



Accommodation Service Discipline Procedure

Introduction

- 1 This procedure is supplementary and complementary to the University Disciplinary Procedures and is designed to offer guidance on how inappropriate behaviour that constitutes a breach of contract in University-managed accommodation will be addressed.
- 2 Students living in halls of residence are subject to terms and conditions of the Licence Agreement, which they accept as part of the online booking process.
- 3 Students living in the Uxbridge Head Tenancy Scheme are subject to terms and conditions of the Student Tenancy, which they accept as part of the online booking process.

Licence/Student Tenancy – First Written Warning

- 4 This response is for more minor offences that do not constitute more formal action, this will not be used for the majority of offences and will only be used where the inappropriate behaviour is obvious and clearly evidenced.
- 5 Offences addressed under this section would include, but are not limited to:
 - Noise (first time only).
 - Lack of cleanliness.
- 6 The Accommodation Service will write to the student confirming details of the inappropriate behaviour within 10 working days of the behaviour occurring and issue a written warning.
- 7 The student will have 10 working days to appeal the decision, which must be made in writing to the Accommodation Manager.

Licence/Student Tenancy – Notice to Quit (Suspended)

- 8 The majority of cases will be addressed through this action.
- 9 Offences addressed under this section would include, but are not limited to:
 - Any repeat of behaviour previously addressed through a written warning.
 - Serious noise disturbance.
 - Smoking in the halls.
 - Personal possession or use of a Class B or Class C drug.
 - Rude, abusive or aggressive behaviour towards another resident, a member of staff, security or Senior Resident.
 - Minor damage or vandalism (with a value of under £250).
 - Any breach of the Licence/Student Tenancy not covered in any other section of this procedure.
- 10 An allegation can be made by a student, member of the public, security, member of staff or Senior Resident and must be in writing; it could take the form of a letter, email or security/Senior Resident report.
- 11 The Accommodation Officer will carry out an investigation into the behaviour, which could include:
 - Meeting the accused student before the Notice to Quit is issued. This will always be attempted.
 - The student will be offered two opportunities to attend a meeting, failure to attend twice will result in action being taken in the absence of the student.
 - Meeting with other students affected by the behaviour.
 - Review written reports, which could be submitted by students, security, staff or Senior Residents.
 - Reviewing any appropriate CCTV evidence.
- 12 The Accommodation Service will write to the student displaying the inappropriate behaviour within 10 working days of the meeting occurring and issue a notice to quit (Suspended).
- 13 The student will have 10 working days to appeal the decision, which must be made in writing to the Accommodation Manager. An appeal can only be made on one of the following grounds:
 - Material procedural irregularity.
 - Perversity of judgment in the face of the evidence presented.
 - Demonstrable bias or prejudice on the part of any person forming the judgment.
 - The redress is not proportionate to the behaviour.
 - New evidence has become available.

- 14 The Notice to Quit is issued, but no further action is taken, subject to the student behaving appropriately for the remainder of their Licence/Student Tenancy.

Licence/Student Tenancy – Notice to Quit (Enforced)

- 15 This response is extremely serious and results in the loss of accommodation for the student.
- 16 Only the more serious, or repeat offences will be addressed through this action.
- 17 Offences addressed under this section would include, but are not limited to:
- Any behaviour normally addressed through a Notice to Quit (Suspended) where the student already has a Notice to Quit in place.
 - Any physical assault on another resident, a member of staff, security or Senior Resident.
 - Personal possession or use of a Class A drug.
 - Possession of a quantity of Class A, B or C drug that could be considered sufficient for supply or sale.
 - Extremely serious damage or vandalism (with a value of over £250 and under £1,000).
 - Covering of a smoke detector.
- 18 An allegation can be made by a student, member of the public, security, member of staff or Senior Resident and must be in writing; it could take the form of a letter, email or security/Senior Resident report.
- 19 The Accommodation Officer will carry out an investigation into the behaviour, which could include:
- Meeting the accused student before the Notice to Quit is issued. This will always be attempted.
 - The student will be offered two opportunities to attend a meeting, failure to attend twice will result in action being taken in the absence of the student.
 - Meeting with other students affected by the behaviour.
 - Review written reports, which could be submitted by students, security, staff or Senior Residents.
 - Reviewing any appropriate CCTV evidence.
- 20 The Accommodation Officer will recommend issuing a Notice to Quit (Enforced) or enforcing a Notice to Quit (Suspended), which will be reviewed and, if appropriate, confirmed by the Accommodation Manager.
- 21 The Accommodation Service will write to the student displaying the inappropriate behaviour within 10 working days of the meeting occurring and confirm the outcome, issuing a suspended notice to quit if appropriate.
- 22 The student will have 10 working days to appeal the decision, but this must be done through a 'Request for Review' process, detailed below.
- 23 If the student has not previously been issued with a Notice to Quit (Suspended), then they will have 28 days to vacate their accommodation.
- 24 If the student has previously been issued with a Notice to Quit (Suspended), then they will have 7 days to vacate their accommodation. As the previous Notice to Quit was suspended and not rescinded there is no legal requirement to give any notice.
- 25 If the student fails to leave accommodation as directed, then the necessary legal action, including application to the court, will be taken to enforce the Notice to Quit.
- 26 If a student is evicted from the accommodation it does not relinquish them of their responsibility to pay the rent for the whole contract period and so they will be asked to pay all rent for the whole contract period and any debt will be pursued as normal; unless their room becomes occupied by another student.
- 27 If this course of action is undertaken, then a student will not be eligible for University accommodation in future.

Guests

- 28 In the case of guests; the student who signs in the guest takes responsibility for their actions and the below procedure will be followed as though it was the student that exhibited the inappropriate behaviour.
- 29 In addition to action against the student, the guest will be excluded from visiting the halls in future.

Other Outcomes

- 30 In addition to the above, or as an alternative, the following penalties can also be applied:
- Written apology, in the cases where the student's behaviour has had an adverse effect on another person.
 - Financial reimbursement, in cases where damage has occurred.

Request for Review

- 31 A request for review does not necessarily constitute a new investigation, but in the first instance is intended to ensure procedures have been correctly followed. If the student feels they have evidence they can make a Request for Review, provided it meets the following criteria:
- It is made in writing and forwarded to the Director of Estates, Facilities and Service and received within 10 working days of the student receiving the outcome letter.
 - It specifies the grounds of request for review as below.
 - It is accompanied by supporting evidence if any.
- 32 The valid grounds for Request for Review are (one or more may be used):
- Procedural irregularity, including bias.
 - Disregard of material evidence.
 - The penalty is not proportionate to the behaviour.
 - The penalty would cause significant disadvantage to the student in fulfilling their academic responsibilities.
- 33 If a Request for Review is received within 10 working days, and satisfies the above criteria, the Director of Estates, Facilities and Service (or their nominee) will review how the investigation was handled, and whether the outcome was fair.
- 34 The Director of Estates, Facilities and Service will meet with the student within 10 working days to hear the appeal, at the end of which a decision will be made and delivered verbally to the student. Following the hearing the Director of Estates, Facilities and Service, or nominee, will write to the student confirming whether or not the request for review has been upheld and:
- Whether the incident was dealt with correctly under the procedure.
 - Whether all the evidence was considered.
 - Whether the penalty was an appropriate response to the behaviour.
 - Whether the penalty will cause significant disadvantage to them in fulfilling their academic responsibilities.
 - Reasons for the decision.
- 35 This letter constitutes the Completion of Procedures Letter.

University Disciplinary Procedures

- 36 In serious cases the behaviour will be dealt with as above, but will also be referred to the University to consider under Disciplinary Procedures.
- 37 Offences addressed under this section would include, but are not limited to:
- Any physical assault on another resident, a member of staff, security or Senior Resident.
 - Personal possession or use of a Class A drug.
 - Possession of a quantity of Class B or Class C drug that could be considered sufficient for supply or sale.
 - Extremely serious damage or vandalism (with a value of over £1,000).
 - Robbery, or theft of personal items of significant value.
- 38 In these cases the Accommodation Officer, or other Accommodation Service employee acting on their behalf, will make a formal allegation to the University, at which point the case will cease to be the responsibility of the Accommodation Service.

Support

- 39 While the Accommodation Service can provide clarity on the process, it is suggested that students seek support from the SU Advice Centre should they need support throughout the process.
- 40 If additional support is necessary, the student can be referred to, or seek help from other services, including the Counselling Service or Disabilities Service.