

Student Misconduct Policy and Procedures

Alternative formats:

Please contact a member of staff in Student Services if you have a disability which makes it difficult to read this document or other information online. We can provide this information in a suitable alternative format.

Reference Points:

LAMDA's Student Misconduct Policy is underpinned by:

- Equality Act 2010: <https://www.legislation.gov.uk/ukpga/2010/15/contents>
- Office of the Independent Adjudicator: <https://www.oiahe.org.uk/resources-and-publications/good-practice-framework/disciplinary-procedures/part-b-non-academic-disciplinary-procedures/>
- Sexual Offences Act 2003: <https://www.legislation.gov.uk/ukpga/2003/42/data.pdf>
- Stalking or Harassment: The Crown Prosecution Service
<https://www.cps.gov.uk/legal-guidance/stalking-or-harassment>
- Universities UK Guidance for higher-education institutions: How to handle alleged student misconduct:
<https://www.universitiesuk.ac.uk/sites/default/files/field/downloads/2021-07/guidance-for-higher-education-institutions.pdf>

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1. Purpose of this policy

The purpose of this policy and its procedures is to enable students to identify and achieve acceptable standards of conduct, so that LAMDA maintains an inclusive, equitable and safe environment for all students, staff, visitors, and others, in keeping with its good name and reputation.

We expect you to ensure that students, staff, and visitors to LAMDA are treated with dignity, respect, and courtesy at all times.

This policy covers alleged non-academic misconduct by a student occurring on or off LAMDA premises (including via social media) where the behaviour has affected students, staff, and visitors to LAMDA.

Where the alleged misconduct occurs during LAMDA-related activities (e.g., placements, field trips or while studying or using facilities at partner organisations), LAMDA may investigate and act in response to the allegation.

This policy outlines:

- LAMDA's expectations for student conduct
- Types of misconduct
- What happens if you are alleged to have committed non-academic misconduct
- Support for students involved in incidents of alleged misconduct
- Disciplinary sanctions for misconduct
- Appeals

2. Expectations for student conduct

When you become a student with LAMDA you agree to be bound by this policy and all other relevant LAMDA policies, available via LAMDA's Virtual Learning Environment, Canvas. This policy applies to all LAMDA students during and outside term-time, throughout the whole of a student's registration, including where a student has formally interrupted their studies.

- 2.1. You are expected to maintain good conduct at all times on LAMDA's premises, or in the vicinity of any premises owned, leased, or managed by LAMDA.
- 2.2. You are responsible for the conduct of your guests and for any damage caused by your guests while they are on LAMDA's premises or where they are invited to engage in online events. For the purposes of this policy, LAMDA's premises also includes premises owned, leased, or managed by any other organisation with which it is collaborating; LAMDA's activities also include relevant activities taking place under any collaboration arrangement.
- 2.3. Good conduct must also be maintained when you are taking part in any programme-related activities, work placements or performances, whether in external locations or on site at LAMDA. This includes online learning and any other online platforms, including social media, email, or messaging apps.
- 2.4. This policy covers misconduct arising from non-academic matters (for example, unacceptable behaviour towards students, staff, visitors or others, damage to LAMDA's property or reputation). Academic misconduct (for example, allegations of plagiarism or other cheating in assessment) is dealt with through LAMDA's Credit Framework, available via Canvas.

3. Guiding principles

- 3.1 Non-academic misconduct in breach of this policy may result in disciplinary action, wherever and whenever misconduct may have taken place, and when it is considered necessary for safeguarding or to protect the interests and reputation of LAMDA, its staff, students, or visitors.
- 3.2 You will be presumed to be innocent of an allegation of misconduct, until it is proven otherwise. The standard of proof required is on a balance of probabilities: that is, it is more likely than not that the alleged misconduct occurred.
- 3.3 All misconduct proceedings, including preliminary investigation interviews, Disciplinary Interviews and Misconduct Hearings will be held in private.
- 3.4 You are encouraged to seek advice and support regarding this policy from the Student Advisor, your course rep or the Students' Union. Support is available to any student involved in a disciplinary case including those who report alleged misconduct, those whose conduct is reported, and any witnesses. You can expect to be signposted to appropriate sources of support by staff at every stage of a misconduct investigation.
- 3.5 Any student who is asked to attend an interview or hearing under this policy may be accompanied and supported by a member of staff, a student representative, or a family member. This support person must not be connected to the incident concerned. LAMDA does not normally permit legal representation in misconduct procedures, but may allow legal representation at Misconduct Hearings in exceptional circumstances e.g. where your conduct may also amount to a serious criminal offence. You must provide the name and contact details of any support person to LAMDA in good time before the interview or hearing.
- 3.6 LAMDA will make reasonable adjustments to this policy where it is reasonable to do so to prevent you from suffering substantial disadvantage as a result of your disability.
- 3.7 LAMDA aims for its non-academic misconduct procedures to be managed in a transparent, efficient, and timely manner. However, if there are exceptional circumstances which require variance from specified time limits, students will be advised. The pace of any criminal proceedings, police enquiries or investigations may also affect timescales.
- 3.8 All timescales in this policy and procedures constitute working days, excluding bank holidays and statutory closure days.
- 3.9 Where more than one student is involved in a case of alleged misconduct, LAMDA may choose whether to take joint or separate action against them under this policy. LAMDA will take steps to ensure that it adopts a consistent approach in relation to all of the students involved.
- 3.10 Anyone who is directly affected by a decision made following a report of alleged misconduct under this policy will be provided with relevant information about the decision and the reasons for it. This information could include:
 - what steps were taken to investigate the report;
 - a summary or high-level description of the evidence made available to the decision-maker(s), or a copy of that evidence;
 - who made the decision(s);
 - what measures may be put in place to prevent the issue that led to the report happening again.

- 3.11 Where there is good cause to do so, and at the Principal's discretion, in accordance with the Data Protection Act 1998 and UK General Data Protection Regulations, LAMDA may disclose the outcomes of misconduct processes and/or information about students involved in such processes to relevant third parties, including:

- where disclosure is required by law or by the police;
- those who need to know in order to discharge their responsibilities at work;
- placement providers, sponsors, or potential employers;
- where it considers that disclosure is necessary in the interests of health and safety at work or the welfare of other staff, students, or the public interest.

Where necessary, this may include sharing personal and sensitive/special data regarding individual students.

- 3.12 The Principal may delegate their powers under this policy to an appropriate senior member of staff to act on their behalf in matters of student misconduct.
- 3.13 Where reference is made under this policy to the Principal this will include the Principal's nominee or delegate.
- 3.14 This policy will be interpreted and applied in a manner compatible with LAMDA's Code of Practice on Freedom of Speech. In applying this policy, LAMDA will have particular regard to, and place significant weight on the importance of freedom of speech within the law, academic freedom and tolerance for controversial views in an educational context and environment.

4. What is Non-Academic Misconduct?

- 4.1 Non-academic misconduct includes breaking any current LAMDA rule, regulation, code of conduct, practice, or policy. The principles of these are set out in the Student Regulations, and detailed in the policy and procedure documents located on Canvas at Student Policies and Handbooks.
- 4.2 Misconduct may be committed by any means or medium or platform. This includes (but is not limited to): in person, on the internet, on any form of social media; citizen journalism or photojournalism; by phone, email, messaging and other apps, or hard copy written material or images.
- 4.3 Types of misconduct are set out in **Appendix 1**.

5. Relationship to other policies and procedures

- 5.1 Within LAMDA, there are a range of related procedures and policies which may offer a more relevant, effective and immediate means of influencing and managing student conduct. These include the Student Regulations, the Harassment and Sexual Misconduct Policy and the Code of Practice on Freedom of Speech.

Where allegations of suspected misconduct are received, an Investigating Officer will determine the most appropriate action to be taken. This may be solely action under this policy or also involve other procedures.

Investigation of misconduct under this policy and its procedures does not exclude LAMDA invoking other rules associated with conduct regarding academic or non-academic services, facilities, or areas.

5.2 Criminal procedures

Where alleged misconduct could also constitute an offence under the criminal law, LAMDA may delay misconduct investigations or proceedings until the police and/or courts have completed their investigations and proceedings. In such circumstances, LAMDA's Principal will determine whether any action will be delayed. However, LAMDA may take any action necessary for safeguarding i.e. precautionary action in accordance with section 6 below.

If you report to LAMDA that you are the victim of a crime, this will not be reported to the police without your permission, other than in exceptional circumstances.

In exceptional circumstances, the Principal may refer concerns to the police: where there is a perceived legitimate risk, or where LAMDA is legally obliged to do so. LAMDA will cooperate with the police in their investigation of an alleged breach of the law or of any matter that may involve a LAMDA student.

LAMDA is not bound by the outcome of any police or criminal investigation or prosecution when deciding whether to commence or proceed with any action or process under this policy.

5.3 Criminal conviction

If you obtain a criminal conviction during your registration with LAMDA, you must disclose this to us. The disclosure will be referred to the Vice-Principal Actor Training & Drama School and/or Head of Production & Technical Training, as appropriate, to consider whether any action under this policy should be taken, or whether there is justifiable cause not to do so and/or to follow an alternative process (for example, Fitness to Train).

6. Precautionary action

The Principal of LAMDA shall have the power to exclude or suspend any student from LAMDA for a limited period in an emergency situation upon reasonable belief that there is good reason to do so. More information may be found in the policies section on Canvas.

7. Reporting misconduct

7.1 If you wish to report alleged misconduct, including alleged harassment or sexual misconduct, you can either:

- a) contact any member of the Student Services team in person, by email or by phone, or
- b) fill in the online form linked from Canvas.

The form will be emailed to the relevant person for review. Your allegation should state the type of alleged misconduct (see **Appendix 1** of this document).

If you have made an allegation, you may be asked to a confidential meeting to discuss this.

7.2 Anonymous reports

LAMDA will not normally act solely on the basis of anonymous allegations of misconduct. Anonymous reporting can help LAMDA to build up an understanding of an issue or situation, and Student Services will consider all anonymous reports received. However, it is almost always preferable to speak confidentially to one of the Student Services team, so that appropriate support can be offered.

7.3 Submitting an allegation which is found to be false, misleading, frivolous or in bad faith is prohibited and may be considered misconduct.

8. Minor Misconduct: Informal Procedure (Level 1)

8.1 LAMDA recognises that some student conduct can and should, where appropriate, be dealt with informally by members of staff. Staff should engage with specialist support as appropriate, so that an investigation may be managed inclusively. Staff may also direct students to appropriate specialist support (such as well-being services). **Figure 1** (page 19) shows the stages of informal and formal misconduct procedures.

8.2 Types of minor misconduct

Examples include:

- failure to conform to attendance requirements (early stage)
- inappropriate behaviour in class, including inappropriate attire
- inappropriate behaviour on LAMDA's premises, for example, littering.

These are relatively minor and LAMDA acts at an early stage, so that you may improve your conduct.

8.3 Outcomes

A member of staff authorised by the Principal may issue an informal warning regarding future conduct, and/or indicate targets for improvement and/or a timeframe within which a further informal review of the student's conduct will be arranged.

An informal warning will not go on your student record. As appropriate, the member of staff shall advise you that failure to meet expectations may result in referral to the formal procedures.

9. Serious Misconduct: Formal Procedure (Level 2 and 3)

Where it is not appropriate to deal with the alleged misconduct by informal (Level 1) procedures, then the formal procedure is followed (Levels 2 and 3).

At any stage of formal procedures staff must be mindful of Learning Agreements or other specialist needs and ensure that communications are presented in a way which are clear and accessible to the students involved.

Figure 1 (page 19) shows the stages of informal and formal misconduct procedures.

9.1 Investigating Officer

The Principal will appoint a member of staff to act as the Investigating Officer (IO). The IO will be a senior member of professional services or academic staff, unconnected to the student, the matter complained of, or to any people involved in the complaint. The IO will be formally trained in the conduct of investigations.

9.2 Preliminary Investigation: information-gathering and review

The Investigating Officer (IO) will conduct a Preliminary Investigation to determine what action, if any, should be taken. The IO will normally notify you in writing of this investigation, giving an expected date/timeline for its conclusion, and of any support available.

The IO may make any necessary enquiries to acquire further information. This may include:

- inviting the student concerned to make a written response to the allegations
- interviewing any parties who may be able to provide necessary information
- seeking documentary evidence where appropriate e.g. emails, logs from relevant LAMDA systems or other relevant evidence.

The IO will review the information provided regarding the allegation and will determine whether there is sufficient evidence to proceed under this policy.

Investigation will not normally be carried out into anonymous allegations of misconduct, except where there is just cause and/or reasonable grounds to do so. This will be determined by the IO in conjunction with a senior member of academic or administrative staff. A rationale for undertaking the investigation of an anonymous allegation will be recorded.

9.3 Interview (optional)

If the Investigating Officer (IO) believes that more information is needed, they will invite you for an interview to acquire further information.

If an interview is to take place:

- You will be notified via your LAMDA email at least 48 hours in advance of the meeting.
- You will not be required to attend (although it is in your interests to do so). However, should you fail to attend without good reason, the IO will proceed in your absence.
- No recording of the interview will normally be permitted; agreed written notes will be taken.
- The IO has the discretion to terminate the interview at any point, for example, if any attendee displays unacceptable behaviour.
- You should normally give the IO at least 24 hours' notice of anyone expected to accompany you.
- Normally another member of staff will also be present to take notes. This person does not take part in the decision-making

9.4 Outcomes of an investigation: Preliminary Investigation Report

On completion of the Preliminary Investigation, the IO will complete a Preliminary Investigation Report, detailing the alleged breach of this policy, the established facts, the findings, and the outcome which they are recommending.

The Preliminary Investigation Report will state one of the following recommendations:

- a) no further action is required, or
- b) remedial action via an informal resolution route, or
- c) the case should be referred to a Disciplinary Interview (Level 2), or
- d) the case is serious enough to be referred to a Misconduct Hearing (Level 3).

The student will be notified in writing, by email to their LAMDA email account, of the outcome of the Preliminary Investigation within seven working days of the conclusion of the Preliminary Investigation.

10. Formal Procedure (Level 2): Disciplinary Interview

- 10.1 A Level 2 Disciplinary Interview will be held when this is the recommended outcome of a Preliminary Investigation. The aim of the Disciplinary Interview is to determine if an allegation of misconduct can be substantiated and to decide appropriate outcomes.

A senior member of staff (normally a Course Leader from a course you are not taking) will invite you to a private Disciplinary Interview.

You will be notified at least 48 hours' notice in advance of the Interview and be given the option of having a supporter present. You will be provided with details of the allegation(s) and copies of all documents relating to the case.

You should make every effort to attend the Disciplinary Interview. If you fail to attend without good reason, the member of staff will normally go ahead in your absence and will base their decision on the information that is available.

At the Interview, you will be asked to confirm that you understand the purpose of the meeting. The nature of the alleged misconduct will be made clear to you. You will then be allowed to put your own case forward.

Normally, no recording of the interview will be permitted; agreed written notes will be taken, usually by another member of staff. This person does not take part in any decision-making.

All disciplinary proceedings must be conducted in a calm, professional manner by all involved. If inappropriate conduct occurs, either party has the right to suspend the interview until the Interview can be held in an appropriate manner. Student support services should be used as needed so that interviews are inclusive.

10.2 Level 2 Outcomes

The member of staff conducting the Disciplinary Interview will decide whether the allegation(s) made against you have been proven on the balance of probabilities. If the allegation(s) are upheld you will receive either a verbal warning, written warning or final written warning. A warning may also include one of the penalties set out at [section 11.8](#) below.

10.3 Communication of outcomes

The outcomes of a Disciplinary Interview will be shared with you, the Senior Management Team, and, where deemed appropriate, with relevant academic staff to support future good practice. If the Disciplinary Interview arose from a complaint by another student, they will also be provided with relevant information in accordance with paragraph 3.10 above. A report may be produced for the Senior Management Team to

consider, if the case highlights areas for LAMDA to improve its processes and procedures.

10.4 Appeals

Where a student wishes to disagree with the conduct or outcome of a Disciplinary Interview, they have the right to appeal in accordance with [section 12](#) below.

11. Formal Procedure (Level 3): Misconduct Hearing

11.1 A Misconduct Hearing will be held when this is the recommended outcome of a Preliminary Investigation, and is for the most serious cases of alleged misconduct. The aim of the Misconduct Hearing is to determine if an allegation of misconduct can be substantiated and to decide appropriate outcomes.

11.2 The Misconduct Hearing will be conducted by an Adjudicator, appointed by the Vice-Principal Actor Training & Drama School, or the Principal. The Adjudicator is a senior member of professional services or academic staff, unconnected to the student or their programme of study, the matter complained of, the Preliminary Investigation, or to any people involved in the complaint.

Where it is not possible to appoint an Adjudicator from LAMDA's staff (for example, owing to a potential conflict of interest), the Principal may appoint a senior member of staff from another appropriate organisation as the Adjudicator.

The Adjudicator makes the final decision on the processes of the Misconduct Hearing. This includes:

- i. Admission of written or oral evidence or refusal to admit evidence or hear witnesses where this is deemed irrelevant
- ii. Proceeding with a Hearing or adjourning it in the absence of particular participants
- iii. Adjourning the Hearing where the timeframes for providing documentation, or notifying witnesses have not been met, or for other good cause
- iv. Making decisions on any point of procedure

The Adjudicator will appoint a Secretary to provide administrative support and act as note-taker for the Misconduct Hearing. The Secretary does not take part in any decision-making

11.3 Misconduct Hearing: Attendance and Support

If you are unable to attend the Misconduct Hearing on the specified date, you may request a deferral of the Hearing as soon as possible and at least 48 hours before the Hearing, by contacting the Adjudicator (by email) stating the reason(s) for the request. Only one deferral request is permitted. Where the student and/or any other relevant parties do not request deferral and fail to attend a Hearing, the Adjudicator may decide to continue the Hearing or to reschedule. Only one rescheduling opportunity is permitted.

Support

- You may be accompanied for support to the Misconduct Hearing by a member of staff, a student representative, or a family member.

- LAMDA may also arrange for you to be accompanied by an appropriate person from our external network of Alumni and Global Majority allies (on request).

11.4 Preparation in advance of the Misconduct Hearing

At least 5 working days before the Hearing, LAMDA will send you written notice, via your LAMDA email account, of the following:

- a) the date, time, and venue of the Hearing;
- b) details of how to contact the Adjudicator;
- c) details of any witnesses and/or expert advisers to be called by LAMDA;
- d) all documentary evidence, including the Preliminary Investigation report and copies of any witness statements;
- e) notification of the rules governing the conduct of Misconduct Hearings, as set out in this policy, including the student's right to be accompanied.

At least 48 hours in advance of the hearing, you must normally give LAMDA written notice via your LAMDA email account of the following:

- a) details of any documentary evidence, including any personal written statement and witness statements;
- b) details of any supporter who will accompany you at the Hearing;
- c) details of any witnesses to be called in your defence;
- d) details of any mitigating circumstances, and any evidence in support of this, where appropriate.

Any documentation submitted after this deadline will be accepted at the discretion of the Adjudicator, where it is reasonable to do so and if this will not unduly compromise the proceedings.

The Adjudicator has the discretion to refuse to allow a person to attend where prior written notice has not been given.

11.5 Misconduct Hearing process

- a) All parties will normally attend the Misconduct Hearing at the same time.
- b) Presentation of the case:
 - The Investigating Officer will normally present their case first, and call any witnesses
 - The student may ask questions of the witnesses (or the Adjudicator may determine that questions should be put through him/her)
 - The Adjudicator may ask questions of any witnesses.
 - The student will be invited to reply to the allegations and may call witnesses. The student may also be invited to present any relevant mitigating circumstances.
 - The Investigating Officer and the Adjudicator may ask questions of the student and any witnesses.
- c) Closing statement
 - At the conclusion of all presentations, the student may make a closing statement.
 - The Adjudicator may also make a closing statement and will advise the student of the expected timescale of decisions

- d) **Adjudicator's decision**
The Adjudicator will aim to reach a decision and findings without adjournment.

However, if the Adjudicator decides that they need further information to reach a decision or for other good cause, they may adjourn the case. The student will be notified of an adjournment normally within one working day.

11.6 Misconduct Hearing: outcomes

The Hearing will determine whether any misconduct allegation(s) have been substantiated.

Once the Misconduct Hearing has reached its findings, it will determine:

- a) any appropriate penalties which should be applied to the student;
- b) any action deemed necessary by either the student, LAMDA or any other relevant party;
- c) whether there are any matters which should be referred under alternative LAMDA policies and procedures.

11.7 Misconduct Hearing: Outcome Letter

The Adjudicator will send a Misconduct Hearing Outcome Letter to the student's LAMDA email address, normally within five working days after the date of the Misconduct Hearing.

The letter will set out the decision of the Misconduct Hearing and confirm the reason for the decision, any actions or penalties that apply and provide information on the right of appeal.

The student will also be advised that the findings and decision of the Misconduct Hearing may be taken into consideration in the event of a future finding of misconduct under this policy.

A record of the outcome and any penalty imposed will remain on the student's record until they cease to be registered as a LAMDA student. Record(s) and evidence of the misconduct, including any records of any suspension or exclusion relating to it, may be retained for six years.

The findings and decisions of the Misconduct Hearing will be communicated to the Principal and any other interested parties as deemed appropriate by the Adjudicator and in accordance with LAMDA's records retention schedule. If the Misconduct Hearing arose from a complaint by another student, they will also be provided with relevant information in accordance with **paragraph 3.10 above**.

11.8 Misconduct Hearing: Penalties

Where the Misconduct Hearing upholds an allegation of misconduct, the Adjudicator may impose one or more penalties. These may be applied simultaneously. In determining the penalty, the Adjudicator will consider:

- a) the severity of the misconduct, including any aggravating factors resulting from its impact;

- b) the student's engagement with LAMDA during the misconduct process;
- c) any evidence of malicious intention;
- d) the number of previous and/or contemporaneous misconduct offences, both non-academic and academic;
- e) whether concerns about conduct have been drawn to the student's attention before this instance;
- f) whether the student is in receipt of any formal warnings, or any other sanctions;
- g) any mitigating circumstances and/or aggravating factors.

The Adjudicator will also consider other potential consequences that may result (for example, disruption of training), so that the penalties applied are relevant and in proportion to the severity of the misconduct.

The Adjudicator may order that any penalty should be applied immediately or should be deferred. The conditions of any deferral will be clearly stated as part of the decision. The imposition of a penalty may be contingent upon the student failing to fulfil any conditions set.

Tables 1 and 2 below indicate the penalties applicable for non-academic misconduct.

Table 1: Penalties applicable at Disciplinary Interview or Misconduct Hearing	
a	A verbal warning.
b	A written warning.
c	A final written warning.
d	A requirement to make a verbal/written apology to any party concerned.
e	The payment by the student of compensation for damage or loss caused, which shall not exceed the value of any damage caused or loss incurred.
f	Withdrawal of privileges (particularly any privileges abused by the student) for a stipulated period of time e.g. casting opportunities.
g	Requirement to remove material deemed inappropriate, whether published in hard copy and/or electronically.
h	Set conditions or expectations for the student's future behaviour. This is normally a written document specifying the conditions to be completed within a given timeframe.

Table 2: Penalties applicable at Misconduct Hearing	
a	Mandatory attendance at a workshop or course within a specified time period. Where a student is required to complete a workshop, course, or restorative exercise, this may result in a delay to graduation.
b	Restorative action such as a reflective statement or project.
c	Restricted ability to contact the complainant, where the complainant is a LAMD A student or staff member.
d	Requiring that the student does not represent LAMD A in a paid or unpaid capacity for a specified period of time. This could include employment by LAMD A on a contractual or casual basis; representing LAMD A at other events, or voluntary roles such as student ambassador or similar. Where a student is contracted to undertake paid employment for LAMD A, action may also be taken under LAMD A's staff disciplinary procedures.
e	Conditions are set for the continuation of student status.
f	Exclusion from, or restrictions concerning, participation in specified activities (including external programme-related activities) or use of specified LAMD A facilities for a stated period. Conditions for return to those activities may be specified.
g	The suspension of the student's studies, in whole or in part, for a specified period or until an agreed review date.
h	Permanent exclusion and removal of student status, and with or without the right to re-register for any further programme of study with LAMD A.
i	Such other penalty as may be deemed appropriate, provided that the penalty is both proportionate and relevant to the misconduct.

11.9 Impact of Misconduct Procedures on Progression and Release of Results

Normally your academic progression will not be affected if misconduct allegations (including any appeal process against a Disciplinary Interview or Misconduct Hearing decision) are under investigation or consideration.

A student involved in a misconduct procedure will normally be permitted to progress through their course whilst an Assessment Board makes a decision concerning academic progression. This is no indication of LAMD A's view of alleged misconduct, nor does it indicate that you will be able to continue with a course of study after a decision of the Disciplinary Interview or Misconduct Hearing. The fact that you are still engaged in study will not be considered as a mitigating factor in the proceedings.

Finalists: If an investigation into non-academic misconduct (including an appeal against a Disciplinary Interview or Misconduct Panel decision) is continuing when the Assessment Board considers your marks for an assessment or award, the marks or final result may be released.

However, you may not normally graduate until the conclusion of the misconduct case. This could mean that a student may not graduate with their peers

12. Appeals

12.1 Appeal: Rights and Grounds

Where a student disagrees with a decision or finding(s) of a Disciplinary Interview, they have the right to appeal to the Vice-Principal, Actor Training & Drama School. The decision of the Disciplinary Interview stands unless and until it is overturned following a successful appeal.

Where a student disagrees with a decision or finding(s) of a Misconduct Hearing, they have a right to appeal to the Principal of LAMDA. The decision of the Misconduct Hearing stands unless and until it is overturned following a successful appeal.

You may appeal against the decision only on one or more of these grounds:

- a) there has been procedural irregularity, i.e., that some rules or procedures were not applied correctly;
- b) there was prejudice or bias on the part of a decision-maker;
- c) the decision(s) is/are wholly unreasonable and/or the sanction or outcome wholly disproportionate;
- d) there is new evidence that is material to the case, which you can demonstrate was not previously available, and this warrants further consideration.

12.2 How to Make an Appeal

You should submit an appeal form to the Vice-Principal, Actor Training & Drama School or the Principal of LAMDA (as appropriate). Your appeal should:

- a) state the ground(s) for the appeal;
- b) specify and include copies of any supporting documentation which you believe should be considered;
- c) identify any evidence which you believe should be considered (e.g. witnesses the student wishes to call);
- d) provide any information relating to mitigating circumstances.

Appeals which do not state any grounds may be summarily rejected. An appeal must normally be made in writing within 10 working days of the date of the Disciplinary Interview outcome or the Misconduct Hearing Outcome Letter. Appeals submitted after this deadline may be rejected for being out of time. The Vice-Principal, Actor Training & Drama School or the Principal may, for good cause, extend the time period in which the student may submit an appeal.

12.3 Review of the appeal submission

The Vice-Principal, Actor Training & Drama School or the Principal (as applicable) reviews the appeal submission. The matter will be considered on the papers unless the Vice-Principal, Actor Training & Drama School or the Principal decides to invite the student to a meeting to discuss the appeal.

The Vice-Principal, Actor Training & Drama School or the Principal will determine if:

- there is sufficient evidence that the appeal may meet one or more of the grounds of appeal,
- or that there is some other good cause for the appeal to merit further consideration,
- or that there are no grounds for appeal and the appeal should be rejected.

The student will be invited to submit any additional documentation or statements that they wish to have considered. It is not sufficient for an appeal merely to state the grounds upon which the student is appealing.

12.4 Matters Considered

In determining whether an appeal should be upheld the Vice-Principal, Actor Training & Drama School or the Principal will consider:

- a) whether the evidence is of sufficient significance to cast doubt upon the reliability of the finding(s) and/or decision(s) arrived at by the original Disciplinary Interview or Misconduct Hearing;
- b) whether any penalties previously handed down to the student warrant amendment (including an increase in severity, where fair and reasonable in the event of new evidence or information), or rescindment.

12.5 Misconduct Appeal: Outcomes

After considering all the evidence, the Vice-Principal, Actor Training & Drama School or the Principal will determine whether the appeal has met the grounds and make one of the following finding(s):

- a) the appeal is upheld: there is sufficient evidence to demonstrate, on the balance of probabilities, that one or more of the grounds of appeal have been met. The Vice-Principal, Actor Training & Drama School or the Principal may:
 - overturn, amend, or (having reviewed the outcomes) confirm that the original findings and/or decision should stand.
 - where the original findings and/or decision are overturned, the Vice-Principal, Actor Training & Drama School or the Principal will make new finding(s) and/or decision(s), which will replace those of the original Disciplinary Interview or Misconduct Hearing.

This could be to reconvene the original Disciplinary Interview or Misconduct Hearing for further consideration, or to refer the matter back for consideration by a different Disciplinary Interview or Misconduct Hearing

- b) the appeal is not upheld: there is no evidence, insufficient evidence, and/or the Vice-Principal, Actor Training & Drama School or the Principal is not satisfied, on the balance of probabilities, that one or more of the grounds of appeal have been met. Therefore, the original finding(s) and decision(s) of the Disciplinary Interview or Misconduct Hearing will stand.

12.6 Appeal Outcome: Notification to Student

You will be sent an Appeal Outcome Letter, normally within twenty-one working days of receipt of the appeal submission. This letter will set out the decision(s) of the Vice-Principal, Actor Training & Drama School or the Principal and the reasons for the decision(s). The student will be advised of their right to take a complaint to the Office of the Independent Adjudicator.

A copy of the Appeal Outcome Letter will be placed on the student's file. This record of the outcome of an appeal will be retained for six years after conclusion of the student's course of study at LAMDA.

Impact on future cases of misconduct

You will also be advised that the finding(s) and decision(s) of the Appeal (and where applicable the original or new Disciplinary Interview or Misconduct Hearing) may be taken into consideration if future cases misconduct or unprofessional behaviour occur under this policy.

The finding(s) and decision(s) of the Appeal may also be taken into consideration by LAMDA when determining temporary exclusion or suspension in the future.

12.7 Student Failure to Comply with Decisions

Failure by a student without good reason, in LAMDA's view, to:

- a) comply with any decision reached or order issued by LAMDA under this policy and procedures (including by the Investigating Officer, a Disciplinary Interview, a Misconduct Hearing or an Appeal), or
- b) comply with the terms of a temporary exclusion or suspension made under this policy and procedures

may itself constitute an act of misconduct and may therefore be dealt with either in accordance with this policy, or under LAMDA's Fitness to Train procedures, as deemed appropriate by the Principal or their nominee.

12.8 Office of the Independent Adjudicator

LAMDA will follow the guidance published by the Office of the Independent Adjudicator (OIA) in issuing Completion of Procedures Letters to students.

Once a Completion of Procedures Letter has been issued, if a student wishes to complain about, or disagrees with, a decision or finding(s) of an Appeal, they may be able to take their complaint to the OIA: <http://www.oiahe.org.uk>

12.9 Monitoring

A Misconduct Hearing may refer matters relating to individual student cases to Academic Board, which is responsible for:

- a) Reviewing and monitoring disciplinary matters, statistical data and any related issues arising from these procedures;

- b) reviewing and acting upon urgent recommendations made by the Misconduct Hearing;
- c) monitoring outcomes of cases, and any recommendations arising;
- d) conducting, for quality assurance and enhancement purposes, an annual review of all cases, recommendations and outcomes arising from the misconduct process and panel proceedings.

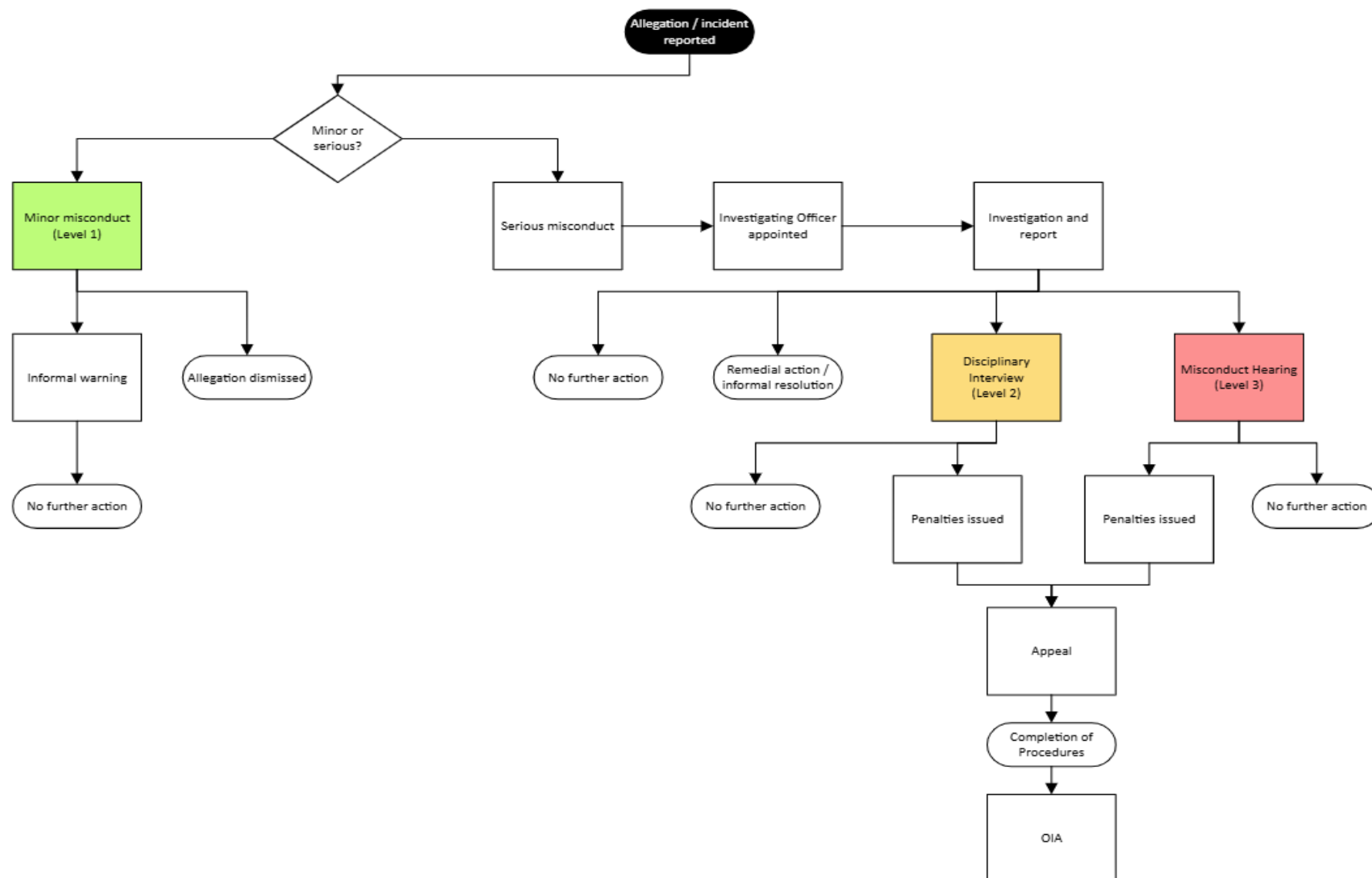
Where misconduct has been established in a case, or where a student has been temporarily suspended or excluded under this policy, copies of the summary record and the outcome letter shall be placed on the relevant student's file and a record of the proceedings of every Disciplinary Interview and Misconduct Hearing shall be kept by LAMDA for record and monitoring purposes. Both records shall be retained in accordance with LAMDA's records retention schedule.

Version Control: Document History and Next Review

Academic Board has responsibility for approval of any amendments to this policy and for keeping all such academic policies under regular review.

Version	4 (Previous versions were titled <i>Student Non-Academic Misconduct (Disciplinary) Policy and Procedures</i>)
Date policy approved by Academic Board:	June 2025
Due for next review:	June 2026
Owner	Student Services

Figure 1: Diagram of Misconduct Process



Appendix 1: Examples of student misconduct

Category	Examples
Physical Misconduct Hostile or Threatening Behaviour	<ul style="list-style-type: none"> • Anti-social behaviour because of intoxication through alcohol or drugs. • Behaviour which causes physical harm, or is intended to cause physical harm, to another individual or individuals. • Intimidating, coercive, or threatening actions and behaviour • Inappropriate or unnecessary physical contact • Inappropriate comments about a person's appearance, intrusive questions or comments about a person's private life and malicious gossip • Ridiculing and undermining behaviour, such as insults, name-calling, inappropriate jokes, offensive language, and gestures • Pestering, stalking, or spying • Hate speech, offensive images and literature • Preventing or attempting to prevent a person's right to freedom of speech or freedom of belief within the law on LAMDA's premises
Bullying	<p>Unwanted behaviour from a person or group that is either (i) offensive, intimidating, malicious or insulting; or (ii) abuse or misuse of power that undermines, humiliates or causes physical or emotional harm to someone. In determining whether behaviour amounts to bullying, LAMDA will take into account its duties to secure freedom of speech and academic freedom.</p> <p>Examples of bullying include:</p> <ul style="list-style-type: none"> • Ridiculing a person • Shouting or screaming at a person • Unwarranted or invalid criticism and criticism which lacks the necessary constructive support to help the recipient improve their performance • Persistently 'singling out' a person without good reason • Deliberately excluding, isolating, or ignoring an individual • Making threats or comments about academic success or failure

Category	Examples
Victimisation	<p>Treating someone less favourably if they give information or evidence relating to a discrimination claim.</p> <p>Treating someone less favourably because they claim discrimination due to a protected characteristic:</p> <ul style="list-style-type: none"> • age • gender reassignment • being married or in a civil partnership • being pregnant or on maternity leave • disability • race including colour, nationality, ethnic or national origin • religion or belief • sex • sexual orientation <p>These are protected characteristics of the Equality Act 2010.</p>
Misconduct relating to property	<ul style="list-style-type: none"> • Causing damage to LAMDA's property, or to the property of students, staff, or visitors on LAMDA premises. • Theft, unauthorised taking or use of property belonging to another. • Misuse, wilful damage, defacing, or conversion to improper use of LAMDA property (including IT, specialist and non-specialist equipment). • Unauthorised entry onto LAMDA's premises.

Category	Examples
Harassment	<p>Unwanted conduct related to a protected characteristic that (i) violates someone's dignity; or (ii) creates an intimidating, hostile, degrading, humiliating or offensive environment for that person, where in the circumstances it is reasonable for the conduct to have that effect.</p> <p>In determining whether behaviour amounts to harassment, LAMDA will take into account its duties to secure freedom of speech and academic freedom and will apply a rebuttable presumption that students being exposed to any of the following is unlikely to amount to harassment:</p> <ul style="list-style-type: none"> the content of higher education course materials, including but not limited to books, videos, sound recordings, and pictures; statements made and views expressed by a person as part of teaching, research or discussions about any subject matter which is connected with the content of a higher education course. <p>Examples of harassment include:</p> <ul style="list-style-type: none"> Deliberately excluding a person or refusing to co-operate with them based on their actual or perceived protected characteristic Jokes, name calling or comments based on a person's actual or perceived protected characteristic The expression and perpetuation of stereotypes relating to protected characteristics Incitement of hatred and/or prejudice towards individuals of a particular group Inappropriate remarks about a person's appearance or dress
Sexual Misconduct	<p>Any unwanted or attempted unwanted conduct of a sexual nature, including:</p> <ul style="list-style-type: none"> Verbal harassment such as whistling, catcalling, sexual comments, sexual innuendo, telling sexual jokes and stories, spreading rumour about a person's sex life Non-verbal harassment such as staring, displaying pictures of a sexual nature (including online and image-based abuse), sending communications with a sexual content, making sexual gestures, asking for sexual favours; non-consensual sexual touching, attempting to engage in a sexual act without consent Sharing private sexual materials of another person without consent (revenge porn) Sexual assault Rape

Category	Examples
Misconduct affecting the normal operations of LAMD A, and/or safe use of its premises	<ul style="list-style-type: none"> • Breach of the health and safety policy, or failure to follow safe practice. • Actual or attempted disruption, obstruction, or interference with the activities of LAMD A (including training, assessment, administrative or social activities) on LAMD A's premises. • Inappropriate noise levels on LAMD A's premises or within the vicinity of LAMD A's premises. • Actions, omissions, or statements intended to deceive LAMD A. • Damage, or potential damage, to the reputation of LAMD A. • Repeated breaches of any of LAMD A's regulations
Misconduct affecting work/study activities by students, staff, visitors, and others	<ul style="list-style-type: none"> • Actual or attempted disruption, obstruction or interference with the functions, duties or activities of any student or employee of LAMD A's or any visitor to LAMD A. • Failure to comply with expected standards of professionalism, outlined in LAMD A's Student Regulations and rules of practice in the Student Handbook, available on Canvas • Failure to comply with standards of conduct or published codes governing conduct when engaged in professional practice, training, or employment, or during a placement forming part of your programme of study.
Criminal offences	<ul style="list-style-type: none"> • Unlawful possession, use or supply of drugs or weapons. • Any criminal offence committed whilst you are a LAMD A student. • Failure to disclose criminal convictions (including those obtained whilst a LAMD A student), or failure to report cautions or other warnings or sanctions imposed by the police or other law enforcement agencies, in accordance with the relevant LAMD A policies and guidance.
Misconduct relating to applications for admission	<ul style="list-style-type: none"> • Making (or suspected of making) false or misleading or incomplete statements or representations, or producing falsified documents, in support of an application for a place at LAMD A. • Concealing or misrepresenting offences, or to have deliberately provided misleading, incomplete, or inaccurate information to the Disclosure and Barring Service (DBS).