

RULES OF BEHAVIOUR FOR MEMBERS OF COLLEGE IN STATU PUPILLARI¹

Members of the College are reminded that they are also members of the University and must abide by the University's Regulations, in particular those on Discipline (University of Cambridge, Information and Regulations, sections 4 and 5). Within the College, discipline is covered by Statute XIV, which is quoted below. (Please note that on amending the Statutes to admit men to the College it was agreed that any reference in the Statutes to women should be deemed to refer also to men).

Statute XIV – Discipline of the College

All members of the College in statu pupillari shall show due respect and obedience to the Mistress, the Vice-Mistress and other officers of the College. They shall conduct themselves in a quiet and orderly manner, and shall observe the regulations of the College and of the University in regard to residence and in all other respects.

If any member of the College in statu pupillari fails to show due diligence in her studies, or if she is guilty of conduct offending against the regulations of the College or the University, or of conduct offending against discipline and good order or tending to bring discredit on the College, she may be punished: a) by the Mistress or other competent officer in any appropriate manner short of forfeiture of emolument or rustication; b) by the Council with the concurrence of at least eight votes, by deprivation of the status of Bye-Fellow, Scholar or Exhibitioner, by forfeiture of any emolument, by rustication, or by expulsion, providing always that she shall have been given the opportunity of appearing before the Council to make a statement in her defence.

The foregoing provisions shall apply to any woman, not being a Fellow of the College, who has been admitted to membership of the College for the purpose of advanced study or research in the University, whether as a Scholar or otherwise, even though she is not in statu pupillari.

Council agreed at its meeting on 14th June 2019 that in future Council's role under College Statute XIV would extend only as far as permitting a student to come before it to make a statement without being questioned. It would be the role of the Appeals Panel to hear and probe appeals on Council's behalf in relation to Statute XIV in other respects.

Rules of Behaviour

All Members of college in statu pupillari are responsible for following the Rules of Behaviour. Not knowing or forgetting about the rules or their consequences is not a justification for not following them.

I. A Members of college in statu pupillari must:

¹ Council agreed at its meeting on 14 June 2019 that the term person 'in statu pupillari' shall mean all JCR and MCR members for the purposes of College

- (a) comply with instructions issued by any person or body authorized to act on behalf of the College, in the proper discharge of their duties;
- (b) comply with the accommodation handbook and tenancy agreement (insert weblink)
- (c) comply with codes of conduct as published on college website, including the harassment and sexual assault policy (insert weblink)
- (d) comply with all health and safety regulations and instructions issued by the College or other associated institution;
- (e) demonstrate due diligence in their work;
- (f) inform the College of any relevant unspent criminal conviction;
- (g) comply with the terms of the code of practice issued under the provisions of section 43 of the Education (No. 2) Act 1986 regarding meetings and public gatherings on College grounds; and event and sports booking requirements as published on the college website (insert weblink)
- (h) comply with the Statutes and Ordinances and any rules and procedures established under the Statutes and Ordinances.

2. A Members of college in statu pupillari must not:

- (a) interfere or attempt to interfere in the activities of the College, or any member of the College in the pursuit of their studies or in the performance of their duties;
- (b) damage, misappropriate or occupy without appropriate permission any College property or premises, or any property or premises accessed as a result of a College activity;
- (c) interfere in the freedom of speech or lawful assembly of a member of the College or visitor to the College;
- (d) engage or attempt to engage in physical misconduct, sexual misconduct or abusive behaviour: towards a member of the collegiate University community; or towards anyone within the precincts of the College or during the course of a College activity; such cases would normally be referred to the University procedures
- (e) damage or misappropriate property belonging to a member of the College; or belonging to anyone within College grounds or during the course of a College activity;
- (f) engage in any form of academic misconduct; this would normally be dealt with under University Procedures
- (g) endanger the health and safety of anyone within College grounds or in the course of a University or College activity;
- (h) forge, falsify or improperly use information to gain or attempt to gain a personal advantage

3. The following definitions are applied under the Rules of Behaviour:

- (a) 'Activities of a College' include activities in which a student is participating that involve other organisations working in partnership with the College.
- (b) 'Instructions issued by any person or body authorised to act on behalf of the College' include requests to attend meetings, to provide identification upon request, and to share primary datasets or data analysis with a supervisor.

- (c) A 'College activity' is an academic, sporting, social or cultural activity either on College grounds or elsewhere in the context of a person's membership of the College.
- (d) 'The code of practice issued under the provisions of section 43 of the Education (No. 2) Act 1986' relates to meetings and public gatherings on University premises. The Code of Practice is available at: <https://www.cambridgestudents.cam.ac.uk/new-students/rules-and-legal-compliance/freedom-speech>.
- (e) 'Rules and procedures established under the Statutes and Ordinances' include: any procedure that govern student conduct approved by Council;

4. Any breach of the Rules of Behaviour may be considered more serious if:

- (a) it took place under the influence of alcohol or illicit substances;
- (b) it was motivated by the protected characteristics² or perceived protected characteristics of another;
- (c) the Respondent has previously been found to have breached the same Rule of Behaviour;
- (d) the Respondent has not complied with any sanction or measure under the Student Disciplinary Procedure;
- (e) the Respondent has breached precautionary action measures whilst the Student Disciplinary Procedure has been ongoing;
- (f) the Respondent has not provided the College with reasonable information upon request so that it can assess the risk the respondent may pose to the College community;
- (g) the Respondent has attempted to conceal or destroy evidence, or coerce or intimidate officers, Reporting Persons or Witnesses, in relation to that breach;
- (h) the Respondent has abused a position of power or trust.

Definitions

The following definitions are applied under the Rules of Behaviour:

(a) A 'formerly registered student' is a person who has previously had the status of a registered student. Where a formerly registered student is also an employee of the University and the alleged misconduct concerns conduct in that capacity as employee, the matter shall not be dealt with under the student disciplinary procedure and shall be referred for consideration under the relevant staff disciplinary procedure.

(b) 'Activities of a University or a College' include activities in which a student is participating that involve other organisations working in partnership with the a College.

(c) 'Physical misconduct' is any unwanted and unreasonable contact. Physical misconduct includes pinching, punching, kicking, slapping, pulling hair, biting, pushing, shoving, using weapons and using items as weapons.

(d) 'Sexual misconduct' is any unwanted and unpermitted sexual activity. Sexual activity

² These are listed in the Equality Act 2010 and are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

includes sexual acts, kissing, sharing private sexual materials of another, touching through clothes, showing sexual organs and remarks of a sexual nature. Sexual misconduct can take place in physical or virtual environments.

(e) 'Abusive behaviour' is any unwanted behaviour which is reasonably likely to cause harm; or have the effect of violating another's dignity; or create an intimidating, hostile, degrading, humiliating or offensive environment for that other. It includes threats, abusive comments, the use of or supply of illicit substances, making malicious accusations, repeatedly contacting someone, and abuse that takes place within an intimate relationship. Abusive behaviour can take place in physical or virtual environments.

(f) The word 'unwanted' means 'unwelcome' or 'uninvited'. It is not necessary for a person to object to the behaviour for it to be unwanted.

(g) The word 'unpermitted' means 'not permitted' or 'unauthorised'. A number of behaviours can indicate where permission has been given, for example, verbal comments or physical actions. Permission for an activity can only be given at the time it is taking place and where the person has the choice to give or not give permission. Where there is disagreement as to whether an activity was unpermitted, the applicable test shall be, taking all circumstances into account, whether a reasonable person would consider the activity was unpermitted.

(h) 'Academic misconduct' is gaining or attempting to gain, or helping others to gain or attempt to gain, an unfair academic advantage in formal University assessment, or any activity likely to undermine the integrity essential to scholarship and research. It includes being in possession of unauthorised materials or electronic devices during an examination, including recording or communication devices or devices that can store data, even where the Registered Student is unaware that such materials or devices are unauthorised, has no intention of using them, or is unaware that they have them in their possession. Academic misconduct also includes:

- Plagiarism: using someone else's ideas, words, data, or other material produced by them without acknowledgement;
- Self-plagiarism: using the Registered Student's own ideas, words, data or other material produced by them and submitted for formal assessment at this University or another institution, or for publication elsewhere, without acknowledgement, unless expressly permitted by the assessment;
- Contract cheating: contracting a third party to provide work, which is then used or submitted as part of a formal assessment as though it is the Registered Student's own work;
- Collusion: working with others and using the ideas or words of this joint work without acknowledgment, as though it is the Registered Student's own work, or allowing others to use the ideas or words of joint work without acknowledgment;
- Impersonating someone or being impersonated in an examination or arranging for someone to impersonate someone else by sitting their examination;
- Fabrication, falsification or misrepresentation of data, results or other outputs or aspects of research, including documentation and participant consent, or presenting or recording such data, etc, as if they were real; or
- Failure to meet legal, ethical and professional obligations in carrying out research. This includes failure to follow agreed protocol if this failure results in unreasonable risk or harm to humans, other sentient beings or the environment, and facilitating of

misconduct in research by collusion in, or concealment of, such actions by others. It includes any plan or conspiracy to attempt to do any of these things.

(i) 'Instructions issued by any person or body authorised to act on behalf of the College' include requests to attend meetings, to provide identification upon request, and to share primary datasets or data analysis with a supervisor.

(j) A 'College activity' is an academic, sporting, social or cultural activity either within the Precincts of the College or elsewhere in the context of a person's membership of the College.

(k) A 'relevant' unspent criminal conviction includes a conviction for the following:

- Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which resulted in at least actual bodily harm.
- Sexual offences, including those listed in the Sexual Offences Act 2003.
- The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking (drug offences only involving possession are not relevant offences).
- Offences involving firearms.
- Offences involving arson.
- Offences involving terrorism.

If a student was convicted outside the United Kingdom for the type of offence listed above, this is also considered a relevant conviction.

For the purposes of this definition, out of court disposals are considered to be convictions. Penalty notices for disorder (PNDs), anti-social behaviour orders (ASBOs) or other orders are not considered to be convictions, unless contesting a PND or breaching the terms of an ASBO or other order has resulted in a criminal conviction. Whether or not an offence is considered 'spent' is defined by the Rehabilitation of Offenders Act 1974 and subsequent revisions to the Act.

(l) 'The code of practice issued under the provisions of section 43 of the Education (No. 2) Act 1986' relates to meetings and public gatherings on College premises. The Code of Practice is available at: <https://www.cambridgestudents.cam.ac.uk/new-students/rules-and-legal-compliance/freedom-speech>.

(m) 'Rules and procedures established under the Statutes and Ordinances' include: procedures that govern student conduct; regulations governing information services, motor vehicles, bicycles and boats; and the payment of fees and fines.

(n) 'Registered student', 'respondent', 'reporting person', 'witness', and 'collegiate University community' have the same meanings as they are given in the Student Disciplinary Procedure.