

Guidance for Students raising a concern about another Student(s)

This document is for students who wish to make a formal report about the behaviour of another student.

1. *I have been affected by the behaviour of another Student – what can I do?*

There are different ways in which a student may inform the University of a concern.

Status	Example	What student can expect
A disclosure	E.g. a student tells a tutor but does not provide details that permit investigation	Signposting to reporting platform Referral to wellbeing team Signposting to external agencies (e.g. Police and charity and support organisations as listed by the Student Wellbeing team)
A report	E.g. a student reports to the University with details of the incident (including using Report and Support) but does not state what action they are expecting	Access to specialist internal advice and support Liaison on academic or practical adjustments Advice on options (including making a complaint that the University can investigate)
A complaint	E.g. a student submits an account of the incident and confirms that they wish the University to take protective action and investigate	Student Disciplinary Regulations to be initiated Consideration of immediate protective actions

(Student Disciplinary Regulations)

If you want to receive support or discuss how the behaviour has affected you, you may want to speak with University Student Support services or your Personal Tutor.

The webpage with contact details for Student Support can be found at the webpage below:

[Student Wellbeing | University of Westminster, London](#)

The webpage with details on how to find out your Personal Tutor can be found at the webpage below: [Personal tutors | University of Westminster, London](#)

Concerns which are about the conduct of another student are dealt with under the University's Student Disciplinary Regulations. Concerns which do not relate to the conduct of another student will be dealt with in the usual way under the University's Student Complaints Procedure.

The University's Student Disciplinary Regulations are intended to address misconduct by a student rather than resolve disputes between individuals. Incidents which are not a potential breach of Student Code of Conduct will not be investigated under this process. A link to Student Code of Conduct has been provided here [Student code of conduct | University of Westminster, London](#)

If you feel you are concerned about behaviour from another student, you should report this to your Personal Tutor or Course Leader. They can either speak directly with the other student if they are on the same course as you or refer the matter to the other student's Personal Tutor and Course Leader who will speak to the student and explain to them how their behaviour is affecting you, which will hopefully resolve the situation. If the matter is serious, or you are dissatisfied with the attempts to resolve the situation informally, or you do not wish to raise the matter informally you may want to consider raising your concerns to your College using the Concern Form. The procedures detailed in the Student Disciplinary Regulations will be used to investigate your concern.

UNIVERSITY OF WESTMINSTER

If you do not know the name of the student, please provide as much information as possible and the University will investigate if they are able to identify the individual.

A Concern Form is available on the University webpage: [Student code of conduct | University of Westminster, London](#)

Once you have completed this form it should be submitted to your College:

- Westminster Business School – wbscollegesupport@westminster.ac.uk
- Design, Creative and Digital Industries – dcdicollegesupport@westminster.ac.uk
- Liberal Arts and Sciences – lascollegesupport@westminster.ac.uk

Details regarding your course, school and college are located on your student record which can be accessed by logging on to the University website and viewing your 'My Student Record'.

2. *What happens when the University receives my concern?*

The concern will be received by the College and sent to the Associate Head of College (Education and Students) or nominee to investigate and may result in the other student(s) being investigated in relation to potential breaches of University Regulations. Your concern may form part of the evidence of the potential breaches.

3. *What do I need to include on the Concern Form?*

You would need to provide information about the incident or events which have prompted your report including what, when, where, and who, e.g. observations of behaviour and impact, dates, times, locations, name(s) of those involved and any witnesses who could be contacted. You should also provide any evidence that may support your complaint e.g. copies of messages or any photographs.

4. *Is there a deadline by which I have to report my concern?*

Allegations of breaches of the Student Code of Conduct should ideally be submitted in a timely manner, so that matters can be dealt with effectively. However, it is accepted that this is not always possible, for example where evidence of alleged misconduct only becomes apparent after a significant period of time, or where a matter has significantly impacted an individual and the effects of this impact has led to a delay in reporting. There is no arbitrary deadline for the submission of an allegation, or a time limit based on whether someone who was a student at the time of the alleged breach of the rules remains a student when the allegation is submitted. The timeframe may however have an impact on the investigation, decisions, and potential sanctions or measures, for example if the student has completed their studies the actions the University can take may be limited.

5. *Will the other Student(s) know I raised a concern against them?*

We would not normally consider anonymous allegations. It is a principle of natural justice that a person being complained about should have a right to know the identity of the complainant to allow them an opportunity to respond to the concerns raised. The University would therefore be unable to anonymise your statement or any evidence you send, the reason for this is that the effectiveness of any complaint procedure depends on the University being able to collect appropriate information from the parties involved in order to investigate the matter properly. This is also to ensure transparency and to provide a fair process for all parties.

If you are worried about any repercussions of this, please make this clear in your concern form and we will look at whether any measures can be put in place to address your concerns.

6. *Will my account be sufficient evidence for the University to take action?*

We understand that reporting certain incidents is often an extremely difficult thing to do. The investigation process is an evidence-based process and decisions are made on the balance of

probabilities, which means we would be looking at whether the evidence supports that it is more likely than not that a breach has occurred. If the University determines that no further action can be taken it does not mean that the University is questioning whether or not you are telling the truth, it normally means that there is insufficient evidence which can be used in misconduct proceedings to support that there has been a breach of University Regulations.

7. *Is there any support I can receive?*

If you need to talk to someone about the incident or events there are support services available, and more details about these can be found at the webpage: [Support and services | University of Westminster, London](#)

We also provide information concerning external organisations that offer specialised support, please use the link below for information on external organisation;
[Counselling and Mental Health Service | University of Westminster, London](#)

If you have questions regarding the University disciplinary procedures, please contact the Academic Standards Team via email academicstandards@westminster.ac.uk

8. *How long will it take to investigate my concern?*

The circumstances behind any report are unique, so the length of each investigation can vary. Some investigations can take several weeks (or even several months) before a decision is made about whether there is sufficient evidence, or whether the matter can be dealt with under Stage 1 or Stage 2, particularly if there is a police investigation or there are a number of witnesses to interview, or other evidence to review. If the matter is referred to a Stage 2 Formal Disciplinary Panel Hearing, as well as working to the availability of panel members, there are procedural timeframes that have to be met to ensure a fair hearing, which will impact on the time it can take for the investigation to be completed.

9. *Will you tell me the outcome of any investigation?*

We understand that you may want to know what action has been taken since you made your concern as well as the outcome of any investigation. There will be very limited circumstances in which the university can disclose any information about the misconduct to any third parties.

The University may provide information on whether the case is being considered, and if your concern was upheld and if action had been taken that directly impacts you. We will provide you with as much information as is lawful and appropriate.

If you have concerns about how the matter was handled by the University you can submit a formal complaint under the Student Complaints Procedure [Student complaints | University of Westminster, London](#). The complaint procedure cannot be used to challenge the response from the responding student or the decision at either Stage 1 or Stage 2.

10. *The incident(s) happened off-campus – will the University be able to take action against the other student?*

The University may take action if the person who is being reported is another student at the University of Westminster.

11. *I am afraid of seeing the other Student on campus or in accommodation – what will happen?*

At all times the University will be mindful of any ongoing risk posed by the Student alleged to have committed the misconduct. The Associate Head of College (Education & Students) may consult the Academic Registrar, Director of Student and Academic Services and/or other relevant senior staff in

UNIVERSITY OF WESTMINSTER

relation to the management of risk, and where appropriate may take precautionary measures as outlined in Appendix 3.

Measures that could be taken include a partial or total ban on attendance either physical or online, including at learning, teaching or assessment activities, including placements; and/or on participation in University activities, and/or on attendance at or access to specified facilities or parts of the University (including residential accommodation); and/or on exercising the functions or duties of any office or committee membership in the University or the Students' Union.

The University owes a duty of care towards all students therefore any decision to implement precautionary actions shall be taken by the Associate Head of College (Education & Students), or nominee following a risk assessment.

12. *I have reported the matter to the police and they are investigating will the University also investigate?*

If the police are investigating the same incident or related matter, the University will not normally start its own investigation, until the police investigation and any related court proceedings are complete.

If a Student is being investigated by the police, the University will consider whether any precautionary measures need to be put in place. In circumstances where there is a criminal investigation, the University may be required to disclose information to the police. Where this is the case, the University would consider whether the information should be released and may discuss the request with you.

13. *Who else will know about my complaint?*

The University may share information provided by and/or about Students, staff, Witnesses and others with people involved in a disciplinary matter where it is necessary to do so for the purposes of investigating, determining or otherwise dealing with misconduct or disciplinary issues and/or the risks to which they give rise (including, for example, providing pastoral support and protecting the health, safety, wellbeing and/or continuation of study of a Student). The sharing of such information where it may constitute personal data about any individual involved in a disciplinary matter is subject to compliance with the data protection legislation and confidentiality requirements.

If we need to contact witnesses, we will only provide them with such information as they need to know to provide their evidence.

14. *Can I talk about this complaint with other people?*

You should not discuss this matter with other witnesses or the student about whom you are making the complaint, as doing so may jeopardise a fair investigation.

You want to speak to a Wellbeing Officer, Counsellor or your Personal Tutor.

The webpage with contact details for Student Support can be found at the webpage: [Student Wellbeing | University of Westminster, London](#)

15. *Do I have to attend a meeting with the Associate Head of College (Education and Students) or nominee?*

Under the preliminary investigation process, the Associate Head of College (Education and Students) or nominee may invite you to a meeting to discuss your complaint and they may need to ask you questions about the incident(s). This meeting may take place in person or video-conferencing such as via Microsoft Teams. They may also ask if you have any further evidence to support your complaint e.g. photographs or copies of messages. If you are invited to attend a meeting, you may be accompanied by a "Friend".

A friend is defined as a currently registered student of the University, a sabbatical officer or staff member of the University of Westminster Students' Union, or member of University staff. The "Friend" cannot also be a potential witness to the incident(s). If you do not attend the meeting, it may affect the University's ability to proceed with the investigation and take any further action.

16. ***What are the possible outcomes?***

The University investigates concerns about a Student's conduct in accordance with the Student Disciplinary Regulations. The University investigation is an evidence-based process and decisions are made on the balance of probabilities. Please click this link to access the Student Disciplinary Regulations [Student code of conduct | University of Westminster, London](#)

Possible outcomes include:

- **No further action**

After gathering information which may involve speaking to you and the Student(s) against whom the complaint is made, we may determine that, on the basis of the evidence, we will not be taking any further action. This does not mean that the University is questioning whether or not you are telling the truth; it normally means that there is insufficient evidence which can be used in misconduct proceedings to support that there has been a breach of University Regulations.

- **Stage 1 Formal Disciplinary Meeting**

It may be determined that, based on the evidence, that there is a case to answer but it is not sufficiently serious to refer the case to a Stage 2 Formal Disciplinary Panel Hearing. If the alleged misconduct is found proven, a range of penalties could be applied, these are detailed in the Student Disciplinary Regulations.

- **Stage 2 Formal Disciplinary Panel Hearing**

A matter may be referred to a Stage 2 Formal Disciplinary Panel Hearing if following the investigation, it is determined that an offence is major offence or there is persistent or repeated misconduct by the student. If the alleged misconduct is found proven, a further range of penalties could be applied by a Panel which include the penalties available under Stage 1 and additional penalties.

The outcome of each case is decided on its own merits, taking into consideration all of the evidence including any aggravating factors or mitigation.

17, ***Will I have to attend a Stage 1 Formal Disciplinary Meeting or Stage 2 Formal Disciplinary Panel Hearing?***

It will not normally be necessary for the you to attend a meeting or hearing as your evidence will be provided in the Disciplinary Panel papers. However, you may be asked to attend if further information is required.

If you attend the meeting or hearing (including attending by video-conferencing), your attendance will be as witness. It is possible that you may see the student subject to the allegations. If you are invited to attend a Hearing, you may be accompanied by a "Friend".

A friend is defined as a currently registered student of the University, a sabbatical officer or staff member of the University of Westminster Students' Union, or member of University staff. Your "Friend" can offer support and act as a reassuring presence but cannot comment or answer questions. The "Friend" should not also be a potential witness to the incident(s).

18. ***If I attend a Stage 1 Formal Disciplinary Meeting or Stage 2 Formal Disciplinary Panel Hearing, will I be questioned?***

UNIVERSITY OF WESTMINSTER

You may be asked questions by the Head of School (Stage 1) or the Panel. We appreciate that you may be concerned about being questioned, but the Chair will decide whether any particular question can be asked or whether it should be rephrased before you are requested to answer.

19. *What happens to my data?*

A record of your complaint will be kept by the University and will be retained in accordance with the departmental record retention policy. Any documentation will normally be held for a period of seven years before it is confidentially disposed of. Link to records management policy: [Records management | University of Westminster, London](#)

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