Investigation Protocol for Dangerous Behaviours at Organised Student Socials (including dangerous initiations)

#### 1. Introduction

This protocol gives specific information about student disciplinary action which may be taken in relation to behaviour prohibited by the University relating to the organisation of, and conduct during, student socials (including dangerous initiations)

The protocol should be read in conjunction with the <u>Student Disciplinary Procedure (non-academic)</u> and <u>Student Disciplinary Policy</u>. If you are involved in disciplinary proceedings of this nature, we advise you to read this protocol carefully and familiarise yourself with its contents.

The purpose of this document is:

- To outline the University's expectations around conduct prior to, during and after organised student socials;
- To explain how the University responds to reports of behaviour covered under this protocol;
- To show how reports of this nature will be specifically investigated and managed under its <u>Student Disciplinary Procedure (non-academic)</u>.

#### 2. Key Principles

Newcastle University is committed to promoting a safe, positive and inclusive environment for all its members. All Newcastle students can expect to be treated with dignity and respect and enjoy a positive University experience.

The University's <u>Student Charter</u> sets out the standards of conduct the University expects of students in order to ensure a fair, equitable and supportive environment for all members of the University community.

All reports of dangerous behaviours prior to, during or after any organised student socials will be treated seriously by the University. Anyone found to have behaved unacceptably will be investigated in line with the <u>Student Disciplinary Policy</u>.

#### 3. Scope

Any communication, event or activity that could reasonably be perceived as involving improper coercion or manipulation, resulting in a risk of physical or mental detriment to any person, is banned by the University and Newcastle University Students' Union (NUSU).

This protocol applies to all student organisations that are associated with Newcastle University and not just those that are officially affiliated with NUSU. The protocol covers

behaviours at any social event, ceremony or ritual, including initiations, and is not limited only to activities that occur around the start of the academic year for the purpose of enrolment of new students into organisations.

See: Appendix 1: Examples of misconduct and likely sanctions

# 4. Options for reporting incidents and obtaining support

Any student can report or disclose potentially dangerous initiations or other events of this nature to the University, or seek support, via the following routes:

- Student Health and Wellbeing Service: https://www.ncl.ac.uk/wellbeing/supportservices/
- The Student Progress Service: <a href="mailto:casework@ncl.ac.uk">casework@ncl.ac.uk</a>
- The Students' Union: https://nusu.co.uk/support/welfare-centre/4/report

### 5. Investigation Process

There are two relevant investigation processes:

# 5.1. University Investigation Process

Reports made to the University about student misconduct related to dangerous behaviours at organised student socials will be investigated in line with Level 2 of the <u>Student Disciplinary</u> <u>Procedure</u>. A Case Officer will be appointed to investigate the case.

Student Responders are always given the opportunity to present their view of the reported incident before a case is concluded.

The outcome will be determined by the Academic Registrar after consideration of all available evidence. They will decide whether they believe that, on the balance of probabilities misconduct has occurred. Where there is a finding of misconduct, the Academic Registrar will decide on an appropriate sanction, which may include fines.

Where appropriate, the University will report the outcome of any disciplinary investigation relating to organised student socials to NUSU for investigation under their Disciplinary Policy. Any result of an investigation held by the University is not indicative of the result of an investigation by NUSU.

## 5.2. NUSU Investigation Process

Reports made to NUSU about student misconduct related to dangerous behaviours at organised student socials will be investigated in line with <u>NUSU's Student Disciplinary Policy</u>. An investigating officer will be appointed and will decide whether to conduct an investigation into an individual student, committee or entire student group.

Where appropriate, NUSU will report the outcome of any disciplinary investigation relating to organised student socials to the University for investigation under the <u>Student Disciplinary Procedure</u>. Any result of an investigation held by NUSU is not indicative of the result of an investigation by the University.

#### 4. Sanctions

The indicative level of Investigation and likely sanctions are listed in Appendix 1.

# 5. Appeals

The Student Responder - and any Student Reporter - has the right to appeal against any decision, instruction or sanction imposed as a result of the investigation. If you wish to submit an appeal, you should follow the appeals process as set out in the <u>Student Disciplinary Procedure</u>.

# Appendix 1: Examples of misconduct considered under this protocol

Please note that the below examples do not constitute an exhaustive list of misconduct considered under this protocol. Where more than one indicative level of procedure is given, the level at which the report is investigated will depend on the circumstances of the reported event.

Misconduct type	Indicative level of	Possible	Possible NUSU sanctions for	Possible NUSU sanctions for
	procedure	University	clubs/societies	individuals
		sanctions		
Forced physical	Level 2	Advice and	• Financial penalty (up to £350)	Verbal or written apology
challenges		guidance	• Financial restitution in full or in part	required
		<ul> <li>Written</li> </ul>	of the cost of making good any	Total or partial ban from some
		Warning	damage or loss suffered by the	or all areas of NUSU services,
		Final Warning	Students' Union or other members	facilities or activities for a
			or persons	specified period
			Total or partial ban from some or all	Withdrawal of rights to
			of NUSU for a specified period of	participate in or benefit from
			time	specified NUSU services,
			• Removal of rights to use some or all	facilities or activities for a
			of NUSU's facilities for a specified	specified period
			period of time	Suspension from membership of
			• Closure of the group, club or society	the NUSU for a period of time
			Any combination of the above	Exclusions from membership to
			sanctions	the NUSU
			Any other sanction deemed	• Financial penalty up to £50
			appropriate by NUSU	Financial restitution in full or in
				part of the cost of making good

				<ul> <li>any damage or loss suffered by NUSU or other members or persons</li> <li>Any combination of the above sanctions</li> <li>Any other sanction deemed appropriate by NUSU</li> </ul>
Psychologically or physically risky behaviours	Level 2	<ul> <li>Advice and guidance</li> <li>Written Warning</li> <li>Final Warning</li> </ul>	<ul> <li>Financial penalty (up to £350)</li> <li>Financial restitution in full or in part of the cost of making good any damage or loss suffered by the Students' Union or other members or persons</li> <li>Total or partial ban from some or all of NUSU for a specified period of time</li> <li>Removal of rights to use some or all of NUSU's facilities for a specified period of time</li> <li>Closure of the group, club or society</li> <li>Any combination of the above sanctions</li> <li>Any other sanction deemed appropriate by NUSU</li> </ul>	<ul> <li>Verbal or written apology required</li> <li>Total or partial ban from some or all areas of NUSU services, facilities or activities for a specified period</li> <li>Withdrawal of rights to participate in or benefit from specified NUSU services, facilities or activities for a specified period</li> <li>Suspension from membership of the NUSU for a period of time</li> <li>Exclusions from membership to the NUSU</li> <li>Financial penalty up to £50</li> <li>Financial restitution in full or in part of the cost of making good</li> </ul>

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Forced alcohol consumption (including forced speed-drinking)	Level 2 or 3	<ul> <li>Advice and guidance</li> <li>Written Warning</li> <li>Final Warning</li> <li>Disciplinary suspension</li> <li>Deferred expulsion</li> <li>Expulsion with immediate effect</li> </ul>	<ul> <li>Financial penalty (up to £350)</li> <li>Financial restitution in full or in part of the cost of making good any damage or loss suffered by the Students' Union or other members or persons</li> <li>Total or partial ban from some or all of NUSU for a specified period of time</li> <li>Removal of rights to use some or all of NUSU's facilities for a specified period of time</li> <li>Closure of the group, club or society</li> <li>Any combination of the above sanctions</li> <li>Any other sanction deemed appropriate by NUSU</li> </ul>	<ul> <li>Verbal or written apology required</li> <li>Total or partial ban from some or all areas of NUSU services, facilities or activities for a specified period</li> <li>Withdrawal of rights to participate in or benefit from specified NUSU services, facilities or activities for a specified period</li> <li>Suspension from membership of the NUSU for a period of time</li> <li>Exclusions from membership to the NUSU</li> <li>Financial penalty up to £50</li> <li>Financial restitution in full or in part of the cost of making good</li> </ul>

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Forced substance consumption	Level 2 or 3	<ul> <li>Advice and guidance</li> <li>Written Warning</li> <li>Final Warning</li> <li>Disciplinary suspension</li> <li>Deferred expulsion</li> <li>Expulsion with immediate effect</li> </ul>	<ul> <li>Financial penalty (up to £350)</li> <li>Financial restitution in full or in part of the cost of making good any damage or loss suffered by the Students' Union or other members or persons</li> <li>Total or partial ban from some or all of NUSU for a specified period of time</li> <li>Removal of rights to use some or all of NUSU's facilities for a specified period of time</li> <li>Closure of the group, club or society</li> <li>Any combination of the above sanctions</li> <li>Any other sanction deemed appropriate by NUSU</li> </ul>	<ul> <li>Verbal or written apology required</li> <li>Total or partial ban from some or all areas of NUSU services, facilities or activities for a specified period</li> <li>Withdrawal of rights to participate in or benefit from specified NUSU services, facilities or activities for a specified period</li> <li>Suspension from membership of the NUSU for a period of time</li> <li>Exclusions from membership to the NUSU</li> <li>Financial penalty up to £50</li> <li>Financial restitution in full or in part of the cost of making good</li> </ul>

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Forced humiliation	Level 2 or 3	<ul> <li>Advice and guidance</li> <li>Written Warning</li> <li>Final Warning</li> <li>Disciplinary suspension</li> <li>Deferred expulsion</li> <li>Expulsion with immediate effect</li> </ul>	<ul> <li>Financial penalty (up to £350)</li> <li>Financial restitution in full or in part of the cost of making good any damage or loss suffered by the Students' Union or other members or persons</li> <li>Total or partial ban from some or all of NUSU for a specified period of time</li> <li>Removal of rights to use some or all of NUSU's facilities for a specified period of time</li> <li>Closure of the group, club or society</li> <li>Any combination of the above sanctions</li> <li>Any other sanction deemed appropriate by NUSU</li> </ul>	<ul> <li>Verbal or written apology required</li> <li>Total or partial ban from some or all areas of NUSU services, facilities or activities for a specified period</li> <li>Withdrawal of rights to participate in or benefit from specified NUSU services, facilities or activities for a specified period</li> <li>Suspension from membership of the NUSU for a period of time</li> <li>Exclusions from membership to the NUSU</li> <li>Financial penalty up to £50</li> <li>Financial restitution in full or in part of the cost of making good</li> </ul>

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Dangerous or illegal activity	Level 2 or 3	<ul> <li>Advice and guidance</li> <li>Written         Warning</li> <li>Final Warning</li> <li>Disciplinary suspension</li> <li>Deferred expulsion</li> <li>Expulsion with immediate effect</li> </ul>	<ul> <li>Financial penalty (up to £350)</li> <li>Financial restitution in full or in part of the cost of making good any damage or loss suffered by the Students' Union or other members or persons</li> <li>Total or partial ban from some or all of NUSU for a specified period of time</li> <li>Removal of rights to use some or all of NUSU's facilities for a specified period of time</li> <li>Closure of the group, club or society</li> <li>Any combination of the above sanctions</li> <li>Any other sanction deemed appropriate by NUSU</li> </ul>	<ul> <li>Verbal or written apology required</li> <li>Total or partial ban from some or all areas of NUSU services, facilities or activities for a specified period</li> <li>Withdrawal of rights to participate in or benefit from specified NUSU services, facilities or activities for a specified period</li> <li>Suspension from membership of the NUSU for a period of time</li> <li>Exclusions from membership to the NUSU</li> <li>Financial penalty up to £50</li> <li>Financial restitution in full or in part of the cost of making good</li> </ul>

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Taking improper advantage of any student(s) as a result of an imbalance of power/position	Level 2 or 3	<ul> <li>Advice and guidance</li> <li>Written Warning</li> <li>Final Warning</li> <li>Disciplinary suspension</li> <li>Deferred expulsion</li> <li>Expulsion with immediate effect</li> </ul>	<ul> <li>Financial penalty (up to £350)</li> <li>Financial restitution in full or in part of the cost of making good any damage or loss suffered by the Students' Union or other members or persons</li> <li>Total or partial ban from some or all of NUSU for a specified period of time</li> <li>Removal of rights to use some or all of NUSU's facilities for a specified period of time</li> <li>Closure of the group, club or society</li> <li>Any combination of the above sanctions</li> <li>Any other sanction deemed appropriate by NUSU</li> </ul>	<ul> <li>Verbal or written apology required</li> <li>Total or partial ban from some or all areas of NUSU services, facilities or activities for a specified period</li> <li>Withdrawal of rights to participate in or benefit from specified NUSU services, facilities or activities for a specified period</li> <li>Suspension from membership of the NUSU for a period of time</li> <li>Exclusions from membership to the NUSU</li> <li>Financial penalty up to £50</li> <li>Financial restitution in full or in part of the cost of making good</li> </ul>

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Inappropriate, intimidating or threatening communications	Level 2 or 3	<ul> <li>Advice and guidance</li> <li>Written Warning</li> <li>Final Warning</li> <li>Disciplinary suspension</li> <li>Deferred expulsion</li> <li>Expulsion with immediate effect</li> </ul>	<ul> <li>Financial penalty (up to £350)</li> <li>Financial restitution in full or in part of the cost of making good any damage or loss suffered by the Students' Union or other members or persons</li> <li>Total or partial ban from some or all of NUSU for a specified period of time</li> <li>Removal of rights to use some or all of NUSU's facilities for a specified period of time</li> <li>Closure of the group, club or society</li> <li>Any combination of the above sanctions</li> <li>Any other sanction deemed appropriate by NUSU</li> </ul>	<ul> <li>Verbal or written apology required</li> <li>Total or partial ban from some or all areas of NUSU services, facilities or activities for a specified period</li> <li>Withdrawal of rights to participate in or benefit from specified NUSU services, facilities or activities for a specified period</li> <li>Suspension from membership of the NUSU for a period of time</li> <li>Exclusions from membership to the NUSU</li> <li>Financial penalty up to £50</li> <li>Financial restitution in full or in part of the cost of making good</li> </ul>

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