

Guidance for supporters of students during the disciplinary process (“Supporter”)

Introduction

1. This guidance is written to help a student, and their Supporter, understand the role of a Supporter during the disciplinary process. The guidance should be read alongside [Regulation XVII \(Conduct and Discipline of Students\)](#) (the “**Regulation**”), the [Procedure for Summary Disciplinary Panels](#) (“**SDP Procedure**”) and [Procedure for the University Disciplinary Panel](#) (“**UDP Procedure**”).

Definition of a Supporter

2. A student may be subject to disciplinary proceedings at the University relating to alleged misconduct. This could lead to precautionary measures, like a suspension, a preliminary assessment or investigation into any issues raised, up to a disciplinary hearing taking place.
3. In relation to a Supporter, the Regulation says, “*A student may, and is encouraged to, be accompanied to a disciplinary hearing by a fellow student, a member of the University of Manchester Students’ Union or member of staff of the University of their own choice*”. However, Supporters are welcome across any stage of the disciplinary process, not just hearings.
4. Though the University may identify categories of Supporter, the University is not responsible for providing the student with a Supporter, liaising with a Supporter or making arrangements with them.
5. From the list of people above and below, students are encouraged to identify someone who they feel is an appropriate person to assist them, confidentially, and based on their needs, during a case. A student may speak to multiple people in a support capacity who offer different forms of support, such as like a counsellor offering counselling or a Students’ Union Advisor providing procedural advice. The Regulation is not intended to limit seeking genuine support. However, students should be mindful of avoiding disclosure of sensitive cases to a wide circle of individuals, particularly in the ‘fellow student’ category of Supporter.
6. Breaking down the three categories in more detail:
 - a. **A fellow student** – this could be a flatmate, someone on the same Programme, a friend studying in another School. They should be a registered and current student at the University. However, if the person a student is thinking of could moreso be identified as a Witness in a case e.g. someone who can add insight to an investigation, then it may be necessary to identify an alternative Supporter.
 - b. **The Students’ Union** – students are routinely signposted to the Students’ Union [Advice Service](#). The Advice Service can offer free, confidential and independent support for students going through the disciplinary process. The Advice Service has a Team of Advisors who are familiar with University processes.

- c. **A member of University staff** – this could be any staff member at the University. It is for a student to ask a staff member to act as a Supporter. A staff member could include, but is not limited to, an Academic Advisor, a Supervisor, an Advice and Response Caseworker etc. Commonly, staff from support services, like the Counselling and Mental Health Service and the Disability Advisory and Support Service (DASS) will not act as designated Supporters during disciplinary processes, so that they can focus on the welfare needs of an individual and remain separate from the disciplinary process.
- 7. In relation to disciplinary hearings specifically, the SDP Procedure states, at paragraph 3.7, *“As per paragraph 3.14 of the Regulation, a student may attend the hearing with a person to accompany them for support (“Supporter”). The student must inform the Secretary of their proposed Supporter at least two working days before the date of the hearing. The SDP will want to hear from a student in their own words and so the Supporter role does not normally extend to having a right to make statements or ask or answer questions. As SDP hearings relate to less-serious misconduct a Supporter from outside the University will not normally be permitted. Any persons acting in the role of Supporter must respect and adhere to the University’s internal disciplinary process.”*
 - a. For University level hearings, the UDP Procedure conveys similar information to that above, but at paragraph 3.10. The main difference is that for UDP hearings a student may request that the list of persons eligible to act as a Supporter be expanded e.g. to include a person external to the University. Such a request needs to be made five working days before the date of the hearing. It is at the discretion of the UDP Chair whether the request is accepted.
- 8. A student can decide to have a Supporter throughout the University’s processes, for only some of those processes or none. For example, a student may decide to have a Supporter during an investigation meeting but not at a disciplinary hearing. Not having a Supporter during one stage, does not prevent a student from having one at a later stage. It is also up to the student if they wish to change their Supporter partway through.

Role of a Supporter

- 9. For the benefit of any Supporter reading this document, where a student is invited, or required, to attend a meeting, the student will have the opportunity to present their account, answer questions and ask questions. Most meetings are held remotely, though requests for in-person meetings may be made. A student may be invited to submit written statements during proceedings. Where a student does not attend a meeting, a case may go ahead in their absence. At the conclusion of any key stage in a case e.g. at the end of an investigation, the student will receive an outcome in writing; this is shared with the student directly.
- 10. The Supporter role will usually include:
 - a. providing moral support to the student.

- b. checking any statement a student wishes to submit as part of the disciplinary process.
 - c. taking notes at meetings.
 - d. providing minor assistance during meetings, such as locating pages of a document.
 - e. helping the student to understand any questions asked of them.
 - f. helping the student to identify any questions they may wish to ask.
 - g. discussing with the student any statement that they may want to make.
 - h. checking the student has arrangements for any additional support needs.
 - i. having an informed conversation with the student about their case.
11. Where a student submits a written statement, though assistance may be sought from a Supporter to write a statement, the statement will be viewed as being the final product of the student. Therefore, students are encouraged to make sure any written submissions are what they wish to say.
12. Where a meeting is held, it is the student subject to an allegation who has a right of audience, not their Supporter. A student must therefore contribute to a meeting in their own words. A disciplinary panel, or person conducting a similar meeting, may at their discretion allow for a brief statement to be made by a Supporter at an appropriate juncture of a meeting e.g. prior to a finding or a penalty. A student will only be permitted to have one Supporter with them at meetings.
13. In terms of what does not fall into the role of a Supporter:
- a. The University will not automatically send correspondence to, or copy into correspondence, a Supporter. It is for a student to liaise with their Supporter directly and so any communication with a Supporter about a case may be refused or will be limited and with the student's awareness / agreement. The University reserves the right to not engage with representations put forward by a Supporter.
 - b. To coach a student in what to say in statements or at meetings, or to influence them so as to not give a truthful account.
 - c. To represent the student in place of the student attending a meeting or being involved in the disciplinary process.
 - d. To direct the University's handling of a case or any arrangements relating to it.
14. The University will not ask a Supporter to provide the details of any confidential discussions they have had with a student about a case. However, where there are welfare concerns about a student, or in regard to a decision or information that a student may receive through the disciplinary process, the University may reach out to a Supporter to check a student has welfare support in place.

15. If a student has concerns about the advice and information that they receive from a Supporter, though they may bring this to the University's attention, primarily this is for a student to raise with their Supporter directly.

Can the categories/role of Supporter be extended?

16. See paragraph 7 and 7a above. For SDP hearings, the Supporter role will be limited to the categories of Supporter identified by the Regulation. For UDP hearings, a student can request to expand upon the list of Supporters to someone external from the University and such a request needs to be submitted at least 5 working days prior to the hearing, though more advance warning is appreciated so the request can be considered and any arrangements made.
 - a. In other parts of the disciplinary process, it is for the person overseeing the case to determine who can participate as a Supporter, but the starting point will be as set out in the Regulation.
17. Where a request is received, the person overseeing the case will have the discretion to agree to the request or to decline it. Factors such as case complexity, appropriateness of the person requested, whether alternative options have been / can be explored, avoiding delay, could be considered when deciding on a request.
18. Whoever the Supporter is, will not change the position that the University will look to hear from a student in their own words. Bar any opportunities for brief statements by a Supporter permitted during a meeting, a Supporter will only be able to address the University more fully, with the agreement of those present, in exceptional circumstances, such as, where a student is unable to represent themselves due to incapacity or to provide an adjustment for a student's disability.
19. Students who register at the University are expected to have demonstrated a reasonable level of English-language proficiency. Though it is appreciated that disciplinary hearings may have some level of procedural complexity to navigate, it should be possible for support around this to still come from the usual categories of Supporters. The University will not object to a Supporter providing some minimal translation support at meetings, but this should not be of a significant level such that everything said requires translation. This is to protect all parties and ensure the student is receiving the correct information at the meeting and that the student's account comes from them directly.
 - a. Where a student believes that they will have a significant challenge with presenting their case orally in English, at remote meetings they should be advised of any auto-generated caption facilities and/or the student may instead be guided to focus on submitting a written statement if their written English is better.
 - b. The University is under no obligation to provide or pay for a translator at meetings. If a translator is agreed in an exceptional circumstance (such as there being no other way to ensure the student can fairly engage with the process), and meets any

parameters set by the person coordinating the case, such as being satisfied with the ability of the individual to translate, this role will be permitted in addition to a Supporter (i.e. both a translator and Supporter can be present at a meeting).

Expectations of a students

20. Students should be mindful of the notice period they have prior to a meeting or any associated deadlines. A student should try to find a Supporter at the earliest opportunity, to ensure they can assist a student prior to a meeting or that they can arrange to attend a meeting. Meetings will usually proceed on the date identified by the University; requests to postpone meetings can be made by students where they have good reason, but this will not normally extend to where a student has only sought a Supporter at a late date.
21. To provide their Supporter with a copy of this document so the Supporter understands their role.
22. To inform the Supporter of the date and time of any meetings, and to provide them, on the condition of confidentiality, any case materials they wish the Supporter to see. A Supporter will not normally have any direct correspondence from the University.

Conduct expectations of a Supporter

23. Being a Supporter is an important responsibility. A student has reached out to an individual for assistance and so they should try to act in this role with professionalism, seriousness and empathy. If they feel unsuited to the role following a request from a student, or upon reading this document, it remains at their discretion as to whether they act as a Supporter.
24. A Supporter must act with respect to, and in accordance with, the University's internal processes. Similarly, Supporters must be respectful and polite towards any individuals involved in a case. Failure to do so may lead to delays in meetings, not engaging with a Supporter, a Supporter being asked to leave meetings or being prevented from participating in the disciplinary process.
25. A Supporter should not be someone with too close a connection to a case.
26. The University considers disciplinary process to be conducted under the principle of confidentiality. The University expects there to be no disclosure (by the student or the University) of the content of the hearing, including the material under consideration, except on a need-to-know basis e.g. to allow the University to put the Regulation into effect, to allow a student to consider appeal options etc. A Supporter must similarly maintain confidentiality about a case.
 - a. Should confidentiality be believed to have been breached by a student or a Supporter, then the University may need to consider any further appropriate action. Breaching confidentiality, or allowing confidentiality to be breached, could be a disciplinary matter for a student.

Other individuals involved in the disciplinary process

27. For students who are Reporting Parties (aka complainants) or Witnesses in a case, they will also be permitted to have a Supporter during the different stages of the disciplinary process, and so the principles above will apply equally to them.