
Student Disciplinary Policy

Status: Approved

Version number: 1.0

Effective from: 1st January 2026

Review Period: January 2027

Responsible person: Director of the Dyson Institute

Reviewed by: Dyson HR and Dyson ER

Approved by: Dyson Institute Leadership Group

Document control

Revision history

Version	Date	Author	Summary of changes
1.0	04/12/2025	Beverley Gibbs	Approved document
1.1	dd/mm/yyyy	[Insert here]	[Insert here]
1.2	dd/mm/yyyy	[Insert here]	[Insert here]

Distribution List

Version	Date	Name	Role
1.0	24/11/2025	Robyn Vincent	Head of HR DIET
1.1	24/11/2025	Jack Fletcher	Global ER Director and HR Director, UK
1.2	dd/mm/yyyy	[Insert here]	[Insert here]

Contents

Document control	1
Revision history	1
Distribution List	1
Contents	2
1.0 Introduction	3
2.0 Definitions	4
3.0 Scope	5
4.0 Triage and Jurisdiction in Disciplinary Matters	5
5.0 General Basis	7
5.1 General Principles	7
5.2 Levels of Misconduct	9
5.3 Misconduct which is also a Criminal Offence	12
5.4 Reporting Allegations	13
5.5 Precautionary Measures	13
5.6 Aggravating Factors	16
5.7 Mitigating Factors	17
6.0 Formal Investigation Procedure	17
6.1 Principles	17
6.2 Minor Misconduct Procedure	19
6.3 Gross Misconduct Procedure	20
7.0 Appeal	25
8.0 Support	26
9.0 Appendix A Policy RACI	27

1.0 Introduction

1.1 This Student Disciplinary Policy (the Policy) provides a framework for the regulation of non-academic misconduct by students at The Dyson Institute of Engineering and Technology (the Dyson Institute). Misconduct relating to a student's employment will usually be addressed through Dyson Technology Limited (DTL – the employer)'s Disciplinary Policy. In order to effect this Policy, the Dyson Institute and Dyson Technology agree to share relevant case-specific data (and for the avoidance of doubt this may include consented special category data).

1.2 Breaches of the Dyson Institute's policies and procedures, including but not limited to those listed below, will be dealt with in accordance with the process set out in those policies and procedures and/or through this Policy:

- i. Code of Practice on Freedom of Speech,
- ii. Harassment and Sexual Misconduct Policy, and
- iii. Respect at Work and Study Policy Statement.

1.3 Students are expected to treat all members of the Dyson Institute's community with respect, including other students, staff, visitors and third parties, including members of the local community.

1.4 In signing the Dyson Institute Student Contract, individuals have agreed not to disrupt the academic activities or student experience of any fellow students; not to bring Dyson or the Dyson Institute into disrepute; not to engage in any criminal activity; and not to damage, deface or misappropriate any Dyson or Dyson Institute property.

1.5 Students are also expected to behave in a way that does not interfere with, or cause disruption to, the normal operations of the Dyson Institute and its community. Where there is reason to believe that the rules or regulations of the Dyson Institute have been broken or when a student's behaviour falls below the standards set out in the Dyson Institute's policies and procedures, this Policy will be used.

1.6 The Director of the Dyson Institute has overall responsibility for this Policy but has delegated day-to-day responsibility for overseeing its implementation to the staff identified in the Policy. All relevant members of staff have been made aware of the Policy and have received appropriate training.

1.7 Members of staff named in this Policy may appoint an appropriate nominee to take action in their place, and references to that member of staff shall include any such nominee.

1.8 In the event that an allegation of misconduct against a student of the Dyson Institute is also the subject of a Police investigation or proceedings in the criminal courts, it may be necessary for the Dyson Institute to pause any actions under this Policy pending the completion or conclusion of such investigations or proceedings. In cases where an allegation has become the subject of a Police investigation, Dyson's HR Director (UK) shall be informed by the Institute. The Dyson Institute will take the results of any Police investigation or criminal proceedings into account when conducting its own investigation under this Policy. Should the Police issue any bail conditions or should the Dyson Institute need to consider the safety of students whilst investigations are ongoing, it reserves the right to implement Precautionary Measures as outlined in Section 5.5 of this Policy, which may result in Precautionary Measures being put in place, which may include a suspension of studies or restrictions being placed on access to the Dyson Institute's facilities.

1.9 A student's behaviour may be affected by their health and wellbeing, or other impairments or conditions. Where the Dyson Institute considers that this has directly affected the alleged misconduct, the Registrar will provide guidance on whether the Safeguarding and Prevent Policy or Fitness to Study Policy should run in parallel to disciplinary measures under this Policy, or whether action under this Policy should be suspended pending action under either of those policies.

2.0 Definitions

2.1 The definition of 'Misconduct' under this Policy is the improper interference, in the broadest sense, with the proper functioning or activities of the Dyson Institute, or those who work or study at the Dyson Institute, or action which otherwise damages the Dyson Institute.

2.2 An individual making an allegation of Misconduct will be referred to as the 'Reporting Party' in this Policy.

2.3 The individual against whom an allegation of Misconduct is made will be referred to as the 'Responding Party' in this Policy.

2.4 Reference to 'Dyson Institute Spaces' shall mean: D3 Contact Centre; UK-D5-001 Jackson, UK-D5-002 Henry, UK-D5-003 Maxwell; UK-D5-004 Hawking; UK-D5-005 Hawking; UK-D5-006 Babbage; UK-D6-001 Chapman; UK-D6-101 Goodenough plus the D6 Common Room, the D6 Wellbeing Room, Lab 230 in D6, the D5 Institute Kitchenette, the D5 open plan staff office area, the D5 area allocated for student independent study, the first floor of the Roundhouse and the Dyson Institute Village, inclusive of residential pods, communal pods, the laundry pod and kitchens. These spaces can be viewed on the campus map located on the Institute Hub [Spaces Page](#).

3.0 Scope

3.1 This Policy applies to all students currently registered at the Dyson Institute. The Dyson Institute reserves the right to consider disciplinary action at any time under this Policy, including where an individual is no longer a student at the Dyson Institute.

3.2 The Dyson Institute's jurisdiction over its students' conduct is not limited to the Dyson Institute's premises or solely within term-time. This means, for example, that behaviour off campus and during vacations, weekends, evenings, on placements and field trips and the use of online and digital media where the alleged Misconduct poses risks or disruptions to the Dyson Institute or members of the wider community, or third parties, may be taken into consideration.

3.3 It also means that behaviour in a social setting which may constitute Misconduct (such as at an external event associated with the Dyson Institute, or on social media) may have consequences, whether or not it takes place during the Dyson Institute's normal opening hours.

3.4 This Policy does not apply to academic misconduct which is dealt with under the Academic Integrity and Misconduct Policy.

3.5 Incidents that occur in relation to student accommodation may either be dealt with as breaches of this Policy or considered under an individual's Accommodation License.

3.6 A student's behaviour may be referred under this Policy following a report or the outcome of another policy or process. This may include, for example, the Fitness to Study Policy, Harassment and Sexual Misconduct Policy, and the Respect in Study and Work Policy Statement.

4.0 Triage and Jurisdiction in Disciplinary Matters

4.1 The Dyson Institute maintains its own Student Disciplinary Policy, with full authority to investigate and determine matters relating to student conduct. As stated at Section 1.2 this includes, but is not limited to, breaches of the Dyson Institute's Freedom of Speech Code of Practice, Harassment and Sexual Misconduct Policy, and Respect at Work and Study Policy Statement and findings of Misconduct under this Policy.

4.2 In recognition of the dual status of students as both learners and employees of Dyson Technology Ltd (DTL), the Dyson Institute operates a triage process to determine whether disciplinary investigation is the jurisdiction of Dyson Technology, or the Dyson Institute, or both, and consequently which policy will be used. Effective operation of the triage process is the joint responsibility of the Director of the Dyson Institute and Dyson's Head of HR – Dyson Institute; both parties take responsibility for reaching a consensus view as to which jurisdiction applies. These parties are jointly referred to as the 'triage panel' in this Policy

4.3 Behaviour that may constitute Misconduct is likely to fall within the Dyson Institute's jurisdiction and be addressed under this Policy when it arises in the context of academic study, during teaching-related activities on-campus, in DISC activities, or in Dyson Institute Spaces. Any disciplinary matters involving Freedom of Speech or academic freedom will also be dealt with by the Dyson Institute under this Policy. Allegations involving harassment and sexual misconduct involving student or Institute staff will also be addressed under this Policy.

4.4 The triage process will ensure that, regardless of the route through which potential misconduct is reported, the Dyson Institute will be able to assess the nature of the incident and determine whether:

- i. The matter is the sole jurisdiction of the Dyson Institute; or
- ii. The matter solely relates to employment or DTL spaces, and should thus be referred to DTL for investigation under its HR Policies; or
- iii. The matter requires joint (single) investigation by the Dyson Institute and DTL.

4.5 In matters considered sensitive or potentially prejudicial by either Dyson Technology or the Dyson Institute, the initial triage process allows for a judgement to be made regarding forward action without the identity of the Reporting Party and/or the Responding Party being disclosed.

4.6 Allegations of misconduct may be raised directly to DTL via the Speak Up process, reporting to HR or other routes as set out in relevant DTL policies. Where such allegations relate to a student, the triage process will be used to notify the Dyson Institute and thus enable the triage panel to confirm jurisdiction.

4.7 A student's status as a student of the Dyson Institute and employee of DTL are co-dependent, and action taken by one entity may require action from the other. This may relate to measures relating to a student's welfare or to their status as a student or employee. If the Dyson Institute's student disciplinary process results in expulsion from the degree programme, this may directly affect the student's employment with DTL. Likewise, if a student's employment with DTL is terminated, this may impact their status on the degree programme. As such, where the investigation falls under sole jurisdiction of either the Dyson Institute or DTL, the investigating entity will ensure the other entity is informed of the

progression of the process and any required outcomes such that the other entity can take any additional action which may be required.

4.8 Where a matter is referred to DTL and results in the termination of the student's employment with DTL, the Dyson Institute reserves the right to terminate the Student Contract accordingly, subject to due process. Conversely, sanctions taken under this policy will be shared with DTL and may impact the employment relationship.

5.0 General Basis

5.1 General Principles

5.1.1 This Policy seeks to operate in a fair, impartial and transparent manner in accordance with the principles of natural justice. It does not seek to reproduce elements of the criminal law and is not a formal legal process.

5.1.2 The Dyson Institute has legal obligations which will apply to this Policy, such as the duty to act fairly and reasonably in relation to all parties in the application of this Policy. The standard of proof required is the balance of probabilities; that is, it is more likely than not that the alleged Misconduct occurred.

5.1.3 A student involved in disciplinary procedures has the right to be accompanied to any investigative meeting or hearing by a supporter. A supporter will normally be a current student at the Dyson Institute or member of staff (typically a Student Support Advisor or Academic Tutor), but the Dyson Institute has discretion to agree – if requested - that a supporter can be an individual who is not within these categories if requested.

5.1.4 If the supporter is acting in the role of a 'friend' they will usually provide moral support during a meeting or hearing. If the supporter is acting in the role of a representative they will usually assist in effective engagement with the Disciplinary Policy including the ability to confer with the student during a meeting or hearing, make representations and ask questions of the Disciplinary Panel, case presenters and witnesses with the permission of the Disciplinary Panel Chair. However, they cannot present witness evidence on behalf of any student as it is expected that the student will answer questions themselves at meetings and hearings but may confer with the supporter before answering. The Chair of the Disciplinary Panel reserves the right to remove a supporter from a hearing if they behave in a manner which is inconsistent with their role or in a manner which is unreasonable and/or potentially disruptive to the efficient and proper management of the Dyson Institute's processes.

5.1.5 Students are not normally permitted to be accompanied by a legally qualified solicitor or barrister, but in certain circumstances legal representation may be appropriate, where the complexity or potential seriousness of the case warrants that involvement, and where such representation will not unduly delay or extend the process. Such requests will be considered on a case-by-case basis, considering the complexity and seriousness of the case, and the principles of fairness and equity for all parties involved. Where legal representation is permitted, the student will be responsible for meeting their own costs.

5.1.6 Students and/or their representative cannot directly cross-examine witnesses. If a student and/or their representative wishes to ask a witness a question, they should raise this with the Chair. Relevant questions will then be put by the Chair and/or Disciplinary Panel to the witness. The Chair of the Disciplinary Panel reserves the right to remove a representative from a hearing if they behave in a manner which is inconsistent with their role or in a manner which is unreasonable and/or potentially disruptive to the efficient and proper management of the Dyson Institute's processes.

5.1.7 The Dyson Institute will, wherever possible, seek to adhere to the time limits outlined within this Policy. In cases where circumstances necessitate a deviation from those specified time limits, students will be advised of the reasons for this.

5.1.8 The Dyson Institute will make all reasonable efforts to ensure that the Reporting Party, Responding Party and any witnesses are appropriately supported and enabled to attend the Disciplinary Panel to give their evidence. Their participation is a vital part of ensuring a fair and transparent process, and their evidence must be heard and tested directly before the Disciplinary Panel can place weight on it and reach a finding. The Dyson Institute will offer suitable measures to facilitate their involvement, including reasonable adjustments to the hearing environment where necessary, to ensure the process remains accessible, respectful, and procedurally fair for all parties involved. This may include remote participation if needed due to disability, vulnerability, suspension, or where in-person attendance with cause unhelpful process delays.

5.1.9 The Dyson Institute reserves the right to proceed with any investigative meeting or Disciplinary Panel hearing in the absence of a student, subject to them having been properly notified of the date and time, or where criminal proceedings do not allow the student to attend in person. The Dyson Institute will ensure that the student is provided with information to be considered at the meeting and given the opportunity to make written representations. The proceedings of any such meeting will not be invalidated simply by virtue of the student not attending.

5.1.10 The Dyson Institute reserves the right not to proceed with an investigation into a Misconduct allegation against a student if it is considered there are insufficient grounds or evidence to do so.

5.1.11 During the application of this Policy, the Dyson Institute reserves the right to adjourn any investigation or meeting and reconvene at a later date.

5.1.12 The Dyson Institute reserves the right to share details of the outcome of a Misconduct case with a Reporting Party and any relevant internal or external services, in line with any applicable data protection legislation and appreciating the rights of the Responding Party. Any such disclosure will be necessary and proportionate.

5.1.13 If an investigation into an allegation of Misconduct raises concerns for the welfare of an individual, the Investigating Officer may raise their concerns with the Student Support Manager. Likewise, in the event that any student involved in an investigation under this Policy is affected by mental or physical illness, any reasonable adjustments to the Policy should be considered in consultation with the Student Support Manager.

5.1.14 In cases where the allegation of Misconduct poses an actual or potential risk to members of the Dyson Institute community or the integrity of any investigation, Precautionary Measures as outlined in Section 5.5. of this Policy may be applied as a neutral and non-judgmental action pending the outcome of any investigation into the allegation.

5.1.15 Where deemed necessary and appropriate, the Dyson Institute may share information with local Police, and this will be done in compliance with data protection requirements and Dyson's site policies.

5.1.16 Retaliation of any kind, including any words or actions, intimidation, threats or coercion, against a student for instigating or engaging with an investigation will be dealt with as Misconduct under this Policy.

5.1.17 Students who report alleged Misconduct in accordance with this Policy will normally be required to provide evidence in the form of a written statement and will also be expected to attend a Disciplinary Panel hearing, unless there are exceptional circumstances.

5.2 Levels of Misconduct

5.2.1 This Policy is concerned with actions which:

- i. cause actual or potential distress or harm to others
- ii. cause actual or potential damage to the property of others
- iii. disrupt the normal operations, and/or safe operation of, the Dyson Institute, including reputational damage where applicable
- iv. impedes or interferes with the pursuance of work/study of members of the Dyson Institute, or impacts the normal operations of the Dyson Institute.

5.2.2 Below is a non-exhaustive list of actions which constitute Misconduct. It shall be Misconduct if a student:

5.2.2.1 Engages in any conduct that prevents, obstructs or disrupts:

- i. The functions of the Dyson Institute
- ii. Teaching, learning or research within the Dyson Institute
- iii. The administration and systems of the Dyson Institute
- iv. Any person from discharging their duties
- v. Any person from pursuing their studies
- vi. The occurrence or conduct of any meeting within the Dyson Institute or organised by it, including but not limited to any social or sporting activities

- vii. The access of any person or member of the public entering as normally permitted any building or premises within the Dyson Institute's control
- viii. Commits any breach of regulations, policies or procedures relating to Health and Safety, and/or the use of emails, software and datasets and all other services, facilities and resources.
- ix. Misappropriates, deliberately misuses, maliciously damages or retains (without authorisation) any equipment, learning materials, student work, furniture or fittings belonging to, or under the control of the Dyson Institute or the Dyson Institute Student Committee or being the personal property of any person.
- x. Misappropriates any funds or assets of the Dyson Institute or the Dyson Institute Student Committee.
- xi. Enters or remains in an area from which they are excluded or takes part in any trespass or unauthorised occupation of any buildings or premises owned or used by the Dyson Institute. Occupation will be deemed to be unauthorised if it is carried on after reasonable notice to desist has been given by Dyson Institute staff or if the student has occupied a building or premises or part thereof where access by students is normally prohibited.
- xii. Assaults, behaves in a disruptive or violent manner or otherwise bullies, harasses and/or intimidates any person, or engages in behaviour in contravention of the Dyson Institute's Respect at Work and Policy Statement or Harassment and Sexual Misconduct Policy.
- xiii. Sexually harasses any person or engages in behaviour in contravention of the Dyson Institute's Harassment and Sexual Misconduct Policy
- xiv. Engages in alcohol or drug misuse and/or use, supply and possession of illegal drugs
- xv. Engages in communication or behaviour (whether expressed orally, in writing or electronically including via social media) with any person which is violent, threatening or discriminatory
- xvi. Invades, abuses or attempts to abuse the security, integrity or privacy of any files or confidential material including computerised systems of the Dyson Institute or the Dyson Institute Student Committee
- xvii. Fails to comply with a previously imposed penalty under this Policy
- xviii. Engages in behaviour that brings the Dyson Institute into disrepute. This does not include the lawful exercise of freedom of speech or academic freedom, including fair and justified comment or criticism
- xix. Engages in conduct which constitutes a criminal offence. For the avoidance of doubt, the Dyson Institute may proceed under this Policy notwithstanding the instigation of any criminal proceedings (see Section 5.3).

These examples of potential Misconduct are not intended to be a definitive list.

5.2.3 For the purpose of this Policy, Misconduct may be categorised as either Minor or Gross, depending on the seriousness of the alleged Misconduct. This Policy groups cases of Misconduct based on how serious the allegation is, with different sanctions available depending on the category. If Aggravating Factors (see Section 5.6) are present, the case may be treated more seriously and placed in a higher category, leading to more severe sanctions. If Mitigating Factors (see Section 5.7) are present, the case may be placed in a lower category with less severe sanctions, or the category may remain the same but a lighter sanction within that category may be applied.

5.2.4 Minor Misconduct involves allegations that, whilst serious in nature, do not seriously affect or cause serious damage to the Dyson Institute, its academic reputation or its staff or students, visitors or other third parties. Minor Misconduct is considered less serious in nature but will warrant formal investigation and possible sanction.

5.2.5 Gross Misconduct involves allegations that either do or have the potential to seriously affect or cause serious damage to the Dyson Institute, its reputation or to its staff and students, visitors or other third parties. Gross Misconduct is considered more serious in nature and warrants investigation and possible sanction by a Disciplinary Panel hearing. Possible sanctions for Gross Misconduct include exclusion from the Dyson Institute, as well as others that may have an impact on a student's academic progress.

5.2.6 Gross Misconduct may also include instances where Misconduct is frequent or repeated, where a student fails to comply with disciplinary decisions or sanctions previously reached at lower levels, or where a student fails to comply with the terms of a Precautionary Measure (see Section 5.5).

5.2.7 Examples of Minor Misconduct include but are not limited to:

- i. Anti-social behaviour, including causing a public nuisance by drunkenness or disorderly conduct;
- ii. Refusal to respond to reasonable requests by Dyson Institute staff;
- iii. Smoking in non-designated areas;
- iv. Excessive noise;
- v. Misuse of Dyson Institute equipment;
- vi. Minor damage to property.

Examples of Gross Misconduct include but are not limited to:

- i. A serious or persistent breach of Dyson Institute regulations or policies;
- ii. Any action which is likely to endanger the health and safety of others;
- iii. Theft or fraud;
- iv. Threatening or indecent behaviour;
- v. Racial harassment and discrimination;
- vi. Sexual misconduct or harassment;
- vii. Harassment of any kind;
- viii. Misappropriation or damage to property of any person;
- ix. Use, possession, buying or selling illegal drugs;
- x. Assault, affray or causing physical harm.

5.2.8 Specific procedures for Minor and Gross Misconduct are outlined in Section 6 of this Policy.

5.2.9 This Policy will be applied in a manner that respects the lawful expression of protected beliefs and the Dyson Institute's obligations under the Equality Act 2010 and the Higher Education (Freedom of Speech) Act 2023. Such expression will not be treated as Misconduct under this Policy unless it is also objectively unreasonable or unlawful.

5.3 Misconduct which is also a Criminal Offence

5.3.1 There is generally no legal requirement to report an alleged criminal offence to the Police, although anyone who witnesses or has evidence of Misconduct by a student which may also amount to a criminal offence may report the matter to the Police.

5.3.2 Where the Dyson Institute is the directly affected party, any allegation of a criminal offence may be referred to the Police in accordance with data protection requirements and Dyson's site policies and protocols. The Institute will not determine whether a criminal offence has occurred, but will report such concerns appropriately.

5.3.3 Where the Dyson Institute is not the directly affected party, the Dyson Institute shall usually allow the Reporting Party to decide whether or not to report the matter to the Police, subject to exceptional circumstances such as where the Dyson Institute considers the safety of students, staff or wider community may be at risk or to prevent a further crime from taking place, in which case the Dyson Institute may report the matter to the Police. Such report shall take into account any potential harm to the Reporting Party. Where the Dyson Institute decides to report the alleged crime to the Police then the reasons for taking such action shall be explained to the Reporting Party.

5.3.4 Where alleged Misconduct is also subject to a criminal investigation, the Dyson Institute may suspend its disciplinary process until the conclusion of the criminal investigation and any subsequent criminal proceedings. In the event that the Police may not be able, unwilling or not yet able to proceed with their investigation, this will not automatically preclude the Dyson Institute taking disciplinary action under this Policy.

5.3.5 Where criminal proceedings have concluded, the triage panel will make a decision whether further action under this Policy is required. A decision by the Police or Crown Prosecution Service (or other law enforcement agency) not to pursue a case, or an acquittal at trial, does not prevent the Dyson Institute from acting under this Policy. The Dyson Institute's investigations are limited to determining whether a breach of its disciplinary Policy has occurred. The standard of proof applied is the balance of probabilities, not the criminal standard of beyond reasonable doubt. Therefore, disciplinary action under this Policy may still be taken even if there is no criminal conviction, provided there is sufficient evidence of Misconduct.

5.3.6 If a student is convicted of a criminal offence or accepts a Police caution for behaviour that falls under the definitions of Misconduct in this Policy, the conviction or caution will be treated as evidence that the behaviour occurred. In such cases, the Dyson Institute will follow a streamlined disciplinary process to determine Misconduct and apply appropriate sanctions. A full investigation will not be required, but a formal finding of Misconduct under this Policy will still be necessary.

5.4 Reporting Allegations

5.4.1 Allegations of student Misconduct may be reported by students, staff, or third parties through a range of channels, depending on the nature of the concern and the individual's relationship to the Dyson Institute. Reporting options include:

- i. In conversation with a trusted member of staff e.g. member of the Institute leadership team or member of academic staff;
- ii. Via a member of the Student Support Team;
- iii. Dyson HR;
- iv. a Dyson Technology line manager or technical mentor;
- v. Dyson's Speak Up process;
- vi. The Dyson Institute Safeguarding Portal or email inbox.

5.4.2 All Institute staff, student line managers, and Dyson Institute HR liaisons are trained in receiving disclosures of sexual misconduct. Where allegations of Misconduct are raised through DTL channels, the triage process will be utilised to ensure such allegations are appropriately managed.

5.4.3 Where possible, the Dyson Institute encourages staff who receive a report of alleged Misconduct to exercise discretion whether to resolve matters locally themselves without formal disciplinary action. In some cases an informal caution may be given, which will not form part of the student's record. In cases of Gross Misconduct, particularly those involving allegations of sexual misconduct, harassment, or other serious matters, informal resolution is unlikely to be appropriate and may not be deemed an acceptable course of action. Where staff are unable or do not feel comfortable addressing allegations informally, or where the nature of the allegation makes informal resolution unsuitable, the matter should be referred to the triage panel for further consideration under this Policy.

5.5 Precautionary Measures

5.5.1 Where matters cannot be resolved informally, or where the allegation involves a more serious breach of regulations or a repetition of acts of Misconduct, the Dyson Institute will be required to conduct a formal investigation as set out in Section 6 of this Policy. In the event of a formal investigation, the Dyson Institute will take appropriate action to protect the safety and wellbeing of its members pending the completion of that investigation by way of Precautionary Measures. Any Precautionary Measures will be identified through a risk assessment conducted by Dyson Institute staff and DTL HR.

5.5.2 Precautionary measures are not disciplinary sanctions, and should aim to be neutral without implying any assumption of guilt. Orders of suspension and other Precautionary Measures are to be used only where the Dyson Institute considers it necessary to protect a member or members of the Dyson Institute community, or the property of the

Dyson Institute, or to protect the integrity of any investigation. Any measures should be applied with careful consideration as to the impact on those involved and reviewed at regular intervals (or when there is a change in circumstances) in accordance with this Policy.

5.5.3 Precautionary Measures may include, but are not limited to, one or more of these options:

- i. Arrangements minimising or preventing contact between parties
- ii. Suspension of the Responding Party
- iii. Temporary restrictions from particular activities

5.5.4 The decision to implement Precautionary Measures can be made at any stage of the Dyson Institute's disciplinary process under this Policy. Decisions relating to Precautionary Measures will be discussed with DTL so that complementary measures can be applied in the workplace as appropriate. It will not always be feasible for Precautionary Measures to be applied equally in the both the academic and workplace arenas.

5.5.5 The Dyson Institute's decision-making for any Precautionary Measures will be informed by an evidence-based risk assessment. The Dyson Institute will give careful consideration to the implications of Precautionary Measures including consideration of the balance between the potential risk to others and the potential disadvantage to the individual(/s) in question.

5.5.6 Where it is decided to put any Precautionary Measures in place, the Investigating Officer should provide the student with written notification of the decision, including the reasons which led to it being made, and of their right to appeal the decision.

5.5.7 The student will be given the opportunity to speak for themselves in person, in writing and/or through a member of the Dyson Institute community to the Investigating Officer. Whilst such a review will not involve a hearing or submissions in person, the student will be entitled to submit a written account. A record of the review outcome will be made and communicated to the student.

5.5.8 Any decision to impose Precautionary Measures is subject to review every [5] working days or sooner if there is a change in circumstances. A student may request a review of the Precautionary Measures if there is a relevant change in their circumstances. The request should be made in writing to the Investigating Officer who will ensure that a response is provided within 5 working days. Any decision to permit the student to return to the Dyson Institute, or to change the conditions of any Precautionary Measures, will be sent to the student in writing following a review.

5.5.9 Failure to comply with any Precautionary Measures in place may result in separate disciplinary action under this Policy.

Suspension

5.5.10 As an interim or emergency measure, and following consultation with the Director of the Dyson Institute, Dyson HR and – where applicable the Deputy Director (Academic), the Investigating Officer may suspend a student from the entire or specified parts of the Dyson Institute where they are of the reasonable view that it is urgent and necessary to take such action. Any suspension may include a requirement that the student has no contact of any kind with a named person or persons.

5.5.11 A suspension is not a sanction, and is normally implemented with full pay. It is a temporary Precautionary Measure taken in response to an allegation of Misconduct. It is not punitive and aims to protect all parties to the allegation and other members of the Dyson Institute's community whilst investigations are carried out.

5.5.12 DTL will be informed of the suspension, in accordance with the triage process. DTL is not required to implement its own suspension order unless it believes suspension from the workplace to be the best way to avoid harm to the individual, business or other parties.

5.5.13 Suspension can be considered as appropriate in the following cases:

- i. Where a student has been accused of Gross Misconduct and their continued attendance at the Dyson Institute could interfere with the formal investigation or present a risk to students and/or staff.
- ii. Where a Police investigation is pending into an allegation that a student has committed a criminal offence which affects or has the potential to affect the interests of the Dyson Institute or has the potential to seriously affect the health and safety of students and/or staff.
- iii. Where a student may be suffering from health difficulties and causing serious disruption to others or severely damaging their own academic prospects.
- iv. As a short term or emergency measure whilst investigations are carried out.

5.5.14 In all cases where the terms of a suspension might prevent a student from sufficiently engaging with their academic studies, the Registrar should be informed of the suspension and its terms, though not of any details of the allegation. The Deputy Director (Academic) should provide an academic judgement on how and to what extent, if any, a student's academic commitments can be fulfilled during the suspension or through support provided following the end of a suspension. The academic judgement will take into account the nature of the student's course and associated academic commitments and progress.

5.5.15 Failure to comply with the terms of a suspension may lead to reconsideration or expansion of the terms of suspension. It may also be considered as alleged Misconduct itself and referred separately for investigation under this Policy.

5.5.16 In the case of a suspension under Section 5.5 of this Policy, the Investigating Officer must give the student written notification of the suspension, including the reasons for its application, sources of support and any additional information relevant to the suspension or its terms within 24 hours of making a decision to suspend. At the same time,

the student should be notified of their right to appeal the suspension and advised that the suspension will be reviewed, as appropriate, by the Investigating Officer in light of substantial developments affecting the reasons for suspension where a criminal case or Police investigation is concerned. In the case of an internal investigation, the suspension will be reviewed every 10 working days, or in light of significant developments.

5.5.17 In the case of a suspension under 11.3.2, the Investigating Officer must give the student written notification of the suspension, including the reasons for the suspension, identify the parts or activities of the Dyson Institute from which the student is suspended and the duration of the suspension. The student should also be notified within [5] working days of the decision to suspend of the right to request the suspension be reviewed by the Investigating Officer and request that the suspension be lifted, or the terms amended.

5.5.18 Where the student requests a review, the Investigating Officer will respond [within [5] working days and confirm to them and any other relevant parties whether the suspension is to be lifted, amended or should remain in place. During the period of suspension, the Investigating Officer may arrange a case meeting of relevant the Dyson Institute staff to determine whether additional Precautionary Measures should be considered.

5.5.19 Due to the Institute's small size and its commitment to hearing disciplinary matters in a speedy manner, appeals of suspension as a precautionary measure are not permitted.

5.6 Aggravating Factors

5.6.1 There may be certain circumstances in which Misconduct is subject to a more severe sanction due to the presence of aggravating factors. These factors could include, but are not limited to:

- i. Misconduct related to protected characteristics under equality legislation.
- ii. Misconduct which directly or indirectly causes a physical or mental injury.
- iii. Misconduct for which a student has received a previous warning or sanction.
- iv. Misconduct where there is a power relationship between the Responding Party and the Reporting Party, where this power is abused.
- v. Being under the influence of alcohol or drugs at the time of the alleged misconduct
- vi. Misconduct which may be considered to constitute domestic abuse.
- vii. Misconduct which includes the use of force/violence/threats/intimidation.
- viii. A pattern of Misconduct which has been established previously.
- ix. Misconduct that occurred whilst the student was under any type of Precautionary Measure.

5.6.2 Where a student is cited in multiple or repeated offences, cases will be treated with the utmost seriousness, and previous disciplinary action will be considered as part of deciding the sanctions to be imposed.

5.6.3 Where Misconduct may be considered to include aggravating factors, the Investigating Officer will take advice from Dyson HR on whether the case should be considered as Gross Misconduct and referred into that section of this Policy.

5.7 Mitigating Factors

5.7.1. There may be certain circumstances in which Misconduct is subject to a less severe sanction due to the presence of mitigating factors. Mitigating factors could include, but are not limited to:

- i. Clear evidence that the alleged offence was committed without the intent to cause harm, damage or upset.
- ii. Where the student has demonstrated sincere remorse for the Misconduct.
- iii. Where the student has clearly accepted responsibility for the Misconduct.

5.7.1 Where the student took immediate steps to remedy the effects of the Misconduct.

5.7.2. Where a student accepts responsibility for an offence, they will be made aware of the consequences of agreeing to a penalty at this stage (for example, in such an admission remaining on their record, and this being taken into account in possible future proceedings).

6.0 Formal Investigation Procedure

6.1 Principles

6.1.1 On receipt of an allegation of Misconduct, the case will be passed to an Investigating Officer. This should be a suitably qualified member of staff nominated by the Registrar to investigate Misconduct cases, and who is not involved in the allegation.

6.1.2 Whilst expediency is aimed for, the duration of the investigation process will be dependent on the complexity of the allegations and evidence, and the number and availability of witness. Investigating Officers will aim to conclude this part of the process within 10 working days. In exceptional cases, where evidence is complex or timely to secure but is considered material to the case, this stage may take longer than 10 days to help ensure a fair outcome.

6.1.3 The role holders will remain mindful of the wellbeing of the Reporting Party (or Parties) throughout the process, and communicate at the conclusion of process stages and, if appropriate, at intervals throughout.

6.1.4 An investigation into allegations of Misconduct should follow the broad principles set out below to ensure that the process is fair, impartial and transparent for all involved:

6.1.4.1 The Investigating Officer will notify the Responding Party in writing of the nature of the allegation(/s), how these allegations breach expected standards, and the investigative process to be followed. This will normally include meetings with the Reporting Party, the Responding Party and any other relevant witnesses. Where any new allegations arise in the investigative procedure, the Responding party will be informed.

- i. The Investigating Officer should be accompanied by another member of the Dyson Institute community at these meetings, at which one of them shall act as a note-taker.
- ii. Following notification, the Responding Party will have the right to be accompanied (as outlined in Section 5.1.3) at any meeting they attend to investigate the allegation.
- iii. Where the Responding Party is given reasonable notice to attend a meeting to investigate the allegation(/s) and is unable to do so, they must be given the opportunity to make a written statement to respond to the allegation(/s) or, where they wish to admit the allegation(/s), to account for the Misconduct and submit mitigation.
- iv. The Investigating Officer also has the right to postpone, continue or adjourn the case at their discretion.

6.1.5 Within 5 working days of reaching the outcome of an investigation, the Investigating Officer will notify the Registrar of their decision in writing, summarising the facts found, the considerations which led them, on the balance of probabilities, to reach that decision and details of any sanctions to be implemented. The Registrar will then relay the outcome formally to the Responding Party.

6.1.6 Following an investigation into an allegation of Misconduct, the Investigating Officer may recommend one of the following courses of action:

- i. That there is no case to answer and that no further action is required.
- ii. To classify the allegation as Minor Misconduct and conclude the process in keeping with Section 6.2 below.
- iii. To classify the allegation as Gross Misconduct and refer it to the Registrar who will be provided with a report on the nature of the allegation and any supporting information.

6.1.7 Where the Investigating Officer refers a Gross Misconduct case, the Registrar will decide whether:

- i. To refer the allegation to a Disciplinary Panel under the Gross Misconduct process (see Section 6.3 below).
- ii. To refer the allegation back to the Investigating Officer to be treated as Misconduct.
- iii. To recommend no further action is required in accordance with this Policy.

6.1.8 Where it is unclear how the alleged offence should be categorised, the Investigating Officer will seek guidance from Dyson HR, who will draw on their broader experience and expertise to advise on the appropriate classification

6.2 Minor Misconduct Procedure

6.2.1 In the case of an allegation which has been classified as Minor Misconduct, the Investigating Officer may seek to resolve matters informally. This could, for example, involve a meeting with both parties with the aim of facilitating a discussion and reaching a resolution, and may include the use of trained mediators where appropriate.

6.2.2 Where such an informal approach is not deemed appropriate, is declined by either party or is unsuccessful, the Investigating Officer must ensure, prior to determining any sanctions to be implemented, that the Responding Party has been given the opportunity to make written or oral statements to defend themselves against the allegation(/s) or, where they wish to admit the offence, to account for the Minor Misconduct and submit mitigation.

6.2.3 Where the Responding Party was given reasonable notice to attend a meeting to investigate the offence and failed to do so without good reason, and where they failed to take up an offer to make written or oral statements, the Investigating Officer may proceed to reach conclusions and determine sanctions as appropriate.

6.2.4 Within [5] working days of reaching the conclusion of a Minor Misconduct Policy, the Investigating Officer will notify the Registrar of their decision in writing, summarising the facts found, the considerations which led them, on the balance of probabilities, to reach that decision and details of any sanctions to be implemented. The Registrar will then relay the outcome formally to the Responding Party.

6.2.5 The Investigating Officer may recommend one or more of the following sanctions for Minor Misconduct:

- i. Issue a first written warning to the Responding Party, indicating the consequences of future Misconduct, to be entered into their record and be removable after 6 months.
- ii. Issue a second written warning to the Responding Party, indicating the consequences of future Misconduct, to be entered into their record and be removable after 12 months.
- iii. Issue a final written warning to the Responding Party, indicating the consequences of future Misconduct, to be entered into their record and be removable [3 months after the completion of their course.
- iv. Require the Responding Party to compensate or make good any damage caused to private property.
- v. Require the Responding Party to make appropriate recompense or apology for any offence or harm caused, or any damage done to the Reporting Party or to the Dyson Institute relations with its members or the outside community. Where the Minor Misconduct relates to comments or content posted on a public forum, such as on social media, the apology should be made on the same forum, with the wording to be agreed in advance with the Investigating Officer.
- vi. Require the Responding Party to undertake additional training or make a recommendation that they attend an appointment for counselling.
- vii. Suspend the Responding Party from the Dyson Institute premises and/or services with immediate effect and for a fixed period of time, or until specified conditions have been met.
- viii. A reasonable alternative/additional sanction, given the nature of the Misconduct.

6.2.6 At the conclusion of a disciplinary matter, a formal record of the penalty imposed on the Responding Party for Minor Misconduct findings will be retained. This record will be held by the Registrar in accordance with the Dyson Institute's policies on data protection and in accordance with the Dyson Institute's retention schedules. The findings will be shared with Dyson HR.

6.2.7 The Responding Party may appeal the outcome of a Minor Misconduct process using the process outlined in Section 7. A student wishing to appeal against the decision of the Investigating Officer should write to the Registrar giving the grounds for appeal within 5 working days from the date of the notification from the Registrar.

6.2.8 The only grounds on which the student may appeal are:

- i. Evidence of a procedural irregularity;
- ii. Evidence of further material circumstances which could not reasonably have been expected to have been submitted for consideration at the time of the decision;
- iii. The penalty imposed was disproportionate to the misconduct;
- iv. The decision was unreasonable in all the circumstances.

6.2.9 The Director of the Dyson Institute will consider appeals under these provisions by a review of the relevant documentation.

6.2.10 In reaching a decision on the appeal, The Director of the Dyson Institute may uphold the original decision, amend the sanction or refer the case back for reconsideration by a different Investigating Officer. Where appeals of Minor Misconduct are rejected by The Director of the Dyson Institute, the decision will be final. A response regarding appeal will be provided within 10 working days.

6.2.11 Once all internal processes have been exhausted and where a Responding Party is not satisfied with the outcome of this Policy, they may request a review by the Office of the Independent Adjudicator for Higher Education (OIAHE), as outlined in section 7 of this Policy.

6.3 Gross Misconduct Procedure

6.3.1 In the case of an allegation which the Investigating Officer has classified as Gross Misconduct the case is referred to a Disciplinary Panel and the procedure outlined below shall be followed.

6.3.2 A Disciplinary Panel shall normally be chaired by a senior member of the Dyson Institute and comprise the following postholders:

- i. The Dyson Institute's Registrar
- ii. A Head or Director of Dyson HR (usually the Head of HR – the Dyson Institute)

- iii. a member of the Institute's Governance team as Panel Secretary, who assists with administration and procedural guidance, and by a legal adviser if required. These individuals, along with any other staff present, do not take part in decision-making, which is the sole responsibility of the Disciplinary Panel members.

6.3.3 The Panel Secretary will normally ensure that the Responding Party is notified in writing at least 10 working days before a Disciplinary Panel hearing takes place. In cases of joint or group allegations, the Panel Chair will decide whether to have a single or multiple hearings. Where both the Responding and Reporting parties prefer an expedited process, and this is feasible, less than 10 working days notice may be granted. That notification should include and confirm:

- i. A statement of the allegation(/s) to be considered and the purpose of the Disciplinary Panel hearing.
- ii. Details of the date, time and location of the Disciplinary Panel hearing, the composition of the Disciplinary Panel and the student's right to object to any members thereof.
- iii. Copies of any evidence/documents to be considered in connection with the allegation(/s).
- iv. That the Responding Party may bring a written statement of their version of events to the Disciplinary Panel hearing.
- v. A statement to the effect that witnesses may be called in support of the allegation(/s) and that the Responding Party has the right to call witnesses on their behalf.
- vi. A statement of the Responding Party's right to be accompanied as outlined in section 5.1.3.

6.3.4 DTL will separately communicate with the Responding Party ensuring they are aware that the outcome of the Panel may have an impact on their employment, confirming that the Disciplinary Panel Hearing will serve as the Disciplinary Meeting required by DTL's Disciplinary Policy, and referring the Party to said policy for further information.

6.3.5 The Responding Party must respond within a defined number of working days of receiving the notification to confirm whether they will attend the hearing. The number of working days within which the Responding Party must respond will be clearly stated in the notification, and will not usually be more than 5. If they are able to attend, they must also provide - within the required timeframe - copies of any evidence or documents they wish the Disciplinary Panel to consider (if not already submitted) and share details of any witnesses they intend to call or any supporter who will accompany them. If they are unable to attend the hearing, they should inform the Panel Secretary and provide clear reasoning.

6.3.6 The Dyson Institute will make all reasonable efforts to ensure that the Responding Party and any witnesses are present to give their evidence. The Reporting Party and witnesses are expected to attend unless there is a good reason and alternative arrangements cannot be made to facilitate attendance, even if done remotely. Should the Responding Party notify in advance of the hearing that they are unable to attend on the scheduled date and provides a satisfactory reason for their non-attendance, the hearing will be rescheduled. However, only one attempt will be made to reschedule the hearing to enable the Responding Party's attendance. Where the hearing is to be re-convened, the Responding Party must be notified again in accordance with the process set out above.

6.3.7 If the Responding Party wishes to be legally represented at the hearing, they must notify the Panel Secretary to the Disciplinary Panel of their request within 3 days of the date on which the notice of the hearing was sent to them, explaining why they consider the interests of fairness require them to be allowed legal representation. The Chair of the Disciplinary Panel will consider the request for legal representation and shall notify the student in writing within 3 working days from the date on which the request was received, providing reasons for this decision. As per Section 5.1.5 of this Policy, legal representation is not usual permitted except in cases of significant seriousness or complexity.

6.3.8 If the Responding Party confirms attendance at the hearing and responds to the notification but then introduces a new witness, brings a legal representative without prior notice or agreement, or submits new evidence that the Disciplinary Panel has not had the opportunity to review in advance, the Chair reserves the right to adjourn or defer the hearing to ensure a fair and effective process. If the Responding Party does not reply to the notification of the hearing and, subsequently, does not attend, the hearing will normally proceed in their absence.

6.3.9 The timescales required within the Gross Misconduct procedure may vary. This reflects that not all cases are comparably serious or complex, and where appropriate minimising timeframes may support outcomes to be expeditiously secured, minimising disruption and potentially negative impact on all parties.

Conduct of the Disciplinary Panel Hearing

6.3.10 Any Disciplinary Panel hearing will be conducted transparently, fairly and in accordance with the principles of natural justice, but it will not seek to replicate the criminal process or a court of law and will ensure that all relevant facts are impartially considered by the Disciplinary Panel and are kept private and confidential.

6.3.11 Where the Chair of the Disciplinary Panel, in consultation with others, has concerns around a student's ability to engage in the proceedings (whether the Responding Party or witnesses), the process may be adjusted (following medical advice if necessary) to enable the student to engage. Where appropriate, adjustments will be made to support remote attendance. Reasonable adjustments will be considered to ensure all participants, including witnesses, are able to engage fully.

6.3.12 The Chair will open proceedings by:

- i. Explaining the purpose of the hearing and the extent of its delegated powers in taking decisions on behalf of the Dyson Institute.
- ii. Explaining the sanctions that could be enforced as outcomes of the hearing if the allegation of Gross Misconduct is upheld, as set out under Section 6.3.22
- iii. Establishing the names and identities of everyone present at the hearing and confirming the names of all witnesses giving evidence.

6.3.13 A record will be kept of all persons attending the hearing and whether or not the Responding Party has elected to be accompanied in accordance with this Policy. If the Responding Party fails to attend the hearing, a record of the Chair's decision whether to proceed in their absence and the reasons for that decision will be kept.

6.3.14 The Responding Party and any witnesses will be invited into the room individually to present their testimony and answer any questions.

6.3.15 The Investigating Officer will outline the case against the Responding Party, including submission of written or verbal statements from witnesses.

6.3.16 The Responding Party will be given the opportunity by the Chair to address questions to the Investigating Officer and/or to any of the witnesses. Such questions will be directed through the Chair. Any witness submitting a written statement should normally be in attendance to answer questions unless there are exceptional circumstances.

6.3.17 The Chair will request that the Responding Party present their case, including submission of written or verbal statements from witnesses.

6.3.18 The Investigating Officer and the Disciplinary Panel will have an opportunity to ask questions of the Responding Party and any witnesses introduced by them.

6.3.19 The Chair will invite the Responding Party to make a final statement summarising their response, after which they will be advised how, and the timeframe in which, they will be advised of the outcome of the hearing (as outlined below) and advised that the Disciplinary Panel will deliberate privately to reach a decision.

6.3.20 The Chair may amend this process where it is reasonable to do so depending on the nature of the case and the persons present at the hearing and may adjourn or defer the hearing at any time.

6.3.21 The Disciplinary Panel will determine, in light of the evidence presented, whether or not they are satisfied that the evidence before them supports the allegation of Gross Misconduct, noting that the standard of proof is on the balance of probabilities. The Chair of the Disciplinary Panel will sign the written record of the hearing and the decision concerning any sanctions to be applied, and a copy of the record will be placed on the student's file. If the Disciplinary Panel is not satisfied that the evidence supports the allegation, the matter will be concluded, and both the Reporting Party and Responding Party will be informed in writing by the Chair within 5 working days.

6.3.22 If the Disciplinary Panel decides that that the evidence supports the allegation of Gross Misconduct, one or more of the following courses of action may be taken:

- i. Issue a first written warning to the Responding Party, indicating the consequences of future Misconduct, to be entered into their record and be removable after 6 months.
- ii. Issue a second written warning to the Responding Party, indicating the consequences of future Misconduct, to be entered into their record and be removable after 12 months.
- iii. Issue a final written warning to the Responding Party, indicating the consequences of future Misconduct, to be entered into their record and be removable 3 months after the completion of their course.
- iv. Require the Responding Party to compensate or make good any damage caused to private property.

- v. Require the Responding Party to make appropriate recompense or apology for any offence or harm caused, or any damage done to the Reporting Party or to the Dyson Institute relations with its members or the outside community. Where the Gross Misconduct relates to comments or content posted on a public forum, such as on social media, the apology should be made on the same forum, with the wording to be agreed in advance with the Chair.
- vi. Require the Responding Party to undertake additional training or make a recommendation that they attend an appointment for counselling.
- vii. Impose restrictions surrounding contact between the Reporting Party and/or other named individuals.
- viii. Suspend the Responding Party from the Dyson Institute Spaces and/or services with immediate effect and for a fixed period of time, or until specified conditions have been met. This action would be taken in consultation with Dyson HR.
- ix. Permanently or temporarily exclude the Responding Party from the Dyson Institute Spaces and/or services with immediate effect.
- x. Permanent expulsion from the Dyson Institute.
- xi. The Disciplinary Panel may also recommend additional suitable sanctions such as (but not exclusive to) imposing restrictions on the use of the Dyson Institute's facilities, access to the Dyson Institute events or timetable changes in order to prevent continued problems or provide an appropriate sanction for the offence committed.

6.3.23 As explained in paragraph 4.8, if the sanction imposed by the Dyson Institute is expulsion, this may result in the termination of the student's employment with DTL. As such, the Dyson Institute will inform DTL of any sanction issued under this Policy.

6.3.24 The Chair will notify the Responding Party in writing within 5 working days of the hearing of:

- i. A summary of the facts established by the Disciplinary Panel hearing.
- ii. The outcome reached and the reasons for that outcome being reached.
- iii. Details of any sanctions being imposed.
- iv. A clear statement of the right to and method for appealing against the decision, as outlined below.

6.3.25 At the conclusion of a disciplinary matter, a formal record of the penalty imposed on the Responding Party for Gross Misconduct findings will be retained. This record will be held by the Registrar in accordance with the Dyson Institute's policies on data protection and in accordance with the Dyson Institute's retention schedules. The findings will be shared with Dyson HR.

6.3.26 The Dyson Institute will share the outcome of a Gross Misconduct case with the reporting party and advised that the process has concluded. If warranted, the Institute may share further details of the outcome with a Reporting Party and any relevant internal or external services, in line with any applicable data protection legislation and appreciating the rights of the Responding Party. Any such disclosure will be necessary and proportionate.

6.3.27 The Responding Party may appeal the outcome of a Gross Misconduct procedure as set out in Section 7.

7.0 Appeal

7.1 Any Responding Party dissatisfied with a Disciplinary Panel decision relating to an allegation of Gross Misconduct against them must give written notice of their intention to appeal. A Reporting party who is dissatisfied with a Panel decision may wish to use the Institute's Student Complaints Policy.

7.2 The appeal must be made by notifying the Registrar in writing (by email to studentcases@dyson.com) no later than 5 working days after the notice of the decision of the Disciplinary Panel was issued. The notice must specify the grounds on which the student wishes to appeal.

7.3 The only grounds on which the student may appeal are:

- i. Evidence of a procedural irregularity;
- ii. Evidence of further material circumstances which could not reasonably have been expected to have been submitted for consideration at the time of the investigation;
- iii. The penalty imposed was disproportionate to the misconduct;
- iv. The decision was unreasonable in all the circumstances.

7.4 The Registrar may reject an application to appeal if the notice of appeal does not include one or more of the grounds stated above and/or if the explanation given in support of the grounds stated discloses no reasonable basis for an appeal. A student whose appeal is rejected will be issued with a Completion of Procedures letter within 28 days, and they have the right to refer the matter to the Office of the Independent Adjudicator for Higher Education.

7.5 The appeal will be considered by a Disciplinary Appeals Panel. Disciplinary Appeals Panel members will be different from (and generally more senior than) the members of the Disciplinary Panel. The Disciplinary Appeals Panel will usually consider appeals through documentary review.

7.6 The following consideration of the appeal the Disciplinary Appeals Panel may:

- i. Uphold the original decision and the penalty imposed; or
 - ii. Uphold the appeal, overturn the original decision entirely, and refer the case back for reconsideration by a new Disciplinary Panel; or
- 7.6.1** Uphold the original decision but substitute an alternative penalty. This means that the penalty imposed by the Disciplinary Appeals Panel could be more or less severe than the penalty originally imposed by the Disciplinary Panel.

Where an appeal is successful, the Institute will consider whether there has been an adverse impact on the student and whether a remedy should be provided.

7.7 The Dyson Institute will inform the student of the decision within 10 working days. The decision made at the appeal will be final and there is no right of further appeal within the Dyson Institute. A Completion of Procedures letter will be issued to confirm the internal processes of the Dyson Institute have been completed.

7.8 Once all internal processes have been exhausted and where a Responding Party is not satisfied with the outcome of this Policy, they may request a review by the OIAHE. The OIAHE provides an independent scheme to enable the review of unresolved student complaints, including appeals.

7.9 The Responding Party must refer their case to the OIAHE within 12 months of receiving the Dyson Institute's Completion of Procedures Letter. An appeal to the OIA can be made by completing an application form, which can be downloaded from the OIAHE website (www.oiahe.org.uk)

8.0 Support

8.1 The Dyson Institute provides sensitive, impartial and confidential support to all students who are impacted and/or participating in a disciplinary process under this Policy. This includes the Reporting Party, Responding Party and any other witnesses.

8.2 Support is coordinated by the Student Support Manager and will be tailored to the individual circumstances and needs of students. Routes to support are summarised on the Institute Hub and can be found at [this link](#), and on Dyson's Employee Assistance page at [this link](#).

9.0 Appendix A Policy RACI

	Dyson Institute													Security	HR	
	Institute Director	Registrar & Secretary	Deputy Director (Academic)	Head of Smart Campus & Services	Investigating Officer	Disciplinary Panel	Disciplinary Panel Chair	Disciplinary Panel Secretary	Student Support Manager	Responding Party	Reporting Party	Country Security Manager UK	Senior Regional Security Manager UK (B&EA)	Head of HR - DIET	Global HR Director / HR Director UK	HR Director - not personally involved in the process
Police Involvement																
<i>Instance where police involvement is initiated by Security</i>	I	I										R	A		I	
<i>Instance where a police investigation is initiated by a student and supported by the Institute</i>	I	I					C			A/R				I	I	
<i>Instance where a notification of a police investigation is received by the Institute</i>	A/R	I										I	I	I	I	
<i>Instance where a notification of a police investigation is received by Dyson HR</i>	I	I										I	I	I	A/R	
Determination of relevance of Student Disciplinary Policy, Fitness to Study Policy and/or Safeguarding and Prevent Policy	I	R					C							C		
Triage Panel	A/R														A/R	
Effective Functioning of the triage panel	A/R														A/R	
<i>Misconduct arises in the context of academic study, during teaching-related activities in Institute Spaces</i>	A				I	I		I						C	I	
<i>Misconduct arising from Freedom of Speech or Academic Freedom</i>	A				I	I		I						C	I	
<i>Misconduct involving allegations of harassment and sexual misconduct involving a student</i>	A				I	I		I						C	I	
<i>Misconduct involving allegations of harassment and sexual misconduct involving a DCTL staff member</i>	A				I	I		I						C	I	
<i>Misconduct which solely relates to employment is referred to DTL</i>	A						I							C		
<i>Where misconduct could impact a student's status as an employee a joint process may be required.</i>																
<i>In a joint investigation the Institute Procedure will be followed</i>																
Precautionary Measures	A						C							C		
<i>Risk assessment conducted to identify Precautionary measures</i>	A/R						C					I	I	A/R	I	
<i>Decision to take precautionary measures which may include suspension</i>	C	I	C	C	R									C		
<i>Responding party notified of precautionary measures</i>	I				A/R			I	I					I	I	
<i>Reporting party communicated to that precautionary measures are in place</i>	A	R		I	I			I	I	I	I	I	I	I	I	
Formal Investigation Procedure - Minor Misconduct Appeal																
<i>Nomination of Investigating Officer</i>	A	R			I											
<i>Recommendation on whether the Investigation is regarded as Minor Misconduct or Gross Misconduct</i>	A				R									C	I	
<i>Conduct Minor Misconduct Investigation</i>	I				R			C				C	C	C/I	C/I	
<i>Decision on whether a case is answerable for a Gross Misconduct and follow on actions</i>	A/R				I									C/I	I	
<i>Investigation decision relayed to the Responding party</i>	I	R			I				I					I	I	
<i>Reporting party communicated with during and after the formal investigation process</i>		R			I					I						
Formal Investigation Procedure - Minor Misconduct Appeal																
<i>Appeal submitted</i>	I	I							A/R					I	I	
<i>Decision and feedback of the appeal</i>	A/R	I			C/I				I					I	I	
<i>Issue Completion of Proceedings letter</i>	A/R	I				I								I		
Formal Investigation Procedure - Gross Misconduct																
<i>Communication with the Responding Party - pre-panel</i>						A	R							C	I	
<i>Communication of Panel outcome to the Responding parties</i>						A/R			I	I				C	I	
<i>Communication with Reporting party - pre-panel</i>		R				A										
<i>Communication of Panel outcome to the Reporting party</i>																
Formal Investigation Procedure - Gross Misconduct Appeal																
<i>Appeal submitted</i>	I	I					I		A/R					I	I	
<i>Decision and feedback of the appeal</i>	A/R													I		C
<i>Issue Completion of Proceedings letter</i>		R				I								I		