

# UCD Residences

## A Guide to Managing Breaches of Residential Rules



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## INTRODUCTION

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:

[www.ucd.ie/students/studentssupport.html](http://www.ucd.ie/students/studentssupport.html).

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 PROCESS**

The process for managing breaches of the rules and regulations for the Student Residences is structured in accordance with the seriousness of the breach. The three Categories identified and the respective processes are outlined below and include the procedures for escalation to the next level.

- **CATEGORY 1:**

- **On the spot verbal warning (Residences Management)**

This may arise during the course of 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 verbal 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.

- **CATEGORY 2:**

- **A formal meeting (Estate Services)**

All documented incidents are reviewed by the Management of UCD Residences on a daily basis. If an incident is deemed to be in breach of the Rules and Regulations, and it is felt warrants a formal meeting, details outlining the breach and relevant reports will be forwarded to Estate Services. Estate Services will review the documentation to confirm that a meeting with them should proceed and the Estate Services will send a communication to the residents of an apartment or to individual residents if clearly identified, informing them of the requirement for a formal meeting. Such a meeting may result in Sanction Action being taken. The recommended Sanction Action will be reviewed and approved by Estate Services and will be notified in writing to the Resident. A list of Sanction Actions is provided within this document.

Examples of breaches (non exhaustive):

- Unauthorised Party that had minimal disruption and was early in the evening
- Unauthorised Hanging or Displaying of Articles within the premises or complex
- Causing litter or dumping of rubbish
- Unauthorised Overnight Guest
- Causing a Disturbance
- Not maintaining the interior of the Premises in a clean and hygienic manner
- Minor damage

Incidents that are dealt with under this heading are normally single breaches of the rules and/or regulations. Where an incident results in the breach of a number of rules individual minimum disciplinary actions may attach to each breach. Where an incident results in the breach of a significant number of rules and/or regulations, which are deemed to be of a significant or major nature, or where it is a second or subsequent breach, the incident may be escalated to Category 3.

The procedure Estate Services follows is aligned with those in the student code and that group will ensure that:

- A formal communication is made to the resident outlining the alleged breach in advance of the meeting with Estate Services
- The resident may opt to have the alleged breach heard by a disciplinary committee independent of 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 Gardai
- The proceedings and details of the cases are private and confidential (where appropriate)
- The student may have a representative at the meeting e.g. a member of the students union or a student adviser present at the formal meeting
- 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 his or her right to appeal the decision to a disciplinary committee, the procedure for lodging an appeal and the time limit for lodging an appeal
- Where the matter has been resolved and a decision made, Estate Services will write to the Management of UCD Residences informing them of the decision

- **CATEGORY 3:**  
**Formal Referral to the Registrar**

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

Examples of breaches (non exhaustive):

- A Party resulting in major disruption
- 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, Drugs, Trespass, Theft etc
- Interference with Security Devices including CCTV, holding open of doors, disconnection of alarms etc

## ***Appeals Procedures***

### **CATEGORY 1 APPEALS**

- a. Any Sanction made by the Management of UCD Residences (Category 1) may be appealed in writing to UCD Estates Services within 7 days of the Sanction. The decision of UCD Estates Services shall be final.

### **CATEGORY 2 and CATEGORY 3 APPEALS**

You may appeal as follows if You are unhappy with a Sanction imposed upon You:

- a. Any Sanction made in the first instance by UCD Estates Services (Category 2) may be appealed in writing to the Registrar within 7 days of the Sanction. The decision of the Registrar shall be final. In the event an appeal to a fine is upheld the imposed fine will be refunded.
- b. Any Sanction arising under the UCD Student Code (Category 3) may be appealed in accordance with the Student Code.
- c. When making an appeal You shall be required to pay a fee of €20 which will be refunded in the event the appeal is successful.
- d. If you are unhappy with the process you can use the UCD Student Complaints Policy

## DEFINITIONS

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 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 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	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 e.g. Jumping or climbing over or under gates/fences, using or passing a student card for unauthorised entry purposes.
Unauthorised Overnight Guest	All non residents must leave the Residence Complex prior to 23.30. 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	<b>Harassment</b> 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. <a href="#">Sexual harassment</a> 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
Cost of Restitution of Damage	This is not a fine and may be imposed as well as or instead of a fine or alternative sanction to pay for the reinstatement cost of damage caused.
Written Warning	This is a warning / sanction in writing issued by Estate Services.
Referral to Gardai	Where deemed appropriate an alleged breach may be referred to the Gardai without a formal Category breach process

## **GUIDE TO STANDARD SANCTION ACTION PER RESIDENT**

The information below is intended as a guide to standard sanctions available to the Management of Estate Services when incidents occur. 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 regulations. Each breach of the rules and regulations may attract its own sanction. Where there is a cumulative fine related to a single incident the maximum fine will be capped at €250. However, the decision may be referred to Category 3 as appropriate

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

Where a sanction is stated it refers to a sanction per individual rather than to a group of individuals unless otherwise noted

The list provides a sample of breaches and sanctions and is not exhaustive

## GUIDE TO STANDARD SANCTION ACTION PER RESIDENT (Category 2 and 3 only)

BREACH TYPE	1 <sup>st</sup> Breach	2 <sup>nd</sup> Breach	3 <sup>rd</sup> Breach
<b>UNAUTHORISED GATHERING</b>	Fine €100 Written warning	Termination of Licence	
<b>INTERFERENCE WITH FIRE SAFETY EQUIPMENT</b>	Termination of Licence		
<b>DRUGS IN/ON COMPLEX/PREMISES</b>	Termination of Licence		
<b>ASSAULT</b>	Terminate Licence Refer to Gardai		
<b>THEFT</b>	Terminate Licence Refer to Gardai		
<b>TRESSPASS</b>	Terminate Licence Refer to Gardai		
<b>UNAUTHORISED OVERNIGHT GUEST</b>	Fine €100 Option to Terminate Licence	Termination of Licence	
<b>INTERNAL VANDALISM / PROPERTY DAMAGE</b>	Fine €100 Cost of Damage Option to Terminate Licence	Termination of Licence Refer to Gardai	
<b>INTERNAL VANDALISM / PROPERTY DAMAGE – PERSON UNKNOWN</b>	Cost of repair apportioned to each Resident in the Halls or apartment	Cost of repair apportioned to each Resident in the Hall or apartment	
<b>ANTI SOCIAL BEHAVIOUR / DISTURBANCE</b>	Fine €100 Written warning Option to terminate Licence	Fine €200 Option to terminate Licence terminate Licence	Termination of Licence
<b>SMOKING IN BUILDINGS</b>	Fine €150 Written warning	Maximum fine under legislation or Termination of Licence	Termination of Licence
<b>ALLOWING A PERSON SMOKE IN A BUILDING</b>	Fine €150 Written warning	Maximum fine under legislation or Termination of Licence	Termination of Licence

<b>ABUSIVE BEHAVIOUR</b>	Fine €100 Written warning Referral under Dignity and Respect Policy Option to Terminate Licence	Termination of Licence	
<b>HARRASSMENT</b>	Fine €250 Written warning Referral under Dignity and Respect Policy Option to Terminate Licence	Termination of Licence	
<b>DRINKING IN PUBLIC AREAS</b>	Fine €100 Written warning	Fine €200 Written warning	Termination of Licence
<b>TAMPERING WITH WIRELESS ROUTERS</b>	Fine €150 Cost of Repair / Replacement Written warning	Termination of Licence	
<b>POOR HYGEINE / HOUSEKEEPING</b>	Cost of contract cleaner €50 fine per person involved	€75 fine per person Written warning Cost of a contract clean	Termination of Licence
<b>FAILURE TO EVACUATE ON SOUNDING OF FIRE ALARM</b>	€50 Fine Written warning	€100 Fine Written warning	Termination of Licence
<b>LEAVING BUILDING SECURITY DOORS OPEN – PERSON KNOWN – PERSON NOT KNOWN</b>	€100 Fine Written warning €25 Per resident of the house	€200 Fine Option to Terminate Licence	Termination of Licence
<b>UNAUTHORISED ENTRY</b>	€100 Fine Written warning	€200 Fine Option to Terminate Licence	Termination of Licence
<b>UNAUTHORISED OBJECTS IN BUILDING (E.G. BICYCLES, BOLLARDS, TROLLEYS)</b>	€100 fine	€150 fine	Termination of Licence

**Note:**

**Termination of a license to reside will only be managed as a Category 3 and in accordance with the student code.**

**Where there is a Termination of a Licence this will automatically include a bar from reapplying for Residences in the future.**

The above is a guide to standard sanctions. It is benchmarked against leading Irish and International Universities. Where deemed appropriate Estate Services may escalate this to Category 3, and / or refer it under the UCD Student Code

## **Range of Sanctions Available**

The following is a range of sanctions available to the Estate Services Team. These sanctions may be applied individually, or as a range where more than one breach has occurred.

<b>GUIDE SANCTIONS AVAILABLE BY LEVEL OF MANAGEMENT PROCESS</b>									
	Verbal Warning & Advice	Written warning	Ban Guests	Standard Fine	Damage Repair Cost	Written Warning	Refer to Gardai	Bar from Complexes	Terminate Licence
Category 1	✓								
Category 2	✓	✓	✓	✓	✓	✓	✓		
Category 3	✓	✓	✓	✓	✓	✓	✓	✓	✓