

University Accommodation: Understanding policies and expectations

Introduction

Transitioning into university accommodation can be a challenging experience. For many of you, this may be your first time away from home, while others might have been independent for some time. At York St John University, we welcome students from diverse backgrounds and expect everyone to treat each other with dignity and respect [Dignity and respect | York St John University \(yorks.j.ac.uk\)](#).

Living in a shared accommodation can be great, but there can also sometimes be some challenges.

Understanding different processes

The university has various policies to address different types of issues that may arise in student accommodation. It's important to understand which policy applies to your situation to ensure it is handled appropriately. Below, we outline the different processes and what constitutes a case for each.

Misconduct in Accommodation Policy ([Misconduct-in-Accommodation-2024-2025---Student-Information.docx \(live.com\)](#))

Misconduct in accommodation typically involves less severe issues and breaches of accommodation terms and conditions. Examples include:

- Accidental or non-malicious incidents or damage.
- Noise complaints.
- Non-malicious activation of fire alarms, such as from unattended cooking.
- Parties held in flats.
- Visitors staying longer than permitted.
- Unacceptable cleanliness standards in communal areas or bedrooms.
- Unlit candles.
- Cooking equipment in bedrooms.
- Unauthorised items in flats, like traffic cones or road signs.
- Evidence of pets in accommodation.
- Failing to evacuate during a fire alarm.

Allegations related to minor misconduct in accommodation will be managed by the Accommodation Team.

Serious fire safety issues, or significant risk to wellbeing of others, for example; violence, or dealing with illegal substances in accommodation, will be managed under the Student Disciplinary Policy and Procedure (see below).

Handling accommodation disputes

The university recognises that living in shared accommodation can sometimes lead to conflicts and disagreements. However, not all disputes warrant university intervention. It is important to understand which behaviours the university will address and which it expects students to manage independently.

The university will not investigate minor disputes between students that stem from a differences in personalities. This does not mean that the Accommodation Team cannot advise on such matters and we can also signpost students to the relevant student support teams when appropriate.

For example, students may have different expectations of what is acceptable in terms of sleep schedules, cleanliness standards, or noise levels. These are typical aspects of shared living and should initially be managed through communication and mutual respect. Some students may not be aware that their behaviour is having a negative impact on those around them and should be given the opportunity to address these concerns directly. The University would get involved if reported negative behaviours persisted and are considered breaches of the accommodation terms and conditions i.e. excessive noise or unacceptable cleanliness standards.

We encourage students to address and resolve minor disputes amongst themselves. Here are some steps you can take:

- Open and respectful communication is key. Discuss the issue calmly and listen to each other's perspectives.
- Be willing to find a middle ground. Compromise on shared spaces and responsibilities.
- Maintain mutual respect. Understand that everyone has different habits and preferences.
- If you are unable to resolve the issue on your own, consider seeking help from the Accommodation Team or a Residential Support Assistant.

The university will step in when there is evidence of behaviour that breaches a University Policy because it impacts the safety, well-being, or rights of others.

Student Disciplinary Policy and Procedure ([Concerns about student behaviour | York St John University \(yorksj.ac.uk\)](https://www.yorksj.ac.uk/concerns-about-student-behaviour))

Serious disciplinary matters are addressed under the Student Disciplinary Policy and Procedure. Misconduct under this policy involves actions that interfere with the university's proper functioning, harm individuals or property, or damage the university's reputation. Examples include:

- Violent, indecent, disorderly, threatening, or discriminatory behavior or language, including microaggressions.
- Actions likely to cause injury or impair safety.
- Behavior intended to cause fear, distress, or harm to others, including carrying weapons or replica weapons.
- Conduct that is a criminal offense, including drug-related offenses.
- Publishing threatening, abusive, or insulting material, including misuse of social media.
- Access abuse, such as visiting inappropriate websites or spreading computer viruses.
- Anti-social behavior that brings the university into disrepute.
- Damage to or theft of property.
- Breaching university policies, including health and safety, freedom of speech, and equality and diversity rules.
- Failing to comply with national or local government restrictions related to public health emergencies.
- Harassment or discrimination against any student, staff member, or visitor.
- Theft, misuse, fraud, deceit, deception, or dishonesty.
- Failing to follow reasonable instructions from a university officer.
- Failing to comply with a previously imposed disciplinary penalty.
- Making false accusations against another student or staff member.
- Engaging in terrorism/extremism or networks linked to terrorism/extremism.

Sexual Harassment and Sexual Misconduct

Matters relating to sexual harassment and sexual misconduct are addressed under the University's Sexual Harassment and Sexual Misconduct Policy.

Sexual misconduct' means any unwanted or attempted unwanted conduct of a sexual nature. Sexual misconduct can occur through any medium, including online.

Examples of sexual misconduct may include, but are not limited to:

- Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010).
- Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010).
- Assault (as defined by the Sexual Offences Act 2003)
- Rape (as defined by the Sexual Offences Act 2003) v. Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017).
- Intimidation, or promising resources or benefits in return for sexual favours (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017).
- Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015).
- Image-based sexual abuse: (also known as 'revenge pornography') recording or sharing sexual or intimate photos or videos, without the consent of the person pictured.
- Stalking: persistent, unwanted communication or behaviour intending to frighten, intimidate or harass someone such as repeatedly following them.
- Cyberstalking: repeated and deliberate use of the internet and other electronic communication tools to engage in persistent, unwanted communication intending to frighten, intimidate or harass someone, or to spy on someone.
- Upskirting and down- blousing: filming or photographing under a person's clothes without their consent to capture images of their body or underwear.
- Relationship abuse: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those who are, or have been, intimate partners. This may include psychological, physical, sexual, financial and/or emotional abuse.
- Retaliation: any adverse actions against another person, including, but not limited to, harassment, threats, intimidation or coercion, made in response to someone disclosing or reporting any form of sexual misconduct.
- Showing sexual organs to another person(s) without their consent.
- Arranging or participating in events which may reasonably be assumed to cause; degradation and humiliation to those who have experienced sexual violence,. For example inappropriately themed social events or initiations.
- Spiking - the act of surreptitiously adding a substance, usually a drug or alcohol, to someone's drink or food without their knowledge.

Allegations related to serious disciplinary and sexual misconduct matters will be managed by the Casework Team, who may nominate a member of the Accommodation Team to investigate issues in university accommodation, if appropriate.

Fitness to Study Process

Fitness to Study ([Fitness to study and fitness to practise | York St John University \(yorksj.ac.uk\)](https://yorksj.ac.uk))

Your fitness to study may be questioned if your health problems or behaviour disrupt your own or others' studies, or place unreasonable demands on staff or other students. Examples include:

- Alcohol, drug, or substance abuse.
- Inappropriate behaviour, such as harassment or violence.
- Criminal convictions that affect your suitability for professional practice.
- Concerns about your fitness to work raised by an occupational health practitioner.

Fitness to Practice Process

Fitness to Practice ([Fitness to study and fitness to practise | York St John University \(yorksj.ac.uk\)](https://yorksj.ac.uk))

Students following programs that lead to professional qualifications must maintain conduct that does not present a risk to the public.

The following (as examples) may call a student's suitability into question:

- Alcohol, drug or substance abuse.
- Inappropriate behaviour including harassment, abuse of others, violence or threats of violence, indecency, drug-dealing and unprofessional behaviour.
- Conviction for a criminal offence where the offence is such as to render the student unfit to practise and/or would be unacceptable to a professional body. Such offences would include offences of violence against a person.
- Concerns about a student's fitness to work which in the opinion of an occupational health practitioner would raise doubts about suitability for the intended profession or calling.
- Ethical or behavioural misdemeanours.

Raising concerns about breaches of dignity and respect

If you feel another student has breached your dignity and respect, you can raise your concerns through Report + Support ([Report + Support - Report + Support - York St John University \(yorksj.ac.uk\)](https://yorksj.ac.uk)).

Evidence and allegations

When raising a concern, it is crucial to provide clear evidence to support your allegations. Evidence can include:

- Witness statements or testimonies.
- Photographs or video recordings – **not of individuals without their knowledge or consent**
- Written communication such as emails, messages, or social media posts.
- Any physical evidence relevant to the incident.

The university is not able to take action based on hearsay or rumours. Making false accusations or allegations that are unfounded or maliciously intended to target another individual is taken very seriously. Such behaviour is itself a breach of university policies and can lead to disciplinary action. We expect all students to act responsibly and fairly when raising concerns.

Evidence will be reviewed. The process includes:

- **Initial Assessment:** An initial review to determine if the evidence is sufficient to proceed with an investigation.
- **Investigation:** Gathering additional information if necessary
- **Decision Making:** Based on the collected evidence, a decision is made on the appropriate course of action.

How decisions are made

When a concern is raised, the university's Complaints and Disciplinary Officer will review the situation to determine which policy or process should be applied. The decision on which route to take - whether it's a disciplinary action, accommodation misconduct, fitness to study, fitness to practice, or whether there is insufficient evidence to progress with a policy - will depend on the specifics of the case. It's important to note that to protect the privacy of all students involved, it may not always be possible to inform you of the exact policy or process being applied, especially if it involves personal or sensitive information about another student.

Requiring a student to move accommodation

The University will only require a student to move accommodation where there is clear evidence of behaviour impacting their own or others' safety and well-being. Moving a student is only done following evidence-based risk assessments, authorised by the University Disciplinary and Complaints Officer.

NB There is a different process where a student requests to move accommodation which is managed by the Accommodation Team.

For more information or to clarify about this guidance, please contact the Student Casework Team (details). The team are here to support you through your time at the university and ensure a safe and respectful living environment for all.