

Birmingham City University
2020/21 COVID-19 Student Disciplinary Procedure (Non-Academic)

Introduction

The safety and security of all in our University community is our absolute priority, especially in the current circumstances. We have put in place extensive measures to ensure that our staff and students remain safe while on campus, and part of those measures include taking action when a member of the University community acts in a way that puts others at risk. Details of the safety measures in place and expected student behaviour are included in the student 'Return to Campus' induction and can be found on the [COVID-19 Secure site for students](#). Where details change in response to Government guidance, any changes will be reflected on the COVID-19 Secure site.

This document sets out what we will do where an enrolled student of the University conducts themselves in a way that potentially poses a risk to others. This document acts as an annexe to the Student Disciplinary Procedure (Non-Academic) and should be read in conjunction with that procedure. The annexe will be subject to review and may be amended to reflect changes we make in how we protect our University community. The annexe will remain in place throughout the 2020/21 academic year.

This annexe relates to on-campus behaviour, and off-campus behaviour where it takes place as part of University arranged or sponsored activity, or on University premises (including University halls of residence and sports facilities).

The student COVID-19 online induction

The University has introduced an online induction module on Moodle, to help you understand what you need to do to be safe and secure on campus. You are expected to complete the module before attending campus so that you understand the measures and rules that have been put in place to protect the University community.

Under this annexe, we may give you a warning which includes a requirement to complete the online induction, even if you have previously completed it. This is to ensure that you have fully understood what is expected of you in terms of staying safe on campus. If we require you to complete the induction and you do not do so, we will take additional disciplinary action as part of our commitment to the safety and security of our students and staff. Further information is set out below, under the 'University actions' section.

Types of behaviour

Any behaviour that might put a member of the University community at risk of COVID-19 infection, or which might cause distress or anxiety to a member of the University community in relation to COVID-19, is covered by this procedure. The actions we will take in response to the types of behaviour are set out below under the 'University actions' section.

You should be aware that some of the offences listed below may also constitute a criminal offence. Additional information on action we might take with regard to criminal offences is included in the Student Disciplinary Procedure (Non-Academic).

Examples of behaviour that will result in action under this procedure

Note that the list is not exhaustive.

- Attending campus in circumstances where you are experiencing symptoms of COVID-19 or have a confirmed infection;
- Intentional coughing, spluttering or spitting towards anyone else;
- Failure to self-isolate when required to do so;
- Failure to quarantine when required to do so i.e. when arriving in the UK from a country not on the Government's exemption list at the time of your arrival;
- Falsely claiming that you or another individual either may or does have COVID-19, where you know this to be untrue;
- Reporting a breach of this annexe where you know the report to be untrue;
- Any activity which intentionally breaches Government rules in place at the time e.g. meeting in a group of more than the allowed size or inviting someone from outside your household into University accommodation;
- Accessing any area that is restricted e.g. going beyond a 'No Access' barrier for any reason or entering a 'Staff Only' kitchen;
- Failure to keep to social distancing rules (no touching and face coverings on at 1m+) put in place by the University within buildings, including in teaching spaces with exception of household bubbles (private dwelling and halls of residence groupings with shared kitchens);
- Failure to make use of required PPE when requested and / or required;
- Misuse of safety equipment or protective materials e.g. playing with face masks or gloves.
- Failure to follow a reasonable instruction issued e.g. not taking action to distance yourself from others when asked to do so;

Reporting behaviour

Where you witness unacceptable behaviour, including any breaches of COVID health and safety requirements, you should immediately make a report using the University's online [Notify system](#). All reports of this kind will be passed to Student Governance for appropriate review and action to be considered (see 'University actions' below).

University actions

In all cases of unacceptable behaviour, we will take action to protect our community and to help you to understand why your behaviour has been unsafe. The actions set out below are intended to allow the University to act swiftly and proportionately in order to address your behaviour and mitigate any risk that your behaviour might pose.

Where Security Services staff identify serious or repeated breaches taking place on campus, they are empowered to remove you from University premises immediately and to suspend your University access card for a period of 24 hours. Security Services will complete a Notify report to confirm the action taken.

On receipt of a report relating to any student breach of this Policy, Student Governance will notify you of the report via email to your University account. You will have 48 hours from the time of that email to make any representations you wish to make e.g. to explain your behaviour, dispute the report or offer mitigation for your actions. After three working days, a

Head of Casework within Student Governance will consider the case and decide on an appropriate outcome (including where you have not made any representations).

Appropriate outcomes include:

1. Case dismissed with no further action-case not made and/or insufficient evidence;
2. Warning with educational approach -instruction to complete the online student COVID-19 induction module with no further action when completed;
3. Case referred to the Student Disciplinary Procedure (Non-Academic);
4. Referral to the Student Disciplinary Procedure (Non-Academic) combined with an immediate precautionary suspension for up to 7 days. The precautionary suspension requires an immediate review and sign off by a member of the University Executive group (normally PVC Dean of Faculty or in their absence another UEG member);

Failure to complete the student COVID-19 induction where required to do so as part of the outcomes above may be considered a separate disciplinary offence and referred under the Student Disciplinary Procedure (Non-Academic) or Fitness to Practise Procedure. Where you are referred under the Student Disciplinary Procedure (Non-Academic) or Fitness to Practise Procedure at any stage, we will investigate your behaviour under that procedure and all penalties set out in the procedure will be available, including exclusion from the University or withdrawal from your course of professional study.

Appeals

You have the right to appeal any action taken by the University under this policy. Appeals should be made within 48 hours of the Head of Casework's decision being issued to you, and should be submitted via email to Richard Booth, Assistant Director Student Governance, Mental Health and Wellbeing: Richard.Booth@bcu.ac.uk. The Assistant Director can make any of the following decisions:

- To uphold the original decision in full;
- To uphold the original decision, but with a revised outcome;
- To set the original decision aside.

Where the Assistant Director has considered a previous case relating to you under this annexe, an alternative member of staff will be nominated to consider your appeal.

Recording cases

Cases arising under this policy will be recorded by Student Governance and retained for the duration of the 2020/21 academic year. However, cases will not be logged under the student disciplinary or fitness to practise process and will not appear on your disciplinary record unless you are referred under the Student Disciplinary Procedure (Non-Academic) or Fitness to Practise Procedure (see 'University actions' above).

Support

The [Students' Union Advice Centre](#) can offer you advice and support in relation to this policy, the Student Disciplinary Procedure (Non-Academic) and the Fitness to Practise Procedure. If you have any concerns about being on campus, including in regard to the safety of yourself and others, there is information available from the [student COVID-19](#)

[Secure site](#). The [Mental Health and Wellbeing team](#) can also offer you support and advice about staying safe and looking after yourself in the current circumstances.