

**Protocol on Anti-Social Behaviour and Noise Nuisance**

Northumbria students are responsible for conducting themselves respectfully in a manner which holds proper regard for the health, safety and wellbeing of others. The [Student Charter](https://www.northumbria.ac.uk/about-us/student-charter/) and Appendix 2 of the Student Disciplinary Procedure (Section 3 of the [Handbook of Student Regulations](https://www.northumbria.ac.uk/about-us/leadership-governance/vice-chancellors-office/legal-services-team/handbook-of-student-regulations/)) sets out the expectations that apply to every student for the duration of their time at Northumbria. Throughout enrolment, and all related processes, there is signposting to the Student Charter and Handbook of Student Regulations, which detail the expected levels of behaviour and refers students to advice, support and penalties for anti-social behaviour. From September 2020, students will also be asked to acknowledge at the point of enrolment, their responsibility in the community (see Appendix 1).

The University takes duty of care to our students, staff and stakeholders extremely seriously. The University is very clear on its expectations of its students in terms of their behaviour and integration in the wider community and the city. The University will consider disciplinary actions where students are unable to demonstrate the behaviours expected of the University community. Please read the University’s webpage on Student Terms and Conduct Expectations [here](https://www.northumbria.ac.uk/governance/terms-and-conditions/), which includes information about Northumbria University students and their role in the community.

The procedures detailed in this protocol gives specific information about the action that Northumbria will take in relation to anti-social behaviour and noise nuisance.

**The Role of the Student Engagement Team**

The University’s Student Engagement Team have responsibility for responding to reports of anti-social behaviour and noise nuisance by Northumbria students. Although most students are considerate towards their neighbours and local community, the University does receive a number of reports from local residents about students engaging in anti-social behaviour. The University also receives notices of witnessed disturbances from external services (the Police and Newcastle City Council), and all are considered in line with this protocol.

Examples of such reports can include:

* Noise disturbances including loud music and bass, loud voices, banging doors, footfall, taxis, shouting, screaming, disruptive house parties or gatherings;
* Waste and recycling mismanagement;
* Damage to local community or property.

**Reports Student Engagement Team cannot consider:**

* Reports from Landlords of managers of Homes Multiple Occupants (HMOs). These complaints should be taken up directly with their tenants as civil disputes.
* Reports regarding University Accommodation should go to the Accommodation Mangers (note these are normally redirected at source by the Security Office)
* Further to this, the Student Engagement can neither confirm nor deny without consent or a lawful reason whether the subject of any report is a Northumbria Student

**Reports the Student Engagement Team can consider:**

* Reports of anti-social behaviour to the University that are submitted via the University Web page <https://www.northumbria.ac.uk/about-us/facilities-services/safety-on-campus/crime-prevention-team-contact-form/>. If reports are received from the public over the phone etc., the reporting party is asked to formally log this.

The Northumbria University Process

When the Student Engagement Team receives a report of anti-social behaviour or noise nuisance in the wider community they will always consider the concerns where it has been identified that Northumbria students are involved. These reports may be from the Community Police Liaison Officer, or directly from residents. The initial approach the Student Engagement Team takes is intended to provide informal guidance and support with a view to reducing the risk of the behaviour being repeated or escalating. It is recognised that anti-social behaviour can be driven by a range of issues, including unaddressed welfare needs, and early intervention can prevent the escalated of isolated minor incidents into something more serious.

The process that ensues is normally as follows:

The report will be sent to the nominated contacts within the Student Engagement Team by Security, which will contain the following information:

* + Report Received Via
	+ Date Report Received
	+ Reporting Party contact details
	+ Address of Incident
	+ Reporting Party’s Account
* The Student Engagement Team will update records as appropriate, complete necessary checks and addresses and occupants and confirm to the Security Team if any Northumbria students are present at the address
* If the report specifies a named household, students at that address will be sent details of the report and an initial warning will be issued, where this is appropriate. The current process does not require students to respond, unless there is anything specific in the report that needs to be explored immediately and in person
* Welfare support is always offered to students within this escalation process
* If there are particular concerns about an address or an incident a bespoke message will be sent to the students and the students may be invited in to discuss their behaviour with a member of the Security Team present.
* Where there are reports of illegal activity at properties the Community Police Liaison Officer will advise and visit the property.
* If further report is received, students will be issued with a further warning and required to attend for formal discussion
* If a further report is received, this may result escalation of the individual case into action being taken under the Student Disciplinary Procedure if it judged that misconduct has occurred.
* The agreed escalation process is based on the seriousness of the behaviour and whether it is judged to be misconduct under Appendix 2 of the Student Disciplinary Procedure. Any disciplinary action taken against a student in such circumstances will be dependent on the University first demonstrating that it has a legitimate interest in the behaviour which is the subject of investigation, for example, if the behaviour is putting other Northumbria students at risk, is bringing the University into disrepute, or is contrary to reasonable instructions previously issued by the University. Students whose cases are considered by a Panel under Stage 2 of the Student Disciplinary Procedure may be subject to the full range of penalties available.

**Serious Incidents and Students on Professional Programmes**

* The above is the normal escalation process, but each report will be considered in context, and if necessary, action under the Student Disciplinary Procedure may be taken at any point if the matter is serious enough and if it is judged to be misconduct. In the case of students on a professional programme, the Student Engagement Team also has an obligation to inform Programme Leaders or any reports of anti-social behaviour and noise nuisance as there may be implications for students’ fitness to practise that is required to be considered in accordance with Section 9 of the Handbook of Student Regulations.

**Other Potential Sanctions (External to the University)**

There are a number of potential implications following proven anti-social behaviour in the community, which include: landlords being made aware and police or local authority action (see below) being taken. Such action which may impact on future travel plans or employability. The actions include:

* Second warning letter
* Invitation to sign Acceptable Behaviour Agreement (ABA)
* Community Protection Notice Warning (CPNW)
* Community Protection Notice (CPN)
* S80 Abatement Order (Environmental Protection Act 1990)
* Breach of CPN or S80

**It should be noted that:**

* Newcastle City Council does not necessarily issue the above warnings incrementally, e.g. a S.80 Abatement Notice can be issued following a first witnessed disturbance.
* ABA meetings usually take place with a representative of the Northumbria Police and Newcastle City Council at a local Police Station. A representative of the University will attend the meetings if resource allows.
* There are no set “acceptable” times for noise disturbance, for example before 11pm. It is a statutory nuisance at any time, day or night.

**Council and Police Action:**

The Council and Police have their own procedures for addressing noise nuisance and anti-social behaviour by students. Further information is available on the following pages:

<https://www.gov.uk/guidance/statutory-nuisances-how-councils-deal-with-complaints>

<https://www.newcastle.gov.uk/services/environment-and-waste/environmental-health-and-pollution/noise/noise-nuisance>

<https://envirocallservice.newcastle.gov.uk/noise>

<https://beta.northumbria.police.uk/advice-and-info/neighbourhood-issues/anti-social-behaviour-asb/>

**Support for Students**

* Independent advice and guidance on all matters relating to the ‘Handbook of Student Regulations’ is also available from the Students’ Union at su.enquiries@northumbria.ac.uk or at https://www.mynsu.co.uk/getsupport/
* The University’s Student Life and Wellbeing Service also provides a range for support which may be of benefit to students involved in these procedures.