Student Conduct: Checklist for the Conduct Investigator

Before the meeting

1. When you receive the alleged misconduct referral, remind yourself of the Code of Student Conduct. It is important to act promptly to investigate the case but do take the time to reflect. Remember that your decision must be based on the evidence presented in the case.

2. Inform the student in writing as soon as possible about the alleged offence. Email is an acceptable communication method. Let the student know the details of the allegation and the category of the offence (paragraph 12 in the Code of Student Conduct). Send the student information about the Code of Student Conduct: a link to the web is acceptable. 
http://www.ed.ac.uk/academic-services/staff/discipline/code-discipline

3. Check whether there are any reasons to suspend the investigation, for example if the student is involved in a criminal case (paragraphs 34-38 of the Code). Contact the Secretary of the Student Discipline Committee if you have any questions about this.

4. Let the student know if s/he is required to attend an interview. Tell the student that s/he has the right to be accompanied and/or represented at the interview by a member of the University community, including a member of EUSA.

5. Let the student know that s/he can get independent support and advice at any stage in the process from the Advice Place: www.eusa.ed.ac.uk/adviceplace/.

6. Invite the student to respond – either in writing or at the interview. Ask the student to admit or deny responsibility for the alleged misconduct. If the student admits responsibility in writing and the offence is not major, no further investigation may be needed. You can refer the case directly to the Student Discipline Officer. You may still wish to interview the student, e.g. to find out if there are underlying causes for concern, or to explain to the student the implications of actions, e.g. safety issues arising from tampering with smoke detectors.

7. If you need to interview or seek information from others about the alleged misconduct, arrange those interviews and/or invite people to comment in writing.

8. If a student is convicted of or cautioned or warned for an external offence, you may use this in the investigation, provided the circumstances leading to the conviction are directly relevant.

9. It can be helpful to have a note-taker at the meeting. This is essential in complex cases.

At the meeting with the student

10. Introduce yourself and anyone else present. Tell the student that a record of the meeting will be taken and/or the outcome will be confirmed to them in writing. Explain that you understand that this can be a difficult process but you want to ensure that the investigation is carried out thoroughly, in order to be fair to all concerned.

11. Ask the student to identify him/herself. If the student is accompanied, ask the individual to identify him/herself and to state his/her relationship to the student. Ask the student if s/he is willing to speak for her/himself or if the student will be represented.
12. Check that the student has read and understands the Code of Student Conduct.

13. Explain the context of the interview in the conduct process, which is to find out what happened and to decide whether the student has committed the alleged misconduct. Mention the possible outcomes of the interview (see below). Make sure that the student knows about the right of appeal from decisions of the Student Discipline Officer or the Student Discipline Committee (paragraphs 81-85 of the Code of Student Conduct).

14. If the student does not appear and you know that the student has been given enough notice to attend the interview you may deal with the alleged misconduct in the student’s absence.

Start of the interview

15. Provide the details of the alleged offence. Give the student and/or the person representing the student an opportunity to respond and follow up with questions.

16. At an appropriate point in the interview, ask the student if s/he admits to or denies the allegation(s). If the student has confirmed this in writing then refer to this confirmation.

17. Ask the student if any special circumstances apply.

Student leaves (temporarily)

18. Ask the student and his/her representative to leave once you have sufficient information.

19. If the student admits responsibility or if you are satisfied that, on the balance of probabilities, the student is responsible, then disciplinary action can be taken. You need to be satisfied that on the evidence available, the event and explanation are more likely than not.

20. Make a decision taking into account the evidence and the student’s explanation. Decide if the student has committed an offence and, if so, what this is (paragraph 12 of the Code).

21. The outcomes available to you are to:
   a. Dismiss the allegation of misconduct, for example if you think there is insufficient evidence or the quality of the evidence does not support the student having committed the alleged misconduct; or
   b. Pass the case to a Student Discipline Office for disciplinary action, e.g. routine cases; or
   c. Pass the case to the Secretary of the Student Discipline Committee for Committee action. This referral needs to be agreed with the Student Discipline Committee Secretary before informing the student. Cases are referred direct to the Committee because of their nature or gravity, e.g. very complex cases, cases involving criminality.

Student returns

22. If it is possible to reach a decision immediately, invite student and his/her representative to return and present your decision. If you need more time, e.g. you need to discuss a referral with the Secretary of the Student Discipline Committee, invite the student and his/her representative to return and tell them that you will provide your decision in writing. Give an expected timescale.

23. Advise student that you will write to confirm the outcome of your investigation.

24. Conclude the interview.
After the interview

25. Write to the student confirming the outcome of your investigation. Record in the meeting notes the consideration of any special circumstances.

26. Follow up your outcome: conclude the case or refer the case, with relevant documentation, to the Student Discipline Officer or the Secretary of the Student Discipline Committee.

27. For concluded investigations, send the Secretary of the Student Discipline Committee information about the investigation, which will be used for annual reporting purposes.

Academic Services
www.ed.ac.uk/schools-departments/academic-services/staff/discipline
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