



# Rules of the University 2016/2017

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## **Part I: Substantive Rules**

### **1. PREAMBLE**

#### **1.1 APPLICATION OF THE CHARTER AND STATUTES**

All students are required to act in conformity with the Charter and Statutes of the University and, in particular, the provision of the Charter that 'the objects of the University shall be to advance knowledge, wisdom and understanding by teaching and research and by the example and influence of its corporate life'.

#### **1.2 APPLICATION OF THE LAW OF THE LAND TO THE UNIVERSITY AND ITS STUDENTS**

Nothing in the Rules of the University confers any exemption or immunity for any student from the application of the criminal law (including legislation governing road traffic and interference with fire-fighting equipment and alarm systems) in relation to acts or omissions on University premises or elsewhere. In particular, the jurisdiction of the police and other law enforcement agencies in the execution of their duty is unaffected by these Rules, and the use of the road system within the University precincts is subject to road traffic legislation.

#### **1.3 PRECEDENCE OF UNIVERSITY RULES OVER PROCEEDINGS UNDER OTHER CODES**

The Rules of the University prescribed for the discipline of its students as set out herein shall, subject to the law of the land, take precedence over any other code of practice, charter or rules appertaining to any constituent part of the University.

1.3.1 Allegations of serious breaches of the criminal law against students should be dealt with by the police and, if a prosecution is brought, by the courts. A decision by the Crown Prosecution Service (CPS) to prosecute the student would lead to the conclusion that the University should not invoke its disciplinary procedures. Following a trial in which the student is convicted and sentenced it is unlikely that the University would wish to invoke its own discipline but if it does the appropriate body must take into account, when considering the appropriate penalty, the sentence imposed by the court. The most likely situation to arise here would be a hearing to determine whether the student should be excluded from the University or any part of it. It must not go behind the facts which formed the guilty verdict. The same principles may well apply to offences considered to fall within the category of non-minor criminal offences.

1.3.2 Where the criminal offence is a minor one and where it is unlikely that it will be reported to the police or where experience shows that the police would be unlikely to investigate it, the University's disciplinary procedures may be invoked against the student.

1.3.3 The advice of the Head of Security should be sought in a problematic case.

1.3.4 Any decision by the University authorities (or, indeed, anyone else) to call for the assistance of the police may or may not result in a police investigation.

1.3.5 In exceptional cases it may be considered appropriate to suspend a student pending a criminal prosecution or a serious case dealt with by the University's disciplinary procedures. See Part II, Rule 7.4.

## **1.4 APPLICATION OF THE RULES IN RESPECT OF LOCATION**

The Rules of the University are applicable to the conduct of any student of the University without restriction in respect of location.

## **2. DISCIPLINARY BREACHES**

- 2.1 The following acts or omissions by students or those to whom the Rules apply but who are not students of this University constitute breaches of the Rules of the University.
- 2.2 Failure to follow the reasonable instructions of a University Officer or any intentional action which impedes the learning, teaching or sporting, or social activities, or research of members of the University or lawful visitors; or which obstructs a person in the proper discharge of duties in or for the University; or which causes unreasonable disturbance on the University premises. Obstruction includes failure to identify oneself when required to do so by the Head of Security (or Deputy), University Dean, or Deputy Dean, Head of Department, Safety and Radiation Protection Officers, a College Officer, Porter or Security Officer, who is enquiring into a prima facie breach of rule which falls within that officer's area of competence and who has made known identity, office and purpose.
- 2.3 The intentional use of or threat of physical violence or indecent, disorderly or offensive behaviour against an officer, employee or member of the University or any other person lawfully on University premises. Assaults on officers and employees of the University engaged in the proper discharge of their duties in or for the University are regarded as particularly serious breaches of this rule which if not referred to the police will attract appropriately severe penalties.
- 2.4 The harassment or intimidation of another member of the University, whether or not amounting to a breach of Rule 2.2, and that may be considered to be an infringement of the University Policy and Procedure on Harassment including those protected characteristics identified within the University's Equality and Diversity Plan 2013 to 2016.
- 2.5 The general harassment or intimidation of another member of the university, whether or not amounting to a breach of Rule 2.2.

'General Harassment' is understood here to include:

any act or expression or series or combination of such, or incitement to commit such acts, against a person, that creates an intimidating, hostile or offensive environment that prevents or significantly impairs that person's (or group's) full enjoyment of living, learning, or working at Lancaster University;

and that is insistent and/or persistent and/or repetitive.

Examples include: derogatory name calling, insults, humiliating graffiti, verbal abuse or ridicule of, an individual.

- 2.6 Any act of victimisation or reprisal against a person who has raised a grievance in good faith under Rules 2.4.

- 2.7 Any action which prevents or impedes the freedom of speech or communication within the law and within these Rules, of another member of the University, or of any other person when on the University premises.
- 2.8 Any action on or off University premises or when undertaking University business, which endangers the health or safety of another person.
- 2.9 The damaging of buildings or property by those subject to these Rules, causing loss or damage to the University or its members through intentional or reckless conduct.
- 2.10 Making false or misleading statements to the University or intentionally or recklessly withholding information material to a student's status in the university.
- 2.11 Misconduct, committed on or off the University premises, of a nature liable to bring the good name of the University into disrepute.
- 2.12 The intentional or reckless use of the name of the University in oral, written or electronic form that by its content or means of expression brings the good name of the University into disrepute.
- 2.13 The intentional or reckless use of the name of the University or a part of the University without authority in such a way as to indicate or imply that all or any part of a publication, document, letter or statement to the press or any other public statement has the official support of the University or a part of the University.
- 2.14 The intentional or reckless or negligent communication or disclosure to another person, whether inside or outside the University, of information about business of the University which the person making the communication or disclosure knows or ought to know has been defined as restricted, without the permission of the person responsible for the business or (in the case of a committee) of the chairman of the committee. The following business, in particular, is restricted.
  - (a) Matters relating to the personal affairs of members or employees or prospective members or employees of the University, provided that a reasonable decision that the matter is restricted has been made and declared by a member of the University responsible for the business.
  - (b) A business of a committee, provided that a specific resolution that it is restricted for an indefinite or a definite time has, with good reason, been passed in relation to that business, or a reasonable decision to that effect has been made and declared by a chairman of the committee.
  - (c) A business of an officer of the University, provided that a decision to restrict that business for an indefinite or a definite time has, with good reason, been made and declared by the officer.
  - (d) Examination papers and tests, before the time set for the use of the paper or test.
  - (e) Marked examination scripts, and examination marks before confirmation by the appropriate Board of Examiners.

Documents relating to business in the above classes [(a) to (e)] which is restricted are required to be so marked on the first page, or against each restricted item if the document also contains unrestricted material. Terms such as 'private' or 'confidential' do not impart restriction in this sense.

- 2.15 Any disclosure by a student of the University relating to the business of or personal information about any student or staff member or employee of the University, without the prior approval of that individual.
- 2.16 Any intentional obstruction of, or attempt to obstruct, the disciplinary procedures of the University, any failure to attend without adequate reason a disciplinary hearing which the student has been instructed to attend, any failure to comply with the penalties imposed by a disciplinary hearing (or by the Dean or Deputy Dean of the University when a case has been disposed of summarily).
- 2.17 Any intentional or negligent failure to comply with any of the regulations relating to attendance, registration, work, payment of fees that are due and the meeting of debts set out in Rules 3 and 4 below, or of the regulations relating to the conduct of examinations and the use of unfair means set out in Appendix A.
- 2.18 Any breach of the regulations on the conduct of exams and unfair means (see Appendix A).
- 2.19 Any intentional or reckless breach of the procedures or other requirements laid down in the University's Code of Practice on Freedom of Speech.  
  
(See Appendix D for current regulations).
- 2.20 Any breach of the regulations for Intellectual Property currently in force (current regulations are available from the head of department or supervisor).
- 2.21 Any breach of the Computer User Agreement (set out in full in Appendix C of these Rules).
- 2.22 Any failure to keep under control any animal brought into the precincts of the University which results in any unreasonable disturbance, injury, damage or danger to property or persons or pollution.
- 2.23 Any breach of the procedures or other requirements laid down in the University's Policy on Smoking.
- 2.24 Any breach of the University Vehicle regulations (which are set out in full in Appendix B of these Rules).
- 2.25 Any breach of visa conditions.
- 2.26 Any act or omission not specifically mentioned above which is a criminal offence under English law (including a road traffic offence if committed within the University precincts).

### **3. ATTENDANCE, REGISTRATION, COMMUNICATIONS AND WORK**

- 3.1 Undergraduate students are required to register at times to be specified, and to be engaged full-time on their studies for the full period of each term (which does not include days of travel to or from the University), and/or for such other periods as may be stated in the regulations for particular courses. The place of work will be the University and/or such other places as the department or departments concerned may specify. They must present themselves for examination when they are required to do so.
- 3.2 Graduate students are required to register at times to be specified and, unless registered as part-time students, they are required to be engaged full-time on their studies for the duration of their course except for holidays as approved by their department or supervisor. They must present themselves for examination when they are required to do so.
- 3.3 All students, graduate and undergraduate, are required to keep abreast of communications sent to their University email account.
- 3.4 All students, graduate and undergraduate, are required to inform the University's Student Registry of any changes of address.
- 3.5 A student, graduate or undergraduate, who is prevented by illness or any other cause from returning to the University for the beginning of any term, or from attending classes during term, must see that the Student Registry is informed forthwith. If the absence is notified orally it must be confirmed in writing by the student. If the absence is due to an illness which extends or is likely to extend beyond a week the student must send a medical certificate to the Student Registry, and may be required to do so for absence of less than a week. Any student who is suffering from an infectious illness or who is absent because of contact with a person suffering from such illness must immediately send a medical certificate to the Student Registry and before returning to the University must submit to the Student Registry a certificate stating that there is no longer any danger of infection being conveyed to other persons.
- 3.6 All students must perform with reasonable diligence the work required of them, including attendance at such formal instruction, seminars and tutorials, and examinations or any form of required assessment, and performance of such written or practical work, vacation work and departmental tests as the heads of the appropriate departments may prescribe.

### **4. QUIET PERIOD DURING UNIVERSITY EXAMINATIONS**

- 4.1 In order not to disturb examinations or students' private study and revision time, all members of the University community are required to observe the Quiet Period. The Quiet Period will commence at the beginning of the last week of the Easter vacation and finish after the last undergraduate examination is completed in the Summer term.
- 4.2 During this period no noisy activities must take place in any college or other venue close to examination rooms or residence or study accommodation. The exception to this is by special negotiation and for short periods, in the Great Hall Complex.

- 4.3 Colleges or societies wishing to organise events during the Quiet Period must seek special permission from the relevant College Dean, the University Dean or the Head of the Student Registry.
- 4.4 Fines which are imposed by College Deans for infringement of noise regulations will be automatically doubled during the Quiet Period.
- 4.5 Notices publicising the regulations concerning the Quiet Period shall be distributed by the Student Registry to all departments and colleges over the signature of the University Dean prior to the commencement of the Quiet Period.

## **5. FINANCIAL REQUIREMENTS TO BE MET**

- 5.1 Debts in respect of lodgings, residence charges, fees, fines, compensation for damage or loss or any other financial obligation must be met by the due date.
- 5.2 In particular, every student becomes liable for the full sessional tuition fee upon registration, and payment must be made according to the schedule given. It is a condition of the acceptance of registration that a binding undertaking to meet all university charges should be made.

The University may refuse to register a student who, on request before or at the time of registration, is unable to show that they have or may reasonably expect to have the means to pay their fees and meet other financial commitments whilst a student. If fees are to be paid by a sponsor direct to the university, evidence must be produced at the time of registration or as soon thereafter as it is received. Tuition fees are not normally refunded to or in respect of a student who withdraws or is excluded during the session.

- 5.3 The University reserves the right not to grant a degree, diploma or certificate where academic fees are still owing to the university, or where reasonable arrangements for their discharge has not been made, accepted and adhered to. Students participating in exchange programmes sponsored by the university, who at the end of the period of study away are in academic debt to the host institution, shall normally be deemed to be in academic debt to Lancaster. Academic debt is considered to be any debt relating to the student learning experience. Primarily this constitutes tuition fees, but the University reserves the right to deem other unpaid academic related fees as academic debt.
- 5.4 It is a condition of the grant of a degree, diploma or certificate that there are no uncompleted disciplinary procedures against the student. The university will take all steps necessary to ensure that disciplinary procedures are not unreasonably delayed.

### **Debt Recovery Procedure**

- 5.5 Students shall receive notification of any amount due to the University. The notification will set out the amount payable and the due date(s). Failure to make payments due may result in action listed in 5.10 below. Payments shall be made in a form specified by the university and a receipt will be given on request.



- 5.6 If at any time after registration students encounter unforeseen financial difficulties they shall consult Credit Control in order to discuss if alternative payment arrangements are available, or their College Residence Officer in relation to a residence debt. Failure by the student to meet agreed alternative arrangements may lead to measures listed under 5.10 below. Students may contact the Student Based Services for information, advice and guidance on budgeting and any statutory or discretionary financial support which may be available.
- 5.7 All students personally liable for specified amounts should make payments by the due date. Any student who has overpaid will receive a refund.
- 5.8 After the due date the university will initiate procedures to collect outstanding debt. Students who have not paid debts will receive reminders requesting payment.
- 5.9 All students who, after 30 days have elapsed, have neither paid the debt nor agreed arrangements to do so, shall be subject to further debt recovery procedures.
- 5.10 The Debt Recovery process may include the following action(s) depending on the nature of the debt:
- 5.10.1 staff within the University making further investigations;
  - 5.10.2 the issue of warning letter(s), with a deadline;
  - 5.10.3 administration/late payment changes in relation to residence debts;
  - 5.10.4 exclusion from any degree ceremony;
  - 5.10.5 withholding of official degree certificate;
  - 5.10.6 suspension of registration for a period of twelve months;
  - 5.10.7 termination of membership of the University.
- 5.11 No action described above shall prevent the university or its appointed debt collector, from taking appropriate legal action to recover amounts owed to it instead of, or in addition to, the procedures described above.

#### **Appeal to the Vice-Chancellor**

- 5.12 Any student whose membership of the university is terminated as a consequence of the application of the procedures under 5.5 to 5.10 will have the right of appeal to the Vice-Chancellor under Statute 21 and Ordinance 7.

## **Part II: Procedure and Penalties**

### **6. CLASSIFICATION OF BREACHES OF DISCIPLINE AND PROCEDURES**

The following procedures apply to the different categories of breaches of discipline set out below.

- 6.1 A breach of a College rule will be dealt with in accordance with the procedure laid down by the individual College rules of the College concerned subject to Rule 11.1 below.
- 6.2 A breach of the requirements of Rule 3.5 is also described as an academic offence, and will be dealt with by the Standing Academic Committee, or by the Part I or Part II review bodies, in accordance with procedures laid down by the Senate.
- 6.3 Payment (including non-payment) of residence fees and other charges due to the University is dealt with under the University Financial Regulations. If a separate breach of discipline has been identified that shall be referred to the appropriate College Dean.

### **7. ENFORCEMENT OF THE RULES**

For the purpose of securing the enforcement of the Rules of the University and Colleges, the following officers and tribunals are appointed by the University with the powers and responsibilities set out in these Rules.

- 7.1 Each College has a College Dean, who is a member of the University appointed by the governing body of the College and responsible for the supervision of College discipline and for arranging for the investigation of alleged breaches of the College Rules, College Deans are also responsible for summary disposal of such cases, except in cases or classes of cases withdrawn from college consideration by the University Dean in accordance with Rule 8.
- 7.2. There is a Dean of the University and a Deputy Dean, who are members of the University appointed by the Senate on the nomination of the Senior members of the University's Disciplinary Committee for a period of between three and five years, to be extended on agreement between the Disciplinary Committee and the Postholder subject to confirmation by Senate. Any power or duty of the University Dean may be exercised by his or her deputy. The University Dean has the power, after consultation with the College Dean concerned, to withdraw cases or classes of cases from College consideration. The University Dean also has the power to determine that a case is required to go to a University Tribunal for cases which require outcomes greater than that available to the university dean. The University Dean is responsible for the investigation of such cases and for their presentation to the University Tribunal. The University Dean is responsible, for the summary disposal of alleged breaches of discipline. The University Dean is also required to investigate, in accordance with the procedure set out in Appendix A to these rules, allegations of the use of unfair means in connection with examinations.

- 7.3 (a) The University Secretary or their nominated deputy, in agreement with the University Dean or their nominated deputy, and the Students' Union President or a nominated Sabbatical Officer, shall have powers to exclude for a period of up to thirty days, pending further appropriate investigations and/or a Tribunal hearing, a person whose continued presence on University premises is deemed to constitute a threat to life, limb or well-being and/or criminal damage to property. Exceptionally the agreement of two members will suffice. Where, exceptionally, it is considered by the University Secretary that suspension for a period of thirty days may be inadequate the decision over whether a suspension should be imposed and, if so, the period of any suspension should be taken by the Vice-Chancellor.
- (b) A person so excluded shall be notified in writing of the terms of the exclusion and their right of appeal under Statute 21 of the University, and the letter shall also document the steps that have been taken in reaching the decisions. Such an appeal, which shall be from the exclusion order itself or from the terms of the exclusion, should normally be lodged as soon as possible but in no circumstances with a delay of more than ten working days from the receipt of the letter. An appeal should be heard no more than fourteen days after it (the letter of appeal) has been lodged. Where the decision to suspend is made by the Vice-Chancellor under Rule 7.3(a) the appeal will be heard by an ad hoc committee comprised of three members of the University Council, none of whom shall be employed by, or be a student of, the University. In appropriate circumstances an appeal for right of redress can also be made.
- 7.4 The University reserves the right, with due notice, to withdraw a guarantee of accommodation on campus under exceptional circumstances. A person so refused accommodation may appeal against the decision. Appeals must be made in writing within fourteen days of the notification of withdrawal of campus accommodation. The Secretary of the University will decide whether or not to grant a personal hearing. The Secretary's decision shall be final.

## **8. SUMMARY PROCEDURE**

- 8.1 Whenever a Dean has established that there appears to be evidence that a breach of the University Rules has been committed by a particular student, the Dean will (unless they decide to take no action) call the student to a hearing. Students summoned to such a disciplinary hearing may be accompanied by their college tutor, a friend, a LUSU representative or a member of University support staff. Failure, without good cause, to appear on the due date and time when summoned by a Dean will attract an automatic fine of £50.
- 8.2 In the hearing the Dean will inform the student of the University Rule(s) alleged to have been broken, explain the procedure set out in this rule including the student's right to remain silent and then ask the student to respond to this. In the light of the student's response if any to the alleged breach of the University Rules the Dean may, at his or her discretion, determine the nature of a particular allegation as being one which should be referred to the University Dean. Alternatively, the Dean may consider it to

be more appropriate to offer the student the opportunity of dealing with the alleged breach of the University Rule by way of summary disposal. Appeal against this decision shall be to the Provost for Student Experience, Colleges and the Library.

- 8.3 Where the University Dean decides to deal with an alleged breach of the University Rules by way of summary disposal under Rule 8.2, or under Rule 7.2 or where the person investigating the alleged breach of a University Rule refers the case to the University Dean the procedure for the hearing of a case by way of summary disposal shall be that set out in Ordinance 10, set out below. In no case shall the University Dean act as an investigator of an alleged breach of the University Rules where he or she is to hear an allegation by way of summary disposal.
- 8.4 The penalties which may be imposed are:
- (i) a fine not exceeding in total £250, or £300 for tampering with firefighting equipment, safety equipment or disability equipment or use of a naked flame in University residences. Damage to smoke detectors, firefighting, safety and disability equipment, and hoax calls to the Fire Brigade will attract the maximum fine;
  - (ii) a fine, subject to the maximum figures set out in (i) above, suspended in whole or in part for a defined period;
  - (iii) an order for the payment of compensation for damage or loss;
  - (iv) exclusion from University residences or from a particular part of the University or a facility associated with the breach of discipline for a specified period;
  - (v) a warning about future behaviour;
  - (vi) a requirement on the part of the student to write a letter of apology to the person(s) affected by his or her actions;
  - (vii) any combination of the above, or other penalty deemed appropriate and commensurate with the breach.
- 8.5 A student who has had any penalty imposed on him or her under Rule 8.4 may appeal against the finding that the relevant University Rule had been breached or against the penalty imposed by the University Dean or both to the Provost for Student Experience, Colleges and the Library. Any such appeal will only be heard where it is alleged by the student concerned that:
- (i) there was a procedural irregularity during the summary disposal hearing; or
  - (ii) there is new evidence which could not reasonably have been brought to the attention of the University Dean at the time the decision was made by him or her; or
  - (iii) where it is argued by the student concerned that the penalty imposed by the University Dean was excessive in relation to the particular breach of the University Rules.
- 8.6 **Procedure at a Summary Hearing held by University or College Dean**
1. The student should be notified by the investigator of an allegation that he or she has broken a particular part of the Rules of the University or a College Rule.

2. The hearing is irrespective of whether the student admits the substance of the alleged breach of discipline made against him or her.
3. The student will be permitted to see any documentary evidence relied upon by the investigator.
4. The student may be accompanied at a hearing by a friend, a College tutor, a Students' Union representative or a member of University support staff.
5. Both the investigator and the student will enter the room in which the summary disposal hearing is to be held and leave it at the same time.
6. At the start of the hearing the student should be asked by the Dean whether or not he or she admits the alleged breach.
7. If the student admits the breach the Dean should ask whether the student wishes to say anything about the circumstances of the breach of the Rules which might be relevant to the appropriate sanction to be imposed.
8. If the student does NOT admit the alleged breach the person who has investigated it will outline why the student is suspected of it.
9. The student will be invited to question the investigator.
10. The student will then be invited to say why he or she does not agree with the investigator who has alleged a particular breach of the Rules.
11. The investigator may question the student.
12. The student should have the final say before a decision is made by the Dean.
13. The Dean will make a decision on whether the student has broken the relevant Rule.
14. The Dean may invite the investigator or the student to raise any issue as to the appropriate penalty.
15. The Dean will determine the appropriate penalty.
16. The Dean will inform the student that he or she may appeal the decision on the finding or on the penalty imposed in accordance with the University Rules.
17. The Dean should keep a note of his or her reasons for the finding and penalty and give those reasons to the student in writing within ten days of the hearing.

## 9. THE UNIVERSITY TRIBUNAL

- 9.1 There shall be a University Tribunal (hereafter referred to as the Tribunal) which shall hear cases presented to it by the University Dean or Deputy Dean:
- (a) when the alleged breach of discipline is of such gravity that the University must act;
  - (b) when the student is offered and chooses the Tribunal rather than summary disposal. In this case only, and notwithstanding Rule 9.8 below, the penalties available to the Tribunal shall be those available to the University Dean had they dealt with the allegation by way of summary disposal.
- 9.2 (a) The Tribunal shall consist of five members, at least one of whom should be of the same sex as the student, as follows:
- (i) one member (and one alternate) of the Committee of the Senate, appointed by it for each academic year, to act as chairman, and as alternate;
  - (ii) two further members of the academic/academic-related staff (and two alternates), appointed by the chairman acting with the Deputy Vice-Chancellor;
  - (iii) two student members (and two alternates), appointed by the Trustees of the Students' Union for each academic year.
- (b) There shall be a Clerk and a Deputy Clerk to the Tribunal, who shall be senior members of the administrative staff and whose appointments shall be confirmed by the Senate.
- 9.3 The following persons are not eligible to serve as members of the Tribunal or as its clerk: Vice-Chancellor, Pro-Vice-Chancellors, the Secretary of the University, the Principal of the student's College, the University and College Deans and their deputies, the Head of Security, the Trustees of the Students' Union, and the Sabbatical Officers of the Students' Union.
- 9.4 Persons from the following categories only shall be eligible to serve as members of the Tribunal under Rule 9.2 (a)(ii):
- (i) past principals of colleges over the previous five years;
  - (ii) past senior tutors of colleges over the previous three years;
  - (iii) senior members of the Senate appointed by the Senate for each academic year.
- 9.5 All senior members and alternates are eligible for re-appointment for as long as they remain employed by the university; student members are eligible for re-appointment for as long as they are registered students of the university.
- 9.6 The quorum of the Tribunal is three, including the chairman or alternate, and decisions may be taken by majority verdict if the members of the Tribunal present at a hearing are unable to agree unanimously. For reasons of majority decisions, the Tribunal will avoid sitting with four members.
- 9.7 The Tribunal, acting within the normal principles of natural justice, shall determine its own procedures, within the detailed procedures set out in the following framework.

- (a) The Dean or Deputy Dean shall notify the Clerk in writing of the identity and location of the student, the nature of the alleged breach of the University Rules to be considered, the means that have been taken so far to decide the matter, and the reasons why the hearing of the Tribunal is required, together with supporting documents as appropriate.
- (b) The Clerk or Deputy Clerk, acting with the Chairman or alternate, shall set up a meeting of the Tribunal as soon as possible but no later than twenty-eight days after receipt of the appropriate paper in term-time, and no later than forty-two days in vacation. The expenses of student members, the student appearing before the Tribunal and witnesses shall be reimbursed if a hearing takes place outside the stated term-time dates of the university.
- (c) The meeting of the Tribunal shall be suspended or terminated by the Clerk should the student's case be brought to a Court of Law within the periods specified in (b).
- (d) As early as possible during twenty-eight days or less the Clerk or Deputy Clerk shall inform the student in writing:
  - (i) that they are to be called to a hearing and the nature of the alleged breach of the University Rules;
  - (ii) that they may bring with him or her a friend (as set out in Rule 8.1) to support him or her;
  - (iii) that they may either submit information in writing or present it verbally at the hearing, or both;
  - (iv) that they may call witnesses whose identity should, as far as possible be notified to the Clerk prior to the hearing.
- (e) When the date of the hearing has been arranged, the Clerk or Deputy Clerk shall by no later than seven days in advance of the hearing despatch a notification to the members of the Tribunal and the University Secretary of the date, time and place, and a notification to the University Dean and the student(s) of the date, time and place, of the identity of the members, and the deadline by which information (if any), is to be submitted in writing (the date to be no later than three days in advance of the date of the hearing).
- (f) The University may, if the gravity or complexity of the case requires this, appoint legal representatives to advise the Tribunal, and may further agree, at the request of the University Dean, to appoint legal representatives to support the presentation of the case. In either of these circumstances the student(s) shall be informed in advance that such action has been taken, with appropriate details. In this case only, the University may consider a request by the student concerned for a contribution towards their legal expenses.

The student may appoint legal representatives at his or her own expense, provided that the student informs the Clerk in writing that they have done so, with appropriate details.

If any of the above legal representation has been appointed, the timing of the hearing may be varied by agreement of the Chairman to take account of their availability.

- (g) Both the University Dean and the student(s) may call witnesses if their evidence is material to the case in hand. The University Dean should ensure that their names and addresses are submitted in advance to the Clerk of the Tribunal. The Chairman may exercise discretion about the number of witnesses either side can call, subject to a statement being made at the beginning of the hearing about how this discretion had been exercised.
- (h) Wherever possible, the business of the Tribunal shall be transacted in a single hearing. The members of the Tribunal may however call an adjournment, either at the members' instigation or at the request of either the University Dean or the student(s). The report of the Tribunal's proceedings (see below) shall include an account of why and on what terms such an adjournment was called.

The chairman shall forthwith declare to all parties that an adjournment has been called, giving reasons and stating the period. The Clerk shall then arrange a further hearing, once again notifying all parties as detailed in paragraph (e).

- (i) At the hearing of the Tribunal the Chairman shall read out the allegation against the student made by the University Dean and the University Dean or Deputy Dean shall lay out the evidence. The student may question the Dean or any of the witnesses called by the Dean. The student shall present evidence. The Dean may question the student. The Tribunal shall decide at its discretion if evidence presented by either side is admissible. Members of the Tribunal may question both the University Dean and the student. Both the Dean and the student shall then be invited to make a final statement.
- (j) The University Dean or Deputy Dean, the student and their friend, (as described in Rule 8.1 above) along with any legal advisers present shall then withdraw. The clerk of the Tribunal shall also withdraw.
- (k) The Tribunal, acting by itself, shall discuss the evidence before it and decide:
  - (i) that there is no case to answer;
  - (ii) that the student has not committed a breach of the University Rules as alleged;
  - (iii) that the student has committed a breach, in whole or in part, of the University Rules alleged against him or her;
  - (iv) in the case of (iii) what the penalty should be, which shall be proportionate to the breach of discipline committed but before doing so shall permit the student, before the re-convened Tribunal, to explain any mitigating circumstances.
- (l) The Tribunal shall reconvene with its members, the clerk, the University Dean or Deputy Dean, the student and friend (as described in Rule 8.1 above), and any legal representatives and the chairman shall:



- (i) announce the findings of the Tribunal; and
    - (ii) pronounce the penalty, if applicable.
  - (m) In the case of several students, all of whom are alleged to have breached one or more of the University Rules on the same occasion, they shall normally be heard together.
  - (n) The chairman shall supply a copy of the decision and the reasons for it to the clerk. The Clerk shall keep a written summary of the proceedings and shall supply a copy of the agreed decisions (and where Rule 9.7(k)(iii) applies, the reasons) to all those present and other relevant university officers, within 7 days of the date of the hearing.
- 9.8 The Tribunal may impose one or more of the following penalties if Rule 9.7 (k)(iii) applies and subject to Rule 9.1(b) above.
- (a) The exclusion of the student, permanently or for a stated time, from the university or from a stated part of it, subject to his right of appeal under Statute 21.
  - (b) A recommendation to the Senate, where appropriate to the nature of the breach of discipline, to refuse to grant a degree, diploma or certificate either permanently or until specified conditions are fulfilled.
  - (c) A recommendation to the Senate to withdraw the grant of a degree, diploma or certificate already conferred (Charter, Clause 4 (h)).
  - (d) Requirement to pay a fine within a stated period or to compensate for and/or make good damage or loss within a stated period.
  - (e) A formal reprimand which shall remain as part of the record of the student.
  - (f) A warning to the student(s), for a stated period, to be of good behaviour, the penalty stated to come into effect only if the conditions of the warning e.g. not to enter particular premises, are not adhered to. The Tribunal shall state at the time of the warning whether such imposition of the penalty shall require a further sitting of the Tribunal and may exercise its discretion to delegate the enforcement of the penalty to a stated officer.
- 9.9 Any of the above penalties may be imposed on a conditional basis and be capable of being rescinded by the Chairman of the Tribunal on the continued good behaviour of the student over a stated period.
- 9.10 An appeal against the findings of the Tribunal may be lodged by the student(s) on any of the following grounds:
- (a) the Tribunal had no jurisdiction or was improperly constituted;
  - (b) the student was prejudiced by a failure of the Tribunal or its officers to follow the procedures as set out above or by a breach of the requirements of natural justice;

- (c) the penalty was excessive in relation to the breach of discipline;
- (d) exceptionally, substantial new evidence, not previously available to the student(s) or notified to the Tribunal, is identified.

9.12 In the case of an appeal being lodged, the Deputy Vice-Chancellor, acting with the University Secretary, the chairman of the Council and the Trustees of the Students' Union, shall appoint an Appeal Committee ad hoc.

- (a) The Appeal Committee shall consist of:
  - (i) a lay member of the Council to act as chairman;
  - (ii) one senior member of the Committee of the Senate;
  - (iii) one student member.
- (b) There shall be a Clerk to the Appeal Committee normally the Deputy Clerk or another senior member of the administration not already involved.

9.13 The Appeal Committee shall model its procedures on those of the Tribunal as detailed in Rule 9.7, consistent with observing the rules of natural justice and the proper communication to all parties concerned of its mode of operation and its decision.

9.14 The decision of the Appeal Committee, which shall be final (subject only to a student's right of appeal under Statute 21), may consist of:

- (a) the overturning of the original decision, with reasons given in writing;
- (b) the confirmation of the original decision;
- (c) the referral to another Tribunal hearing;
- (d) a reduction or an increase in the penalty exacted.

## **10. ANNUAL REPORT OF THE OPERATION OF THE UNIVERSITY RULES TO BE MADE TO THE SENATE**

The University Dean shall make a report to the Senate annually to advise the Senate on the exercise by the University Dean and the College Deans of the power given to the Senate by Statute 12(k) to 'regulate the discipline of the students of the University'.

## **11. IMPLEMENTATION OF THE UNIVERSITY RULES BY INDIVIDUAL COLLEGES**

11.1 The University Dean shall ensure that, in the exercise of their powers under the University or College Rules the Colleges apply the procedures set out in Rules 8.0-9.9 with the necessary modifications. A College Dean may decide to appoint one or more assistant deans to hear alleged breaches of the respective College rules but in no case shall a person dealing with a summary disposal also be the investigator of that or those alleged breaches.

11.2 The penalties available to College Deans shall in no case exceed those available to the University Dean.

11.3 A student who has had any penalty imposed on him or her by way of a College summary disposal may appeal against both the finding that a relevant University Rule had been breached or against the penalty imposed

by his or her College Dean or both the finding and the penalty to the University Dean. Any such appeal will only be heard where it is alleged by the student concerned that:

- (i) there was a procedural irregularity during the summary disposal hearing; or
- (ii) there is new evidence which could not reasonably have been brought to the attention of the College Dean at the time the decision was made by him or her; or
- (iii) where it is argued by the student concerned that the penalty imposed by the College Dean was excessive in relation to the particular breach of the University Rules.

Further appeal may be brought under the authority of Rule 8.5.

11.4 A student against whom a penalty has been imposed by a College Tribunal may appeal against the finding or the penalty imposed, or both to the University Tribunal on the following grounds:

- (a) the College Tribunal had no jurisdiction or was improperly constituted;
- (b) the student was prejudiced by a failure of the College Tribunal or its officers to follow the procedures as set out above or by a breach of the requirements of natural justice;
- (c) the penalty was excessive in relation to the breach of discipline;
- (d) exceptionally, substantial new evidence, not previously available to the student(s) or notified to the College Tribunal, is identified.

Subject to Statute 21 (and Ordinance 7) there shall be no further right of appeal from the University Tribunal.

11.5 Individual College Deans shall make a report to the first meeting of the Discipline Committee in each academic year. The Discipline Committee shall consider each individual report and decide whether any action is required to be taken to ensure that there is a consistency of approach across all the Colleges. Such reports will form part of the annual report made by the University Dean to the Senate (as required by Rule 10).

## **12. COMPLETION OF PROCEDURES LETTER**

A student who has a right of appeal (under Rules 7.4(b), 7.5, 8.2, 8.5, 9.10, 11.3, 11.4 or under Statute 21) shall be issued with a Completion of Procedures letter by, or on behalf of, the University Secretary. This letter will indicate that should the student remain aggrieved about the decision relating to him or her following an appeal made by that student any further complaint may be made to the Office of the Independent Adjudicator, with contact details.

## **APPENDIX A: MALPRACTICE IN UNDERGRADUATE AND POSTGRADUATE EXAMINATIONS AND COURSEWORK**

### **A.1 DEFINITION AND FORMS OF ACADEMIC MALPRACTICE**

The University values a culture of honesty and mutual trust (academic integrity) and expects all members of the University to respect and uphold these core values.

Academic malpractice is an academic offence for a candidate to commit any act designed to obtain for himself or herself an unfair advantage with a view to achieving a higher grade or mark than he or she would otherwise secure. Any attempt to convey deceitfully the impression of acquired knowledge, skills, understanding, or credentials, shall represent a contravention of Rule 6 of the University, and may constitute grounds for exclusion.

#### **A.1.1 Cheating in examinations and class tests**

Occurs when a candidate communicates, or attempts to communicate, with a fellow candidate or individual who is neither an invigilator or member of staff; copies, or attempts to copy from a fellow candidate; attempts to introduce or consult during the examination or test, any unauthorised printed or written material, or electronic calculating or information storage device; or mobile phones or other communication device, or personates or allows himself or herself to be impersonated.

#### **A.1.2 Collusion**

Occurs where a piece of work prepared by a group is represented as if it were the student's own. This can also occur by enabling a fellow student to obtain academic credit to which they are not entitled. This includes providing material, especially electronic copies of work, or performing all or part of an assigned task so that unfair advantage or credit may be obtained by another student.

#### **A.1.3 Plagiarism**

Is understood to include, in whatever format it is presented, including written work, online submissions, group work or oral presentations, the following:

- 1.4.1 the act of copying or paraphrasing a paper from a source text, whether in manuscript, printed or electronic form, without appropriate acknowledgement (this includes quoting directly from another source with a reference but without quotation marks);
- 1.4.2 the submission of all or part of another student's work, whether with or without that student's knowledge or consent;
- 1.4.3 the commissioning or use of work by the student which is not his/her own and representing it as if it were;
- 1.4.4 the submission of all or part of work purchased or obtained from a commercial service;
- 1.4.5 the submission of all or part of work written by another person, whether by another member of the University or a person who is not a member of the University;

- 1.4.6 reproduction of the same or almost identical own work, in full or in part, for more than one module or unit of assessment of the same Lancaster University programme of study;
- 1.4.7 directly copying from model solutions/answers made available in previous years.

#### **A.1.4 Fabrication or falsification of results**

Occurs when a student claims to have carried out tests, experiments or observations that have not taken place or presents results not supported by the evidence with the object of obtaining an unfair advantage.

### **A.2 GUIDELINES FOR USE OF ELECTRONIC DEVICES IN UNIVERSITY EXAMINATIONS**

- A.2.1 The use in examinations of electronic calculators and other portable micro computing and electronic devices (hereafter shortened to 'electronic devices') will only be allowed when permission has been granted by the appropriate department, subject (where appropriate) to the approval of the external examiner(s) and prior consultation with those students taking the course. Any change in a department's regulations for the use of electronic devices in examinations shall be announced not later than the beginning of the Lent term.
- A.2.2 Carrying a mobile phone, or similar electronic device such as a pager in an examination is an academic offence. If a candidate has such a device, it should be switched off and placed at the perimeter of the room with the candidate's other belongings, or handed to an invigilator.
- A.2.3 Electronic devices under A.2.1, where permitted, must be of the hand-held type, quiet in operation, compact and having their own power supply. External or user-written programs, or storage media, and/or instruction manuals may not normally be taken into the examination room and students must be able to demonstrate that internal user storage has been cleared before the start of the examination. Candidates shall be entirely responsible for ensuring that their electronic devices are in good working order (e.g. fully charged), and for making alternative provision (e.g. slide rule) in case the instrument should fail.
- A.2.4 Where required by a department, and so indicated on the examination question paper, candidates shall state the make and model of their electronic device on the examination script.
- A.2.5 In setting questions for examinations in which candidates may use their own electronic devices examiners should take careful account of the different potentialities of such devices, and require candidates to show sufficient intermediate calculations to demonstrate that they understand what they are calculating.
- A.2.6 Candidates shall not be allowed to borrow electronic devices from each other during examinations.
- A.2.7 Departments, with the agreement of external examiners (where relevant) and after consultation with the students concerned, may introduce supplementary regulations (additional to these general regulations) for

particular examinations. Such regulations may specify or limit the types and facilities of electronic calculators or other electronic devices which can be used in particular examinations.

### **A.3 PROCEDURE IN CASES OF SUSPECTED MALPRACTICE IN UNDERGRADUATE AND POSTGRADUATE EXAMINATIONS**

- A.3.1 If a student is suspected of an academic offence under Section A.1.1, the invigilator shall at once telephone the Head of the Student Registry (or nominee) who will immediately go to the examination venue to investigate and will also inform the University Dean (or the Deputy Dean) or the relevant Academic Officer of the incident. The student will be permitted to continue the particular examination in which he or she is suspected of malpractice, but the invigilator will request that the student remains behind at the end of the examination for interview by the Head of the Student Registry (or nominee), at which a representative of Lancaster University Students' Union shall be invited to be present and written notes will be made. If after this preliminary interview it is clear that no offence has taken place then the investigating officer(s) shall take no further action. If it is decided to carry out a formal investigation the student shall be informed of this but also told that he or she will be permitted to complete all the examinations he or she would normally take at that stage in his or her course. The invigilator shall, immediately after the examination, provide the Head of the Student Registry with a written report giving full details of the alleged offence and enclosing any material evidence relevant to the case. The report and any material evidence shall be submitted to the Head of the Student Registry, who shall inform the head(s) of the student's major department(s) and, if different, of the department responsible for the examination.
- A.3.2 On receipt of the report, the University Dean or relevant Academic Officer shall investigate the alleged offence, making such enquiries as he or she sees fit and with access to all relevant documents. The student shall be interviewed and asked whether he or she wishes to say anything or to provide any information relevant to the alleged offence. If after preliminary investigation the University Dean or Academic Officer is not satisfied that there is a prima facie case to answer, he or she shall inform the student and the other parties concerned, and the matter shall end there. If the University Dean or Academic Officer is satisfied that there is a prima facie case to answer, he or she shall formally notify the student in writing of the charge and inform him or her that the case will be referred to the Standing Academic Committee of the Senate.
- A.3.3 Approval by an examination board of a degree classification shall not prevent the reasonable application of retrospective review - see A.6.

## **A.4 PROCEDURE IN CASES OF SUSPECTED MALPRACTICE IN UNDERGRADUATE AND POSTGRADUATE COURSEWORK**

### **A.4.1 Definition of roles relating to suspected malpractice including plagiarism in assessed coursework and tests**

#### **4.1.1 Academic Marker**

Each Academic Marker identified as such by a department or equivalent shall be responsible for providing an appropriate mark and feedback for student work. They shall report where appropriate on cases for which they have marking responsibilities to the relevant Academic Officer, and produce evidence in support of such a claim. Where the Academic Marker is not permanently employed by the University in an academic position then these responsibilities shall be upon the named Module Convenor or relevant Head of Department.

#### **4.1.2 Academic Officer**

Each department or equivalent shall designate one academic member of staff, to be known as the Academic Officer, who shall take responsibility for the investigation of and subsequent action where appropriate for academic malpractice in coursework at undergraduate and postgraduate levels. The Academic Officer shall include reporting cases of poor academic practice or malpractice and keeping a written record of all cases of alleged academic malpractice.

#### **4.1.3 Student Registry**

Student Registry shall be responsible for recording or providing the means for Academic Officers and Academic Markers to record all alleged and detected cases of academic malpractice, including plagiarism in coursework and cheating in examinations. Student Registry shall also provide information and other support to Academic Officers to assist them in discharging their duties; communicating information between departments about academic malpractice as appropriate; and offering assistance and advice to Academic Officers about procedures and best practices.

#### **4.1.4 LU Students' Union**

Any student who is alleged to have been involved in an act of academic malpractice shall have access to LU Students' Union support and advice at all stages in the procedures that follow, and appropriate LU Students' Union staff may accompany the student in any meetings or correspondence with the department, an Academic Officer or the Standing Academic Committee.

#### **4.1.5 Standing Academic Committee**

The Standing Academic Committee of the Senate shall hear cases:

- (a) referred to it by an Academic Officer;

- (b) relating to offences where the student does not accept the decision of the Academic Officer on the grounds of proper procedures having not been followed;
- (c) relating to alleged multiple offences after the Senate deadline for the final submission of coursework (or postgraduate equivalent). The Committee's decisions shall be informed by the seriousness of the offence rather than by the time of year.

The Committee shall in all instances where it hears a case use the procedures set out in A.5.

#### **A.4.2 Procedures dealing with academic malpractice and poor academic practice in coursework**

4.2.1 All academic markers shall make a positive effort to identify poor scholarship practices, plagiarism or academic malpractice, in all assessment items. This is a responsibility of their academic employment and a vital part of delivering the high quality learning experience that students expect.

4.2.2 Academic markers shall, when concern is identified, use their judgement to decide if some form of **poor academic practice** or some form of **academic malpractice** has occurred.

##### **4.2.3 Dealing with poor academic practice**

4.2.3.1 Where it is decided that student work displays some form of poor academic practice but not malpractice the academic marker will deal with this as part of the normal feedback and assessment procedures. The academic judgement of the academic marker may be that the poor academic practice should lead to a significant reduction in the mark awarded. The student must be informed of the nature of the problem and why it is unacceptable and a note of '**poor academic practice**' shall be recorded by the department in the LUSI Student Record.

4.2.3.2 Where the student work displays some form of poor academic practice as above, but the student has not taken note of previous advice of similar problems, then the student must be informed of the repeated problems, be required to meet with their Director of Studies and an '**academic warning**' shall be recorded by the department in the LUSI Student Record.

##### **4.2.4 Dealing with academic malpractice**

4.2.4.1 Where the Academic Marker believes that academic malpractice in the form of plagiarism has occurred then they may, as prescribed in the University's Plagiarism Framework, choose to deal with this within the normal feedback and assessment procedures by 'striking out' all the plagiarised material and assessing the work on what remains. Where this is done the student must be informed and guided towards appropriate advice. A record of 'Poor academic practice' or 'Minor plagiarism' or 'Major plagiarism' will be recorded by the department in the LUSI Student Record as appropriate. Where the Academic Marker does not believe this is appropriate or suspects that some other form of academic malpractice has occurred



then the case should normally be referred to the Academic Officer as the first step in an investigation.

#### 4.2.4.2 Hearings by the Academic Officer

When informed of a case of possible academic malpractice the Academic Officer shall conduct an investigation of the matter and arrange for a Hearing with the student. The Hearing shall include the Academic Marker and at least one other (non-academic) staff member from the student's department who should take a record of the Hearing.

##### *Prior to the Hearing:*

- (a) The student should be encouraged to be accompanied by a friend (e.g. a LU Students' Union representative or College personal tutor).
- (b) The student should be able to review any documentary evidence prior to any hearing, including in the case of plagiarism any Turnitin reports or coursework annotated by the Academic Marker.
- (c) The Academic Officer shall check in the LUSI Student Record System for any previous offences.

##### *At the Hearing:*

- (a) The student will be asked to respond to the allegations regarding their work and may also wish to consider if there are any mitigating circumstances which should be made known to the Academic Officer.
- (b) The Academic Officer may ask the Academic Marker or course convener to present evidence.

#### 4.2.4.3 Outcomes of a Hearing

The Academic Officer may decide that the appropriate action after hearing any case is that:

- (a) no action of any kind will be taken. Where appropriate this may mean that the Academic Marker shall be instructed to mark the work normally;
- (b) the matter should be considered as a matter of poor academic practice and dealt with as described in 4.2.3;
- (c) the student will be required to submit an alternative piece of work and such work shall be eligible to receive only the minimum pass mark appropriate to the student's programme of study. If the student refuses or fails to repeat and resubmit the work, a mark of zero or equivalent grade shall be recorded;

- (d) that no form of resubmission should be allowed and a mark of zero or equivalent grade should be recorded for the work;
- (e) that the case should be referred to the Standing Academic Committee because of its serious nature, or there being repeated offences.

4.2.4.4 The Academic Officer should inform the student of his/her decision as soon as possible and at latest, in writing within seven days. Where appropriate the record of 'Poor academic practice', 'Plagiarism' or 'Academic malpractice' will be recorded by the department in the LUSI Student Record.

4.2.4.5 Where multiple offences are discovered after the Senate deadline (or postgraduate taught equivalent) the case shall be referred to the Standing Academic Committee.

4.2.4.6 If the student does not accept the decision of the Academic Officer, he/she shall have the right to appeal it to the Standing Academic Committee, at which he/she shall have the right to be heard, accompanied by a representative if desired.

## **A.5 THE STANDING ACADEMIC COMMITTEE OF THE SENATE**

A.5.1 The Standing Academic Committee shall investigate all cases of alleged academic malpractice referred to it by the University Dean or relevant Academic Officers and determine whether an academic offence has been committed.

A.5.2 The Standing Academic Committee shall consist of three members (including the Chairperson), each representing a different faculty. In no case may a serving member of the Standing Academic Committee be a member of any of the departments in which the student has studied, or is studying, or be a witness for the Academic Officer or for the student.

A.5.3 The procedures of the Standing Academic Committee shall be as follows.

- (a) All hearings shall be held in private.
- (b) The Committee will be convened with all possible speed. Once the time, date and place of its meeting are known the referred student shall be informed in writing:
  - (i) that he or she is to be called to a hearing;
  - (ii) of the nature, date and time of the alleged offence;
  - (iii) that he or she may present evidence in his or her defence orally at the hearing and/or in writing;
  - (iv) that he or she may be accompanied by a friend who will normally be a member of the University;
  - (v) that he or she may call witnesses to support his or her case (whose identity must be notified to the secretary of the Committee prior to the hearing in order that their attendance can be assured).

- (c) The Committee shall have the power to adjourn, continue or postpone an investigation at its discretion but shall at all times endeavour to complete its examination of the matter at the earliest opportunity. If the student does not appear on the date and time or at the place appointed, reasonable notice having been given, the Committee may proceed to investigate the matter in his or her absence.
- (d) If the student wishes to admit the charge, he or she may do so in writing to the secretary of the Committee. In this event the student will be advised that he or she should still appear before the Committee for the formal presentation of evidence by the University Dean or relevant Academic Officers and for examination of the evidence by the Committee.
- (e) If the student wishes to deny the charge, he or she shall so inform the secretary of the Committee once notice of the hearing has been received. If no letter of admission is received, it will be assumed that the charge is denied. The University Dean or relevant Academic Officer shall present the case in person to the Standing Academic Committee.
- (f) The Committee may hear evidence in any way it sees fit. This includes the testimony of witnesses, and the production of documents or other relevant material evidence. The University Dean or relevant Academic Officer and the student (or the person accompanying the student) shall be entitled at the hearing to make an opening statement, to give evidence, to call witnesses, to cross examine witnesses and to address the Committee.
- (g) The Committee will find the charge proven if all or all but one of its members agree, on the evidence before it, that it is beyond all reasonable doubt that the offence was committed. If the Committee does not find the charge proven, it shall inform the student and all parties concerned immediately, and the matter shall end there. If the Committee finds the charge proven, it may take one of the following courses of action, as appropriate:

#### **Malpractice in examinations**

- (i) decide that no further action is required;
- (ii) require the student to resit the examination in which he or she cheated and if deemed appropriate other examinations or units of assessment;
- (iii) award a mark of 0 or equivalent grade for the examination;
- (iv) award a mark of 0 or equivalent grade for the entire unit of assessment;
- (v) direct that the student be awarded a classification lower than the one derived from the mark profile (after any 0 mark or equivalent grade awarded under (iii) or (iv) has been included);
- (vi) direct that the student be awarded no more than a Pass degree;
- (vii) in addition to one of (ii) to (vi) temporarily exclude the student from the University;

- (viii) permanently exclude the student from the University without a degree;
- (ix) exceptionally not impose a specific penalty, but refer the case to the appropriate board of examiners with a full statement of findings together with suggestions for appropriate action (see A5.6).

### **Malpractice in coursework**

The Standing Academic Committee, having considered the evidence shall have the authority to confirm the recommendation for permanent exclusion, subject to A5.5 or to impose one of the following penalties:

- (x) to permit the student to repeat the work, subject to receiving only the minimum pass mark appropriate to the piece of work;
- (xi) to award zero or equivalent grade for the work in question;
- (xii) to award zero or equivalent grade for the whole coursework or dissertation;
- (xiii) to award zero or equivalent grade for the unit or course module;
- (xiv) to award zero or equivalent grade as under (iv) and, where the inclusion makes no difference to the class of award, to recommend that one class lower than the one determined by the arithmetic be awarded;
- (xv) to exclude the student permanently from the university, where the offence is detected before the final assessment is completed;
- (xvi) not to award the degree, where the offence is detected after the final assessment has been completed.

A.5.4 The Standing Academic Committee shall act on behalf of the Senate and the Committee of the Senate, and its decisions (subject to A5.5) shall be binding on boards of examiners.

A5.5 Any student excluded either temporarily or permanently under any of A.5.3(h) shall have the right of appeal to the Vice-Chancellor under Statute 21 using the procedures set out in Ordinance 7.

### **A5.6 Procedure where the Standing Academic Committee refers a case of malpractice in an examination to a board of examiners**

Any student found by the Standing Academic Committee to be guilty of an academic offence under Section A.1.1, and whose case is referred to a board of examiners, shall have the right to submit to the board a written plea in mitigation but he or she shall not have the right to appear or to be represented by another before the board. Boards of examiners have absolute discretion to take into account, in making their decisions, such evidence as they may consider relevant to a student's academic performance and to decide whether to call for further oral or written evidence. They may also take into account, but shall not be bound by, the suggestions of the Standing Academic Committee. In considering the suggestions of the Standing Academic Committee, the decisions of boards of examiners shall be subject to ratification by the Committee of the Senate.

## **A.6 RETROSPECTIVE DETECTION**

- A.6.1 Retrospective detection is defined as the discovery of alleged plagiarism or other academic malpractice in work that has been subject to final moderation, including by a relevant board of examiners.
- A.6.2 The University shall reserve the right to review work as defined in A6.1 and to apply the appropriate procedures and, where reasonable, the appropriate penalties.
- A.6.3 Where there are reasonable grounds to review work, the relevant Academic Officer shall initiate the process and shall have the right to require the student to resubmit work that has been finally assessed, and to refer the matter to the Standing Academic Committee with a recommended sanction.
- A.6.4 The Standing Academic Committee shall, in addition, have the right to require retrospective review of any assessed work of candidates referred to it under the above procedures.
- A.6.5 Failure by the candidate to produce the required material shall normally be treated by the Standing Academic Committee as leading to the assumption that the material had, in part or in whole, been plagiarised.

## **A.7 APPEALS AGAINST PENALTIES FOR ACADEMIC MALPRACTICE**

### **A.7.1 Malpractice in UG and PGT examinations**

Where the Committee of the Senate or the body or officer with delegated authority from Senate approves the recommendation of a board of examiners that a degree or other University qualification shall not be awarded, and where this recommendation does not include the opportunity for re-assessment, a student may appeal under the Academic Appeals procedures as defined in the chapter on Academic Appeals.

### **A.7.2 Malpractice in coursework**

A student who has been excluded from the University, either permanently or for a stated time, or who has been adjudged by the Standing Academic Committee to have committed academic malpractice, shall have the right of appeal under the Academic Appeals procedures as defined in the chapter on Academic Appeals.

## **A.8 MALPRACTICE IN RESEARCH DEGREE SUBMISSIONS**

### **Applicability**

- 8.1 For the degrees of:
- (a) DSc, DLitt, PhD (including by published work), DClinPsy, MPhil, MD; and
  - (b) for the degrees of MRes, MA, MSc, LLM, MMus, if relating to a scheme of study validated for such awards on the basis of research and titled 'By Research'.

The definition of malpractice is as set out above and includes cheating in examinations (if applicable), plagiarism in the thesis or dissertation (including in published works if submitted for the award of a Ph.D. by published work), and fabrication of results

- 8.2 In addition, for the purpose of the above awards, plagiarism shall be deemed to include unacknowledged or unattributed concepts, proposals, interpretations, methodologies or conclusions, which take place beyond the verbatim reproduction of texts or material without explicit identification of source or reference.

### **8.3 Submission of material for examination**

Candidates shall be required to submit, in addition to the soft-bound copies of the thesis or dissertation, a copy of the text and related data or images, in a recognised electronic format: floppy disk, or CD-ROM in a recognised word-processing format only. Such electronic format, which must be submitted simultaneously with the soft-bound copies, shall be retained securely by the Postgraduate Studies Office, in the event that the examiners might need to refer to such electronic copy for the purposes of textual analysis or other scrutiny, including by the use of software. Such electronic copy shall be returned to the candidate, in acknowledgement of his/her copyright, when the award has been approved by the university.

### **8.4 Departmental code of practice**

Each department or equivalent may prepare guidelines, relevant to the discipline involved, for publication to the candidate on first registration for the award, concerning the appropriate presentation of text and data in a thesis or dissertation.

### **8.5 Guidance to examiners**

This regulation shall be issued to all examiners for the awards set out above. In the event that the examiners find evidence of a breach of the university regulations, involving plagiarism as defined above, the examiners shall not make an award but shall instead report on their findings to the Director of the Graduate School or nominated deputy. Such a report shall set out the evidence that plagiarism has taken place and shall normally include a recommendation for outright failure with no opportunity for resubmission or re-examination.

### **A.8.6 Standing Academic Committee**

- 8.6.1 The report under 8.5 above shall be referred to the Standing Academic Committee, who shall set a hearing, at which the candidate shall be invited to be present in person and to be accompanied by a friend (a member of the University). The Committee shall test the recommendation of the examiners and the evidence of plagiarism presented by them, and receive any other information submitted by the candidate and/or on his/her behalf at its absolute discretion. A written record shall be kept.
- 8.6.2 In the event of the candidate being unable or unwilling to be present, and one deferment having taken place, the hearing shall take place in the absence of the candidate, who may however submit written information in explanation or mitigation of the allegation(s) presented.
- 8.6.3 The panel, having completed the above procedures, shall adopt one of the following conclusions:
- (i) the accusation of plagiarism is unfounded, the candidate's examination is void, and the candidate shall be examined as for the

- first time by a new panel of examiners, at a date to be determined;  
or
- (ii) the accusation is upheld, such that the candidate is deemed to have failed with one opportunity for revision and resubmission at a date to be determined, for re-examination for the award originally sought, by the same examination team; or
  - (iii) the accusation is upheld, such that the candidate is deemed to have failed outright and shall be recommended for exclusion.

**A.9** A candidate who is deemed to have committed plagiarism, and the procedures above having been applied and conclusion (iii) having been reached, shall have a right of appeal against exclusion under the Academic Appeals procedures as defined in the Chapter on Academic Appeals.

## APPENDIX B: VEHICLE REGULATIONS

Owners and drivers of motor vehicles using University roads, car parking areas or any part of Lancaster University do so at their own risk and no liability is accepted by the University in respect of any loss, theft, accident, damage or injury suffered or inflicted by such persons or vehicles.

'Motor Vehicle' in these regulations means any vehicle which under the Vehicle Excise Acts is required to display a registration number and excise license when used upon the public highway other than Motorcycles which are exempt but which must not obstruct pavements or marked parking bays.

*\* NB Regulations marked in italics applicable all the time.*

1. Annual parking permits may be purchased by members of staff, university contractors (separate permit) and tenants, non-student campus residents and by those students who have provided satisfactory evidence of need. Student entitlement will be determined by the Security Operations Manager according to the published criteria.
2. *It is an offence for anyone to register a vehicle on behalf of a prohibited person.*
3. *Anyone who brings a motor vehicle onto Lancaster University premises, or allows a motor vehicle to be brought onto Lancaster University premises, is bound by these regulations as a condition of entry to the site.*
4. *Anyone who parks a motor vehicle on (a) an area marked with yellow paint in hatched design denoting a place providing emergency access or (b) double yellow lines, will be liable to receive a Civil Parking Notice with a fee of £75. This regulation operates 24 hours a day - 7 days a week.*
5. Anyone who parks a motor vehicle in a marked parking bay which is located in an area marked "Authorised parking only" (or words to that effect) and who fails to have displayed in the parked vehicle the appropriate authorisation (an appropriate roundel issued by the Car Parking Office) will be liable to receive a Civil Parking Notice with a fee of £75. This regulation operates between the hours of 8.00 am and 6.00 pm Monday to Friday only.
6. Anyone who parks a motor vehicle in a marked parking bay which is located in an area marked "Pay and Display parking only", "Visitor Parking only" (or words to that effect) and who fails to have displayed in the parked vehicle a valid pay and display ticket issued by a Lancaster University pay and display machine or a valid scratchcard issued by the Car Parking Office will be liable to receive a Civil Parking Notice with a fee of £75. This regulation operates between the hours of 8.00 am and 6.00 pm Monday to Friday only.
7. Anyone who parks a motor vehicle anywhere on campus who fails to have displayed in the parked vehicle the appropriate authorisation (an annual parking permit issued by the Car Parking Office, a valid pay and display ticket issued by a Lancaster University Pay and Display machine or a valid scratchcard issued by the Car Parking Office) will be liable to receive a Civil Parking Notice with a fee of £75. This regulation operates between the hours of 8.00 am and 6.00 pm Monday to Friday only.



8. *Anyone who parks a motor vehicle in any place other than in a marked parking bay upon a metalled surface, will be liable to receive a Civil Parking Notice with a fee of £75. This regulation operates 24 hours a day - 7 days a week.*
9. *Anyone who is not a registered disabled person, who parks a motor vehicle upon (a) a space designated for use by disabled persons by the painting on the road surface of the disabled logo or (b) the entrance of a ramp provided for the access of persons in wheelchairs, will be liable to receive a Civil Parking Notice with a fee of £75. This regulation operates 24 hours a day - 7 days a week.*
10. *Anyone who parks a motor vehicle upon a space in an area marked as "Visitor & Priority parking", "pay and display" (or words to that effect) and who fails to clearly display either (a) TWO valid annual parking permits issued by the car parking office, (b) one valid car sharing permit issued by the car parking office, (c) a valid ticket issued by a University pay & display machine, or (d) a scratch card issued by Security will be liable to receive a Civil Parking Notice with a fee of £75. This regulation operates between the hours of 8.00 am and 6.00 pm Monday to Friday only.*
11. *Any vehicle left upon the campus and parked in such a position whereby danger was likely to be caused to any other road user – pedestrian, cyclist or vehicle driver – or where because of the position in which it was parked damage was likely to be caused to University property or grasslands, may be towed away to the nearest safe position and the owner charged a reasonable amount. This regulation operates 24 hours a day – 7 days a week.*

12. Appeal Procedure

An appeals procedure is in place for anyone who is subject to a Civil Parking Notice and wishes to appeal it. Details of the Appeals Procedure can be found at <http://www.lancaster.ac.uk/car-parking>.

13. Cycling

*The University encourages cycling as an environmentally friendly way of commuting to and from the University.*

*Cycles must be left in the provided stoops/racks or the lockable cages in some of the newer buildings.*

*Chaining cycles to railings or other street furniture is no longer acceptable and will be controlled by Security.*

*Ultimately where cycles are continually left in unacceptable places they will be subject to being removed to Security Reception for storage until collection. There will be a charge of £10 in these cases. Unclaimed bicycles will be donated to a local recycling charity if not claimed after 8 weeks from removal.*

*This regulation applies 24 hours per day, 7 days per week.*

## APPENDIX C: COMPUTER USER AGREEMENT

### SCOPE:

This agreement applies to:

- all users of services provided by, or for which access is facilitated by Lancaster University (“users”);
- any equipment, facilities or Services (“the resources”) owned by, or for which access has been facilitated by Lancaster University (“the University”);
- in cases where systems and services used are owned by other bodies, and to which access has been provided by Lancaster University, the regulations of both bodies apply. In the event of a conflict of the regulations, the more restrictive takes precedence.

### SECTION A: USE OF RESOURCES

In consideration of being allowed to use the computing facilities and services of Lancaster University, users agree:

- A1.** That the resources authorised are for my own use: they will not be given or lent to anyone else. I accept that I am responsible for all use of the resources accessed by my username. I understand that the resources are provided to support University learning, teaching, research, administration and for consultancy work contracted to the University. I note that I may make limited personal use of University ICT infrastructure and services provided that such use is not connected with unauthorised commercial activity; and that it complies with University policies & regulations; and that it is lawful.
- A2.** To comply with and respect UK copyright legislation.
- A3.** Not to copy, use, retain, modify or disseminate all or any part of information and software that may unintentionally become available to me.
- A4.** Not to affect (or attempt to affect) the efficiency, security or integrity of University ICT systems or allow them to be compromised.
- A5.** That evasion (or attempted evasion) of security mechanisms and deliberate eavesdropping are forbidden, unless using systems and networks specifically established to support teaching and research into IT Security.
- A6.** To keep secure all restricted or personal University data, whether held on University systems or personal mobile devices, through appropriate authorisation and/ or encryption methods as described in the University Information Security policy and associated processes.
- A7.** That all my use of the JANET computer network will comply with its [conditions of acceptable use](#)<sup>1</sup>.

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<sup>1</sup> <http://www.ja.net/documents/publications/policy/aup.pdf>

- A8.** That access to Lancaster University ICT may be monitored and/or recorded for legal purposes and to ensure its effective use. Lancaster University is obliged to comply with its statutory obligations under the Prevent Strategy for counter-terrorism.
- A9.** That all use of University ICT systems should comply with University regulations and UK Law. In locations outside the UK, the laws of that country will also be applicable. In the event of a conflict of legislation, the more restrictive takes precedence.

## SECTION B: INFRINGEMENT

I agree that if, in the opinion of such person or persons<sup>2</sup> as may from time to time be appointed by the University for this purpose, my use of the resources contravenes any provision in this agreement, or is in breach of any rules in force for the time being, the University may summarily withdraw access to the resources. Any dispute arising from such action by the University, or arising from other provisions of this agreement will be handled under the appropriate disputes and appeals procedure within the University.

## SECTION C: DISCLAIMER

Other than as provided in the Data Protection Act

- C1.** The University accepts no responsibility for the malfunctioning of any equipment or software, nor failure in security or integrity of any stored program or data.
- C2.** No claim shall be made against the University, its employees or agents in respect of any loss alleged to have been caused whether by defect in the resources or by act or neglect of the University, its employees or agents.

## SECTION D:

- D1.** This agreement is supplemental to the general practice and regulations of the University.
- D2.** Subject to Section B, my use of the resources under this agreement is limited to my period of membership of the University.

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<sup>2</sup> Director of ISS and Faculty or University Deans or their delegates.

## SECTION E: APPLICABLE LAWS AND POLICIES

I agree to conform to the requirements of the [Data Protection Act](#)<sup>3</sup>

### Applicable statutes:

- [The Copyright, Designs and Patents Act \(1988\)](#)<sup>4</sup>
- [The Data Protection Act \(1998\)](#)
- [The Computer Misuse Act \(1990\)](#)<sup>5</sup>
- [Obscene Publication Act 1959 & 1964](#)<sup>6</sup>
- [Regulation of Investigatory Powers Act 2000](#)<sup>7</sup>
- [Freedom of Information Act 2000](#)<sup>8</sup>

### Applicable Policies

- The UK's Education and Research Network [JANET Acceptable Use Policy](#)<sup>9</sup>
- Eduserv's [Code of Conduct](#)<sup>10</sup> for the Use of Computer Software or Data
- Lancaster University [Green ICT Policy](#)<sup>11</sup>

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<sup>3</sup> <http://www.hmso.gov.uk/acts/acts1998/19980029.htm>

<sup>4</sup> [http://www.legislation.hmso.gov.uk/acts/acts1988/Ukpga\\_19880048\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/acts/acts1988/Ukpga_19880048_en_1.htm)

<sup>5</sup> [http://www.legislation.hmso.gov.uk/acts/acts1990/Ukpga\\_19900018\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/acts/acts1990/Ukpga_19900018_en_1.htm)

<sup>6</sup> [http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1964/cukpga\\_19640074\\_en\\_1](http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1964/cukpga_19640074_en_1)

<sup>7</sup> <http://www.opsi.gov.uk/acts/acts2000/20000023.htm>

<sup>8</sup> <http://www.opsi.gov.uk/acts/acts2000/20000036.htm>

<sup>9</sup> <http://www.ja.net/company/policies/janet-aup.html>

<sup>10</sup> <http://www.eduserv.org.uk/chest/conduct.html>

<sup>11</sup> [http://www.lancs.ac.uk/iss/green/ITPC\\_Policy\\_Jan\\_10.pdf](http://www.lancs.ac.uk/iss/green/ITPC_Policy_Jan_10.pdf)

## **APPENDIX D: CODE OF PRACTICE ON FREEDOM OF SPEECH**

Section 43 of the Education (No. 2) Act 1986 requires that each University establishes a Code of Practice, and imposes a duty upon every individual and body of persons concerned with the governance of the University to take such steps “as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers”.

The University Senate has agreed that the Code should be reviewed and this has been done. The University Council has therefore approved the following revised Code of Practice on Freedom of Speech within the University’s premises:

### **1 General Principles**

- 1.1 The University is committed to the principles of free enquiry and of free speech within the law. These principles mean that rigorous debate is perfectly proper and acceptable and we must therefore be tolerant of a wide range of views and opinions on social, economic, political and religious issues, however unorthodox, unpopular, uncomfortable, controversial or provocative. But any action, publication or speech must be lawful.
- 1.2 The University is obliged by law to take reasonable steps to ensure that freedom of expression is secured for students, staff and visiting speakers. The University is also obliged by law to ensure that academic staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or any privileges they may have at the University. However, the rights of members of the University and visitors must be exercised within the law and will therefore be subject to restrictions in the interests of promoting equality, diversity and the avoidance of violence and damage to property. Any action taken by the University must be a reasonable response to the potential or actual threat to the rights of individuals and must be proportionate to the situation.
- 1.3 The principle of freedom of expression within the limits of the law requires that those expressing one viewpoint should also respect the right of others to express a contrary view.
- 1.4 In pursuance of its duties as laid down in Section 43 of the Education (No. 2) Act 1986, the University has adopted this Code with a view to taking steps to ensure that freedom of speech within the law is secured for members of the University and for all persons authorised to be on University premises including visiting speakers duly invited in accordance with this Code.

### **2 Range and Application**

This Code applies to all meetings and events (including lectures, seminars, committee meetings and musical and theatrical performances) on any premises wherever situated of which the University has title or possession, by freehold, leasehold, licence or otherwise, including Colleges, Chancellor’s Wharf, the Chaplaincy Centre and “The Sugar House” and any such other premises as appropriate. Notwithstanding that the University Secretary may from time to time

prescribe procedures for operation of the Code, which require formal arrangements with the University authorities for certain types of meeting or other event, the Code also applies to any lawful activities in which members of the University, and visitors duly invited to the University, may engage, anywhere on the University's premises as defined above.

### 3 Responsibilities

#### 3.1 Responsibility of the University

3.1.1 The University is responsible for upholding and maintaining the principles of freedom of expression and academic freedom within the law.

3.1.2 So far as is reasonably practicable, the University will not deny use of University premises to any individual or body of persons on any grounds connected with the beliefs or views of that individual or any member of that body, or with the policy or objectives of that body.

3.1.3 The University shall have the right:

(a) to refuse to provide accommodation

- for any purpose which in its opinion is unlawful or likely to lead to an incitement to commit crimes, or damage to University property or physical harm to persons or a breach of the peace; or
- where the accommodation requested is in the opinion of the University unsuitable for the purpose, on stated grounds; or
- if less than 48 hours' notice is given of the organisational arrangements; or
- on any reasonable ground unconnected with the beliefs and views of the individual or the organisation seeking the booking;

(b) to attach reasonable conditions, including charges for the use of such premises and the payment of a deposit, to such provision. Such conditions may include requirements that tickets be issued, that an adequate number of suitable stewards be available, that the designated meeting or activity be declared 'public' (which would permit a police presence), and/or that a responsible officer of the University, selected by the University Secretary, shall attend the meeting.

#### 3.2 Responsibilities of LUSU

3.2.1 The Trustees of LUSU are responsible for compliance with this Code in respect of all events which are organised, sponsored or booked by the Students Union, its affiliated societies or officers, which take place on University premises as defined in section 2.

#### 3.3 Responsibilities of event organisers

3.3.1 Those who organise, sponsor or book events on University premises will, as a condition of booking, confirm their agreement to comply with all provisions of this Code, with the prescribed procedures and with such reasonable requirements as the University may make. The University will hold them responsible for the proper conduct of the event in accordance with this Code.

3.3.2 Organisers of events in the name of the University elsewhere in the UK will be responsible for the proper conduct of the events in accordance with the principles of this Code.

3.4 Responsibilities of members of the University and others admitted to the University's premises

3.4.1 Compliance with this Code is obligatory on all members of the University; and all persons authorised to be present on University premises.

3.4.2 All those attending an event, whether members of the University or not, must, as a condition of admittance to the event, observe good order. This means that the speaker(s) can be heard clearly. Any conduct which is engaged in with a view to denying the speaker(s) a hearing, including access to or egress from the event and interference with the conduct of the meeting, is contrary to the Code.

4 Procedure

4.1 Where any person to whom this code applies is engaged in the organisation of a meeting or other event to be held on University premises for which there are reasonable grounds to believe that serious disorder is likely to occur, they shall give both the Security Operations Manager and the University Secretary at least 14 days' notice of the event so that consideration may be given to the steps needed to ensure the safety of persons, the maintenance of order and the security of University premises.

4.2 *Reasonable grounds* may be based on: the nature of the speaker or cause, or the nature of the views expressed in the past or likely to be expressed at the meeting. *Serious disorder* would cover, for example, actions to prevent a speaker entering or leaving a building safely, or to prevent a speaker from delivering his/her speech, or a threat to public order in or around the University premises.

4.3 It is recognized that it may not always be possible to predict troublesome situations in advance.

4.4 The University Secretary will grant permission provided that it is shown that all reasonable steps can and will be taken to prevent any infringement of the Code or the law; and such conditions as may be reasonably required will be complied with.

4.5 Where the University Secretary requires the stewarding of a meeting, the organiser is responsible for all costs thereby incurred. The University will also determine the responsibility for any cleaning or repair costs arising from the meeting. Payment in advance or prior evidence of ability to pay towards these costs will be required.

4.6 In addition to the conditions set out in 4.4 above, the University Secretary has discretion to lay down further conditions, if appropriate, after consultation with the police.

4.7 In normal circumstances, the person chairing the meeting or in charge of the event shall decide whether the situation at the meeting or event is such that the proceedings can continue or must be terminated.

- 4.8 Where the organiser has been informed that the University Secretary has appointed a responsible officer of the University to attend that meeting the organiser must obey all the instructions regarding the conduct of the meeting given to him by the officer. The responsible officer has ultimate authority over the actual conduct of the meeting (e.g. he/she may specify what items can or cannot be taken into the meeting, require the removal of any person from the meeting, and if necessary terminate the meeting).
- 4.9 The organiser or chairperson will co-operate with the University Secretary, if requested to do so, in facilitating protests without undue disruption to the event.
- 4.10 If not satisfied that adequate arrangements can be made to maintain good order, permission for the meeting, event or activity to take place may be refused or withdrawn by the University Secretary.

## 5 Appeals against decisions made by the University Secretary

- 5.1 If a person wishing to use University premises for the purpose of a meeting is aggrieved by any determination, or the imposition of any conditions, by the University Secretary, he/she shall have the right to appeal in writing to the Vice-Chancellor. In exercising his/her appellate responsibilities the Vice-Chancellor (or such other officer of the University as he/she may appoint) shall have the same power to impose conditions or refuse applications as the University Secretary possesses. If the Vice-Chancellor is satisfied that the organiser(s) of the meeting has taken all reasonable steps to fulfil their financial responsibility for the costs of the meeting he/she may consider rendering appropriate assistance to ensure freedom of speech.

## 6 The Disruption of the Meeting or other Activity

- 6.1 Current staff and students of the University who wish to stage a protest should notify the University Secretary of their intent in accordance with the Code of Conduct on Protests (q.v.). The University Secretary will endeavour to facilitate protests in such a way or ways that the normal working of the University is not unduly disrupted.

This Code of Practice should be read in conjunction with the Approach to the Code of Conduct on Protests.

Fiona Aiken  
27.09.06

Amended 18.1.12



## APPENDIX E: CODE OF CONDUCT ON PROTESTS

### Approach

1. The University's approach to protests is shaped by three main sets of considerations: the law, the humanist tradition, and our commitment to being a community.
2. Several general comments can be made on these sets of considerations:
  - Collectively these considerations play an extremely powerful role in determining how we respond to protests. Although their influence is manifested in different ways, each set is of substantial importance.
  - In general, despite variations in their form, the three sets of considerations are substantially complementary. Having said this, there can be tensions between the three sets and, arguably more importantly, tensions within each set.
  - Of the three sets, the one that is most external to the University and the one over which we have least latitude is the law. Although the humanist tradition is also external to the University, it is quite highly internalised within the University. Furthermore, the University does have substantial latitude, in marked contrast to the law, in how much it chooses to be influenced by this tradition. The commitment to being a community is the most internal of the three sets and as such is the one which we have most latitude to shape.
3. As far as the law is concerned, several main points may be noted.
  - The University is obliged to take reasonable steps to ensure that freedom of expression within the law is secured for members, students, employees and visiting speakers. However, the law also restricts freedom of expression in the interests of promoting equality, diversity and avoidance of violence and damage to property. Any action taken by the University must be a reasonable response to the perceived or actual threat from infringements of the rights of individuals or the law and must be proportionate to the situation.
  - While the University has its own set of rules and while there might be a marked preference for handling allegations of misconduct within our own system, the law of the land is unequivocally sovereign. Under no circumstance can the University provide immunity against the law or ignore or condone behaviour that is at odds with the law.
  - While the University must remain within the law, there are areas in which the law – until it is finally tested – is not always unequivocally clear. Lack of clarity comes from a variety of factors, including: laws can qualify each other; interpretation of the law, which plays a very important role, can change over time; some key concepts of the law are difficult to define with absolute precision and consequently their meaning may be contested.
  - The University is empowered by the Charter and Statutes to formulate internal, domestic rules and procedures for the University community. In this context, the University has evolved both a substantial body of rules and procedures and a system of investigation and of disciplinary action when these rules and procedures are deemed to have been transgressed.

4. As far as the humanist tradition is concerned:
  - the University has grown out of and is strongly committed to an intellectual and moral tradition that values highly inter alia: diversity, pluralism, representation, tolerance, fairness, dignity, protection of the individual and respect for the rule of law. There is in this context a striking complementarity to the law in that all of these values are basic values underpinning the British constitutional order;
  - within this tradition, the University is strongly committed to being a place in which there is freedom to express controversial or unpopular views, to engage in critical debate, and to express dissent. While controversy and dissent are welcomed and supported, they are, however, not seen as ends in their own right – controversy and dissent must remain within the law.
  
5. A feature of Lancaster University, which is highly valued by its members, is its strongly developed sense of community. This has a number of important ramifications.
  - By dint of emphasising a commitment to community, there is a strong appreciation of the obligation to recognise and respect the views and activities of others within the community. This commitment to mutual respect and tolerance is, in particular, antithetical to behaviour that harasses or intimidates others.
  - A second major pillar of this community ethic is a concern, whilst not stifling conflict, to try explicitly to avoid the development of confrontations, marked by zero-sum conflicts.
  - A third and final manifestation of the highly developed sense of community is a commitment to rely as extensively as possible on self-regulation and self-policing. Furthermore, it is expected that self-policing will display in highly developed form all of the positive hallmarks of 'community policing', including extensive use of negotiation and of consensus building.
  - With generally well institutionalised patterns of behaviour, with high levels of mutual respect, and with substantial stores of knowledge about individuals and groups and the circumstances in which they find themselves, the University is well placed to deploy informal means of conflict resolution.

### **Guidelines**

1. Influenced in particular by the humanist tradition, the University recognises that protest can be a legitimate mode of expression of dissent and can be a constructive force for change. The University, therefore, unequivocally supports the principle of protest.
2. Influenced by the requirement to remain within the law and by the commitment to maintain a sense of community, the University is opposed to protests that break the law, incite breaking the law, or disrupt the normal working of the University.
3. Influenced in particular by the commitment to community, the University will, wherever possible, attempt to facilitate protests such that they do not contravene the law or disrupt the normal working of the University.

## Procedures

1. All the procedures set out below require the exercise of judgement and discretion by officers of the University. This will require evaluating, in a reasonable and proportionate way, aspects of a protest (including its membership, its focus, its duration, its frequency, its level of disruption) against the three considerations of the law, the humanist tradition and the commitment to community.
2. All protests should where possible be notified in advance to the Registrar of Meetings. It is, however, accepted by the University that its members may on occasion participate in spontaneous protests for which advance notice is not given and this would not be seen as prejudicial.
3. The University reserves the right to forbid a protest. Protests can be forbidden, however, only in a limited set of circumstances: when they involve legally proscribed groups, when insufficient guarantees can be provided that the protest will remain within the law, when the estimated cost of facilitating the protest is deemed to be disproportionate, or when there is a reasonable likelihood that the protest will lead to damage to persons or property.
4. The Registrar of Meetings will endeavour to facilitate protests such that protests can take place without disrupting the normal working of the University or moving outside the law. This will involve discussion between the Registrar of Meetings and representatives of the protest – a process which the University encourages and which explains the University's preference for or requirement of advance notification. The facilitation of protests typically may entail a discussion of the site or route for the protest, or the conveying, as appropriate, of information from the protestors to the target group, or, again as appropriate, asking the target group whether it might be addressed by some of the protestors. This list is not exclusive.
5. While the University is in principle supportive of protests and endeavours wherever possible to facilitate protests such that they remain within the law and do not lead to the disruption of the normal working of the University, there may be occasions on which alleged transgressions of what is deemed to be legitimate protest may take place. Minor transgressions should be dealt with informally. More serious alleged transgressions, which can be encompassed within the University's rules and procedures, will be handled within the University's disciplinary system. Those transgressions that fall outside the University's sphere of competence (either because they involve persons who are not current staff or students or because they contravene the law) may require police action, which in turn may lead to a response by the Crown Prosecution Service. Any individual has the right to contact the police and consequently may do so at any time without seeking prior approval from any University authority. Any contact with the police on behalf of the University (other than for operational necessity by the Head of Security) should be conducted through the office of the Vice-Chancellor. In this context, the Vice-Chancellor, over and above gathering information, will consult both with senior officers of the University and at least one member of Senate, who is not a senior officer, prior to an approach to the police.

Fiona Aiken – University Secretary  
Clive Barker – Nominated by Amicus  
Tony Evans – Head of Security  
Andrew Lucas – Nominated by AUT  
Bob McKinlay – Deputy Vice-Chancellor  
David Sugarman – Nominated by Law School

Sue Altham – Nominated by TGWU  
Reuben Edwards – University Dean  
Mike Hannis – Nominated by LUSU  
Marion McClintock – Academic Registrar  
Penny Park – Nominated by UNISON

27.4.06

## **APPENDIX F: INTELLECTUAL PROPERTY: REGULATIONS**

(These regulations apply equally to students and staff, and have been approved by the Senate (S.2004/7) and the Council (CO.2004/15) on that basis.)

### **Preamble**

1. Academic work and research often gives rise to expression of ideas, know-how, software, inventions, designs, or processes. Rights in and to these are known as intellectual property. Staff and students have the potential to create such property at any time during their work or studies.
2. The rules set out below shall apply to all members of the university, including to all students. Employees have employment contracts that contain ownership of intellectual property created by virtue of the terms of their employment. Students whose primary relationship with the university is that of an employee shall be treated on the same basis as all other employees.
3. In general, the student as creator of the work first owns any intellectual property they create. There are, however, a few exceptions to this: Some UK Research Councils specify that any intellectual property arising from studentships that they fund is vested in the university: See point 7.
4. The University is obliged to ensure that intellectual property with commercial potential, arising from research or work supported by public funds, is protected and exploited wherever possible. The exploitation of intellectual property (which for the purposes of these rules includes know-how) arising from other contracts and projects is usually governed by commercial agreements between the parties involved, and these may include students.
5. The means of commercial exploitation of intellectual property may include inter alia both the licensing use of the property to third parties and the creation of spin-out companies, established by the University to use and promote its intellectual property.

### **Regulations**

6. Students may create intellectual property in the course of their studies at the University. Students shall be offered the opportunity to assign their rights to and in such intellectual property to the university by completing a statement at matriculation. Following such assignment the university shall become the owner of the relevant intellectual property and shall be able to deal in and license it. Any student who for any reason did not assign at matriculation shall continue to have the right at any time to assign any of his or her intellectual property rights in whole or in part to the University.
7. Students who are sponsored or funded by any UK Research Council or other third party shall, depending on the terms of the sponsorship or funding in each case, if so required assign or agree to assign (as appropriate) their intellectual property rights created during the course of such sponsored or funding work to the third party or to the University. If the student has however told the university prior to the commencement of the work that they are not willing to assign any of their intellectual property, the University shall have the right to move such a student to a project which is unlikely to produce commercially exploitable intellectual property. If

no such alternative opportunity exists, the university shall be under no obligation to keep open that student's funded place.

8. All students (and employees) shall be able to benefit from the exploitation of intellectual property arising from their work during a course of studies or as a result of a research project.
9. In all appropriate circumstances the university shall endeavour to acknowledge fully the contribution of individuals to the creation of any intellectual property and, subject to any restrictions necessary for commercialisation of it, shall permit the creator to use the intellectual property for scholarly purposes i.e. the publication, copying or other dissemination of books, articles, data or conference papers, or contributions to the same for academic or study purposes, the term to be continued in the light of the common understanding of the phrase in higher education.
10. When any student creates intellectual property that has the potential for commercial exploitation and which belongs to the University or which the individual is obliged to assign either to the university or a third party, the student and/or their supervisor shall report it to the relevant head of department and the University Secretary, whether or not the assignment of rights has so far taken place. At this stage all parties shall maintain strict confidentiality. Students shall be obliged not to disclose any confidential information shared with them by an employee of the university, as if they were themselves employees.
11. Where a student has not assigned their rights to any intellectual property, but some has been created, the University Secretary shall notify that individual about whether they are free to exploit or commercialise such intellectual property within six months of the initial report of the intellectual property (see point 10).

For the avoidance of doubt, this regulation is to cover circumstances under which a student may have co-rights with the university.

12. If the university decides not to exploit a particular piece of intellectual property it shall, on request and pursuant to point 10, assign the rights to the inventor who created it, subject to a non-exclusive, royalty-free, irrevocable, worldwide license back to the university for use in research and development. The university shall require payment of a small annual royalty from any subsequent commercial income as a contribution towards the costs of its commercial operations and to the administrative costs associated with drawing up the assignment.
13. Where the university decides to exploit the intellectual property, it shall hold discussions between the interested parties to determine the appropriate action to be taken. Students or other inventors concerned shall provide reasonable assistance to the process e.g. by providing information promptly on request, attending meetings with potential licensees or investors in spin-out companies, advising on further development, and being available to sign documents as appropriate.
14. The university shall have the right to consult on a confidential basis, with appropriate experts, to assist with the assessment of innovation and commercial potential, and shall keep any university member involved in the creation of the intellectual property informed of such consultation.
15. Where the university owns the intellectual property by virtue either of the terms of employment or by a student's assignment, the student shall receive a fair share of the surplus revenue after the university has recovered the costs of protection and exploitation, as well as public recognition of his or her role in the creation of such

intellectual property. Guidance on the apportionment of the net revenue shall be given by the Director of Research and Enterprise Services (see Appendix).

16. Intellectual property created during the period of a student's registration with the university, that student having assigned his or her rights, or an employee's period of contact, remains under the ownership of the university in perpetuity, and the rights and obligations of the parties continue as set out above. Any property created after the period of registration or contract belongs to the graduate or employee concerned and is not assigned.
17. Where the student is the creator of the intellectual property, he/she may not, in publishing or exploiting it, make use without written permission from the university of any other intellectual property held by the university and acquired by the student in the course of his/her studies or research, or otherwise obtained from the university.
18. The university may, as a condition of involving a student in certain projects sponsored by third parties, require the student to give further undertakings as to confidentiality or the treatment of intellectual property that shall permit the university to comply with its obligations under contracts with such third parties.
19. Subject to point 10, the university shall not suppress a student's results or products of work, and shall not hinder publication of such results for academic purposes, provided that any temporary stays on publication, agreed in consultation with the student, shall have expired.

#### **Appendix: apportionment of benefits from intellectual property**

Subject to the recovery of all costs associated with protection and exploitation, the surplus revenue received in total by the university as the result of exploitation of intellectual property, shall be distributed as follows.

(a) Licence to third parties

A minimum share of 35% of the net revenue on an ex-gratia basis shall be distributed to the persons who created the intellectual property. Where more than one person is involved, payments shall be made in the proportions agreed between them. In the absence of such agreement, the University Secretary, acting on behalf of the university, shall decide.

A maximum share of the net revenue of 50% shall be distributed in aggregate ex-gratia to those persons who created the intellectual property, depending on their respective contributions to the commercial development of it, as determined at its discretion by the university.

(b) Spin-out companies

If the university decides to establish a company to exploit a particular piece of intellectual property, rather than license it to third parties, the circumstances of each such company are likely to need treatment on a case-by-case basis.

Students whose intellectual property is involved in the setting up of a spin-out company shall be kept informed of their rights by the university at all stages and shall receive a share of the benefits on equal terms with any employee of the university.

## **APPENDIX G: SMOKE-FREE WORKPLACE AND PUBLIC PLACE POLICY**

### **Introduction**

The Health Act, 2006 requires that places of work and premises to which the public have access are smoke-free. The mechanisms by which this requirement is to be achieved are contained in Regulations made under the Act. The legislation came into force on 1st July 2007.

### **Objective**

The objective of this policy is to protect the health of staff, students and visitors to the University and to ensure compliance with the legislation.

This policy extends to the practice of vaping for both nicotine and non-nicotine substitutes. Whilst acknowledging that there is no legal basis for this, there is justification:

- None of the equipment or the liquids used to vape are regulated or covered by standards • While some people promote them as a method for smoking cessation there is no clinical evidence that they work for this purpose and no protocol for this use. • Some of the chemicals emitted from them are addictive (nicotine) or toxic (acrolein) or carcinogenic (formaldehyde)
- There is some research evidence that they can adversely and acutely affect the airways
- There is some clinical evidence that they can cause lung disease
- There is no evidence available regarding their long term effects
- There is clear evidence of the potential for secondary vaping, at least with some models of e-cigarette– giving rise to the potential for both adverse clinical effects in the secondary vaper and “tainted” clothing, hair, etc.
- Their use is seen by some as a gateway to tobacco smoking (which may be why some tobacco companies appear to be getting involved in the vaping market)
- Their use is seen as renormalizing smoking
- Their use undermines our existing Smoke Free Policy by giving the potential for confusion between cigarettes and e-cigs and making it less likely that illicit smoking will be challenged

NB. This policy will be reviewed and annually and revised where research evidence in relation to “vaping” becomes available to determine future direction.

### **Policy**

#### **1 Application**

This policy applies to all staff, students, contractors and visitors to the University.

#### **2 Prohibition on smoking in buildings**

It is prohibited to smoke or “vape” in any building owned or managed by the University. The prohibition applies to all enclosed or substantially enclosed areas. The term “substantially enclosed” has been defined by regulation as having a ceiling or roof and openings in the walls that are less in aggregate than half the area of the walls. No account is to be taken of openings in which there are doors or windows

that can be opened or shut. This definition applies to any structure including tents and marquees.

Smokers and Vapers are requested not to smoke or vape outside a building adjacent to the entrance or adjacent to the windows of rooms in which people work.

### **3 Prohibition on smoking and vaping in vehicles**

It is prohibited to smoke or vape in any vehicle which is owned by the University or used on University business except if it is a privately owned vehicle which is being used by the owner.

### **4 Enforcement**

The legislation makes it an offence to smoke<sup>12</sup> in a place where smoking is prohibited. It is also an offence for the person who controls or manages the premises to fail to prevent smoking taking place. The penalties for failing to prevent smoking are more severe than the penalties for smoking. Advice on how to deal with persons who are smoking in contravention of the legislation is given in Appendix 1.

### **5 Signs**

At least one legible no-smoking sign must be displayed in both smoke-free premises and vehicles. Where such signs are displayed this applies to vaping also.

### **6 Assistance to Stop Smoking**

Information on stopping smoking can be obtained by contacting the NHS Smoking Helpline number, which is 0800 022 4 332. The helpline can offer advice and support on stopping. On-line advice can also be found at <http://smokefree.nhs.uk/>

### **7 Implementation**

This policy came into force on 1 July 2007. In common with all other sections of the Manual of Safety it is a policy which forms part of the University Rules and hence the various University disciplinary procedures is used to enforce the policy.

This section of the Manual of Safety was first approved by the University Health and Safety Committee in May 2007 and revised at the meeting held on 27 January 2010 and June 17 2014.

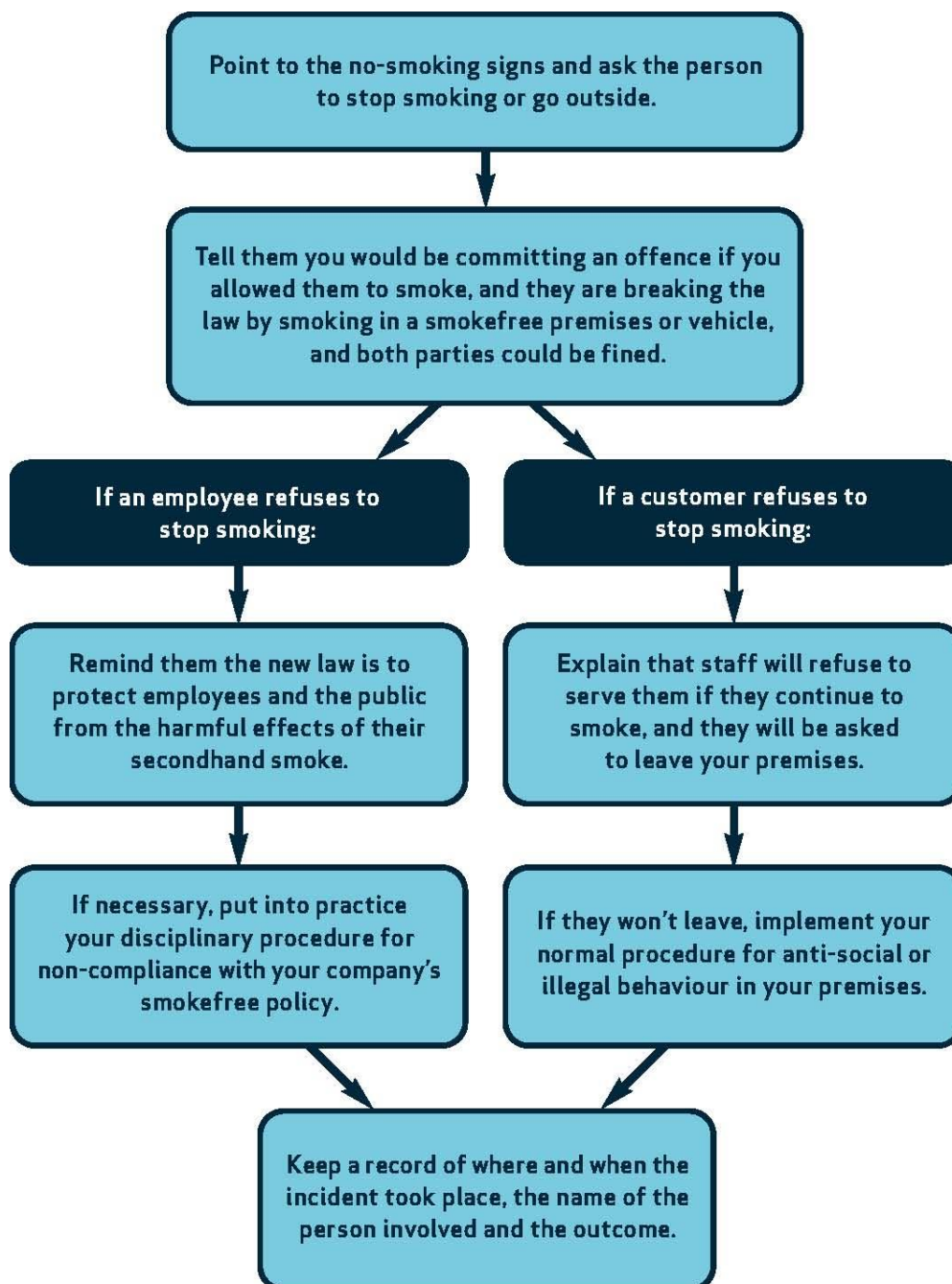
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<sup>12</sup> 1 "smoking" refers to smoking tobacco or anything which contains tobacco, or smoking any other substance, and smoking includes being in possession of lit tobacco or of anything lit which contains tobacco, or being in possession of any other lit substance in a form in which it could be smoked.



## APPENDIX 1: HOW TO DEAL WITH SMOKING IN A SMOKE-FREE PLACE

If you are in charge of smoke free premises and/or vehicles, you will have a legal responsibility to prevent people from smoking in them. If someone does smoke in any premises or vehicles you are responsible for, here are some practical steps you might take to deal with them.



If physical violence is threatened by a person smoking, we suggest you notify and/or seek the assistance from the police.

## **APPENDIX H: THE RULES OF THE LIBRARY**

### **Lancaster University Library**

#### **The Library Rules**

##### **1. INTRODUCTION**

- 1.1 The Library Rules are determined in consultation with the Library Policy Committee and, following approval by Senate or Council, form part of the Rules of the University.
- 1.2 The Library Rules must be observed by everyone using the Library's resources, services and facilities within the Library building or remotely.
- 1.3 The limits, charges and privileges relating to borrowing in these Rules are reviewed and determined at regular intervals in consultation with the Library Policy Committee, and are published on the Library's web pages at <http://libweb.lancs.ac.uk/>
- 1.4 In these Rules the term "book" encompasses all types of library material.

##### **2. USE OF THE LIBRARY**

- 2.1 The Library building is open to all, subject to any restrictions and limitations outlined in these Rules.
- 2.2 Digital information resources are subscribed to under licence agreements with the University. Networked access to such resources is available to:
  - registered students of the University;
  - members of staff of the University (including Emeritus staff);
  - others to whom the University has conferred membership (excluding those whose sole relationship is that of an alumnus).

Access to digital resources by others is limited by licence terms to use at specific PCs within the Library building.

- 2.3 Borrowing privileges are available to:
  - registered students of the University;
  - members of staff of the University (including retired and Emeritus staff);
  - others with formal relationships with the University;
  - individual members of institutions participating in reciprocal borrowing agreements.

Borrowing may be extended to other applicants, including Lancaster University alumni, for an annual subscription charge.

### **3. REGISTRATION**

- 3.1 Current students are registered with the Library through enrolment with the University. University staff are registered through their contract of employment. Others granted borrowing privileges are required to register directly with the Library.
- 3.2 Change of postal or e-mail address must be reported immediately. Students should notify any change of term-time or vacation address via the Registry's online *Student Web Services* and staff through the online *Human Resources Self Service*. Other registered users should inform the Library directly.
- 3.3 Communications from the Library to Lancaster University students and staff will be by email, using the approved Lancaster University email address. Communications to other Library users will by email wherever possible, or, exceptionally, by post.
- 3.4 Communications sent to the last reported address of a user are deemed to have been duly sent.
- 3.5 Borrowing privileges are conferred to registered students and members of staff of the University through the University Card, which is issued to students on registration and to staff during their induction. The Library will issue an External Borrower Card to other individuals to whom borrowing privileges are granted. A University Card or External Borrower Card should be carried on all visits to the Library and is required for borrowing. Cards may only be used by the person to whom they are issued. Any books borrowed on a Card must be surrendered when the period of registration or entitlement ends.
- 3.6 Lost or stolen Cards must be reported. Registered students should report lost University Cards to The Base (Student Based Services) and members of staff to Human Resources. The loss of an External Borrower Card should be reported to the Library. Cards may be replaced on payment of a fee.

### **4. COPYRIGHT AND LICENCES**

- 4.1 Current members of Lancaster University are issued with a username and password on registration. Usernames and passwords must not be deliberately or inadvertently revealed or made accessible to others.

Users of the University's electronic information systems are bound by the University's Computer User Agreement, which may be found in the Rules of the University, Appendix C at <http://gap.lancs.ac.uk/policy-info-guide/5-policies-procedures/rules-of-the-university>

- 4.2 The Library purchases and subscribes to electronic resources on behalf of the University. Under the terms of nationally-negotiated agreements, licences may place limits on who may use electronic resources, the number of concurrent users and the locations from which networked access is permitted. Library users are responsible for ensuring that their use of electronic resources, whether inside or outside the Library, complies with licence conditions.
- 4.3 Electronic resources are licensed solely for learning, teaching, research, personal educational development, and for the administration and management of Lancaster University. They may not be used for consultancy, for purposes leading to commercial exploitation of the data, nor for the benefit of employers of students on industrial placement or part-time courses. Licences should be checked before

electronic resources are used for anything other than reading on screen or the production of single copies for personal use.

- 4.4 Physical and digital publications are protected by copyright legislation which permits the copying of extracts only. Systematic copying of material in any format is prohibited. Copyright guidance is available on the Library's web pages at <http://www.lancaster.ac.uk/library/information-for/students/copyright-information/>. Individuals are personally responsible for observance of copyright legislation.

## **5. BORROWING**

- 5.1 Loan and renewal limits for each category of Library user are determined and published by the Library.
- 5.2 A separate loan record is made for each book borrowed. Users remain responsible for each book borrowed until the loan record is discharged.
- 5.3 All loans must be returned or renewed or presented for inspection on or before the time and date due. Recalled loans are subject to a revised return date as advised in a recall notice and must be returned on or before the revised date.
- 5.4 A user who fails to return a book when it is due or when requested to do so by the Library shall be liable to a fine which will increase with time. The rate of fines is determined and published by the Library.
- 5.5 If fines accumulate to a level determined by the Library, or remain unpaid for a period determined by the Library, borrowing privileges will be suspended until payment is made.
- 5.6 Users are responsible for the care of books loaned to them and will be held accountable for loss of, or damage to, books issued in their name.
- 5.7 Users who mark, damage, lose or refuse to return a book, or have the book stolen whilst on loan, will be sent an invoice for the cost of replacement, fines due and an administration charge. The fines and administration charge will be charged whether or not the book is eventually returned.
- 5.8 Staff and students must return all books borrowed by them and pay any outstanding fines or charges before leaving the University or, in the case of final year undergraduate students, by the day following the end of the Part II examinations. Fines and charges imposed by the Library are regarded as debts to the University.
- 5.9 Books borrowed from the Library may not be taken or sent abroad by borrowers during term-time. As loan demand drops outside term they may be taken abroad during vacation periods subject to prompt return at the user's expense, if required by another reader, and the use of secure postal or courier services as determined by the Library.
- 5.10 Loans obtained from other libraries may be subject to additional conditions imposed by the lending Library in addition to the University Library's Rules.

## **6. USE OF THE LIBRARY BUILDING**

- 6.1 People over the age of 16 may use the Library for reference and reading. Everyone entering the Library must show acceptable proof of identity on request.
- 6.2 Restrictions on conversation or noise in areas of the Library designated as “Silent Zone” or “Quiet Zone” must be observed by all Library users.
- 6.3 Children aged 16 or under who enter the Library (other than those registered on a course at the University) must be accompanied at all times. Those who bring children into the Library are responsible for their safety and for ensuring that they cause no disturbance or damage.
- 6.4 Personal belongings may be brought into the Library at the user’s own risk. The Library is not responsible for loss of, or damage to, personal property. The Library reserves the right to inspect what is brought into the Library and what is taken out.
- 6.5 Laptop computers or portable devices are used in the Library at the owner’s risk. Devices requiring a power supply may only be used at study spaces furnished with (or immediately adjacent to) power sockets, to avoid the safety hazard caused by trailing electrical cables. Computing equipment should be used with consideration for others.
- 6.6 Electrical sockets in the Library must not be used for personal equipment other than laptop computers and similar portable devices.
- 6.7 Conduct adversely affecting the proper use and enjoyment of the Library by others is a disciplinary offence. In particular, it shall be an offence:
  - to attempt to remove a book from the Library without carrying out the proper borrowing procedure;
  - to damage a book in any way, including marking or annotating it or interfering with evidence of the University’s ownership;
  - to cause or participate in a disturbance in the Library or to obstruct Library staff in the course of their duties;
  - to smoke in the Library;
  - to bring hot foods into the Library, or other items likely to damage books or equipment;
  - to make or receive calls on mobile telephones, except in designated areas;
  - to bring animals into the Library, except for guide or assistance dogs;
  - to infringe, by the use of Library facilities or materials, copyright legislation or the terms of any copyright licensing agreement entered into by the University.
- 6.8 All members of the Library staff are empowered to enforce the Library’s Rules.

## **7. INVESTIGATION AND PENALTIES**

- 7.1 Alleged breach of any of the above Rules may be investigated by the Librarian or an authorised deputy.
- 7.2 The Librarian has authority to take disciplinary action, including the imposition of fines or exclusion from the use of some or all Library services, against anyone who infringes these Rules.
- 7.3 Serious or persistent breaches of Library Rules by students may be referred to the University Dean for action under the Rules of the University. Serious or persistent breaches of the Library Rules by members of staff may be referred to the Director of

Human Resources. Formal proceedings may result in withdrawal of privileges, a reprimand, a fine, the imposition of charges for damages, or more serious penalties.

7.4 Where a Library user considers that a fine or replacement charge has been applied unfairly they may invoke the Appeals Procedure outlined on the Library's web pages. Appeals against penalties for more serious breaches of Library Rules may be considered under the provisions of the Rules of the University.

- (a) Libraries operate reciprocal access schemes whereby students and staff may be given privileges to use other libraries, including the British Library. Any offence caused by a member of one institution when using another's facilities may result in disciplinary action by either body, or both.

Rev. 2011-10-19; 2012-03-06; 2016-04-16