



Student Code of Conduct and Disciplinary Procedures (Awarding Body – Buckinghamshire New University)

Version 5

Approved by Board of Governors

Last Amendment: September 2023

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)*

Document Information

Document owner(s)*:	Head of Registry
Date of next review:	September 2024
Document Status:	IN USE
Dissemination:	For general publication

*The document owner is responsible for maintaining and updating the content of this document and ensuring that it reflects current practice at the School.

Contents

1.	General.....	2
2.	Code of Conduct.....	2
2.1.	General Standards of Behaviour	3
2.2.	Use of Buildings, Grounds and Equipment.....	5
2.3.	Misconduct Classification	5
3.	Disciplinary Procedure.....	6
4.	Procedures Regarding Suspension or Exclusion	12
5.	Other Procedures	14
6.	Students' Right to Review of Disciplinary Decisions.....	16



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. However, the School reserves the right 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 and Diversity Policy*.
- 1.5. 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.
- 1.6. 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 immediate effect.
- 1.7. The Principal and Quality Unit will ensure that the Student Code of Conduct and Disciplinary Procedures are reviewed regularly and recommend such changes as are necessary.
- 1.8. It is the Student's responsibility to make themselves aware of LSST's policies which are available from the LSST Connect.
- 1.10. Students will be given information when they enrol about how to access the full range of School policies, rules and regulations.
- 1.11. 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.

2. Code of Conduct



The School has a zero-tolerance policy on bullying, discrimination, sexual harassment, violent behaviour or threats, and possession of drugs or weapons on campus. Any student in breach of the above will be removed from the campus immediately and may be excluded from the School; where necessary the School may inform the relevant authorities, including the Police about such behaviour.

If you think you have witnessed or been the victim of unacceptable behaviour, please report this to one of the following members of staff/departments who can support you:

- Personal Academic Tutor, Lecturer or Course Leader
- Student Union Representative and/or centre
- Campus Student Support Officer
- Campus Academic Support Officer
- Campus Safeguarding Officer
- Registry Department

2.1. General Standards of Behaviour

- i. 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.
- ii. Students shall comply with all policies issued by the School and with any reasonable instructions given by the School's staff.
- iii. Students shall not deliberately disrupt or interfere with the education of other students or the work of the School.
- iv. Students shall not engage in behaviour that is likely to endanger their safety or the safety of another person.
- v. Students shall not take away, misuse or damage any property belonging to any student, employee or agent of the School guests or visitors.
- vi. 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.
- vii. Students shall not provide or withhold information with intent to deceive in any application for financial aid or other benefit or service.
- viii. Students shall not forge, alter or misuse any School documents, records or identification cards.
- ix. 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.



- x. 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).
- xi. Students shall pay all debts and charges due and payable (including fines) to the School at the required time.
- xii. Students shall not make vexatious complaints under the Student Complaints procedure.
- xiii. Students must assist the School to comply with its Prevent Duty, and not knowingly involve themselves in any extremist or terrorism-related activity.

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.

'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.

Students are prohibited from bringing any weapon to any campus or any other location the student may be required to attend to be as a consequence of their studies e.g., placement, off campus visits.

This prohibition also applies to any student who is licensed to carry a firearm or weapon.

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, electronic stunning devices, etc.

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.

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 Principal or Head of Legal Services to insure they are not in violation of this policy.

A violation of this policy will be considered as gross misconduct and will be considered grounds for immediate removal from the School premises as well as immediate exclusion from the School as a whole.

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. Prohibited substances will 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.

2.2. Use of Buildings, Grounds and Equipment

- i. Students shall not remove, deface or damage any equipment or property belonging to or under the control of the School.
- ii. 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.
- iii. Students shall not drop litter or leave their desks in a disorderly state after lessons.
- iv. Students shall not eat or drink in areas where this is prohibited. Smoking will only be permitted in designated areas.
- v. 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.
- vi. 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.
- vii. 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.
- viii. 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.
- ix. Students shall refrain from using mobile phones when they are in any teaching environment and have them switched off or set to silent mode.

2.3. Misconduct Classification

- a. Minor Misconduct defined as a behaviour which is in breach of the student code of conduct expectations of LSST but has a minimal and temporary impact on the LSST community.



- b. Major Misconduct relates to an unacceptable and/or disruptive behaviour that has the potential to or does significantly affect the LSST community.
- c. Gross Misconduct is a behaviour which demonstrates a fundamental breach of behavioural standards and may jeopardise the safety and security of the LSST community.
- d. Incidences of minor misconduct should be addressed immediately by campus staff in an effort to minimise impact by addressing or deescalating the incident.
- e. Cases of Major or Gross misconduct will be addressed using the following disciplinary procedure. These cases will be considered by LSST “locally”, however all cases will be reported to the students awarding body, BNU. Cases which concern the students course progression and/or very serious breaches in student code of conduct and discipline policy will be referred directly to BNU for investigation and decision.

3. Disciplinary Procedure

3.1. Allegations of Major or Gross misconduct can be raised by:

- LSST staff, and/or contracted staff
- An individual student, or a group of students
- The Police and/or Law Enforcement Officer Member of the public and/or visitors to LSST

3.2. Allegations must be submitted to LSST within 10 working days of the incident. The individual reporting the incident must give their full name, contact details and supporting evidence. If for any reason, such as safety, the individual could not disclose their details at the time of the allegation and/or reported the allegation out with the 10 working day cut-off then such allegations will be assessed on a case-by-case basis. However, no allegations which remain anonymous will be accepted.

3.3. Third parties who raise allegations will not be given the investigation details but will be notified when the outcome and appropriate action has been taken.

3.4. Members of LSST, staff or students have the right to appeal the decision and outcome of a disciplinary proceedings within 10-working days of their notification of the final outcome. Third parties, however, do not have the right to appeal, they may instead submit a complaint to the university expressing their concerns. Such complaints will be handled as per the School's *Student Complaints – Buckinghamshire New University Policy*.

3.5. If there are allegations that a breach or breaches of the above Code of Conduct have occurred, the following procedures shall apply: The person making out the allegation that a student or students have breached the Student Code of Conduct will arrange for the documents in relation to that allegation to be passed as soon as possible to the Registry Department, who will either:-



- Carry out an investigation of the allegation; or
 - In cases where the evidence already available clearly warrants it, proceed directly to a disciplinary Panel hearing.
- 3.6. The Registry Department will seek the advice of members of a relevant office at their complete discretion e.g., Head of Security (disorder breaches), Head of IT (computer misuse), Senior Admissions Manager and Assistant Registrar for documentary issues. Where the incident takes place at a satellite campus, the Registrar may delegate the investigation to an appropriate member of staff not on the Disciplinary Panel (e.g., the Operations Manager, or a Programme Leader) to investigate.
- 3.7. If the Registrar believes that the student(s) should be suspended whilst the procedure is carried out, the procedure herein shall apply.

Initial Investigation

- 3.8. 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; and
 - whether such a breach is major or minor, taking into account any aggravating or mitigating factors in the surrounding circumstances, including any past penalties imposed on the student(s).
- 3.9. 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. 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. 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.
- 3.10. The investigation should normally be resolved within 10 working days of the incident. At the conclusion of the investigation, the Registrar may either:
- a. dismiss the allegation(s) and notify the relevant parties of the dismissal; or
 - b. if there is a case to answer on the evidence available, decide whether if proved the breach would be Minor or Major.



3.11. The Registrar 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.

The Disciplinary Panel

3.12. 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:

- i. a statement of the allegation(s) to be considered and the purpose of the hearing;
- ii. details of the date, time and place of the hearing;
- iii. copies of any documentary evidence and description of other evidence (e.g., CCTV) to be considered in connection with the allegation;
- iv. 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;
- v. a statement of the student's right to be accompanied by a friend or Student Union representative.

3.13. The Panel is normally chaired by the Dean of the relevant campus and includes the Registrar as well as a representative from the Student Union or Student Support. All members of the Panel will have no prior involvement in the case. This ensures fairness, maintains objectivity and avoids bias in the process.

Procedural Approach by the Disciplinary Panel

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

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

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

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



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

Decision of the Panel and Imposition of Penalties

- 3.18. 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.
- 3.19. 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.
- 3.20. 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.
- 3.21. 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.
- 3.22. The Registrar has responsibility for the notification of the outcome of any hearing to all relevant parties within 5 working days of the decision.

Penalties for breaches of the Student Code of Conduct

Minor breaches:

- 3.23. 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 to for the repair of property or equipment damaged or reasonable compensation to be payable;
- Removal or restriction of access to School facilities;
- Requirement of an apology in the appropriate manner to any person;

3.24. Any of the sanctions under the 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).

3.25. The following is a non-exhaustive list of likely minor breaches:-

- 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 breaches of the Code of Conduct other than in cases of attempted or actual criminality (e.g., theft, burglary, harassment, or stalking) of the Code of Conduct;
- Students exhibiting behaviour, or engaging in any 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').



Major Breaches:

3.26. 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 at above:

- Suspend the student either for a specified period of time, or until specified conditions have been met;
- Give a Final Written Warning (following which any subsequent minor or major breach will lead to exclusion);
- Exclude the student. Any student exclusion as a result of a disciplinary must be reviewed and approved by the awarding body, BNU, prior to action.

3.27. A non-exhaustive list of Major Breaches of the Code of Conduct are:

- 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 or appeal/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 are aggravated by violence or discrimination/harassment/bullying.



- 3.28. For all more serious breaches of discipline or for cases which effect a student's course progression, these should be referred directly to the University, Buckinghamshire New University (BNU).

For more information on **BNU's** process see: <https://www.bucks.ac.uk/current-students/registry-helpdesk-and-academic-advice>

4. Procedures Regarding Suspension or Exclusion

- 4.1. 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.

Suspension

- 4.2. 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. A student will always be suspended where the alleged breach is covered by the School's Zero-Tolerance Policy against abusive language or threats of violence made towards its staff, even where the breach alleged is otherwise a Minor Breach.
- 4.3. 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.

Disciplinary Exclusions

- 4.4. 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.
- 4.5. 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.

Exclusion for non-payment of Tuition Fees

- 4.6. 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.
- 4.7. 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.

NBB: *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.*

- 4.8. 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.
- 4.9. 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.

Personal Identification Exclusion



- 4.10. 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.
- 4.11. 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.

Non-Attendance or Non-Engagement in Studies Exclusions

- 4.12. If the Assessment Board considers that a student is not complying with the Academic Regulations in respect of submitting work for assessments or with the Attendance Policy in respect of satisfactory attendance at classes, the School may initiate the Exclusion process, whereby a student is sent a Termination of Registration Letter/email.

Re-enrolments

- 4.13. 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.
- 4.14. 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.

5. Other Procedures

Criminal Offences

- 5.1. 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.
- a. Where the offence under the criminal law has been dealt with by way of a caution or 'on the spot' fine, or where the maximum penalty does not include imprisonment, action under this Policy may continue, but such action will normally be deferred while the matter is under active police investigation or where charges have been brought but not yet brought to court.



- b. In the case of all other offences under criminal law, the victim should be offered support with reporting the matter to the police. No action (other than suspension) will normally be taken under this Policy until the criminal prosecution has concluded. If the case is currently being investigated or prosecuted in the criminal courts. Where the victim decides not to take action in the criminal courts (as may be the case with sexual offence or domestic violence cases where the victim is reluctant to report the crime) action under this Policy may continue.
- c. Only in exceptional circumstances shall the School report an alleged crime to the police contrary to the wishes of the victim. If the victim will not report the crime to the police, or will not co-operate with their inquiries, the School's internal disciplinary procedures should not be invoked.
- d. Where the School continues with its own Panel following a court conviction, the School shall accept the conviction as conclusive proof that the breach was committed, and the penalty imposed by the court shall be taken into consideration by the School in deciding its own penalty.
- e. Proceedings under this Procedure are separate from and additional to the criminal law. A Student is not exempt from this Procedure simply because they have been convicted of a criminal offence arising out of the same set of facts and no defence of double jeopardy can be claimed.

Licensed Premises

- 5.2. 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.
- 5.3. 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.
- 5.4. No decision under these regulations may overrule, reverse or amend any decision of a licensee regarding licensed premises.

Fitness to Practice and professional or regulatory requirements



- 5.5. Where allegations are made against a student on a professionally accredited course or are members of a professional body, the School may:
- a. Notify the relevant body of the matter; and/or
 - b. 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.

Prevent and Safeguarding

- 5.6. 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.
- 5.7. 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 Breach, and the SPOC (if this differs from the Principal/CEO) will be invited to attend the Disciplinary Panel. Where appropriate, a Channel referral may be made, and/or the Police informed.

6. Students' Right to Review of Disciplinary Decisions

- 6.1. The student has a right to request a review of the decision of the Panel in accordance with this Procedure.
- 6.2. 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.
- 6.3. 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.

Grounds for Review



6.4. 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.

6.5. 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.

Procedure for a Review of a decision of the Registrar or the Panel:

6.6. Once the Registrar 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 Principal for review within 5 working days.

- a. The Principal 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.
- b. Where a new Panel date is set, the Registrar shall write to notify the student at least five working days before the new Panel is due to take place.

6.7. Following the completion of the investigation, the Principal may decide:

- to approve the Panel's decision; or
- to overturn the Panel's decision and substitute their own.

6.8. The Review decision by the Principal or CEO will be final.

Procedures Following Review



- 6.9. Where on Review the decision has been overturned in part and the variation of penalties is to be considered, the Principal will make written recommendations to the Registrar/Panel as to the penalties to be imposed.
- 6.10. In all cases, the Principal will give written notice to the Registrar 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 Registrar by letter or email.
- 6.11. 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.
- 6.12. 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.
- 6.13. The Registrar will not refer such appeals if they are dismissed as invalid in accordance with paragraph the procedure above.

Review by the Office of the independent Adjudicator (OIA)

- 6.15. 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.
- 6.16. Guidance on the circumstances in which complaints can be made to the OIA is available here:

<https://www.oiahe.org.uk/students/how-to-complain-to-us/#:~:text=To%20bring%20a%20complaint%20to,your%20Completion%20of%20Procedures%20Letter>; the OIA will investigate in accordance with its rules.



Version History

Version 1.0 – 4.0

Original author(s): Head of Registry
Principal

January 2017
September 2017
September 2018
September 2019

Reviewed by: Executive Committee

Version 4.1 – 4.3

Revised by: Principal
Quality Unit

Revision summary: *Additional guidance regarding prohibited items and substances on campus added; formatting and version control applied. Final amendments specified by Deputy CEO.*

Approved by: Board of Governors

August 2020

Version 4.4

Revised by: Quality Manager
Head of Registry

Revision summary: *Annual review; partnerships amended. Document reformatted and version control added.*

Approved by: Board of Governors

December 2021

Version 4.5

Revised by: Quality Manager
Head of Registry

Revision summary: *Annual review; Document amended to reflect BNU's processes and procedures; Document reformatted and version control added.*

Approved by: Board of Governors

September 2022

Version 4.6

Revised by: Quality Manager
Head of Registry

Revision summary: *Minor amendments made to procedures and processes and the prevent and safeguarding section updated.*

Approved by: Board of Governors

December 2022



Version **4.7**
Revised by: Head of Registry
Revision summary: *Assessment/ Board process corrected.*

Approved by: Board of Governors March 2023

Version **5**
Revised by: Head of Registry
Revision summary: *Annual Review; minor grammatical updates and version control applied.*

Approved by: Board of Governors October 2023
