



STUDENT DISCIPLINARY CODE

The Royal Academy of Music moves music forward by inspiring successive generations of musicians to connect, collaborate and create.
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**UNIVERSITY
OF LONDON**

CONTENTS

SD1	General Principles	3
SD2	The Scope of Action and Emergency Powers in respect of alleged misconduct	4
SD3	Definition of Misconduct	4
SD4	Principles governing cases of misconduct which is also a criminal offence	6
SD5	Handling of cases	6
SD6	Breaches of the Regulations: Stage One	7
SD7	Allegations of Misconduct: Stage Two	8
SD8	Consideration of an allegation of Misconduct by the Disciplinary Committee: Stage Three	9
SD9	Initiation of a Disciplinary Committee Hearing	10
SD10	The Disciplinary Committee	11
SD11	Representation.....	12
SD12	Disciplinary Committee Hearings: Protocols and Procedures.....	12
SD13	Appeal against findings or orders of a Disciplinary Committee Hearing: Stage Four.....	14
	Action taken after meetings of the Disciplinary Committee or after Appeals not upheld....	15
SD14	Penalties that may be imposed by the Disciplinary Committee	15
SD15	Particular procedures concerning Precautionary Suspension pending a preliminary enquiry.....	15

SD1 GENERAL PRINCIPLES

- SD1.1 The Academy expects that all students will conduct themselves in an honest, courteous and considerate manner, will make satisfactory academic progress, and will abide by the Regulations.
- SD1.2 The Student Disciplinary Code outlines the procedures that the Academy will use to investigate and deal with cases where a student, or students, are in breach of the Academy's Regulations, or who are suspected of misconduct. Misconduct is defined at Regulation SD3, and the procedures that will be employed in respect of it outlined thereafter.
- SD1.3 There is a separate procedure that the Academy will use to investigate and deal with cases where staff are suspected of misconduct. Complaints of this nature will be handled by the Academy's Human Resources Department.
- SD1.4 The Principal, as the accountable officer of the Academy, is responsible for the Student Disciplinary Code. The Principal may invoke the Student Disciplinary Code, although in practice, the Principal delegates the responsibility to the Programme Tutors/Heads of Year and Heads of Programme (at Stage One); the Registrar and Director of Student Operations (at Stage Two); and the Deputy Principal at Stage Three.
- SD1.5 In the Student Disciplinary Code and with the agreement of the Principal, any named officer may delegate his or her responsibilities to another appropriate member of the Academy and the Code shall not be invalidated by this.
- SD1.6 In dealing with allegations made by one student against another, this Code shall illustrate the Academy's duties and obligations as a Higher Education Provider in respect of the protection of both students from harm and to provide education to both students. In doing so, those responsible for handling cases under this Code will need to balance the conflicting rights and interests of the students when considering what action to take.
- SD1.7 The internal disciplinary process is a civil matter, is based upon an allegation that a student has breached the Academy's Regulations, the allegation has to be proven on the balance of probabilities and the most serious sanction that can be applied is permanent expulsion from the Academy.
- SD1.8 If a student is reporting another students' action(s), they are advised to read the Guidance on Reporting cases of Misconduct which sets out the relevant reporting lines and support available.
- SD1.9 There is an appeal procedure, through which students may appeal against formal disciplinary action taken against them, outlined in respect of misconduct at Regulation SD16-19 and in respect of unsatisfactory academic progress at Regulation T1. After all the stages of appeal administered by the Academy internally have been exhausted, students who remain dissatisfied may seek assistance from the Office of the Independent Adjudicator for Higher Education. The Academy will advise students whose cases exhaust all internal processes that this further option is available.

SD2 THE SCOPE OF ACTION AND EMERGENCY POWERS IN RESPECT OF ALLEGED MISCONDUCT

SD2.1 The Code makes provision for Programme Tutors/Heads of Year and Heads of Programme to issue warnings in cases of breaches of the Regulations.

SD2.2 The Code makes provision for the Registrar and Director of Student Operations (or his/her nominated deputy) to begin a Preliminary Enquiry to determine whether a case of misconduct exists.

SD2.3 The Code makes provision for the Deputy Principal to establish a full Disciplinary Committee.

SD2.4 The Code also provides the Deputy Principal to summarily suspend a student in certain circumstances as a precautionary measure.

SD2.5 The Code makes provision for the Academy to initiate an investigation of misconduct either in response to a report from an individual or of its own volition.

SD3 DEFINITION OF MISCONDUCT

SD3.1 The definition of Misconduct under this code is improper interference, in the broadest sense, with the proper functioning or activities of the Academy by a student or students with those who work or study in the Academy or students committing an action which otherwise damages the Academy.

SD3.2 Misconduct is defined as any action which contributes to:

- Operational obstruction: disruption of, or improper interference with any activities of the Academy, whether on or off Academy premises, by a student or students; including while on placements and external performances;
- Failure to comply with any of the Academy's published policies and procedures of which compliance is required by law (for example those in respect of Tier 4 visa compliance, GDPR or Intellectual Property Rights and Copyright);
- obstruction of, or interference with, the functions, duties or activities of any student, member of staff or other employee of the Academy or any visitor to the Academy, by a student or students.

Specific examples of misconduct include, but are not limited to:

- a) Abusive behaviour: threats to hurt another person, abusive comments in relation to an individual's sex, sexuality, age, disability, race, religion, marriage/civil partnership, gender reassignment, pregnancy, maternity, acting in an intimidating or hostile manner.

- b) Physical misconduct: punching, kicking, slapping, unnecessary physical restraint, biting, pushing, shoving, pulling hair.
- c) Sexual misconduct: sexual intercourse or engaging in a sexual act without consent, attempting to engage in sexual intercourse or engaging in a sexual act without consent, sharing private sexual materials of another person without consent, kissing without consent, touching of a sexual nature through clothes without consent, repeatedly following another person without good reason, and/or making unwanted remarks of a sexual nature.
- d) fraud, bribery, deceit, deception, or dishonesty by a student or students in relation to the Academy or its staff or in connection with holding any office in the Academy or in relation to being a student of the Academy;
- e) Any behaviour which encourages extremism, radicalisation or terrorism, which may be, but not limited to, religious or political in nature; including through use of social media, or illegal access of terrorist materials online. This relates to the Academy's Prevent duties under the Counter Terrorism and Security (CT&S) Act 2015.
- f) falsification or serious misuse of records, such as transcripts and degree certificates;
- g) engaging in any Academy activity whilst under the influence of alcohol or illegal drugs;
- h) action by a student or students likely to cause injury or impair safety on Academy premises;
- i) damage to, theft, or defacement of, Academy property or the property of other members of the Academy community or property available for the use of the Academy community (e.g. rented or leased equipment) caused intentionally or recklessly, and misappropriation of such property by a student or students;
- j) Causing a Health and Safety concern
- k) misuse or unauthorised use of Academy premises or items of property by a student or students, including the inappropriate use of IT services or facilities by a student or students;
- l) Reputational damage: behaviour by a student or students which brings the Academy into disrepute;
- m) failure by a student or students to comply with a previously imposed penalty under this Code.

SD3.3 All allegations of Misconduct will automatically be investigated at Stage Two of the procedure. Where there is a complainant who is a student, the Academy will make every effort to preserve the anonymity of complainants who wish it. However, in some circumstances the Academy may not be able to act fairly with regard to the alleged offender where the complainant remains anonymous. In those circumstances the Academy will inform the complainant of any intended disclosure and discuss whether steps can be taken to ensure the complainant is protected from any anticipated consequences. Where it appears from a complaint that the safety of the complainant or other persons may be seriously at risk, the Academy reserves the right to take any action necessary, although the

Academy will notify the complainant of the action either in advance where this is possible or as soon as it is able to do so.

SD4 PRINCIPLES GOVERNING CASES OF MISCONDUCT WHICH IS ALSO A CRIMINAL OFFENCE

- SD4.1 In dealing with cases of misconduct which may constitute a criminal offence, the criminal process will take priority. Aside from taking any necessary precautionary action, the Academy's internal disciplinary process will be suspended until the criminal process has concluded.
- SD4.2 If the matter is not being dealt with under a criminal process, or where the criminal process has concluded, then the Academy will consider whether a breach of discipline has occurred and, if so, refer the matter for consideration under the internal Disciplinary Code.
- SD4.3 Those involved in dealing with alleged student misconduct which may also constitute a criminal offence will be made aware that notes, emails or documents that are created could be requested by the police as part of a criminal investigation and individuals could be called to give evidence. Written records must be clear, accurate and appropriate.
- SD4.4 Where a finding of misconduct is made and the student has also been convicted and sentenced by a criminal court in respect of the same facts, the penalty set by the court shall be taken into consideration in determining the penalty under this code.
- SD4.5 If a student becomes the subject of a Police investigation during their studies, they must inform the Registrar and Director of Student Operations via a confidential email immediately.
- SD4.6 Failure by a student to disclose to the Academy, via a confidential email to the Registrar and Director of Student Operations, that they have been either arrested, charged or convicted of a criminal offence will result in disciplinary action under this code.

SD5 HANDLING OF CASES

- SD5.1 In dealing with allegations that have been made about the conduct of a student or students, this Code will reflect the various duties and obligations that the Academy owes to all students including performing contractual obligations, exercising a duty of care, applying the principles of natural justice (i.e. the right to a fair hearing before an impartial decision-maker), complying with equality law duties and upholding human rights.
- SD5.2 In all disciplinary proceedings a student shall be presumed to be innocent of the charge until the contrary is proved on the balance of probabilities.

SD5.3 Confidentiality shall be maintained in all disciplinary proceedings, save where disclosure is required by law. The Academy will also adhere to the principles of the General Data Protection Regulation in its handling of all cases.

SD6 BREACHES OF THE REGULATIONS: STAGE ONE

SD6.1 Minor breaches of Regulations may be dealt with by Programme Tutors/Heads of Year in the first instance or may be referred directly to the Head of Programme, or the Head of Department omitting the stages described in SD6.2-6.6 below. Cases involving Postgraduate Students are normally referred directly to the Head of Programme or Head of Department.

SD6.2 Programme Tutors/Heads of Year may issue up to two written warnings if it is felt that there are disciplinary issues. Examples of instances where a written warning may be issued are:

- a) failure by a student to comply with the Academy's attendance regulations (or any other set of regulations) without legitimate reason or cause
- b) absence of a student without approved Leave of Absence
- c) failure by a student engage with or respond to instructions or requests from Academy staff
- d) disruptive behaviour or failure to engage appropriately in classes or on Academy premises
- e) pulling out of collaborative commitments such as performance projects, group assessments, or accompanying fellow students in recitals without due notice or good reason
- f) Misconduct, (as defined under SD3) which, at the discretion of the Programme Tutor/Head of Year, Head of Programme, or Head of Department is deemed to be not so serious or as to require immediate referral to the formal disciplinary procedure under Stage Two.
- g) any other breaches of the Academy's Regulations

SD6.3 The first written warning will be issued following a first misdemeanour or offending pattern of behaviour in line with the above. The student will be given a fair opportunity to address the issue at the discretion of the member of staff who issued the warning; however if the problem persists or further problems arise, a second written warning will be issued.

SD6.4 Written warnings will normally be issued via the Academy email system. They will be circulated to a student's Principal Study Professor, Head of Department, Head of Programme and the Registry inbox. A first written warning will normally remain on the student record for the remainder of the academic year. A second written warning will remain on the student's record for the duration of the student's enrolment at the Academy.

SD6.5 Through such warnings, students will be made aware that any breach of the Regulations may cause the Student Disciplinary Code to be invoked, which could ultimately result in the

termination of studentship if students do not take steps to address the issues that have been identified.

- SD6.6 Following the issuing of two written warnings, any further or repeated offences will be referred by the Programme Tutor/Head of Year to the Head of Programme and the Head of Principal Study Department. In cases of alleged misconduct (as defined under SD3), they may be referred directly to the Registrar and Director of Student Operations at Stage Two of the Student Disciplinary Code.
- SD6.7 Where a case has been referred to the Head of Programme and Head of Department, a disciplinary meeting will be held with the student in question and in the presence of a member of the Academic Secretariat, who will take notes.
- SD6.8 If the Head of Programme/Department concludes that the student requires a further warning, this will be placed on the student's record and will remain there for the duration of the student's enrolment at the Academy. If the Head of Programme/Department concludes that no further offence has been committed, no further action will be taken.
- SD6.8 If a Head of Programme/Department warning has been given and the issues persist, the case will be referred by the Head of Programme to the Registrar and Director of Student Operations at Stage Two of the Student Disciplinary Code.
- SD6.9 Students in receipt of scholarships and/or bursaries who have a Tutorial warning on file at the time of the Bursary Review meeting will be informed that their ongoing scholarship or bursary funding will be subject to a formal review process. The Academy may decide to withdraw or reduce scholarship or bursary funding either at this stage or in the event of any further disciplinary issues during the remainder of the academic year.
- SD6.10 Students should be aware that Academy staff may be required to disclose disciplinary warnings that are on file when writing external references.
- SD6.11 Students have the right of appeal against any of the decisions resulting from Stage One (including those under SD6.9), which can be made via the Academic Appeals Procedure (see Regulation AA1).

SD7 ALLEGATIONS OF MISCONDUCT: STAGE TWO

- SD7.1 Where a clear allegation of Misconduct (as opposed to a breach of the Regulations) has been made, or where a Head of Programme/Head of Department is referring a case to Stage Two, the Registrar and Director of Student Operations should be notified in writing as soon as possible. In emergencies the Deputy Principal may be contacted directly to take precautionary action.
- SD7.2 Where a complaint of Misconduct has been made as defined under SD3, but the student has no history of disciplinary issues (including academic malpractice), no previous written warnings have been issued and the offence is deemed to be minor, the Head of Programme may decide that a disciplinary meeting with the student in question would be an appropriate initial course of action. A member of the Academic Secretariat will take notes, and a written

warning will be placed on the student's file in the event that the student is found to have committed Misconduct.

- SD7.3 Where details of a potential formal disciplinary case have been received, a Preliminary Enquiry shall be held by the Registrar and Director of Student Operations within 14 days.
- SD7.4 The Registrar and Director of Student Operation's Preliminary Enquiry will involve holding individual meetings with the relevant parties in order to assemble evidence to advise the Chair of the Disciplinary Committee whether or not a case is well-founded.
- SD7.5 The student(s) will be notified in writing at or before the commencement of the Preliminary Enquiry of the nature of the alleged offence defined as misconduct under the Student Disciplinary Code, along with any other relevant information.
- SD7.6 The student will be under no obligation to make any statement or give any explanation if he/she does not wish to do so, and shall be told this. If the student gives an explanation in person, he/she may be accompanied by a member of the student body, the Student Union or ULU of their choice, for support purposes. If this is the case, the Registrar and Director of Student Operations will also be accompanied by a colleague at the Enquiry.
- SD7.7 Failure by the student to attend a Preliminary Enquiry meeting (if relevant) will not prevent the Enquiry from taking place.
- SD7.8 At the conclusion of the Preliminary Enquiry the Registrar and Director of Student Operations will write a report detailing the findings.
- SD7.9 If no clear evidence of a case is found by the Registrar and Director of Student Operations to exist, he/she will advise that to the Deputy Principal. The student(s) concerned will be advised accordingly, and all proceedings in respect of the allegation ended.
- SD7.10 If a case is found to exist, the Deputy Principal or his nominated deputy, will be informed and he will establish a Disciplinary Committee under stage two of the procedures.

SD8 CONSIDERATION OF AN ALLEGATION OF MISCONDUCT BY THE DISCIPLINARY COMMITTEE: STAGE THREE

- SD8.1 Alleged offences constituting misconduct as defined in the Student Disciplinary Code, for which a clear case has been established by the Registrar and Director of Student Operations, will be dealt with by the Disciplinary Committee under SD10.
- SD8.2 Where two or more students face similar charges or charges arising out of the same incident or series of incidents, the Deputy Principal shall direct that the charges shall be heard together unless he considers that substantial injustice would be caused by so doing.
- SD8.3 The Registrar and Director of Student Operations will arrange to send to the student or students being charged a written statement of the charge or charges within 5 working days

of the outcome of the Preliminary Enquiry. The statement will set out the nature of the offence, general particulars of the surrounding circumstances and the student's rights in respect of the case. A copy of the documentation will also be sent to the Chair of the Disciplinary Committee.

- SD8.4 The student concerned must send a written reply to the Registrar and Director of Student Operations within five working days of receiving the charge, stating whether the charge is to be accepted or denied. The Chair of the Disciplinary Committee acting in consultation with the Registrar and Director of Student Operations may, at their discretion, extend the time for reply. It will be assumed that the charge is denied if no reply is received within the time limit, which must have been stated with the copy of the charge or charges sent to the student.
- SD8.5 If the student accepts the charge, a statement will be drawn up and agreed between the student and the Registrar and Director of Student Operations. This statement will be considered by the Disciplinary Committee, with or without a formal meeting being held (at the discretion of the Chair), in deciding what action to take under SD15 below.
- SD8.6 If the student does not accept the charge, a formal investigation will take place via a Disciplinary Committee hearing.

SD9 INITIATION OF A DISCIPLINARY COMMITTEE HEARING

- SD9.1 If at this stage the charge has been accepted by the student, the Disciplinary Committee will convene (either in person, or electronically, at the discretion of the Chair), in order to decide what action to take under SD15 below.
- SD9.2 If at this stage the charge is denied (or denial of the charge has been assumed as no reply has been received), the Chair of the Disciplinary Committee, acting in consultation with the Registrar and Director of Student Operations and the Academic Quality Officer, will set a time and place for the meeting and convene the members. This will normally be held within ten working days after the reply to the charge has been received or recorded by the Registrar and Director of Student Operations or within ten working days after the deadline for reply has passed, should no response be received. Variations to this time limit may exceptionally be made by the Chair of the Disciplinary Committee.
- SD9.3 The Disciplinary Committee will receive and consider documentation relevant to the case. The Registrar and Director of Student Operations will arrange for copies of each document that will be presented to the Disciplinary Committee Hearing to be sent to the student facing the charge, the Chair and members, and the time and place at which it will be held. The documents and notice must be sent not less than five working days before the date set for Disciplinary Committee.

SD10 THE DISCIPLINARY COMMITTEE

SD10.1 The Disciplinary Committee is an established Academy committee and its Terms of Reference are:

SD10.1.1 to consider cases brought before it where sufficient evidence has been established for a charge of misconduct under SD9.

SD10.1.2 to, on request, advise the Academy's Academic Board on all disciplinary matters.

SD10.2 The membership of the Disciplinary Committee is:

SD10.2.1 A Chair and Deputy Chair is appointed by the Principal. The Chair of the Committee shall be either the Deputy Principal or another member of the Senior Management Team.

SD10.2.2 The membership of the Disciplinary Committee shall be:

- a. one senior member of academic staff
- b. one Head or senior member of a Professional Services department
- c. one Head of Principal Study
- d. one student representative (or the Student Union President)
- e. the Academic Quality Officer, who shall also act as clerk to the Committee

SD10.2.3 The Registrar and Director of Student Operations shall attend in an observational capacity.

SD10.3 No member of the Disciplinary Committee shall be a member of staff or student of the same Department or Faculty as the student charged with misconduct.

SD10.4 The quorum for meetings of the Disciplinary Committee shall be the Chair and three other members, one each from the categories outlined in SD10.2.2.

SD10.5 The Deputy Chair of the Committee shall be appointed from among the members of the Disciplinary Committee.

SD10.6 In the event that neither the Chair nor the Deputy Chair is available for any given hearing (e.g. by reason of exclusion in accordance with the proviso at SD10.3) the Principal will appoint a substitute chair who will normally be another member of the Senior Management Team who is otherwise unconnected with the case, or a Head of Programme.

SD10.7 Hearings of the Disciplinary Committee shall be held in private but a full written record will be made.

SD10.8 Alternative formats of the written record may be provided upon request, provided the request is made at least 48 hours prior to the meeting.

SD11 REPRESENTATION

- SD11.1 A student facing a charge of misconduct which is to be heard by the Disciplinary Committee may be accompanied by a person of their choice from the student body, Student Union or ULU. The names of those called to appear before the Committee must be given at least 72 hours in advance to the Chair of the Disciplinary Committee.
- SD11.2 As these procedures cover civic matters, students facing allegations may not normally be accompanied by any kind of legal representative.
- SD11.3 In exceptional cases and at the prior discretion of the Chair, the student may be accompanied by a parent/guardian or friend.
- SD11.4 If the student is unable to attend the meeting and sends a representative, that representative will be deemed to be speaking on behalf of the student and no subsequent appeal will be accepted on the grounds that the student was misrepresented in any way.
- SD11.5 All parties will be expected to have read the Disciplinary Committee terms of reference and protocols in advance of the meeting. The Chair reserves the right to terminate the meeting if any member fails to observe them.

SD12 DISCIPLINARY COMMITTEE HEARINGS: PROTOCOLS AND PROCEDURES

- SD12.1 For the purpose of the meeting, a decision by the Committee on any point of procedure will be deemed to be final, subject to an appeal under regulation SD13.
- SD12.2 The student or students facing the charge, along with their nominated representative, shall have the right to be present at all meetings of the Disciplinary Committee.
- SD12.3 Proceedings of the Disciplinary Committee shall not be invalidated by reason of the absence from the meeting of the Committee of the student facing the charge.
- SD12.4 The facts in the possession of the Academy regarding the charge shall be presented to the Committee by the Chair, who will read to the student charged the particulars of the allegation and ask whether it is admitted or not. If at this stage the student facing the charge admits to the allegation, a statement of fact will be made, and if agreed by the student facing the charge and the Registrar and Director of Student Operations, the Committee shall proceed to consider its findings.
- SD12.5 If the student does not accept the charge, then they will be invited to present a full case in accordance with regulation SD12.6.
- SD12.6 Each side may call persons to address the Committee or to present relevant documentary materials that have been previously circulated. The order of the presentations shall be at the discretion of the Committee but, normally, the Academy's case will be presented first, and the student facing the charge and/or her/his representative will reply. The Committee

may ask questions of all those called before it, as may the student facing the charge and/or his/her representations through the Chair.

- SD12.7 The Committee may, at its discretion, at any time during the proceedings order the room to be vacated, or may themselves retire to another room for private discussions. Neither the student facing the charge nor his/her representative is entitled to be present at such times.
- SD12.8 At the conclusion of the presentations and questions, the student facing the charge (and/or his/her representative) may address the Committee and the Chair of the Committee may make a statement, as appropriate.
- SD12.9 The Committee shall consider its finding(s) and/or order(s) in private and shall normally reach its finding(s) without adjournment.
- SD12.10 In exceptional circumstances, the Chair may order the Committee to adjourn, for a period not normally exceeding seven days, for the purpose of deciding on the penalties to be applied, or for other good cause.
- SD12.11 If the Disciplinary Committee finds that the charge of misconduct has been established, the Chair of the Committee may invite the student facing the charge (and/or his/her representative) to address the Committee on the basis of this decision.
- SD12.12 A decision of the Disciplinary Committee shall be reached by a majority vote of the members of the Committee present at the meeting, but shall be announced as a decision of the Disciplinary Committee.
- SD12.13 If the Disciplinary Committee finds that the charge of misconduct has been established, it may order one or more of the measures detailed in SD14.
- SD12.14 If the votes of the Committee are evenly divided regarding either the findings, or the penalties to be applied, it shall consider whether or not a less serious charge has been substantiated or a less serious penalty should be imposed. The student must agree to this proposal. The votes of the individual Committee members shall be treated as confidential, as it is considered disclosure will not add to the student's understanding of the outcome(s) of the hearing.
- SD12.15 Should the Disciplinary Committee decide that misconduct was not established or that there was an honest mistake with no intention of committing misconduct that decision shall be communicated to all persons in the case, by the Academic Quality Officer within seven days of the findings of the committee being established.
- SD12.16 Findings and penalties applied by the Disciplinary Committee shall be announced by the Chair, and shall be sent in writing only to the student charged as soon as possible but within seven days of the final decision of the Disciplinary Committee being announced, by the Academic Quality Officer.
- SD12.17 The findings and proposed penalties will be sent to the student who will also be notified of their right to appeal.

SD12.18 The standard of proof used by the Disciplinary Committee is on the balance of probabilities.

SD13 APPEAL AGAINST FINDINGS OR ORDERS OF A DISCIPLINARY COMMITTEE HEARING: STAGE FOUR

SD13.1 Following a hearing of a charge of misconduct by the Disciplinary Committee, the hearing of an appeal against the decision or the order or both may be allowed, subject to the discretion of the Principal.

SD13.2 An appeal must be requested in writing and addressed to the Principal within seven days of the announcement of the decision or the order which is to be the subject of the appeal. The grounds for the appeal must be clearly stated as part of the request.

SD13.3 The Principal will allow an appeal to be heard if they are satisfied that either or both of the following criteria apply:

- (i) new evidence can be produced that could not have been made available at the Disciplinary Committee from which a legitimate appeal could arise;
- (ii) evidence can be produced of significant administrative error, including prejudicial procedural error, made before, during or after the original hearing.

SD13.4 The Principal has the discretion to take into account grounds (including those of compassion) other than those stated above in deciding whether there are grounds for appeal.

SD13.5 The Principal shall normally notify the student whether or not there are grounds for an appeal within seven days of receipt of the appeal.

SD13.6 If it is decided to allow an appeal to be heard, the Principal shall appoint one other appropriately trained member of senior staff with whom to consider the appeal, and shall do so within 14 days. A written response will be provided to the student to convey the outcome.

SD13.7 This decision shall be final and will conclude the Academy's internal disciplinary procedures. After all the stages of appeal administered by the Academy internally have been exhausted, students that remain dissatisfied may seek assistance from the Office of the Independent Adjudicator for Higher Education in order to reach a settlement. The Academy will advise students whose cases exhaust all internal processes that this further option is available via the issue of a Completion of Procedures (CoP) letter.

ACTION TAKEN AFTER MEETINGS OF THE DISCIPLINARY COMMITTEE OR AFTER APPEALS NOT UPHeld

SD14 PENALTIES THAT MAY BE IMPOSED BY THE DISCIPLINARY COMMITTEE

SD14.1 If a Disciplinary Committee decides that a charge of misconduct has been provided and proved, or an appeal is not upheld, one or more of the following measures may be ordered:

- (i) A fine (to cover any damages to items or property as appropriate)
- (ii) A reprimand, to be retained on the student file for the remainder of their enrolment
- (iii) A written warning with regard to future conduct, including where appropriate signposting to relevant support available
- (iii) A requirement to apologise either in person or in writing to any individuals directly or indirectly impacted by the offence
- (iv) Suspension of access to particular aspects of educational or other resources (such as practice room booking, or a ban from the Bar) for up to a term (10 weeks)
- (v) A requirement to make good the cost in whole or in part of any damage caused and/or repay/make good any financial loss to the Academy.
- (vi) Exclusion for a stated period or indefinitely from specified activities or specified parts of the Academy (particularly for the protection of others);
- (v) Expulsion.

SD15 PARTICULAR PROCEDURES CONCERNING PRECAUTIONARY SUSPENSION PENDING A PRELIMINARY ENQUIRY

SD15.1 In accordance with Regulation SD2.4, the Deputy Principal has the discretion to summarily suspend a student.

SD15.2 Suspension and exclusion pending a hearing:

- (i) A student who is the subject of a complaint of misconduct, or against whom a criminal charge is pending, or who is the subject of police investigation, may be suspended or excluded by the Deputy Principal pending the disciplinary hearing or the trial.
- (ii) A full report shall be made to the Principal of any suspension or exclusion under this section.

- (iii) Suspension involves a total prohibition on attendance at or access to the Academy and on any participation in Academy activities; but it may be subject to qualification, such as permission to attend for the purpose of an examination.
- (iv) Exclusion involves selective restriction on attendance at or access to the Academy and selective prohibition on exercising the functions or duties of any office or committee membership in the Academy or the Students' Union, the exact details to be specified in writing.
- (v) Suspension will be used only where exclusion from specified activities or facilities is deemed to be inadequate.
- (vi) An order of suspension or exclusion may include a requirement that the student should have no contact of any kind with specific persons as defined by the Academy.
- (vii) Suspension or exclusion pending a hearing will not be used as a penalty. The power to suspend or exclude under this provision is to protect the members of the Academy community in general or a particular member or members and the power shall be used only where the Deputy Principal is of the opinion that it is urgent and necessary to take such action. Written reasons for the decision shall be recorded and made available to the student.
- (viii) No student shall be suspended or excluded unless he/she has been given an opportunity to make representations in person to the Deputy Principal. Where for any reason it appears to the Deputy Principal that it is not possible for the student to attend in person, he/she shall be entitled to make written representations.
- (ix) In cases of great urgency, the Deputy Principal shall be empowered to suspend a student with immediate effect.
- (x) Suspension or exclusion may remain in place whilst all stages of the disciplinary procedure are followed. This will be subject to review every 28 days and this review will be undertaken by the Principal and two members of Academic Board (including at least one academic member and one other member).