

## ORDINANCE 15

### TERMINATION OF REGISTRATION ON ACADEMIC GROUNDS (OTHER THAN FAILURE IN A PRESCRIBED EXAMINATION)

#### PREAMBLE

1. This Ordinance provides for the termination of registration on academic grounds other than failure in a prescribed examination, of students registered at a Central Academic Body<sup>1</sup>. It does not apply to students registered at a Member Institution.
2. A student's registration may be terminated on academic grounds under this Ordinance where his or her academic performance, progress, attendance, or attainment (hereinafter referred to as 'academic performance') falls below the required standard in a way that suggests that the course of study is unlikely to be completed satisfactorily or successfully. This includes (but is not limited to) absence from lectures, classes, seminars, tutorials or other required activities; failure to submit required work; submission of work significantly below the required standard; and any other factors that impede academic progress, such as a lack of co-operation with a tutor or supervisor.
3. Proceedings under this Ordinance are not disciplinary proceedings and termination of registration is not a disciplinary sanction. If the academic grounds constitute misconduct as defined in the *Code of Student Discipline*, then proceedings shall be instituted under that Code. This procedure shall not be used where separate procedures are provided under other Ordinances such as those in case of debt (which includes a failure to pay fees or other charges) or where specific conditions relating to registration are not fulfilled, leading to cancellation of registration, failure to register or failure to renew registration.

#### DELEGATION

4. In approving this Ordinance, the Board of Trustees authorises:
  - 4.1 the Vice-Chancellor to delegate the Vice-Chancellor's powers and duties under this Ordinance to the Deputy Vice-Chancellor either generally or in respect of a particular case; and
  - 4.2 in the School of Advanced Study, the Pro Vice-Chancellor (Research) and Dean and Chief Executive of the School of Advanced Study (the Dean) and the Director of an Institute to delegate to the Deputy Dean or a Deputy Director respectively in particular cases where it is not possible for the Dean or Director to deal with the matter personally.

#### WARNINGS ABOUT ACADEMIC PERFORMANCE

5. A student whose academic performance gives cause for concern will:
  - 5.1 receive a written warning from the course director (or equivalent) or the student's supervisor, including the conditions that must be satisfied to remedy performance, when the conditions must be met, and to whose satisfaction; and
  - 5.2 be offered counselling by his or her personal tutor or by another officer of the Central Academic Body.

---

<sup>1</sup>'Central Academic Body' means an educational, academic or research institution established in accordance with Statute 17.1.

## **ORDINANCE 15**

6. The warning may be repeated and the conditions may be varied after further meetings with the student. A written record shall be retained of any such warning and a copy sent to the student.
7. In serious cases where:
  - 7.1 a warning would not be appropriate; or
  - 7.2 a warning cannot be issued (eg because the student cannot be contacted); or
  - 7.3 the warning is ignored; or
  - 7.4 academic performance remains unsatisfactory after due warning has been given;

registration may be terminated as set out in paragraphs 10-17 and 27-34 below.

### **ACADEMIC INSUFFICIENCY CAUSED BY MEDICAL OR HEALTH REASONS**

8. If it appears to the Central Academic Body, or if the student alleges, that the academic grounds for termination of registration may be brought about by medical or health reasons, including mental ill-health or substance abuse, the Central Academic Body before commencing proceedings may seek, and may require the student to seek, professional advice. The Institute may require a student to undergo a medical examination or to provide evidence from a medical practitioner.
9. The Institute shall consider the evidence and medical advice and the prospects of improvement enabling completion of a course. In the light of this advice, the Institute shall consider if a period of interruption of study would be more appropriate than termination of registration. Any material available to the Institute shall normally be supplied to the student.

### **TERMINATION OF REGISTRATION**

#### ***School of Advanced Study***

10. Registration in respect of Institutes of the School of Advanced Study may be terminated on academic grounds by the Dean.
11. A recommendation that registration be terminated under this Ordinance may be made to a Director of an Institute by a course director (or equivalent) or the student's supervisor, but only after a warning has been issued and counselling has been offered as in paragraph 5 above, the time for satisfying any conditions in that warning has elapsed, and in any event not less than four weeks have elapsed since the written warning. Proceedings may be initiated by a Director without such a recommendation, provided that the conditions mentioned in paragraph 5 have been satisfied.
12. The Director may:
  - 12.1 summarily dismiss the recommendation, at the Director's discretion; or
  - 12.2 arrange for an interview with the student.
13. The student shall be sent written notice at least 10 working days in advance of the interview, including the reason for it, a copy of all relevant information received by the Director and a copy of this Ordinance. The student may be accompanied during the interview by a member of the University and will be given an opportunity to speak and

## ORDINANCE 15

ask questions.

14. The Director may require attendance at the interview of other persons from the Institute (normally the student's personal tutor or supervisor) and shall consider a request from the student for the attendance of other persons. The interview will be conducted at a time and place and in a manner which seems to the Director most appropriate. The interview may be conducted notwithstanding the non-attendance of any other person provided that the Director and the student are both present.
15. The Director may reach a decision without interviewing the student if the student cannot be contacted or fails to attend after due notice.
16. After the interview, or the date fixed for the interview if the student was absent, the Director must within five working days reach one of the following decisions:
  - 16.1 that termination of registration is not justified; or
  - 16.2 that termination of registration is not justified but there are sufficient academic grounds to justify a recommendation for termination of registration unless a particular course of action is followed, or on some future event; or
  - 16.3 that termination of registration is justified and a recommendation will be made to the Dean for the termination forthwith of the student's registration.
17. The Director shall within 10 working days of the decision inform the student of the decision either orally (in which case it shall be confirmed in writing), or in writing, stating any conditions required under paragraph 16.2 above.
18. Where a decision under paragraph 16.3 is made, the student shall be given at least 10 working days to make a submission to the Dean, who will consider the submission together with the recommendation in making a decision under paragraph 10 above. The Director shall inform the student of the right to make such a submission at the same time as the decision under paragraph 16 is communicated.
19. In accordance with paragraph 10 above, the Dean, having considered the recommendation and any submission by the student, may either terminate the registration, refer the matter back for further consideration or determine that the matter is closed.
20. The Dean shall inform the Director and the student of the decision, and of the right of appeal.
21. A request for a review of a determination by the Dean under paragraph 19 may be made by the student to the Vice-Chancellor. Fresh evidence may be advanced in support of a review only where it could not reasonably have been made available at the time of the interview.
22. The Vice-Chancellor shall review the case and make such enquiries, if any, as the Vice-Chancellor deems appropriate. The Vice-Chancellor shall hold an oral hearing only if the Vice-Chancellor so decides, but normally will not do so.
23. If a hearing is to be held, the student shall be sent written notice at least 10 working days in advance of the hearing, including a copy of all relevant information available to the Vice-Chancellor. The student may be accompanied during the hearing by a member of the University and will be given an opportunity to speak and ask questions.
24. The Vice-Chancellor shall either:

## ORDINANCE 15

- 24.1 rescind the decision to terminate registration, with or without conditions; or
- 24.2 confirm the termination of registration.
- 25. The Vice-Chancellor's decision after the review shall be final.
- 26. The Vice-Chancellor shall arrange for the Director of Compliance and Secretary to the Board to inform the student of the decision within 10 working days either orally (in which case it shall be confirmed in writing), or in writing. If the student's registration is not to be terminated, the communication to the student shall state any conditions the Vice-Chancellor requires.

### ***Other Central Academic Bodies***

- 27. Registration may be terminated on academic grounds in the case of all Central Academic Bodies except the School of Advanced Study by the Vice-Chancellor.
- 28. A recommendation that registration be terminated under this Ordinance may be made to the Senior Designated Officer<sup>2</sup> of the Central Academic Body by a course director (or equivalent) or the student's supervisor, but only after a warning has been issued and counselling has been offered as in paragraph 5 above, the time for satisfying any conditions in that warning has elapsed, and in any event not less than four weeks have elapsed since the written warning. Proceedings may be initiated by a Senior Designated Officer without such a recommendation, provided that the conditions mentioned in paragraph 5 have been satisfied.
- 29. The Senior Designated Officer may:
  - 29.1 summarily dismiss the recommendation, at the Senior Designated Officer's discretion; or
  - 29.2 arrange for an interview with the student.
- 30. The student shall be sent written notice at least 10 working days in advance of the interview, including the reason for it, a copy of all relevant information received by the Senior Designated Officer and a copy of this Ordinance. The student may be accompanied during the interview by a member of the University and will be given an opportunity to speak and ask questions.
- 31. The Senior Designated Officer may require attendance at the interview of other persons from the Central Academic Body (normally the student's personal tutor or supervisor) and shall consider a request from the student for the attendance of other persons. The interview will be conducted at a time and place and in a manner which seems to the Senior Designated Officer most appropriate. The interview may be conducted notwithstanding the non-attendance of any other person provided that the Senior Designated Officer and the student are both present.
- 32. The Senior Designated Officer may reach a decision without interviewing the student if the student cannot be contacted or fails to attend after due notice.
- 33. After the interview, or the date fixed for the interview if the student was absent, the Senior Designated Officer must within five working days reach one of the following

---

<sup>2</sup> 'Senior Designated Officer' in paragraphs 28 – 37 includes the Pro Vice-Chancellor (International) and Chief Executive of University of London Worldwide and the Chief Executive Officer of the University of London Institute in Paris.

## ORDINANCE 15

decisions:

- 33.1 that termination of registration is not justified; or
  - 33.2 that termination of registration is not justified but there are sufficient academic grounds to justify a recommendation for termination of registration unless a particular course of action is followed, or on some future event; or
  - 33.3 that termination of registration is justified and a recommendation will be made to the Vice-Chancellor for the termination forthwith of the student's registration.
34. The Senior Designated Officer shall within 10 working days of the decision inform the student of the decision either orally (in which case it shall be confirmed in writing), or in writing, stating any conditions required under paragraph 33.2 above.
  35. Where a decision under paragraph 33.3 is made, the student shall be given at least 10 working days to make a submission to the Vice-Chancellor, who will consider the submission together with the recommendation in making a decision under paragraph 27 above. The Senior Designated Officer shall inform the student of the right to make such a submission at the same time as the decision under paragraph 33 is communicated.
  36. In accordance with paragraph 27 above, the Vice-Chancellor, having considered the recommendation and any submission by the student, may either terminate the registration, refer the matter back for further consideration or determine that the matter is closed.
  37. The Vice-Chancellor shall inform the Senior Designated Officer and the student of the decision, and of the right of appeal.
  38. A request for a review of a determination by the Vice-Chancellor may be made by the student by lodging a request for review with the Director of Compliance and Secretary to the Board who shall convene a panel of three senior academic staff from outside the Central Academic Body at which the student is studying. Fresh evidence may be advanced in support of a review only where it could not reasonably have been made available at the time of the interview.
  39. The Panel shall review the case and make such enquiries, if any, as the Panel deems appropriate. The Panel shall hold an oral hearing only if it so decides, but normally will not do so.
  40. If a hearing is to be held, the student shall be sent written notice at least 10 working days in advance of the hearing, including a copy of all relevant information available to the Panel. The student may be accompanied during the hearing by a member of the University and will be given an opportunity to speak and ask questions.
  41. The Panel shall either:
    - 41.1 rescind the decision to terminate registration, with or without conditions; or
    - 41.2 confirm the termination of registration.
  42. The Panel's decision after the review shall be final.
  43. The Panel shall arrange for the Director of Compliance and Secretary to the Board to inform the student of the decision within 10 working days either orally (in which case it shall be confirmed in writing), or in writing. If the student's registration is not to be

## **ORDINANCE 15**

terminated, the communication to the student shall state any conditions the Panel requires.

### **READMISSION AFTER TERMINATION OF REGISTRATION**

44. No student whose registration has been terminated under this Ordinance shall be re-admitted to a course of study or re-registered as a student of the University except with the permission of the Vice-Chancellor.

### **THE OFFICE OF THE INDEPENDENT ADJUDICATOR FOR HIGHER EDUCATION**

45. The Procedure detailed above completes the University's consideration of the matter. Attention is, however, drawn to the Office of the Independent Adjudicator for Higher Education (OIAHE). The OIAHE provides an independent scheme for the review of student complaints about a final decision of a University's disciplinary or appeal body. Full details of the OIAHE and how to make a complaint are available from the Director of Compliance and Secretary to the Board, or on the website of the OIAHE <http://oiahe.org.uk>. The postal address is: Office of the Independent Adjudicator for Higher Education, Second Floor, Abbey Gate, 57-75 Kings Road, Reading, RG1 3AB. Telephone: 01189 599813.

15 February 2019