



## Guide to the Non-Academic Misconduct Policy

### What is the policy?

The Non-Academic Misconduct Policy and its procedures are the means by which the School deals with allegations of student misconduct. The policy does not cover academic misconduct (such as plagiarism) but does cover behavioural misconduct including misconduct which breaches the [School Code of Behaviour and Student Code of Conduct](#) (including conduct that calls a student's professionalism into question). All decisions and findings reached at any stage of the procedures are made on the balance of probabilities (there is an explanation of this further on in this guide).

### Definitions of Misconduct

Section 2 of the policy contains definitions of misconduct. These are reproduced below for ease of reference. The definitions explain the types of behaviour or conduct which would normally be considered as misconduct by the School; allegations of such behaviour or conduct as listed in the definitions below, would normally result in the instigation of the non-academic misconduct procedures.

No student shall engage in conduct either on or off School premises which:

- a) is in breach of any rule, regulation, code of conduct/practice or policy which Rambert School makes for our students from time to time in force, or which are established by the validating university that are applicable to students' studies at the School. Examples of such policies include, but are not limited to, the following:
  - Rambert School Student Code of Conduct and School Code of Behaviour
  - Rambert School Attendance Policy
  - Rambert School Code of Practice on Freedom of Speech

- Rambert School Criminal Records Policy
- Rambert School Emergency Powers of Exclusion or Suspension
- Rambert School Events Policy
- Rambert School Inclusivity Policy and Protocols
- Rambert School IT Policy on Acceptable Use
- Rambert School Performance Company Agreement
- Rambert School Policy on Sexual Misconduct, Harassment and Related Behaviours
- Rambert School Student Complaints Procedure
- Rambert School Support Through Studies Policy
- Rambert School Terms and Conditions;
- Any relevant applicable Rambert School placement agreements or equivalent agreements

- b) constitutes sexual misconduct, harassment or related behaviours as defined in the [Rambert School Policy on Sexual Misconduct, Harassment and Related Behaviours](#);
- c) causes physical harm, or is intended to cause physical harm, to another individual or individuals;
- d) causes psychological harm or distress, or is intended to cause psychological harm or distress to another individual or individuals;
- e) threatens, harasses, intimidates, discriminates, abuses or constitutes an assault or attempted assault of any kind (including sexual harassment and sexual assault) on another member, or employee, or student of the School, or a visitor to the School, or any other person;
- f) constitutes hostile, threatening or intimidating behaviour (including inappropriate language, and repeatedly contacting another person by phone, email, text or on social networking sites against the wishes of the recipient of the contact);
- g) prevents, or is intended to prevent, any person exercising or intending to exercise his or her right to freedom of speech or freedom of belief within the law on School premises;
- h) constitutes acts, omissions or statements intended to deceive the School;
- i) causes damage to School property, or the property of students, employees or visitors to the School;
- j) misuses, wilfully damages, defaces, steals or converts to improper use of property of the School (including IT, specialist and non-specialist equipment);

- k) constitutes taking property belonging to another individual without permission;
- l) does not follow safe practice or is otherwise in breach of the School's health and safety policy, or other applicable health and safety policy (eg of a placement provider);
- m) constitutes anti-social behaviour, including but not limited to anti-social behaviour as a result of intoxication through alcohol or drugs;
- n) involves the unlawful possession, use or supply of drugs or weapons;
- o) is at variance with appropriate standards of conduct or published codes governing conduct whilst engaged in professional practice or training or employment, or whilst on placement forming part of the student's Course;
- p) constitutes unauthorised entry onto School property;
- q) disrupts, obstructs or interferes with the activities of the School (including training, administrative or social activities) on School premises or elsewhere, or any attempt to disrupt, obstruct or interfere in this regard;
- r) disrupts, obstructs or interferes with the functions, duties or activities of any student or employee of the School, or any visitor to the School, or any attempt to disrupt, obstruct or interfere in this regard;
- s) causes damage, or could cause damage, to the reputation of the School;
- t) failure to disclose relevant criminal convictions or, where directed to do so, cautions or other warnings or sanctions imposed by the police or other law enforcement agencies, in accordance with the relevant School policies and guidance, including criminal convictions obtained subsequent to registering with the School.

Any reported/alleged behaviour such as is described above will be investigated in accordance with this Policy and its procedures, to determine whether misconduct has occurred, (and any appropriate resulting action by the School subject to whether the misconduct is deemed to be 'minor' or 'major'<sup>1</sup>). This also includes:

- Misconduct committed by any means or medium including via the internet (including via social media);

Any offence against the Criminal Law committed by a student whilst on the School premises or whilst engaged in School/programme-related activity

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<sup>1</sup> See 'Suspected Misconduct: Preliminary Enquiry'

**What is the balance of probabilities?**

The balance of probabilities means establishing what is more likely than not to have happened, on the basis of the available evidence and information. Decision-makers in the Non-Academic Misconduct Procedures (e.g. the Preliminary Enquiry Officer, the Misconduct Panel or the Misconduct Appeals Panel) will use the balance of probabilities to reach their findings and make their decisions.

**What is the Contractual Cooling Period and what does it mean for this Policy?**

The first 14 days of a student's enrolment constitute the 'Contractual Cooling Period' that applies to the student contract (the student contract is set out in the relevant 'Terms and Conditions' issued by the School and signed by the student). During this cooling period, or in the time between formal acceptance of a place and enrolment, conduct by enrolled or incoming students who have entered into the student contract (i.e the 'Terms and Conditions') that is deemed by the School to be a breach of any of our policies, and incompatible with our values and ethos of inclusivity, kindness, and community, will be referred by the School into a Preliminary Enquiry under the Non-Academic Misconduct Policy for investigation and review.

**What about behaviour or conduct prior to entering the student contact?**

Where it is determined that behaviour or conduct that which would normally constitute a serious breach by the student occurred prior to them entering the contract with Rambert School, the matter will be referred to the Principal. The Principal will review the information together with the student's application to the School, to determine whether the student should reasonably have disclosed this information at the point of, or during their application to, the School.

If they determine that it was not reasonable to expect the student to have disclosed this information earlier, then the Principal may decide that the student needs to meet certain expectations. They will also decide whether or not the student requires any additional support.

If they find that the student should reasonably have disclosed this information, the student's contract will normally be terminated. The student will have the right to request a review of this decision by the Chair of the Board of Governors. More information can be found in the policy (see section 'Disagreement with a Preliminary Enquiry Outcome').

### **What are the procedures?**

The Non-Academic Misconduct Policy has informal and formal procedures. Where it is deemed appropriate by the School, they may deal with the matter under the **informal misconduct procedure**. Where the School deems it is not appropriate to resolve an allegation of misconduct under the informal procedures, they may instigate **formal procedures**. There are 3 parts to the formal procedures:

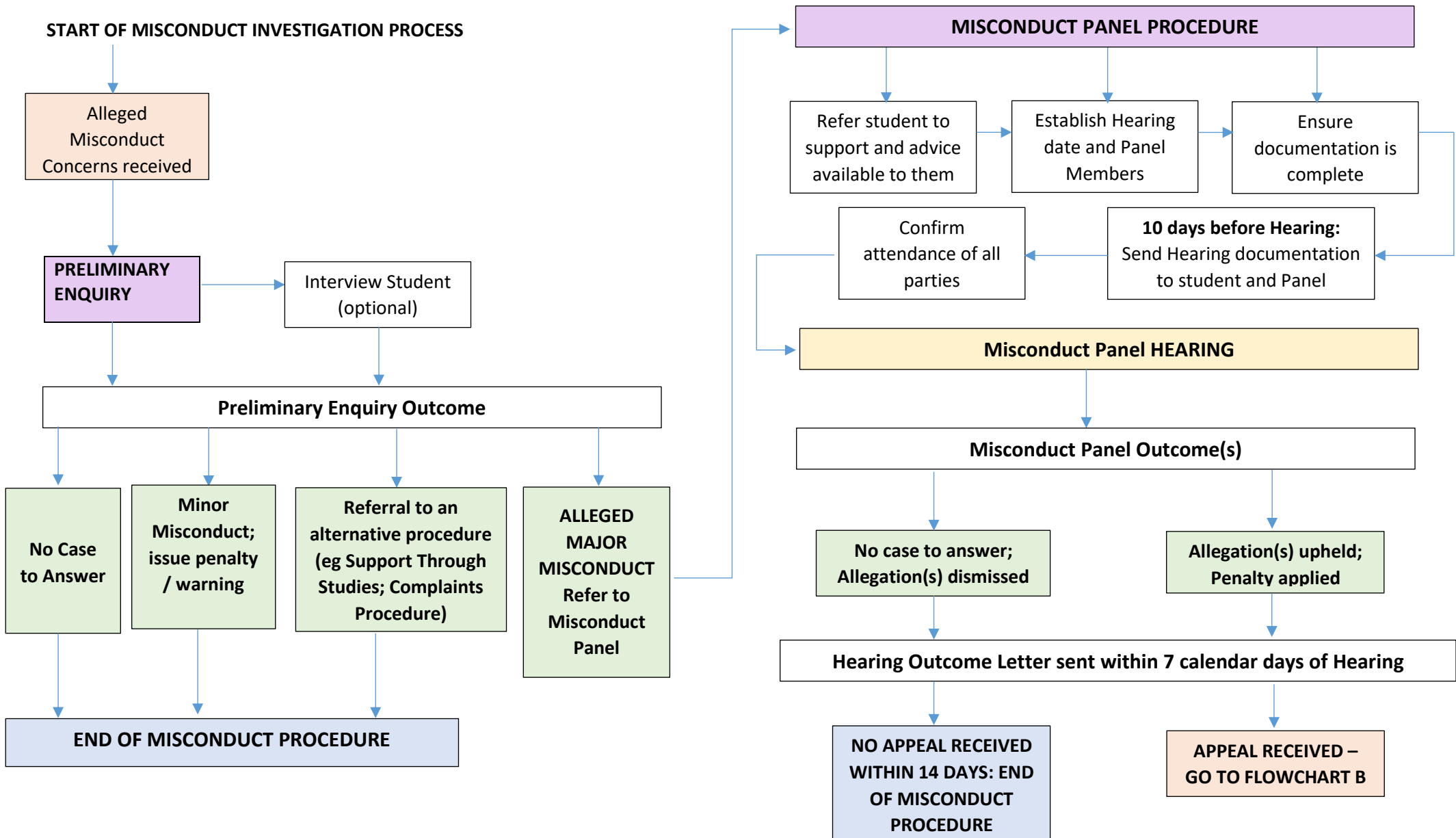
- Preliminary Enquiry
- Misconduct Panel
- Misconduct Appeals Panel

Next in this guide you can find 2 procedural flowcharts:

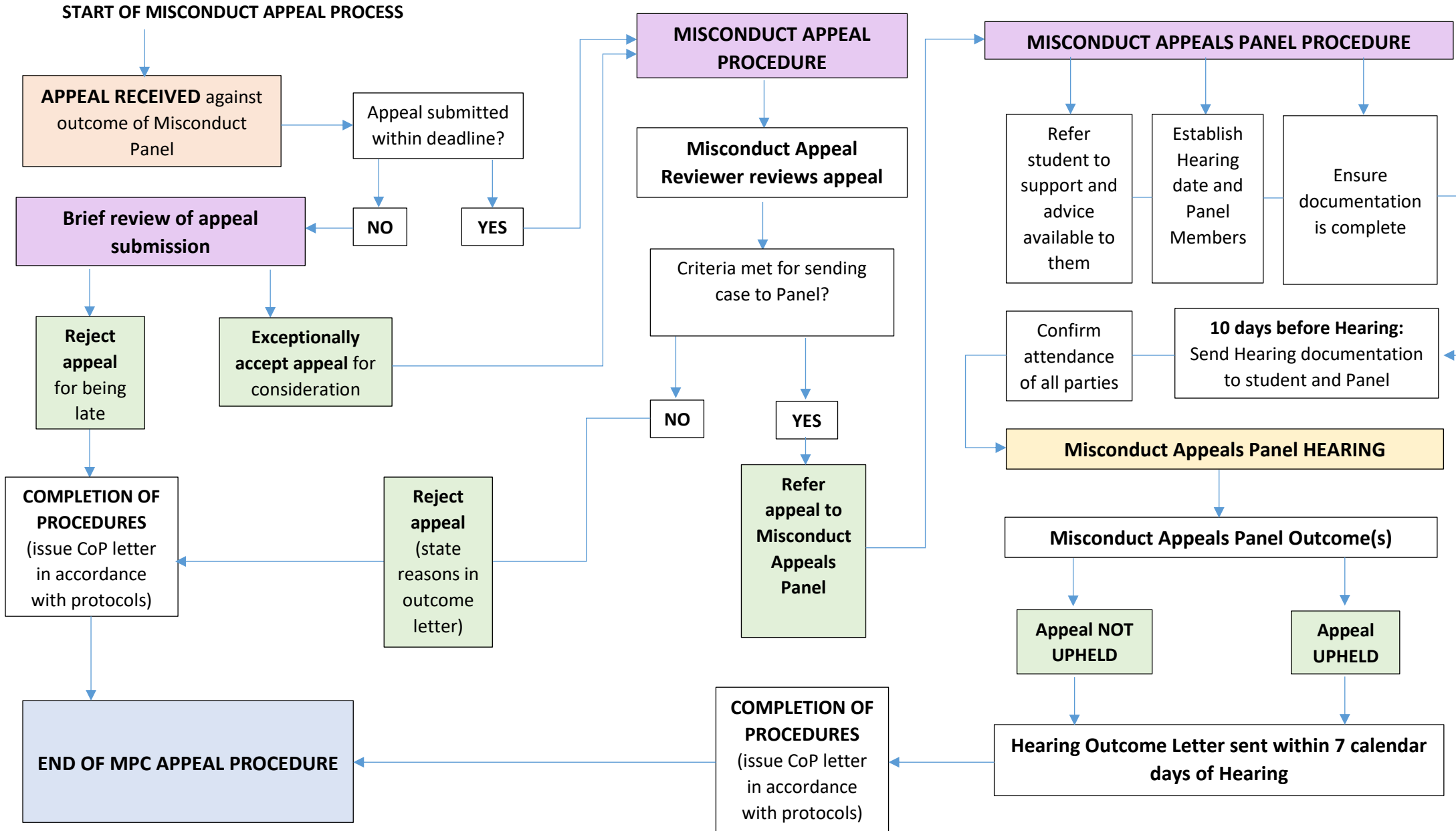
- Flow Chart A – Formal Misconduct Procedures. These apply when a case is referred into the formal Non-Academic Misconduct Procedures.
- Flow Chart B – Misconduct Appeal Procedures. These apply when a student appeals against the decisions/findings of a Misconduct Panel.

After the flow charts, you can find a table providing a fuller explanation of the misconduct procedures, followed by some additional information.

## APPENDIX 1: FLOW CHART A – Formal Misconduct Procedures



## APPENDIX 2: FLOW CHART B – Misconduct Appeal Procedures



A fuller explanation of the misconduct procedures is set out in the following table:

PROCEDURE and RELEVANT SECTION OF POLICY	EXPLANATION OF PROCEDURE	
<b>Informal procedures</b>  Section 4.1 - 4.3	If allegations of misconduct have been made against a student, if it is deemed appropriate by the School, they may deal with the matter under the <b>informal misconduct</b> procedures. This may result in one or more of the following outcomes:	
	Possible Outcome	What this means
	An informal warning about future conduct being given	The student will be issued a warning but it will not form part of their student record
	Targets for improvement	The student will be set targets to ensure improved conduct
	A timeframe for a further informal review of the student's conduct	If there is insufficient improvement in the student's conduct within the given time frame, they may be referred into formal misconduct procedures
<b>Formal procedures: PRELIMINARY ENQUIRY</b>  Section 4.5-4.30	A <b>Preliminary Enquiry</b> is the initial investigation stage when the School needs to look into allegations of misconduct on the part of a student. The Preliminary Enquiry will normally take place and be concluded within 14 days of an allegation being received.  As part of the Preliminary Enquiry, the student may be asked to attend an interview with the Preliminary Enquiry Officer to explore the allegations with them as part of information gathering, so as to ascertain any necessary next steps.  There are <b>7 potential outcomes</b> to a Preliminary Enquiry	
	Possible Outcome	What this means
	There is insufficient or no evidence of any misconduct	No further action will be taken
	There is sufficient evidence, on the balance of probabilities, to form the basis of a charge of minor misconduct	It is found that a student has committed a minor infringement of the Non-Academic Misconduct policy.
	There is sufficient evidence to form the basis of an allegation of major misconduct	This matter will be referred to a <b>MISCONDUCT Panel</b> to investigate the allegation of major misconduct.



<p><b>PRELIMINARY ENQUIRY (Continued)</b></p> <p>Section 4.5-4.30</p>	There is sufficient evidence and/or reasonable grounds to refer the matter to another policy as appropriate	This may mean no further disciplinary procedures are followed, or it may mean that there is a need to refer the case under another policy (eg Support Through Studies) but that disciplinary proceedings are held in abeyance.
	There is sufficient evidence, on the balance of probabilities, of a minor breach of School policy, rule or regulations <b>within or prior to the Contractual Cooling Period</b> that constitutes a material breach of the Terms and Conditions	This may mean that a record of minor misconduct is placed on the student's file, for a limited time of for the duration of their registration on the course, or that the Preliminary Enquiry Officer may recommend other remedial actions for the student to undertake within a certain timeframe.
	There is sufficient evidence, on the balance of probabilities, of a serious breach of School policy, rule or regulations <b>within or prior to the Contractual Cooling Period</b> that constitutes a material breach of the Terms and Conditions	<p>This may mean that:</p> <ul style="list-style-type: none"> <li>○ The student's contact is immediately terminated</li> <li>○ The matter is be referred to a <b>MISCONDUCT Panel</b> to investigate the allegation of major misconduct.</li> <li>○ Some other actions (such as, but not limited to, referral into another policy or remedial actions for the student)</li> </ul>
	There is sufficient evidence, on the balance of probabilities, of behaviour or conduct by the student that would constitute a material breach of the Terms and Conditions but that <b>occurred prior to the student entering the student contract</b> with Rambert School	<p>This may mean that:</p> <ul style="list-style-type: none"> <li>○ the Principal decides the student should reasonably have disclosed this information to the School during their application/admissions process. The student's application will be deemed false, fraudulent, or misleading and their contract terminated</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>○ the Principal decides it is not reasonable to expect the student should have disclosed this information to the School during their application/admissions process. However, in liaison with relevant staff at the School, the Principal may determine whether there are any necessary actions arising from the matter for the School to take or whether there are any expectations to be set for the student. The Principal will also determine whether there is any additional support the student may need.</li> </ul>

<p><b>MISCONDUCT PANEL</b></p> <p>Section 6</p>	<p>If it is deemed necessary to hold a panel, the student will normally be informed at least 10 days in advance. This information will include the date and time, any documentation or evidence and an attendance list.</p> <p>The student will usually be expected to attend the Panel hearing in person, however they can also send in a written statement in advance and can request to be accompanied or represented. If the student is unable or does not want to attend, the Hearing will proceed in their absence.</p> <p><b>Appendix 3</b> 'Guidance on Hearings (General Provisions and Procedures) provides comprehensive information on how Misconduct Panel Hearings are run and what to expect.</p> <p>Once it has considered all the available information and evidence, including any statements made in person by the student, the School Representative and any witnesses, the Misconduct Panel will end the Hearing and start their deliberations.</p> <p>The Misconduct Panel's deliberations will be held in private, and they will first reach their findings:</p> <p><b>Finding(s)</b></p> <p>A decision of the Misconduct Panel will be reached by a majority vote of the members of the Panel. Firstly, the Panel will determine whether the alleged misconduct on the part of the student has occurred by making one or more of the following finding(s):</p> <ul style="list-style-type: none"> <li>a) whether the misconduct allegation(s) has/have been proven, on the balance of probabilities</li> <li>b) whether there are any other or further concerns which should be taken into account, or which require further investigation.</li> </ul> <p>The Panel will then determine whether there are any relevant actions, including any penalties to be given and/or any further actions to be taken by the student.</p> <p><b>Penalties</b></p> <p>There is a Table of Penalties that can be found in Section 6 of the Policy. This is also reproduced further on in this Guide for ease of reference. See Section 6.19 of the Policy for factors that will be considered and Section 6.20-6.23 for potential penalties.</p>
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<p><b>REQUEST FOR AN APPEAL</b></p> <p>Section 7</p>	<p>The student may submit an appeal against a decision(s) of a Misconduct Panel.</p> <ul style="list-style-type: none"> <li>• Appeals must be made under one or more of the stated grounds (see Section 7 of the Policy), and</li> <li>• An appeal should be made within 14 days of the date of the Hearing Outcome Letter, or it may not be considered.</li> </ul> <p>An appeal will initially be reviewed by the Misconduct Appeal Reviewer (this will be the Principal, a senior member of Rambert School staff, an External Officer acting on behalf of the School, or a member of the Rambert School Board of Governors).</p> <p>The Misconduct Appeal Reviewer will determine whether or not the appeal meets the criteria for a Misconduct Appeals Panel to consider the case further. If not, the appeal will be rejected and a Completion of Procedures Letter will be issued.</p>
<p><b>MISCONDUCT APPEAL PANEL</b></p> <p>Section 8</p>	<p>If the student's appeal request meets at least one of the grounds, a <b>Misconduct Appeals Panel</b> will be organised. The Panel will review whether the original decision by the <b>Misconduct Panel</b> should stand or be replaced with a new decision.</p> <p>The student will normally be invited to attend the Panel hearing in person and can request to be accompanied or represented. If the student is unable or does not want to attend, the Hearing will proceed in their absence.</p> <p><b>Appendix 3</b> 'Guidance on Hearings (General Provisions and Procedures)' provides comprehensive information on how Misconduct Appeals Panel Hearings are run and what to expect.</p> <p>The appeal will either be found to be upheld (in which case the original decision will either be overturned, and either modified or replaced with a new decision) or not upheld (original decision remains).</p>

## Penalties

The list of penalties available that may be imposed following a finding of non-academic misconduct is listed below, together with an indication of when these might be imposed. The penalties are listed as 'category 1' or '2' and can be found in the 'Table of Penalties' in Section 6 of the Policy.

- Category 1 penalties may be awarded by the Preliminary Enquiry Officer if they make a finding of minor misconduct.
- Category 1 or 2 penalties can be awarded by the Misconduct Panel or Misconduct Appeals Panel, if they make a finding of misconduct. Penalties will only be considered and applied after a Panel has determined on the balance of probabilities that misconduct has occurred.

The Table of Penalties is reproduced in this Guide on the next page for ease of reference:

<b>Table of Penalties</b>
<b>Category 1 Penalties</b> (Penalties that may be applied by the Preliminary Enquiry Officer, the Misconduct Panel, or the Misconduct Appeals Panel)
<ul style="list-style-type: none"> <li>a. A formal warning or a final warning (for a repeated offence);</li> <li>b. A formal written reprimand;</li> <li>c. A requirement to make a verbal/written apology to any party concerned, as, and if, appropriate;</li> <li>d. 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;</li> <li>e. Withdrawal of privileges (particularly any privileges abused by the offender) for a period not exceeding one month</li> <li>f. Requirement to remove material published either in hard copy or electronically which is deemed to be inappropriate</li> <li>g. Set conditions or expectations for the student's future behaviour.</li> </ul>
<b>Category 2 Penalties</b> (Penalties that may only be applied by the Misconduct Panel, or the Misconduct Appeals Panel)
<ul style="list-style-type: none"> <li>h. Mandatory attendance at a workshop or course within a specified time period<sup>2</sup>;</li> <li>i. Restorative action such as a reflective statement or project</li> <li>j. Restricted ability to contact the complainant</li> <li>k. Requiring that the student does not represent the School in a paid or unpaid capacity for a specified period of time. This could include employment by the School on a contractual or casual basis<sup>3</sup>, representing the School at other events, or voluntary roles such as student ambassador or similar;</li> <li>l. Conditions for the continuation of student status</li> <li>m. Exclusion from, or restrictions concerning, participation in specified activities (including external programme-related activities) or use of specified facilities of the student's School for a stated period. Conditions for return to those activities may be specified</li> <li>n. The suspension of the student's studies, in whole or in part, for a specified period or until an agreed review date</li> <li>o. Permanent exclusion / removal of student status<sup>4</sup> with or without the right to re-register for any further course of study with the School</li> <li>p. Such other penalty as may be deemed appropriate, provided that the penalty is both proportionate and relevant to the offence</li> </ul>
<p><b>Category 1 penalties</b> may be imposed by the Preliminary Enquiry Officer as well as by the Misconduct Panel or the Misconduct Appeals Panel. The Preliminary Enquiry Officer may apply more than one Category 1 penalty simultaneously, taking account of the circumstances of the case and of any mitigating/aggravating factors.</p> <p><b>Category 1 and Category 2 penalties</b> may be applied simultaneously where it is deemed appropriate by the Misconduct Panel or Misconduct Appeals Panel.</p>

<sup>2</sup> Where a student is required to complete a workshop, course or restorative exercise, this may result in a delay to graduation. The Misconduct Panel and Misconduct Appeals Panel will consider potential additional consequences when determining penalties and will ensure that sanctions remain proportionate.

<sup>3</sup> Where a student is contracted to undertake paid employment for the School, action may also be taken under School staff disciplinary procedures.

<sup>4</sup> In such cases, the Panel will determine whether there is just cause to deprive the student of any credits already achieved and any award to which they may lead.

### **Additional Considerations**

The Misconduct Panel and Misconduct Appeals Panel will take account of any mitigating and aggravating factors when considering cases and in determining appropriate penalties.

Penalties listed in the 'Table of Penalties' are non-exhaustive and will be applied on a case-by-case basis, taking into account the circumstances of each offence, including any aggravating or mitigating factors. For repeated or multiple offences, these will normally be referred to a Misconduct Panel by the Preliminary Enquiry Officer, and where allegations of misconduct are established on the balance of probabilities, 'category 2' penalties will normally be considered. The Misconduct Panel or Misconduct Appeals Panel may determine that both Category 1 and Category 2 penalties should be applied simultaneously for the same offence(s).

Examples of mitigating or aggravating factors include, but are not limited to, the context surrounding a specific offence, including personal circumstances, and offences for which a student has received a previous warning or sanction.

The Misconduct Panel or Misconduct Appeals Panel may order that any penalties will be imposed immediately, or that the imposition of a penalty should be deferred with some conditions that the student must meet within a specified timeframe. In this instance, if a student fails to satisfactorily meet such conditions, the penalty will be imposed.

### **Completion of Procedures**

Once all internal procedures have been concluded, the student will be issued with a Completion of Procedures letter (see Section 9 of the policy). The letter will advise of the option for making an application to the Office of the Independent Adjudicator (OIA), which operates an independent scheme for the review of student complaints. Students can request a Completion of Procedures letter at an earlier point in the process, however, should they wish.

### **FAQs**

#### **What penalties could be given as a result of action under the Non-Academic Misconduct Policy?**

The penalties that could be given, should allegations of misconduct be upheld, are listed in Section 6.22 of the policy and range from a written warning or compensatory action, through to exclusion, suspension or expulsion. The Table of Penalties is reproduced in this guidance, above.

**Can a student attend classes if they are under investigation under the Non-Academic Misconduct procedures?**

This will depend on the nature of the allegation which has been made against the student. In all cases, the student can expect to be informed of the allegation and to be given an opportunity to respond before a final decision is reached, so they should normally continue attending classes in the meantime unless they are told otherwise.

An exception to this is where the Principal of the School decides that an immediate suspension or exclusion without prejudice is necessary to protect other students and staff in which case the Emergency Powers of Exclusion and Suspension, or the Precautionary Measures (under the Policy on Sexual Misconduct, Harassment and Related Behaviours) will be used. If a student or staff member is unsure of the implications for a student's continued attendance, they should ask for clarification from the person who has notified the student of the investigation.

**What does without prejudice mean?**

All action to exclude a student, suspend a student, and/or place any conditions upon a student that is taken under the Emergency Powers or the Precautionary Measures is 'without prejudice'. This means, for example, that where a student has been excluded or suspended under the Emergency Powers and they are referred into the Non-Academic Misconduct Procedures, the fact that they have been excluded/suspended will not have any bearing on the potential case of misconduct that is considered and will not be taken into account.

**Do all allegations of misconduct go to a Misconduct Panel?**

Not all allegations of misconduct will need referring to a Panel. The School's policy is always to seek an early resolution wherever possible. As part of the Preliminary Enquiry process a student may be asked to attend an interview with one or more members of staff to inform them of an allegation against them and to invite them to respond. To conclude the Preliminary Enquiry, the Preliminary Enquiry Officer will determine whether the case needs referring to a Misconduct Panel.

**What would a Misconduct Panel hearing involve?**

The student will be invited in writing to attend a Panel hearing. They can submit a written statement and/or supporting documents in advance of the hearing. They will receive a copy of the same documentation which is distributed to the Panel members (all participating parties in a hearing receive the same documentation). During the hearing itself the student will be invited to respond to the allegations, and the Panel will ask them questions. Normally, a member of staff from the School (the 'School Representative') will attend the hearing too to present the allegations against a student and answer questions on behalf of the School. For more information, see Section 6 of the Policy and also Appendix 3 'Guidance on Hearings (General Provisions and Procedures)'.

### **Can the student bring anyone with them to a Misconduct Panel or Misconduct Appeals Panel?**

Yes, the student has the right to be represented, accompanied and also to call witnesses for any Panel Hearing, but they must make a request for any of them to attend. A request should be made to the Panel Secretary at least 48 hours prior to the meeting. The Panel Chair has the ultimate discretion to allow to admit or refuse any representative.

### **Can the student appeal against a decision of a Misconduct Panel?**

The Non-Academic Misconduct Policy allows the student to appeal a decision provided it meets one of the grounds set out in Section 7 of the Policy. The appeal submission will be initially reviewed to see whether there are sufficient grounds for the case to proceed to a hearing. If there are, an Appeal Panel will be arranged and the student will be invited to attend and/or provide evidence (see Section 8 of the Policy). If the student does not feel they meet the grounds for an appeal but still wish to take the matter further, they have the right to request a Completion of Procedures letter (see Section 9 of the Policy).

### **How does the student make an appeal?**

The student should submit an appeal by using a 'Non-Academic Misconduct Appeal Form' (this is Appendix 6 to the Non-Academic policy and can be found at <https://www.rambertschool.org.uk/courses/policies-and-procedures/> ).

To make an appeal, the student should complete the Non-Academic Misconduct Appeal Form, and submit it together with any supporting documentation/evidence that they wish to be taken into account. The appeal should be submitted to the Principal, who will either act as the Misconduct Appeal Reviewer, or they will nominate senior member of Rambert School staff, an External Officer acting on behalf of the School, or a member of the Rambert School Board of Governors to undertake this work. The student must include with their appeal submission all supporting documentation/evidence that they wish to have considered as part of their appeal.

### **What are the grounds of appeal?**

The grounds of appeal are set out below. A student can make an appeal on one or more of the following grounds, using the Non-Academic Misconduct Appeal Form (Appendix 6 to the Policy):

- 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 unreasonable and/or the sanction or outcome disproportionate;**
- d) **There is new evidence that is also material to the case, which the student can demonstrate was for good reason not previously available, and sufficient evidence remains that this warrants further consideration by a Misconduct Appeals Panel.**

There are also 'Exceptional Discretionary Grounds' that are available to the Appeal Reviewer. These are used very rarely, and only in exceptional circumstances where an Appeal Reviewer finds that the case warrants consideration by a Misconduct Appeals Panel, even where none of the above grounds are met. An appeal cannot be submitted by a student on the basis of Exceptional Discretionary Grounds, and must be made under one or more of the above grounds of appeal.

**What is the deadline for submitting an appeal?**

An appeal must be submitted within 14 calendar days of the date of the student's Misconduct Panel Hearing Outcome letter. If an appeal is not submitted by this deadline, it may be rejected for being out of time, without being considered. If the student fails to state the ground(s) upon which they are appealing, the appeal will normally also be rejected without consideration.

**The student does not have all their evidence – should they still submit an appeal?**

The student should submit their appeal together with all the documentation they wish to have considered. An appeal cannot be considered if the School is waiting for part of it to still be submitted.

Where the student wishes to make an appeal but does not have all of the supporting evidence/documentation they want to submit, they should contact the Principal in writing (by email) as early as possible, to request an extension to the 14-day deadline, stating the reason(s) why they are unable to meet the deadline. Extensions are discretionary, and the student will need a good reason for one to be granted, so they must state the reason why they require an extension.

**What can the student do if their appeal is unsuccessful?**

If their appeal is rejected by the Misconduct Appeal Reviewer or the Misconduct Appeals Panel, the student has the right to take their case to the Office of the Independent Adjudicator (OIA), which is the ombudsman for student complaints in Higher Education (see Section 9 of the policy). Following the outcome of their appeal (whether successful or not), the School will issue the student with a Completion of Procedures (CoP) letter, and the student will have 12 months from the date of their CoP letter in which to lodge a case with the OIA. Visit <https://www.oiahe.org.uk/students/> for more information.