

Tips advising students on non-academic misconduct complaints



office of the independent adjudicator

1 Know your policies, procedures and codes of conduct
This is key to helping students understand non-academic misconduct procedures, and it will also help you identify any procedural errors or unfairness, for example in how the process is conducted, how mitigating circumstances are considered, or how penalties are applied. It will also help you decide whether and how other procedures might apply, such as precautionary suspensions, fitness to practise or support for study.



2 Understand your student, their situation and what they want
What are their circumstances? Are they the subject of disciplinary action, or are they complaining about someone else? What outcome are they looking for? Is it achievable? Knowing your student will help you to provide accurate and reliable advice so that they understand their situation and can make informed decisions about what to do next.



3 Be clear about your role
It's important to tell students what you can and can't do, to help them understand what to expect from you, and what their responsibilities are. Be clear about how involved you'll be - for example, whether you'll attend or speak at a disciplinary panel hearing, whether you can help them write an appeal statement, or if your role is more limited to giving advice about the process.



4 Signpost to other sources of help and support
Some students may be dealing with particularly sensitive or traumatic personal circumstances, some may be facing criminal proceedings, eviction or exclusion. It's important to know both when to refer someone on, and which services are available, so that students can get the advice and support they need as soon as possible.



5 Collect and question data
Casework data can provide insights and solutions to wider policy questions and challenges. It can help identify trends or systemic issues, or reveal inconsistencies in approach, for example in how evidence is considered or how sanctions are applied between departments. It can also provide opportunities to engage and collaborate with your provider to improve policies or procedures.



6 Look out for opportunities to resolve complaints early
Informal resolution can often resolve non-academic misconduct complaints quicker than other options, for example where the student admits the misconduct or a clear error in procedure has occurred. Where possible, look out for opportunities to engage with the provider to resolve issues early, including where using mediation or restorative justice is appropriate.



7 Manage students' expectations
Being honest and transparent when the student does not have good grounds to challenge a decision, or the outcome they're seeking is unachievable, can help them understand the limits of the process and allow them to focus on their options going forward.



8 Familiarise yourself with the OIA
Understanding who we are and what we do means you can advise students when they can come to us, what they can complain about and what outcomes they might expect. Our Good Practice Framework (GPF) guidance on Disciplinary procedures and Handling complaints and appeals is essential reading for anyone advising students on non-academic disciplinary matters. You can also use the guidance to compare your provider's procedures with what is considered good practice and to push for changes to policies or procedures which may need updating/improving.

