



## CODE OF CONDUCT AND STUDENT DISCIPLINARY PROCEDURE

These Regulations –

- aim to guide student conduct in the College context;
- are oriented to foster a healthy and nurturing environment at the College;
- are committed to the values of equality, dignity and integrity of every individual;
- are conceived in an easy and accessible way to serve as a useful reference for College members on a day-to-day basis;
- are divided into two parts—Code of Conduct and Disciplinary Procedure, concerning the code of conduct and the procedure for reporting any apparent breaches, respectively;
- complement the Statutes, Rules and Regulations of the University; including Conduct and Disciplinary Procedures set out therein.

### I. CODE OF CONDUCT

#### General

1. The Code of Conduct ('Code') applies to all non-academic conduct in the College context. It sets out the principles which shape and support the interactions between College members, including all student members, fellows and staff.
2. Members of the College are required to familiarise themselves with, and observe the Code.
3. All College members are deemed responsible for their own actions and are deemed responsible for their guests and visitors who may deliberately or recklessly conduct themselves in a manner contrary to the principles of the Code.
4. The principles set out in the Code are minimal and the College encourages all members to use these principles as a guide not only for observing the minimum standard of behaviour required, but also to aspire to their highest achievement.

#### College Interactions

5. The College is an academic community first and foremost. All members should interact in a way which fosters academic exchange and growth. Members should be particularly conscious that individual behaviour impacts everyone in the community

and thus should take utmost care that their behaviour has a positive impact on the community.

6. Members have a duty to interact in a courteous and respectful way at all times. This includes interactions both on and off the College premises, including online and on social media, and in relation to College activities whether academic, sporting, social, cultural or other.
7. Examples of conduct in breach of this Code include:
  - (i) Discrimination, or unfavourable treatment of others because of their race, sex, sexual orientation, age, disability, gender reassignment, religion, pregnancy and marital status;
  - (ii) Harassment, or unwanted and unwarranted conduct which has the purpose, or effect of violating another person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for another person, including sexual or racial harassment, and examples of behaviour covered under the [University Harassment Policy](#);
  - (iii) Bullying, intimidation, and victimisation;
  - (iv) Violent, indecent, disorderly, threatening or offensive behaviour;
  - (v) Fraudulent or dishonest behaviour intended to deceive or mislead others;
  - (vi) Conduct which disrupts teaching, study, research, sports, administrative business, social activities and the residential life in College;
  - (vii) Conduct which disrupts the lawful exercise of freedom of speech;
  - (viii) Conduct in breach of the Statutes and Regulations of the University.
8. Members are reminded that conduct which is considered unlawful or criminal is also in breach of this Code. This includes conduct likely to cause injury to others, including violence or threatening behaviour towards others. Those found to have committed an unlawful act by a court of law in relation to a College activity, may also be found in breach of this Code, and thus have penalties imposed under the Disciplinary Procedure.
9. When in doubt about the expected behaviour or conduct in a specific context, members of the College are welcome to consult other members including their College Advisor, or approach the Dean, the Senior Tutor or the Domestic Bursar for advice.

### [College Property](#)

10. Members of the College have a duty to preserve the College premises and facilities. All care should be taken to avoid any damage to the College buildings and property.
11. Members should report any concerns about safety and security at the College to the Domestic Bursar.
12. Smoking including vaping is forbidden throughout the College.
13. Those living in College residence should abide by the rules of residence, and a breach of those rules may also be considered a breach of this Code.

## II. DISCIPLINARY PROCEDURE

### General

14. The Disciplinary Procedure ('Procedure') may be initiated by any College Member who reports an apparent breach of the Code by one or more Student Members.
15. Before reporting an apparent breach, members are encouraged to approach the Dean, or as appropriate, their College Adviser, Welfare Dean, Senior Tutor, Equality & Harassment Advisers, LGBTQ Fellow, Racial Justice and Equality Fellow, Disability Co-ordinator or Junior Dean for advice and support, including to explore whether a report may be necessary in a particular case, or whether a resolution can be sought informally. Where appropriate, the College encourages members to pursue informal resolution of matters arising under the Code before reporting the breach to the Dean.
16. Members may choose to approach, as appropriate, any support services such as the University Counselling Service, before, during or after this Procedure is initiated. Members who feel that they have been subject to harassment can also contact the University Harassment Advisory Service for specialised and sensitive advice. The Service is also available to those against whom an allegation of harassment has been made.
17. Messages from the Dean, the Disciplinary Committee, and the Appeals Committee may declare that a response is expected. Failure to respond promptly to such messages is itself an offence, which may lead to a fine, and to notification of the student's supervisor or Director of Graduate Studies.

### Reporting

18. A report may be made by any College Member, including all classes of Fellow, Students, Common Room Members, and Staff. The report can be about a breach of the Code by one or more Student Members of College.
19. Only individuals, who at the time of making the report are members of the College, as students, fellows or staff may make a report under this Procedure. Similarly, the Student Member against whom a report is made, must also be a member of the College at the time the report is made. Exceptionally, reports may be made by members of other colleges against a Student Member of Kellogg, should the matter be arising in the Kellogg College context. Reports involving members of other colleges which arise outside of the Kellogg College context will not normally be admitted under this Procedure.
20. Once made, the report can continue on its course under this Procedure even after the individual or the Student Member have left the College, though every effort will be made to decide a report swiftly and while those concerned with the report are still members of the College.
21. A report is made either:
  - (i) in writing to the Dean; or
  - (ii) by completing the reporting form (Appendix A) and submitting it to the College Administrator, via email to [college.administrator@kellogg.ox.ac.uk](mailto:college.administrator@kellogg.ox.ac.uk).

22. The report should be concise, setting out the essence of the apparent breach with clarity. It should also identify if a remedy (viz. those specified in Paragraph 62) is being sought.
23. Reports should be contemporaneous and should be made as soon as reasonably possible after a matter arises. Reports made later than three months of a matter arising may not be admitted. This includes reporting for continuing or recurring matters which should be reported without delay, and within three months of the last apparent breach of the Code. The Dean, who receives all reports, may take into account justifiable reasons for delay in making a report, before admitting it for review.
24. Reports should not be anonymous. They need to identify the individual making the report and the Student Member who may have breached the Code. Once made, the individual making the report, the Student Member or anyone involved in the review of the report, may request for the report to be treated confidentially. Principles of natural justice should be observed where the identities of those involved are not disclosed, for example, to ensure that the Student Member who is believed to have committed the breach fully understands the case against them; or to ensure that the individual making the report is not at risk of intimidation or retribution.

#### Dean's Review

25. All reports will be reviewed by the Dean.
26. If the report concerns a sufficiently serious criminal offence or another violation of the law, the Dean shall refer the matter to the Police or the Proctors, as appropriate; and where the Student Member is subject to criminal proceedings arising out of the apparent breach of the Code, the Dean shall not normally proceed with the review until the criminal proceedings have concluded, other than by imposing a penalty envisaged under Paragraph 62 as an interim measure.
27. If the report concerns harassment as defined under this Code or the University Harassment Policy, the Dean may, in consultation with the Academic Office, appoint an experienced mediator or conciliator acceptable to both parties, who may initiate a confidential procedure as soon as reasonably possible to begin to seek a resolution. The normal expectation is that resolution would be achieved within four weeks of the initial meetings with the parties. Any agreed outcome will be recorded in writing and made available to the parties involved.
28. In the first instance, the Dean may approach the parties to the report to resolve the issue informally. The Dean shall decide whether the review should proceed. If it proceeds, the Dean may then approach the Student Member to either admit the apparent breach or to deny it and have the review continue.
29. If the Student Member admits the breach, the Dean shall record the admission and provide a decision, including a penalty such as those envisaged in items (i)-(viii) of Paragraph 62.
30. If the Student Member denies the breach, the Dean shall consult the individual who made the report and the Student Member to resolve the matter arising in the report. The Dean may also consult other college members and/or invite them to provide further material which helps either establish or dismiss the apparent breach. It is

important that all relevant material is provided to the Dean at this stage since additional material cannot be considered on appeal.

31. The Dean shall make every effort to make a decision as soon as reasonably possible and within four weeks of the receipt of the report. The decision will be conveyed to the individual who made the report as well as the Student Member. If a breach is established, a record of the decision will be kept on the file of the Student Member for such duration as they are a member of the College. It will be destroyed thereafter.

### Disciplinary Committee

32. A Disciplinary Committee comprising the Senior Fellow (as the Chair), an Official Fellow, and an MCR Representative, will be appointed by the President .
33. The Disciplinary Committee may receive a report for review in two instances:
  - (i) If the report is of sufficiently serious nature, the Dean may directly refer it to the Disciplinary Committee for review. If the report was made orally or in writing to the Dean, the Dean shall complete the reporting form (Appendix A) when referring the report to the Disciplinary Committee;
  - (ii) The Student Member may choose to appeal the decision of the Dean to the Disciplinary Committee as soon as reasonably possible and within two weeks of the decision being notified. An appeal by the Student Member may be made by completing the appeal form (Appendix B) and submitting it to the College Administrator, via email at [college.administrator@kellogg.ox.ac.uk](mailto:college.administrator@kellogg.ox.ac.uk).
34. Members of the Disciplinary Committee must confirm that they have no actual or apparent interest in the matter arising therein. If a member reports any conflict of interest, the President may appoint a substitute.
35. The Disciplinary Committee will approach the Student Member to either admit the apparent breach or deny it and have the review continue.
36. A meeting may be arranged to discuss the report with the individual who made the report (including the Dean) and the Student Member named therein. The Disciplinary Committee may decide to meet them either individually or collectively. If one of the parties to the report is consulted in person, the others too will be provided a chance to meet the Disciplinary Committee, to ensure equity of access.
37. Those invited to attend a meeting with the Disciplinary Committee may choose to bring another College member with them for support. Student Members are also entitled to bring a representative of the Student Union to a meeting with the Disciplinary Committee.
38. At any point after the receipt of the report, the Disciplinary Committee may invite the individual and/or the Student Member to provide further material which helps either establish or dismiss the apparent breach. The Disciplinary Committee may also invite other College members, who are required to cooperate with the Disciplinary Committee in the review process.
39. If the report before the Disciplinary Committee is an appeal against the Dean's decision, no new material should be brought before the Disciplinary Committee, unless the individual making the report or the Student Member (or another member

bringing forth the new material) can show that such material, though relevant, was not available at the time the Dean decided the matter.

40. The Disciplinary Committee shall provide reasonable notice, of no less than two days, for anyone to comply with its invitation to meet or provide further material relevant in the determination of a report.
41. Penalties such as those envisaged under Paragraph 62 may be imposed as interim measures for the duration of the review by the Disciplinary Committee, extending to the period a decision of the Disciplinary Committee may be on appeal.
42. If a report appears vexatious or malicious, the Disciplinary Committee may dismiss the report without reaching a decision. The Disciplinary Committee may, in such cases, impose a penalty such as those envisaged in Paragraph 62.
43. The Disciplinary Committee shall consider all views and material presented before it, impartially and thoroughly, to decide whether a breach is established on a balance of probabilities.
44. The Disciplinary Committee shall make every effort to reach a decision based on consensus, but a simple majority will suffice to reach a decision where a consensus cannot be reached.
45. The Disciplinary Committee shall make every effort to reach a decision as soon as reasonably possible and within four weeks of the receipt of the report.
46. The Disciplinary Committee shall record its decision by completing the outcome form (Appendix C). The decision will be conveyed to the individual who made the report as well as the Student Member. If a breach is established, a record of the decision will be kept on the file of the Student Member for such duration as they are a member of the College. It will be destroyed thereafter.
47. Subject to a right of appeal, any decision of the Disciplinary Committee shall be final and binding on the Student Member.

### Appeals Committee

48. A Student Member may appeal the decision and/or the remedy of the Disciplinary Committee within two weeks of being notified of the decision.
49. Appeals against the decision of the Disciplinary Committee may be made to the Appeals Committee comprising the President, an Official Fellow, and an MCR Representative. The Appeals Committee will be appointed by the President.
50. An appeal may be made by completing the appeal form (Appendix B) and submitting it to the College Administrator, via email at [college.administrator@kellogg.ox.ac.uk](mailto:college.administrator@kellogg.ox.ac.uk). The appeal must identify the grounds of challenge distinctly.
51. Upon receipt of the appeal, members of the Appeals Committee must confirm that they have no actual or apparent interest in the matter arising in the report. If a member reports of any conflict of interest, the President may appoint a substitute.
52. No new material should be brought before the Appeals Committee, unless the individual making the report or the Student Member (or another member bringing

forth the new material) can show that such material, though relevant, was not available at the time the Disciplinary Committee decided the matter.

53. The Appeals Committee will provide reasonable notice, of no less than two days, for anyone to comply with its invitation to meet or, subject to Paragraph 52, provide further material relevant in the determination of the report.
54. Penalties such as those envisaged under Paragraph 62 may be imposed as interim measures for the duration of the review by the Appeals Committee.
55. If a report appears vexatious or malicious, the Appeals Committee may dismiss the report without reaching a decision. The Appeals Committee may, in such cases, impose a penalty such as those envisaged in Paragraph 62.
56. The Appeals Committee shall consider all views and material presented before it, impartially and thoroughly, to decide whether a breach is established on a balance of probabilities.
57. The Appeals Committee shall make every effort to reach a decision based on consensus, but a simple majority will suffice to reach a decision where a consensus cannot be reached.
58. The Appeals Committee shall make every effort to reach a decision as soon as reasonably possible and within four weeks of the receipt of the appeal.
59. The Appeals Committee shall record its decision by completing the outcome form (Appendix C). The decision will be conveyed to the individual who made the report as well as the Student Member. If a breach is established, a record of the decision will be kept on the file of the Student Member for such duration as they are a member of the College. It will be destroyed thereafter.
60. Any decision of the Appeals Committee shall be final and binding on the Student Member.
61. After all College procedures are exhausted, the Student Member may be able to appeal to the Conference of Colleges' Appeals Tribunal, and thereafter, to the Office of the Independent Adjudicator for Higher Education.

## Remedy

62. All decisions made by the Dean, the Disciplinary Committee and the Appeals Committee under this Procedure may be accompanied by a just and equitable remedy. Remedies include penalties, such as:
  - (i) Admission and apology from the Student Member for the breach;
  - (ii) Admonition and imposition of undertaking to not repeat or cease the conduct resulting in the breach;
  - (iii) College service;
  - (iv) Compensation, including fine, for any material damage or injury caused by the breach;
  - (v) Removal of any benefit or scholarship conferred by the College;



- (vi) Restitution, by restoring the situation or thing to an earlier point before the breach;
  - (vii) Reparation, by making appropriate amends for the breach;
  - (viii) Imposition of a fine;
  - (ix) Suspension of the Student Member for a specified period from the College;
  - (x) Exclusion of the Student Member from their College residence;
  - (xi) Expulsion of the Student Member from the College; or
  - (xii) Structural remedies, including review or formulation of guidelines or additional guidance for future cases or conduct governed by this Code.
63. The Dean, the Disciplinary Committee and the Appeals Committee may take into account any prior breaches established against the Student Member in awarding a remedy.
64. If a Student Member is disciplined by the University for conduct in breach of College and/or University statutes or regulations, the penalty imposed by the University shall also apply in the College context, subject to a right of appeal to the Disciplinary Committee.

#### Records

65. The Academic Office will maintain an annual summary of the number and kind of reports and appeals made to and considered by the Dean, the Disciplinary Committee, and the Appeals Committee, and of the decisions reached in each case, including the remedies awarded. The Dean will report to Equality & Welfare Committee in Michaelmas Term this summary of the previous academic year.
66. The Academic Office will also issue a Completion of Procedures letter, when the College feels it has done all that it can in the investigation of a reported breach of the Code of Conduct. This is required for any escalation of the reported concern to the Office of the Independent Adjudicator for Higher Education.



Appendix A: Reporting Form

Appendix B: Appeals Form

Appendix C: Outcome Form