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RISK ASSESSMENT PROCEDURE

Purpose of a Risk Assessment Panel

1. A Risk Assessment Panel may be convened where the University is informed or becomes aware that:
 - a student/apprentice has disclosed that, during the course of their studies, they have received a criminal caution, charge or conviction;
 - a student/apprentice is being investigated by the relevant authorities on suspicion of having committed a serious criminal offence;
 - an investigation into an alleged serious criminal offence is about to commence;
 - a concern has been raised during an investigation into an alleged misconduct that the student/apprentice poses a risk to themselves or others;
 - a student/apprentice has failed, at the point of admission, to disclose a relevant 'unspent' conviction which has associated penalties that may have an impact during their period of study, in particular where the University may be required to mirror any restrictions and conditions in place;
 - any other circumstance where the actions of a student/apprentice could cause a serious risk to the wellbeing of the University community or reputational damage to the institution.
2. The risk assessment is required to make recommendations for precautionary action where necessary and appropriate, in the context of safeguarding¹ the Responding Student/Apprentice themselves, the Reporting Party, other members of the University community or the University's reputation.
3. The role of the Risk Assessment Panel is to assess the risks arising from the alleged incident on the basis of the allegation reported to the University. In conducting the risk assessment, it is not the role of the Panel to investigate or determine whether the alleged incident has occurred as reported, although it may reconvene as further information becomes available. The University's procedure for dealing with misconduct that is also a criminal offence can be found in sections 2.21-2.27 of the Non-academic Misconduct Regulations.
4. A decision on whether to report an incident to the police against the wishes of the Reporting Party will be made by the Risk Assessment Panel, with overall authority for the decision resting with the Chair. The University's General Counsel and Safeguarding Lead must form part of the Panel when this decision is being made. The Risk Assessment Panel will decide who will make the actual report to the police and the rationale for this will be documented.

¹The term safeguarding is used here to refer to the protection of health, well-being and rights of individuals.

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5. There may be circumstances where the Reporting Party does not want the Responding Student informed of any considerations under this Procedure, as they are not willing to engage in either a police or internal investigation. Where this is the case, the Risk Assessment Panel may agree not to take any formal action; a record of, and rationale for, the decision made will be held on file.
6. The Risk Assessment Panel must identify which incidents are to be reported to external bodies (for example the Charities Commission for England and Wales) and the person responsible, as required, and in-line with their guidance.

Constitution of a Risk Assessment Panel

7. The Risk Assessment Panel will be constituted from the following. A nominee of a Panel member is permitted to attend in their place.
 - University Secretary or nominee (Chair)
 - Director of Student Services
 - Director of Chaplaincy Services
 - Membership Services Director, Students' Union
 - Communications and Media Partner
 - Head of Estate Business Services
 - Security and Cleaning Manager
 - Dean of Faculty of the student
 - Head of Subject of the student
 - A representative from Human Resources
 - University Solicitor
 - Head of Compliance and Immigration Compliance Manager
 - Head of International and Partnership Development
 - Head of Student Casework or nominee (Secretary)

The Chair will confirm which staff are required to attend, depending on the nature of the case. The Chair may ask for a member of staff with specific expertise to attend a meeting if it is deemed necessary.

A Liaison Officer will be assigned to both the Reporting and Responding Students where the Risk Assessment Panel decides that precautionary action is required. They will be a point of contact to guide the student through the Procedure and will normally deliver any correspondence. Reporting and Responding students will be assigned different Liaison Officers.

Function of a Risk Assessment Panel

8. The function of the Risk Assessment Panel is to:
 - evaluate the circumstances as presented;
 - identify and measure risks;
 - advise the University Secretary (or nominee) what action, if any, should be taken to remove or mitigate the risks.

Process for Assessment of Risk and Consideration of Precautionary Action

9. In assessing risk and determining any necessary precautionary action the following must be considered:

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- the type of misconduct;
 - the circumstances of the incident;
 - the circumstances of the individuals involved;
 - the views of the police/prosecutor/probation service.
10. The Risk Assessment Panel will consider the impact or potential impact on the Reporting Party/Responding Student/Apprentice of any measures taken and the support arrangements that need to be put in place (for example, one-to-one pastoral support, counselling sessions, immigration advice and/or academic support). The Risk Assessment Panel will also consider any measures that need to be put in place to protect the investigation.
 11. The Responding Student/Apprentice will have the right to make written representations following the initial meeting of the Risk Assessment Panel.
 12. The Chair will write to the Responding Student/Apprentice to provide them with the outcome of the meeting within two working days.
 13. Precautionary action must be reasonable and proportionate; such action is not a punishment but a neutral act to allow the University to apply its Regulations. The following constitutes a non-exhaustive list of examples of precautionary actions in respect of a Responding Student/Apprentice:
 - Temporary suspension from studies; this will be interpreted as temporary exclusion from all University campuses and services, including residential accommodation, unless exceptions are made by the Panel and communicated to the Responding Student/Apprentice in writing. However, the Responding Student/Apprentice may visit the campus to access any support required in preparing a defence, eg, from the Students' Union, Chaplaincy Services or Student Services, providing appointments have been made formally and in advance through the relevant professional services department. This action will normally only be taken where the post-mitigation risk score is High or Very High.
 - Temporary exclusion from the campus, or certain areas of the campus (for example Students' Union facilities/services or halls of residence).
 - Suspension of access to the University's IT facilities.
 - Imposing certain restrictions/conditions (for example requiring them to move accommodation, and/or requiring them not to contact specified individuals and/or requiring them to attend regular meetings with nominated staff or external agencies).
 - Temporary suspension from a placement.
 14. If no disciplinary action is subsequently taken, the University will ensure as far as possible that the Responding Student/Apprentice has not been disadvantaged by the suspension.
 15. A Risk Assessment Panel can apply precautionary action in relation to students that are pre-registered if they have been a student during the previous academic year.
 16. The time-period for review will be set by the Risk Assessment Panel, taking the individual circumstances of each case into consideration. This can normally be managed under the Fastrack Process (see paras 21-22 below).

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17. The University and/or the Responding Student/Apprentice is able to request a reconvene of the Risk Assessment Panel to consider a prior decision if there is a material change in the circumstances of the case or if new evidence comes to light; for example, if bail conditions have changed or if the police investigation has been dropped.
18. If the actions of the Responding Student/Apprentice have impacted upon another member of the University community, the Risk Assessment Panel will inform them of any precautionary action taken, should that be deemed necessary.
19. The Responding Student/Apprentice and the Reporting Party will be advised to seek support and/or guidance from Student Services as appropriate, and from the Student Money Advice team regarding their financial circumstances and the implications of any precautionary action, if necessary.
20. If a student withdraws from their studies prior to or following consideration by a Risk Assessment Panel, the risk is moved to other appropriate University procedures to be managed.

Fast-track Process

21. There may be circumstances where a fast-track process is necessary or proportionate, for example where there are immediate risks to a party or a member of the University community that need to be addressed. Consideration or review of the case and any precautionary action will be undertaken by the Chair, with administrative support provided by the Student Casework Unit. This may be facilitated via correspondence. It is the decision of the Chair whether the fast-track process should be utilised.
22. The next formal meeting of the Risk Assessment Panel will receive and review any decision taken under the Fast-track Process.

Request for Review

23. The Responding Student/Apprentice may request a review of the outcome of the initial decision of the Risk Assessment Panel or any subsequent, more severe decision of a re-convened panel. This must be done in writing using the standard form 'Request for Review of Risk Assessment Panel Outcome' and submitted to the Student Casework Unit, within five working days of notification of the outcome.
24. The request for review will be considered by a Review Panel within 10 working days of receipt.
25. The Review Panel will be constituted as follows:
 - Vice Chancellor (or nominee);
 - Member of senior management.

In the case of a difference of opinion between the two members of the Panel, the Vice-Chancellor (or nominee) will have the casting vote.

The Secretary, who is not a member of the Review Panel, will be present throughout the proceedings. The Secretary will be the Head of Student Casework, or nominee.

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The members of the Review Panel will have had no previous involvement with the case or association with the student.

26. The Review Panel may request further information from the Reporting Party and/or the Responding Student/Apprentice and/or from the Risk Assessment Panel that made the original decision on precautionary action.
27. The Review Panel, following consideration of the request for review, may:
 - uphold the original decision of the Risk Assessment Panel;
 - over-turn the original decision of the Risk Assessment Panel and substitute a new decision.

Compliance

28. Failure on the part of the Responding Student/Apprentice to comply with the decision of the Risk Assessment Panel will immediately trigger a review by the Risk Assessment Panel, which may result in more serious measures being put in place or an immediate referral to the University's Student Conduct or Fitness to Practise Regulations.
29. Refusal by the Responding Student/Apprentice to meet the conditions/requirements of the Risk Assessment Panel may result in referral to the University's Student Conduct or Fitness to Practise Regulations.

Cases Involving Apprentices

30. In the case of Apprentices, referrals to the Risk Assessment Procedure, and outcomes as a result of such referral, will be reported to the Dean of Faculty (or nominee), who will inform the Apprentice's employer.

Related Regulations and Procedures

Non-academic Misconduct Regulations
 Procedure for Disciplinary Investigations
 Procedure for Disciplinary/Fitness to Practise Hearings
 Procedure for Requests for Review
 Procedure for Requests for Legal Representation
 Extenuating Circumstances Regulations and Procedure
 Support to Study Regulations and Procedure