

# Accommodation Code of Conduct Procedure

## BSU Managed Halls of Residence

Responsible Office	Student Accommodation
Responsible Officer	Student Accommodation Manager
Approval Authority	Director of Estates
Date of Approval	01 September 2021
Effective Date	01 September 2021
Amended (if applicable)	16/07/2024
Related Procedures	<ul style="list-style-type: none"> <li>• Student Disciplinary</li> <li>• Procedure Student</li> <li>• Complaints Procedure</li> </ul>
Related University Policies	<ul style="list-style-type: none"> <li>• Student General Regulations</li> <li>• Data Protection Policy</li> <li>• Harassment Policy</li> </ul>
Supersedes	Accommodation Disciplinary Procedure
Next review due	July 2026

### 1. Purpose

This document details the procedures that Bath Spa University ('the University') will use as a guide If a student in the university halls of residence behaves in a way that has a negative impact on others, breaches any of the terms and conditions of the Residents Handbook or commits a criminal offence.

### 2. Scope

The Accommodation Code of Conduct Procedure ('the procedure') applies to Bath Spa University students who are enrolled at the University at the time of the alleged misconduct and are living in University-managed accommodation as per section 3.4 in the Student Disciplinary Procedure, which allows for a number of penalties to be applied by the Student Accommodation Manager. If a resident is no longer an enrolled student, action will be sought under the terms and conditions of the licence agreement.

### 3. Principles

- The standard of proof to be applied shall be the balance of probabilities (i.e. more likely than not);
- The University shall not act on allegations of misconduct which it considers to be vexatious, spurious or malicious;
- A student who is alleged to have committed an act of misconduct shall have the right to be informed of and to respond to the allegations;
- Sanctions imposed under this Procedure shall be reasonable, proportionate and consistent;
- The person bringing the allegation only has the right to know about the outcome of an investigation in line with the terms of data protection law and appreciating the rights of the responding party.

### 4. Misconduct

As defined in the Student Disciplinary Procedure, misconduct is any act or omission, whether occurring on University premises or elsewhere (including electronically and on social media) which improperly interferes with the functioning or activities of the University or of those who work or study in the University or otherwise improperly damages the University or its reputation.

As a guide, the following are examples where the University would take action under this procedure. (Please note this is not an exhaustive list. Penalties may be higher depending on the severity of an offence and/or any associated costs of the repair):

- Anti-social behaviour which could include noise disturbance, damage to University property, urination/defecation/vomiting on University Property or grounds. Threatening, abusive or offensive language or behaviour, including via social media to other residents or staff
- Possession/use/supply of cannabis, psychoactive substances, nitrous oxide or any illegal substances within University Accommodation or grounds
- Smoking or vaping inside a residential building
- Covering over, removing or tampering with fire safety equipment
- Malicious damage of break glass alarm
- Discharging or tampering with fire extinguishers
- Leaving cooker unattended, resulting in a fire alarm activation
- Non or late evacuation, or refusal to evacuate in response to a fire alarm activation
- Use of banned items such as candles, incense sticks
- Rendering a fire door ineffective, for example by insertion of a wedge or propping it open with a heavy object, or by disabling/interfering with the door closure device
- Blocking or obstructing any fire evacuation routes or fire exits

### 5. Penalties

Where it is not known who is responsible for misconduct or damage within a residential building, each resident within that building will be liable for the full penalty unless the person responsible comes forward.

The Student Accommodation Team will notify you via your University email account if you are required to attend a meeting to discuss any concerns about your behaviour and conduct in your accommodation.

## 6. Possible outcomes

A student found responsible for misconduct may be subject to one or more of the following outcomes:

- a. Absolutely discharged, which means that although the student may be technically guilty of misconduct, no blame should be attached to their actions;
- b. Reprimanded;
- c. Cautioned, which means that if the student is found guilty of misconduct on a subsequent occasion following 12 months, or some other specified period, they will then be dealt with for both offences;
- d. Conditionally discharged, which means that no immediate penalty is imposed, subject to the student fulfilling certain stipulated conditions including future good behaviour over the following 12 months, or some other specified period. If the conditions are not met, a penalty may be imposed following a further hearing;
- e. Fined up to a maximum of £400;
- f. Required to write a letter of apology to a specified person or persons;
- g. Required to attend a specified course and to pay the reasonable cost as determined by the University (including drug & alcohol diversionary workshops or fire safety awareness course);
- h. Required to pay a reasonable sum by way of compensation for identified and quantified loss;
- i. Required to perform unpaid services for the University community to a maximum of 40 hours;
- j. Required to have no contact, or restricted contact, with a specified person or persons;
- k. Suspended from enjoying specified privileges for a fixed period of time
- l. Compulsory meeting with one of the Student Accommodation Team or Student Accommodation Manager;
- m. A formal written warning letter issued;
- n. Compulsory room move to alternative University accommodation or equivalent;
- o. Required to write a letter of apology to a specified person or persons;
- p. If you are found in possession of Class A, Class B, Class C or psychoactive substances (including nitrous oxide). You may also be referred for consideration under the University's Student Disciplinary Procedure and if there is suspicion of intent to supply or production of any class of substance the Police may be informed;
- q. Confiscation of items that are causing a nuisance to others or are a Health and Safety hazard e.g. speakers, strobe lights, plug in fairy lights;
- r. Depending on the nature of the misconduct, spot checks may be conducted on your room or flat;
- s. Notice to Quit accommodation (being instructed to leave University Accommodation);
- t. Referral to the University's Student Disciplinary Procedure, which may lead to expulsion or suspension from the University in serious cases.

The Accommodation Team will keep a record of student misconduct and actions which it may share with other University departments relevant to the situation.

The Accommodation Team can refuse housing to any student due to previous misconduct.

## 7. Grounds of Appeal

Grounds of appeal will only be considered where the University determines that:

- There is relevant evidence which, for good reason, was not available before the decision was taken and which may have affected the outcome.
- The procedures were not followed correctly prior to decisions being taken and that irregularity may have affected the outcome.

## 8. Advice and representation

Students who are either reporting or responding to an allegation of misconduct are strongly encouraged to seek advice and support from the Students' Union Advice Centre, which is independent of the University. They can be contacted via [su-advice@bathspa.ac.uk](mailto:su-advice@bathspa.ac.uk).