

S/19/83
Open Internal
Appendix 2

Part B: Procedure for convening a hearing of the Senate Discipline Committee (SDC) to consider an allegation of a major / Category 2 offence

Jurisdiction

- 1) A hearing of SDC will be convened to hear any allegation [~~of a~~] Category 2 offences referred to it by the Chair or Deputy Chair.

Membership

- 2)

assistance, and an offence allegation;

- v. The right to submit relevant supporting information for SDC to consider at the hearing. Any such documents must be submitted 7 working days in advance of the hearing in order that they may be distributed with the agenda and papers for the hearing.
 - vi. The right to submit a final written statement no later than 7 working days before the hearing (if the student wishes to admit the offence or evidence to support a rebuttal of the offence).
- 6) Witnesses may not attend the hearing in person. The student accused may submit a written statement from any witness (if willing, in all cases) for consideration by members of the Committee.
- 7) The student accused may be accompanied at the hearing by a member of the University. In accordance with the procedures outlined, the role of the accompanier is limited to provision of pastoral and welfare support of the student accused during the hearing. Specifically:
- i. The student may attend the meeting accompanied by a single person only.
 - ii. At the beginning of the meeting the accompanier will be formally requested by the

• Chair attending the hearing will have discretion whether to allow witnesses or accompaniers to attend or to accept additional papers submitted by the student.

10) In response to the current COVID-

- 17) At the hearing, normally the AUO will speak first and the student second. The order of appearance and any statements by witnesses or accompaniers will follow as specified by the Chair.
- 18) At the hearing, both the student and the AUO may question and be questioned by each other and by members of SDC. . The Chair may request at any time that questions be directed through the Chair. Input from the Head of Department and /or Head of College and witnesses is via the provision of a written statement only (to be provided one week in advance of the meeting)
- 19) At the end of the hearing, the AUO will be invited to make a final statement followed by an account of mitigating circumstances where the student wishes to admit the offence or evidence to support a rebuttal of the offence. The student may ask to make the statement for them.
- 20) All participants at the hearing will withdraw

Following a disciplinary hearing

- 21) SDC will hold a private meeting to consider its decision.
- 22) Within 5 working days of the hearing, the SDC Secretary will inform the student of the outcome of the hearing.
- 23) Normally within 10 working days of the hearing, the student will be provided with notes of the hearing which will set out the reasoned decision of SDC and summarise the facts found and considerations which led it to reach its decision. The Secretary of SDC will also inform the student of any further actions to be taken as a result of the decision and the right of request a review when any further actions are complete. The student will be kept reasonably informed of progress in the case.

Part C: Additional Considerations

Privacy and Confidentiality:

- 1) All persons attending the hearing agree to respect and be bound by the private and confidential nature of these and related proceedings.
- 2) Prior to a hearing being formally convened, the Chair aided by the Secretary, will require each member of the Committee, the student accused, the AUO and the note-taker to provide reasonable assurance that they have made arrangement to:

- i. Join the meeting from a location which is private, ensuring seclusion from any other members of the household;
- ii. Mitigate potential disruption and interruption from others within the household or outside the household (i.e. telephone disruption).

Information Governance:

- 3) Durham University is committed to protecting the rights and privacy of individuals in accordance with appropriate UK and European legislation. This includes the:
 - i. General Data Protection Regulation;
 - ii. Data Protection Act 2018;
 - iii. Privacy and Electronic Communications Regulation.

- 4)

Further clarification:

- 11) Further clarification regarding these procedures is available by contacting student.cases@durham.ac.uk.