerning student achievement at the end of their programme.

Information on the membership of the Board of Studies, Subject Boards and Examination Boards is available for reference on the UCB website.

2. Student Progression

The process for the determination and confirmation of a student's marks, assessments and other information relating to a student's progression or qualification is strictly controlled by regulations set by UCB, validating and awarding bodies and professional, statutory and regulatory bodies. In this respect, the final decision is always dependent upon informed academic and professional judgement. For students whose programmes contain an element of Accreditation of Prior Achievement (APA) any progression to a taught part of a programme will be dependent upon satisfactory assessment of evidence. The evidence will be assessed according to an agreed schedule drawn up between the student and assessor.

In Higher Education programmes, progression is determined by a Board of Examiners. Progression decisions in Further Education programmes are dependent on the requirements of the relevant awarding body and the Head of Department/Executive Dean of School for the programme area is responsible for carrying out these requirements.

It is essential that a student notifies UCB of any extenuating circumstances such as poor health, close family bereavement, etc., which may have seriously affected their performance in assessment in advance of the assessment. HE students must complete a UCB Extenuating Circumstances Form and appropriate documentation such as medical certificates MUST be included. An Extenuating Circumstances Form must be submitted for each assessment period.

HE students must provide this to the Academic Registry as soon as possible and no later than 10 working days after the assessment deadline.

A Head of Department/Executive Dean of School may judge in relation to individual students that a case exists that reasonable diligence (see section

A.3, earlier) has **not** been exercised and may, as a result, refer the student to be dealt with under the Code of Practice on Student Reasonable Diligence. <http://www.ucb.ac.uk/downloads/policies-and-procedures/learning-teaching-and-assessment/code-of-practice-and-policies/student-code-of-practice-on-reasonable-diligence.pdf>

If the Board of Examiners is satisfied that an HE student has failed to meet the required academic standards, the Examinations Unit will publish this with information for the student via the UCB Portal. This may include requiring him/her to repeat one or more modules of study.

3. Leave of Absence (Deferral of Studies)

Please refer to the UCB website/Student Portal for the Code of Practice on Leave of Absence Procedures for the full information on this process.

An application to take a leave of absence can be made if a student's ability to attend and participate in the programme of study on which they are enrolled is or will be adversely affected by extenuating circumstances over an extended period of time.

1. In exceptional circumstances students may request permission to take a leave of absence from their studies.
2. In this context, exceptional circumstances are likely to include the following:
 - a. prolonged illness
 - b. maternity / paternity / adoption leave
 - c. changes in professional and / or domestic circumstances which seriously affect the ability to complete the programme within the normal registration period.
3. Permission to take a leave of absence will not normally be granted where:
 - a. Less than half of the teaching weeks on a module remainOr
 - b. It would reasonably be expected that a dissertation or equivalent would be substantially completed.
4. Applications for permission to take a leave of absence must be made in writing to the Academic Registry using the standard pro-forma, which may be accessed and completed via the Student Portal and after referring to the Code of Practice on Leave of Absence.
5. The Deputy Registrar and an appropriate Head of Department/Executive Dean of School (or nominee) will consider the application and respond in writing or by email within 10 working days of receipt and may:

- a. approve the application; or
 - b. reject the application giving full reasons for the decision.
6. In certain situations a student may be put on leave of absence by UCB without the student submitting a leave of absence request (known as compulsory leave). This may be due to a sanction (suspension) following an academic misconduct, fitness to practise or disciplinary outcome. A leave of absence may be required where there are issues with the availability of modules if students need to repeat.
 7. If permission is granted, the correspondence will also note the requirements for continuance of studies following leave of absence including an expected date of return, and where appropriate, requirements for sitting or repeating assessment, for starting or restarting attendance on taught modules, and for arrangements relating to dissertations. This correspondence will be copied to the Finance and Information Services Unit, the programme or Year Manager and the Examinations Unit.
 8. Any marks/credits achieved at the point of leave of absence will stand.
 9. Students returning from a period of leave of absence do not have the right to resubmit or resit assessment undertaken prior to the period of leave of absence, unless this is otherwise stated in the letter issued by the Academic Registry.
 10. If a student is granted leave of absence, it is the student's responsibility to inform the appropriate student finance company. The Finance and Information Services Unit will update the student's record and recalculate the tuition fees due up to the last date of attendance. The Finance and Information Services Unit will then notify the Student Finance Company and the student of the amended fee. The student will also be informed of the tuition fee due on their subsequent return to study.
 11. Please note that student status is suspended for the period of leave of absence. In the case of non-EU International students the Home Office may be notified and students must return to their home country. Students should note that the Home Office will act to curtail existing leave to remain in the UK when they receive confirmation that a leave of absence application has been approved. The student must contact the International Student Support Service for renewed Tier 4 sponsorship when they are planning to return.
 12. Leave of absence, where granted, will normally be for a period of either one semester or one academic year.
 13. Applicants for leave of absence should note that, when permission is granted, there can be no guarantee that the modules and programme remaining for study will be available. It may be that some modules are not

available in a particular semester, or may even have been replaced or revised. This may mean that a student may need to take longer to complete their programme than might otherwise be expected.

14. Before the end of the period of leave of absence a reminder will be sent to the student and will include information on how to re-enrol.
15. If the student decides not to return following a period of leave of absence, they must notify the Academic Registry in writing that they wish to withdraw from a programme of study. Where applicable, formal confirmation of the student's achievement up to the point of leave of absence will be issued. This may take the form of a transcript, notification of performance or an award.
16. Appeals relating to decisions on leave of absence may be made to the Assessment Appeals Committee.

4. Assessment Appeals

Please refer to the UCB Website (About Us/Policies and Procedures) for the full Assessment Appeals Procedure and the Assessment Appeal Form

Summary Information

The Assessment Appeals Procedure is available to all students enrolled at UCB.

A student has the right of appeal against an assessment decision to the Assessment Appeals Committee (of the Academic Board). An appeal that questions academic judgement in awarding a mark is not eligible. The basis of an appeal may only be made on one or more of the following grounds:

- i. That the student's performance was affected by illness or other factors which they were, for valid reasons, unable to divulge before the assessment decision, or the Examination Board's decision was taken. An appeal must be supported by medical certificates or other documentary evidence acceptable to the Assessment Appeals Committee.
- ii. That there is new and relevant evidence not previously taken into account.
- iii. That the correct procedures for determining the student's case had not been followed, resulting in an unfair decision having been made.

A student must complete an Assessment Appeal Form (refer to the UCB website) and submit this to the Deputy Registrar within 7 days of the notification of the assessment decision.

For more information about the best way to make a complaint or appeal and which procedure may be more appropriate, a student may refer to the

Academic Registry, Student Services or the Guild of Students for advice. A key principle is for a student to identify what they are seeking as an outcome to a complaint.

In addition to the above, UCB recognises the role of the Office of the Independent Adjudicator (OIA) in respect of student complaints and assessment appeals.

5. Conduct of Students Sitting Examinations

Regulations for students sitting UCB examinations are published on the UCB website and the HE Examinations page in Canvas in advance of examinations and are displayed at Examination Venues. Regulations for students sitting External Awarding Body examinations are made available to students in advance of the first examination sitting and are displayed at examination venues. Copies of all regulations are available from the UCB Academic Registry or the Examinations Unit.

Students must ensure that they do not engage in any form of cheating in connection with the examination. UCB treats any form of cheating under examination conditions as an extremely serious matter. Any student who is suspected of academic misconduct will be so advised by an invigilator, any unauthorised materials removed and the student be permitted to continue with the Examination. The invigilator will provide a written report of the incident to the Examinations Unit, after which the relevant Executive Dean of School will contact the student in accordance with the Code of Practice on Plagiarism and Academic Misconduct.

Students following Block-mode programmes are subject to the same rules and regulations as their full-time, UK-based counterparts.

6. Plagiarism

Plagiarism is a form of cheating and is a serious academic offence. It arises where work submitted by a student is not their own, but has been taken from another source without referencing it. The most common forms of plagiarism are:

- a) Copying material from the internet
- b) Copying the work of another student (past or present)
- c) Copying course material or lecture notes
- d) Copying material out of a textbook or journal.
- e) Submitting work which is not your own.

It is important to realise that plagiarism may occur in a number of other forms as well as in conventional written work. Another student or students may be involved through collusion, or the plagiarism may arise from the misuse of sources outside UCB.

Plagiarism is a serious matter for educational institutions. If not dealt with, it will ultimately devalue qualifications to the detriment of both students and institutions. It also introduces a fundamental and inevitable distortion when the work of the student cohort is being assessed. This, in turn, is likely to lead to the undetected plagiarist obtaining better marks than another student, for example.

UCB has developed comprehensive procedures for the detection of plagiarism and guidelines for both students and staff which include measures to identify plagiarism, ways to avoid unintentionally plagiarising and details of disciplinary procedures and sanctions UCB may impose on those found guilty of plagiarism or colluding with others by allowing them to gain an unfair advantage through plagiarism.

The full guidance on plagiarism and academic misconduct may be found on the UCB website as follows:

<http://www.ucb.ac.uk/downloads/policies-and-regulations/learning-teaching-and-assessment/code-of-practice-and-policies/code-of-practice-on-plagiarism-and-academic-misconduct.pdf>

7. Fitness to Practise

Certain programmes are designated by Academic Board as being subject to Fitness to Practise requirements. Any programme designated in this way is subject to UCB's Fitness to Practise Policy and the relevant Code of Professional Conduct and Fitness to Practise approved by the Academic Regulations Sub-Committee, which are available on the UCB website.

Fitness to Practise requirements are designed to support the promotion of relevant professional ethics and practices published by recognised bodies, such as a professional association. These are incorporated within a programme-specific Code of Professional Conduct and Fitness to Practise which is provided to students as relevant each year.

All students enrolled on programmes with Fitness to Practise requirements will be required to confirm their acceptance of the relevant Code of Professional Conduct and Fitness to Practise. Failure to do so may invalidate their registration as a student of UCB.

Any breach of the Policy or Code of Professional Conduct and Fitness to Practise, or student actions which call into question their fitness to practise, whether carried out inside or outside UCB, may result in the use of the full range of disciplinary sanctions, including expulsion from the University and will be dealt with as follows:

The case will be immediately forwarded to the Executive Dean of School who will consider the evidence provided and may request additional information as relevant.

If, on receipt of the evidence and other information, the Executive Dean of School considers that there is prima facie evidence of breach of fitness to practise requirements, the student will be required to attend a Fitness to Practise Interview, which will be constituted and carried out as the Executive Dean of School judges appropriate. The student shall be given at least 5 days' notice in writing of the time, date and place of the meeting.

If, given reasonable notice, the student does not attend the meeting will go ahead as planned.

During the meeting the student will be given every opportunity to ask questions and to make a statement. If, at the conclusion of the meeting, having considered all the evidence, the Executive Dean of School is still of the opinion that the student has breached the requirements for fitness to practise, he/she may impose a sanction on the student as appropriate to the severity of the case. Such sanctions may include a suspension, and/or repeating elements of study, and/or repeating practical work elements. Where the case is of a very serious nature, the Executive Dean of School may instead refer it to the Disciplinary Procedure with a recommendation that the student be excluded.

After the meeting outlined has been concluded the student shall be notified in writing of the outcome of the meeting.

A student may only appeal against the decision of the Executive Dean of School on the grounds that there is new and relevant evidence.

The student must appeal in writing to the University Secretary and Registrar within 7 days of the disciplinary decision, stating the grounds for the appeal.

The University Secretary and Registrar shall notify the Vice-Chancellor & Principal who will hear the appeal where there are grounds to do so. The student shall be given at least 10 days' notice in writing of the time, date and place of the meeting.

The procedure for the Appeal Hearing shall be as determined by the Vice-Chancellor & Principal. During the hearing the student will be given the opportunity to ask questions and make a statement.

The Appeal Hearing shall only hear and consider the specific grounds on which the appeal has been made.

The Vice-Chancellor & Principal may decide that the evidence presented in the Appeal Hearing justifies a change in the original decision and/or penalty. If so, he will announce his own decision and/or penalty (if appropriate), which will then become the final and binding one.

In addition to the above, UCB recognises the role of the Office of the Independent Adjudicator (OIA) in respect of student grievances.

8. Code of Practice on the Disclosure of Assessment Marks to Students

The procedures with respect to the disclosure of examination and assessment marks to students refers to the legal requirements governing the disclosure of this information in The Data Protection Act (2018) and General Data Protection Regulations 2016/679.

Final assessment results and progression and award decisions for HE students, as determined by the relevant Board of Examiners, are published with supplementary information on the agreed date via the Student Dashboard.

The Examinations Unit will produce one free hard copy of the academic transcript for each student achieving an award. For students awarded between June and September, this will be provided to the student at the next Awards Congregation. For students awarded from October to May, this will be posted to the student's permanent home address. In addition, students achieving an award will be issued an e-transcript via the Student Portal within 7 working days of the publication of results. Students who cannot access the e-transcript can contact the Examinations Unit for support. Students requiring an additional hard copy of their final Academic Transcript may purchase this at a cost of £25 on the UCB Portal via <https://verify.ucb.ac.uk/>

The Examinations Unit will issue a hard copy transcript to all students successfully completing a level of study. This will be posted to the student's permanent home address. Students requiring an additional hard copy of their Interim Academic Transcript may purchase this at a cost of £25 via Registry@ucb.ac.uk

Section C - Discipline

1. Introduction

UCB expects students to conduct themselves in an exemplary manner and to show consideration for others at all times. It is important that our students play their part in maintaining good order and a harmonious atmosphere in teaching buildings, the residential accommodation and in private sector accommodation, whilst undertaking any placements/visits/residentials organised as part of their programme or when participating in any activities organised by the Guild of Students. Poor behaviour reflects badly not just on the individuals concerned but also on the reputation of UCB.

Students are expected to show respect for individuals, property and the environment and should not engage in behaviour which could cause distress to other users of UCB or our neighbours.

We reserve the right to take disciplinary action against any student whose deeds, actions or behaviour have the potential to bring the name of UCB into disrepute.

2. Disciplinary Code

The following list is by no means exhaustive but serves merely as a guide as to the type of behaviour which may result in disciplinary action:

Conduct prejudicial to the good order, operation and discipline of UCB.

Acting without reasonable consideration towards other members of the community.

Poor behaviour which leads to disruption of other learners, or requiring a disproportionate amount of University staff time and resources to the detriment of learning, will be considered as serious and potentially lead to disciplinary action.

Failure to adhere to the terms of any Performance Agreement.

Failure to comply with UCB's Health and Safety Policy by acting in any way that jeopardises the safety of others. Copies of the Policy are available, for reference, in the Library.

Failure to comply with the relevant conditions set out in the Halls of Residence Contract.

Failure to produce a valid Student Identity Card when requested to do so by a member of staff or using, or allowing others to use, a Student Identity Card not issued to them.

Contravention of the UCB's Equal Opportunities Policy.

Obtaining, attempting to obtain, or assisting others to obtain from UCB, any advantage by deception (a deception may be by words or conduct and occurs when a person is induced to believe something is true, when it is false).

Serious plagiarism.

Conduct which constitutes a criminal offence, e.g. assault, theft, fraud, deceit, deception or dishonesty.

Misuse of banned, controlled or illegal substances.

Posting inflammatory or inappropriate content on social networking sites. This includes inappropriate and/or abusive content relating to any part of University activity, its staff, students, placement or work experience providers and their employees.

Violent, indecent, disorderly, threatening, intimidating or offensive behaviour or language.

Disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of UCB.

Obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff, or visitor of UCB.

The making of false, frivolous, malicious or vexatious complaints, appeals or allegations, including defamation.

Misuse or unauthorised use of UCB premises.

Action which has the potential to bring the name of UCB into disrepute, whether in UCB or elsewhere.

Failure to comply (where appropriate) with the Fitness to Practise policy or the provisions of a programme's Code of Professional Conduct and Fitness to Practise.

Failure to comply with the Library Regulations.

Failure to adhere to guidelines, for the use of I.T. equipment and software, laid down by the UCB I.T. Committee. Copies of the UCB Computer Policy are available on the UCB website.

Any breach of UK or EU copyright law.

Failure to adhere to any rules and regulations laid down by the Guild of Students.

3. Rules Governing Student Disciplinary Procedures

Students registering on a programme at UCB are subject to UCB's Disciplinary Code (see section 2 above).

- i. The majority of behavioural, academic or matters of a general disciplinary nature will be dealt with by teaching staff at School level. Normally matters such as Cautions, Performance Agreements, and Written Warnings will be investigated at School level with appropriate sanctions agreed at School level between staff and the student.

However, incidents which are of a more serious nature, or an accumulation of formal disciplinary proceedings, will be formally referred to the Executive Director of Engagement, Employability and E-Learning. In the majority of cases such incidents would be expected to be at a level with the possibility of attracting a Final Written Warning or expulsion from the University.

At any time teaching staff can refer to the Executive Director of Engagement, Employability and E-learning for appropriate guidance on applying any disciplinary process or sanction.

- ii. Where a breach of this code is of a nature below that likely to attract a Final Written Warning or expulsion, it will be dealt with by the Executive Dean, Head of Department or relevant manager within the School. The Executive Dean, Head of Department or relevant manager will investigate the matter and, if it is concluded that the Disciplinary Code has been breached, may decide to
 - a. issue a formal caution (this may be issued by the tutor or year manager) or
 - b. enter into a 'Performance Agreement' with a student (this will be approved and issued by a Head of Department), setting out conditions to which the student would be expected to adhere. In the case of a student under 18 years of age the parent/guardian/representative will be informed. or
 - c. in the event that the student fails to adhere to the Performance Agreement, the matter may become a formal disciplinary matter to be dealt with in a disciplinary hearing, possibly resulting in a written warning. A written warning will be issued by the Executive Dean of School. In the case of a student under 18 years of age the parent/guardian/representative will be invited to attend. If of a more serious or continuous nature, it may be escalated to the Executive Director of Engagement, Employability and E-Learning.
- iii. Where a breach of this code is considered to be of a nature attracting more than a formal warning, or where the breach is minor but part of a series of persistent breaches, it would likely be referred directly to the Executive Director of Engagement, Employability and E-Learning who will take action as outlined below.

4. The Disciplinary Hearing for the Consideration of a Final Written Warning or Allegations of Gross Misconduct

The Executive Director of Engagement, Employability and E-learning may instigate an investigation prior to a possible disciplinary hearing and may nominate an investigating officer to assist in the gathering of evidence. This may include the questioning of the complainant, witnesses, students or other personnel as he/she deems necessary. If still appropriate 'within time' previous disciplinary records will be sought and considered by the Executive Director of Engagement, Employability and E-learning.. A student will be informed of any allegations against him/her and will have the right to 10 working days' notice before any formal hearing takes place. However, the student may choose to waive this notice period following an initial meeting with the Executive Director of Engagement, Employability and E-learning

During an investigation, or pending a disciplinary hearing, any member of the Executive Management Team may suspend a student from UCB. This suspension is not a disciplinary sanction; it merely allows for a cooling off period or to enable an investigation to be carried out free of any interference. It does however mean that during a period of suspension a student will not

be able to participate in UCB activities, e.g. field trips etc. In the case of scheduled assessments/examinations, an EMT member may allow the student to attend UCB or an examination venue in order to complete an assessment/examination. During the course of a suspension, the student is excluded from any property owned or controlled by UCB. The student concerned may not enter these areas without the permission of an EMT member.

The Executive Director of Engagement, Employability and E-learning will notify the student, against whom a complaint has been made, of the time and date of the Disciplinary Hearing at which his/her case will be heard.

The student may be accompanied at the Disciplinary Hearing by another UCB student or a representative of the UCB Guild of Students, who may speak on behalf of the student.

At the commencement of the hearing, the Executive Director of Engagement, Employability and E-learning will ensure that the student understands the nature of the complaint against him/her.

The procedure for the hearing will be determined by the Executive Director of Engagement, Employability and E-learning. During the hearing the student will be given the opportunity to ask questions and to make a statement. The outcome of a disciplinary hearing may, if determined by the Executive Director of Engagement, Employability and E-learning, be entered on the student's record.

In determining the sanction to be applied, consideration will be given to:

- i. The seriousness of the misconduct
- ii. The student's previous disciplinary record
- iii. The conduct of the student subsequent to the act of misconduct
- iv. Any mitigating factors.

The following range of sanctions may be imposed by the Executive Director of Engagement, Employability and E-learning on students found to be guilty of more serious breaches of the disciplinary code

- i. Expulsion from UCB and/or student residencies.
- ii. Suspension from all UCB activities for a period of up to 12 months.
- iii. A monetary fine, up to a maximum of £500. Non-payment of such a fine may result in the student being suspended or expelled.
- iv. Where the incident involves damage to property, restitution or payment of all costs incurred, in addition to, or instead of imposing a penalty upon the student.
- v. Removal of student privileges.
- vi. A final written warning.
- vii. A requirement to carry out specified voluntary work at UCB or in the community.

Where a suspension or expulsion is imposed, UCB may be obliged to inform any appropriate external agency in line with its duties to that agency.

The Executive Director of Engagement, Employability and E-learning may decide to suspend any penalty imposed on a student for a specific time period. During this period, the student may be required to fulfil certain conditions. Any contravention of these conditions, or if the student commits a further offence, would result in the original penalty being enforced and new sanctions being imposed.

5. Gross Misconduct

In certain circumstances where, on investigation, it has been found that a student has committed an offence deemed to be gross misconduct, the Executive Director of Engagement, Employability and E-learning may expel the student with immediate effect. This will not affect the student's right of appeal as detailed in section 6.

6. Students' Right of Appeal against a Disciplinary Decision

A student may only appeal against a disciplinary decision on one or both of the following grounds:

- i. That there is new and relevant evidence not previously taken into account.
- ii. That the correct procedure for determining the student's case has not been followed, resulting in an unfair decision having been made.

The student must appeal in writing to the University Secretary and Registrar within 7 days of the disciplinary decision, stating the grounds for the appeal.

The University Secretary and Registrar shall notify the Vice-Chancellor & Principal who will hear the appeal where there are grounds to do so. The student shall be given at least 10 days' notice in writing of the time, date and place of the meeting.

The procedure for the Appeal Hearing shall be as determined by the Vice-Chancellor & Principal. The student may be accompanied by another UCB student or representative of the UCB Guild of Students, who may speak on behalf of the student.

The Appeal Hearing shall only hear and consider the specific grounds on which the appeal has been made.

The Vice-Chancellor & Principal may decide that the evidence presented in the Appeal Hearing justifies a change in the original decision and/or penalty. If so, he will announce his own decision and/or penalty (if appropriate), which will then become the final and binding one.

In addition to the above, UCB recognises the role of the Office of the Independent Adjudicator (OIA) in respect of student complaints, grievances and appeals.

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