Protocol on Anti-Social Behaviour and Noise Nuisance

This protocol gives specific information about student discipline in relation to anti-social behaviour and noise nuisance. The protocol should be read in conjunction with the Student Discipline Procedure. If you are the subject of disciplinary proceedings in this area (either as The Student Reporter or The Student Responder), we advise you to read the protocol carefully and familiarise yourself with its contents.

The University's Student Charter sets out the expectation that its students demonstrate high standards of personal conduct and respect in their interactions with the local community, especially in relation to noise levels and rubbish.

Most students are very considerate towards their neighbours and local community. However, occasionally, the University receives complaints from local residents of students engaging in anti-social behaviour. The University also receives notices of witnessed disturbances from external services (the Police and Newcastle City Council).

Examples of complaints include:

- Noise disturbances including loud music and bass, loud voices, banging doors, footfall, taxis, shouting, screaming, disruptive house parties or gatherings;
- Waste and recycling mismanagement;
- Damage to local community or property.

When a report or complaint of noise or anti-social behaviour in the community is received, the University investigates the report in accordance with its Student Discipline Procedure. If the report specifies a named household, students at that address will be sent details of the complaint and Level 2 disciplinary actions will commence.

If you receive notification of a complaint against you, you should read the Student Discipline Procedure to understand what will happen and what to expect. Specific details relating to anti-social behaviour and noise nuisances sanctions are given here.

Sanctions - Where external services are NOT involved

Depending on the level of the disturbance, The Student Responder would usually be issued with a caution, which constitutes advice and guidance on future conduct, together with a record that the advice has been given. In serious cases, depending on the nature and volume of complaints received, a warning, final warning and/or a disciplinary fine may be imposed.

Sanctions - Where external services are involved

Where a disturbance has been witnessed by officers of the police or council, and where verbal advice has previously been given, the Council will send The Student Responder a first warning letter and the University will be informed of the address involved.

The external services are likely to issue a second warning letter, or take more severe action, if this is the second time that the student has committed a witnessed disturbance or if it was a significant disturbance or had aggravating factors on the first occasion.

Other actions available to the council include:

- Second warning letter
- Invitation to sign Acceptable Behaviour Agreement (ABA)
- Community Protection Notice Warning (CPNW)
- Community Protection Notice (CPN)
- S80 Abatement Order (Environmental Protection Act 1990)
- Breach of CPN or S80
In response to the council’s actions, the University will apply sanctions. The table gives an indicative range of sanctions that you can expect.

<table>
<thead>
<tr>
<th>Council action</th>
<th>Indicative university sanction</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Warning Issued by City Council</td>
<td>• Caution or warning and £30 individual fine for significant disturbance or aggravating factors.</td>
</tr>
<tr>
<td>Second Warning Issued by City Council</td>
<td>• Warning or Final Warning and £40-60 individual fine</td>
</tr>
<tr>
<td>ABA/CPNW</td>
<td>• Warning or Final Warning and £60-80 individual fine</td>
</tr>
<tr>
<td>S.80/CPN</td>
<td>• Warning or Final Warning and £80-100 individual fine</td>
</tr>
<tr>
<td>Breach of S.80/CPN</td>
<td>• Referral to Student Disciplinary Committee for significant disturbance, aggravating factors or repeat</td>
</tr>
<tr>
<td></td>
<td>• Referral to Student Disciplinary Committee</td>
</tr>
</tbody>
</table>

If a student has previously received cautions or warnings for anti-social behaviour they are likely to receive sanctions in excess of those suggested in the table above.

Any monies raised from fines issued in accordance with this protocol will normally be used for the education of students and the promotion of activities to combat anti-social behaviour.

**You should note:**

- Newcastle City Council does not necessarily issue the above warnings incrementally, e.g. a S.80 Abatement Notice can be issued following a first witnessed disturbance.
- ABA meetings usually take place with a representative of the Northumbria Police and Newcastle City Council at a local Police Station. A representative of the University will attend the meetings if resource allows.
- There are no set “acceptable” times for noise disturbance, for example before 11pm. It is a statutory nuisance at any time, day or night.
- The University publishes advice on [Community Living](https://www.gov.uk/guidance/statutory-nuisances-how-councils-deal-with-complaints). You can also seek advice from the [Student Advice Centre](https://www.newcastle.gov.uk/services/environment-and-waste/environmental-health-and-pollution/noise/noise-nuisance) or support from the [Student Wellbeing Service](https://envirocallservice.newcastle.gov.uk/noise).
- Information about your legal rights can be found at [Newcastle University Students' Union](https://beta.northumbria.police.uk/advice-and-info/neighbourhood-issues/anti-social-behaviour-asb/).

**Council and Police Action:**
The Council and Police have their own procedures for addressing noise nuisance and anti-social behaviour by students. Further information is available on the following pages:

- [https://envirocallservice.newcastle.gov.uk/noise](https://envirocallservice.newcastle.gov.uk/noise)

**Important note**

There are two versions of the Student Discipline Procedure - one for ‘The Student Reporter’ and one for ‘The Student Responder’. If you are involved in a disciplinary case, we encourage you to read the appropriate version of the procedure. They have been written to help you understand what to expect throughout the process.