

# 2W: Students Speak Up Policy

Academic Services

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## **Introduction**

1. Solent University is committed to the highest standards of openness and integrity.
2. The purpose of this policy is to provide a guide and mechanism by which any student of the University can raise legitimate and genuine serious concerns about the perceived behaviour and activities of staff or other students within the University, without fear of victimisation or harassment or of a detrimental effect on his/her academic results.
3. Issues raised in accordance with this policy will be treated sensitively and confidentially where practicable.
4. Advice on raising a concern under the Students Speak Up Policy can be obtained from the Student Advice team in the Student Hub.
5. The University policy respects the current legal requirements in accordance with the Public Interest Disclosure Act 1998 (PIDA).

## **Scope of Policy**

6. This policy is not intended to replace the existing Student Complaint Procedure, Student Disciplinary Procedure, Equal Opportunities Policy for Students or University Appeals procedures. However, matters raised under this policy may subsequently be deemed to fall under these other procedures and may be referred accordingly at the appropriate time.
7. The policy is not intended to permit or encourage the questioning of legitimate financial, academic or business decisions of the University and its staff or students. Nor may it be used to request the consideration (or reconsideration) of academic policy or of matters for which other procedures exist.
8. Examples of serious concerns may include:
  - academic or professional misconduct;
  - financial malpractice, fraud, bribery or corruption;
  - committing a criminal offence;
  - improper conduct or unethical behaviour;
  - failure to comply with a legal obligation;
  - attempts to conceal any of the above.
9. This list of examples is not intended to be exhaustive. Legitimate concerns over any matter which may be unlawful, which is contrary to University policies or which negligently or knowingly amounts to unethical or improper behaviour should be raised if they are in the interests of the University, its staff and students, or the public.

## **Confidentiality**

10. The University will treat any disclosures made by a student in a confidential and sensitive manner. The identity of the student will remain confidential, except where the individual waives their right to confidentiality or where such confidentiality prevents the allegation being investigated in a fair manner. In such cases the

University will consult the individual before it takes further action which may result in a breach of that confidentiality.

11. Where the University decides that a matter should be referred to the police, the University reserves the right to release relevant personal information under the [General Data Protection Regulation and other Data Protection Laws](#).
12. The University will not accept anonymous allegations. Where such an allegation is received, the University will respond, where possible, and advise the individual of the confidentiality provisions of the Students Speak Up Policy.

## Safeguards

13. Where an investigation shows that a student has made malicious or vexatious allegations the University will take disciplinary action against the student.
14. Harassment or intimidation of a student by a member of staff or student in relation to any submitted or potential allegation will be treated as a serious disciplinary offence.

## Process

15. Genuine concerns should be raised with the University at the earliest opportunity. It is not necessary to provide 'proof' but this should be submitted where available. The disclosure should, however, include as much detail as possible including the names of individuals, events and dates where applicable.
16. Any concern raised under this policy should, in the first instance, be raised with the Head of Compliance, Policy, Governance and Information service. If however, the concern relates to the Policy, Governance and Information service, the allegation should be addressed to the Deputy Vice-Chancellor..
17. The person to whom the concern has been made should acknowledge receipt in writing.
18. A preliminary investigation will be undertaken by the person to whom the concern has been raised (or their nominee) to determine whether the nature of the concern falls within the scope of the Students Speak Up Policy and whether a *prima facie* case exists. Investigations should not be conducted by an individual who may be required to adjudge any subsequent disciplinary procedure. The preliminary investigation should normally be completed within 21 days of receipt of the allegation.
19. If, upon preliminary investigation, the allegation is found to be wholly without foundation, no further action will be taken.
20. Where a *prima facie* case is established, the Head of Compliance (or Deputy Vice-Chancellor) will determine the appropriate form for the formal investigation. This may be:
  - i. To refer the matter under the relevant University procedure (for example Student Academic Misconduct procedure, Student or Staff Disciplinary procedure).

- ii. To refer the matter directly to the Vice-Chancellor.
- iii. To refer the matter to the police

### **Feedback**

- 21. The University will inform the student (in writing) whether at the preliminary stage a *prima facie* case has been established and the proposed action. If no action is to be taken, the individual will be informed of the reasons for this.
- 22. The University is unable to inform the student of the outcome of the formal investigation and subsequent actions taken where this would breach the Data Protection Act or General Data Protection Regulations.

### **Reporting**

- 23. An annual report on issues raised under this policy will be provided to Management Board.