



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 in conjunction with the Student Conduct Procedure and the Fitness to Practise Procedure (the Procedures).
- 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 the Fitness to Practise Procedure only (see section 1.6)
 - Apprentices.
(NB Any reference to 'student(s)' should also be read as 'apprentice(s)').
- 1.6 This Code and the associated Procedures (except for the Fitness to Practise Procedure) do not apply to:
 - students who are enrolled with collaborative partners, where the collaborative partners' disciplinary procedures will apply; or students who are also members of staff of the University, where the staff disciplinary procedures will apply.
- 1.7 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.

- 1.8 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).
- 1.9 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 that govern the effective organisation and management of specific areas of activity within the University. This includes those which are specifically included as part of a programme of study (including any professional code of practice incorporated therein). 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, respecting the right to privacy of others at all times.

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 Allegations of misconduct submitted anonymously will only be considered at the discretion of the University. The factors which the University will take into account when exercising this discretion include:
- the seriousness of the issues raised;
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from attributable sources.

4. MISCONDUCT THAT IS ALSO A CRIMINAL OFFENCE

- 4.1 The University will fully support or instigate, if necessary, an investigation by the police into criminal activity. Criminal conduct or disciplinary offences whilst a student of the University may also lead to action under the Student Conduct or Fitness to Practise Procedures, as will unprofessional behaviour, which may also contravene codes of professional conduct as applied to students.
- 4.2 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. Failure to inform the University (the University Secretary or Head of Student Casework) of a police interview or arrest for any criminal offence, including a caution or reprimand, as soon as possible after it has taken place, may be regarded as misconduct.
- 4.3 Applicants, after receiving an offer of a place, are asked to contact Enquiries and Admissions to disclose any 'unspent' convictions and associated penalties, which are considered relevant.

Relevant convictions are those which have implications for the University's duty of care towards the safety of their students, staff and visitors. This includes but is not limited to convictions involving:

- violence;
- sexual offences;
- supply of drugs;
- firearms;
- arson;
- terrorism.

This may also apply to applicants who have been included on the barred list without conviction. The barred list contains details of individuals that have been banned from working with children or vulnerable adults due to past behaviour.

This is because the University may need to mirror any restrictions and conditions that have been put in place.

Failure to disclose may be regarded as misconduct. Further information can be found in Enquiries and Admissions' [Criminal Convictions policy](#).

5. PRECAUTIONARY ACTIONS FOR THE PURPOSE OF INVESTIGATION

- 5.1 Where an allegation is of sufficient seriousness, the Risk Assessment Panel or, due to the urgent or sensitive nature of the matter, the University Secretary (or nominee), may approve precautionary action until an investigation/hearing has taken place and a conclusion has been reached (please see Risk Assessment Procedures for further details). Precautionary action will be reasonable and proportionate.

6. EXAMPLES OF MISCONDUCT

- 6.1 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, or
- if it damages or is likely to damage the reputation of the University.

- 6.2 Where a student behaves unreasonably in their interactions with staff of the University, they will be issued with the [Unacceptable Behaviour Guidance](#) and action may be taken as outlined in this document.

- 6.3 The following constitutes a **non-exhaustive** list of examples of possible misconduct, some of which may also constitute a criminal act. Any of these acts committed via the use of technology, including social media, also constitute misconduct. The Guidelines for the Application of Penalties can be found in Section Nine of the [Student Conduct Procedure](#) and Section Eleven of the [Fitness to Practise Procedure](#)

6.3.1 *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.

6.3.2 *Sexual misconduct*

- Engaging, or attempting to engage in sexual intercourse or a sexual act without consent;
- Taking intimate photographs of another person without their consent, for example upskirting;
- Sharing private sexual materials of another person without consent and/or the editing of images to make them sexually explicit;
- Threats to share sexual rumours or photos;
- Kissing and/or touching inappropriately without consent;
- Inappropriately showing sexual organs to another person;
- Repeatedly following another person with sexual intent;
- Making unwanted remarks of a sexual nature;
- Grooming;

- Coercion or bullying with sexual elements;
- Sexual invitations and/or demands.

6.3.3 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;
- Acting in an intimidating and hostile manner;
- Malicious or vexatious allegations against other members of the University community;
- Use of inappropriate language;
- 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/>).

6.3.4 Damage to property

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

6.3.5 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.

6.3.6 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);
- Carrying potential weapons, for example knives, whilst on a university campus.

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.

6.3.7 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;
- Disruption of the activities of the University (including academic, administrative, sporting and social) on University premises or elsewhere;
- Disruption of the functions, duties or activities of any student or employee of the University or any authorised visitor to the University;
- Bribe or 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.

6.3.8 Reputational damage

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

6.3.9 Issues specific to the country of study

- This includes, but is not limited to, failure to comply with the laws of the country of study, where this is outside of the UK, and failure to comply with policies or regulations, including rules as may be imposed by management in relation to the use of shared or campus facilities.

7. PENALTIES

- 7.1 Students must comply with any penalty imposed by the University in respect of any previous misconduct. If they do not a more serious penalty may be issued.
- 7.2 Multiple or repeated incidents of misconduct may be more serious than a single act of misconduct and previous findings may be taken into account when determining penalties.

8. INVESTIGATING ALLEGED STUDENT MISCONDUCT

- 8.1 Cases of alleged student misconduct vary in their nature and complexity but where deemed appropriate they will be dealt with under one or more of the following:
- Student Conduct Procedure:
<https://registry.southwales.ac.uk/student-regulations/student-conduct/>
 - Fitness to Practise Procedure:
[Fitness to Practise | University of South Wales](#)

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 Conduct Procedure.

- Regulations for Misconduct in University Halls of Residence:
<https://www.southwales.ac.uk/student-life/accommodation/halls-residence-regs/>
- Support to Study Regulations:
<https://registry.southwales.ac.uk/student-regulations/fitness-study/>
- The University's Prevent Protocol:
<https://thehub.southwales.ac.uk/Interact/Pages/Content/Document.aspx?id=4755>

8.2 Students making an allegation of misconduct or under investigation for alleged misconduct are strongly advised to seek advice and assistance from:

- Students' Union:
<https://www.uswsu.com/>
- University's Student Services
<https://advice.southwales.ac.uk/a2z/student-services/>
- Chaplaincy
<http://chaplaincy.southwales.ac.uk/>