

London's
International
Drama School



Student Disciplinary Policy and Procedures

POLICIES and
PROCEDURES

STUDENT DISCIPLINARY PROCEDURE

Contents

Section A: Policy on student disciplinary action	1
1.0 Introduction	1
2.0 General principles	1
3.0 Scope and applicability	2
Minor Misconduct and Misconduct	4
Gross Misconduct:.....	4
5.0 Conduct which is also a criminal or civil offence, or an alleged criminal or civil offence.....	6
6.0 Misconduct prior to joining the College.....	7
7.0 Additional Support	8
Section B: Student Disciplinary Procedure: there are two stages to the procedure which are set out below.....	8
8. Investigation of the Complaint: Stage One.....	8
9. Suspension Pending Investigation	9
10.0 Formal Disciplinary Procedure – Stage Two.....	11
10.1 Disciplinary Hearing Panel	11
10.2 Conduct of Hearing	11
Representation	11
Evidence Pack and Submission of Evidence	11
10.3 Penalties	12
10.4 Communication of the decision of the hearing.....	13
10.5 Matters under Student Attendance and Academic Engagement Policy.....	13
11.0 Appeals	13
11.1 The Appeals Committee	14
11.2 The Appeal Hearing	14
11.3 The decision of the Appeals Committee	14
12.0 Further action	15
13.0 Disabled students or students with other protected characteristics	15
13.0 Reporting	15
14.0 Sharing and Storing Information.....	15
Appendix: Statement of Academic and Artistic Freedom	17

Section A: Policy on student disciplinary action

1.0 Introduction

Rose Bruford College is part of the local community and is also a community itself, made up of staff and students. All students are expected to conduct themselves in line with our commitment to diversity, inclusivity, and equality, and with due regard for the College's good name and reputation. Students are asked to ensure that their interactions with other students and staff are conducted with dignity, and with respect for the rights, privacy, and property of others. Students are required to comply with the College's current rules, regulations, policies, procedures, and codes of practice at all times.

The Student Disciplinary Policy and Procedure set out here is intended to provide a clear and impartial process for dealing with allegations relating to student discipline or behaviour within a reasonable timescale, having due regard to the principles of natural justice. This includes allegations of harassment and sexual misconduct, which are addressed in accordance with the College's Sexual Misconduct and Harassment Policy and the Office for Students' regulatory requirements.

Please Note:

Matters relating to **academic misconduct** will be dealt with under the College's Academic Misconduct Policy.

2.0 General principles

The College is committed to upholding the highest ethical standards and to carrying out its activities fairly, honestly, openly, and in compliance with all applicable laws.

When dealing with students suspected of misconduct, the College recognises that it has a duty to act fairly, which informs and underpins all its processes. The College will therefore ensure that its systems, panels, and communications adhere to the following guiding principles, contributing to transparency, clarity, and procedural integrity.

We will:

- inform you of the basis of the issue and give you an opportunity to respond before any decisions are made
- allocate independent, trained staff to investigate and determine outcomes, avoiding bias
- be transparent in all dealings whilst maintaining confidentiality
- communicate without unnecessary delay
- where appropriate, seek to resolve issues informally through the student support system
- conduct timely investigations to establish the facts of the case
- provide access to all documents considered by any hearing or panel, in alternative formats where required

- ensure that all relevant College regulations and policy documents are accessible
- allow you to be accompanied by a representative who is unconnected to the case and not subject to suspension
- allow you to make representations in written or verbal form
- take account of all relevant circumstances
- confirm decisions in writing
- monitor and review the effectiveness of disciplinary procedures and take appropriate action

In cases involving harassment or sexual misconduct, the College will act in accordance with its Sexual Misconduct and Harassment Policy and the Office for Students' Condition E6. This includes ensuring a trauma-informed approach, safeguarding considerations, and parity of voice for all parties involved.

The College operates the Student Disciplinary Policy and Procedure to ensure that all disciplinary matters are dealt with fairly and promptly. Where a minor incident of misconduct occurs, it will initially be addressed informally to enable constructive remedial action before any formal procedure is initiated.

3.0 Scope and applicability

This code and procedure apply to students admitted or enrolled by the College on a programme of study leading to an award. Offences under this policy fall into two categories:

- Misconduct
- Gross Misconduct

Under the Articles of Governance of the College, the Principal is responsible for the discipline of students and may suspend or exclude students on disciplinary grounds. The Principal may delegate this responsibility to an appropriate member of staff to implement disciplinary procedures.

Any member of staff or student at the College may make an allegation of misconduct. All allegations must be made initially to the Quality Team via complaintsandappeals@bruford.ac.uk

Students should use the Student Complaints Process and Procedure to initiate a complaint, including one that may fall under this Student Disciplinary Policy and Procedure.

Members of staff managing the College's Halls of Residence, Christopher Court, may bring a complaint through their own procedures. Where an allegation of misconduct has been made, the Quality Team may determine that the complaint should not be the subject of further action under this procedure if it does not warrant investigation or may be more appropriately addressed under another procedure. This policy applies to all students when they may be regarded as being under the authority of the College or in a public place within the vicinity of the

College. It also applies to behaviour arising at any time when a student may be regarded as representing the College, either individually or as part of a team or group, including at locations away from the College as part of their studies.

Specific regulations exist with respect to accommodation, use of computing facilities, the College Library, and other College facilities and equipment. In some circumstances, failure to observe those regulations may result in the matter being pursued under this procedure, which will then take precedence.

Students may not be granted an award, obtain certification of an award, or attend a graduation ceremony whilst a matter of alleged misconduct is still being dealt with under this procedure.

In cases where a student's conduct raises serious concerns about their welfare, the Fitness to Study procedure may be used as an alternative. The decision to proceed under the Fitness to Study procedure will be made at the investigation stage.

This procedure only covers action to be taken against students following:

- lack of diligence in their studies, or
- failure to meet other academic requirements

when these matters have reached Stage 3 of the Student Attendance and Academic Engagement Procedure. At this point, such cases will move directly to the Formal Disciplinary Procedure – Stage 2 of this policy.

Where the alleged misconduct also constitutes harassment or bullying, it will be informed by the College's Student Anti-Bullying and Anti-Harassment Policy and Procedure.

Where the alleged misconduct also constitutes sexual harassment, sexual violence, or other forms of sexual misconduct, it will be addressed under the College's E6 Policy on Harassment and Sexual Misconduct. This policy supersedes all other policies in such matters and provides the single comprehensive framework for prevention, reporting, and response, in line with the Office for Students' Condition E6.

In the interests of fairness, no single incident of misconduct shall be considered under more than one set of college rules or regulations.

4.0 Definition of misconduct

The essence of misconduct under this procedure is improper interference, in the broadest sense, with the proper functioning or activities of the College, or those who work or study in the College. Misconduct and Gross Misconduct are both types of improper and unacceptable behaviour which can lead to removal from the College dependent upon severity. Behaviour and actions which constitute misconduct and the consequences of this are set out below.

The following lists are not exhaustive or exclusive but gives some of the offences deemed to be misconduct/gross misconduct which could lead to a student being liable for disciplinary action.:

Minor Misconduct and Misconduct

Misconduct is a breach of Rose Bruford College's policies, procedures, and expectations. Severity and frequency of such breaches will be considered when determining whether the breach is minor misconduct, or misconduct, and the outcome. The list below gives examples of what is considered misconduct:

- i. Failure to disclose personal details (including prior convictions or police cautions) to the College, or persons acting as agents of the College, in circumstances in which it is reasonable to require such information to be given
- ii. Disruption, or improper interference with the academic, administrative, sporting, social or other activities of the College, whether on college premises or elsewhere
- iii. Obstruction or improper interference with the legitimate functions, duties or activities of any student, staff member, other College employee or any authorised College visitor
- iv. Behaviour which brings the College into disrepute either by action, verbally or in writing
- v. Persistent minor breaches of college policies, procedures, regulations, or Student Code of Conduct
- vi. Refusal to attend mandatory, directed training or support sessions.
- vii. Failure to attend or engage with investigations conducted under the Student Complaints Policy and Procedure, the Student Disciplinary Policy and Procedure and any other published College policies and procedures.

Gross Misconduct:

Gross misconduct is a serious breach of College Policies and Procedures which lead to a breakdown of trust and confidence between you and the College. Gross Misconduct may lead to removal from the College at the first offence. The following are examples of offences which can be classed as Gross Misconduct, but is not exclusive or exhaustive:

- Violent, indecent, disorderly, threatening, aggressive or offensive behaviour or language (whether expressed orally or in writing, including electronically) whilst on college premises or engaged in any College activity;¹
- Sexual Violence/Assault/Harassment
- Theft, fraud, deceit, deception, or dishonesty in relation to the College or its staff or students or in connection with holding any office in the College or the Students' Union or in relation to being a student of the College

¹ Please note the College's **Statement of Academic and Artistic Freedom** Appendix 1

- Harassment on the grounds of age, disability, gender (including gender reassignment), pregnancy and maternity, race, religion or belief, sexual orientation of any student, member of staff, other College employee or any authorised College visitor
- Behaviour or actions which bring the College into serious disrepute
- Physical or on-line distribution of physical or on-line posters, notices, signs, messages, or any publication which is offensive, incites action by others, intimidating, threatening, indecent or illegal or is calculated to make others fearful, anxious, or apprehensive
- Actions in breach of health, safety or security which are likely to cause injury or impair safety on college premises
- Damage or defacing College property or the property of other members of the College caused intentionally or recklessly, and misappropriation of such property
- Offering or giving money, gifts, or any other advantage to any employee of the College with the intention of inducing that employee to perform their job improperly or of rewarding that employee for performing their job improperly. (Bribery is a criminal offence and morally wrong and exposes the College and its employees to the risk of prosecution, fines and imprisonment as well as endangering the College's reputation)
- Misuse or unauthorised use of college premises or items of property, including misuse of computers and the communications network
- Breach of the College's policy on alcohol and drugs
- Constitutes a criminal offence (including conviction for an offence) (see section 5.0)
- Failure to comply with penalties previously imposed on the student under the Student Disciplinary Procedure

Sexual harassment and misconduct are defined in accordance with the Equality Act 2010 and the Sexual Offences Act 2003. Definitions include sexual assault, harassment, and misconduct as outlined in the Sexual misconduct and harassment policy.

Sexual Assault

UK law (Under **Section 3** of the Sexual Offences Act 2003) defines Sexual Assault as:

- *“A person commits sexual assault if they intentionally touch another person, the touching is sexual, and the person does not consent.”*

Sexual Misconduct

Sexual misconduct is a non-legal term referring to any unwanted or attempted unwanted conduct of a sexual nature. This includes, but is not limited to, sexual harassment, sexual assault, and rape. It may involve behaviour that disregards boundaries, exploits power dynamics, or undermines consent. It can have legal implications and may breach College policies and codes of conduct.

Sexual Harassment

Section 26(2) of the Equality Act 2010, defines sexual harassment as:
“Unwanted conduct of a sexual nature that has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment”

5.0 Conduct which is also a criminal or civil offence, or an alleged criminal or civil offence

The essence of misconduct under this procedure is improper interference, in the broadest sense, with the proper functioning or activities of the College, or those who work or study in the College. Misconduct and Gross Misconduct are both types of improper and unacceptable behaviour which can lead to removal from the College, depending on severity. Behaviour and actions which constitute misconduct, and the consequences of such behaviour, are set out below.

The following lists are not exhaustive or exclusive but provide examples of offences deemed to be misconduct or gross misconduct which could lead to disciplinary action.

Minor Misconduct and Misconduct

Misconduct is a breach of Rose Bruford College's policies, procedures, and expectations. The severity and frequency of such breaches will be considered when determining whether the breach constitutes minor misconduct or misconduct, and the appropriate outcome. Examples include:

- i. Failure to disclose personal details (including prior convictions or police cautions) to the College, or persons acting as agents of the College, in circumstances where it is reasonable to require such information
- ii. Disruption or improper interference with the academic, administrative, sporting, social, or other activities of the College, whether on College premises or elsewhere
- iii. Obstruction or improper interference with the legitimate functions, duties, or activities of any student, staff member, other College employee, or authorised College visitor
- iv. Behaviour which brings the College into disrepute, whether by action, verbally, or in writing
- v. Persistent minor breaches of College policies, procedures, regulations, or the Student Code of Conduct
- vi. Refusal to attend mandatory, directed training or support sessions
- vii. Failure to attend or engage with investigations conducted under the Student Complaints Policy and Procedure, the Student Disciplinary Policy and Procedure, or any other published College policies and procedures

Gross Misconduct

Gross misconduct is a serious breach of college policies and procedures which leads to a breakdown of trust and confidence between the student and the College. Gross misconduct may result in removal from the College following a first offence. Examples include:

- Violent, indecent, disorderly, threatening, aggressive, or offensive behaviour or language (whether expressed orally, in writing, or

electronically) whilst on college premises or engaged in any College activity

- Sexual violence, assault, or harassment
- Theft, fraud, deceit, deception, or dishonesty in relation to the College, its staff, students, or in connection with any office held within the College or Students' Union
- Harassment on the grounds of age, disability, gender (including gender reassignment), pregnancy and maternity, race, religion or belief, or sexual orientation
- Behaviour or actions which bring the College into serious disrepute
- Physical or online distribution of posters, notices, signs, messages, or publications which are offensive, incite others to act, or are intimidating, threatening, indecent, illegal, or likely to cause fear or distress
- Breaches of health, safety, or security regulations likely to cause injury or impair safety on college premises
- Damage to or defacing of college property or the property of others, whether intentional or reckless, and misappropriation of such property
- Offering or giving money, gifts, or any other advantage to a college employee with the intention of inducing or rewarding improper performance of their duties (bribery is a criminal offence and exposes the College and its employees to legal and reputational risk)
- Misuse or unauthorised use of college premises or property, including misuse of computers and the communications network
- Breach of the College's policy on alcohol and drugs
- Conduct that constitutes a criminal offence (including conviction for an offence) – see Section 5.0
- Failure to comply with penalties previously imposed under the Student Disciplinary Procedure

Sexual Harassment and Misconduct

Sexual harassment and misconduct are defined in accordance with the Equality Act 2010 and the Sexual Offences Act 2003. These definitions are further detailed in the College's Harassment and Sexual Misconduct Policy.

Sexual Assault

Under Section 3 of the Sexual Offences Act 2003:

"A person commits sexual assault if they intentionally touch another person, the touching is sexual, and the person does not consent."

Sexual Misconduct

A non-legal term referring to any unwanted or attempted unwanted conduct of a sexual nature. This includes, but is not limited to, sexual harassment, sexual assault, and rape. It may involve behaviour that disregards boundaries, exploits power dynamics, or undermines consent. It can have legal implications and may breach College policies and codes of conduct.

Sexual Harassment

As defined in Section 26(2) of the Equality Act 2010:

"Unwanted conduct of a sexual nature that has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment."

6.0 Misconduct prior to joining the College

The College will not normally take account of misconduct that occurred prior to a student joining the College, even if it is subsequently revealed or is still being addressed by external authorities.

However, where the nature of the conduct is of such seriousness that it raises concerns about the safety or wellbeing of other students, staff, or members of the College community, the College reserves the right to consider the matter under this policy. This may include, but is not limited to, incidents involving violence, harassment, sexual misconduct, or other behaviour that would constitute gross misconduct under college regulations.

In such cases, the College will assess whether the conduct poses a risk to the community and whether precautionary or disciplinary action is necessary. Any action taken will be informed by the College's Policy on Harassment and Sexual Misconduct and will be based on a risk assessment, not assumptions of guilt.

7.0 Additional Support

Where the College suspects that a student may be demonstrating behavioural concerns that make it inappropriate to proceed immediately with disciplinary action, the following steps will be taken:

- The issue(s) will first be discussed with the student
- The student will be encouraged to seek appropriate support
- The student will be signposted to relevant internal or external support services.

Disciplinary procedures will only continue if the student has been offered or advised to seek specialist support (e.g. from a Student Counsellor, GP, or mental health professional) and has either refused or failed to engage with the support offered, or if the behaviour continues to cause concern despite engagement.

In some cases, the College may make engagement with external specialist support a condition of the outcome of the disciplinary hearing.

Where it is determined that it may not be in the student's best interest to continue with their studies due to ongoing behavioural concerns, the College may apply the Fitness to Practise procedure. This decision will be made in consultation with relevant support and academic staff, and in accordance with the College's safeguarding and wellbeing frameworks.

Section B: Student Disciplinary Procedure: there are two stages to the procedure which are set out below.

8. Investigation of the Complaint: Stage One

No formal action will be taken before an initial investigation into the complaint has been undertaken by the College. The purpose of the initial investigation is to ascertain the extent and nature of the alleged misconduct.

Where a staff member is making a complaint about a student, they must notify the Quality Team at complaintsandappeals@bruford.ac.uk with details of the complaint or alleged misconduct.

Where a student is making a complaint about another student, the student (the 'reporting party') must follow the process outlined in Section 5 of the Student Complaints Policy and Procedures, summarised here for clarity:

The Complaints Form must include:

- details of the complaint
- the form of resolution or redress sought

The completed complaint form will be shared with the responding party. The form will be reviewed on receipt, and any personal or unrelated information will be redacted. Reporting parties should ensure they are comfortable with the content being shared. Support is available via Student Services or by contacting complaintsandappeals@bruford.ac.uk.

If more than one student is accused of the same or similar misconduct, the Quality Team (or their nominee) will decide whether the cases should be investigated and/or heard together.

Acknowledgement of the complaint will be sent to the reporting party in writing within five working days by a member of the Quality Team. The Quality Team will then initiate an investigation.

The Quality Team will appoint an individual or team, independent of the complaint source, to conduct the investigation. This person or group will be referred to as the 'Investigator' or 'Investigator Team'. Both the reporting and responding parties will be informed of who has been appointed. The Quality Team will also notify the Dean that a complaint has been received.

The Investigator/Investigator Team will:

- consist of staff not otherwise involved in the complaint
- be provided with the complaint form and any supporting evidence submitted by the reporting party
- be given access to relevant College policies for reference
- review evidence thoroughly, fact-check, and conduct interviews with the reporting party, responding party (where applicable), witnesses, and other relevant individuals
- consider supporting evidence such as statements, emails, or other documentation
- reach a collective decision on recommendations (where a team is involved)

The Investigator/Investigator Panel will determine whether there is reasonable justification for the complaint and submit a written report to the Quality Team at complaintsandappeals@bruford.ac.uk. The report will include recommendations, proposed outcomes, remedies, or a recommendation to proceed to a formal disciplinary hearing (see Section 10).

The Quality Team will notify the Dean upon receipt of the outcome report.

The Dean, in consultation with the Investigator/Investigator Team and the Principal (where the seriousness of the complaint warrants it), will decide on the appropriate course of action.

Possible outcomes of the investigation include:

- No evidence to warrant further action
- Evidence of minor misconduct, to be addressed with a verbal or written warning and/or appropriate sanctions
- Evidence of misconduct or gross misconduct requiring escalation to the formal disciplinary procedure
- Referral of the matter to the Police or another civil authority

The reporting party and the responding party will be informed in writing of the outcome within five working days of the conclusion of the investigation. A brief record of the investigation will be retained on file.

The formal disciplinary procedure will also be used in cases involving repeated minor misconduct.

9. Suspension Pending Investigation

In cases of great urgency—particularly where the safety or wellbeing of others is perceived to be at risk, or where the allegation involves harassment, abuse, or sexual misconduct—the Principal (or their nominee) is empowered to suspend the student as a neutral, precautionary action with immediate effect. Written reasons for this decision must be recorded.

A student who is the subject of a police investigation or against whom a criminal charge is pending may also be suspended by the Principal (or their nominee) until the outcome of the investigation or criminal proceedings is known.

A suspended student may be wholly or partially prohibited from entering College premises and from participating in College activities, including exercising the functions or duties of any office or committee membership. Suspension may be subject to specific qualifications, such as allowing access to library resources to complete academic work.

Notification of a suspension or temporary exclusion for up to 20 working days will include a schedule of review points during the period of restriction.

The Principal (or their nominee) shall reassess the decision following the first 20 working days of suspension. Thereafter, the suspension will be reviewed at least every four weeks, or more frequently if circumstances require.

10.0 Formal Disciplinary Procedure – Stage Two

Where the recommendation at the end of Stage One of the Disciplinary Procedure has determined that further action is required, the following will apply.

10.1 Disciplinary Hearing Panel

A Disciplinary Panel will be formed to hear the alleged Misconduct, this will comprise of:

- The Principal or their nominee (Chair of the Panel)
- A member of College Executive Group or a senior staff member nominated by College Executive Group
- A representative member of the Student Union executive
- A member of academic staff who is independent of the case and has not contributed to your programme of study

The hearing will be held within **10 working days** following receipt by Quality Team of the initial investigation report.

At this stage in the process, the Programme Director/Subject Leader for the programme on which the student is studying will be informed of the Disciplinary hearing, unless the Quality Team judges that there is good reason not to do so.

10.2 Conduct of Hearing

You (the 'responding party') will be given notice of the hearing together with details of the alleged misconduct **at least seven working days** before the hearing.

Representation

You may be accompanied by a representative of your choice who may be a fellow student (including a member of the Students' Union), or a member of staff. Your representative must not be in anyway involved in the incident or has been suspended or excluded from the College for any reason. They must be willing to act in a representative capacity. The role of your representative is supportive, and they can speak on your behalf to make your case or to clarify questions. You must notify the Quality Team who your representative will be, for the Panel to be informed at least **48 hours** prior to the meeting.

Evidence Pack and Submission of Evidence

The Panel may call for documents, call, and examine witnesses and conduct such other enquiries as they shall decide. All documentary evidence which is being considered at the hearing will be sent to you and confirmed with the original reporting party.

If you wish to provide additional evidence in support of your case, you are required to submit this to the Quality Team via the email in-box Complaintsandappeals@bruford.ac.uk, no later than **72 hours prior** to the meeting. This evidence pack will be circulated to the panel prior to the meeting.

The Hearing

At the hearing you ('the responding party'):

- will be given the opportunity to present your case;
- may be present throughout;
- may question any witnesses called by the College.

Should you (the responding party) fail to attend a hearing, without evidence of an appropriate extenuating circumstance, the hearing will go ahead and be decided without you.

In exceptional circumstances, where the Chair of the Panel is of the opinion that disclosure may jeopardise a witness's continued participation in /their course or in the life of the College, their statements may be summarised, and their identity concealed.

Following the initial hearing, the Chair of the Panel may decide that there is a need to call for further evidence or information. If this is the case, then the hearing will be reconvened once the further documentation has been gathered.

No outcome decision will be reached in the Panel Meeting; the panel will consider all evidence outside of the meeting and will meet separately to reflect and reach a decision on outcome, recommendations, and penalties.

The responding party will be kept informed about progress of the investigation of the alleged misconduct.

10.3 Penalties

If you admit the misconduct or breach of discipline, or it is found to be proved, one or more of the following may be imposed:

- 1) A warning issued; There are 3 available tiers of warning that can be applied, either individually or as follow on from failure to act on previously issued warning.

Tier 1 – verbal warning issued and followed up with email confirmation.
Recorded on student file for 6 months

Tier 2 – written warning – recorded on student file for one academic year

Tier 3 – full and final warning – recorded on student file for remaining study

- 2) Requirement from the student to give a written undertaking as to their future conduct within the College
- 3) Requirement for the student to pay for any damage to property they may have caused or to recompense the College for any loss it may have suffered arising from the student's misconduct
- 4) Requirement to undertake support from specialist services
- 5) Requirement to attend regular meetings with a service or staff member nominated by the Panel
- 6) Suspension from access to specified facilities of the College or any part thereof for a specified period
- 7) Suspension from the College or exclusion from classes or from the precincts of the College (or any part thereof) for a specified period
- 8) Expulsion from the College.

10.4 Communication of the decision of the hearing

The decision of the Disciplinary Panel will be communicated to you in writing within **five working days** of a decision being made.

The outcome of the Disciplinary Panel will be communicated to specific and appropriate staff teams who may have actions allocated to support individuals as part of the decisions reached.

10.5 Matters under Student Attendance and Academic Engagement Policy

Where Disciplinary cases are brought under Stage 3 of the Student Attendance and Academic Engagement Policy, the steps outlined in 10-10.4 above will be administered by the Programme Administration team.

11.0 Appeals

You have the right of appeal against any disciplinary action (including that taken as part of the Student Attendance and Academic Engagement Policy) but must do so on your own behalf. An appeal submitted by a third party will not be accepted unless accompanied by your written authorisation.

You must register your notice to appeal on an Appeals Form which is sent to the Quality Team via the Complaintsandappeals@bruford.ac.uk in box, within **five working days** of the receipt of the decision of the original hearing.

You may submit an additional written statement for consideration by the Appeals Committee which must be submitted with the Appeals Form.

Appeals can only be made on the following grounds:

- That there is evidence of a failure to follow the procedures set out in this

procedure or other administrative error which casts reasonable doubt on the reliability of the decision.

- That fresh evidence can be presented which could not have been made available before the original decision was made, and which casts reasonable doubt on the reliability of that decision

11.1 The Appeals Committee

An appeal shall be heard by the Appeals Committee. Its composition shall be:

- A senior member of College Staff not involved in the original hearing, who shall act as Chair
- One member of college staff not involved in the original hearing
- An SU representative not involved in the original hearing

11.2 The Appeal Hearing

The Appeal Hearing shall be called within **20 working days** after receipt of your notice of appeal.

You will be given notice of the date of the hearing and the procedure to be adopted at **least five working days** before the hearing.

If the penalty imposed by the Principal was less than suspension, the Principal may suspend you in your or the College's best interest, during the period prior to the Appeal Hearing. This is not intended to be a punitive action but designed to better enable the investigation. Such suspension is at the discretion of the Principal (or nominee in their absence).

The Appeal Committee shall not rehear the case afresh but shall:

- review the procedures followed
- establish whether any new evidence that is material and substantial has been presented
- review the penalty imposed.

The way the appeal shall be conducted and the evidence which will be heard, will be entirely at the discretion of the Chair of the Committee, who will ensure that its business is conducted in accordance with the rules of natural justice.

11.3 The decision of the Appeals Committee

The Committee may:

- confirm the original decision;
- uphold the appeal and quash the original decision;
- substitute its own decision for the original one. This may involve an alternative, lesser or greater penalty.

The conclusions and recommendations of the Appeals Committee, with reasons for the decisions, will be communicated to you and other involved parties in writing within **five working days of the hearing**.

You will be issued with a Completion of Procedures letter (see **section 12 Further Action**).

If there is a delay in reaching a conclusion because of, for example, the need for clarification of matters with either party or for further information, all parties will be kept informed of progress and explanations will be given.

12.0 Further action

Normally the decision of the Appeals Committee is final, and you will be issued with a Completion of Procedures letter.

If you are studying on a Rose Bruford College award, and you believe that your complaint has not been dealt with properly by the College you may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) provided the complaint is eligible under its rules and once all internal procedures have been concluded.

Information about the role of the OIA and the procedure for submitting complaints can be obtained from the OIA website: www.oiahe.org.uk

13.0 Disabled students or students with other protected characteristics

It is recognised that students may feel they been discriminated against because of a protected characteristic as defined by the Equality Act 2010.

In such circumstances the Student Complaints Policy and Procedures should be used.

Students should however also ensure they are aware of further rights of redress under the Equality Act 2010 as described at: Discrimination: your rights: Types of discrimination ('protected characteristics') - GOV.UK (www.gov.uk) The College will support all students as required in relation to any case of discrimination.

13.0 Reporting

The Dean shall provide an annual report to Governors on the number and nature of complaints received, identifying any general issues or themes relating to equality issues that may have arisen and need to be addressed. No student identities will be reported upon.

14.0 Sharing and Storing Information

The Student Casework Manager will complete a data sharing risk assessment on a case-by-case basis to ensure that sharing information related to a complaint is considered and mitigated. This will be stored under individual case files on the central secure SharePoint location.

Staff involved in investigating and being panel members of the complaint, will require access to information related to the complaint, in order that the process can be completed in a fair and transparent manner.

When outcome decisions are concluded, penalties are personal to the responding party. When informing the reporting party of outcome decisions, there will be a case-by-case consideration of whether there is a requirement for this party to be informed about penalties imposed; with particular focus on the impact of sharing on the responding party. An example of when a penalty imposed would be shared with the reporting party, would be if there is a prevention of the responding party having contact with the reporting party, as the reporting party would need to ensure that this is complied with.

Information will:

- Following completion of the process be stored in a central SharePoint location which has limited access
- Complaints of a serious nature or anonymous complaints will be password protected with access limited to the Student Casework Manager and the Dean
- For process and information sharing, a Teams space will be set up and with strict access limited to the Panel, Investigators, Responding Party and Student Casework Manager for oversight. This will be deleted once the process is concluded
- Individuals involved in the case will be referred to as Reporting Party and Responding Party
- Hard copies of papers relating to the complaint will be shredded once the potential appeal deadline has passed.
- Responding Party Outcome and Penalties Letter will be shared with the College's relevant Programme Administrator for recording on the Student File.
- Information relating to complaints will be retained for 6 years from the last action on the case (Limitation Act 1980 and Institutional business requirements)

Appendix: Statement of Academic and Artistic Freedom

Rose Bruford College defends the principle of freedom of thought, practice, and expression within its academic and artistic community, while recognising its responsibilities in promoting tolerance, mutual respect, and cultural understanding. Material is chosen for study and performance based on its value in examining a broad range of practices and ideas. From time to time, such study material may challenge students' perspectives and values.

The College expects students to engage with chosen material without censorship, and encourages a spirit of openness, recognition of creative expression and intellectual debate. At the same time, it seeks to ensure that the choice, interpretation, and treatment of such material is not gratuitous, exploitative, or illegal.

Should material being considered as part of students' academic work prompt the students concerned to feel harassed or bullied, the students are encouraged to discuss the situation with their Programme Director/Academic Programme Leader at the first opportunity.

DOCUMENT CONTROL BOX		Version 2.2
Policy / Procedure title:	Student Disciplinary Action: Policy and Procedure (new document created 06 Nov 2012)	
Policy owner:	Quality Team	
Lead contact:	Director of Academic Affairs	
Audience:	Academic staff/Students	
Equality Impact Screening date Referred to Equality Impact Assessment Group? Yes/No	Pending	
Approving body:	LQSC for recommendation to Academic Board	
Date approved:	12 October 2016 (January 2024)	
Implementation date:	Immediate effect	
Previous revision dates:	Aug 2022	
Supersedes:	Student Complaints, Appeals & Disciplinary Policy (2008) Student Disciplinary Procedure (2013)	
Previous review dates:		
Next review date:	July 2018 January 2025	
Related Statutes, Ordinances, General Regulations	Academic Regulations	
Related Policies, Procedures and Guidance:	Academic Misconduct Student Complaints Student Anti-bullying and Anti-harassment Policy	
Further information: Reformatted 3 July 2014 Updated August 2017 to take account of taught degree awarding powers Updated September 2018 to take account of staffing changes within DMTA August 2022 references to University of Manchester deleted Updated job titles, department titles January 25		