

Section 5A: Student code of conduct & Disciplinary procedure

1. Introduction

1.1. This regulation sets out how the Guildhall School ('we') will consider any cases where there are concerns that a student's behaviour ('you') is inappropriate or disruptive. The term *misconduct* covers this.

1.2. This regulation applies if you are registered with us, whether you are actively studying or have suspended or intermitted your studies.

1.3. This regulation may apply if you are a former student, and the concerns relate to alleged academic misconduct during an assessment for your award.

1.4. These regulations may apply if you have accepted an offer of a place with us.

2. Definition of misconduct

2.1. We define misconduct as behaviour by a student which adversely impacts the activities, functioning and/or wellbeing of other students, School staff, its visitors or the wider community, or otherwise damages the School or its reputation.

2.3. We refer to our premises in this regulation. This includes the premises of organisations with which we work to deliver your programme or services which support your studies; and spaces near our and our partner's services. For example, this may include, but is not limited to premises where you undertake external engagements, placements including clinical placements, community/school experiences, and outside performances and recitals. It also includes our halls of residence.

2.4. We refer to online in this regulation. This includes online or virtual space such as a virtual learning environment used by the Guildhall School, a social media group relating to a School activity, or text messages and emails or other forms of instant messages or voice notes.

2.5. Misconduct is determined by the School on the balance of probabilities. Specific examples of misconduct are detailed under Appendix A below.

3. Applying this regulation

3.1. We will normally only consider allegation brought forward by the alleged victim. We will not consider third party allegations unless they are supported by the alleged victim.

3.2. We will not normally investigate anonymous allegations against you. However, an allegation may be investigated if supported by sufficient evidence to justify further consideration of the matter. We may anonymise witness statements before sharing with you when this is considered to be in accordance with our duty of care.

3.3. We will aim to complete the investigation in cases of alleged misconduct within three months, but this may take longer depending on the complexity of the case. The individual responsible for investigating and considering the case will establish appropriate timescales based on the nature and complexity of the case and the progress of any parallel proceedings. We will tell you these timescales and keep you informed of any changes.

4. Equality, diversity and inclusion

4.1. We are committed to promoting equality, diversity and inclusion in all our activities, processes, and culture, under our Public Sector Equality Duties and the Equality Act 2010. This includes promoting equality and diversity for all, irrespective of any protected characteristic, working pattern, family circumstance, socio-economic background, political belief or other irrelevant distinction.

4.2. We will operate these regulations in accordance with our equality duty under the Equality Act 2010 and our duty of care.

4.3. We are committed to championing equality. We will ensure that in the coordination and make up of decision-making panels we are striving to fulfil our commitments to racial equality, gender balance, and actively consider representation of other protected groups.

4.4. Members of staff taking action under this Regulation, or their nominee will actively consider any equality and diversity issues which may arise. Where relevant, they may seek advice from specialist student services including in the areas of health and/or disability.

4.5. We may, where we consider it necessary and appropriate, take disciplinary action irrespective of the causes of any suspected misconduct.

4.6. Disciplinary proceedings may be postponed, suspended or discontinued where we consider that there is evidence to demonstrate that you are for medical reasons unfit to participate in disciplinary proceedings.

4.7. If at any point it becomes clear that your alleged breach of this Regulation relates to your disability, health condition or learning difference, in such an instance, and where appropriate, the matter may be referred for consideration under Regulation 5B Support to train and study.

5. General student responsibilities

5.1. We expect you to conduct yourself at all times in an appropriate manner by treating fellow students, staff and visitors with respect and as equal and valued members of the School community.

5.2. We expect you to behave respectfully towards our neighbours and in the local community.

5.3. We expect you to respect the physical environment of the institution and our local community, including all facilities provided.

5.4. We expect you to familiarise yourself and respect specific codes of conduct that exist in respect to accommodation, use of computing, Library and other School facilities and equipment.

5.5. We expect you to keep us informed of your current home and term-time addresses, personal email, and mobile number at all times while you remain a member of the School. Students on placements, or intermitting, are not exempt from this requirement.

5.6. Our primary method of formal communication with you shall be via your Guildhall School email address issued at enrolment. It is your responsibility to ensure that you activate your School email account and regularly check this 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.

5.7. Where you fail in your general student responsibilities as defined here, we may take action under this regulation.

6. Temporary precautionary measures under the Principal's emergency powers (section 5C)

6.1. We consider certain types of conduct to be examples of conduct which could represent immediate, serious and significant threat to you and/or others' personal safety or that of our premises.

6.2. Where your conduct is considered to represent a potential immediate, serious and significant threat to your and/or others' personal safety or that of our premises, the officer responsible for the consideration of the case may recommend temporary precautionary measures such as exclusion or suspension, subject to approval by the Principal (or nominee) under Regulation 5C: Principal's emergency powers. Your case will then be conducted in line with [Stage 2 of this Regulation](#).

6.3. The Principal (or nominee) will make a decision to approve temporary precautionary measures such as suspension or exclusion subject to a risk assessment conducted with the support of the relevant student support services (such as Safeguarding or Student Affairs) pending a hearing.

6.4. Please see Regulation 5C: Principal's emergency powers for further detail on temporary precautionary measures pending disciplinary investigation. This includes details about your right to appeal.

7. Alleged misconduct which may constitute a criminal offence

7.1. Where your alleged misconduct may, if proven, constitute a criminal offence, the case must be referred to the Principal (or nominee). They will consider the allegation(s) and may consult with those affected by the alleged misconduct. They

will determine whether the offence is considered to threaten our reputation or to suggest that our staff or students may be at potential risk.

7.2. If it is considered that the alleged misconduct either threatens our reputation and/ or puts our community at risk, we may take temporary precautionary measures under Regulation 5C: Principal's Emergency Powers until the matter has been reported to the police and a decision has been made whether to prosecute or not. At this point the Principal (or nominee) will decide whether disciplinary action should be taken under [Stage 2 of this Regulation](#).

7.3. If it is considered that the alleged misconduct neither threatens our reputation nor puts our community at risk, the Principal (or nominee) will decide whether to take disciplinary action through this Regulation or to delay proceedings pending any police investigation.

7.4. We may report any conduct which may be in breach of the law to the police. It is for the Principal (or nominee) to decide what constitutes a potential breach of the law and whether it should be reported. This does not prevent any person from reporting any matter to the police if they wish to do so.

8. Special circumstances: criminal convictions

8.1. You must declare a relevant criminal conviction as soon as reasonably possible after conviction. It is your responsibility to inform and to take all necessary steps to communicate with us. If we believe that you have purposely withheld information, acted dishonestly or deceitfully in regards to disclosing such information, we may take action under this Regulation whether or not the conviction/offence is considered under this Regulation.

8.2. We will not make a judgement against you until the matter has been investigated and the outcomes determined.

8.3. The standard of proof applied in operating this procedure is the balance of probabilities. The burden of proof lies with the School.

8.4. The focus of any investigation will be evidence of misconduct as defined within this Regulation.

8.5. Where a conviction or offence occurred outside of Britain and may be spent under the associated national law, it is not automatically considered a spent conviction under the Rehabilitation of Offenders Act 1974 (the Act) as applied to England and Wales. Therefore, where a student is convicted outside of Britain, whether the conviction is spent will be calculated according to the Act by regarding the conviction in the same way as the corresponding sentence or nearest equivalent under the Act as applied to England and Wales. We may, at our discretion, take the view to apply this Regulation where a conviction outside of England and Wales does not correspond with a criminal act under domestic law.

8.6. If, during the course of your registration, we become aware of a criminal conviction (unspent during any time of registration with us, or recently applied and to be served) which may constitute misconduct under this Regulation, we may take action under this Regulation.

8.7. We are not bound by the outcome of any criminal prosecution although we may at our discretion take any penalty imposed by a criminal court into consideration in determining any outcome to be imposed under this procedure. A conviction in a criminal court may be taken as conclusive evidence that the offence has occurred, and no further investigation shall be required by us unless there are other misconduct allegations not pursued by the police or courts. The focus of any disciplinary process will therefore be on the impact and effect of the conviction and/or on the sanction/s (if any) to be applied.

8.8. In addition to the actions outlined in this section, the Principal (or nominee) may apply temporary precautionary measures immediately in line with Regulation 5C: Principal's Emergency Powers.

8.9. Where the decision to pursue disciplinary action is taken in any of the above circumstances, we will inform you with reasons as to which route of the Regulation this action will follow (i.e. [Stage 1](#) or [Stage 2](#)).

8.10. If temporary precautionary measures have been taken and a decision is made to proceed with disciplinary action, your case will be referred to [Stage 2](#) of this Regulation once we have received confirmation that any police or legal proceedings have been completed.

9. Special circumstances: notification of police investigation and/or legal proceedings taking place against a student

9.1. Where the alleged misconduct is already subject to police investigation or legal proceedings when it is reported to us, the case will be referred to the Principal (or nominee). They will determine via a risk assessment whether the offence is considered to threaten our reputation or to suggest that our staff or students may be at potential risk.

9.2. If it is considered that the alleged misconduct either threatens our reputation and/ or puts our community at risk, we may take temporary precautionary measures under Regulation 5C: Principal's Emergency Powers until the matter has been concluded by the police or courts.

9.3. Should it be decided that the alleged misconduct is appropriate for consideration under the Disciplinary procedure, the disciplinary process will be suspended until we have received confirmation that the criminal investigation and any legal proceedings have been concluded. You will be advised that intermittence is an available option whilst undergoing police investigation or legal proceedings.

9.4. If the decision has been taken not to proceed to a criminal trial or you receive a verdict other than conviction at trial, we may still conduct further investigations and/ or instigate disciplinary proceedings in relation to outstanding matters of concern to

us. For the avoidance of doubt, the verdicts covered by this provision include, but are not limited to, acquittal and 'not proven'.

10. Disciplinary procedure Stage 1: preliminary investigation

10.1. If it is initially determined that your alleged actions meet the definition of misconduct, we will proceed to consider this through a preliminary investigation.

10.2. The Dean of Students will identify a suitable member of staff (referred to in these regulations as 'the officer') responsible for the operation of these regulations and relevant codes of conduct within the School.

10.3. We will tell you at the start of any proceedings who is dealing with your case. If at any point throughout the investigation, a different officer needs to be appointed, we will inform you.

10.4. If your alleged misconduct may breach standards required by professional, statutory or regulatory bodies (PSRB), the School will also consider whether it is necessary to inform the PSRB of the matter. You may also be referred to Fitness to Practice proceedings (please see Regulation 5E).

10.5. The officer will deal with the matter under the relevant Code of Conduct of this regulation. The officer will investigate the allegation of misconduct, and will normally be expected to:

- Conduct a preliminary investigation to ascertain the facts regarding the allegation.
- Determine whether the matter is suitable for consideration under Stage 1, or whether the matter should be forwarded directly to Stage 2.
- Inform you in writing of the School's receipt of the alleged breach of the Student Code of Conduct, and that the matter will be considered under Stage 1 of Regulation 5A.
- Provide you with details of the report against you, and specifically how the misconduct is defined in terms of this Regulation (see [Section 2 – Definition of Misconduct](#) and [Appendix A – examples of misconduct](#)).
- Inform you where information regarding the relevant Regulation and guidance may be found.
- Inform you of support and advice available to you via Student Affairs or the Students' Union
- Invite you to submit a response verbally or in writing
- Invite you to meet them in person, where considered appropriate and practical
- Where relevant, consider our duty of care in accordance with our safeguarding process and the Equality Act.

10.6. If you are invited to a preliminary interview under Stage 1, you may be accompanied by a friend (please see Section 5: The Student Experience for the definition of a friend).

10.7. Where an allegation is found to be substantiated on the balance of probabilities, the officer will invite you to present any mitigations which may be taken into account when considering what actions to take.

10.8. The officer may take advice from specialist student services (for example Safeguarding or Student Affairs) at any point prior to, or during, their consideration of the case if this is considered to be relevant.

10.9. The options available to the officer are:

10.9.1. Where there is insufficient evidence to support the allegation, or it is considered that the case is unsubstantiated: the case is rejected, and no further action is taken.

10.9.2. Where the matter is considered substantiated and the misconduct is of a minor nature, the officer may recommend an appropriate remedy or penalty, with specified actions and deadline. Any remedy or penalty will be confirmed to you in writing. Where you accept the recommended remedy or penalty and you complete any required action by the specified deadlines, the matter is considered resolved and no further action is taken. Where you do not accept the recommended remedy or penalty and you do not complete any required action by the specified deadlines, your case will be referred directly to Stage 2.

10.9.3. Where the matter is considered substantiated and the misconduct is of a serious nature, the matter will be referred to Stage 2 to be considered by a School Disciplinary Panel.

10.10. For minor acts of misconduct where the officer agrees that the matter is substantiated, they have to authority to apply any of the following penalties under Stage 1:

10.10.1. Verbal warning with a requirement to desist from any further such action.

10.10.2. Written warning; a copy of the warning to lie on file for the duration of your period of study with a requirement to desist from any further such misconduct.

10.10.3. 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.

10.10.4. Order to undertake mandatory training.

10.10.5. 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.

10.11. The officer may also consider whether you would benefit from a referral to the School's support services.

10.12. The outcome of this stage will be confirmed to you, in writing, normally within 21 calendar days once the investigation has been concluded.

10.13. The alleged victim(s) of the misconduct and any others affected by the alleged misconduct will be informed that the matter has been dealt with in accordance with this Regulation, and where relevant, the outcome of the preliminary investigation.

10.14. Where an allegation of misconduct is referred to Stage 2, the officer is required to produce a report requesting consideration of the case under Stage 2, including the following:

- What the misconduct is, and precisely how it is defined in terms of Section 2 above and Appendix A below.
- Details regarding the alleged misconduct (date(s) of the misconduct, where the misconduct took place, who reported the misconduct).
- All relevant evidence regarding the allegation, including any witness statements gathered during the preliminary investigation.
- What actions have been taken under Stage 1 in response to the alleged misconduct.
- Why the actions available under Stage 1 are not sufficient to respond to the matter.

10.15. A copy of this report will be provided to you and to the School Disciplinary Panel responsible for your case at Stage 2.

10.16. Under this stage, the officer has the authority to impose other temporary precautionary measures, besides those that fall under the Principal's Emergency Powers ([see paragraph 6 of this Regulation](#)). Such precautionary measures do not indicate any finding of misconduct. Precautionary measures could include:

- a no contact agreement between you and the reporting party
- alternative teaching arrangements, where applicable
- moving either you or the reporting party to alternative School accommodation (subject to availability)

10.17. Where none of the options under point 10.14 are considered appropriate, the officer may recommend a temporary suspension or exclusion to be approved by the Principal (or nominee) under Principal's Emergency Powers (section 5C).

10.18. Precautionary measures should aim to cause the minimum restriction necessary to protect you, any reporting party or other members of the School community from an identified risk, or to protect the investigation under this procedure. When considering precautionary measures, the officer will take into account safeguarding considerations, and they will seek support from the School's safeguarding services.

10.19. Precautionary measures are particularly likely to be appropriate in cases involving a risk to any individual's mental or physical health, issues of a highly

sensitive or confidential nature and/or where there is a threat of serious disruption to School services.

10.20. At Stage 1, the officer will establish appropriate timescales for the preliminary investigation and consideration of your case based on its nature and complexity and the progress of any parallel proceedings. We will let you know these timescales and any necessary changes.

10.21. For complex cases and of a sensitive nature, we may work with specialist external investigators to conduct investigations on our behalf.

11. Disciplinary procedure Stage 2: School Disciplinary Panel

11.1. Your case may be considered by a School Disciplinary Panel if:

- your case of alleged misconduct has not been resolved at Stage 1 of this Regulation and has been referred for consideration under Stage 2
- your case of academic misconduct has not been resolved at Academic Misconduct Panel level in accordance with Section 3: General assessment regulations for taught programmes and Section 4 Research degree regulations of the School's Academic regulatory framework.
- you have a previous case of misconduct that was found substantiated either at Stage 1 or Stage 2 of the School's disciplinary process.

11.2. The School Disciplinary Panel will consist of the following members:

- a senior member of staff to act as Chair (this will not normally be from the student's department)
- another senior member of staff to act as Panel member (this will not normally be from the student's department)
- a Students' Union officer (if following a reasonable search, no student panel member can be found, a second senior staff member will be a panel member)
- a nominated Registry officer will manage the process and act as secretary.

11.3. You will be invited to the Panel meeting and may choose to be accompanied by a friend (please see Section 5, paragraph 3.5). At the Chair's discretion, you may be accompanied by more than one friend. Normally the people accompanying you would not be a legal representative unless there are very exceptional circumstances (please section 5, paragraph 3.4).

11.4. The party making the allegation against you will be invited to attend the Panel meeting. The arrangements for this this will vary and take into consideration the circumstances of the alleged misconduct.

11.5. The papers (evidence etc.) to support the consideration of the case will be circulated to you and the School Disciplinary Panel in advance of the meeting. The Panel may invite witnesses, consultants, experts or similar to attend to assist the Panel in its considerations (but not have a role in the decision making Panel itself).

11.6. You may provide a written submission or evidence for the Panel's consideration if you wish. You will be given a deadline for the submission of any documentation for circulating in advance of the Panel meeting – should we receive your submission after this deadline, consideration of the submission will be at the Chair's discretion.

11.7. If you choose not to attend or fail to attend without submitting in writing valid reasons for a postponement, the Panel may meet in your absence.

11.8. During the Panel's consideration of the case, where you are in attendance, you will be invited to respond verbally to the allegation against you. The Panel will expect to put any questions directly to you. You are expected to respond by yourself to any questions put to you by the Panel or via the Panel. You will have an opportunity to respond to the alleged breach, and to respond to any submission made during the hearing by the party bringing the allegation against you. You may only have another person speak on your behalf during the Panel meeting with agreement by the Panel. You may call witnesses, as may those bringing the allegation or the Panel. You will have an opportunity to present any mitigating circumstances prior to the outcome of the hearing being finalised.

11.9. Where the Disciplinary Panel finds the allegations unsubstantiated, the case will be dismissed, and no further action will be taken.

11.10. Where the Disciplinary Panel upholds the allegation against you, the options available to the Panel are:

11.10.1. Where the case relates to non-academic misconduct and the allegations are found to be substantiated by the Panel, options available are:

- Written warning; a copy of the warning to lie on file for the duration of your period of study with a requirement to desist from any further such misconduct
- 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.
- Order to undertake mandatory training.
- 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.
- Suspension, either full or with certain conditions (for example to provide permissions to attend for the purpose of an assessment or to receive support from student support services)
- Expulsion from the Guildhall School
- Retrospective withdrawal of your award
- Withdrawal of an offer (where the disciplinary process relates to an applicant who has not yet completed Registration)

11.10.2. Where the case relates to academic misconduct and the allegations are found to be substantiated by the panel, options available are:

- Any of the sanctions available to an Academic Misconduct Panel (please see Section 3: General assessment regulations for taught programmes or Section 4 Research degree regulations of the School's Academic regulatory framework).
- A fail (0%) for the module with the right to remaining resit(s) removed
- Suspension, either full or with certain conditions (for example to provide permissions to attend for the purpose of an assessment or to receive support from student support services)
- Expulsion from the Guildhall School
- Retrospective withdrawal of your award

11.11. Sanctions can be combined as appropriate and reasonable. The Disciplinary Panel may also consider the period of time for which a sanction will remain effective, if relevant, and whether a review of a sanction should be undertaken at any point.

11.12. Where a penalty of suspension or exclusion is applied, the Panel will specify what the arrangements will be for the length of the intermission or access to facilities, who the contact will be for you during the intermission, what your registration status is, and your fee status. Consideration should be given to any visa-related issues (for international students). The Panel will confirm what the arrangements will be for your return to studies following suspension.

11.13. Where you have been sentenced by a criminal court in respect of the same allegations, the outcome of the criminal proceedings shall be taken into account in determining the sanction. We reserve the right to verify information you provide regarding the outcome of criminal proceedings with the relevant public authorities.

11.14. The outcome of the School Disciplinary Panel meeting, with reasons, will be communicated to you in writing, normally within 14 calendar days of the hearing. You will be informed of your right of appeal.

12. Right of appeal and appeal procedure: Stage 3 Appeal Panel

12.1. You may appeal against the outcome of the Stage 2 consideration of your disciplinary case on one or more of the following grounds:

- There were defects in the conduct of the previous disciplinary investigation such as to make the decision unsound; AND/ OR
- There is new material evidence that, for demonstrable, valid and over-riding reasons you could not submit previously; AND/ OR
- The sanction applied at Stage 2 was disproportionate in the circumstances.

12.2. An appeal is not a re-hearing of the case. Dissatisfaction with the outcome of the Stage 2 level consideration alone is not a ground for appeal.

12.3. An appeal, with appropriate evidence, may be submitted to the Dean of Students within 21 calendar days of the written confirmation of the Stage 2 decision.

Initial scrutiny

12.4. Your appeal will go through an initial scrutiny process by either the Dean of Students or a nominee. The purposes of the initial scrutiny are:

- To ensure that the appeal documentation has been fully completed and that all relevant evidence has been enclosed AND
- To reach an initial view on whether sufficient evidence has been provided to merit consideration of a claim on one or more grounds for appeal.

12.5. An appeal may be rejected if the documentation is not complete and/ or insufficient evidence has been provided.

12.6. If there is sufficient evidence to merit consideration of the appeal on one of the grounds set out in paragraph 12.4. above, your case will be forwarded for consideration by an Appeal Panel.

12.7. If there is insufficient evidence to merit consideration of the appeal on any of the grounds set out in paragraph 12.4. above, your appeal will be rejected.

12.8. You will be informed of the outcome of the initial scrutiny, normally within 21 calendar days of the acknowledgement being sent.

12.9. Where an appeal is rejected, reasons will be provided and you will be issued with a Completion of Procedures letter (please see Section 5, paragraph 4).

Appeal Panel

12.10. An Appeal Panel will, where possible, be convened within 28 calendar days of the outcome of the initial scrutiny.

12.11. The Appeal Panel shall consist of

- The Principal or nominee, who will normally act as Chair
- A Senior member of staff not previously connected with the case or its investigation,
- A Students' Union officer not previously connected with the case or its investigation.
- A Registry officer will act as secretary and advisor the Panel

12.12. The Appeal Panel will not re-investigate the case, so they will not further enquire into matters of fact relating to the allegation and the evidence. Instead, the Panel will consider the grounds for appeal and any new evidence that for good reason, could not have been made available at the time of the School Disciplinary Panel. The members of the Panel will have access to the full documentation of the case.

12.13. You will be invited to the hearing and may choose to be accompanied by a friend. If you choose not to attend or fail to attend without submitting in writing valid reasons for a postponement, the Appeal Panel may meet in your absence.

12.14. The Chair of the School Disciplinary Panel would normally be invited to present to give a report of the previous stages of the proceedings. This will include a summary of process, evidence considered and the conclusions including any reasons for the sanctions applied.

12.15. Members of the Appeal Panel will be expected to listen to both your statements and those of the Chair of the School Disciplinary Panel. The Appeal Panel has the right to ask questions of both you and the Chair of the School Disciplinary Panel.

12.16. The Appeal Panel will consider the case and make a decision. The options available to them are:

- To ratify the sanction applied by the Stage 2 School Disciplinary Panel
- To amend the sanction applied by the Stage 2 School Disciplinary Panel
- To revoke the sanction applied by the Stage 2 School Disciplinary Panel
- To refer the case back to Stage 2 to be reconsidered by a newly formed School Disciplinary Panel

12.17. The outcome of the Appeal Panel meeting will be provided to you in writing, normally within 14 calendar days of the hearing.

13. Office of the Independent Adjudicator (OIA)

13.1. If you are dissatisfied with the outcome of the appeal stage, you may take your complaint to the Office of the Independent Adjudicator (OIA). When you have exhausted the internal processes of the School, we will provide you with a Completion of Procedures (“COP”) letter and all the necessary information you need to pursue your complaint with the OIA. Please see Section 5, Regulation 4 of the Academic Regulatory Framework.

Appendix A: Examples of breaches of the Code of Conduct

The following exemplifies the behaviour and conduct which would be considered unacceptable and would hence constitute a breach of the Student Code of Conduct. The examples listed are non-exhaustive and the School can bring action in relation to other unacceptable behaviour that fits within the definition of misconduct as defined by this Regulation.

We have categorised these examples into behaviours that we may consider minor or major acts of misconduct.

However, there will be instances when certain behaviours which we would usually consider to be minor are in fact very serious and will require a more serious sanction and there will be instances when certain behaviours which we would usually consider to be serious are in fact minor and will require a less serious sanction.

Further we may consider multiple or repeated incidents of misconduct to be more serious than a single act of misconduct and previous findings may be taken into account when determining what sanction should be imposed.

Disciplinary offence	Examples of unacceptable behaviour that may be considered major misconduct	Examples of unacceptable behaviour that may be considered minor misconduct
Physical conduct	Punching Kicking Slapping Pulling hair Biting	Pushing Shoving
Sexual misconduct	Sexual intercourse or engaging in a sexual act without consent Attempting to engage in sexual intercourse or engaging in a sexual act without consent Sharing private sexual materials of another person without consent	

	<p>Kissing without consent</p> <p>Touching inappropriately through clothes without consent</p> <p>Inappropriately showing sexual organs to another person</p> <p>Repeatedly following another person without good reason</p> <p>Making unwanted remarks of a sexual nature</p>	
Abusive behaviour	<p>Threats to hurt another person</p> <p>Abusive comments relating to an individual's sex, sexual orientation, religion or belief, race, pregnancy/maternity, marriage/civil partnership, gender reassignment, disability or age</p> <p>Acting in an intimidating and hostile manner</p>	<p>Use of inappropriate language</p> <p>Repeatedly contacting another person (by phone, email, text or on social networking sites) against the wishes of the other person</p>
Damage to property	<p>Causing significant damage to School property or the property of students or employees of the School or visitors to the School</p>	<p>Causing minor damage to School property or the property of students or employees of the School or visitors to the School</p>
Unauthorised Taking or Use of Property	<p>Unauthorised entry onto or unauthorised use of School premises</p> <p>Taking property belonging to another without permission</p>	<p>Misuse of School property (for example computers or instruments)</p>
Operational Obstruction	<p>Acts/omissions/statements intended to deceive the School</p>	<p>Improper interference with the activities of the School (including academic, administrative,</p>

	<p>Disruption of the activities of the School (including academic, administrative, sporting and social) on School premises or elsewhere</p> <p>Disruption of the functions, duties or activities of any student or employee of the School or any authorised visitor to the School</p>	<p>sporting and social) on School premises or elsewhere</p> <p>Improper interference with the functions, duties or activities of any student or employee of the School or any authorised visitor to the School</p>
Causing A Health or Safety Concern	Act/omission that did cause or could have caused serious harm on School premises or during School activities (for example, disabling fire extinguishes or possessing/supplying controlled drugs)	Act/omission that did cause or could have caused a health and safety concern on School premises (for example, smoking cigarettes in non-designated areas)
Reputational Damage	Behaviour which has caused serious damage or could have caused serious damage to the reputation of the School	Behaviour which has damaged or could have damaged the reputation of the School

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.

We 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;
- conduct which occurred on School premises;
- conduct which involved members of the School community;
- conduct which jeopardises or damages the good name of the School;
- conduct which raises potential dangers to other members of the School community.

We 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. We are also required to refer information to the Disclosure and Barring Service (DBS) in respect of students or other individuals working closely with vulnerable groups.
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 our 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, we 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 our community. For example, when significant violence has been used in an alleged crime

which may subsequently put other members of our community or the public at risk.

5. We 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, we may consider taking immediate action itself under this Regulation or under Section 5C: Principal's Emergency Powers.

Appendix C: Disciplinary tariff guidelines

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

Disciplinary Action	1st Minor offence	2nd minor offence	1st major offence	2nd Major offence
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	✓	✓	✓	✓
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			✓	✓