

# Student Conduct

## 2.1 Student Code of Conduct and Disciplinary Procedure

### Introduction

The London Interdisciplinary School (LIS) is committed to helping its students get the most out of their time with the School, and expects students to behave appropriately and with respect to others at all times. This Policy sets out the standards of conduct that the School requires of its students, and its procedures for dealing with allegations of student misconduct, including procedural details concerning allegations of misconduct, investigations, disciplinary hearings, penalties, and appeals.

Individuals and committees with responsibility for administering this Code and Procedure at LIS do not have the same powers as a court of law. They work in line with the common-law principles of “natural justice”; this means that any decisions made will be done so fairly and reasonably, and based on evidence, and that students will be given the opportunity to put forward their version of events before decisions about alleged offences are made, and before any disciplinary penalty is imposed. Decisions will be made “on the balance of probabilities”, which is the civil level of proof, rather than “beyond reasonable doubt”, which is the criminal level of proof.

### Principles

Every student has a duty to the School, its staff, students, visitors and to the wider community to maintain appropriate standards of behaviour and to refrain from causing damage, in any way, to its property or reputation, or to impede or harm the effective operation of the School or its staff. Any breach of these duties will constitute a disciplinary offence.

The School has an obligation to deal with any alleged offences fairly, reasonably, consistently, transparently, and proportionately, based on evidence; and the student in question will be given the opportunity to put forward their version of events before any decision on an alleged offence is made. Students have the right to appeal any decision via the [Student Complaints Procedure](#).

### Associated Policies and Procedures

The School’s Student Code of Conduct and Disciplinary Procedure should not be read in isolation. It is one of a group of student policy documents containing rules and regulations that apply to all students registered with LIS. These are contained in the [Policies section](#) of the School’s website, and include the [Dignity at Work and Study Policy and Procedure](#), the [Freedom of Speech Code of Practice](#), the [Visiting Speaker Code of Conduct and](#)

[Procedure](#) and the [Student Drugs and Alcohol Misuse Policy](#). Students are also governed by the School's [Academic Regulations](#).

There are separate procedures to cover student complaints and appeals; these can be found in the [Student Complaints Procedure](#) and the [Academic Appeals Procedure](#).

## Scope

The School's Student Code of Conduct and Disciplinary Procedure applies to all registered students of the School.

## Policies

### Good Conduct

All LIS students are expected to conduct themselves on the School premises and in relation to any School activities (including optional internships and field trips) in such a way that shows respect for the School, its staff, fellow students and property, and for members of the wider community.

Good conduct means that students should behave as positive ambassadors for the School. It also means recognising the diversity of the School and wider community, and not discriminating against others based on their age, ethnic origin, race, nationality, culture, language, religious faith, gender, gender identity, sexual orientation, disability, or socio-economic background. It means that students should act safely, and with regard for the safety of others; that they should behave responsibly and honestly; and that they should be considerate, respectful and courteous towards others.

Specific standards of good conduct are expected of students whilst they are learning, whilst they are on School premises, and while they are socialising.

Whilst learning, students must:

- Follow the rules laid down by the School for academic activity and the use of the Library, Information Services and other services;
- Attend classes on time;
- Switch off mobile phones in classes.

Around the School premises, students must:

- Show respect for LIS property;
- Follow the LIS [Health and Safety Policy](#);
- Play their part in maintaining security, including producing their identity card when requested;
- Refrain from exhibiting displays of drunken behaviour.

Students should also care for the environment, including recycling and disposing of litter responsibly and being aware of energy-saving advice.

Socially, students must:

- Ensure that any activity engaged in using the internet refrains from causing offence, and could not be regarded as bullying or harassment;

Students should also show consideration for the welfare of their friends and peers.

### **Misconduct**

Misconduct includes but is not limited to:

- Breach of the provisions of any School Code, rule or regulation, including but not limited to the [Dignity at Work and Study Policy and Procedure](#), the [Freedom of Speech Code of Practice](#), the [Visiting Speaker Code of Conduct and Procedure](#), and the [Student Drugs and Alcohol Misuse Policy](#).
- Bullying, harassment or discrimination against another person, including the use of discriminatory language;
- Physical, verbal, or written abuse or intimidation against another person, including in social media communications;
- Sexual harassment, violence or abuse;
- Damage to or theft of property from the School or members of staff or students;
- Criminal or other activities that have a bearing on the student's participation in the School or provide a risk to other students, staff or visitors to the School;
- Fraud, deceit, deception or dishonesty in relation to the School or its staff, students or visitors;
- Distribution or publication of a poster, notice, sign or any electronic publication which is offensive, intimidating, indecent or illegal;
- Misuse of computers or the communications network;
- Disruption of or improper interference with the academic, administrative, social, or other activities of the School;
- Any act which brings or threatens to bring the School's reputation into disrepute.

### **Procedures**

The School will seek to promote and facilitate good student conduct through education, support, and positive encouragement. However, where these approaches or other informal action are not sufficient, the School will institute formal disciplinary action. The School is committed to conducting its disciplinary procedures fairly, consistently, transparently and proportionately.

There are two ways in which alleged misconduct may be formally dealt with by the School, depending on the seriousness of the alleged instance of misconduct: summary jurisdiction; and formal disciplinary procedures.

These procedures do not cover any allegation of academic misconduct in assessments. They must be made and investigated in accordance with the School's [Academic Misconduct Policy and Procedure](#).

Where the School believes that a criminal offence may have been committed, it may at any time refer to matter to the police instead of, or in addition to, the initiation of disciplinary proceedings.

### **Summary jurisdiction**

The following School staff members have delegated powers to deal with less serious instances of misconduct within their areas of responsibility:

- Director of Teaching and Learning
- Module Leaders
- Director of Finance and Operations
- Head of Digital
- Head of Estates
- Director of Admissions and Student Support

This allows the School to address instances of misconduct of a more minor nature as quickly and as close to the source as possible. Summary jurisdiction applies where the relevant member of staff determines that an offence has been committed but is not sufficiently serious to warrant a disciplinary penalty as set out below. Factors to be taken into account to determine whether or not an instance of misconduct should be dealt with at the summary level include:

- The degree of intention on behalf of the student (i.e., whether the offence was deliberate or accidental).
- The circumstances in which the offence took place.
- Any mitigating factors (for example, the admitting of the offence at the earliest opportunity and agreement to make reparation; whether the student is deemed inexperienced given the early stage of their academic career).
- Whether the offence is a first offence.
- The nature and impact of the offence:
  - The following offences are automatically deemed to be instances of serious misconduct that may not be dealt with by summary jurisdiction but must be dealt with in line with the School's formal disciplinary procedure:
    - Offences involving bullying, harassment or discrimination against another person, including the use of discriminatory language;
    - Physical, verbal, or written abuse or intimidation against another person, including in social media communications
    - Sexual harassment, violence or abuse
    - Theft of property from the School or members of staff or students
    - Damage to property of the School or members of staff or students that incurs a loss of more than £1,500

- Criminal activities that have a bearing on the student's participation in the School or provide a risk to other students, staff or visitors to the School;
- Fraud;
- Distribution or publication of a poster, notice, sign or any electronic publication which is intimidating or illegal.
- Serious breaches of the [Student Drugs and Alcohol Misuse Policy](#); a guide to what constitutes a "serious breach" of this kind is set out in detail in the [Student Drugs and Alcohol Misuse Policy](#).

Where a designated staff member is unsure as to whether or not the offence should be dealt with under summary jurisdiction, they should refer the case to the School's formal disciplinary procedure, so that it can be investigated by an Investigating Officer.

If a designated staff member determines that a student has committed an act of misconduct that falls within the summary jurisdiction category as outlined above, they may apply summary jurisdiction in one or more of the following ways:

- Deliver a written reprimand;
- Require a written apology to a specified person or persons;
- Require the removal of material published either in hard copy or electronically which is deemed to be inappropriate;
- Deliver an informal caution, which means that no penalty is imposed, but if the student is found guilty of misconduct on a subsequent occasion in the following twelve months, they will then be dealt with for both offences;
- Require reasonable reparation to the School or individual in respect of any identified and quantified loss caused (limited to a total value of £1,500);
- Seize and retain items for a period of time, or confiscate them without compensation, to maintain the safety and wellbeing of others;
- Deliver a requirement to give and comply with a written undertaking as to future behaviour;
- Withdraw privileges that have been abused, for up to two calendar weeks.

In determining a summary jurisdiction, the guiding principle is that it is fair, proportionate to the offence, and that, rather than being punitive in nature, it should be focused on reparation and a guidance to future behaviour. In dealing with summary jurisdiction in relation to misconduct relating to drugs and/or alcohol, the designated staff member will refer to the School's [Student Drugs and Alcohol Misuse Policy](#).

In the case of an informal caution, this is not a penalty under this Student Code of Conduct and Disciplinary Procedure, however a record of the correspondence in relation to the informal caution will be kept on the student's record.

The staff listed above will each report annually at the end of the academic year to the Director of Admissions and Student Support with details of all misconduct dealt with and penalties imposed under this section.

## Formal disciplinary procedure

Should a student be alleged to have committed a more serious instance of misconduct, or where a designated member of staff is unsure as to whether the offence can be dealt with under summary jurisdiction, the School's formal disciplinary procedure will be applied.

The formal disciplinary procedure will automatically apply in the following cases:

- The offence is a second offence by the student;
- The offence involves:
  - Bullying, harassment or discrimination against another person, including the use of discriminatory language;
  - Physical, verbal, or written abuse or intimidation against another person, including in social media communications;
  - Sexual harassment, violence or abuse;
  - Theft of property from the School or members of staff or students;
  - Damage to property of the School or members of staff or students that incurs a loss of more than £1,500;
  - Criminal activities that have a bearing on the student's participation in the School or provide a risk to other students, staff or visitors to the School;
  - Fraud;
  - Distribution or publication of a poster, notice, sign or any electronic publication which is intimidating or illegal;
  - Serious breaches of the [Student Drugs and Alcohol Misuse Policy](#). a guide to what constitutes a "serious breach" of this kind is set out in detail in the [Student Drugs and Alcohol Misuse Policy](#).

Where the School's formal disciplinary procedure is raised, an Investigating Officer will consider and investigate the issue.

The Investigating Officer will be a senior member of Staff nominated by the Director of Admissions and Student Support; and must not have any prior involvement in the case.

The Investigating Officer will set out the allegation in writing to the student within 5 working days of the formal disciplinary procedure being raised. They will invite the student to provide evidence to rebut the allegation; the student must do so within 3 working days. The Investigating Officer will consider the facts of the allegations. If there are witnesses to an incident, or a person makes an allegation against somebody else, written statements from these people will be obtained, or where appropriate, these people will be interviewed and ask to sign a note summarising the contents of the interview. The student may be interviewed as part of the investigation if appropriate.

The Investigating Officer will then decide whether or not there is sufficient case for consideration by a Disciplinary Panel; or whether or not the case should be referred for summary jurisdiction by an appropriate School staff member, or dismissed.

Within 10 working days of the formal disciplinary procedure being raised, the Investigating Officer will inform the student in writing of their decision on how the charge should be considered, and whether it should be dismissed, referred for summary jurisdiction by an appropriate School staff member, or referred to the [Student Disciplinary Panel](#), which is a sub-Panel of the Academic Council.

The Student Disciplinary Panel will be convened within 5 working days of referral by the Investigating Officer. The Disciplinary Panel will consist of:

- The Chief Executive (Chair)
- Two senior members of LIS staff not previously involved in the case, nominated by the Director of Admissions and Student Support.

Details on the membership of the Student Disciplinary Panel are set out in [Student Disciplinary Panel: Membership and Terms of Reference](#).

The student will be notified in writing at the earliest opportunity of:

- Confirmation of the time and place of the hearing;
- The nature of the alleged misconduct and a summary of the evidence for the complaint;
- The student's entitlement to accompaniment at the meeting by a friend or representative unconnected with the allegation;
- The members and Chair of the Disciplinary Panel;
- The requirement that the student attends, including informing the student that if they fail to attend without good reason, the disciplinary hearing will go ahead in their absence using the facts as recorded;
- The possible disciplinary action that may be taken.

If the student is unable to attend the hearing at the stated time, they must notify the Chair of the Student Disciplinary Panel as soon as possible, stating their reasons; where it is reasonable to do so, an alternative date or time may be provided.

The purpose of the disciplinary hearing is to give the student an opportunity to state their case and answer any allegation against them, and for the Panel to review the evidence against them. The Investigating Officer will attend the hearing to present their investigation findings, and answer any questions from the Panel and from the student. The Investigating Officer will not otherwise take part in the hearing, and will not participate in the decision-making process.

The Panel will review the allegation in the light of the evidence, presented by the Investigating Officer, and hear any representations from the student. The Panel will determine the allegation is supported by the evidence provided, and whether any sanctions should be imposed against the student. Sanctions that can be imposed at this stage, in addition to those enabled under the powers of summary jurisdiction, include a formal caution, removal of eligibility for optional internships, suspension, exclusion and expulsion from the School.

In determining sanctions, the Panel will be guided by the principles that they should be:

- Proportionate (a first offence from an inexperienced student is unlikely to command the same penalty as a repeat offence by an experienced student)
- Consistent (regard should be given to the sanction applied to similar students in similar situations)

In determining the nature of the sanction to be applied, the Panel will take into account:

- The degree of intention on behalf of the student (i.e., whether the offence was deliberate or accidental).
- The circumstances in which the offence took place.
- Any mitigating factors (for example, the admitting of the offence at the earliest opportunity and agreement to make reparation; whether the student is deemed inexperienced given the early stage of their academic career, whether the offence is a first offence).
- Any aggravating factors, that may cause the action to be considered more serious (e.g., pattern of offences, committing the act for financial gain, an attempt to conceal or dispose of evidence, intimidation)
- The nature of the offence and impact of the offence (specifically, whether the offence caused serious physical or emotional harm or risk of harm to other students, members of staff or visitors to the School; the level of any damage incurred to School, student or staff property; the scale of any theft from the School, student or staff member; the level of any damage incurred to the School's reputation; the level of disruption caused to the activities of the School).

Multiple or repeated incidents of misconduct may be considered as more serious than a single act of misconduct; and previous findings of misconduct may be taken into account when determining the appropriate sanction.

The hearing will be recorded. The Chair of the Panel will inform the student of the Panel's decision in writing within 3 working days of the hearing.

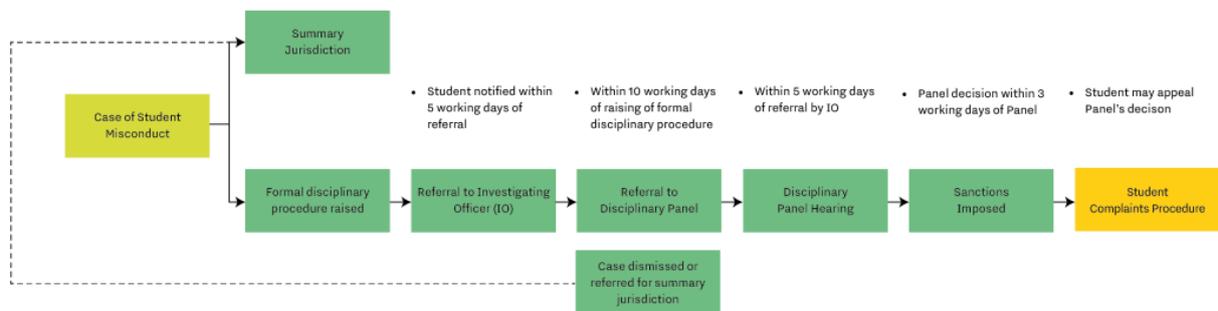
Failure to comply with any sanction imposed by the disciplinary panel will constitute a further disciplinary offence.

Where a student is expelled from the School they will not be entitled to any refund of fees already paid, and will remain liable to pay any fees that are still outstanding.

Where the School considers that there may be undesirable consequences for the student to remain at the School during disciplinary procedures, it may initiate the procedures for temporary suspension or exclusion. This is not a disciplinary penalty, but is available as a neutral act to mitigate risk.

The student shall have the right to appeal against the decision of the Disciplinary Panel via the [Student Complaints Procedure](#).

**Exhibit: Overview of Student Disciplinary Procedure**



## Criminal Offences

The School has a duty to inform the police and other law-enforcement agencies if it considers that a student is engaged in illegal activity, and the School will support the police or other agencies in their investigations as necessary.

## Monitoring and Review

The Director of Admissions and Student Support shall report annually to the Executive Committee on instances of student misconduct and how they were dealt with (summary jurisdiction, formal disciplinary procedures, sanctions). S/he or any other Executive Committee member may recommend any changes to this Policy to the Executive Committee; where the Committee agrees to these changes, they will pass them to the Academic Council for authorisation.

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<b>Related documents:</b> (e.g. associated forms, underpinning processes, related policies or overarching policies)	<b>Student Complaints Procedure Dignity at Work and Study Policy and Procedure Student Drugs and Alcohol Misuse Policy Academic Misconduct Policy and Procedure Academic Appeals Procedure Attendance Policy Student Disciplinary Panel: Membership and Terms of Reference</b>

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<b>Version Control</b>			
<b>Version</b>	<b>Author</b>	<b>Date</b>	<b>Brief summary of changes</b>
<b>1</b>	<b>Hannah Kohler (Director of Admissions and Student Support)</b>	<b>1/12/2018</b>	<b>Original draft</b>
<b>2</b>	<b>Jasper Joyce (Director of Finance and Operations)</b>	<b>13/03/2019</b>	<b>Adjustments to wording</b>
<b>3</b>	<b>Ed Fidoe (Chief Executive)</b>	<b>14/03/2019</b>	<b>Adjustments to wording</b>

4	Hannah Kohler (Director of Admissions and Student Support)	06/06/2019	Removal of fines from summary jurisdiction. Clarification of when summary jurisdiction is appropriate and inappropriate. Clarification of how decisions on penalties are made. Addition of visual on process.
5	Hannah Kohler (Director of Admissions and Student Support)	10/08/2019	Removal of referral to social behaviour outside the School premises including drunken behaviour as difficult to uphold and assess fairly
6	Chris Maguire (Registrar)	14/08/2019	Policy changes authorised by Academic Council
7	Academic Council	18/12/2019	Approved