

UCD Residences

A guide to managing breaches of residential rules.

The UCD Student Charter summarises our aspirations and expectations for all members of our university community. It sets out the roles and responsibilities of the various groups within our university and outlines what students can expect from their university and what the University can expect from its student members. In order to build and maintain a positive and encouraging academic environment, UCD has regulations, codes and policies. Students and staff should be familiar with and abide by these regulations and procedures. These are available online at

<https://www.ucd.ie/secca/studentconduct/>

In particular, students must be familiar with the UCD Student Code, which sets out the procedures for managing breaches of good behaviour. As a UCD student the University expects that you take responsibility for your own behaviour and act professionally in dealings with staff and fellow students and observe and uphold your university's regulations, policies and codes. The rules and regulations as they apply to the Residences can be found in this document, the licence to reside and are aligned with the UCD Student Code.

The Management of Breaches

The process for managing breaches of the rules and regulations for the Student Residences is structured in accordance with the seriousness of the breach.

CATEGORY 1: Warning on behalf of the Residences.

This may arise during the residency period where an infringement is identified, and a decision is made by the UCD Residences' Team that the infringement is of a nature that a warning will suffice. The warning and details of the incident will be documented and recorded on the Residents' file and may be reconsidered should further infringements occur. Failure to heed the warning may result in an escalation of the status of the incident.

Examples of breaches typically handled at this level (non-exhaustive):

- Unauthorised hanging or displaying of articles within the premises or complex.
- Unauthorised gathering causing minimum disturbance.
- Causing litter or dumping of rubbish

CATEGORY 2: A formal meeting with Estate Services.

All documented incidents are reviewed on behalf of the Management of the Residences each day. If an incident is deemed to be in breach of the rules, and it is felt it warrants a formal meeting, the relevant reports will be forwarded to Estate Services. The designated Estate Services team will review the reports to confirm that a meeting should proceed. If a meeting is required, they will send a communication to the residents of an apartment (or to individual residents if clearly identified), informing them of the requirement to attend a formal meeting. Such a meeting may result in a sanction being applied and the resident(s) will be notified in writing of the outcome of this meeting.

Examples of breaches typically handled at this level (non-exhaustive):

- Unauthorised overnight guest
- An unauthorised gathering resulting in significant disturbance.
- Antisocial behaviour.
- Not maintaining the interior of the premises in a clean and hygienic manner.
- Breach of smoke free campus policy.

The procedure Estate Services follows during the meeting are aligned with those in the student code and the team ensures that:

- A formal communication is sent to the resident outlining the alleged breach in advance of the meeting with Estate Services
- Where the alleged breach appears to involve more than one student, such students may be jointly managed and heard together.
- Where an alleged breach may, in the reasonable opinion of the University, constitute a criminal offence, the University will act in accordance with the law and may notify the Gardaí.
- The proceedings and details of the cases are private and confidential (where appropriate)
- The student may have a support person at the meeting e.g. a member of the students union or a student adviser, a chaplain.
- Where possible the decision will be made by Estate Services at the meeting, but they may defer the communication of the outcome to the student where a submission made by the student requires further investigation.
- The outcome of the meeting shall be confirmed to the student in writing. The student shall be informed of their right to appeal the decision, as well as the appeal procedure and the time limit for lodging an appeal.

Incidents dealt with at Category 2 level are normally single breaches of the rules. Where an incident results in the breach of more than one rule, individual minimum disciplinary actions may attach to each breach. Where an incident results in the breach of a significant number of rules, which are deemed to be of a serious nature, or where it is a second or subsequent breach, the incident may be escalated to Category 3.

CATEGORY 3: Formal Referral to the Registrar (Office of Student Engagement, Conduct, Complaints and Appeals).

Where a breach of the rules is deemed to be of a significant nature, a formal referral will be made by Estate Services to the Registrar and incidents that are escalated to this category are deemed to be extremely serious breaches. Where a referral is made the procedures and guidelines as laid out in the UCD Student Code will be followed.

Examples of breaches typically handled at this level (non-exhaustive):

- A gathering resulting in major disruption or damage.
- Transgression of the UCD Dignity and Respect Policy
- Interference with fire and safety equipment
- Repeated unauthorised overnight guests
- Damage to property.
- Alleged criminal breaches including assault, misuse of substances, trespass, theft etc
- Interference with security devices including CCTV, holding open of doors, disconnection of alarms etc.

Sanctions

Sanctions may be imposed individually or as a combination of sanctions. A single incident may result in more than one breach of the rules and each breach may attract its own sanction. Where there is a cumulative fine related to a single incident the maximum fine will be capped at €250.

Where damage has been done the cost of restitution may be applied. This is not a fine and may be imposed in addition to or instead of a fine, to pay for the reinstatement cost of damage caused.

Where the combination of the breaches is deemed serious the matter may be referred to Category 3.

Where a sanction is stated, it refers to a sanction per individual rather than to a group of individuals.

The following is a range of sanctions available at each level.

	Category 1	Category 2	Category 3
Warning to abide by the rules	✓	✓	✓
Ban on guests		✓	✓
Fine		✓	✓
Request to write a letter of apology		✓	✓
Charge for cost of repairs		✓	✓
Referral to Gardaí		✓	✓
Ban from Residences			✓
Termination of License to Reside			✓

Note: Termination of a License to Reside will only be managed at Category 3 level and in accordance with the Student Code of Conduct. Where there is a termination of a licence, this will automatically include a bar from reapplying for Residences in the future.

Appeals

You may appeal as follows if you are unhappy with a sanction imposed upon you.

Category 1 - Any sanction made at Category 1 level may be appealed in writing to UCD Estate Services within 10 days of the sanction. The decision of UCD Estate Services shall be final.

Category 2 - Any sanction made at Category 2 level may be appealed in writing to the office of Student Engagement, Conduct, Complaints and Appeals within 10 days of the sanction. The decision of the Dean shall be final.

In the event an appeal to a fine is upheld, the imposed fine will be refunded without delay.

Category 3 - Any sanction arising under the UCD Student Code (Category 3) may be appealed in accordance with the Student Code.

If you are unhappy with these processes you can avail of the UCD Student Complaints Policy

<https://www.ucd.ie/secca/studentappeals/>

DEFINITIONS (non-exhaustive)

Unauthorised Gathering	An unauthorised gathering is reviewed on a case-by-case basis depending on the number of occupants in an apartment and circumstances of the gathering.
Breach of Smoke Free campus policy	This refers to smoking/vaping in all internal area including common areas, doorways, halls, living/kitchen space, bathrooms etc and within 10 meters of a building
Allowing a Breach of the Smoke Free campus policy	This refers to allowing a fellow resident or guest to smoke/vape within an apartment or other part of a building or within 10 meters of a building without reporting it to the Residential Services Team
Tampering with Wireless Routers	This includes the defacing, removing, or disconnection of the routers and or relevant power or data leads both within the apartments and in common areas
Interference with Safety & Fire equipment	Interfering with fire and safety equipment (sensors, break glass units, extinguishers, sounders, alarm panels etc), notices, and purposely blocking a means of escape or disabled refuge area
Drugs (Controlled Substances)	Any form of illegal drug or unlawful substance as identified in Irish Law
Trespass	Includes entry, unauthorised by the Residences Management, into any of the Residence Complex buildings or apartments
Theft	The removal of a person's property without prior authorisation or any other definition under Irish Law
Assault	Any form of assault as defined by Irish law
Antisocial Behaviour/ Disturbance	Any behaviour deemed to be anti-social and which interferes with the general enjoyment of the residences, and the harmonious and safe management of the Residence Complex
Criminal Activity	Any form of Criminal Activity as defined by Irish law
Vandalism / Damage to Property	Defacing of, or damage to university or another person's property, whether deliberate or accidental
Drinking alcohol in a Public Area / Alcohol Policy	Drinking Alcohol anywhere outside of the Residents own apartment including common areas within the buildings
Poor Housekeeping / Hygiene	Basic levels of housekeeping and hygiene are expected of all Residents. Breaches include cleanliness of apartment, poor waste / bin management etc
Abusive Behaviour	Any form of behaviour that may be deemed as unlawful in Irish Law, or not compliant with the Universities Policy on Dignity and Respect
Unauthorised Entry	This refers to any person found to be entering residences by means other than through access gates or doors e.g. Jumping through windows or climbing over or under gates/fences, using or passing a student card for unauthorised entry purposes.
Unauthorised Overnight Guest	All guests must leave an apartment and non-residents must leave the Residence Complex prior to midnight. Any non-resident within the complex after midnight will be deemed to be an overnight guest. Hosts are responsible for the behaviour and actions of their guests. This is an express violation of the Licence to Reside.
Harassment	Harassment refers to a wide spectrum of offensive behaviour. The term commonly refers to behaviour intended to disturb or upset, and, when the term is used in a legal sense, it refers to behaviours which <i>are</i> found threatening or disturbing. Sexual harassment refers to persistent and unwanted sexual advances. Any form of behaviour that may be deemed as unlawful in Irish Law.
Dangerous Materials	Any dangerous, combustible or unlawful substance or material or weapons or imitation weapons or part of same (or plans to construct or avail of same) or other material likely to harm, alarm, or likely to give rise to fear in others and to report immediately the presence of such substance, materials, weapons, plans etc to UCD
Referral to Gardai	Where deemed appropriate an alleged breach may be referred to the Gardai without a formal Category breach process