CHAPTER H - STUDENT COMPLAINTS, ACADEMIC APPEALS AND DISCIPLINARY PROCEDURES

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H.1 UK Quality Code for Higher Education – Advice and Guidance: Concerns, Complaints and Appeals (For Reference)

Core Practice (Quality)

The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.

Common Practice (Quality)

The provider reviews its core practices for quality regularly and uses the outcomes to drive improvements and enhancement.

Guiding Principles

- Concerns, complaints and appeals are used to improve the student experience.
- Concerns, complaints and appeals procedures are accessible and inclusive.
- Information is clear and transparent.
- People raising concerns or making complaints or appeals are treated with dignity and respect, and their well-being is properly considered.
- Concerns, complaints and appeals processes are proportionate and allow for cases to be resolved as early as possible.
- Concerns, complaints and appeals procedures are fair and impartial.
- Confidentiality and anonymity are appropriately assured.
- Concerns, complaints and appeals are resolved in as timely a way as possible.

H.2 Student Complaints Procedure

1. Introduction

Trinity Laban Conservatoire of Music and Dance (the "Institution") exists to transform individuals and enrich society through world-class music and dance by delivering an outstanding training and education that cultivates individual and original artistic voices. The Institution recognises that on occasion, you may have cause ,or feel that you have cause, to express concerns or dissatisfaction about aspects of your learning experience or environment.

This procedure is designed to provide you with confidence that your concerns will be addressed promptly, fully and fairly, and that you will not be disadvantaged in any way as a result of raising complaints in good faith.

This procedure is aligned to the QAA's UK Quality Code – Advice and Guidance: Concerns, Complaints and Appeals and to the Office of the Independent Adjudicator for Higher Education's Good Practice Framework: Handling Student Complaints and Academic Appeals.

We value our good relationships with you and aim to deal with any concerns or complaints sensitively. Please, in the first instance:

- talk to us informally about concerns or levels of service; and/or
- use our feedback mechanisms - through programme committees, student-staff liaison groups, the Students' Union and Student Representation System, students' committees, your teaching staff and the Students Services team.

2. Making complaints

In case you have to make a complaint, we aim to:

- resolve issues informally wherever possible;
- address issues thoroughly and as speedily as possible, and tell you when you can expect a reply at all stages of the process;
- make sure you are aware of your rights in relation to the complaint;
- carry out a full, fair and proportionate investigation and give you a reasonable response;
- feedback issues into our system to contribute to improvements in services; and
- ensure students are not disadvantaged as a result of raising complaints in good faith.

3. Advice, help and guidance on complaints

Advice on how to use the complaints procedure is available from various sources, including the Assistant Registrar (Quality and Governance). The Student Services team and the Students' Union are sources of confidential, independent support.

The following guidance documents have been designed to assist people involved in these complaints procedures:

- Guidance for students; and

- Guidance for staff.

4. Eligibility: who may make a complaint?

This procedure applies to all students. The term 'student' refers to students who have registered or enrolled onto a foundation, undergraduate, postgraduate or research degree programme at the Institution. It also includes those who have recently graduated or withdrawn from a programme. Complaints should be made as soon as possible following the incident and no more than forty calendar days following the alleged incident. Issues should, however, be raised as soon as possible and, where feasible, during the period of your enrolment in order to enable resolution. Students who have recently graduated or withdrawn from a programme must raise any complaint within forty calendar days of both the alleged incident and of their graduating or withdrawing.

Participants in Learning and Participation activities, including vacation courses, adult dance classes, taster days, schools workshops, Junior Trinity and the Centre for Advanced Training should use the Public Complaints Procedure available on the website: http://www.trinitylaban.ac.uk/about-us/policies-and-freedom-of-information/commercial-complaints-procedure

Applicants for higher education programmes who do not enrol or register may raise complaints through a separate complaints system, please contact our admissions team at admissions@trinitylaban.ac.uk for further details.

5. Eligibility: what is a complaint?

A student complaint is defined as:

"an expression of dissatisfaction by one or more students about an action, or lack of action, or about the standard of service provided by or on behalf of the Institution."

Examples of complaints under this procedure could include any expression of dissatisfaction about:

- delivery of service and academic provision (e.g. programme design, content and structure, resources and facilities, accommodation, assessment process and information)
- quality of supervision or tuition
- failure to meet obligations (e.g. those set out in the prospectus and programme handbooks)

6. Matters not covered by the complaints procedure

Item	Correct Procedure
Academic matters relating to examination and assessment performance and outcomes	Appeal Procedure against the decision of an Assessment Board
Complaints about another student's behaviour	Student Disciplinary Procedure
Complaints about staff conduct	Contact HR team at hradmin@trinitylaban.ac.uk

Complaints about McMillan Halls	McMillan Halls Complaints Procedure
Complaints about the Students' Union	Trinity Laban Students' Union Constitution
Whistleblowing (public interest disclosure)	Whistleblowing Procedure
Requests for more or for different services	Raise issues through programme committees/Student-Staff Liaison Groups/SU Executive/Student Representation System

Where a complaint is received but the subject matter does not fall under the remit of this procedure or falls under the remit of two or more procedures, the officer nominated by the Registrar to consider complaints (the "Nominated Officer") may at their own discretion either direct you to the relevant procedure(s) or invoke that/those procedure(s) directly where there is sufficient cause and evidence to do so. In such circumstances, the Nominated Officer will inform you:

- Which specific issues will be determined under which policies and by whom;
- The order in which those issues will be determined; and
- The implications, if any, of following more than one procedure at any time.

7. Confidentiality and anonymity

We shall handle all cases with appropriate levels of confidentiality, releasing information only to those who need it to investigate or respond to the complaint. Personal and sensitive information gathered in relation to investigations under these procedures will be held securely, whether held physically or electronically and in a separate location to your main file.

We will retain personal and sensitive information gathered in relation to investigations under these procedures for two years following any Completion of Procedures Letter. Where we received notice that the OIA has been asked to investigate, we will retain the information for a year following any outcome provided by the OIA.

We cannot ordinarily investigate complaints made anonymously, since complaints require detailed investigation. In exceptional circumstances, and if there is a compelling case supported by evidence, the Nominated Officer at their sole discretion may investigate an anonymous complaint. Any such investigation, however, may be seriously impeded as may the communication of any outcome reached.

The Institution may refer to the police any matters involving suspected criminal offences where appropriate (see also appendix three, item 9).

8. Stage one: Early Resolution (informal concern or complaint)

You can usually most easily resolve complaints by raising them when the problem occurs and with those directly involved; please talk directly to staff, your Programme Leader, to the Student Services team, with the Students' Union, and with your Student Representative. There may be opportunities for mediation to assist with the resolution of issues.

Staff members receiving stage one complaints must report the subject matter of the complaint and any resolution offered or agreed to the Nominated Officer by emailing complaints@trinitylaban.ac.uk.

9. Stage one: Early Resolution (written complaint)

If you cannot, or feel unable to, resolve your concerns in this way, you can put your complaint in writing to the relevant faculty or departmental manager or their nominee. Who this is will depend upon the subject matter of the complaint. A list of relevant faculty or departmental managers or nominees for the purposes of this procedure are below:

- Faculty of Dance – Dean of Faculty of Dance
- Faculty of Music – Assistant Director of the Faculty of Music
- Library – Head Librarian of the respective libraries
- Registry – Registrar
- Student Services –Head of Student Services
- Finance – Head of Finance
- IT – Head of IT
- Estates and Facilities – Head of Estates and Facilities
- Marketing and Communication – Head of Marketing and Communication

If your complaint relates to a department not listed above, please contact the Assistant Registrar (Quality and Governance) for guidance as to whom the complaint should be addressed.

The faculty or departmental manager or nominee will seek to provide a written response to your complaint within twenty calendar days, keeping you fully informed in case this deadline cannot be met and the reasons why. You must make any complaint within forty calendar days of the alleged incident/cause for complaint.

Staff members receiving stage one complaints must report the subject matter of the complaint and any resolution offered or agreed to the Nominated Officer by emailing complaints@trinitylaban.ac.uk.

10. Stage Two - Formal complaint

If you cannot resolve your complaint directly with the relevant academic area or service, you can put your concerns in writing to the designated Nominated Officer who - liaising with colleagues as necessary, will investigate the complaint, overseen by the Registrar. You should make your complaint using the Student Complaint Form (available from the Registry or the Students' Union or on Moodle) and send it to complaints@trinitylaban.ac.uk.The form will help you:

- set out your detailed complaint
- explain what you have done to try to resolve the complaint informally
- explain why action taken following your complaint is not satisfactory
- outline what outcome you would like from your complaint
- advise the address to which correspondence relating to the complaint should be sent (we shall assume that you have received correspondence sent to that address)

Where applicable, you should attach any evidence which you would like to be reviewed when considering your complaint. This could include emails, statements from witnesses, medical evidence for example. Student Services or the Students' Union may be able to assist you to complete the form.

Where no attempts to seek resolution were made prior to a formal complaint being submitted, the Nominated Officer will direct you to the relevant faculty or departmental manager to attempt resolution, unless there is a valid reason why the complaint could not or should not have been considered at stage one.

You must make any complaint under this stage of the procedure within fifteen calendar days of the date of the faculty or department manager or nominee's response to your initial complaint (see item 2.8) or, if you have been for a valid reason unable to raise a complaint at stage one, within forty calendar days of the alleged incident/cause for complaint.

Where a complaint is submitted outside of the time limits set out in these procedures it will ordinarily be rejected and a Completion of Procedures letter issued. The Nominated Officer has the sole discretion to decide whether to consider a late submission if there are exceptional circumstances (including reasons under the Equality Act 2010). The reason for exercising the discretion will be recorded.

The Nominated Officer will acknowledge your complaint within five calendar days and, in liaison with the Registrar, will aim to provide a response within fifty calendar days of receiving a complaint although we aim to resolve complaints sooner. *In exceptional circumstances, complicated cases may take longer to investigate with appropriate care and thoroughness; the timescale may also have to be extended during vacation periods. You will be informed of any extension to the deadline and the reasons for such an extension, as early as possible, but we shall take all reasonable steps to resolve cases with the minimum delay and in line with the overall timescales set out in the OIA's Good Practice Framework*

The Nominated Officer - overseen by the Registrar - will co-ordinate a full, fair and proportionate investigation of the issues raised in your complaint, paying attention to the scale and seriousness of the complaint. The Nominated Officer and the Registrar may determine who - if anyone - will be interviewed during the course of the investigation and from whom any written submissions will be sought. Decisions will be made on the basis of a reasonable judgment on the balance of probabilities.

Copies of correspondence and the accompanying documents will be available to the investigator of the complaint and possibly also to staff assisting or providing information for the investigation. We shall, however, maintain confidentiality as far as consistent with a proper investigation of a complaint. We shall bear in mind the need to protect the interests of any staff who are the subject matter of a complaint. Staff involved, have the following rights:

a) to be informed and read the complaint against them;
b) to be accompanied by a friend or a union representative (not acting in a legal capacity and not a witness); and
c) to respond before conclusions are reached.

The Nominated Officer will reply to your complaint, setting out the decision and the reasons for the decision. The Nominated Officer has a wide discretion in determining outcomes of any complaint received.

The Institution may decline to consider complaints that it considers vexatious or malicious. The Institution may consider using the disciplinary procedures where a complaint is found to be vexatious or malicious. This could include, for example, complaints that are patently unsustainable or complaints made in an attempt to damage the name of another person or a department.

Where a complaint has not been upheld at stage two of these procedures and no request for reviews has been received within ten calendar days of the letter confirming the outcome of stage two, a Completion of Procedures letter will be issued.

11. Stage Three: request for a review of the outcome of a formal complaint

If you are not satisfied by the response to your complaint, you can ask for a review of the decision: We can help you contact the appropriate person.

a) Issues related to provision validated by Trinity Laban

You can ask for a review of the decision as long as your request is based on one or more of the following grounds:

- a challenge to findings of fact
- a claim that the procedure has been implemented improperly
- there is significant new evidence or information, which was unavailable at the previous stage

If you do not have grounds to make a request for a review, you may request that the Institution provide you with a Completion of Procedures Letter. You must request a Completion of Procedures Letter within 31 calendar days of the outcome of stage two.

You should make your request for a review in writing using the standard form (available from the Registry or the Students' Union or on Moodle) within ten calendar days from the date of the letter telling you the outcome of your complaint. You should return your completed appeal form to the Director of Strategy and Business Operations. The Director of Strategy and Business Operations or a nominee will then review the case, ensuring that the matter meets the criteria for an appeal and, if so, that it is referred to a board hearing. Where the matter does not meet the criteria for a review, the Director of Strategy and Business Operations will reject your request in writing, setting out the reasons why it does not meet the criteria and provide you with a Completion of Procedures Letter. This decision will be relayed to you within ten calendar days of receipt of the request for review. Where the Director of Strategy and Business Operations is absent, the Nominated Officer will make alternative arrangements.

Review panel for provision validated by Trinity Laban Conservatoire of Music and Dance

For cases that are confirmed to meet the criteria, the Director of Strategy and Business Operations or a nominee will arrange a panel to hear the complaint, including:

- a senior member of staff not previously involved in the complaint as chair
- two members of staff from a department unrelated to the complaint
- one representative of the Students' Union

The panel will meet within 15 calendar days of the date of the review decision. *Please note that it may take longer than anticipated to organise a panel. The timescale may also have to be extended during vacation periods. You will be informed of any extension to the deadline and the reasons for such an extension, as early as possible, but we shall take all reasonable steps to resolve cases with the minimum delay and in line with the timescales set out in the OIA's Good Practice*

Framework. The panel will make a decision on the basis of a reasonable judgment on the balance of probabilities. The panel will communicate its conclusions to the student and the department within five calendar days of the meeting, through the Director of Strategy and Business Operations or a nominee. The Director of Strategy and Business Operations or a nominee will keep all parties informed of progress and will explain reasons for any necessary extension of the timescale. Details of the procedure for reviewing complaints are available at appendix H.4.1.

b) Issues relating to provision validated by City, University of London (Research Degrees Only)

City, University of London will consider complaints relating to the academic quality of the programmes that it validates, once Trinity Laban's own procedures have been completed. You can view the relevant procedures by visiting their website at: http://www.city.ac.uk/about/education/academic-services/student-appeals-and-complaints/complaints

12. Further, independent review

The office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. Trinity Laban is a member of this scheme. If you are unhappy with the outcome you may be able to ask the OIA to review your complaint. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right here: https://www.oiahe.org.uk/students (/students/).

You normally need to have completed our Student Complaints Procedure (or those of City, University of London for Research Degree Programmes) before you complain to the OIA. We will send you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. If your complaint is not upheld, we will issue you with a Completion of Procedures Letter automatically. If your complaint is upheld or partly upheld you can ask for a Completion of Procedures letter if you want one. You can find more information about Completion of procedures Letter and when you should expect to receive one here: https://www.oiahe.org.uk/providers/completion-of-procedures-letters (/providers/completion-of-procedures-letters/).

Complaints must be sent to the OIA within twelve months of the date of the Completion of Procedures letter.

13. Recording and monitoring of complaints

We are committed to learning from feedback received through all routes, including the complaints procedure. The Academic Standards and Quality Board has oversight of the management of systems for feedback from complaints and reports to the Academic Board.

Faculty and department heads are responsible for advising the Nominated Officer of any stage one complaints received and/or resolved by sending an email to complaints@trinitylaban.ac.uk.

The Assistant Registrar (Quality and Governance) – overseen by the Registrar – will:

- Maintain an accurate record of all complaints received and actions taken at stages one to three

- Alert relevant departments to any managerial or quality assurance issues raised as a result of the investigation of any complaint
- Where complaints are made against members of staff, the Assistant Director (People and Organisational Development) will be informed
- Prepare an annual summary report for the Academic Standards and Quality Board – reporting to the Academic Board

The Director of Strategy and Business Operations will prepare a report on each case heard by the Review Panel, to help the Registrar and the Principal to identify managerial or quality assurance issues.

The Academic Standards and Quality Board will oversee the periodic review of the complaints procedure - at least once every four years, ensuring that the procedure is in line with external good practice, including that set out in the Quality Assurance Agency's Code and the OIA Good Practice Framework.

14. Conflict of Interest

The Institution will ensure that decisions are taken by people without actual or perceived conflicts of interest at all stages of the process. In addition, no person involved in deciding upon the outcome of a complaint at any stage of these procedures shall be involved in the determination of the outcome at a later stage.

Formal complaints about or involving the Registry, the Student Services team or the work of the Director of Strategy and Business Operations should be sent to the Principal who will nominate a member of the Executive to investigate. The Principal will hear any appeals in relation to complaints against the Director of Strategy and Business Operations.

H.3 Academic Appeals

1. Introduction

Procedures for appeals relating to the Research Degree Programme validated by City, University of London are outlined on City's website: https://www.city.ac.uk/about/education/academic-services/student-appeals-and-complaints/academic-appeals

The procedures for Trinity Laban awards are outlined below.

This procedure is aligned to the QAA's UK Quality Code – Advice and Guidance: Concerns, Complaints and Appeals and to the Officer of the Independent Adjudicator for Higher Education's Good Practice Framework: Handling Student Complaints and Academic Appeals.

2. Appeal Procedures

Trinity Laban defines an appeal as a request from a student for a review of a decision made by an Assessment Board regarding his/her assessment, progression, or award.

NB: The standard timescales for the processing of appeals are set out below; students will be kept informed in case of unavoidable delays, although appeals will be investigated in as timely a manner as possible allowing for a reasonable, thorough and proportionate investigation. Students will be kept informed of the progress of their appeals at all stages.

The Institution will consider appeals with regard to principles of natural justice and procedural fairness, equality and diversity:

- Decisions will be taken impartially, with those involved having no personal interest in the outcome or previous involvement in the consideration of the case.
- Those with the power to reach a decision will be able to consider the case fully in the light of the evidence available. The Appeals Panel will have authority to make final decisions on appeals delegated from the Academic Board.
- Decisions will be made on the basis of a reasonable judgment on the balance of probabilities.

The student has the right to be accompanied by a representative, who does not act in a legal capacity, at any meeting arranged to discuss the academic appeal. The representative may be a registered student of the Institution, a member of Trinity Laban staff or an officer of the Students' Union.

2.1 Stage 1: Formal Stage

2.1.1 Grounds for appeal*

a) An appeal may only be made on one or both of the following grounds:

- that there was a material administrative error or a failure to follow regulations and procedures, either in the conduct of the assessment itself, or in the

proceedings of the Assessment Board, which significantly affected the Assessment Board's decision; AND/OR

- That you were subject to mitigating circumstances at the time of the assessment, which were unforeseen and outside your control, and which were unknown to the Assessment Board; could not have been made known before now for a demonstrated, valid and over-riding reason; and resulted in a significantly impaired performance.

* A further ground for appeal in prescribed circumstances has been added in light of changes to the Assessment Regulations in academic year 2019/2020 (please see section 2.6 of these Regulations).

Students may not appeal on the grounds that they:

- were unaware of the published assessment regulations and procedures:
- disagreed with the academic or professional judgement of the examiners or the Assessment Board;
- failed to submit a claim for mitigating circumstances within the deadline.

Appeals may not be made regarding issues covered by the Institution's complaints procedures.

b) An appeal, with appropriate evidence, must be submitted to the Registrar's nominee within 28 calendar days of the release of results following an Assessment Board meeting.

c) An appeal may only be lodged by an individual student. An appeal may not be lodged by a member of staff or relative on a student's behalf, nor by more than one student acting together.

2.1.2 Initial scrutiny

a) The receipt of an appeal will be acknowledged within 5 calendar days by the Registry.

b) The initial scrutiny will be carried out by the Registrar or nominee.

c) 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;
- To reach an initial view on whether there is a case and sufficient evidence to merit consideration of a claim on one or both of the grounds for appeal;
- To provide an opportunity, in consultation with the Programme Leader or another relevant member of the teaching staff, for the resolution of issue(s) informally with the student, where appropriate;
- To investigate, where appropriate, the subject matter of the complaint
- To determine an outcome of the academic appeal where appropriate.

d) Possible outcomes

- an opportunity for the student to resubmit the appeal within 10 calendar days in order to ensure the clarity of the appeal and the full presentation of relevant evidence
- referral of the case for immediate rectifying action by the Chair of the Assessment Board where the irregularity involves an administrative error associated with the calculation of marks and/or award
- referral of the case to the next Mitigating Circumstances Panel if there is sufficient evidence to merit consideration of the appeal on the ground of mitigating circumstances (as defined in section 2.1.1a)
- permit the student (under delegated authority from Academic Board) to resit some/all failed assessments as a first or additional attempt, where necessary reinstating him/her on the programme
- referral of the case to an Appeal Panel where it is not possible to determine an outcome at this stage and/or the substance of the appeal
- refusal of an appeal on the basis that the documentation is not complete and/or insufficient evidence has been provided, or there are insufficient grounds for appeal as set out in section 2.1.1a

The Registrar or nominee may not recommend any alteration to the original marks.

e) The student will be informed of the outcome of the initial scrutiny, within 15 calendar days of the appeal being received. Where an appeal is refused reasons will be provided. A student whose appeal has been refused at the initial scrutiny stage will have 15 calendar days to request a review of the decision under Stage 2: Review of Academic Appeal.

f) The process and outcomes of the initial scrutiny will be documented and a record retained.

2.2 Appeal Panel

a) An Appeal Panel will normally be convened within 20 calendar days of the outcome of the initial scrutiny stage. No member of the panel may have had any previous involvement with the consideration of the case.

- Faculty Director or nominated Deputy (in the Chair – the Chair must not come from the student's own faculty; the nominated deputy may be a Dean of Faculty, an Assistant Faculty Director, or Head of Programmes)
- One member of the teaching staff (nominated by the Chair; the member of staff should not have taught the student nor had any previous involvement in the case
- Secretary (nominated by the Chair)

The Secretary will be responsible for the administration of the proceedings. S/he will keep detailed records of the proceedings, and will be responsible for all notifications to the student.

b) The student will be invited to attend the Appeal Panel hearing and can choose to be accompanied by one other person; a registered Trinity Laban student, member of the Students' Union or a member of Trinity Laban member of staff acting as his/her representative. If a student chooses not to attend, or fails to

attend without submitting written notification of valid reasons for postponement, the panel may meet in the student's absence.

c) The Registry will send notification of the Appeal Panel hearing to the address listed on the appeal form and to the student's Trinity Laban email address.

d) Where the student has chosen to attend the meeting and is prevented from attending for substantial and demonstrable good reason, the Chair and the Secretary of the Panel may use discretion to rearrange the meeting. The absence of the student from the Appeal Panel does not invalidate the proceedings, where the panel has good reason to decide that the student has been given a fair opportunity to attend. The panel may take into account whether the student gave reasonable notice of his/her inability to attend the Appeal Panel hearing.

e) The Appeal Panel will have discretion to regulate its own operation, aiming for a fair, reasonable and timely investigation.

f) The student may submit any further written information in support of his/her appeal no later than 7 calendar days in advance of the meeting of the panel. The panel will not normally hear witnesses other than the student concerned and the student, member of the Students' Union or member of staff acting as his/her representative. The Chair may, however call for other papers, exceptionally, examine witnesses, and conduct whatever other investigations the Appeal Panel may consider appropriate to ensure fair and thorough investigation of the case, bearing in mind the interests of all parties. The Appeal Panel may postpone a decision to clarify evidence or allow further investigation.

g) The Appeal Panel will consider the appeal with delegated authority from the Academic Board and make a recommendation either to:

- permit the student to resit some/all failed assessments as a first or additional attempt, where necessary reinstating him/her on the programme; OR
- refuse the appeal, accompanied by clear reasons that will be provided to the student

The panel may not recommend any alteration to the original marks.

h) The Secretary to the Appeal Panel will make the panel's decision known to the student in writing normally within 10 calendar days of the Appeal Panel hearing and the correspondence will be copied to all relevant senior staff. Such notice will be accompanied by a statement of the reasons for the decision.

i) A student whose appeal has been refused is entitled to request a review of that decision within 15 calendar days under stage 2 of these Regulations.

j) The Assessment Board will be notified of the outcome of the Appeal Panel hearing only where an appeal has been upheld.

2.3 Stage 2: Review of Academic Appeal

a) Where a student is dissatisfied with the outcome of Stage 2, s/he may request a review of the decision within 15 calendar days of the date of the Appeal Panel's letter setting out the decision.

b) Students can request a review of the decision as long as the request is based on one or more of the following grounds:

- a claim that the procedure has been implemented improperly
- there is significant new evidence or information, which was unavailable at a previous stage
- the outcome was not reasonable in the circumstances

c) Requests for a review should be made in writing using the standard form (available from the Registry or the Students' Union or on Moodle). The completed form should be returned to the Registrar who will organise a suitable member of staff to conduct the review. This will be a Director of Faculty; Dean of Faculty, Assistant Director of Faculty, or Head of Programmes who does not come from the students' own faculty and has had no prior involvement in the appeal.

d) The reviewer may:

- Uphold the original decision either in whole or in part
- Refer the decision back to an Appeal Panel for reconsideration
- Overturn the original decision either in whole or in part

e) The outcome of Stage 3 will be communicated to the student within 20 calendar days and will include a clear explanation and outline of the reasons for the decision.

2.4 Completion of Procedures: Office of the Independent Adjudicator

The office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review academic appeals. Trinity Laban is a member of this scheme. If you are unhappy with the outcome you may be able to ask the OIA to review your academic appeal. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right here: https://www.oiahe.org.uk/students (/students/).

You normally need to have completed our Academic Appeals Procedure (or those of City, University of London for Research Degree Programmes) before you complain to the OIA. We will send you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. If your academic appeal is not upheld, we will issue you with a Completion of Procedures Letter automatically. If your academic appeal is upheld or partly upheld you can ask for a Completion of Procedures letter if you want one. You can find more information about Completion of procedures Letter and when you should expect to receive one here: https://www.oiahe.org.uk/providers/completion-of-procedures-letters (/providers/completion-of-procedures-letters/).

A request to review the outcome of your academic appeal must be sent to the OIA within twelve months of the date of the Completion of Procedures letter.

2.5 Recording and monitoring

We are committed to learning from feedback received through all routes, including the academic appeals procedure. The Academic Standards and Quality Board has oversight of the management of systems for feedback from academic appeals and reports to the Academic Board.

The Registrar or nominee will:

- Maintain an accurate record of all academic appeals received and outcomes reached at stages one to three;
- Alert relevant departments to any managerial or quality assurance issues raised as a result of the investigation of any academic appeal;
- Prepare an annual summary report for the Academic Standards and Quality Board – reporting to the Academic Board.

The Academic Standards and Quality Board will oversee the periodic review of the academic appeals procedure - at least once every four years, ensuring that the procedure is in line with external good practice, including that set out in the Quality Assurance Agency's Code and the OIA Good Practice Framework.

2.6 Emergency Appeal Procedures for academic year 2019/2020

2.6.1 Eligibility

This section applies to Professional Studies assessments in academic year 2019/2020 for final year students on the following specified programmes:

- Foundation Certificate: Music or International Foundation Certificate: Music and English
- BMus (Hons) Performance or Jazz
- Postgraduate Diploma/MA or MMus Performance or Jazz
- ISP Advanced Performance
- Postgraduate Advanced Diploma Performance or Jazz

2.6.2 Ground of Appeal

If this section applies to you, you may make an appeal against the application of the emergency variation of aggregation methods to your final year marks on the grounds that such application has had a negative impact on your degree classification. You may also appeal against the result of a recorded assessment submitted in lieu of a live performance assessment.

2.6.3 Process of Appeal

i) An appeal, including a short statement explaining how you feel the emergency assessment arrangements have affected your degree outcome, must be submitted to the Registrar’s nominee within 28 calendar days of the release of results following an Assessment Board meeting.

ii) An appeal may only be lodged by an individual student. An appeal may not be lodged by a member of staff or relative on a student’s behalf, nor by more than one student acting together.

iii) The receipt of an appeal based on the above ground of appeal will be acknowledged within 5 calendar days by the Registrar’s nominee.

iv) The Registrar or their nominee will consider the appeal and determine an outcome. Where further information is required for the appeal to be properly considered, you will have ten calendar days in which to provide a response otherwise your appeal may be considered without it..

v) The student will be informed of the outcome of the initial scrutiny, within fifteen calendar days of the appeal being received. Where an appeal is not upheld, reasons will be provided and a Completion of Procedures Letter issued.

2.6.4 Outcome of Appeal

If your appeal is upheld, you will be entitled to complete a live assessment at a later date.

The result of the live assessment shall supersede the alternative assessment method originally used (be that the award of credit based on previous assessments at the same level, or an alternative recorded assessment). If you fail to achieve a passing mark for that the live assessment, the normal regulations regarding resits shall apply.

H.4 Student Disciplinary Procedure

1. Introduction

1.1 The Institution has an obligation to care for its members and maintain its reputation, values and standards.

1.2 The Institution seeks to operate fair, transparent, practicable disciplinary procedures that promote the swift and confidential resolution of issues, whilst allowing reasonable time for investigation and for students to prepare their cases.

1.3 Authority for disciplinary procedures

The disciplinary procedure is not a judicial process, but the Institution has disciplinary authority deriving from its contractual relationship with each student, and from each student's agreement to be bound by the regulations in force during the period of registration/enrolment. The institutional Memorandum and Articles of Association empower the Principal to maintain student discipline.

1.4 The disciplinary procedure is also applicable to non-student members of the Chapel Choir. The Institution has disciplinary authority over non-student members deriving from the Chapel Choir Code of Conduct signed by all members of the Chapel Choir on an annual basis. Non-student members of the Chapel Choir have all the rights and responsibilities as if they were students under these procedures, including the right to raise a complaint against the behaviour of another member of the Chapel Choir (whether student member or non-student member).

1.5 Alleged breaches of the general (i.e. non-academic) regulations of a collaborative partner of the Institution will be considered through the policies, regulations and procedures of the partner, with the student having the right of appeal to Trinity Laban. Allegations relating to the general (i.e. non-academic) regulations of City, University of London will be addressed through City's own disciplinary procedures

1.6 Academic offences

Academic offences will be considered through the process described in the Procedure for Handling Academic Misconduct and within the Assessment Regulations. Appeals relating to disciplinary issues are conducted through a separate process from appeals against the decisions of assessment boards. There are also separate Institutional procedures for addressing complaints.

2. Requirements for student conduct

2.1 Students are expected to:

- support the good name and reputation of the Institution and the fulfilment of its mission
- meet their obligations to comply with Institutional regulations and policies.

2.2 Each student is required to sign an enrolment form, confirming agreement to comply with the Institution's regulations, policies and codes of conduct.

2.3 Each student is responsible for being aware of the institution's regulations and policies, and for complying with approved codes of conduct and other requirements relating to professional conduct and behaviour.

2.4 Students must keep the Registry informed of their home and term time addresses and other contact details and help the Institution to meet its legal requirements to the UK Visa authorities.

3. Use of the Student Disciplinary Procedure

3.1 The Student Disciplinary Procedure may be used if a student is alleged to have committed any action that interferes with the achievement of the Institution's mission or legitimate business; adversely affects the safety or well-being of the staff and/or students; which may bring the Institution into disrepute, or which breaches institutional codes of conduct or policies or requirements relating to professional conduct and behaviour. A list of examples is available in section four, *although this is not exhaustive.*

4. Examples of alleged breaches of discipline

4.1 Engaging in any conduct which prevents, obstructs or disrupts, or is intended to prevent, obstruct or disrupt:

- Learning, teaching or research carried out within the Institution or through field work or a placement or any other external activity or performance.
- The administration and management of the Institution
- The work of members of staff, other students or authorized visitors to the Institution;
- The holding or orderly conduct of any meeting or activity approved by the Institution

4.1.1 Failure to comply with approved codes of conduct and other published Institutional requirements relating to appropriate conduct and behaviour.

4.1.2 Behaviour which may bring the Institution or any member of the Institution into disrepute.

4.1.3 Obstructing or attempting to obstruct, the access of staff, students or members of the public (entering with the permission of the Governors or authorised officers) to the premises; on the understanding that peaceful picketing within the law will not be regarded as obstruction or attempted obstruction.

4.1.4 Assaulting, harassing, bullying or otherwise threatening or insulting any fellow student, or member of the staff or an authorised visitor to the Institution, or otherwise contravening the Institutional equality and diversity and harassment policies.

4.1.5 Misusing or damaging any learning materials (including computer misuse or unauthorised use), equipment, furniture, fittings, instruments or property belonging to or under the control of the Institution, or any student or member of staff of the Institution.

4.1.6 Misappropriating any funds or assets of the Institution, or of any member of the staff or student of the Institution (taking account of the institutional fraud policy).

4.1.7 Committing a breach of the regulations, rules, policies or codes of practice of the Institution, or disregarding a reasonable instruction from an authorised officer of the Institution.

4.1.8 Invading or abusing, or attempting to invade or abuse, the secrecy, integrity or privacy of any files or confidential material held by the Institution, including information on the computer systems.

4.1.9 Conviction of any serious criminal offence that may damage the good name of the Institution, or behaving on the Institution's premises in a manner that would amount to a criminal offence had such behaviour occurred in a public place.

4.1.10 Any action likely to cause injury or distress to any person on the Institution's premises, or to impair the safety and security of people or the premises.

4.1.11 Defacement of, or deliberate damage to, any property of the Institution, or any property belonging to a member of the Institution (including damage resulting from negligence).

4.1.12 Taking part in any trespass against, or unauthorised occupation of, any part of the Institution's premises.

4.1.13 Committing, or being party to, a fraudulent or dishonest act in relation to the Institution or its staff. This includes unfounded and malicious allegations against members of staff raised through the complaints procedure.

4.1.14 Failure to disclose information about a criminal record, including cautions and 'bindovers' as well as convictions – prior to or during the enrolment period.

4.1.15 Possession or misuse of drugs which constitutes a legal offence

4.1.16 A breach of the conditions of a tenancy agreement relating to the Institution's residential accommodation or the student residence regulations.

4.1.17 Failure to follow the copyright law in the use of library and other resources (re Library Code of Conduct)

4.1.18 Breaching the conditions of a Tier 4 visa (e.g. exceeding the maximum number of working hours permitted)

4.1.19 Failing to comply with a penalty imposed previously within the terms of the Disciplinary Procedures for Students.

5. Alleged misconduct that may also constitute a criminal offence

5.1 Where a breach of discipline is being dealt with under criminal proceedings, the disciplinary process will be normally be suspended until the criminal process has concluded. Precautionary action may be taken where appropriate at this stage (see section 6.2 Precautionary Action). The disciplinary process may be initiated following the end of the criminal process where a breach of discipline also appears to have occurred, whether or not a conviction has been made.

5.2 When disciplinary action is taken following a related conviction, the conviction may be used as evidence of misconduct. In such cases, the Disciplinary Hearing will take into account the legal penalty in determining the disciplinary penalty.

5.3 The Institution may take action under the disciplinary procedure concurrently with a criminal procedure if the disciplinary case is based on different facts to the criminal case (for example where drug offences lead to persistent absence from scheduled activities).

5.4 The Registrar will report to the police suspected criminal offences against the Institution where this is considered to be proportionate and where there is judged to be little or no risk to the health, safety and wellbeing of the reporting student or other students.

5.5 Where the victim is not the Institution itself but a student, member of staff or visitor to Trinity Laban, the victim will be supported to report the matter to the police. The Institution reserves the right to report suspected criminal offences to the police contrary to the wishes of the victim if there is an overwhelming need to protect others from harm or to prevent a further crime from taking place. In so doing, all possible steps will be taken to preserve the victim's wellbeing.

5.6 If a student who is the victim of an alleged criminal offence decides not to report the matter to the police, the reporting student will be entitled to make a complaint under the student complaints procedure. Such a complaint may result in the initiation of the student disciplinary procedure where the subject of the complaint is accused of misconduct as outlined in sections 3 and 4 above.

6. The Student Disciplinary Procedure

6.1 Initiation of procedure

The Registrar or nominee will receive any allegations of misconduct and will refer cases onwards for consideration under the preliminary stage (6.2). The Registrar or nominee will retain a confidential log of disciplinary cases, to monitor progress through the process and to provide a basis for monitoring reports to institutional committees.

Allegations of misconduct may be raised internally via employees. Alternatively, students who wish to complain about another student's behaviour may do so by completing the Student Complaint Form (available from the Registry or the Students' Union or on Moodle) and sending it to complaints@trinitylaban.a.uk.

6.2 Precautionary Action

As a precautionary measure, action may be taken against an accused student where the safety of others is judged to be at risk or in order to ensure that a full and proper investigation can be carried out. In such cases, the Registrar may take precautionary action including:

- Imposing conditions on the accused student (for example limiting contact with specific individuals, or moving the student to another class or group)
- Suspending the accused student from study and from participating in Institutional activities
- Prohibiting the accused student from entering specific sites or buildings, or from participating in specific projects or placements

Precautionary measures will only be put in place where it is judged strictly necessary and do not indicate that the Institution has concluded that a breach of discipline or a criminal offence has taken place. A risk assessment will be conducted prior to the implementation of precautionary action and shall be retained by the Registry. The student will be entitled to make a written representation to the Principal to appeal against this action.

Precautionary measures will be reviewed at regular intervals, to be determined at the point of action (but at least termly). The accused student may request a review earlier than the next scheduled review date if there is a material change in the circumstances of the case. Failure to comply with a precautionary measure will normally also result in an earlier review date, after which time more serious measures may be put in place.

6.3 Supportive action

Measures can also be put in place if an incident is likely have an adverse emotional, financial impact on the students involved or impair their performance in an assessment. This could include:

- Applying for a Financial Support Grant to facilitate events such as moving out of a shared house or halls
- Priority accessing to counselling service
- Referral to specific external organisation for support and advice
- Support with additional travel costs
- Moving assessment dates without the need to go through the MC process
- Being given a separate room for a written assessment to prevent contact with other students
- Having performance assessments rearranged to prevent contact with a specific student or being offered an alternative form of assessment if this is not possible.

6.4 Preliminary stage and investigation

Where a potential disciplinary case has been notified to the Registry, the Registrar or nominee will carry out an initial investigation of the allegation(s) and, if necessary, conduct a preliminary interview with the student to consider the case.

6.4.1 The Registrar's nominee will conduct the meeting and keep an official record of the outcome. The student(s) may choose to be accompanied by a friend for support (defined as a registered student of the Institution; an officer of the Students' Union or a member of staff of the Institution). Legal representation is not allowed at any stage of the proceedings for the student or the Institution.

6.4.2 Apart from the investigation of alleged offences, the preliminary stage offers an opportunity for the informal resolution of minor disciplinary issues, with the preliminary interview enabling the student to receive informal guidance as a means of preventing the escalation of an issue into a more serious disciplinary matter.

6.4.3 Following the completion of the initial investigation, the Registrar, assisted by his/her nominee, will determine one of the following outcomes:

- There are no grounds for action (in which case no record of the case will be retained on the student's file);
- A formal Student Disciplinary Panel should be convened;
- The student will receive an informal warning of the possible consequences of further allegations of misconduct. (A record of the warning will be kept on the student's file for the remainder of their time on their current programme of study but only considered in the event of a further allegation of misconduct. The warning will not be regarded as formal disciplinary action and the record will be removed from the student's file on the conclusion of his/her current programme of study)
- To issue a formal, written reprimand to the student;
- The student will be required to provide a written apology and a written undertaking of appropriate conduct for the remainder of his/her studies in the Institution

- The student will be required to attend one or more meetings or tutorials with an appropriate member of staff

6.4.4 The Registrar or nominee will inform the student of the outcome in writing, normally within ten working days of the preliminary interview. The letter will inform the student that s/he will have ten working days from the date of the letter to choose whether to contest the outcome of the preliminary interview, through a Student Disciplinary Hearing: the student must give the Registrar's nominee written notice if s/he decides to exercise this right.

6.5 The Student Disciplinary Hearing

Where a disciplinary hearing has been determined as the outcome following the Preliminary stage, the Registrar will inform the student of the hearing in writing at least ten working days in advance of the hearing.

6.5.1 The Registrar or nominee will convene the hearing panel as follows:

- Chair (The pool of eligible chairs of panels will include members of the Trinity Laban Executive; Deans and Assistant Directors of Faculty and Heads of Music Departments. The Registrar may only chair a hearing in the event that s/he has had no involvement in the preliminary disciplinary investigation)
- Two members of the teaching staff

No member of the panel should have taught the student not had any previous involvement in the investigation of the case.

With

- Secretary (nominated by the Registrar; to take a record of the meeting and to advise the panel on procedures; The Secretary should not have taken part in the preliminary investigation)

No member of the panel should have taught the student or had any previous involvement in the investigation of the case.

5.3.2 *Details of the procedure for the Hearing are available at* ***appendix one.***

7. Appeal against a decision of the Student Disciplinary Hearing

7.1 A student has the right to appeal against a decision of the Student Disciplinary Hearing only on the following grounds:

- a claim that the penalty was excessively severe in relation to the nature of the offence;
- a claim that the disciplinary procedure was not implemented properly;
- significant new evidence, which was not available to the Student Disciplinary Hearing.

The student must submit an appeal in writing to the Registrar or his/her nominee within ten working days of the date of the publication of the decision of the Disciplinary Hearing.

7.2 **Internal appeal hearings**

7.2.1 *A case where the penalty does not involve the suspension or expulsion of the student from the Institution or the eviction of the student from residential accommodation*

The appeal will be heard by a panel chaired by the Principal, or by a senior member of staff nominated by the Principal, with no previous involvement in hearing the case.

7.2.2 *A case where the penalty involves the suspension or, expulsion of the student from the Institution or the eviction of the student from residential accommodation*

The appeal will be heard by a panel convened by the Director of Strategy and Business Operations and chaired by a senior member of staff nominated by the Principal, with no previous involvement in hearing the case.

7.3 The Secretary to the Student Disciplinary Hearing will inform the student in writing of the appeal procedure, in the letter with details of the outcome of the hearing.

7.4 *Details of the internal appeals procedure are available at appendix two.*

8. Right to appeal to City, University of London (for validated provision)

Additionally, any student on the Research Degree Programme validated by City has the right to have the case referred to City, University of London, after Trinity Laban's own procedures have been completed. The case will be considered at the appeal stage within City's own disciplinary procedures.

This right of appeal applies only to conduct relating to a programme of study leading to an award in City's name or to an activity that occurred on the premises of City, University of London.(see appendix two)

9. The Office of the Independent Adjudicator for Higher Education (OIA)

9.1 The office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme which can review the outcome of student disciplinary procedures. Trinity Laban is a member of this scheme. If you are unhappy with the outcome you may be able to ask the OIA to review the outcome of the student disciplinary procedure. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right here: https://www.oiahe.org.uk/students (/students/).

9.2 You normally need to have completed our Student Disciplinary Procedures (or those of City, University of London for Research Degree Programmes) before you complain to the OIA. We will send you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. You can find more information about Completion of procedures Letter and when you should expect to receive one here: https://www.oiahe.org.uk/providers/completion-of-procedures-letters (/providers/completion-of-procedures-letters/).

9.3 Complaints must be sent to the OIA within twelve months of the date of the Completion of Procedures letter.

10. Monitoring of student disciplinary cases

9.1 Academic Standards and Quality Board will receive an annual report from the Registry summarising the outcomes and any Institutional issues arising from disciplinary hearings. The report will maintain the confidentiality of individual cases.

Appendix one: Procedure for Student Disciplinary Hearing

1. The student should have at least ten working days written notice of the date of the meeting.

2. A nominee of the Registrar will send notification of a hearing by email or if the student prefers, to the term-time address on the student's record.
3. The disciplinary proceedings of the Institution will not be invalidated because of the absence of the student from any hearing at any stage as long as reasonable action has been taken to notify the student.
4. The letter of notification will include a list of the allegations and a copy of the Student Disciplinary Hearing procedures. The letter will remind the student that s/he is entitled to attend the meeting and may be accompanied to the hearing by a student or, where appropriate, a member of staff of the Institution to speak on his/her behalf. The letter will also mention the availability of confidential support from the Students' Union (Formal legal representation is not permitted at any stage within the student disciplinary procedure on either side, for the student or the institution). The letter will assure the student of a presumption of innocence unless or until the student is found guilty of the alleged breaches.
5. Where the student has chosen to attend the meeting and is prevented from attending for substantial and demonstrable good reason, the Chair and the Secretary of the Panel may use discretion to rearrange the meeting. The absence of the student from the hearing does not invalidate the proceedings, where the panel has good reason to decide that the student has been given a fair opportunity to attend. The panel may take into account whether the student gave reasonable notice of his/her inability to attend the hearing.
6. The Hearing will have discretion to regulate its own operation, aiming for a fair, reasonable and timely investigation. The hearing will normally be conducted as follows:
    - The Hearing will ask questions of the student and any other individual called to present information and evidence;
    - The student and/or his/her friend, will answer questions for the Hearing;
    - The student and/or his/her friend will ask questions of any other individual called to present information and evidence;
    - The Hearing will deliberate in private;
    - The Hearing chair will present the conclusions and recommendations of the Hearing, or advise the student(s) that these will be forwarded to him/her in writing normally within five working days of the hearing.
    - The panel may set reasonable time limits for presentations.
7. Documentary evidence may be presented at the discretion of the chair; such evidence must be submitted in advance of the meeting within a deadline set by the chair, with copies normally circulated to members of the panel and all parties at least five working days before the hearing. Evidence submitted beyond the deadline will only be admitted with the permission of the chair.
8. The panel will normally only hear from the student concerned or his/her representative. The chair may, however call for other papers, examine witnesses and conduct whatever other investigations the Hearing may consider appropriate to ensure fair and thorough investigation of the case, bearing in mind the interests of all parties. The Student Disciplinary Hearing may postpone a decision to clarify evidence or allow further investigation.
9. The Disciplinary Hearing may decide:
    - To dismiss the case:
    - To warn the student informally of the possible consequences of any further misconduct (with a record of the warning retained on file);

- To require the student to write a formal apology and an undertaking that the misconduct will not be repeated;
- To require the student to attend one or more meetings or tutorials with an appropriate member of staff
- To issue a formal, written reprimand to the student;
- To recommend to the Principal the suspension of the student from his/her studies and or from all or part of the premises for a period not normally exceeding one Academic Year (as defined in appendix three);
- To recommend the eviction of the student from the Student Residence, subject to the approval of the Principal.
- To recommend to the Principal the expulsion of (as defined in appendix three) the student from the Institution and, where relevant, to evict the student from the Student Residence.

10. The Hearing may require the student to make good any loss or damage to the premises or to the property of any member of the Institution or to pay for any additional expense caused to the Institution as a result of the misconduct.
11. The panel will make decisions on the basis of a reasonable judgement on the balance of probability. The panel should attempt to agree a unanimous decision, but it may agree an outcome on the basis of agreement from a majority of the members.
12. The Secretary to the Hearing will inform the student in writing of the outcome, normally within seven working days of the hearing, or within ten working days in a case where a suspension, expulsion or eviction requires approval from the Principal. The written notice will be accompanied by a statement of the facts found by the Hearing and the reasons for the decision and for any penalty. The letter will also inform the student of his/her rights and the procedures for appeal both internally and, for Research students, to City, University of London.
13. The records will remain on the student's file unless the case is dismissed (with the documentation retained within the Institutional records retention policy).
14. The following officers of the Institution should always receive confidential notification of the outcome of a disciplinary hearing:
    - Director of Music or Dance (as relevant)
    - Registrar

Appendix two: procedure for appeal against the decision of a Student Disciplinary Hearing

1. Only the student who is subject to a decision of the Disciplinary Hearing may make an appeal. An appeal may not be presented by a member of staff or relative or a friend on a student's behalf, nor by more than one student acting together.
2. The appeal letter must include:
    - The student's name and address;
    - The decision against which the appeal is made;
    - The grounds for appeal (clearly and succinctly).
3. An appeal may be based only on:
    - a challenge to the findings of fact;
    - a claim that the penalty was excessively severe in relation to the nature of the offence;
    - a claim that the disciplinary procedure was not implemented properly; or

- significant new evidence, which was not available to the Student Disciplinary Hearing.

4. The Director of Strategy and Business Operations will receive the appeal and acknowledge receipt in writing. The Director of Strategy and Business Operations or nominee will then review the case, ensuring that the matter meets the criteria for an appeal and, if so, that it is referred to an appeal panel. Where applicable, the written acknowledgement will state the date and time of the appeal hearing, remind the student of the availability of advice and assistance from the Students' Union and her/his right to be accompanied by a friend, adviser or representative. The Director of Strategy and Business Operations will be responsible for the co-ordination of the appeal. The panel should normally meet within twenty working days of the receipt of the appeal. Where the matter does not meet the criteria for an appeal, the Director of Strategy and Business Operations or nominee will reject the request in writing, setting out the reasons for why it does not meet the criteria and provide a Completion of Procedures letter.

5. Membership of appeals panel

5.1 Cases that do not involve suspension, expulsion or eviction from the premises

The Panel will consist of:

- The Principal (or his/her nominee)
- A Programme Leader of a programme other than that of the student
- Another member of the teaching staff
- Director of Strategy and Business Operations or nominee, in attendance.

5.2 Cases involving suspension, expulsion or eviction

The panel will include:

- A senior member of staff nominated by the Principal, with no previous involvement in hearing the case
- Two senior members of the teaching staff
- Director of Strategy and Business Operations, or nominee, in attendance

No-one involved in the case at any previous stage may sit on the panel and, if possible, no member of the panel should be known directly to the student in question.

6. Conduct of hearing

6.1 The student may submit any further written information in support of his/her appeal no later than seven working days in advance of the meeting of the panel. The student is entitled to attend, together with a friend, adviser or a representative (not a lawyer). The student must notify the Secretary to the Panel of the name of the student or member of staff at least seven days in advance of the meeting.

6.2 Where the student has chosen to attend the meeting and is prevented from attending owing to substantial and demonstrable good reason, the Chair and the Secretary of the Panel may use discretion to rearrange the meeting. The absence of the student from the hearing does not invalidate the proceedings, where the panel has good reason to decide that the student has been given a reasonable opportunity to attend.

6.3 The Hearing will have discretion to regulate its own procedures, aiming for a fair, reasonable and timely investigation. ***The Hearing will normally be conducted as follows:***

- The Chair of the Student Disciplinary Hearing will attend as a witness to present the conclusions of the hearing;
- The student and his/her friend will ask questions of any other individual called to present information and evidence;
- The panel may question any party
- The student will have the opportunity to sum up
- The panel will deliberate in private
- The panel chair will advise the student(s) that the conclusions and recommendations will be forwarded to him/her in writing normally within ten working days of the hearing.
- The panel may impose time limits on oral addresses and submissions, bearing in mind the need for fairness to all parties.

6.4 The panel will normally only hear the student or his/her representative, and the Chair of the Student Disciplinary Hearing. The chair may, however call for other papers, examine witnesses and conduct whatever other investigations the Hearing may consider appropriate. The panel may postpone a decision to clarify evidence or allow further investigation.

6.5 The panel may uphold the decision of the Student Disciplinary Hearing or uphold the appeal and substitute such other decision as it thinks fit within the prescribed list of options (listed in appendix one: item 9). The panel may not impose a penalty more onerous than that originally imposed. The panel should attempt to agree a unanimous decision, but it may agree an outcome on the basis of agreement from a majority of the members. The decision of the Student Disciplinary Appeals Panel shall be final.

6.6 The Secretary to the Panel will inform the student of the decision in writing, normally within ten working days of the hearing, with a copy to the Registrar, the Chair of the Student Disciplinary Hearing; the Director of Music/Dance (as appropriate). The letter will include a statement of the reasons for the decision and for any change to the penalty to be imposed. The letter will also inform the student that the internal procedures have been completed, adding details of the student's rights of appeal to the validating partner (where appropriate) and then to the Office of the Independent Adjudicator (OIA). The records will remain on the student's file unless the case is dismissed.

7. Appeals to City, University of London for Research Degree Programme students (as approved by the University Senate on 18 May 2016)

Students on programmes validated by City, University of London may appeal to City after Trinity Laban's own procedures have been completed and the final institutional decision made; The case will be considered as an appeal through City's disciplinary code. This right of appeal applies only to conduct relating to a programme of study leading to an award in City's name or to an activity that occurred on the premises of City, University of London. Details of the procedure are available on the City web site (Senate Regulation 13: Appendix B)

Appendix three: Suspension and Expulsion

1. Expulsion

1.1 Expulsion involves a total prohibition on attendance at or access to the Institution and on any participation in Trinity Laban activities including opportunities for assessment; but it may be subject to qualification, such as permission to attend for the purpose of examination. The expulsion may include prohibition on duties

of any office or committee membership in the Institution or the Students' Union, or employment by the Institution.

1.2 The Principal will decide whether to approve the recommendation of the Student Disciplinary Hearing for the expulsion of a student.

2. Suspension

2.1 Suspension involves selective restriction on attendance at or access to the Institution. This may include prohibition on duties of any office or committee membership in the Institution or the Students' Union, or employment by the Institution.

2.2 The Principal will decide whether to approve the recommendation of the Student Disciplinary Hearing for the suspension of a student.

2.3 The Principal, Registrar or the Director of Music/Dance may suspend a student with immediate effect, pending a disciplinary investigation, in a case where s/he considers it necessary to protect a member or members of the Institution or the property of the Institution. Written reasons for the decision will be recorded and made available to the student. Any disciplinary hearing should be arranged as soon as possible following the suspension.

Appendix four: other points

1. Confidentiality

The Institution will take all reasonable steps to maintain the confidentiality of disciplinary proceedings.

2. Mental Health disorders and health risks

2.1 The chairs of the Preliminary Interview; Disciplinary Hearing and the Appeals Panel each have discretion to adjourn proceedings for the preparation of medical reports, if they believe that a student may be suffering from a mental health disorder: they should also consider the possibility of any provision for support for the student.

2.2 Where a disciplinary or appeals panel decides that a student is in a state of mind or health that poses a threat to the welfare of students or staff or to the good order of the Institution, it may require the student to pass an occupational health assessment before consideration of the resumption of study. The panel has discretion to terminate proceedings for a student suffering from mental illness or a mental disorder. The panel should also consider the possibility of any provision for support for the student.

3. Joint hearings

In case two or more students are involved in a related case of alleged misconduct, the Hearing/panel may use discretion to deal with the cases through the same hearing.

4. Disciplinary action against members of the Students' Union

Officers of the Students' Union are subject to the Student Disciplinary Procedure regarding any allegations of misconduct in relation to their roles within the Union.

5. Retention of records of disciplinary cases

The records of disciplinary cases will be retained on a student's file for a period of six years following graduation (in line with guidance in the JISC Records Retention Schedule). The records will be removed from the student's file in a case where the allegation is not upheld.

6. **Advice and support**

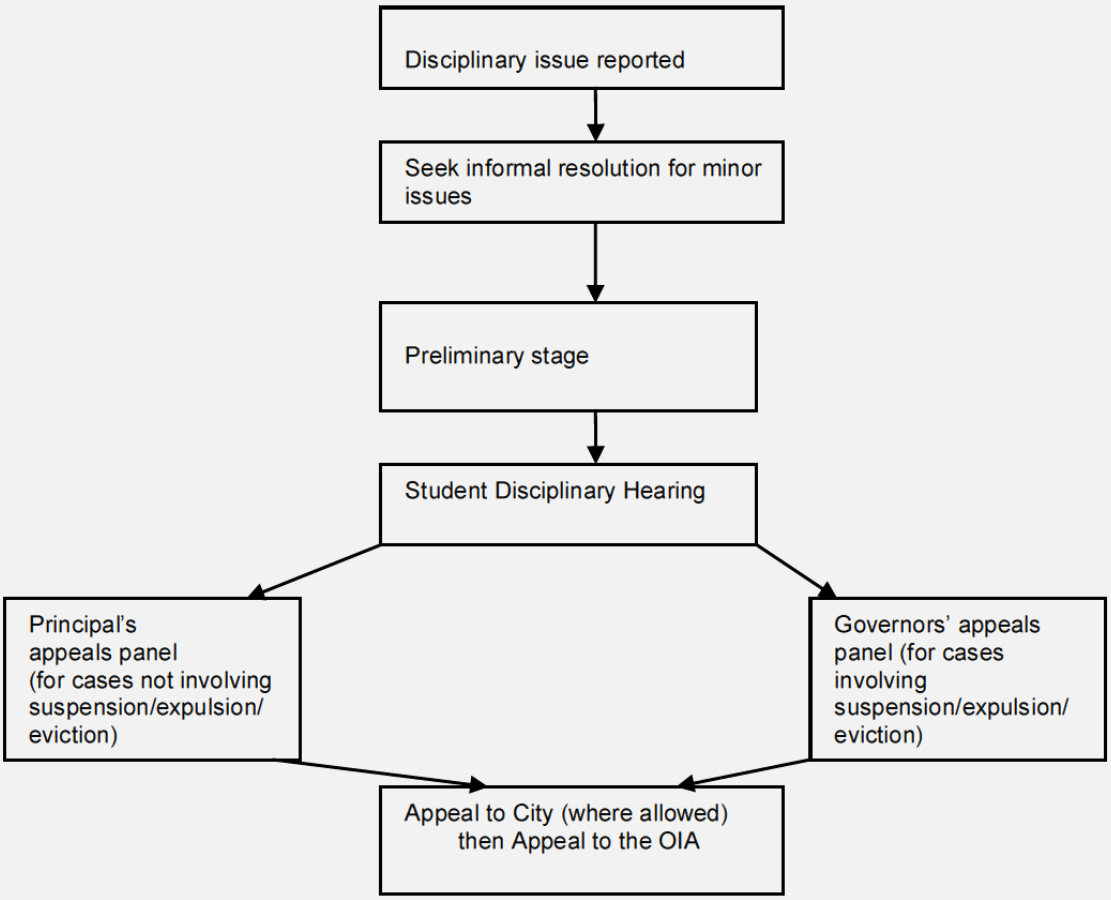
The Institution has an equal responsibility to students reporting incidents of misconduct and those accused of misconduct. Where appropriate and where precautionary action has not already been implemented (see section 6.2), steps will be taken to separate reporting students and accused students during criminal proceedings or the disciplinary process. However, due to the nature of the disciplines and the size of cohorts at Trinity Laban such action may not be possible without disadvantage to one party or the other.

Students reporting alleged breaches of discipline will be offered support from trained members of staff such as Student Advisers and, where appropriate, the counselling service. Students may also be referred to external agencies where specific, specialist support is thought to be required (e.g. to a Sexual Assault Referral Centre where an occurrence of sexual violence has been reported). Where necessary and possible, adjustments will be made to the normal interview processes (e.g. provision of a female interviewer) at the request of the reporting student in order to safeguard his or her welfare.

Students who are the subject of a disciplinary investigation are equally entitled to support from the institution and will be encouraged to seek advice and support from trained members of staff. Should academic or personal issues be uncovered during the course of the disciplinary process, the student will be referred to the relevant member of staff for additional support. Students who feel that they are unable to continue with their studies at Trinity Laban will be provided with academic and administrative support to transfer to another institution.

Advice for both reporting and accused students is also available from the Trinity Laban Students' Union.

Appendix five: outline of the disciplinary procedure


Disciplinary issue reported
Seek informal resolution for minor issues
Preliminary stage
Student Disciplinary Hearing
Principal's appeals panel (for cases not involving suspension/expulsion/ eviction)
Governors' appeals panel (for cases involving suspension/expulsion/ eviction)
Appeal to City (where allowed) then Appeal to the OIA

H.5 Fitness to Study Procedure

1. Purpose of Policy

1.1. This policy and attendant procedures are designed to assist the Institution in creating and maintaining a safe environment in which:

- Students are able to take advantage of the learning opportunities offered to them with the expectation that their studies will not be unreasonably interrupted or affected by others;
- Staff are confident that they are able to safely exercise their duties; and
- The wider community is assured that the Institution takes reasonable steps to ensure the safety and well-being of those with whom its students interact in the course of their studies at Trinity Laban.

1.2. It aims to do so by ensuring that where staff or students become concerned about an individual student's fitness to study, those concerns are addressed appropriately in accordance with fully defined procedures.

1.3. This policy is designed to be fully supportive of individual students and to assist them as far as possible to ensure that they can safely continue with their learning experience at the Institution.

2. Definition of Fitness to Study

2.1. The Institution, its students and staff have a reasonable expectation that students studying at the Institution are in a fit state:

- to engage fully and satisfactorily in relation to their programme of studies for the duration of their programme and have a reasonable opportunity to achieve the award for which they are registered;
- to ensure that they do not unreasonably interrupt, hinder or affect the study or assessment of other students, staff in the exercise of their duties, or other visitors and the wider community in their normal activities;
- to attend the Institution without constituting an unacceptable risk to the health, well-being or safety of themselves or others with whom they may come into contact; and
- for students engaged in work or professional placements, to comport themselves in a professional manner and not do anything to jeopardise the safety of themselves or others.

2.2. For the avoidance of doubt, this Policy only relates to the students who the Institution is concerned are not fit to study (either temporarily or permanently) due to underlying physical or mental health difficulties.

2.3. Nothing in this Policy negates the Institution's duty to make reasonable adjustments for students in accordance with its obligations under the Equality Act 2010.

3. Scope of this Policy

3.1. This Policy is designed to operate in circumstances where a student's fitness to study as defined above has become a cause for concern and all other possibilities have

been considered or exhausted and/or where the matter is deemed to be sufficiently urgent.

3.2. Instances in which a student's fitness to study may become a cause for concern could arise from a variety of circumstances, including (but not limited to) the following:

- Behaviour which has a negative impact on the student's (or other students') ability to study and participate in their learning; on staff members' ability to teach and perform their duties; and on the wider community in its day-to-day activities;
- Where the student is not fully engaged with the programme and it is believed or suspected that this is based upon underlying physical or mental health difficulties;
- The physical or mental health of the student poses an unacceptable level of risk to their own health, safety, well-being, or that of others; or
- Where the student is charged or convicted of a criminal offence (whether or not said conviction results or could result in a custodial sentence) or is sectioned under the Mental Health Act 1983.

3.3. Nothing in this Policy shall exempt a student from being subject to the relevant Student Disciplinary Procedures in relation to the same circumstances. Each case will be considered on its own merits and procedures may run concurrently or consecutively as is deemed appropriate by the Institution.

4. Procedure

4.1. Overview

4.1.1. These procedures offer three initial routes to the structured consideration and assessment of concerns relating to an individual student's fitness to study. These routes are:

1) Informal Stage
2) Fitness to Study Panel
3) Emergency Panel

4.1.2. The Institution is committed to addressing issues at an early stage. As such, it is expected that in most instances, students will be dealt with in accordance with these Procedures at the Informal Stage. Where merited, however, these Procedures allow for immediate escalation to either a Fitness to Study or an Emergency Panel at the Institution's absolute discretion.

4.1.3. Appendix A provides a visual overview of how these procedures are intended to function.

4.2. Raising concerns

4.2.1. Staff members may become concerned about a student's fitness to study in a variety of ways, such as:

- Observations of the student made by a staff member;
- Observations of the student made by other staff members or students and relayed to another member of staff;

- Information received by a staff member in the course of performing their duties from a medical professional, police or other official; and/or
- Disclosures made by the student or the student's family.

4.2.2. Concerns should be raised at the informal stage by contacting either the Head of Student Services and Accessibility or Deputy Registrar (Academic Administration and Quality).

4.2.3. The decision should then be taken by the Head of Student Services and Accessibility or Deputy Registrar (Academic Administration and Quality) as to whether the matter warrants consideration informally; by a Fitness to Study Panel; or whether the matter is both urgent and presents a high risk to the safety of the student or others for which it is appropriate to convene an Emergency Panel.

4.2.4. The Head of Student Services and Accessibility or Deputy Registrar (Academic Administration and Quality) should consider the substance of the concerns being raised. Depending upon the circumstances, it may be appropriate to have discussions with other staff to ascertain whether there are wider concerns regarding the student in addition to those initially raised. Such conversations should be subject to strict confidentiality standards and cases will only be discussed with those directly involved.

4.2.5. The Head of Student Services and Accessibility or Deputy Registrar (Academic Administration and Quality) should ensure that for all mental health related matters under this policy, the Senior Counsellor is invited in their professional capacity as an expert on mental health.

4.2.6. If the Head of Student Services and Accessibility or Deputy Registrar (Academic Administration and Quality) determine that the concerns are legitimate and that it is not appropriate to deal with them under any other of the Institution's regulations or policies, a member of Registry or Student Services shall be nominated as the main point of contact for the student throughout the remainder of any proceedings under this policy (the "Nominated Officer").

4.3. Concerns raised by students

4.3.1. If a student has a concern about the wellbeing or physical or mental health of another student they are encouraged to raise this concern with the relevant Programme Leader or a member of Student Services, depending upon to whom they feel most comfortable reporting.

4.3.2. Students are advised that raising a concern about another student's fitness to study is a serious matter. Students raising concerns must:

1) Not raise frivolous, vexatious or discriminatory concerns against another student; and
2) Keep all matters relating to the concern confidential and not discuss the matter with other students.

4.3.3. Any breach of the above may lead to disciplinary proceedings.

4.4. Criminal Offences

4.4.1. Where the actions of a student could constitute a criminal offence and the student has been charged by the police, the Head of Student Services and Accessibility or Deputy Registrar (Academic Administration and Quality) should be informed and will determine whether these procedures be activated.

4.5. Discrimination and Bias

4.5.1. Trinity Laban believes in the principles of social justice, acknowledges that discrimination affects people adversely, and is committed to challenging all forms of inequality. To meet this objective, all students and staff are required to read and adhere to the institution's comprehensive Equality and Diversity Policy. Additionally, all staff and undergraduate students undergo Equality and Diversity training on joining the institution.

4.5.2. All students and staff involved in circumstances which fall under this policy and procedure shall be aware of the need to embrace and tolerate diversity. It may be that cultural or other differences lead to unconscious or indirect bias leading to discriminatory decisions therefore all involved should be aware of this possibility and guard against it.

4.6. Informal Stage

Initial Meeting

4.6.1. The Nominated Officer will arrange a confidential meeting with the student to discuss the concerns which have been raised. At the time of arranging the meeting, the Nominated Officer will inform the student of the time, date and place of the meeting and that:

a) the meeting is being held in order to discuss the student's Fitness to Study;
b) this Policy and Procedures will apply (and will include a web link to them);
c) that the meeting is being held at the Informal stage; and
d) the student may be accompanied by a friend or family member or a member of the Students' Union provided that they are not acting as a legal representative.

4.6.2. The Head of Student Services and Accessibility or Deputy Registrar (Academic Administration and Quality) may, as appropriate and at their absolute discretion, arrange for the attendance of a maximum of two further persons at the Initial Meeting taken from the following list:

1) Academic or Personal Tutor;
2) Programme Leader;
3) Head of Department (Music)
4) Any member of Student Services;
5) Head of Counselling;
6) Registrar; and/or
7) Any other appropriate person

Purpose of the meeting

4.6.3. The meeting is a chance for the Institution to express its precise concerns to the student; to listen to the student's views on those concerns; and to find an outcome

which is acceptable to both parties and which ensures that those concerns and any risks arising from them are mitigated sufficiently.

4.6.4. It is important that the student is clear that these procedures are designed to support them and ensure that they are fit to study.

4.6.5. The Head of Student Services and Accessibility or Deputy Registrar (Academic Administration and Quality) will:

- Express to the student clearly the concerns which have been raised;
- Outline the rules and regulations upon which the concerns impact and remind the student of their personal responsibilities;
- Seek the student's views on those concerns and discuss with them an appropriate course of action which helps the student; and
- Inform the student of other sources of help and advice which may benefit them.

Possible Outcomes

4.6.6. There are a number of possible outcomes to the meeting:

1) It is decided that no action is necessary;
2) An adjournment is required to enable the student and/or Conservatoire to seek or provide further evidence including medical evidence;
3) A provisional decision is made subject to the student presenting evidence of the fitness to study;
4) An Action Plan or Personal Study Plan is agreed with the student;
5) A Mediation is agreed with the student;
6) The student agrees to an Interruption of Studies;
7) The student does not agree to an Action Plan, Personal Study Plan, or Interruption of Studies and the matter is referred to the Fitness to Study Panel or an Emergency Panel.

Mediation

4.6.7. Where it is agreed that a Mediation would be of benefit to the student and to the person/s raising the concerns, the Nominated Officer will arrange for a member of staff with appropriate training to facilitate the mediation.

4.6.8. Following a Mediation, it may become apparent that the concerns have been successfully addressed and that no further action is required. In such circumstances, the Institution expects that the student is fit to study without supervision. Alternatively, where concerns remain current, all possible outcomes at this stage are available.

Action Plan or Personal Study Plan

4.6.9. Where an Action Plan or Personal Study Plan is agreed, the Nominated Officer will agree a review period with the student which will enable them to meet their responsibilities. The student will be informed that any failure to meet the terms of the Action Plan or Personal Study Plan could lead to an escalation to a different stage of the procedures. At the end of the review period, the Nominated Officer will schedule a Review Meeting.

4.6.10. Each Action Plan or Personal Study Plan will be individually crafted to fit the requirements of the specific case.

Review Meeting

4.6.11. The purpose of the Review Meeting will be to:

- Review the student's adherence to the Action Plan or Personal Study Plan and assess its effectiveness;
- Discuss any further concerns which may have arisen;
- Discuss future and ongoing support needed; and
- Agree any further action required.

4.6.12. The Review Meeting may be conducted by the Head of Student Services and Accessibility or Deputy Registrar (Academic Administration and Quality) either alone or with the attendance of any person involved in the Initial Meeting.

4.6.13. Following a Review Meeting, it may become apparent that the concerns have been successfully addressed and that no further action is required. In such circumstances, the Institution expects that the student is fit to study without supervision. Alternatively, where concerns remain current, all possible outcomes at this stage are available.

4.7. Fitness to Study Panel

4.7.1. It will be appropriate to convene a Fitness to Study Panel ("FTS Panel") in the following circumstances:

1) Where these procedures have been followed at the Informal stage and either:
   a) no agreement as to an Action Plan or Personal Study Plan could be reached with the student and a recommendation is made that an FTS Panel is formed;
   b) an Action Plan or Personal Study Plan has been agreed but, following a review or an emergency, the student's adherence has not been sufficient to mitigate the concerns; or
   c) An Action Plan or Personal Study Plan has been agreed but the situation has markedly deteriorated raising fresh concerns of a serious nature.

2) The Head of Student Services and Accessibility or Deputy Registrar (Academic Administration and Quality) have assessed the concerns raised and decided that the options available at the Informal stage are not sufficient and/or the matter is urgent enough to warrant convening a FTS Panel immediately.

3) The Mitigating Circumstances Panel has received a mitigating circumstances claim of a serious nature, or several claims from the same student and judges the situation to be too serious to address through the extension or deferral of assessments, or the condoning of absences.

Membership

4.7.2. Membership of an FTS Panel shall include:

- Registrar and Director of Academic Services or their nominee (in the Chair);

- Programme Leader and/or the Director of Faculty (or Dean of Dance/Assistant Director as appropriate);
- The Head of Student Services and Accessibility;
- the Disability Co-ordinator;
- The Deputy Registrar (Academic Administration and Quality) (if involved at an early stage); and
- the Senior Counsellor.

4.7.3. The Chair may call upon other members of staff or external specialists to attend and provide evidence to the FTS Panel.

4.7.4. The Registry's nominee shall act as secretary to the FTS Panel.

FTS Panel: Invitation

4.7.5. The student should have at least ten working days written notice of the date of the meeting.

4.7.6. The Nominated Officer will send notification of a hearing by email or if the student prefers, to the term-time address on the student's record. The invitation may be made or sent using any other method or format in the event that this is required as a reasonable adjustment for a disabled student.

4.7.7. The FTS Panel will not be invalidated because of the absences of the student from any hearing at any stage as long as reasonable action has been taken to notify the student.

4.7.8. The letter of notification will include a list of the concerns and a copy of the Fitness to Study Policy and Procedures. The letter will also include details of the time, date and place of the meeting and:

a) that it is a meeting of a formal FTS Panel;
b) that the student may be accompanied by a friend or family member or member of the Students' Union provided that more than two days' notice is provided and provided that they are not acting as a legal representative; and
c) a list of people who it is known will be attending the FTS Panel on behalf of the Institution.

4.7.9. Documentary evidence may be presented at the discretion of the chair; such evidence must be submitted in advance of the meeting within a deadline set by the chair and must be independent, third party evidence, with copies normally circulated to members of the panel and all parties at least five working days before the hearing. Evidence submitted beyond the deadline will only be admitted with the permission of the chair.

4.7.10. A student with a disability may be accompanied by an additional support worker who is there to assist them with engaging in the process.

4.7.11. Where the student has chosen to attend the meeting and is prevented from attending for substantial and demonstrable good reason, the Chair and the Secretary of the Panel may use discretion to rearrange the meeting. The absence of the student from

the hearing does not invalidate the proceedings, where the panel has good reason to decide that the student has been given a fair opportunity to attend. The panel may take into account whether the student gave reasonable notice of their inability to attend the hearing.

FTS Panel: Conduct

4.7.12. The FTS Panel will have discretion to regulate its own operation, aiming for a fair, reasonable and timely investigation which takes into account that this policy is designed primarily to assist students as far as possible to ensure that they can safely continue with their learning experience.

- The Chair will express to the student clearly the concerns which have been raised;
- The Chair will outline the Institutional rules and regulations upon which the concerns impact and remind the student of their personal responsibilities towards the Institution and their fellow students;
- The FTS Panel may seek the student's views on those concerns and discuss with them an appropriate course of action to help the student;
- The FTS Panel may ask questions of the student and/or any other individual called to present information and/or evidence;
- The student and/or their friend, will answer questions;
- The student and/or their friend may ask questions of any other individual called to present information and evidence;
- The FTS Panel will be entitled to reach a reasonable inference should the student or friend decline to answer a question;
- The panel may set reasonable time limits for presentations;
- The FTS Panel will deliberate in private;
- The Chair will present the conclusions and recommendations of the panel, or advise the student that these will be forwarded to the student in writing normally within five working days of the hearing; and
- Inform the student of other sources of help and advice which may benefit them.

FTS Panel: Possible Outcomes

4.7.13. Outcomes available to the FTS Panel include the following:

1) No action is required and the student is considered fit to study;
2) An adjournment is required to enable the student and/or the Institution to seek or provide further evidence including medical evidence;
3) An Action Plan or Personal Study Plan may be agreed with or imposed upon the student with the consequences of failing to adhere to it fully explained to the student;
4) A temporary Interruption of Studies may be agreed on or imposed upon the student;
5) In extreme circumstances, it may be decided that the student be required to withdraw from their programme.

Action Plan

4.7.14. Where an Action Plan is agreed, the FTS Panel will either agree or impose a review period with the student which will enable them to meet their responsibilities. The

student will be informed that any failure to meet the terms of the Action Plan could lead to an imposed Interruption of Studies or, in extreme cases, the student may be required to withdraw from their programme.

4.7.15. Each Action Plan will be individually crafted to fit the requirements of the specific case.

4.7.16. The FTS Panel will nominate a panel member to monitor the Action Plan.

Review Meeting: FTS Panel

4.7.17. The purpose of the Review Meeting will be to:

- Review the student's adherence to the Action Plan or Personal Study Plan and assess its effectiveness;
- Discuss any further concerns which may have arisen;
- Discuss future and ongoing support needed; and
- Agree any further action required.

4.7.18. Following a Review Meeting, it may become apparent that the concerns have been successfully addressed and that no further action is required. In such circumstances, the Institution expects that the student is fit to study without supervision. Alternatively, where concerns persist, all possible outcomes at this stage are available.

Interruption of Studies

4.7.19. The FTS Panel may decide that an Interruption of Studies is in the interests of both the student and the Institution.

4.7.20. An Interruption of Studies can be either agreed or imposed upon a student for a period normally no longer than 12 months. Interruption of Studies can be made in either two categories:

1) Non-exclusionary: the student may not attend their classes but may enter the campus and make use of the Institution's student services; or
2) Exclusionary: the student may not attend their classes and may not enter the campus. Where a student wishes to enter the campus to make use of any student services this must be arranged by prior agreement.

4.7.21. The period of any individual Interruption of Studies made under the terms of this policy will be individual to the specific circumstances relating to the decision.

4.7.22. In the event that the FTS Panel decides to impose an Interruption of Studies on a student, a Review Meeting will be held no earlier than two months prior to the expiry of the period of interruption. This Review Meeting will make clear the circumstances in which the student would be allowed to return. This may include, for example, any or all of the following:

1) Medical evidence showing that the student is undergoing suitable treatment to manage any physical or mental condition;
2) Suggested attendance at a programme of counselling within the Institution;
3) An Action Plan and/or risk assessment;
4) A Personal Study Plan;

5) Return from Interruption of Studies audition; and/or
6) Enter into a buddy system.

4.7.23. Where a student breaches any obligation placed upon them under these Procedures, this matter may be relevant to any subsequent action/decision of an FTS Panel.

4.7.24. Where the student is returning to studies following the completion of a criminal sentence, the Institution may require contact with the student's probation officer and details of probation requirements.

Requirement to Withdraw

4.7.25. In exceptional circumstances, the FTS Panel may decide that there is no reasonable likelihood of an individual student being assessed as being fit to study and/or the risks posed by allowing the student to continue with their studies are too great to allow the continuation.

4.7.26. In such circumstances, the FTS Panel will recommend to the Principal that the student be required to withdraw from their programme.

4.7.27. The Principal will decide whether to approve the recommendation of the FTS Panel for the expulsion of a student. Where the Principal does not approve the recommendation of the FTS Panel, the student will provide detailed reasons and return the matter to the FTS Panel for reconsideration.

4.8. Emergency Panel

4.8.1. An Emergency Panel should only be formed when the circumstances are:

- Urgent; and
- The student presents a high risk of danger to either themselves or to others

4.8.2. The purpose of an Emergency Panel is to decide whether the situation warrants the student being immediately excluded from the Institution's premises and/or any place of work or performance relating to the student's programme of studies pending review by a full FTS Panel. It shall be the responsibility of the Nominated Officer to ensure that any place of work or performance relating to the student's programme of studies is informed not to allow access for the period of exclusion.

Membership

4.8.3. The Membership will consist of the following:

- Registrar and Director of Academic Services or their nominee (in the Chair)
- the Head of Student Services and Accessibility or Disability Co-ordinator;
- the Director of Faculty or Programme Leader; and
- the Senior Counsellor

4.8.4. The Registry's nominee will act as secretary to the Emergency Panel.

Procedure

4.8.5. The Emergency Panel may consider whatever information or documentation it considers appropriate and relevant to the decision.

4.8.6. It may be held without notice to the individual student concerned and there is no requirement that the student be invited or provide any representations.

Possible Outcomes

4.8.7. The Emergency Panel may decide only the following:

1) Not to exclude the student temporarily but to convene a full Fitness to Study Panel;
2) To exclude the student temporarily for a period normally no longer than 4 weeks and to convene a full Fitness to Study Panel prior to the expiry of that period.

4.8.8. Any exclusion must be a proportionate response to the urgency and level of risk posed by the student and/or the student's behaviour.

4.8.9. The Emergency Panel may extend the period of exclusion in circumstances where police investigations or action are ongoing.

Right to Appeal

4.8.10. Students may ask for a review of the decision made by the FTS Panel either to:

- impose an Interruption of Studies; or
- require a student to withdraw from their studies.

4.8.11. Students may not appeal against a decision of the Emergency FTS Panel to impose an Interruption of Studies.

4.8.12. A Request for Review may only be based on one or more of the following grounds:

1) there is significant new evidence, which was unavailable at the previous stage;
2) a claim that the procedure has not been implemented properly;
3) a challenge to findings of fact.

4.8.13. A request for a review must be made in writing using the standard form (available from the Registry or the Students' Union or on Moodle) within ten working days from the date of the letter confirming the outcome of the FTS Panel. The completed request for review form should be returned to the Registry. The Director of Operations and Business Enterprise will then review the case, ensuring that the matter meets the criteria for an appeal and, if so, that it is referred to a board hearing. This decision will be relayed to the student within five working days of receipt of the request for review. Where the Director of Operations and Business Enterprise is on leave at the time the student makes the request for review, the Nominated Officer should be alerted who will make alternative arrangements.

4.8.14. For cases that are confirmed to meet the criteria, the Director of Operations and Business Enterprise will arrange a panel to hear the appeal, including:

1) an independent governor as chair;
2) two members of staff who were not involved in the FTS Panel; and
3) one representative of the Students' Union

4.8.15. The panel will, whenever possible, meet within twenty working days (excluding vacations) of the date of the review decision. Please note that, due to the availability of independent governors and staff members, it may take longer than anticipated to organise a panel. The timescale may also have to be extended during vacation periods. The student will be informed of any extension to the deadline and the reasons for such an extension, as early as possible, but we shall take all reasonable steps to resolve cases with the minimum delay. The panel will communicate its conclusions to the student and the department within ten working days of the meeting, through the Director of Operations and Business Enterprise or a nominee. The Director of Operations and Business Enterprise or a nominee will keep all parties informed of progress and will explain reasons for any necessary extension of the timescale.

4.9. The Office of the Independent Adjudicator for Higher Education (OIA)

4.9.1. The office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme which can review the outcome of fitness to study procedures. Trinity Laban is a member of this scheme. If you are unhappy with the outcome you may be able to ask the OIA to review the outcome of the fitness to study procedure. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right here: https://www.oiahe.org.uk/students (/students/).

4.9.2. You normally need to have completed our Fitness to Study Procedures before you complain to the OIA. We will send you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. We will issue you with a Completion of Procedures Letter automatically once we have reached the end of our processes. You can find more information about Completion of procedures Letter and when you should expect to receive one here: https://www.oiahe.org.uk/providers/completion-of-procedures-letters (/providers/completion-of-procedures-letters/)

4.9.3. Complaints must be sent to the OIA within twelve months of the date of the Completion of Procedures letter.

4.10. Nominees

4.10.1. Where appropriate, office holders mentioned in this document may be replaced by their nominees.

4.11. Records

4.11.1. Records and minutes of meetings, decisions and appeals will be made and retained in accordance with the Institution's data retention policy.

4.12. Publication

4.12.1. This Policy and Procedures will be published within the Academic Quality Handbook and made available online.

Appendix A: Procedure Flow-chart