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# ***PART C – DECANAL MATTERS***

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## **C.1. Introduction**

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Courteous and reasonable behaviour is expected from Junior Members at all times, both in and out of College. Members of the College are also responsible for the behaviour of their guests at all times. Impoliteness to College staff will not be tolerated. Drunkenness is no excuse for bad behaviour, and offensive behaviour due to drunkenness will be penalised.

### **C.1.1 Scope of Authority**

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The College Regulations apply to those Student Members and Ordinary Members of the University as defined by Oxford University Statute II, who have been, or will be, matriculated at Keble College. They also apply to Visiting Students admitted to membership of Keble College.

### **C.1.2 College Regulations within the framework of the University Statutes**

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Junior Members are bound by the Statutes of Oxford University, in particular Statute XI relating to Discipline.

## **C.2. The Dean and Junior Deans**

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The Dean is the College Officer responsible for enforcing College rules relating to discipline.

As representatives of the Dean, the Junior Deans will report to the Dean matters for possible further action. Typical tasks undertaken by the Junior Deans are ensuring that functions end on time, dispersing crowds when the bar is being closed and enforcing reasonable behaviour regarding noise within the College.

## **C.3. Keble College Non-academic Disciplinary Procedure**

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### **C.3.1. General**

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**C.3.1.1.** A Junior Member who fails to comply with any College regulation commits an offence.

**C.3.1.2.** A Junior Member who, whilst a member of College, brings the College into disrepute and/or indulges in conduct inimical to the orderly life of the College will be liable to disciplinary action by the College. Action may be brought against members in respect of such behaviour, *inter alia*, within other Colleges, within the precincts of the University, or elsewhere within the City. The University includes the student press, social networking sites, weblogs and online sites associated with the University.

**C.3.1.3.** Any Junior Member who has been convicted of a criminal offence of such seriousness that an immediate term of imprisonment might have been imposed (and whether or not such a sentence was in fact imposed) is required to inform the Dean, who will instigate disciplinary procedures as set out in C.3.1.5 below.

**C.3.1.4.** It is an offence for a Junior Member to fail to take reasonable steps to prevent disruptive or offensive behaviour on the part of anyone that he or she invites into College.

**C.3.1.5.** Disciplinary powers exercised by the Dean normally include fines up to £1,000, gating, exclusion from parts of the College for short periods (no more than one term), disconnection from the IT network, confiscation, and community service (no more than 10 days). The Dean may also impose charges for damage to property, sufficient to cover the costs of repair and/or replacement. Junior Deans may, at the discretion of the Dean, exercise disciplinary

powers over minor offences. They may impose fines of up to £100, exclude an individual from part of the College for no more than one week, and confiscate items such as audio equipment. The Junior Member will receive a written receipt for any items confiscated, indicating the time and conditions of return where appropriate.

**C.3.1.6.** Penalties for offences will be proportionate and appropriate.

### **C.3.2. Minor Offences**

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**C.3.2.1.** In the case of minor offences (such as might be covered by the penalties outlined in C.3.1.5.), the Junior Member will be informed in writing of the penalty and the reasons for its imposition. They should be given the opportunity to attend a summons with the Dean before the penalty comes into force. In circumstances where there is doubt as to fact, responsibility or identity, the Junior Member shall normally be summoned to appear before the Dean. A summons will also normally be held in cases of repeated offence or where the seriousness of the offence makes it appropriate. Gowns should be worn for such summons. The Dean will keep a brief record of the offence and penalty, which will be covered by the College's Code on Confidentiality.

**C.3.2.2.** Appeals by Junior Members against penalties arising from minor offences should be received in writing by the Warden no later than 7 days following the receipt of the letter communicating the penalty. The Warden will convene a Disciplinary Committee (as outlined in C.3.4) whose decision is final. When considering appeals against minor offences the Committee may choose to allow written evidence and written submissions only. The penalty will normally be suspended pending appeal.

### **C.3.3. Serious Offences**

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**C.3.3.1.** Serious offences (such as might not be covered by the penalties outlined in C.3.1.5.) must be referred by the Dean to a Disciplinary Committee. Penalties available to the Committee include: fines and charges above £1000; community service of greater than 10 days; denial of access to College facilities (including bar, Library, Computer Room, IT facilities; Hall, Café); rustication (i.e. denial of access to College premises for a specified period, possibly requiring the fulfilment of specified conditions for return); expulsion (i.e. permanent loss of membership of the College); combinations thereof.

**C.3.3.2.** For offences involving more than one Junior Member, the Committee may choose to hear each case separately or to hear all offenders' cases together before the Committee. All offences will be decided on their individual facts.

**C.3.3.3.** Very serious offences that may involve criminal proceedings will be reported to the police. This includes repeated offences involving minor drugs (see College Drug Policy).

### **C.3.4. Disciplinary Committee**

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**C.3.4.1.** The Disciplinary Committee consists of three members of the Governing Body, excluding the Dean; none of the members shall have been a tutor or supervisor of the Junior Member. They are appointed by the Warden, who also appoints one of them as Chairperson.

**C.3.4.2.** The Committee's hearing shall take place as soon as practicable; normally within one week of the Dean informing the Warden. The Junior Member shall be notified of the composition of the Committee, and the proposed time and place of the Committee's hearing (which will allow reasonable time for the Junior Member to prepare for it). In advance of the hearing the Junior Member should be given a clear statement of the grounds for their being referred to the

Committee, and a copy of all documentation with which the Committee is provided including any proposed penalty. This will include a list of any witnesses.

They should be given the opportunity to bring forward material considerations and mitigating circumstances. Any such factors which come to light shall (with the Junior Member's permission) be noted on their file and may affect the course of action to be taken and the outcomes of the interview. There is an expectation that the Junior Member will appear at the hearing, with or without a representative, unless they give notice of an intention not to appear, in which case they will be permitted to make a written submission. The hearing may proceed if the Junior Member fails to attend as notified or to make a submission. The Junior Member should be allowed to take advice in advance of the hearing and is entitled to be adequately represented at the hearing itself. Their representative may, for instance, be an officer or other member of the Junior or Middle Common Room.

**C.3.4.3.** The duty of the Committee is to establish all relevant facts, based upon the evidence submitted and statements made by the Dean, Junior Deans, the Junior Member, witnesses and the Junior Member's representatives and then to decide, bearing in mind the interests of the College and the Junior Member, the proportionate, appropriate and practical penalty. The evidence may be written, but is not confined to this form. The Committee may ask the Dean to propose a penalty.

**C.3.4.5.** The hearing will begin with the Chairperson reading the statement of the grounds for the Junior Member being referred to the Committee. The Dean, Junior Deans, Junior Member and witnesses may be asked to speak in an order and format to be determined by the Chairperson of the Committee. The Junior Member or their representative will be given an opportunity to: make an opening statement; cross-examine any witnesses; submit evidence (written or otherwise) and/or argument; make a closing statement after any closing statement by the Dean. The Chairperson of the Committee will be responsible for making a written record of the hearing.

**C.3.4.6.** The Committee will ask the Junior Member, the Dean and any witnesses to withdraw before deliberation. They may re-summon any of the above: the Junior Member will be given the opportunity to be present for any further summons. Having considered the matter, the Committee will agree its decision by vote: the Chairperson's vote will be the casting vote in the event of a tied vote. The Committee may confirm, increase, decrease or set aside any penalty proposed by the Dean. The decision will be promptly communicated in writing to the Junior Member, the Dean and the Warden.

### **C.3.5. Disciplinary Appeal Panel**

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**C.3.5.1.** In a case involving a serious offence (which is not covered by C.3.1.5.), the Junior Member may appeal the decision of the Disciplinary Committee. Any appeal must be made and received in writing to the Warden within three days of the Junior Member receiving written notification of the Disciplinary Committee's decision. The Junior Member may, but need not, communicate the grounds for their appeal. These may include failure of the Committee to follow procedure or the imposition of a disproportionate penalty. On receipt of an appeal, the Warden shall convene a Disciplinary Appeal Panel.

**C.3.5.2.** The Appeal Panel consists of three Fellows who need not be members of Governing Body; none of the members shall have been a tutor or supervisor of the Junior Member; none of the members shall have sat on the Disciplinary Committee; the Dean may not be a member. Members of the Panel are appointed by the Warden, who also appoints one of them as Chairperson.

**C.3.5.3.** The Panel shall meet as soon as practicable; normally within one week of being appointed by the Warden. It shall be the duty of the Panel to review all the relevant facts and documentation, to verify that the disciplinary procedures were properly applied and to consider the proportionality of the penalty, bearing in mind the interests of the College and of the Junior Member. There need not be a hearing held, unless the Junior Member requests to appear before the Panel. The Panel may, in the light of its investigation, uphold the decision of the Disciplinary Committee, or vary the penalty to be more lenient. The Chairperson will make a written report of its findings and decision to the Warden, the Dean and the Junior Member.

### **C.3.6. Governing Body**

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The decision of the Disciplinary Committee and/or the Disciplinary Appeal Panel will be reported to the next meeting of the Governing Body. The written record of the hearing will be available to Governing Body members prior to the meeting. If the Governing Body considers the proposed penalty to be not appropriate for the disciplinary breach for which the student was referred to the Committee, or believes that procedures have not been properly followed, it may ask the Committee (or where appropriate the Disciplinary Appeal Panel), to reconsider its decision and to report back to the next scheduled meeting of the Governing Body. In such cases, the Governing Body must specify the precise nature of its concerns. The Warden shall convey the decision of the Governing Body to the Junior Member in writing within two days of its meeting, and the Junior Member must be provided with information on further appeal mechanisms available to him or her.

### **C.3.7. Conference of Colleges Appeal Tribunal**

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If the Junior Member wishes to appeal against the decision of the Governing Body, he or she may do so to the Appeal Tribunal of the Conference of Colleges of which Keble is a member. The appellant must file such an appeal with the Secretariat of the Conference of Colleges, within five days of Governing Body's decision.

### **C.3.8. The Office of the Independent Adjudicator for Higher Education (OIAHE)**

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Under the Higher Education Act 2004, certain complaints which the Junior Member considers not to have been properly dealt with by either the College and/or the Conference of Colleges Appeal Tribunal can be pursued with the OIAHE.

### **C.3.9. Joint Committee and Appeal Panel**

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In cases where the Junior Member is subject to proceedings under both disciplinary and academic grounds, the Warden may convene a joint Committee and if required, a joint Appeal Panel. In such cases, the Warden shall determine which procedure should take precedence.

## **C.4. Equal Opportunities Policies**

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**C.4.1.** Keble College affirms its commitment to ensuring an environment for all members and employees which is fair, humane and respectful; an environment which supports and rewards members and employees on the basis of relevant considerations such as ability and effort. Sexually or racially offensive behaviour, in particular behaviour which inappropriately asserts sexuality or ethnic origin as relevant to members' or employees' performance, or well-being, is damaging to that environment. See Section G.1 for the Keble College Equal Opportunities Policy Statement; further details of the College's equality policies relating to race, sex, gender assignment, age, disability, sexual orientation, faith and belief are posted on the College website.

**C.4.2.** All members and staff of the College are informed that the Governing Body of Keble College has issued a policy on matters relating to sexual and other forms of harassment; see Section G.3. Any such persistent mode of behaviour is regarded as intolerable by the College.

**C.4.3.** The membership of all Committees and Panels will be informed by the College's code on equality.

## **C.5. Freedom of Speech**

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**C.5.1.** All members of the College are informed that in pursuance of its statutory obligations under the Education (No.2) Act 1986, Section 43(3), the Governing Body of Keble College has issued a code of practice on freedom of speech. See below (section G.2)

## **C.6. Events in College Public Rooms**

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### **C.6.1. Permission**

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Permission given by the Deans to hold events in College is conditional on organisers of parties and gatherings seeking to ensure that forms of behaviour set out below are actively discouraged. If such discouragement proves ineffective, then future permissions may be withheld. Additionally, any individuals found engaging in these activities, or any other forms of irresponsible behaviour, will be subject to Decanal sanctions.

### **C.6.2. Standing on tables and other furniture**

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Standing on furniture is regarded as irresponsible behaviour, especially where drinking alcohol is involved and any individuals found engaging in these activities will be subject to Decanal sanctions.

## **C.7. Abuse of Alcohol**

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Any activities which are likely to result in the abuse of alcohol among junior members (including but not limited to, drinking games and any kind of initiation event encouraging alcohol abuse) are strictly prohibited and any individuals involved in any such activities will be subject to Decanal sanctions.

## **C.8. Subscriptions**

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No one may make any collection or invite any subscription from members of the College without first obtaining permission from the Dean. An exception is allowed only for the termly or annual subscriptions of recognized College and University societies, which may be invited and collected without such leave.