

# **Section 5A: Student Code of Conduct & Disciplinary Procedure**

## **1. Introduction**

1.1 The School's jurisdiction under this Code is not limited to its own premises. The Code includes misconduct occurring in any place to which a student is guaranteed access by virtue of their status as a student. This would, therefore, include but is not limited to, external engagements, placements including clinical placements, community/school experiences, and outside performances and recitals.

## **2. General conduct**

2.1 The School expects students to conduct themselves at all times in an orderly manner, respecting the rights, privacy and property of others.

2.2 A student whose behaviour does not meet the expectations in 2.1 above will be considered to have interfered with the proper functioning (in the broadest sense) of the School, those who work or study within it, or its reputation.

This behaviour will be regarded as misconduct and investigated under the disciplinary procedure below; examples of the types of behaviour that will be construed as misconduct are given in Appendix a. (The list is not intended to be exhaustive).

2.3 Specific regulations exist with respect to accommodation, use of computing, Library, and other School facilities and equipment. Students are required to observe these regulations. In some circumstances failure in such observance may also result in the matter being pursued under this Code at which point this Code takes precedence.

## **2.4 Contact details**

It is the responsibility of students to keep the School informed of their current home and term-time addresses, personal email, and mobile number at all times while they remain members of the School. Students on placements, or intermitting, are not exempt from this requirement.

## **2.5 Communication**

The primary method of formal communication with all registered students shall be via the student's Guildhall School email address issued at enrolment. It is the student's responsibility to ensure that they activate their School email account and regularly check the account for messages. Failure to check a School email account regularly will not be accepted as a reason for failing to observe an instruction sent by email.

## **Health & Safety and Environment**

2.6 Each student is responsible for their own safety and how their actions impinge upon the safety of others. Health and Safety instructions should be followed at all times.

2.7 Each student is expected to show respect for the environment by helping to ensure that the School premises are not damaged or disfigured by litter, unnecessary noise or other pollutants.

2.8 Animals are not permitted on School premises, except for assistance dogs for disabled students and authorised visitors, or if required in a performance.

2.9 Furniture, equipment and other property owned or leased by the School must not be removed from the building without proper authority. Anything moved in contravention of this regulation may be recovered without notice by authorised staff. Those responsible may be liable for recovery costs.

2.10 (a) No student shall wilfully damage or deface, or wrongfully treat as their own, any property owned or leased by the School. A student will be required to make good in whole or in part, to the satisfaction of the School, any damage of this kind that they cause, in addition to any other penalty imposed.

(b) No student shall wilfully damage, or wrongfully treat as their own, the property of any other person on School premises. The School accepts no responsibility for private property lost or damaged on School premises.

2.11 If asked to do so by a member of staff or an authorised representative of the School, a student must give their name and address and produce a School Identity Card. The Identity Card must be produced on demand and may be withdrawn.

2.12 Members of School staff have authority to check breaches of this Code. If a member of staff feels it necessary, the member of staff may require a student, whose conduct is believed to be in breach of this Code, to withdraw from any room or facility affected by the conduct in question.

### **2.13 Smoking**

Smoking creates a health and safety hazard. All buildings of the School are designated as NO SMOKING AREAS. The policy also extends to all courtyards in Sundial Court. Electronic cigarettes may be used in the designated smoking area of the courtyard in Sundial Court and on the Lakeside but not in internal communal areas in the School.

Smoking in the School's buildings is a serious offence. Should a student persist in smoking after repeated warnings, disciplinary procedures will be invoked.

### **3. Misconduct**

3.1 Improper interference, in the broadest sense, with the proper functioning or activities of the School, or with those who work or study in the School; or action which otherwise damages the School, or action that deviates from accepted institutional, professional, academic or ethical standards, will be regarded as misconduct and an infringement of these regulations (see Appendix a).

3.2 Consistent lack of punctuality for programme activities is a matter for invoking disciplinary procedures.

3.3 In all disciplinary proceedings a student will be presumed to be innocent of the allegation or charge until the contrary is proven on the balance of probabilities.

3.4 The School will reserve the right to take disciplinary action against any student who is found to have initiated a malicious complaint against the School, or a member of its staff, or another student. A complaint will be deemed malicious if it is found to be baseless.

### **4. Misconduct which may constitute a criminal offence & related matters**

4.1 Where alleged misconduct could also constitute an offence under the criminal law, special provisions will apply and the School's own disciplinary investigations or proceedings may be delayed until such time as the police and/or courts have completed their investigations and proceedings (see *Principal's Emergency Powers* and Appendix b). However, the School reserves the right to proceed with a disciplinary case where it feels it has sufficient information to do so without waiting for the completion of the police investigation.

4.2 Where a student has also been convicted and sentenced by a criminal court in respect of the same facts, the findings of the court and the penalty set will be taken into consideration at any hearing conducted by the School. Additionally, where a student has been imprisoned for a criminal offence, the Principal in consultation with the Chair of the Board of Governors, may determine that the student should be expelled from the School with immediate effect. Any such decision will be reported to the Board of Governors in private session.

4.3 Where a student has been issued with a formal police caution, the caution will be taken into consideration at any hearing conducted by the School.

4.4 Students following a programme of study where it is a requirement to undergo a Disclosure and Barring Service check as a condition of enrolment are required to notify the Assistant Registrar (Admissions and Enrolment), in writing, of any criminal convictions subsequently imposed.

4.5 The School has a requirement to refer information to the Disclosure and Barring Service (DBS) as soon as:

- an individual who is working closely with vulnerable groups has harmed, or may harm, a child or vulnerable adult;
- an individual who might in the future work closely with vulnerable groups has harmed, or may harm, a child or vulnerable adult; or
- the School thinks the DBS may consider it appropriate to bar the individual.

## **5. Disciplinary procedure overview**

5.1 The Principal has ultimate responsibility for all matters of student discipline. The Principal may delegate their powers under this Code to the Dean of Students (or nominee, usually Head of Registry Services or Assistant Registrar) either generally or in a particular case. In the case of 'informal action' this delegation may also include Head of Department or Programme Leader or Student Life Officer. Notes of any informal action taken and copies of any letters written will be lodged with the Assistant Registrar (Casework). Reference in this Code to the Principal should also be read as a reference to their designated deputy.

5.2 Any complaint about the conduct of a student, whether made by a member of staff or by a member of the public, or by one student about another, shall be considered in the light of the rules laid down in this Code. However, allegations from parents, relatives or friends, on behalf of a student who chooses not to make an allegation themselves, cannot be pursued under this Code (except where the student concerned is a minor).

5.3 Where a complaint has been made, the Principal may rule that it should not be subject to further action under this Code.

5.4 If the Principal considers that action is required, they shall exercise their discretion to determine whether the formal or informal procedure is to be used. The Principal's decision on how to proceed shall be final. The student will be given a copy of this Code and procedure.

5.5 The School abides by the principles of natural justice and in the context of this Code, the following applies. Students will:

- be presumed to be innocent of an allegation or charge until the contrary is proved on the balance of probabilities;
- be made fully aware of the nature of allegations made against them and by whom in advance of any meeting;
- be given a copy of this Code and procedure
- be given an opportunity to reply to any allegations and to be accompanied at any meetings by a friend (see 2.4 of Section 5, The student experience);
- be given a fair and unbiased hearing before the Student Disciplinary Committee, at which all relevant circumstances can be taken into account;
- have the right to appeal against any decision of the Student Disciplinary Committee which involves suspension, exclusion or expulsion.

5.6 Where a disciplinary procedure has arisen from a formal written complaint. The complaint document and any supporting documentation provided by the complainant will form part of the paperwork sent to the student.

5.7 In both the informal and formal proceedings, the officer and/or Committee will have the absolute discretion to determine the appropriate measure(s) but in arriving at a decision will consider the following:

- The nature of the offence, and its impact on any victims (where relevant)
- The level of intent
- The consequences of the penalty on the student
- The level of insight and responsibility shown by the student in respect of their actions
- Any previous record of misconduct
- The tariff guidelines (see appendix c)
- Mitigating or extenuating circumstances

5.8, In line with the principles of natural justice, no student will be investigated again for the same offence when the investigation arrived at a conclusion unless two criteria are met

a) substantive additional new evidence that could not have been known at the time  
and

b) nature of the allegation is sufficiently serious that if proven, could lead to the suspension or expulsion of the accused. The decision to reopen a case will be taken by the Principal and the Board of Governors.

## **6. Action & investigation**

6.1 The Principal shall rely on the Head of Registry Services\* to instigate action either directly or through an authorised officer. The Head of Registry Services has the discretion to appoint external investigators to assist in the investigation.

*\* Reference in this Code to the Head of Registry Services should also be read as a reference an authorised officer. The authorised officer will normally be the Assistant Registrar (Casework).*

6.2 In the circumstances of an allegation, will require a written statement of the allegation from the complainant(s) with any evidence or corroboration available. A police caution will be accepted as corroboration. This should also include a statement of desired outcomes where possible and where appropriate.

6.3 The authorised officer shall provide written information to those who are the subject of the allegation – of its nature and the anticipated timescale for investigation.

6.4 The authorised officer will instigate an investigation of the allegation, securing further evidence where this is possible.

6.5 The authorised officer shall be entitled to call for such evidence in writing from any relevant party or examine any witnesses to the alleged events. This process should normally be undertaken within two weeks.

6.6 In calling for evidence from a student who is the subject of the allegation being investigated, the authorised officer shall in advance of any meeting provide the student with written information as to the nature of the allegation, the name of the person or persons making the allegation, and the anticipated timescale for the investigation.

6.7 If there is no corroborative evidence to the initial complaint then the Assistant Registrar (Casework) will advise all concerned, in writing, of the insecurity of the allegation and the complaint investigation will terminate. Only a core record that an allegation was considered and dismissed will be kept for monitoring purposes

6.8 Where corroboration is available, the authorised officer will either:

- (i) for a minor offence, utilise the informal procedures under 7.2 (taking into consideration 5.7 and the tariff guidelines in appendix c), or
- (ii) require the student to attend a meeting of the Student Disciplinary Committee.

The Authorised Officer's decision on how to proceed shall be final.

6.9 If more than one student has been accused of the same or substantially similar conduct, then the authorised officer shall decide whether the cases of all or any of the students shall be investigated and/or heard together.

## **7. Informal Procedures**

7.1 The operation of informal procedures is underpinned by the following principle: that where allegations of misconduct are of a minor nature it is desirable to address these, where appropriate, as close as possible to the source of the alleged offence.

7.2 Informal procedures are to be used for: minor acts of misconduct and the following actions can be taken (see also Appendix c Disciplinary tariff guidelines):

- a) Dismissal of the case.
- b) Verbal warning with a requirement to desist from any further such action.
- c) Written warning reprimanding the student; a copy of the warning to lie on file for the duration of the student's period of study with a requirement to desist from any further such misconduct.
- d) A fine (payable to the Guildhall School Trust) and/or restitution of any damage caused by way of payment with a requirement to desist from any further such misconduct.
- e) Exclusion from specified activities or facilities, including but not limited to basement bar, library, or practice rooms, for a limited period not exceeding one month.
- f) Referring the case back for formal process.

- g) Community service within the School; the hours and time period will be set by the committee but should only be used where there is a defined and available task that can be monitored.
- h) Other action in keeping with the nature of the misconduct

7.3 A student will have 14 days from the date of the letter informing them of the outcome of the informal procedure to request to have their case considered under the formal procedures of the Student Disciplinary Committee instead.

## **8. Formal procedures**

8.1 Formal procedures are to be used for:

- a) Repetition of minor acts of misconduct.
- b) Where informal action has failed (e.g. the student has failed to abide by a warning issued) or is considered inappropriate (due to context or individuals involved).
- c) For serious allegations.

8.2 Such misconduct may be subject to any of the following measures as ordered by the Student Disciplinary Committee:

- a) Dismissal of the case.
- b) Verbal warning with a requirement to desist from any further such action.
- c) Written warning/reprimanding the student; a copy of the warning to lie on file for the duration of the student's period of study with a requirement to desist from any further such misconduct.
- d) Final written warning which will remain on the student's file in line with the School's record retention schedule. Once the student has completed their studies at the School the final written warning will expire.
- e) A fine (payable to the Guildhall School Trust) and/or restitution of any damage caused by way of payment with a requirement to desist from any further such misconduct.
- f) Community service within the School. The hours and time period will be set by the committee but should only be used where there is a defined and available task that can be monitored.
- g) Suspension where this is defined as a temporary prohibition on attendance.
- h) Exclusion where there is a partial or selective prohibition on access to School facilities.
- i) Expulsion (this will be noted permanently on the student record and will be given as the reason for withdrawal on any transcript or status letter or similar).
- j) Other action in keeping with the nature of the misconduct.

## **9. Student Disciplinary Committee**

9.1 The student against whom an allegation is made for which there is corroboration available will be advised in writing of the case against them and provided with details of all evidence acquired (a report from the Authorised Officer

and/or external investigators). This will be provided at least one week before the Student Disciplinary Committee meets.

9.2 The student will be informed of their rights to be heard at a meeting of the Committee and to be accompanied by a friend. The name of the friend will be notified in advance to the Authorised Officer. [See also Regulation 2.4 of Section 5 above.]

9.3 The student will be advised of the procedures of the Committee including the calling of witnesses in support of either the allegation or the student and the consideration of any written statements/documentation from the student. Where the student provides a written statement/documentation this will be submitted to the Authorised Officer at least three days before the meeting to enable proper consideration.

9.4 The Authorised Officer will be responsible for convening the meeting of the Student Disciplinary Committee.\* The Committee shall normally consist of the following:

- A member of the Senior Management Team (in the Chair)\*\* but not the Head of Registry Services and not the Dean of Students
- Another senior member of the School's staff
- A member of the teaching staff not drawn from the student's department and who is independent of the case
- A student who shall normally be the Students' Union (SU) President or a member of the Students' Union Executive\*\*\*

The inclusion of a student on the Committee does not prevent the student against whom the allegation has been made being accompanied by an SU Officer or other member of the student body.

The quorum for the Disciplinary Committee will be three and shall include the student member.

A secretary to the Panel will also be appointed.

*\* And will present the case*

*\*\* In the event of no member of the Senior Management Team being eligible or available to chair the meeting another senior member of the School will be approached.*

*\*\*\* Or any student representative on the student representative list in a given year, or a student recommended by the SU President.*

9.5 The Committee will require attendance of the student against whom the allegation has been made (together with any friend) and the authorised officer, with any witnesses as necessary. However, none of the proceedings outlined in this Code will be invalidated or postponed by reason of the absence of the student, provided that the student has been given written notice of the interview or hearing within the timescales laid down.



9.6 A formal written record will be kept of all Disciplinary Committee business.

9.7 The Student Disciplinary Committee will first determine the facts of the case and whether there has been a breach of the *Student Code of Conduct*. The Student Disciplinary Committee will then consider, where relevant, any contextual information or mitigating circumstances. The student and their friend and any witnesses may be asked to leave the room between these two stages of the proceedings.

The Student Disciplinary Committee may exercise its discretion to adjourn the hearing at any time (for up to one week) if it feels the need to verify a fact or summon additional witnesses.

9.8 (a) At the meeting, to determine the facts, the Committee will receive a report of the event(s) from the Authorised Officer, receive or hear any supporting evidence/witnesses, hear the response of, and receive, any written submission from the student against whom the complaint has been made, and hear any witnesses presented by the student against whom the complaint has been made. Only the Committee may ask questions of any of the individuals appearing before it.

(b) In consideration, of contextual information or mitigating circumstances, where relevant, the Committee will hear the student against whom the complaint has been made and receive any supporting documentation. Character witness statements must be in writing.

9.9 The Student Disciplinary Committee will inform the student of its findings and, where relevant, its order. Any order, or orders, will be chosen from the list in paragraph 8.2 (with regard to 5.7 and the tariff guidelines in Appendix c). The Committee will make its decision known to the student in writing within three working days of the conclusion of the hearing.

9.10 The records of the case of a student against whom charges have been proven are normally entered on the student's record.

9.11 If the case is dismissed all records of the case will be absolutely and unconditionally destroyed after a period of 12 months, only a core record that an allegation was considered and dismissed will be kept for monitoring purposes.

9.12 All proceedings shall be recorded but remain confidential, but the summary findings and order will be reported to the original complainant and where relevant shall be used for reporting purposes. Additionally, if a student is permanently excluded for a particular breach of the student code, e.g. harm or potential harm to another person, in addition to reporting the student to the relevant professional/regulatory body (i.e. HCPC), the School has a duty to report them to the DBS (Disclosure and Barring Service).

9.13 The Committee shall conduct its business in accordance with a procedure which shall accord with principles of natural justice, but it is not required to observe formal rules of evidence. It shall be recorded whether or not any decision reached has been unanimous and it shall be announced if a decision is not unanimous.

9.14 The accused student shall have the right of appeal to the Student Disciplinary Appeal Panel about process and against any decision other than a verbal or written warning.\* This right of appeal does not apply to any suspension/exclusion/expulsion carried out in advance of the meeting of the Student Disciplinary Committee under Section 5C Principal's Emergency Powers.

9.15 A student who has raised a complaint under the Student Disciplinary process cannot appeal but can submit a complaint under the Student Complaints Procedure in the event of poor service or irregularity in the conduct of the investigation.

*\* A completion of procedures letter, see Section 5 paragraph 3, would be issued at this point for a verbal or written warning.*

## **10. Student Disciplinary Appeal Committee**

10.1 If a student wishes to appeal against the decision of the Student Disciplinary Committee, or a decision under Regulation 7.1 of Section 2 to terminate a student's registration, they must lodge that appeal, in writing, with the Dean of Students within 10 working days of the issuing of the decision. The grounds for the appeal must be clearly stated; the student should indicate whether they are appealing against the finding of fact or the order issued or both, and demonstrate with supporting documentation that one or both of the criteria for appeal (see 9.2) apply.

10.2 The Dean of Students will refer the matter to the Principal (or their nominee) who will allow an appeal to be heard if they are satisfied that there is at first sight a case that either or both of the following criteria might apply:

- (i) that there is significant new evidence that could not have been, or for good reason was not, made available at the time of the hearing;
- (ii) that evidence can be produced of significant procedural error on the part of the School before or during the hearing.

10.3 If the Principal determines that there is no case, the student will be notified and issued with a Completion of Procedures letter (see Section 5, paragraph 3).

10.4 A Student Disciplinary Appeal Committee shall where possible be constituted to hear the appeal within 10 working days of the receipt of the appeal.

10.5 The Appeal Committee shall consist of:

- The Principal or nominee (in the Chair)
- A non-School member of the Board of Governors
- Another member of the Board of Governors or a senior staff member of another Higher Education Institution.
- A member of staff or student unconnected to the case approved by the Chair

The quorum for the Appeal committee shall be three.

A secretary to the Appeal Committee shall be appointed by the Dean of Students.

10.6 The Appeal Committee shall make no further enquiry into matters of fact relating to the allegation and the evidence, *unless new evidence is forthcoming* that could not have been, or for good reason was not, made available at the time of the original hearing. They shall have access to the full documentation on the case.

10.7 The appellant will be informed of their rights to be heard at a meeting of the Appeal Committee and to be accompanied by a friend. The name of such friend will be notified in advance to the secretary to the Appeal Committee.

10.8 The Appeal Committee shall hear the appeal as follows:

- a) The Chair of the Disciplinary Committee, the appellant and any witnesses as the Appeal Committee considers appropriate will present the report of the Student Disciplinary Committee which will include a summary of process, evidence, and conclusions and decisions together with all papers associated with the case;
- b) The appellant (and/or friend) will have the opportunity to address the Appeal Committee in support of the grounds for appeal;
- c) Members of the Appeal Committee will be able to question the Chair of the Disciplinary Committee and the appellant;
- d) In addition, the Appeal Committee may call any member of staff as a witness to clarify or provide advice on an issue.
- e) The Chair of the Disciplinary Committee will then sum up;
- f) The appellant will then sum up;
- g) The Chair of the Disciplinary Committee and the appellant will then leave the room.

10.9 The Committee will require the attendance of the appellant (together with any friend). However, none of the appeal proceedings will be invalidated or postponed by reason of the absence of the appellant provided that the hearing takes place within the published timescale and the appellant has been given five working days' notice of the date and time of the hearing. The Appeal Committee may exercise its discretion to adjourn the hearing at any time.

10.10 The Appeal Committee will deliberate on the appeal and come to a decision. The Appeal Committee may reject the appeal or uphold the appeal. Where the Appeal Committee upholds the appeal, the Committee may order one or more of the following measures:

- (i) modify or reverse the finding of the Disciplinary Committee;
- (ii) modify or reverse the order of the Disciplinary Committee.

The decision of the Appeal Committee shall be final.

10.11 The decision of the Appeal Committee shall be communicated to the appellant, in writing, within three working days of having been made.

10.12 The Appeal Committee shall have absolute discretion to regulate its own procedures, subject to keeping within the spirit of this procedure, with power to vary or adapt its procedures.

10.13 Any decision whether by the School Disciplinary Committee or the Student Disciplinary Appeal Committee which results in suspension or expulsion shall be reported to the next meeting of the Board of Governors.

## **11. Office of the Independent Adjudicator (OIA)**

11.1 If a student is dissatisfied with the outcome of the appeal stage they may take their complaint to the *Office of the Independent Adjudicator (OIA)*. The Dean of Students will provide the complainant with a “Completion of Procedures Letter” and all the necessary information the complainant needs to enable them to pursue their complaint with the OIA, see Section 5, Regulation 3.

## Appendix a:

### Examples of breaches of the Code of Conduct

The following exemplifies the behaviour and conduct which would constitute a breach of the Student Code of Conduct, although not exclusively:

- a) Disruption of the academic, administrative, recreational, social, or other activities of the School.
- b) Obstruction or frustration of the functions, duties or activities of any student, member of staff or other employee of the School or any authorised visitor to the School or of the work of the School in general.
- c) Behaviour which restricts the legitimate freedom of speech, ideas, actions, or inquiry of any other student or member of staff.
- d) Behaviour which is in breach of School regulations on health and safety (including requirements for appropriate clothing and equipment), smoking, or eating and drinking on School premises
- e) Behaviour which brings the School into disrepute – including antisocial behaviour in and around the student residence.
- f) Violent, indecent, disorderly, threatening or offensive behaviour or language whilst on School premises or engaged in any School activity.
- g) Malicious damage to School property which includes *inter alia*, the hall of residence, School managed property, Students' Union property or the property of any student, member of staff or visitor.
- h) Unauthorised access to School information systems or IT networks, or permitting or causing unauthorised access by others.
- i) Conduct, including the possession or use of drugs or other illegal substance, which constitutes a criminal offence, where that conduct:
  - took place on School or School managed property, *or*
  - affected or concerned other members of the School community, individuals or groups in related School organisations or partner institutions and organisations, *or*
  - damages the good name of the School, *or*
  - is an offence of dishonesty, where the student holds an office of responsibility in the School, *or*
  - poses a danger to other members, or to the good order, of the School community.
- j) Any breach of the School's Equal Opportunities Policy including sexist, racist\* or homophobic activity or behaviour.
- k) \* *Note the City of London has adopted the IHRA definition of antisemitism. The School has adopted the APPG Definition of Islamophobia. Any form of harassment, including the racial, sexual or religious harassment of any student, member of staff or other employee of the School or any visitor to the School.*

- l) Harassment (as defined by Section 26 of the Equality Act 2010) includes unwanted behaviour or conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics: age; disability; gender reassignment; race; religion or belief; sex; sexual orientation. . Examples of harassing behaviour are:
- Offensive gestures, language, gossip or jokes.
  - Insulting or abusive behaviour or comments.
  - Physical contact, ranging from an invasion of personal space and/or inappropriate touching, to serious assault.
  - any incidents of physical violence towards another person(s) on the basis of a protected characteristic, and hate crimes, such as those criminal offences which are perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity
  - Display of sexually aggressive, pornographic, racist or otherwise offensive pictures or other material, or the transmitting of any such messages or images via electronic mail.
  - Intentional isolation or exclusion.
  - Humiliating or demeaning behaviour and/or persistent criticism including gaslighting.
  - Stalking
  - Domestic abuse and abuse (which can also involve control, coercion, threats)
  - Behaviour which would be likely to cause fear, distress or offence to others, including slander or libel and postings on social media.
  - Sexual misconduct, including but is not limited to:
    - i. Attempting to engage, or engaging in, sexual intercourse or other sexual act without consent
    - ii. Sharing the private sexual material of another person without consent
    - iii. Kissing without consent
    - iv. Touching inappropriately through clothes without consent
    - v. Inappropriately showing sexual organs to another person directly or indirectly (e.g. through digital means)
    - vi. Making unwanted remarks of a sexual nature.
    - vii. Upskirting (taking a picture under a person's clothes without them knowing with the intention of viewing their genitals or buttocks to obtain sexual gratification or cause victim humiliation)
    - viii. Distributing private and personal explicit images or video footage of an individual without their consent.
    - ix. Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment
    - x. Intimidation, or promising resources or benefits in return for sexual favours

- m) Failure to comply with the written policies and directions, including financial regulations, IT, library, attendance, punctuality, tuition and submission of academic work as identified in the relevant programme handbook.
- n) Theft, fraud, deceit, deception or dishonesty in relation to the activities/documents of the School or the property of the School or its staff or other students of the School.
- o) Failure to follow a reasonable instruction from a School officer, including failure to disclose your name and other relevant details in circumstances when it is reasonable to require that such information is given.
- p) Behaviour which is counter to professional codes of practice in programmes which require professional validation.
- q) Failure to comply with a previously imposed penalty under this Code or other School regulation.

## **Appendix b: Policy on referral to the Police or the Disclosure and Barring Service (DBS).**

### **General principles**

It is important to note that anyone may report a matter to the police and it should not be prevented.

The School will encourage and support members of the School community to report criminal conduct to the police, such as conduct which is closely related to the academic or other work of the School; or occurred on School premises; or involved members of the School community; or jeopardises or damages the good name of the School; or raises potential dangers to other members of the School community.

The School will offer support and advice to anybody coming forward to report such matters to the police.

### **Policy**

1. In certain circumstances it is a legal requirement to report incidents to the police, for example, under the Acts of Parliament relating to the prevention of terrorism and where a person has harmed or may harm children or vulnerable adults.
2. The School is also required to refer information to the Disclosure and Barring Service (DBS) in respect of students or other individuals working closely with vulnerable groups (see Regulation 4.4 of Section 5A above).
3. Where a criminal offence is committed against the School, the matter shall normally be reported to the police, whether or not the culprit has been identified.
4. Where the victim of an alleged crime does not wish the matter to be reported to the police, but the matter has come to the School's attention:
  - a) The Principal (or nominee) shall be informed and the final decision to inform the police on behalf of the School will rest with them. Where the victim of an alleged serious offence has decided not to refer the matter to the police, the disciplinary procedures may still be invoked.
  - b) At the discretion of the Principal, the School may report a matter to the police against the wishes of the victim; this will only occur in exceptional circumstances and after careful consideration. Exceptional circumstances may arise when failure to report a matter to the police may be against the public interest or the interest of the School community. For example, when significant violence has been used in an alleged crime which may subsequently put other School members or the public at risk.
5. The School shall seek and maintain informal liaison with the police. Advice may be sought on whether a matter is considered by the police to be serious or not



serious and whether there are compelling grounds for reporting a matter formally where the victim is opposed to such action.

6. In a serious matter under police investigation or awaiting trial, the School may consider taking immediate action itself under the Student Disciplinary Code, for example, or suspending or excluding a student until the outcome of police or court action is known (see Section 5C).

## Appendix c: Disciplinary tariff guidelines

These are guidelines only and do not fetter the Student Disciplinary Committee's absolute discretion to order such measures as it deems appropriate:

<b>Disciplinary Action</b>	<b>1<sup>st</sup> Minor offence</b>	<b>2<sup>nd</sup> minor offence</b>	<b>1<sup>st</sup> major offence</b>	<b>2<sup>nd</sup> Major offence</b>
Verbal warning	✓			
Written warning	✓		✓	
Final written warning		✓	✓	✓
Mandatory training	✓	✓	✓	✓
A fine (payable to the Guildhall School Trust)	£30-80	£50-100	£80-200	£200-500
Financial restitution	✓	✓	✓	✓
Community service within the School	✓	✓	✓	✓
Suspension where this is defined as a temporary prohibition on attendance.	Up to one month	✓	✓	✓
Exclusion where there is a partial or selective prohibition on access to School facilities.	Up to one month	✓	✓	✓
Expulsion			✓	✓