CORPUS CHRISTI COLLEGE
CAMBRIDGE

STUDENT DISCIPLINARY PROCEDURES

Approved and adopted by the College’s Governing Body on 1 July 2019
Amended with the approval of Executive Body on 9 October 2020

1 General Principles

1.1 These Disciplinary Procedures enable the College to consider whether there has been a breach of the College Rules and, if a breach has occurred, to impose proportionate sanctions or measures. They are implemented by the Dean of College and by the College Disciplinary, Appeals and Statute 52 Committees.

1.2 The standard of proof used when making determinations under these Disciplinary Procedures is the balance of probabilities. The burden of proof rests with the College.

1.3 These Procedures are not a replacement or substitute for proceedings in a court of law. The Dean of College and the relevant Committees shall comply with basic principles of procedural fairness but these Procedures do not have the same degree of formality as legal procedures and therefore,

(a) it is not appropriate for a Respondent or the College to be represented by a lawyer, except as permitted in proceedings involving the Statute 52 Committee;

(b) the English law of evidence shall not apply;

(c) the written statement of a witness unable or unwilling to meet with the Dean of College in person during the Investigation may be admitted in evidence, but shall be treated with caution insofar as it contains material disputed by the other side;

(d) a student’s failure to give a timely explanation to the Dean or to any Committee acting under these Procedures, or to allow a request from the Dean to access a College room shall not, in the absence of other incriminating evidence, be sufficient to justify a finding of responsibility, but such adverse inferences as are reasonable and appropriate may be drawn;

(e) the Dean of College or Committee acting under these Procedures may find a student responsible for a breach of the College Rules other than the one in the original Concern.

1.4 The College will not initiate or continue any Investigation into a Concern if the Dean of College or Committee acting under these Procedures considers that the College does not have the resources, powers or capacity to carry out an Investigation that is robust, competent and fair. For this reason, the College will not normally initiate or continue any Investigation into a Concern if it appears that the Concern involves a criminal offence triable only on indictment.

1.5 At any stage of these Disciplinary Procedures, the Dean of College or the Disciplinary Committee may pause or close proceedings and refer the case to the Police, or refer the case for consideration under a different University or College procedure, including but not limited to the University’s Disciplinary Procedure, or the University’s or College’s Procedures on Student Harassment and Sexual Misconduct or Fitness to Study.

1.6 A decision by a Reporting Person or person affected by the Concern not to report a possible criminal offence to the Police and/or not to press charges shall not affect the powers of the College to proceed independently under these Disciplinary Procedures.

1.7 The College will not initiate or continue an Investigation into any matter under active investigation by the Police or by the University, into any matter for which criminal proceedings (including appeal processes) are ongoing,
or where a criminal trial is pending or imminent. Otherwise, the initiation of Police, University or criminal proceedings shall not affect the powers of the College to proceed independently under these Procedures.

1.8 The College will treat relevant police fines, cautions and criminal convictions received by the Respondent as conclusive of the fact that the Respondent committed the act or acts in question. Accordingly, disciplinary action under these Procedures shall not normally be taken against a Respondent who has been acquitted in a court of law of committing the act or acts in question. Where appropriate, any penalty imposed by the College shall take any fines, cautions and other penalties already received into account. The provisions in this section shall apply in like manner to disciplinary proceedings of the University.

1.9 In the case of a conflict of interest on the part of any of the officers named in these Procedures, the Master will appoint a suitable alternative.

1.10 All decisions by the Committees involved in these Procedures shall be made by majority vote.

1.11 All persons and officers are required to act respectfully and reasonably at all times while using these Procedures. Every Student shall cooperate fully in investigations and proceedings under these Procedures.

1.12 While these Procedures are ongoing, all persons and officers involved are required to keep the proceedings confidential. They must not disseminate any information or participate in any discussion about the proceedings, unless expressly permitted by these Procedures, either in person or through digital platforms, including e-mail, instant messaging and social media.

1.13 The Dean of College, Chair of the Disciplinary Committee, and Chair of any Appeal or Statute 52 Committee may seek legal advice at any time.

1.14 The Dean of College may seek informal advice from any Fellow in Law of the College at any time.

1.15 The Dean will inform the Master if they consider that the alleged conduct described in the Concern may have brought or may bring the College or University into serious disrepute. The Dean will inform the Senior Tutor if they consider that the welfare of any Student involved is at risk of serious harm as a result of the Concern or of these Procedures.

1.16 Any Student who is involved in these Procedures should contact their Tutor or the Senior Tutor if they require support, and for advice on College, University or external support organisations.

1.17 Any Student who is a Reporting Person or a Respondent may lodge a complaint about the outcome of these Procedures within 7 days of the completion of Procedures by using the College's Student Complaints Procedure. The Respondent may also complain to the Office of the Independent Adjudicator within 12 months of the date of a Completion of Procedures Letter.

1.18 These Procedures do not curtail the power or duty of the College to fulfil its pastoral responsibilities and duty of care to all of its Students. Where there is a significant on-going risk to members of the College or University community, or to the wider community, the Dean of College may decide to report the Concern to the Police. When appropriate, the Reporting Person and/or Respondent will be informed before a report is made.

1.19 The Dean of College may be contacted at dean-of-college@corpus.cam.ac.uk. The Chair of the Disciplinary Committee may be contacted at disciplinary-committee@corpus.cam.ac.uk. The Master may be contacted at master@corpus.cam.ac.uk.

2 Definitions of Key Terms, Officers and Committees

2.1 Appeal Committee: A committee that decides whether to uphold or dismiss an appeal against a decision of the Disciplinary Committee, with the authority to amend, quash or impose sanctions and measures.

2.2 Completion of Procedures Letter: A letter that confirms the completion of a Formal Disciplinary Procedure.
2.3 Concern: An allegation that the College Rules have been breached and a description of the behaviour of concern, submitted by the Reporting Person to the Dean of College, about a current Student or Students of the College who may or may not be named in the Concern.

2.4 Dean of College: A Fellow of the College appointed by the Executive Body with responsibility for determining whether a Concern should be investigated, for conducting the Investigation, determining the action to be taken following the Investigation, and presenting the findings to a Disciplinary, Appeal or Statute 52 Committee. The Dean of College has the authority to determine whether the College Rules have been breached and to impose sanctions or measures.

2.5 Disciplinary Committee: A committee that determines whether the College Rules have been breached and, if so, has the authority to impose sanctions or measures.

2.6 Investigation: Investigation of the Concern by the Dean of College under the Informal or Formal Disciplinary Procedures.

2.7 Impact Statement: A written statement from a Reporting Person or Witness that describes the personal impact of an alleged breach of the College Rules.

2.8 Student: An undergraduate, postgraduate or visiting student of the College.

2.9 Statute 52 Committee: A Committee assembled specifically for the purpose of considering the penalty of permanent exclusion of a Student from the College under section 52 of the College Statutes.

2.10 Reporting Person: A person who reports a Concern to the Dean of College.

2.11 Respondent: A Student whose conduct is the subject of a Concern.

2.12 College Rules: The rules established by the College concerning the conduct of Students.

2.13 Witness: A person who has witnessed the Respondent’s behaviour as alleged in the Concern, or any related event or matter. The Witness may be someone to whom the behaviour was directed, or a third party.

2.14 Unless otherwise specified, other terms shall be given their ordinary and/or dictionary meaning and not any technical meaning found in statute or case law.

3 Flowchart Summarising the Major Features of these Disciplinary Procedures

(see next page)
4 Submission and Evaluation of a Concern

4.1 The Reporting Person must provide their name and contact details upon submitting the Concern.

4.2 The Reporting Person may be any member of the College, or anyone who contacts the College to report a Concern. In order for the Dean to start a preliminary evaluation, the Reporting Person may be a person directly affected by the Concern, a Witness of the behaviour described in the Concern, or a person in possession of evidence to support the allegation/event described in the Concern.

4.3 A Concern may be forwarded to the Dean of College on behalf of a member of staff by their line manager or on behalf of a Student by the College’s Harassment Officer. Any member of staff or Fellow may forward a Concern reported by an external person.

4.4 Any report by a member of the College staff or Fellow of an incident that, if proved, would constitute a breach of the College Rules shall be treated as a Concern for the purposes of these Procedures.

4.5 Concerns should be submitted or forwarded to the Dean of College in a timely manner. The Dean shall acknowledge receipt.

4.6 The Dean of College shall conduct a preliminary evaluation of the Concern. During the preliminary evaluation the Dean may interview the Reporting Person. For the purposes of these Procedures, a preliminary evaluation does not constitute an Investigation.

4.7 In the case that no Respondent(s) is named in the Concern, the Dean may conduct a preliminary investigation to establish the identity of any Respondent(s). The preliminary investigation will be carried out according to the principles in paragraphs 6.1 to 6.4 of these Procedures. If the Dean decides subsequently to initiate the Disciplinary Procedures, any findings will be transferred to the Informal or Formal Procedures and form part of any Investigation Report.
If appropriate, the Dean of College may seek to reach or promote a settlement between the Reporting Person and the Respondent, with a view to resolving the matter without recourse to these Procedures.

The Dean of College shall decide whether to initiate Disciplinary Procedures by considering whether:
(a) the Concern is frivolous, manifestly ill-founded or vexatious;
(b) the Concern would be more appropriately disposed of with a warning or advice to the Reporting Person and/or the Respondent;
(c) the Concern has been reported to the Police or referred to the University’s Disciplinary Procedures;
(d) the Concern would be more appropriately dealt with under another College or University procedure; and
(e) the College has the resources, powers or capacity to investigate.

Following a decision to initiate these Disciplinary Procedures, the Dean of College shall decide whether to initiate the Informal or Formal Disciplinary Procedure. In deciding which procedure to use, the Dean will consider the nature of the Rule(s) alleged to have been breached, the seriousness and complexity of the alleged breach and the harm or damage alleged to have been caused. The Informal Disciplinary Procedure will only be followed where, in the Dean’s view, the alleged breach would be a straightforward and relatively minor breach of the College Rules and where the penalties listed in paragraph 5.3 would be adequate. The Formal Disciplinary Procedure will be followed in all other cases, and in any case for which the breach is alleged to have been motivated by the protected characteristics or perceived protected characteristics of another, as set out in the Equality Act 2010.

Where a Concern involves more than one Respondent, it will be at the discretion of the Dean of College to decide whether to separate the Concern into separate investigations for some or all of the Respondents.

Following a decision to initiate these Disciplinary Procedures the Dean of College shall write to the Respondent to notify them that a Concern naming them has been received, that the Informal or Formal Disciplinary Procedure has been initiated, and to refer them to this document. The Dean will inform the Respondent of the nature of the alleged offence, the College Rule(s) that is alleged to have been breached, and the name of the Reporting Person (unless the Dean of College determines that they shall remain anonymous).

The Dean of College shall notify the Reporting Person of the outcome of the evaluation of the Concern and whether the Disciplinary Procedures have been initiated. If the Dean of College decided not to initiate Disciplinary Procedures because the College does not have the resources, powers and/or capacity to investigate the Concern, then the Dean shall discuss with the Reporting Person the possibility of reporting the Concern to the Police, the University, or to another appropriate body.

The Reporting Person may, within 7 days of receiving the decision of the Dean, appeal to the Chair of the Disciplinary Committee against the Dean’s decision. The Chair of the Disciplinary Committee will either reject the appeal, require that the Dean re-evaluate the Concern, or require the Dean to initiate either the Informal or Formal Disciplinary Procedure.

Informal Disciplinary Procedure

The Dean of College shall conduct an Investigation of the Concern in a timely manner, keeping a record of every interview and statement, and reach one of the following decisions:
(a) that there has been a minor breach of the College Rules and to impose one or more appropriate sanctions or measures;
(b) that a breach of the College Rules cannot be proven and to dismiss the Concern;
(c) that the matter is too serious or complex for determination under the Informal Procedure and to initiate the Formal Procedure, transferring any findings accordingly; or
(d) that it is not appropriate to consider the matter further under these Procedures and either to close the proceedings or refer the Concern to another College or University procedure or to the Police.
5.2 When appropriate, the Dean of College may delegate one or more tasks within the Investigation to the Head Porter or Deputy Head Porter, or require them to follow up on one or more lines of enquiry within the Investigation. The Head Porter or Deputy Head Porter shall submit to the Dean for consideration as part of the Investigation a written record of their work, their findings and any evidence collected.

5.3 If the Dean of College is satisfied that the Respondent has committed a minor breach of the College Rules, the Dean may impose one or more of the following sanctions:
(a) an oral or written warning;
(b) a requirement for rectification;
(c) a formal written apology to the Reporting Person or any other person(s) affected by the breach of the College Rules, which shall be subject to the approval of the Dean;
(d) a formal written reflection on the behaviour and its consequences as prescribed by the Dean;
(e) a requirement for the Respondent to engage with an educative or reflective session;
(f) a monetary fine;
(g) a restriction on choice of accommodation in College in a future year or years; and/or
(h) a requirement that community service be undertaken within the College as prescribed by the Dean.

5.4 In considering the sanctions or measures to impose the Dean of College shall give consideration to the factors outlined in paragraphs 6.7 and 6.8.

5.5 The Dean of College shall communicate in writing the decision, the reasons for it, and any sanctions imposed, to the Respondent. Failure of the Respondent to comply with any sanctions imposed will constitute a further disciplinary offence, which may be considered under either the Informal or Formal Disciplinary Procedures, and for which further sanctions may be imposed.

5.6 The Respondent may appeal against the decision of the Dean of College under the Informal Procedures by submitting a request to the Chair of the Disciplinary Committee within 7 days of receiving the decision of the Dean. If no request is received within 7 days, then these proceedings shall be considered to be completed and the Respondent to have accepted the findings and decision of the Dean. If a request is received, then, by taking into consideration the factors outlined in paragraph 8.1 and meeting with both the Respondent and the Dean of College, the Chair shall decide whether to dismiss the appeal so that these proceedings shall be considered to be completed or request that the Dean of College reconsider the Concern under either the Informal or Formal Disciplinary Procedures. The Chair will communicate the decision in writing to the Respondent and the Dean of College. No further appeals may be made.

5.7 Following completion of the Informal Procedure, the Dean of College shall communicate in writing the decision to the Reporting Person.

6 Formal Disciplinary Procedure: Investigation and Decision by The Dean of College

6.1 The Dean of College shall conduct an Investigation of the Concern in a timely manner. Written notes shall be taken of all investigative meetings and communicated to those present. Any Student required to attend an investigative meeting may choose to be accompanied by their Tutor.

6.2 When appropriate, the Dean of College may delegate one or more tasks within the Investigation to the Head Porter or Deputy Head Porter, or require them to follow up on one or more lines of enquiry within the Investigation. The Head Porter or Deputy Head Porter shall submit to the Dean for consideration as part of the Investigation a written record of their work, their findings and any evidence collected.

6.3 The Dean of College will normally meet with the Reporting Person and with the Respondent to receive their oral accounts. The Dean of College may meet with any Witnesses or collect information through written statements. Witnesses are expected to engage fully with the procedure, as far as is reasonable. The Dean will normally give anyone affected by the alleged behaviour the opportunity to provide an Impact Statement.
The Dean of College may request any material or evidence that it is reasonably within the resources of the College to obtain.

The Dean of College shall produce an Investigation Report, summarising the findings of the Investigation.

Following the Investigation, the Dean of College shall reach one of the following decisions:
(a) that a breach of the College Rules occurred and to impose one or more sanctions or measures;
(b) that a breach of the College Rules cannot be proven and to dismiss the Concern;
(c) that the Concern and/or the results of the Investigation are sufficiently complex in nature that the case should be referred to the Chair of the Disciplinary Committee; or
(d) that it is not appropriate to consider the matter further under these Procedures and either to close the proceedings or refer the Concern to another College or University procedure or to the Police.

In considering the sanctions or measures to impose the Dean of College shall give consideration to:
(a) the seriousness of the breach;
(b) the harm or damage caused;
(c) the advantage gained or that could have been gained by the Respondent as a result of the breach;
(d) the intent and planning involved in the breach;
(e) the impact of the breach, including the content of any Impact Statement;
(f) whether the Respondent has admitted to the breach and when such an admission took place;
(g) whether the Respondent has expressed remorse and/or shown insight into the impact of the breach;
(h) the evidenced personal circumstances of the Respondent;
(i) whether any action has been taken under any other College or University procedure; and
(j) whether the Respondent has received any police fines, cautions or criminal convictions as a result of the breach.

Any breach of the College Rules may be considered more serious if:
(a) it was motivated by the protected characteristics or perceived protected characteristics of another, as listed in the Equality Act 2010;
(b) the Respondent has previously been found to have breached the same College Rule;
(c) the Respondent has not complied with any sanction or measure made under these procedures;
(d) the Respondent has breached precautionary action measures;
(e) the Respondent has not provided the College with reasonable information requested to enable assessment of the risk the Respondent may pose to the College community;
(f) the Respondent has attempted to conceal or destroy evidence, or coerce or intimidate officers, Reporting Persons or Witnesses, in relation to the breach; and/or
(g) the Respondent has abused a position of power or trust.

The sanctions or measures that may be imposed under the Formal Disciplinary Procedure are:
(a) a written warning;
(b) a requirement for rectification;
(c) a requirement for a written apology or a written reflection;
(d) a monetary fine;
(e) a requirement that community service be undertaken within the College;
(f) a requirement that community service be undertaken outside of the College;
(g) a requirement for the Respondent to engage with an educative or reflective session;
(h) a requirement for the Respondent not to contact a Reporting Person or Witness;
(i) a restriction on choice of accommodation in College in a future year or years;
(j) a restriction or conditions on the right to use College premises, facilities or services;
(k) a restriction or conditions on the occupation of College accommodation;
(l) conditions to be met before graduation;
(m) temporary exclusion from the College; and/or
(n) a recommendation for permanent exclusion from the College.

The Dean of College shall communicate in writing the decision to the Reporting Person.
6.11 The Dean of College shall communicate (subject to paragraph 11.2) in writing the decision, the reasons for it, any sanctions or measures imposed, and a copy of the Investigation Report to the Respondent. Where any sanctions or measures outlined in paragraph 6.9 (a) to (l) are imposed, the Respondent will have 7 days from receiving the decision to submit a request for an appeal to the Master. If a request for an appeal is not received within 7 days, the Dean of College will issue the Respondent with a Completion of Procedures Letter.

6.12 Once the Completion of Procedures Letter has been issued, failure of the Respondent to comply with any sanctions or measures imposed will constitute a further disciplinary offence, which will be considered under the Formal Disciplinary Procedures and for which further sanctions or measures may be imposed.

6.13 If the Dean of College decides to recommend permanent exclusion of the Respondent from the College, then the Respondent will be advised that the final decision on whether to exclude them will be taken by the Statute 52 Committee, which shall be constituted specially for this purpose, and that they shall have the opportunity to present their case to this Committee.

7 Formal Disciplinary Procedure: Disciplinary Committee

7.1 The Disciplinary Committee shall consist of the following members:

(a) a Standing Chair, who shall be appointed by the Executive Body;
(b) four additional Fellows who shall include at least one female and one male Fellow and represent the breadth of seniority of the Fellowship, and who shall be appointed promptly by the College’s Executive Body (if necessary, by circulation) upon the request of the Chair to the Master to convene the Committee. The four additional Fellows shall elect one of them to act as Secretary to the Committee.

7.2 The Secretary of the Committee shall organise a meeting of the Committee, arrange for an appropriate note taker to attend, and communicate the membership of the Committee, and the date, time and location of the meeting to the Committee members, the Dean of College, the Respondent and the Respondent’s Tutor.

7.3 The Respondent shall be provided (subject to paragraph 11.2) with a copy of the Investigation Report and any accompanying evidence at least 14 days before the meeting. The Respondent shall have the opportunity to provide a written response to the Report and evidence, which must be received by the Secretary at least 7 days before the meeting. Any new evidence that the Respondent intends to bring to the attention of the Committee must be received by the Secretary at least 7 days before the meeting. A request by the Respondent to call new Witnesses at the meeting must be provided in writing to the Secretary at least 7 days before the meeting. The request shall be considered by the Chair, who shall determine whether to permit the Witnesses to attend, or to provide evidence in an alternative format. A Respondent who wishes to admit the alleged breach in advance of the meeting may do so as part of the written response, in which case the meeting may focus only on what, if any, sanctions or measures to apply.

7.4 Respondents should attend the Disciplinary Committee meeting in person, and may choose to be accompanied by their Tutor. If this is impractical, the Chair may decide that the Respondent should attend by video link. The Respondent may request that the meeting takes place at a different date and/or time. The request will be considered by the Chair, who will decide whether there is sufficient reason to re-arrange the meeting. The Disciplinary Committee meeting may proceed in the Respondent’s absence. In the event that the Respondent is absent but the person chosen to accompany the Respondent is present at the meeting, that person will be given an opportunity to make representations on the Respondent’s behalf.

7.5 At least 3 days before the meeting, the Committee members, the Respondent, the Respondent’s Tutor, and the Dean of College shall each receive (subject to paragraph 11.2) from the Secretary a copy of the Discipline Committee papers, any Investigation Report and related evidence, and any response or new evidence provided by the Respondent.

7.6 At the meeting, the Dean of College will present the Investigation Report and evidence to the Committee. There shall be the opportunity for the Committee members to ask questions of the Dean of College and, if in
attendance, the Respondent. The Respondent (or the Respondent's Tutor) shall have the opportunity to question the Dean of College, and the opportunity to make a final statement.

7.7 It will not normally be necessary for any Reporting Person and/or Witness to attend the meeting as their evidence will be provided in the papers. If the Respondent wishes to challenge the evidence of a Reporting Person or a Witness, the Chair of the Committee will determine the most appropriate format for this. If the Reporting Person or Witness is requested to attend the meeting in person or by video link, then questions to them will be directed through the Chair. Alternatively, the Respondent may be asked to explain the precise challenges and, where the Chair of the Committee considers those challenges material to the Committee's decision, a further written response will be sought from the Reporting Person or Witness. Where appropriate, the Chair of the Disciplinary Committee may pause the meeting to request further information.

7.8 Once the Disciplinary Committee is satisfied that it has received all of the information, all persons except for the members (and note taker) of the Committee shall withdraw. The Committee shall consider all the information that has been provided and reach one of the following decisions:

(a) that a breach of the College Rules occurred and to impose one or more sanctions or measures; or
(b) that a breach of the College Rules has not been proven and to dismiss the Concern.

7.9 The Respondent, the Respondent’s Tutor (if present) and the Dean of College shall be invited back into the meeting and the Chair of the Committee shall communicate the Committee’s decision to them. If the Committee has decided that the Rules were breached, the Dean of College shall inform the Committee of any previous breaches of the same Rule and of any Impact Statements. The Respondent (or the Respondent’s Tutor) will have an opportunity to make a further statement in relation to mitigation regarding the current or any previous breaches of the Rules. The Committee and the Respondent, or the Respondent’s Tutor, may ask questions.

7.10 If the Committee has decided that the Rules were breached, the Committee will then decide any sanctions or measures to be imposed. Consideration shall be given to the factors outlined in paragraphs 6.7 and 6.8, and the Committee may impose any of the sanctions or measures outlined in paragraph 6.9.

7.11 The Secretary of the Disciplinary Committee shall communicate in writing the decision to the Reporting Person within 7 days of the meeting.

7.12 The Secretary of the Disciplinary Committee shall communicate in writing the decision, the reasons for it, any sanctions or measures imposed, and the records of the meeting, to the Respondent, within 7 days of the meeting. Where any sanctions or measures outlined in paragraph 6.9 (a) to (l) are imposed, the Respondent will have 7 days from receiving the decision to submit a request for an appeal to the Master. If a request for an appeal is not received within 7 days, the Secretary of the Committee will issue the Respondent with a Completion of Procedures Letter.

7.13 Once the Completion of Procedures Letter has been issued, failure of the Respondent to comply with any sanctions or measures imposed will constitute a further disciplinary offence, which will be considered under the Formal Disciplinary Procedures and for which further sanctions or measures may be imposed.

7.14 If the Disciplinary Committee decides to recommend permanent exclusion of the Respondent from the College, then the Respondent will be advised that the final decision on whether to exclude them will be taken by the Statute 52 Committee, which shall be constituted specially for this purpose, and that they shall have the opportunity to present their case to this Committee.

8 Formal Disciplinary Procedure: Appeal of a Decision of the Dean of College or Disciplinary Committee

8.1 If the Respondent submits a request for an appeal to the Master within 7 days of receiving notice of the decision of the Dean of College or the Disciplinary Committee, then the Master shall decide whether to give permission to appeal by considering whether, on the face of it, at least one of the following criteria has been satisfied:

(a) the procedures in this document were not followed properly;
(b) the decision reached was clearly unreasonable;
(c) the Respondent is in possession of relevant new material evidence that the Respondent was unable, for valid reasons, to provide earlier in the process;
(d) there was bias or a reasonable perception of bias during the procedure;
(e) any sanctions or measures imposed were clearly disproportionate, or not permitted under the procedures.

8.2 The Master shall notify the Respondent of their decision within 7 days of the request being received. If the request is denied, then the Master will issue the Respondent with a Completion of Procedures Letter. Failure of the Respondent to then comply with any sanctions or measures imposed by the Dean of College or Disciplinary Committee will constitute a further disciplinary offence, which will be considered under the Formal Disciplinary Procedures and for which further sanctions or measures may be imposed. If the request is allowed, then the Master shall convene the Appeal Committee.

8.3 The Appeal Committee shall consist of the following members:
(a) the Master, who shall act as Chair of the committee; and
(b) four additional Fellows who should include at least one female and one male Fellow and represent the breadth of seniority of the Fellowship, and who will be appointed promptly by the College’s Executive Body (if necessary, by circulation) upon the decision of the Master to convene the Committee. The four additional Fellows shall elect one of them to act as Secretary to the Committee.

8.4 The Secretary of the Committee shall organise a meeting of the Committee, arrange for an appropriate note taker to attend; and shall communicate the membership of the Committee, and the date, time and location of the meeting to the Committee members, the Dean of College, the Chair of the Disciplinary Committee if appropriate, the Respondent, and the Respondent’s Tutor.

8.5 Any new evidence that the Respondent intends to bring to the attention of the Committee must be received by the Secretary at least 7 days before the meeting. A request by the Respondent to call new Witnesses at the meeting must be provided in writing to the Secretary at least 7 days before the meeting. The request shall be considered by the Master, who shall determine whether to permit the Witnesses to attend, or to provide evidence in an alternative format. It will not be necessary for any Reporting Person and/or extant Witness to attend the meeting as their evidence will be provided in the papers.

8.6 Respondents should attend an Appeal Committee meeting in person, and may choose to be accompanied by their Tutor. If this is impractical, the Master may decide that the Respondent should attend by video link. The Respondent may request that the meeting takes place at a different date and/or time. The request will be considered by the Master, who will decide whether there is sufficient reason to re-arrange the meeting. The Appeal Committee meeting may proceed in the Respondent’s absence. In the event that the Respondent is absent but the person chosen to accompany the Respondent is present at the meeting, that person will be given an opportunity to make representations on the Respondent’s behalf.

8.7 At least 3 days before the Committee meeting, the Committee members, the Respondent, the Respondent’s Tutor if appropriate, the Dean of College, and the Chair of the Disciplinary Committee if appropriate, shall each receive (subject to paragraph 11.2) from the Secretary of the Committee a copy of the Committee papers, any Investigation Report and related evidence, any record of any Disciplinary Committee meeting, and any response or new evidence provided by the Respondent.

8.8 At the meeting, the Dean of College will present the Investigation Report and evidence to the Committee. If appropriate, the Chair of the Disciplinary Committee will summarise the Disciplinary Committee proceedings. There shall be the opportunity for the Committee to question the Dean of College, the Chair of the Disciplinary Committee if appropriate, and, if in attendance, the Respondent. The Respondent (or the Respondent’s Tutor) shall have the opportunity to question the Dean of College, and the Chair of the Disciplinary Committee if present, and to present their case to the Committee.

8.9 Once the Appeal Committee is satisfied that it has received all of the information, all persons except for the members (and note taker) of the Committee shall withdraw. The Committee shall consider all the information that has been provided and reach one of the following decisions:
(a) that a breach of the College Rules occurred, and to uphold any sanctions or measures decided upon by the Dean of College or Disciplinary Committee;
(b) that a breach of the College Rules occurred, and to vary any sanctions or measures decided upon by the Dean of College or Disciplinary Committee;
(c) that a breach of the College Rules has not been proven and to dismiss the Concern.

8.10 When deciding on any sanctions or measures to be imposed, the Committee shall give consideration to the factors outlined in paragraphs 6.7 and 6.8, and may impose any of the sanctions or measures outlined in paragraph 6.9 with the exception of a recommendation for permanent exclusion from the College.

8.11 The Respondent, the Respondent's Tutor (if present), the Dean of College and the Chair of the Disciplinary Committee (if present) shall be invited back into the meeting and the Master shall communicate the Committee's decision to them.

8.12 The Secretary of the Committee shall communicate the decision to the Reporting Person in writing, within 7 days of the meeting.

8.13 The Secretary of the Committee shall communicate the decision, the reasons for it, any sanctions or measures imposed, and the records of the meeting, to the Respondent in writing, within 7 days of the meeting, and issue the Respondent with a Completion of Procedures Letter.

8.14 Where the Dean of College or Disciplinary Committee has imposed a sanction or measure and the Respondent has appealed, the sanction or measure will not normally be implemented while the appeal is being considered. Following the Appeal Committee's decision and issue of the Completion of Procedures Letter, any sanctions or measures shall be implemented, even if the Respondent intends to raise a complaint with an external body. Failure of the Respondent to comply will constitute a further disciplinary offence, which will be considered under the Formal Disciplinary Procedures and for which further sanctions or measures may be imposed.

9 Statute 52 Committee

9.1 Under Statute 52, the penalty of permanent exclusion from the College may only be imposed after the Respondent has been given an adequate opportunity of presenting their case to the College’s Statute 52 Committee to which the Governing Body has (in accordance with Statute 52) assigned the power of inflicting the penalty of expulsion from the College. The Statute 52 Committee shall reconsider the Concern, taking into account any new material evidence that the Respondent was reasonably unable to provide earlier in the process, and considering whether any of the additional conditions given in paragraph 8.1 apply.

9.2 There is no right to appeal a decision of the Statute 52 Committee.

9.3 The Master shall convene the Statute 52 Committee, which shall consist of the following members:
(a) the Master, who shall act as Chair of the committee;
(b) an external member who is a member of the Faculty of Law and/or a qualified lawyer or judge; and
(c) three additional Fellows who should include at least one female and one male Fellow and represent the breadth of seniority of the Fellowship, and who will be appointed promptly by the College’s Executive Body (if necessary, by circulation) upon the decision of the Master to convene the Committee. The three additional Fellows shall elect one of them to act as Secretary to the Committee.

9.4 The Secretary of the Committee shall organise a meeting of the Committee, arrange for an appropriate note taker to attend; and shall communicate the membership of the Committee, and the date, time and location of the meeting to the Committee members, the Dean of College, the Chair of the Disciplinary Committee if appropriate, the Respondent, and the Respondent’s Tutor.

9.5 Any new evidence that the Respondent intends to bring to the attention of the Committee must be received by the Secretary at least 7 days before the meeting. A request by the Respondent to call new Witnesses at the
meeting must be provided in writing to the Secretary at least 7 days before the meeting. The request shall be
considered by the Master, who shall determine whether to permit the Witnesses to attend, or to provide
evidence in an alternative format. It will not be necessary for any Reporting Person and/or extant Witness to
attend the meeting as their evidence will be provided in the papers.

9.6 Respondents should attend a Statute 52 Committee meeting in person, and may choose to be accompanied
by their Tutor, another Fellow, a current student member of the College, or any external person, including a
qualified lawyer. If this is impractical, the Master may decide that the Respondent should attend by video link.
The Respondent may request that the meeting takes place at a different date and/or time. The request will be
considered by the Master, who will decide whether there is sufficient reason to re-arrange the meeting. The
Statute 52 Committee meeting may proceed in the Respondent’s absence. In the event that the Respondent
is absent but the person chosen to accompany the Respondent is present at the meeting, that person will be
given an opportunity to make representations on the Respondent’s behalf.

9.7 At least 3 days before the Committee meeting, the Committee members, the Respondent, the Respondent’s
accompanying person, the Dean of College, and the Chair of the Disciplinary Committee if appropriate, shall
each receive (subject to paragraph 11.2) from the Secretary of the Committee a copy of the Committee papers,
any Investigation Report and related evidence, any record of any Disciplinary Committee meeting, and any
response or new evidence provided by the Respondent.

9.8 At the meeting, the Dean of College will present the Investigation Report and evidence to the Committee. If
appropriate, the Chair of the Disciplinary Committee will summarise the Disciplinary Committee proceedings.
There shall be the opportunity for the Committee to question the Dean of College, the Chair of the Disciplinary
Committee if appropriate, and, if in attendance, the Respondent. The Respondent (or the accompanying
person) shall have the opportunity to question the Dean of College, and the Chair of the Disciplinary Committee
if present, and to present their case to the Committee.

9.9 Once the Statute 52 Committee is satisfied that it has received all of the information, all persons except for the
members (and note taker) of the Committee shall withdraw. The Committee shall consider all the information
that has been provided and reach one of the following decisions:
(a) that a breach of the College Rules occurred, and to impose the proportionate penalty of permanent
exclusion from the College;
(b) that a breach of the College Rules occurred, and to impose a lesser sanction;
(c) that a breach of the College Rules has not been proven and to dismiss the Concern.

9.10 When deciding on any sanctions or measures to be imposed, the Committee shall give consideration to the
factors outlined in paragraphs 6.7 and 6.8, and may impose any of the sanctions or measures outlined in
paragraph 6.9.

9.11 The Respondent, the Respondent’s accompanying person (if present), the Dean of College and the Chair of
the Disciplinary Committee (if present) shall be invited back into the meeting and the Master shall communicate
the Committee’s decision to them.

9.12 The Secretary of the Committee shall communicate the decision to the Reporting Person in writing, within 7
days of the meeting.

9.13 The Secretary of the Committee shall as soon as possible communicate the decision, the reasons for it, any
sanctions or measures imposed, and the records of the meeting to the Respondent in writing, and issue the
Respondent with a Completion of Procedures Letter.

9.14 Following the Statute 52 Committee’s decision and issue of the Completion of Procedures Letter, any sanctions
or measures shall be implemented, even if the Respondent intends to raise a complaint with an external body.
If the Respondent has not been permanently excluded from the College, then failure of the Respondent to
comply will constitute a further disciplinary offence, which will be considered under the Formal Disciplinary
Procedures and for which further sanctions or measures may be imposed.
Where the Statute 52 Committee has decided to impose the penalty of permanent exclusion from the College the Respondent will be required to vacate College accommodation and leave the College immediately, even if the Respondent intends to raise a complaint with an external body.

10 Precautionary Measures

10.1 The Dean of College or the Chair of the Disciplinary Committee may put into place interim or precautionary measures where necessary for the preservation of good order or the protection of the College community, and may also liaise with the University to initiate the University's Precautionary Action process.

10.2 While these procedures are ongoing, a Respondent must not contact or attempt to contact the Reporting Person or any other Respondent(s) or Witness(es), either directly or via another person. Unless a precautionary or interim measure precludes it, Respondents may continue to pursue and complete their studies and graduate, unless the Dean of College or the Chair of the Disciplinary Committee decides otherwise.

11 Information Sharing

11.1 The College shall share the information and evidence related to an Investigation and outcome with College Fellows, members of staff, the Respondent, the Reporting Person and Witnesses where the Dean considers it necessary in order to carry out these Procedures effectively and fairly. All information and evidence will be handled sensitively and in accordance with the College’s Data Protection Policies.

11.2 The College shall share all evidence considered in reaching a decision, the decision itself, the reasons for the decision and any sanctions or measures, with the Respondent, unless the Dean of College or Chair of the Disciplinary Committee decides that the identity of the Reporting Person, or a Witness, or personal data or special-category data (as defined by the Data Protection Act 2018) should not be shared. Where information cannot be shared with the Respondent, this may affect the College’s ability to rely on the related evidence in reaching a decision.

11.3 Records of Informal Disciplinary Proceedings shall be held by the Dean of College. Records of Formal Disciplinary Proceedings shall be maintained by the Dean of College, the Chair of the Disciplinary Committee, and the Master, and held by the College.

11.4 In exceptional circumstances the College may be required by law to disclose information obtained through these Procedures as evidence in a subsequent criminal proceeding, including any admission made by any of the participants to the Dean of College and/or relevant College Committee.

11.5 All records shall be held to be strictly confidential, except that when sanctions or measures are imposed under the Formal Disciplinary Procedures a summary of the proceedings shall be placed on the Respondent’s Student File. If considered appropriate by the Dean of College and the Senior Tutor, the summary placed on the Respondent’s Student File may be disclosed to the University or to a relevant professional or regulatory body.

11.6 Anonymised summaries of Disciplinary Proceedings shall be presented by the Dean of College to the College’s Executive Body in an annual report and shall be used as a reference to ensure consistency. This information may be disclosed in accordance with the College’s Data Protection Policies.