



University of  
St Andrews

# Student Conduct Risk Management Policy

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<b>Purpose</b>	To review concerns regarding student conduct, assessing risk and taking any necessary precautionary action for the protection of the University community

<b>Version number</b>	<b>Purpose / changes</b>	<b>Document status</b>	<b>Author of changes, role and school / unit</b>	<b>Date</b>
1.8	Policy Review	Published	Heather McNeill, Deputy Academic Registrar	01/08/2025

## **1. Purpose**

- 1.1 The University has a responsibility to manage risk to staff, students, and its reputation in relation to student conduct. The purpose of this policy is to establish a framework to review concerns arising from reported student conduct issues, to identify any risk(s) that may arise and to then consider what if any mitigations can be put in place for the protection of reporting and reported parties, and the University and its community. Any and all mitigations undertaken through this framework are precautionary measures and are not disciplinary measures.
- 1.2 A risk assessment may be required at any time, and the circumstances necessitating risk assessment are such that each case must be judged on its own merits, taking into account all available information. However, without prejudice, the following situations are likely to result in a risk assessment (this is not an exhaustive list):
  - A report of misconduct indicating a risk to a student/s or to others; or to the reputation of the University;
  - Incidents reported to the University by the Police, or involving the Police, including those where a student is being investigated by the police or has been reported to the Procurator Fiscal.
  - Where disciplinary proceedings are suspended for any reason, including where disciplinary proceedings are suspended to await the outcome of criminal proceedings.
- 1.3 The University reserves the right, with the appropriate notification of all parties involved, to make practical/operational changes to these documented procedures to suit individual case requirements or changes in legislation or sector good practice.
- 1.4 This Policy applies to all students in the University of any category whose studies have not been completed or terminated, and any individual who has formally accepted an offer to study at the University. This Policy also applies to students who have completed their studies but continue to have an Associated Student status with the University, or where their studies are completed, and they have yet to graduate in person or in absentia.
- 1.5 Students studying on a programme leading to a primary medical qualification regulated by the General Medical Council may also be subject to assessment under fitness to practise procedures, and an assessment will be made as to what if any procedure/procedures shall apply.

## **2. Initial Assessment**

- 2.1 A concern regarding student conduct is normally reported to the Student Conduct Team. A Student Conduct Officer will determine the appropriate procedure and/or sequence for the matters to be considered, in consultation with the Deputy Academic Registrar where appropriate.
- 2.2 Initial assessment should be carried out in a timeframe appropriate for the perceived risk, with cases assessed within five working days or such other period as may be reasonable. Risk assessments for cases identified as posing serious risk may be assessed in a shorter timeframe.
- 2.3 Where cases involve reports made by one student (the reporting student) against another student (the reported student), the University has a duty of care to both students.
- 2.4 Both reported and reporting students may seek wellbeing support from Student Services.

2.5 In a case that involves reported conduct that is potentially criminal in nature, the University will take the decision as to whether to refer the matter to the Police on a case-by-case basis, with consideration to the wishes of the reporting student. Any criminal proceedings will take priority; however, the University will normally undertake risk assessments and identify precautionary measures whilst criminal proceedings take place, keeping this under review and adapting any precautionary measures as the case progresses. The University may undertake a risk assessment(s) before the resolution of criminal proceedings.

2.6 If a reported student(s) requires reasonable adjustments to the prescribed process because of a disability, health condition or other relevant circumstances, they should discuss the situation at the earliest opportunity with the Student Conduct Team, in conjunction with a University Disability Adviser. The University will assess such requests on an individual basis and put in place reasonable adjustments if it deems it necessary to do so.

### 3. Conduct Risk Assessment (Reported Student)

3.1 When a report is received that requires further investigation (as set out in the Student Conduct Policy), the Student Conduct Officer will review the initial reported allegation and may decide to initiate the following:

- i. **Combined Risk Assessment and Investigation Meeting:** Explore risks and complete a risk assessment based on the initial information reported, combined with an investigation meeting with the reported student to investigate the allegation. The reported student will normally be required to meet with the Student Conduct Officer and a note taker to discuss the allegation(s) and provide a response. The Student Conduct Officer may request additional relevant staff to attend or submit information. The reported student will be informed that the purpose of the meeting is to discuss the report and consider potential risks and any precautionary measures that may be required to mitigate risks that the University has identified.
- ii. **Risk Assessment Meeting:** Conduct a specific risk assessment meeting with the reported student, accompanied by another member of staff who will act as note taker. The reported student will normally be required to meet with the Student Conduct Officer and a note taker to specifically discuss the risks relating to the situation and any precautionary measures that may be required, prior to an investigation commencing. The reported student will be informed that the purpose of the meeting is to discuss the potential risks and to consider any precautionary measures that may be required prior to commencement of any investigation.
- iii. **Principal's Office Risk Assessment:** Refer particularly serious or complex cases to a member of the Principal's Office (this may include Associate Deans and Associate Provosts with delegated authority of the Proctor) to conduct a risk assessment, with another member of the University acting as an additional Panel member. A Student Conduct Officer (or their nominee) will attend as clerk to this meeting.

3.2 At the risk assessment meeting (all types), the potential risks will be discussed, with a view to identifying any reasonable and proportionate necessary precautionary measures to address these risks. Guidance will be given regarding the support available to the reported student. Any measures put in place will seek to protect the reporting student, the reported student, the University community and public, and the University's reputation, whilst reports are dealt with and/ or an investigation is carried out.

3.3 A reported student may be accompanied to the meeting by a member of the University. A member of the University is a person who is either presently matriculated as a student or is an employee of the University or is a sabbatical officer or is an employee of the Students' Association of the University of St Andrews. Reported students should be aware that there is no automatic right to legal representation in the meeting.

- 3.4 In exceptional circumstances where it is not possible for a reported student to attend a risk assessment meeting, the reported student will be invited, where possible, to submit written or recorded statements and evidence as appropriate to the matter under review. Reasonable time frames will be set for the provision of such material.
- 3.5 The University may choose to conduct the meeting in person, remotely via Microsoft Teams, or via equivalent, secure technologies. If a reported student does not attend a risk assessment meeting, the meeting convener reserves the right to proceed in the reported student's absence. Failure to attend a risk assessment without prior notice or good reason may in itself result in disciplinary action.
- 3.6 The member of staff conducting the risk assessment may wish to consult with other relevant staff before and/or after the meeting, in order to inform the risk assessment and/or identification of suitable precautionary measures: for example, it may be necessary to consult others regarding the reported student's continued use of a University building or service, or a reported student's contact with other members of the University, in order to determine any ongoing risk that may arise.
- 3.7 A brief report of the risk assessment will be recorded by the Student Conduct Officer. The decisions taken as a result of the risk assessment will be sent to the reported student and relevant staff in writing, and will include a date for a review of the outcomes. This report and details of any resulting precautionary measures will be consulted should any further concerns arise.
- 3.8 It is the responsibility of the reported student to proactively inform the Student Conduct Officer of any changes in their circumstances relevant to the initial concerns or precautionary measures at the earliest opportunity.
- 3.9 Any failure to comply with precautionary measures or requirements of the risk assessment process will result in a further conduct risk assessment and is likely to result in more serious measures being considered and/or disciplinary action being taken.

#### **4. Sharing outcomes of a Risk Assessment**

- 4.1 Reported students should note that the outcomes of a risk assessment may be shared with those reporting a concern and relevant third parties, in cases where the Student Conduct Officer or Risk Assessment Panel Convener deems this appropriate, to effectively put in place risk mitigation measures.
- 4.2 Information may be shared where the University has a legal obligation to provide a duty of care. In such cases, reported students will be advised that outcomes about them may be shared and students may, under certain circumstances, object to the data being shared. The Head of Information Assurance and Governance will separately consider any objections made and will advise on the outcome.
- 4.3 The right of others to understand the outcome of a risk assessment may sit alongside reported students' right to privacy. Where information is shared with those reporting a concern and/or any third parties with whom the University has an obligation to inform, they will be informed that the outcomes are provided in confidence, and there will be restrictions in how that information can be used.

#### **5. Information for Reporting Students**

- 5.1 The risk assessment process focuses on managing risks presented by the situation, and risk assessment meetings will only be held with the reported student. Reporting students will be offered the opportunity to provide information about the perceived risks of the situation when they

submit a report detailing their allegations. Reporting students should be aware that this information will be directly shared with the reported student.

- 5.2 Should further information be required in advance of a risk assessment meeting, the reporting student will be contacted to request this.
- 5.3 Following the conclusion of a risk assessment, the Student Conduct Officer or Risk Assessment Panel Convener will determine whether it is appropriate to inform the reporting student of the implementation of any risk assessment measures. Reporting students should be aware that it may not be appropriate to share all outcomes of a risk assessment with them, for the reasons set out in section 4 above, and they may only be informed of measures that are directly relevant to them.
- 5.4 Where a Risk Assessment results in a precautionary measure which may directly impact a reporting student (e.g., designating specific areas in which the reporting/ reported student should not attend, to prevent risk of contact) this will be discussed with the reporting student prior to implementation.
- 5.5 . The final determination of risk and the precautionary measures that are required rests with the University, with consideration given to upholding its obligations to all relevant parties.

## **6. Risk Assessment outcomes and precautionary measures**

- 6.1 Outcomes of a risk assessment can include, but are not limited to, one or more of the following:
- No further action required;
  - Involvement of Student Services Advisers or other specialist services to identify support needs;
  - Referral to the Student Conduct Policy (Students);
  - Referral to the Support to Study Policy;
  - Implementation of precautionary measures to mitigate identified risk, such as:
    - a) A non-contact arrangement between the parties involved in alleged misconduct;
    - b) Limits to the use of a particular University building/service;
    - c) Review of accommodation contract (for residents of University accommodation);
    - d) Suspension of the assessment and/or reporting of academic work;
    - e) Compulsory Leave of Absence from the University;
  - Amendment, deferral or withdrawal of an offer of a place (for individuals holding an offer of a place);
  - Referral to the Police.
- 6.2 There is a distinction between precautionary measures to mitigate risk, which are an outcome of this policy, and outcomes of the Student Conduct Policy. Where precautionary measures are imposed, this does not indicate that the University has judged that a breach of conduct has occurred.
- 6.3 A Compulsory Leave of Absence equates to temporary suspension from the University. International students should be aware that their Visa will normally not be valid during a suspension, and it may not be possible to extend a Visa to cover the remaining period of study. Any potential detrimental effect upon a student's immigration status may form part of the considerations (even if not being wholly determinative) in deciding a risk assessment outcome.
- 6.4 Any financial or other consequences of a suspension of studies (such as the need to vacate University accommodation) will be the sole responsibility of the student.

## **7. Appeal against the outcome of a Conduct Risk Assessment**

- 7.1 A reported student who has been subject to conduct risk assessment as described above can ask the University to review the outcome of the conduct risk assessment and any associated precautionary steps via an appeal. However, where the conduct risk assessment results in a referral to another policy which itself includes a right of appeal, then there is no right of appeal against the initial conduct risk assessment decision.
- 7.2 An appeal against the outcome of a risk assessment is admissible only where one of the following grounds are alleged to apply:
- a) new evidence exists of which the University was not aware when the original risk assessment decision was taken and which could not reasonably have been disclosed by the reported student (an explanation for earlier non-disclosure is always required).
  - b) evidence exists of a material procedural error or irregularity (i.e., maladministration) taking place during the risk assessment process. Where no credible evidence of maladministration is presented, an appeal may be refused.
- 7.3 A request for an appeal, including the grounds on which the appeal is requested, must be made to the Vice Principal (Governance) in writing to [vpgov@st-andrews.ac.uk](mailto:vpgov@st-andrews.ac.uk), no later than 10 working days of the date of the communication to the student of the conduct risk assessment outcome. Any precautionary steps will be continued until the outcome of the appeal is communicated to the reported student.
- 7.4 An appeal will normally be heard by the Vice Principal (Governance), or by another member of the Principal's Office, with the exception of the Vice Principal Education (Proctor). The Vice Principal (Governance) has the discretion to remove or vary the precautionary steps. They will make their decision based on the evidence available. The reported student will be advised in writing of the outcome of the appeal i.e., either the precautionary steps applied following the initial conduct risk assessment still apply or a decision to follow a different course of action has been reached.

## **8. Complaints**

- 8.1 Any reported student who is dissatisfied with the University's procedures following the conclusion of the risk assessment process and any subsequent request for a review, should consult the [University's Complaints Policy](#).

Grounds for raising complaints surrounding the Student Conduct Risk Management Policy ("the Policy") are limited to issues of concern in connection with procedural error or irregularities in the application of the Policy. Complaints will be managed according to the framework laid out in the University Complaint Handling Procedure, and in the first instance, issues of complaint should normally be addressed to the Academic Registrar. Unless maladministration against a decision is claimed, the University will not investigate complaints that question any decision which the University is entitled to make under this policy. Where the University opts not to investigate an issue of complaint, that will be confirmed in writing, along with an individual's option to seek assistance from the Scottish Public Services Ombudsman.

<b>Version number</b>	<b>Purpose / changes</b>	<b>Document status</b>	<b>Author of changes, role and school / unit</b>	<b>Date</b>
1.1	Migration to Governance zone	Approved	Claire Hillson, Student Conduct Officer, Registry	06/09/2019
1.2	Policy Review	Published	Lucy McMaster, Student Conduct Officer, Registry	13/05/2020
1.3	Policy Review	Published	Helen Boyd, Deputy Academic Registrar	24/07/2020
1.4	Policy Review	Published	Helen Boyd, Deputy Academic Registrar	03/08/2021
1.5	Policy Review	Published	Claire Hillson, Student Conduct Officer, Registry	22/09/2022
1.6	Policy review.	Published	Heather McNeill, Deputy Academic Registrar	14/09/2023
1.7	Policy review.	Published	Heather McNeill, Deputy Academic Registrar	03/09/2024
1.8	Policy review	Published	Heather McNeill, Deputy Academic Registrar	01/08/2025