

STUDENT CONDUCT POLICY

The expectations for student behavior and procedures by which concerns are dealt with.

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1. Introduction

- 1.1. This Policy and Procedure relates to student behaviour and conduct and **applies at all times** while an individual is a registered CCL student. It is separate to Academic misconduct which is addressed by the Academic Integrity Policy.
- 1.2. In accordance with the Articles of Association (38.3.5) the Principal & CEO is ultimately responsible for maintaining discipline among CCL students. Students can expect them to be assisted in this duty by all CCL staff.
- 1.3. The Principal & CEO may undertake roles/responsibilities under this policy and procedure. However normally implementation of the Policy, including making judgements on student behaviour, is delegated by the Principal & CEO to:
 - i. The Academic Registrar
 - ii. The Director of Operations (DO).
- 1.4. The Academic Registrar/DO as investigating officers may also nominate members of staff from within the Corndel Group to assist them. Where reference is made to the Academic Registrar/DO this includes any appointed nominee.
- 1.5. Throughout this document:
 - i. **You/Your** means a registered student of, or applicant to, Corndel College London as applicable.
 - ii. **We/Us/Our/CCL** means Corndel College London and staff of CCL or the Corndel Group.
- 1.6. This policy operates in conjunction with our Terms and Conditions, the Complaints and Appeals Policy.

- 1.7. Degree apprenticeship students and those on placement should also ensure they are familiar with their employer's expectations for conduct. CCL will not normally take action against a student in addition to an employer in this area but students should note action:
 - i. we take under this policy may impact on your employment (e.g. if your studies were terminated you may no longer be eligible for employment);
 - ii. your employer takes may impact on your studies (e.g. if your employment were terminated you may not be able to complete your degree apprenticeship);

Expectations for Conduct

- 1.8. CCL is a professional community. As such students and applicants are required to behave in a professional manner as responsible members of the CCL community and other communities that they are engaged with. This means that we expect you to act always:
 - i. with regard for the physical and emotional safety of yourself and others;
 - ii. courteously towards others within the CCL community and others that you are engaged with;
 - iii. within CCL regulations, policies, and all applicable laws and not bring CCL into disrepute.
- 1.9. CCL encourages freedom of expression and freedom of speech as a fundamental principle within academic discourse. The expectations above do not prohibit constructive debate or the lawfully exercised freedom of speech. CCL will not take disciplinary action where students have reasonably and legally expressed an opinion, or challenged an opinion held by others. For further information see the Freedom of Speech Policy and Code of Conduct.
- 1.10. Illustrative examples of misconduct are included with appendix 1.

2. Conduct Procedure

- 2.1. A member of the CCL community who becomes aware of what they consider to be misconduct by any student, should report it. Where they are a student and the misconduct affects them as an individual, they should use the Complaints Processes. Individuals not directly affected should write to registry@corndelcollegelondon.com where they wish to raise a concern.
- 2.2. CCL will not normally investigate anonymous allegations unless both the following conditions are satisfied:
 - i. the misconduct alleged is serious in nature;
 - ii. the complaint provides objectively verifiable **and** legally obtained evidence.
- 2.3. Individuals making an anonymous complaint that is accepted for investigation should be aware that the nature of evidence provided and the need for a thorough investigation may indirectly reveal their identify to the subject of the complaint, even where this is not known to CCL.
- 2.4. The burden of proof of the allegation of misconduct lies with the person or persons alleging the misconduct. The judgement of the allegation will be based on balance of probabilities. The seriousness of the misconduct will be considered in assessing the cogency, weight and quality of evidence presented.
- 2.5. On receipt of a complaint the Academic Registrar/DO (or their nominee) may:
 - i. determine that the evidence is conclusive upon receipt of the initial report (for example camera footage showing the event) not requiring any further enquiry; or
 - ii. organise an investigation of the matter; or
 - iii. request the student's Director of Curriculum (or nominee) to make such enquiries as are deemed necessary to confirm the facts reported.

- 2.6. During the course of any enquiry you will be informed about what is alleged against you and be afforded the opportunity to reply, normally in a recorded investigatory meeting. The recording of the meeting will be shared with you.
- 2.7. If initial enquiry reveals that individuals concerned may be suffering from mental health, psychological, personal or emotional difficulties, the processes and outcomes may vary according to the needs of the individual.
- 2.8. The Investigating Officer will determine which one or more of the following measures may be taken and will inform the student/applicant in writing:
 - i. take no further action;
 - ii. reprimand the student;
 - iii. require the student to give a written undertaking as to their future conduct which may take the form of a signed and dated Behaviour Agreement;
 - iv. require the student to participate in restorative justice (such as providing a written apology);
 - v. require the student to pay for any damage to property they have caused;
 - vi. require the student to attend appropriate workshop(s) or meeting(s) with appropriate agencies (e.g. with a drug/alcohol treatment charity, etc.);
 - vii. in the case of proven misconduct of an applicant, refuse admission to CCL;
 - viii. refer the matter to the CCL Cases Panel.
- 2.9. In the case of 2.8 (ii)-(vi) you have the right to appeal through CCL's appeals procedure, part of the Complaints and Appeals Policy (see section 6).
- 2.10. A student failing to comply with paragraphs 2.4 (iii)-(vi) should be reported to the Academic Registrar or DO who may take appropriate further action including referring the matter to CCL Cases Panel under paragraph (vii).
- 2.11. Investigating Officers will ensure completed casefiles containing all relevant correspondence and notes of meetings are maintained in a central register of student disciplinary procedures and outcomes.
- 2.12. The initial disciplinary review and decision should be conducted within 30 working days from formal receipt of misconduct report/complaint.

3. Suspension

- 3.1. If you are subject to investigation under this policy, we may suspend you from all or elements of your programme of study on a temporary basis if we reasonably consider that your continued participation would be against your best academic interests, or adversely impact on your own health and wellbeing, or that of other members of the CCL community.
- 3.2. The Principal and CEO may also suspend you with immediate effect pending the conclusion of a police investigation/criminal proceedings should it be considered that there is an immediate and serious risk to the CCL community and/or to CCL's reputation because of your actual or alleged misconduct. Recommendations regarding immediate suspension or exclusion may be made by the Academic Registrar or DO to the Principal and CEO, following appropriate consultation.
- 3.3. Suspension is always a neutral act and is intended to create time and space to both safeguard the wellbeing of individuals and investigate the matter.

4. Criminal offences, the police and action under this procedure

- 4.1. Conduct which may constitute a criminal offence may also amount to misconduct under this procedure. Therefore, in addition to any criminal process, this conduct may also be dealt with under this procedure.
- 4.2. We will refer concerns to the police where we consider it appropriate to do so and we will cooperate with the police in their investigation of an alleged breach of the law or of any matter that may involve a member of the CCL community.
- 4.3. Where your conduct comes under investigation by the police, our own investigations or proceedings under this procedure will be deferred until such time as the police and/or courts have completed their investigations and proceedings. We may also, as appropriate to the circumstances, at any time, suspend a process already underway under this procedure where we believe it is, or is likely to become, subject to criminal proceedings.
- 4.4. In determining whether to commence or proceed with any action or process under this procedure, we are not bound by the outcome of any police or criminal investigation or prosecution. However, where a finding of misconduct is made and you have also been sentenced by a criminal court in respect of the same facts, the court's penalty shall be taken into consideration in determining any penalty under this procedure.
- 4.5. It is deemed a disciplinary offence for a registered CCL student to withhold information of a previous relevant unspent criminal conviction. Should such information subsequently come to light, you will be subject to the provisions of this policy.
- 4.6. If you receive a custodial sentence of four weeks or more you will be unlikely to be able to satisfy the academic demands of a course of study and this may result in intermittence or withdrawal.
- 4.7. CCL will not normally investigate complaints about student behaviour made by non-students but will work closely with the police and other agencies to help their investigation as appropriate. If the police or other agencies identify individual students as being persistently subject to external complaint, then we may take appropriate disciplinary action.

5. CCL Cases Panel

- 5.1. Where your conduct is referred to the Cases Panel under 2.8(vii), the panel will be convened in accordance with its terms of reference and composition, as published within the Governance Handbook.

Procedures of the Panel

- 5.2. The Panel may make such enquiries as are deemed necessary to confirm the facts reported to it and to determine the seriousness of the incident. During any enquiry you will be informed about what is alleged against you and be afforded the opportunity to reply.
- 5.3. The clerk will inform the student in writing (e.g. email to CCL email address) that a CCL Cases Panel is being convened. A copy of these procedures shall be forwarded to you, along with any information, evidence, to be presented to the Panel. You have the right to appear and be heard and will be invited to attend the Panel.

- 5.4. You will be given notice of at least 5 working days of the Panel meeting. Panel meetings may be held online or in person at the discretion of the Chair. You may respond in writing if you do not wish to attend. If responding in writing, you should outline any relevant factors that you would like the Panel to consider, and this must be submitted to the Secretary at least 24 hours before the meeting.
- 5.5. You may be accompanied by one other person at the Cases Panel, this can include but is not limited to a family member or friend, a support worker, another student. The person accompanying you cannot speak for you other than in exceptional circumstances (for example, where you have a condition which affects your ability to communicate). You must tell the Secretary at least 24 hours before the meeting if you intend to invite someone else to the Panel meeting
- 5.6. The Cases Panel may proceed (and any outcomes be valid) in the absence of, or any response from, you (whether due to non-attendance in person or non-engagement with the process) provided that we have sent the notification of the meeting five days or more in advance of the Panel meeting.
- 5.7. The Panel shall have the right to order its own business and call for such reports, witness statements and consider such other evidence as it may deem necessary to reach a decision.
- 5.8. You have the right to provide additional evidence not already within the Panel papers. Additional evidence provided by the student will be subject to scrutiny by the Panel and other parties involved with the case and must be provided to the Secretary at least 24 hours before the meeting.
- 5.9. The Panel will not usually receive 'live evidence' other than discussion with the student(s) whose conduct is under consideration at the Panel. You have the right to question evidence obtained by the Panel, but not to directly question other participants.

Panel proceedings

- 5.10. The Panel shall first receive a statement from the Investigating Officer setting out the reason for referral and the perceived facts of the allegation.
- 5.11. You will be entitled to state your response to the allegation(s) drawing the Panel's attention to evidence or other pertinent facts that either support of your case or provide mitigation for your actions, or both.
- 5.12. Panel members may question the Investigatory Officer, and you. Following completion of the Panel's questions, you may make a closing statement to the Panel. The student and any accompanying support must then leave whilst the Panel considers its final decision.
- 5.13. After consideration of the case the Panel may take one or more of the following courses of action:
 - i. dismiss the case;
 - ii. issue a reprimand;
 - iii. require the student to give an undertaking as to their future conduct which may take the form of a signed and dated Behaviour Agreement;
 - iv. require the student to pay for any damage to property they may have caused;
 - v. require the student to participate in restorative justice (such as providing a written apology);
 - vi. require the student to attend appropriate workshop(s) or meeting(s) with appropriate agencies (e.g. with a drug/alcohol treatment charity, etc.);

vii. recommend to the Principal and CEO that the student be expelled¹.

- 5.14. You will receive the Panel's decision, including the rationale for it in writing from the Chair and within 5 working days of the meeting of the Panel.
- 5.15. If you fail to comply with 5.13(ii)-(vi) the Cases Panel may re-consider the matter. Any re-consideration does not need the same Panel membership, as the original Panel, only to be convened in accordance with the published Terms of Reference and Composition within the Governance Handbook.

6. Appeal

- 6.1. You may appeal decisions made under the Conduct Policy through CCL's appeals procedure, part of the Complaints and Appeals Policy.
- 6.2. Any decision taken under the student conduct policy will remain in force pending the outcome of such an appeal.

¹ A compulsory, permanent withdrawal from CCL under our [Terms and Conditions](#). A student who is expelled ceases to be a member of CCL and does not retain their student status from the date of expulsion. From that date, the student may not have any access to any of its facilities or premises. No further assessment activity will be undertaken regarding the student,

7. Appendix 1: Examples of misconduct

7.1 The following is indicative of types of misconduct but is not intended to be exhaustive:

- Engaging in conduct either on or off CCL premises which is in breach of any Statute, Ordinance, Regulation, policy, procedure, code of practice or other rule of CCL or the law of the land.
- Sexual harassment (as defined by Section 26(2) of the Equality Act 2010)
- Physical and virtual sexual misconduct including making/distributing/sharing private and personal explicit messages, images or video footage of an individual without the consent of all parties (this includes the use of editing tools to create fake media in relation to the above).
- Behaviour or language (whether in a physical or virtual environment) which is violent, indecent, disorderly, threatening, or causes fear or distress to others. (for example, deliberate disrupting, or facilitating the disruption of a taught session, or threatening members of CCL community)
- Malicious or reckless damage to, or theft of, CCL property or the property of any student or member of staff.
- Harassment or bullying of any member of the CCL community or any visitor to CCL (whether in a physical or virtual environment).
- Vexatious complaints or allegations of misconduct that are found to be mischievous or malicious.
- Fraudulent activity or claims – academic, personal, and/or financial – including the nondisclosure of any previous unspent criminal convictions.
- Conduct which prevents, obstructs or disrupts the holding of, or orderly conduct of, any meeting or other lawful assembly in CCL (e.g. preventing a speaker from lawfully expressing their views).
- Any action likely to cause injury to any person or impair the safety of the premises owned or used by CCL.
- Possession of a material quantity of, or selling, illegal drugs or other illegal intoxicating substances.
- Any behaviour or action of a kind which is likely to bring the name of CCL into disrepute or which reflects adversely on the relationships which CCL seeks to maintain with other stakeholders, including employers.
- Expressing extremist views (whether in a physical or virtual environment) that risk drawing people into terrorism.