

Student Code of Conduct and Disciplinary Procedures (BNU Registered Students)

Version 8.0

Approved by the Board of Governors

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The Student Code of Conduct and Disciplinary Procedures are intended to set and maintain acceptable standards of behaviour within the School community, to encourage individuals to accept their obligations to the community, to protect the rights of members of that community to participate freely in the educational purposes of the School and to help maintain the School's good name and standing.

The following should be read in conjunction with the School's:

- *Regulations for the Use of IT Facilities*
- *Social Media Policy*
- *Academic Freedom and Freedom of Speech Policy (Code of Practice)*

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1. GENERAL

1.1. This document complements several School Policies and Regulations governing student conduct and behaviour and use of particular facilities and services. Students are expected to familiarise themselves with other School regulations, policies and documents referred to.

1.2. By signing the LSST Application/Registration Form, students agree that they will abide by the Student Code of Conduct.

1.3. The *Student Code of Conduct and Disciplinary Procedures* shall not be applied with respect to any misconduct that takes place after a student has ceased to be enrolled on their course. However, the School reserves the right to take action against any behaviour that poses a safeguarding risk to any LSST member of staff, student, visitor or applicant will be considered a breach of our code of conduct and will be dealt with appropriately or to take action against a student for misconduct prior to enrolment (with the exception of spent convictions) which, in the judgement of the Admissions Officer, indicates that there may be a threat to good order and/or safety or the good name of the School.

1.4. In those circumstances where behaviour arising from a diagnosed or suspected mental illness constitutes a breach of the Code of Conduct, the Disciplinary Procedures will normally be applied if medical and counselling interventions have failed to satisfactorily address the problem behaviour or have been refused by the student. However, in applying the Disciplinary Procedure the Registrar and/or Disciplinary Panel must have due regard to the School's *Equality, Diversity, and Inclusion Policy*. Where appropriate, and particularly where continued study may present a risk to the health, safety, or wellbeing of the student or others, the matter may instead be referred for consideration under LSST's Fitness to Study Policy. Such referral does not preclude disciplinary action, but ensures that the student's circumstances are assessed holistically and in compliance with the Equality Act 2010.

1.5. Students enrolled on a course with Buckinghamshire New University (BNU), should refer to this policy in the first instance for information regarding the Student Code of Conduct and Disciplinary Procedures. Disciplinary processes involving a BNU registered student will be managed by LSST in accordance with this Policy. Where a BNU registered student has exhibited major or gross breaches of misconduct, which result in temporary suspension from LSST Campus (access to online learning materials shall remain) or permanent exclusion from their course, cases will usually be shared with the University, BNU, for ratification.

1.6. Where appropriate in all the circumstances, measures such as admonishment, counselling or mediation should be used to achieve the objectives of these Regulations and Procedures.

1.7. Students are expected to adhere to LSST Student Code of Conduct , irrespective of mode or level of study.

1.8. This Policy applies to misconduct occurring:

- On or in close proximity to LSST premises.
- At any temporary sites used by LSST for teaching/examinations.
- During online or distance learning teaching sessions.
- On social media or online engagement platforms.
- During any LSST organised or sponsored events, placements, visits, and/or study trips.
- At any point when the student has been asked to represent LSST.
- When using and accessing all LSST computer services and online networks, both off and on LSST sites.

1.9. The LSST Executive Committee may from time to time amend these Student Code of Conduct and Disciplinary Procedures or replace them entirely. Any changes effected shall be deemed to have an immediate effect.

1.10. The LSST Registry and Quality Unit will ensure that the Student Code of Conduct and Disciplinary Procedures are reviewed regularly and recommend such changes as are necessary.

1.11. It is the Student's responsibility to make themselves aware of LSST's policies which are available from the LSST Connect.

1.12. Students will be given information during the induction session regarding how to access the full range of School policies, rules and regulations which are available on the LSST website, Student Handbook and Student Portal.

1.13. Where the term Registrar is referenced in this policy, this includes the authorised nominee from the Registry department. In most cases, this will be the Assistant Registrar or a designated registry officer.

1.14. Definitions

1.14.1. "Registrar" means the senior officer of LSST responsible for student administration and discipline, or their nominee.

1.14.2. "Disciplinary Panel" means the body convened under this Policy to determine allegations of Major or Gross Misconduct.

1.14.3. "Student" means any individual registered for a programme of study at LSST.

1.14.4. "Suspension" means the temporary removal of a student's right to attend teaching, assessments, or to use LSST facilities.

1.14.5. "Exclusion" means the permanent termination of a student's registration.

2. CODE OF CONDUCT

2.1. Students shall conduct themselves in a manner which:

- Upholds the academic integrity of LSST.
- Respects the rights, dignity, and wellbeing of others.
- Complies with the law of England and Wales.
- Safeguards LSST property and resources.
- Does not bring LSST into disrepute.

2.2. Zero-Tolerance Conduct

2.2.1. The School operates a strict zero-tolerance policy in respect of bullying, harassment (including sexual harassment), discrimination, violent behaviour or threats of violence, and the possession, use, or supply of illegal drugs or offensive weapons on campus. Any student found to be in breach of this provision shall be liable to immediate removal from campus and may be subject to suspension or permanent exclusion from the School. Where there is safeguarding risk to the individual, other students, staff or the public, the School reserves the right to notify external agencies, including the Police, safeguarding bodies, or professional regulators, of such behaviour.

2.3. Reporting Unacceptable Behaviour

2.3.1. If you believe you have witnessed, or have been the victim of, unacceptable behaviour, you are strongly encouraged to report the matter at the earliest opportunity. Reports may be made, in confidence, to any of the following members of staff or departments, who will provide advice, support, and referral to appropriate procedures where necessary:

- Your Personal Academic Tutor, Lecturer, or Course Leader.
- A Student Union Representative or your local student centre.
- Campus Student Support Officer.
- Campus Academic Support Officer.
- Campus Safeguarding Officer.
- The Registry Department.
- In very serious cases, for example, involving violence, sexual misconduct, hate crime, or other potential criminal offences, students and staff are entitled to report the matter directly to the Police. LSST staff can provide guidance and support in

making such a report, but the decision to involve the Police rests with the victim unless there are overriding safeguarding or legal obligations.

- All reports will be treated sensitively, with due regard to confidentiality and the wellbeing of those involved. Where safeguarding, criminal, or disciplinary concerns arise, the matter may be referred to the appropriate LSST procedures and, where necessary, external authorities.

2.4. General Standards of Behaviour

2.4.1. Students shall always act respectfully and considerately towards other students, School employees and agents of the School, as well as guests and visitors on campus.

2.4.2. Students shall comply with all policies issued by the School and with any reasonable instructions given by the School's staff.

2.4.3. Students shall not deliberately disrupt or interfere with the education of other students or the work of the School.

2.4.4. Students shall not engage in behaviour that is likely to endanger their safety or the safety of another person.

2.4.5. Students shall not take away, misuse or damage any property belonging to any student, employee or agent of the School guests or visitors.

2.4.6. Students shall not behave in a disorderly, abusive, threatening, indecent, offensive or violent manner. The School will not tolerate the threat or use of violence against staff, visitors, or students.

2.4.7. Students shall not provide or withhold information with intent to deceive in any application for financial aid or other benefit or service.

2.4.8. Students shall not forge, alter or misuse any School documents, records or identification cards.

2.4.9. Students shall always provide genuine documents including confirmation of academic qualifications, medical status etc. to the School. Where doubt exists, the School retains the right to obtain clarification from the awarding body, GP surgery, etc.

2.4.10. Students shall not invade, abuse or attempt to abuse the security, integrity or privacy of any files or confidential material (including those held within the School's Computer System).

2.4.11. Students shall pay all debts and charges due and payable (including fines) to the School at the required time.

2.4.12. Students shall not make vexatious complaints under the Student Complaints procedure.

2.4.13. Students must assist the School to comply with its Prevent Duty, and not knowingly involve themselves in any extremist or terrorism-related activity.

3. PROHIBITED SUBSTANCES AND WEAPONS

3.1. Prohibited Substances

3.1.1. Through appropriate safeguarding and welfare practices, the School will take a supportive role toward students who have or display elements of alcohol and/or illegal drug abuse or dependency behaviour. However, prohibited substances are not at all permitted at our campuses, nor at any School related events.

3.1.2. 'Prohibited substances' include alcoholic drinks as well as other substances such as a drug that is banned or forbidden by law or other authority. Students found to be in possession of prohibited substances, especially those prohibited by law can be liable to a charge of gross misconduct and risk exclusion from the School as a whole.

3.1.3. Where substance misuse gives rise to safeguarding concerns, or where there is reason to believe that a student may be vulnerable to exploitation, or criminal activity, the School may refer the matter to safeguarding agencies or act in accordance with its statutory obligations under the Safeguarding duty.

3.2. Weapons

3.2.1. Students are prohibited from bringing any weapon onto any LSST campus, or to any other location that the student may be required to attend in consequence of their studies (including but not limited to placements, field visits, or off-campus activities).

3.2.2. Weapon means any firearm, whether loaded or unloaded, from which a shot may be discharged including, but not limited to, pistol, revolver, shotgun, rifle, bb gun or any knife including switchblade knife, gravity knife, or any other bladed object, this prohibition extends to, inter alia; metal knuckles, bow and arrow, cross-bow, electronic stunning devices, etc.

3.2.3. A weapon may also be a normal everyday object (such as a tool or other heavy blunt instrument), where a member of staff suspects this may be misused in an offensive manner.

3.2.4. Any student who is uncertain whether an instrument or device is prohibited under this policy is obligated to request clarification from the Dean of their relevant campus, the Vice Principal to insure they are not in violation of this policy.

3.2.5. A breach of this prohibition shall constitute Gross Misconduct and will normally result in immediate removal from the School premises and permanent exclusion from the School. Where appropriate, the School reserves the right to notify the Police, safeguarding agencies, or other external authorities, and to act in compliance with its statutory obligations.

3.3. Use of Buildings, Grounds, and Equipment

3.3.1. Students shall not remove, deface or damage any equipment or property belonging to or under the control of the School.

3.3.2. Students shall not intentionally or recklessly interfere with or misuse any equipment provided in the interests of health and safety or activate a fire alarm without reason.

3.3.3. Students shall not drop litter or leave their desks in a disorderly state after lessons.

3.3.4. Students shall not eat or drink in areas where this is prohibited. Smoking will only be permitted in designated areas.

3.3.5. Students must show their ID cards to reception staff when entering the building. Students must not seek to gain unauthorised entry to any part of the School's campuses without permission.

3.3.6. Students shall not make unauthorised use of the School phones or IT equipment – for more information please refer to the School's *Regulations for the Use of IT* equipment.

3.3.7. Students bringing a car or motorcycle onto School grounds shall observe all road signs and speed restrictions, shall not cause an obstruction, shall park only on designated areas and shall drive with due care and attention. Students shall not park motor vehicles on any campus unless so authorised.

3.3.8. Students using bicycles on School grounds shall do so in a careful and responsible manner, comply with all official notices and not ride in a manner that creates a hazard for pedestrians. Bicycles shall not be left where they will obstruct access or exit.

3.3.9. Students shall refrain from using mobile phones when they are in any teaching environment and have them switched off or set to silent mode.

4. CATEGORIES OF MISCONDUCT

4.1. Minor Misconduct

4.1.1. Behaviour which constitutes a breach of the Student Code of Conduct but which has only minimal and temporary impact on the LSST community, and which does not pose a significant risk to the rights, dignity, or safety of others.

4.2. Major Misconduct

4.2.1. Behaviour which is unacceptable and/or disruptive, and which has the potential to, or does, cause significant adverse effect on the LSST community, its operations, or its reputation. Such conduct may also involve repeated or escalated instances of Minor Misconduct.

4.3. Gross Misconduct

4.3.1. Behaviour which represents a fundamental breach of the standards expected of students, and which may jeopardise the safety, security, or wellbeing of members of the LSST community, or seriously undermine the integrity, reputation, or proper functioning of the School. Gross Misconduct shall normally be regarded as grounds for exclusion.

5. ADDRESSING MISCONDUCT

5.1. Minor Misconduct

5.1.1. Incidents of Minor Misconduct should be addressed promptly by campus staff in order to minimise impact through immediate intervention, guidance, or de-escalation. Such matters are normally resolved locally and do not require escalation beyond the campus level unless repeated or persistent.

5.2. Major or Gross Misconduct

5.2.1. Cases of Major or Gross Misconduct shall be addressed in accordance with the formal disciplinary procedure. These cases will be considered by LSST in the first instance; however, all such cases may also be reported to the student's awarding body, Buckinghamshire New University (BNU).

5.2.2. Where the case concerns a student's course progression and/or constitutes a very serious breach of the Student Code of Conduct and Disciplinary Policy, the matter will be referred directly to BNU for investigation and final decision.

DISCIPLINARY PROCEDURE

6. INITIATION OF PROCEEDINGS

6.1. Eligible Parties

6.1.1. Allegations of Major or Gross Misconduct may be raised by any of the following:

- LSST staff members or contracted staff.
- An individual student or a group of students.
- The police or other law enforcement agencies.
- Members of the public or visitors to LSST.

6.2. Submission Requirements

6.2.1. Allegations shall be reported to the Registrar (or nominee) within **10 working days** of the incident.

6.2.2. The individual reporting the allegation must provide their full name, contact details, and any supporting evidence. Where appropriate, this may include completion of an **Incident Report Form** or the submission of other relevant documentation.

6.2.3. Allegations submitted anonymously shall not normally be accepted, except where exceptional circumstances justify investigation.

6.2.4. Where circumstances (e.g., safety concerns) prevent the individual from disclosing their details at the time of the allegation, or where a report is made outside the 10-working-day timeframe, the Registrar shall determine on a case-by-case basis whether the allegation may proceed.

6.3. Assessment of Allegations

6.3.1. The Registrar shall determine whether the allegation, if proven, would constitute Minor, Major, or Gross Misconduct, and direct the matter accordingly under this Policy.

6.3.2. Allegations raised by third parties shall not entitle the complainant to details of the investigation, but the complainant may be notified when the investigation has concluded and appropriate action has been taken.

6.4. Vexatious or Malicious Allegations

6.4.1. Allegations that are found to be deliberately false, vexatious, or malicious shall not be pursued under this Policy.

6.4.2. Where such allegations are made by a student, this may itself constitute a disciplinary offence and be addressed under the Student Code of Conduct and Disciplinary Procedures.

6.4.3. Where such allegations are made by staff, they may be addressed under the relevant staff disciplinary procedures.

6.5. Right of Appeal

6.5.1. Members of LSST, whether staff or students, shall have the right to appeal the decision and/or outcome of disciplinary proceedings. Appeals must be submitted in writing within **10 working days** of the date on which the individual is formally notified of the final outcome.

6.6. Third-Party Allegations

6.6.1. Third parties (for example, members of the public, visitors, or external organisations) shall not have the right of appeal against the outcome of disciplinary proceedings. However, they may submit a complaint to the University if they wish to express concerns regarding the handling of the matter.

6.7. Complaints Process

6.7.1. Such complaints will be managed in accordance with the School's **Student Complaints Policy** (Buckinghamshire New University).

7. INITIATION OF DISCIPLINARY PROCEDURES

7.1. Referral of Allegations

7.1.1. Where allegations are made that a breach or breaches of the Student Code of Conduct have occurred, the person making the allegation shall arrange for all documents and supporting evidence to be submitted to the Registrar at the earliest opportunity.

7.2. Initial Action

7.2.1. On receipt of the allegation, the Registry Department shall either:

- Carry out an investigation of the allegation in accordance with Section 10 of this Policy, or
- In cases where the evidence already available clearly warrants it, proceed directly to a Disciplinary Panel hearing.

8. INVESTIGATION OF ALLEGATIONS

8.1. Specialist Advice

8.1.1. The Registrar may, at their discretion, seek advice or input from members of relevant offices to inform the investigation. For example:

- The Head of Security in relation to disorder breaches.
- The Head of IT in relation to alleged computer misuse, or
- The Senior Admissions Manager or Assistant Registrar in relation to documentary or admissions-related issues.

8.2. Delegation to Campuses

8.2.1. Where an incident occurs at a LSST campus, the Registrar will delegate the investigation to an appropriate member of staff who is not a member of the Disciplinary Panel. Examples include the Operations Manager or a Course Leader. The delegated investigator shall act with due impartiality and in accordance with this Policy.

8.3. Conflict of Interest

8.3.1. No person shall participate in the investigation of an allegation where they have, or may reasonably be perceived to have, a conflict of interest or prior involvement in the matter. In such cases, the Registrar shall appoint an alternative investigator to ensure the integrity and fairness of the process.

8.4. Temporary Suspension Pending Proceedings

8.4.1. If, at any stage, the Registrar (or nominee) believes that the presence of the student(s) on campus poses a risk to the safety, security, or wellbeing of others, to property, or to the integrity of the School's processes, the student(s) may be suspended from some or all of their studies and/or campus facilities while the disciplinary procedure is carried out.

8.4.2. Suspension is a neutral act and does not imply that any finding of misconduct has been made.

8.4.3. The terms of the suspension, including its duration and any specific restrictions (e.g. access to premises, contact with individuals, or participation in online activities), shall be confirmed to the student in writing.

8.4.4. The suspension shall be reviewed at appropriate intervals to ensure it remains necessary and proportionate pending the conclusion of proceedings.

8.5. Initial Investigation

8.5.1. An initial investigation will be conducted by the nominated investigatory officer to determine:

- Whether any breach(es) of the Student Code of Conduct have been committed.
- Whether such a breach is minor, major or gross, taking into account any aggravating or mitigating factors in the surrounding circumstances, including any past penalties imposed on the student(s).

8.5.2. The Registry Department shall gather information regarding the incident or allegation from the nominated investigatory officer. The ultimate responsibility for informing the student and managing the investigation lies with the investigatory officer with assistance from the Registry Department.

8.5.3. The investigation may include interviewing the student. Students will be given 5 working days' notice of any interview they are to attend. This meeting will be conducted formally and comprise of the student, investigating officer, note-taker (if not the investigating officer), and a friend, colleague or Student Union representative that the complainant/respondent may choose to accompany them. No legal representation can be present at this stage for either party.

8.5.4. Should the student choose not to attend, the outcome will be based on the evidence already available. Recording of the meetings are only allowed where all attendees have given consent. All attendees should be permitted the opportunity to request and review any notes or recordings made during this meeting.

8.5.5. The investigation should normally be resolved within 10 working days of the incident. At the conclusion of the investigation, the Registrar may either:

- Dismiss the allegation(s) and notify the relevant parties of the dismissal, or
- If there is a case to answer on the evidence available, decide whether if proved the breach would be Minor, Major, or Gross.

8.5.6. The Registry Department shall then notify the student of the decision by letter or email, and if necessary, arrange a Disciplinary Panel at least 10 working days after the date of the letter. In most cases, a Disciplinary Panel will only convene to discuss cases of gross misconduct or where the findings of the investigation may require the reassessment of a student's suitability to continue on their course.

8.6. The Disciplinary Panel

8.6.1. If the Registrar decides that a Disciplinary Panel should be held, they will notify the student in writing at least 10 working days before the Panel takes place. That letter/email shall include and confirm:

- A statement of the allegation(s) to be considered and the purpose of the hearing.

- Details of the date, time and place of the hearing.

- Copies of any documentary evidence and description of other evidence (e.g., CCTV) to be considered in connection with the allegation.

- That the student should submit a written statement of their version of the events and any evidence on which they wish to rely no later than 5 working days before the hearing date.

- A statement of the student's right to be accompanied by a friend or Student Union representative.

8.6.2. The Panel is normally chaired by the Head of Student Lifecycle, and includes the Dean/Associate Dean of the relevant campus, Course Leader, Investigatory Officer for Case, and Registrar. A representative from the Student Union or Student Support may be invited by Student's request. All members of the Panel will have no prior involvement in the case. This ensures fairness, maintains objectivity and avoids bias in the process.

8.7. Procedural Approach by the Disciplinary Panel

8.7.1. The investigatory officer's report and the students' reply will be read out and considered along with its supporting documentary evidence and witness statements.

8.7.2. The student then may make brief verbal comments on the accusations, and the Panel may ask the student questions.

8.7.3. The Panel will then ask the student and their representative to leave the room/online meeting and discuss their decision.

8.7.4. Procedures if a student does not respond or attend:

- Should a student notify the Registrar in advance of the Panel meeting that they are unable to attend the hearing on the scheduled date and has provided a satisfactory reason for their non-attendance; the Registrar will consider whether in all the circumstances the hearing should be rescheduled. However, only one further attempt to reschedule the hearing in order to enable the student's attendance will be made.

- If the student does not attend the Panel meeting and does not communicate with the Registrar any reason for their non-attendance, the Chair of the Panel will normally proceed in the absence of the student.

- Where the Panel is to be re-convened, the Registrar has responsibility for ensuring that the student is notified again.

8.8. Decision of the Panel and Imposition of Penalties

8.8.1. The Panel's decision shall be delivered by the Chair of the Panel and must be made on a majority vote by the Panel on the balance of probability.

8.8.2. Where the allegation against the student has been upheld and the application of penalties is to be considered, the Chair of the Panel will request and consider a short summary of the student's current academic position and disciplinary record from the Registry Department. On arriving at a decision on disciplinary penalties to be applied, the Panel will take account of any previous penalties on record and shall impose the penalties on an individual basis.

8.8.3. The Chair of the Panel will sign the written record of the decision of the Panel concerning any penalties to be applied. The record will be kept by the Registry Department and a copy will be placed on the student's file.

8.8.4. Where appropriate, a report will be made to the awarding body's Assessment/Progression Board. The Chair of the Assessment/Progression Board is responsible for ensuring that any academic penalty determined by the Panel is implemented by the Assessment/Progression Board.

8.8.5. The Registrar has responsibility for the notification of the outcome of any hearing to all relevant parties within 5 working days of the decision.

9. PENALTIES FOR BREACHES OF THE STUDENT CODE OF CONDUCT

9.1. Minor Breaches

9.1.1. The penalties (in any combination) that may be imposed in relation to proven Minor Breaches are as follows:

- A first written warning of the possible consequences of further misconduct. A record of the warning will remain on the student's file indefinitely.
- Payment by the student for the repair of damaged property or equipment, or reasonable compensation to be payable.
- Removal of, or restriction of access to, School facilities.
- Requirement of an apology, in an appropriate form, to any person.
- Any of the sanctions above may be suspended (for up to 12 months) or made conditional (e.g. on complying with the requirement for an apology or compensating a victim).
- A non-exhaustive list of likely Minor Breaches includes:
    - Negligently or recklessly causing damage to property.
    - The use of inappropriate and/or indecent language from the student towards staff, another student, or the School, where no previous warning has been issued.

- Breaches of the Code of Conduct other than in cases of attempted or actual criminality (e.g. theft, burglary, harassment, or stalking).

- Behaviour or activity, whether within the School premises or elsewhere, which is likely to damage the good name of the School. In particular, a Minor Breach will be deemed to have occurred in the event of drunken, disorderly, abusive, obstructive, destructive, or other behaviour by a student where the said behaviour causes a nuisance ("Disorder").

9.2. Major Breaches

9.2.1. Where the disciplinary procedures have been completed in relation to proven Major Breaches, the Chair of the Panel may, in addition to the penalties set out above:

- Suspend the student either for a specified period of time, or until specified conditions have been met.

- Issue a Final Written Warning (following which any subsequent Minor or Major Breach will normally lead to exclusion).

- Exclude the student. Any student exclusion as a result of a disciplinary decision must be reviewed and approved by the awarding body, BNU, prior to action.

- A non-exhaustive list of Major Breaches of the Code of Conduct includes:

    - Three or more incidents of disorder, or incidents of disorder leading to a criminal conviction (including a police caution).

    - Criminal offences (other than motoring offences).

    - Threatening or violent behaviour towards staff, visitors, or other students.

    - The use of inappropriate and/or indecent language from the student towards staff, another student, or the School, where a previous warning has been issued.

    - Submitting falsified documents to the School.

    - Intimidating witnesses or otherwise interfering with this or any other LSST disciplinary, appeal, or complaints procedure.

    - Failure to comply with conditions of a conditional penalty imposed under this Procedure.

    - Failure to comply with a penalty imposed for a Minor Breach (e.g. to apologise or compensate the victim).

- Minor Breaches that are part of a repeated or systematic course of conduct, or which are aggravated by violence, discrimination, harassment, or bullying.

- For all more serious breaches of discipline, or for cases which affect a student's course progression, these shall be referred directly to the University, Buckinghamshire New University (BNU). For more information on BNU's process see: BNU Registry and Academic Advice.

9.3. Gross Misconduct

9.3.1. Where the disciplinary procedures have been completed in relation to proven Gross Misconduct, the Chair of the Panel may, in addition to the penalties set out above:

- Permanently exclude the student from LSST.

- Recommend to the awarding body, BNU, that the student be withdrawn from their programme of study.

- Refer the matter to the Police or other external authorities, where appropriate.

- Impose any further conditions deemed necessary to safeguard the LSST community.

- Any exclusion as a result of Gross Misconduct must be reviewed and approved by the awarding body, BNU, prior to action.

- A non-exhaustive list of Gross Misconduct breaches includes:

    - Physical assault or sexual assault of staff, students, or visitors.

    - Possession, use, or supply of illegal drugs or other controlled substances on LSST premises or at LSST-related activities.

    - Possession or use of weapons (including imitation or offensive weapons) on LSST premises or at LSST-related activities.

    - Serious criminal offences resulting in conviction or caution, particularly those involving violence, harassment, hate crime, fraud, or dishonesty.

    - Deliberate acts endangering the health, safety, or wellbeing of others, including serious breaches of safeguarding duties.

    - Serious misuse of School facilities, systems, or data (including IT systems) leading to reputational or financial damage.

    - Repeated or escalated Major Misconduct, particularly where accompanied by threats, harassment, discrimination, or bullying.

- Fraudulent activity, including serious falsification of academic or administrative documents.

- Any conduct which fundamentally breaches the trust between the student and LSST, or which is judged to bring the School into serious disrepute.

9.4. Referral to the University

9.4.1. For all serious breaches of discipline, or in cases where the matter directly affects a student's course progression, the case shall be referred directly to the awarding body, **Buckinghamshire New University (BNU)**. The University will then determine the appropriate course of action under its own regulations and procedures.

9.4.2. Further information regarding BNU's processes can be found here: https://www.bucks.ac.uk/current-students/registry-helpdesk-and-academic-advice

10. PROCEDURES REGARDING SUSPENSION OR EXCLUSION

10.1. The decision to exclude or suspend a student from the School will include the exclusion from all School activities including studying at or with the School and also the use of any School premises and/or facilities.

10.2. Suspension

10.2.1. A student may be suspended from the School during investigation of an alleged offence if it is deemed that such suspension is in the best interests of the School, its staff or students, or of the student(s) concerned, or is necessary to ensure an effective investigation.

10.2.2. Serious breaches of Student Code of Conduct will most likely result in immediate suspension from the School until the matter has been fully investigated. A serious breach resulting in suspension must be confirmed in writing within 2 working days from the Registry department by either letter or email. In most cases, the awarding body BNU, will be notified of any suspension applied to a BNU Registered student.

10.3. Disciplinary Exclusions

10.3.1. The Disciplinary Panel may decide on an appropriate course of action that may include immediate exclusion from the LSST, where agreed by the awarding body, BNU. If exclusion is enacted students will receive a Termination of Registration Letter, informing them that they have been excluded from LSST.

10.3.2. A non-exhaustive list of Major Breaches of the Code of Conduct that may justify expulsion are:

- Committing a serious criminal offence within the premises of the School or elsewhere (i.e., indictable only, or either-way offences serious enough to warrant immediate custodial penalty), or receiving a custodial sentence for a criminal offence.

- Keeping or using any offensive weapons, or any object that is deemed to be an offensive weapon, even if properly licensed, on School property.
- Repeated major breaches.
- Involvement in extremist activity in breach of the School's Prevent Policy.
- Assaults, sexual harassment, or violence against other students, visitors, or staff.
- Any Major Breach aggravated by discriminatory behaviour or bullying.

10.4. Exclusion for Non-Payment of Tuition Fees

10.4.1. If students do not satisfy the School's tuition fee payment criteria, by paying their fees in full or making approved arrangements either prior to registering on to their course, or by the due date on their instalment plan, they will be excluded from LSST.

10.4.2. The Exclusion Process will be initiated by a Suspension Letter being issued and it will result in immediate:

- Suspension of students on Student Records System (SMS).
- Communication to all staff that non-compliant students are no longer allowed to attend classes at LSST.
- Suspension of School services such as IT and Library facilities.

NB: *Assessments arising on deadlines that coincide with the suspension period cannot be marked and examinations cannot be attended. Students cannot submit Mitigating Circumstances forms for assessments missed whilst they are suspended.*

10.4.3. If financial settlement is made promptly after the date of suspension, the student's 'Suspended' status will be restored to 'Active' and all services re-instated. Students will receive a Re-Instatement of Status email notification.

10.4.4. Otherwise, the student will be excluded. If exclusion is enacted student, will receive a Termination of Registration Letter/email, informing them that they have been excluded from LSST.

10.5. Personal Identification Exclusion

10.5.1. Proof of identification is a prerequisite for registering at the School. However, if a student is inadvertently registered using invalid personal identification or without producing identification and the requested evidence is not supplied within 10 working days of the Termination of Registration Notification, this will result in exclusion from the School.

10.5.2. If a student's ID is not presented when required for entry to the campus or registration at a class, LSST reserves the right to refuse entry, or if sufficient proof of identity is provided, charge a £5 duplicate ID fee to produce a temporary ID card.

10.6. Non-Attendance or Non-Engagement in Studies Exclusions

10.6.1. If the Assessment Board or Attendance Panel considered that a student is not complying with the Academic Regulations in respect of submitting work for assessments or with the LSST Attendance and Engagement Policy in respect of satisfactory attendance in classes, the School may initiate the Exclusion process, whereby a student is sent a Termination of Registration Letter/email and withdrawn from their course.

10.7. Re-Enrolments

10.7.1. Exclusion means that an individual will cease to be a student of LSST (and of any validating university). Re-entry to the School will not be permitted. For further information please refer to the LSST Student Registration Policy of BNU Registered Students.

10.7.2. LSST will seek settlement of any tuition fee debt up to the exclusion date. Tuition fees may be reduced in-line with our Tuition Fee policy to reflect the period of time an individual was registered as a student.

OTHER PROCEDURES

11. CRIMINAL OFFENCES

11.1. The following procedures shall apply where the alleged misconduct would also constitute an offence under the criminal law if proved in a court of law:

11.2. Minor Criminal Matters

11.2.1. Where the offence under criminal law has been dealt with by way of a police caution, "on-the-spot" fine, or where the maximum penalty does not include imprisonment, action under this Policy may proceed. However, such action will normally be deferred while the matter remains under active police investigation or where charges have been brought but court proceedings are pending.

11.3. More Serious Criminal Matters

11.3.1. In the case of all other alleged offences under criminal law, the School will advise and support the victim to report the matter to the police. No internal disciplinary action (other than suspension) will normally be taken until the criminal investigation and/or prosecution has been concluded.

11.3.2. Where a victim elects not to pursue a complaint through the criminal justice system (for example, in cases involving sexual offences or domestic violence where the victim may be reluctant to report), the School reserves the right to take action under this Policy.

11.4. Reporting to the Police

11.4.1. Only in exceptional circumstances will the School itself report an alleged crime to the police contrary to the express wishes of the victim. Where a victim will not report the crime to the police, or will not cooperate with police inquiries, the School's internal disciplinary procedures will not normally be invoked.

11.5. Reliance on Court Findings

11.5.1. Where the School proceeds with its own disciplinary process following a court conviction, the conviction shall be treated as conclusive proof that the offence was committed. The penalty imposed by the court will be taken into account by the Disciplinary Panel when determining any additional or consequential penalty under this Policy.

11.6. Relationship Between School Proceedings and Criminal Law

11.6.1. Proceedings under this Policy are independent of, and additional to, the criminal law. A student is not exempt from disciplinary proceedings simply because they have been convicted of a criminal offence arising from the same facts, and no defence of "double jeopardy" may be claimed.

11.7. Licensed Premises

11.7.1. Where an alleged incident takes place on licensed premises (whether on School premises or elsewhere) that incident may give rise to both proceedings under these regulations and exclusion, barring or suspension of access to the licensed premises by the licensee in accordance with the general law.

11.7.2. Proceedings under this Procedure are separate from and additional to any decision of a licensee regarding exclusion, barring or suspension of access to licensed premises. A student is not exempt from these regulations simply because of a licensee's decision based on the same set of facts and no defence of double jeopardy can be claimed.

11.7.3. No decision under these regulations may overrule, reverse or amend any decision of a licensee regarding licensed premises.

11.8. Fitness to Practice and Professional or Regulatory Requirements

11.8.1. Where allegations are made against a student on a professionally accredited course or are members of a professional body, the School may:

- Notify the relevant body of the matter, and/or
- Take separate action (in addition to any action under this Procedure) under its Fitness to Practise Policy. The School may use any evidence compiled pursuant to this Procedure in any Fitness to Practise proceedings.

11.9. Prevent and Safeguarding

11.9.1. Where allegations of misconduct relate to mistreatment or abuse of vulnerable persons in, the misconduct will always be considered a Major Breach, and the Designated Safeguarding Officer for the relevant campus shall be invited to attend the Disciplinary Panel. Where appropriate the local authorities may be informed and consulted. The prevent and/or safeguarding officer reserves the right to hold a separate meeting the student in addition to the Panel, where required, to carry out a risk assessment or further investigation on the safeguarding/prevent aspects of the case.

11.9.2. Where allegations of misconduct indicate a risk that the student is being drawn into extremism or radicalised, the misconduct will always be treated as a Major/Gross Breach, and the SPOC (if this differs from the Vice Principal/CEO) will be invited to attend the Disciplinary Panel. Where appropriate, a Channel referral may be made, and/or the Police informed.

12. STUDENTS' RIGHT TO REVIEW OF DISCIPLINARY DECISIONS

12.1. The student has a right to request a review of the decision of the Panel in accordance with this Procedure.

12.2. A request for review of a decision by the Panel must be made in writing (by letter or email) stating in full the grounds for the review and must be submitted within 10 working days of the receipt of the notice of the decision by letter or email.

12.3. Where it has been agreed that a review should be made, the review of the decision should take place as soon as practicable, and in any case within 10 working days of the request for Review.

12.4. Grounds for Review

12.4.1. Requests for a review of a decision of the Disciplinary Panel will only be considered on the following grounds:

- The penalties were unreasonably severe given the circumstances of the case.
- The findings of fact in support of the decision were manifestly perverse and/or there is clear third-party corroborated evidence of bias.
- That the hearing/interview was not conducted in accordance with the procedures set out herein.
- New evidence which was not available to the Panel when it reached its decision and the student had a good reason for not including the evidence in their case.

12.4.2. The student should address their letter or email to the Registrar and the burden of proof is on the student to demonstrate the reason for the Review. The Registrar may reject any request for review which is not submitted within the time limit or does not demonstrate one or more of the grounds specified. If the request for review is rejected the student will be informed within 5 working days of their letter to the Registrar.

12.4.3. Students who wish to raise review may have the opportunity to raise review with their awarding body, BNU, instead of LSST should they wish to. Eligibility to raise review with BNU will be assessed on a case-by-case basis upon submission of Review Request. Students who wish to raise review with the awarding body should use the BNU Request for Review form which will help them to identify their grounds for a Review and provide associated guidance on the process. Completed forms should be submitted to resolution@bnu.ac.uk within 10 working days of receiving notification of the outcome of the formal stage from LSST. BNU students should refer to Resolving problems | Buckinghamshire New University (bucks.ac.uk) on the BNU website for further guidance or enquire with LSST Registry Department.

12.4.4. The awarding body will investigate the matter in accordance with its policies and procedures. Any further actions arising from the awarding body's review of the case will be agreed between the School and the awarding body, and will be promptly notified to the student in an outcome letter. The letter will set out in detail all steps taken in considering the complaint, any action taken to resolve it and the rationale for the School and the awarding body's final decisions.

12.5. Procedure for a Review of a Decision of the Registrar or the Panel

12.5.1. Once the Registry Department has notified the student that their request for review is valid under of this Procedure, the Registry Department will refer the Panel's decision to the assigned Review Officer for review within 5 working days:

- The Registry Department will appoint a review officer, who has not been involved in any previous stage in the handling of the case. The review officer will consider the integrity of the original decision in respect of the request for review and any supporting evidence submitted; their findings will be presented in a report to the Registry within 10 working days of being instructed to investigate.

- The Review Officer may decide the review on the papers submitted or arrange a new Panel of which they will be Chair, which is convenient to all parties.

- Where a new Panel date is set, the Review Officer shall write to notify the student at least 5 working days before the new Panel is due to take place.

12.5.2. Following the completion of the investigation, the Review Officer may decide:

- To approve the Panel's decision, or

- To overturn the Panel's decision and substitute their own.

12.5.3. The Review decision by the Review Officer will be final and conclude LSST's internal procedures.

12.6. Procedures Following Review

12.6.1. Where on Review the decision has been overturned in part and the variation of penalties is to be considered, the Review Officer will make written recommendations to the Registrar/Panel as to the penalties to be imposed.

12.6.2. In all cases, the Review Officer will give written notice to the Registry Department giving details of the Review decision and the reasons for it. This shall state that it will be circulated in the event of any further proceedings. This record and details of any relevant arrangements in relation to the penalty imposed shall be sent to the student, their representative, and the Registry Department by letter or email.

12.6.3. Where the decision is confirmed or upheld in part, a copy of the letter/email and the record will be placed on the student's file until the student has completed their studies.

12.6.4. Where the decision has been overturned in full, the record of the original allegation will be removed from the student's file and sent to the Registry Department.

12.6.5. The Registrar will not refer such appeals if they are dismissed as invalid in accordance with paragraph 6.4 Grounds for Review.

13. REVIEW BY THE OFFICE OF THE INDEPENDENT ADJUDICATOR (OIA)

13.1. LSST subscribes to the independent complaints review scheme, operated by the OIA. Decisions made on disciplinary matters may come under the scope of complaints eligible for review by the OIA. Where a student remains dissatisfied following the completion of the disciplinary procedure, a Completion of Procedures Letter will be issued to the student. Where such requests are eligible for review, the OIA will investigate in accordance with its rules.

13.2. Referral to the OIA must be made within 12 months of the date of the Completion of Procedures Letter, and should be submitted using the OIA's complaints form, which can be found here: http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx

13.3. Further information on the OIA' procedures and eligibility for review of a complaint can befound on the OIA's website; www.oiahe.org.uk, or alternatively students can contact the OIA directly on:

- Tel: 0118 959 9813
- Email: enquiries@oiahe.org
- Office of the Independent Adjudicator
  Second Floor
  Abbey Gate
  57-75 Kings Road
  Reading RG1 3AB

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