

Online Student Conduct and Discipline Procedures

Introduction

1.1 The Code of Conduct is built on the principle that all students are expected to maintain a standard of conduct which supports our commitment to excellence in education and scholarship and promotes good order and the good name and reputation of the University of Liverpool or Kaplan Open Learning (KOL). These procedures should be read in conjunction with the [University of Liverpool Student Conduct Policy](#).

1.2 Our Online Student Conduct procedures are not a criminal process and therefore allegations of breaches of the Conduct Policy need not be proved 'beyond reasonable doubt'. The standard of proof applied is the 'balance of probabilities', which means that, when assessing the evidence objectively, the view is taken that it is more likely than not that the allegation is true.

Standards of student conduct

2.1 University of Liverpool online students are required to behave as responsible members of the online learning community, and to represent and uphold the good name of the University and KOL, allowing all students and staff to study and work in a safe environment.

2.2 A substantive, but not exhaustive list of behaviours and actions which the University and KOL regard as misconduct can be found in the [University of Liverpool Student Conduct Policy, Appendix B: Student Conduct Breaches and Indicative Sanctions](#).

2.3 All students are required to sign the University of Liverpool and Kaplan Open Learning Terms and Conditions upon enrolment.

How to report a concern about a student's conduct

3.1 Anyone can make a report regarding a student's behaviour, including honorary lecturers, staff at partner institutions, fellow students, staff at KOL or a member of the public. The reporting party need not necessarily be the person(s) directly affected by the alleged behaviour.

3.2 Students who wish to raise a concern under this procedure can:

- i. Raise their concern with their Student Support Team or Programme Director via email.
- ii. Contact the Head of Student Experience and Welfare via email.
- iii. Make a report via the Report and Support online form

3.3 Staff or honorary lecturers who wish to raise a concern about a student's behaviour should speak to the KOL Programme Director or Head of Student Experience and Welfare.

What we will do when a concern is raised through this procedure

4.1 Where a concern is raised with a KOL Student Adviser, Programme Director or Head of Student Experience and Welfare, this should first be considered alongside the University of Liverpool [Student Conduct Policy](#) and [Appendix B: Student Conduct Breaches and Indicative Sanctions](#), and advice on how to proceed should be sought from the University Student Conduct, Complaints and Compliance Team to determine if the case can be considered under the Procedure for Local Disciplinary Action.

4.2 Such action is designed to allow minor incidents to be dealt with quickly, to prevent further breaches, and sustain appropriate standards of conduct and behaviour, and such incidents are likely to be those classified as Category 1 breaches in Appendix B: Student Conduct Breaches and Indicative Sanctions.

4.3 Where it is deemed that the case does not warrant Local Disciplinary Action, the following KOL staff have the authority to act under the policy relating to Informal Resolution, as detailed in Section 2 of [Appendix A: Student Conduct Procedures](#):

- Programme Director(s)
- Deputy Academic Director
- Head of Student Experience and Welfare

4.4 Where it is determined that the case warrants consideration under the procedure for Local Disciplinary Action as per Section 9 of the University of Liverpool Student Conduct Policy, this will be investigated by KOL's Head of Student Experience and Welfare (or nominee), acting as the Student Conduct Officer.

4.5 Allegations of serious misconduct i.e. allegations that cannot be dealt with under the Procedure for Local Disciplinary Action will be referred to the University of Liverpool by the Student Conduct Officer for consideration under Section 10 of the University of Liverpool Student Conduct Policy.

Procedure for Local Disciplinary Action

5.1 Local Disciplinary Action is likely to be suitable only for breaches listed as Category 1 in Appendix B of the Student Conduct Policy: Student Conduct Breaches and Indicative Sanctions. Such cases will be investigated by the KOL Student Conduct Officer or their nominee.

5.2 The Student Conduct Officer will follow the procedure for handling such alleged breaches of the University of Liverpool Student Conduct Policy as detailed in Appendix A: Student Conduct Procedures, Sections 3.1-3.11. In addition, they will:

- Make the responding student aware that a member of the KOL Quality and Enhancement Team will attend the interview to act as note-taker.
- Draw attention to the University of Liverpool Student Conduct Policy and the procedure for handling alleged breaches of the Policy as detailed in Appendix A: Student Conduct Procedures, Section 3.
- Discuss the allegation(s) with the reporting student and any other persons involved, as appropriate.
- Pending the outcome of an investigation, when in the opinion of the Student Conduct Officer it is necessary for the protection of any person, the reputation of the University of Liverpool or Kaplan Open Learning or the student themselves, the Student Conduct Officer may impose on any student a requirement that the student has no contact or restricted contact, with a specified person or persons. Failing to comply with such a requirement, without good reason, shall amount to a breach of the University of Liverpool Student Conduct Policy.
- If the case is proven or the responding student admits to the allegation of misconduct, the Student Conduct Officer will impose a sanction or sanctions determined by reference to Appendix B: Student Conduct Breaches and Indicative Sanctions, and taking into consideration the facts of the case, precedent in similar previous cases, any aggravating and mitigating factors, and the student's conduct history. Penalties will not last beyond the

student's current programme of study. The imposition of a penalty, or part thereof, may be suspended on any reasonable terms decided by the Student Conduct Officer.

5.3 In circumstances where an investigation is carried out under the University Disciplinary Procedures but upon conclusion, the Investigating Officer makes a recommendation for Local Disciplinary Action instead of referral to a University Disciplinary Hearing, a copy of the investigation report and evidence base will be sent to the KOL Student Conduct Officer, who will then follow the procedure detailed in Sections 3.13 -3.15.

Local Disciplinary Action – Right of Appeal

6.1 Any appeal against a decision or penalty made following Local Disciplinary Action will be considered under the University of Liverpool Student Conduct Policy Appendix A: Student Conduct Procedures, Section 4, with the following additions specific to online students:

- i. An appeal against a decision of the Student Conduct Officer should be submitted as per the instructions provided in the Outcome Letter. This should be emailed to appealsandcomplaints@study-online.liverpool.ac.uk within ten working days of receipt of the Outcome Letter.
- ii. The student's appeal will be considered by the Director of Student Services (or nominee).
- iii. The Director of Student Services will consider the statement provided by the student as part of the review, alongside any additional information that is provided. Where the appeal is based on procedural irregularities, he/she may request from the Student Conduct Officer a summary of the case and rationale for the decision taken to support this review.
- iv. An Outcome Letter will be provided to the student by the Quality and Enhancement Team. The decision of the Director of Student Services will be final and students will have no further right of appeal. The Completion of Procedures information will be provided within the Outcome Letter.
- v. All review documentation and the outcome letter will be stored centrally by the Quality and Enhancement team and submitted to the Student Conduct, Complaints and Compliance Team in order that a central record of disciplinary action against the student can be retained.

University Disciplinary Procedure

7.1 Misconduct dealt with by a University Disciplinary Panel is usually defined as serious misconduct, or persistent incidents of misconduct that have originally been dealt with via Local Disciplinary Action. The University Disciplinary Procedures are detailed in the Student Conduct Policy, Appendix A: Student Conduct Procedures, Sections 5-15.

7.2 In the first instance, all allegations of misconduct against a student studying an University of Liverpool Online Programme will be reviewed by the KOL Student Conduct Officer, and if, following discussion with the University Student Conduct, Complaints and Compliance Team, it is determined that the case is of a more serious nature, or where there has previously been a series of minor offences dealt with via Local Disciplinary Action, or where there is ongoing police involvement, the Student Conduct Officer will refer the case to the University Student Conduct, Complaints and Compliance Team.

7.3 To determine the suitability of a case being presented to a University Disciplinary Panel, an Investigating Officer appointed by the University will investigate following the procedure laid out in

Section 6 of Appendix A: Student Conduct Procedures. On conclusion of their investigation, they will make a recommendation to the Student Conduct, Complaints and Compliance Manager, or their nominee, as follows:

- i. Where there is no case to answer, no further action should be taken but a note of the investigation should be kept on the responding student's record until they graduate in case of complaint of further allegation(s).
- ii. Where there is evidence to support a breach of the Student Conduct Policy has likely occurred but that the potential breach is not sufficiently serious to be referred to the University Disciplinary Panel and can be dealt with under Local Disciplinary Action, the Student Conduct, Complaints and Compliance Manager will write to the KOL Student Conduct Officer requesting they take Local Disciplinary Action.
- iii. Where there is evidence to suggest a breach of the Student Conduct Policy has likely occurred, and the potential breach is of a serious nature such that it should be referred to the University Disciplinary Panel, the Student Conduct, Complaints and Compliance Manager will notify the responding student in writing.

7.4 Sections 9-14 of Appendix A: Student Conduct Procedures, explain the student's right to representation, the use of witnesses, expectations around attendance at the hearing, and the procedures followed within the hearing itself should the student admit or deny the allegations

7.5 Following the hearing and approval of the minutes by the Chair, the responding student and the reporting party will be notified in writing of the outcome of the hearing and of their right to appeal.

7.6 A copy of the letter to the responding student shall also be sent to KOL's Student Conduct Officer and Quality and Enhancement Team.

7.7 The outcome letter will be sent by email only to the student's University email address. It can also be copied to an alternative email address at the request of the student.

7.8 If the reporting or responding student does not choose to exercise their right of appeal within the deadline set out in these procedures, they will be issued with a Completion of Procedures letter by the Advisor to the University Disciplinary Panel once the deadline has passed.

University Disciplinary Right of Appeal

8.1 Any appeal against a decision or penalty of the University Disciplinary Panel will be considered using the procedures documented in the University of Liverpool Student Conduct Policy: Appendix A, Student Conduct Procedures, Sections 16-21.

Advice, Support and Guidance

9.1 Students who are concerned about the behaviour of another student can access support from the Student Support Team whether or not they wish to raise their concerns formally through this procedure. The KOL Welfare Officer is also available to provide support, as are the Liverpool Guild Advice Service.

Conferral of Degrees

10.1 Except with the special permission of the University of Liverpool, no degree of the University of Liverpool will be conferred upon, or certificate or diploma granted to a person who is subject to on-

going action in accordance with these procedures, including the hearing of any appeal under the procedures or outstanding criminal investigations or proceedings.

Confidentiality

11.1 Throughout the operation of these procedures, we will seek to ensure that confidentiality is maintained. This approach will not prevent us from disclosing information where necessary for the discharge of duties or as required by law, nor will it prevent us, where appropriate, from disclosing information about any outcome under this procedure.

11.2 Records relating to conduct offences will be held by the KOL Quality and Enhancement Team on a central database and will not normally be included in the student's centrally held academic file.

11.3 Records of conduct cases are destroyed by the KOL Quality and Enhancement Team six academic years after the student has left the programme.

Responsible Manager	Title
Kat y Bailey	Director of Student Services
Matt Tamplin	Head of Student Experience and Welfare
Date of Approval	June 2023
Related Policies and Procedures	University of Liverpool Student Conduct Policy University of Liverpool Online Students Complaint Procedure