

Student Non-Academic Misconduct and Disciplinary Policy

(This can be read in conjunction with the *Guidance for Hearings of the Misconduct Conduct Panels and Appeal Panels*)

1. What is good conduct and misconduct

- i. The National Centre *Code of Conduct* sets out the professional behaviours we expect of every student.
- ii. Non-academic misconduct is an unacceptable action that you take:
 - **Towards other people:** examples include behaviours that negatively affect the working environment of others; violent, threatening, abusive or anti-social behaviour or language; physical misconduct; sexual misconduct; harassment; bullying; victimisation; making malicious complaints; breach of the National Centre Equality and Diversity Policy; hate crimes; distributing or publishing information that is offensive, threatening or illegal.
 - **Towards the National Centre or its community:** examples include damage to National Centre property; unauthorised use of National Centre property including IT networks; taking property that does not belong to you; creating an obstruction that prevents a person or the National Centre to operate normally; causing a potential or actual health and safety concern; fraud or deception; causing unreasonable reputational damage to the National Centre or a member of the National Centre; failure to comply with a reasonable instruction from any member of National Centre staff; failure to comply with a sanction issued for previous misconduct, including informal warnings about your conduct.
 - **That is not in accordance with UK law:** either on or off National Centre premises.
 - **That is not in accordance with all relevant National Centre or University of Kent policies.**
- iii. You are a representative of National Centre at all times and this Policy applies to activities which are in-person, online, on National Centre premises and off-site including in your own time.
- iv. We require you to read all policies relating to good conduct as well as this policy on misconduct. If you are unclear about our expectations of good conduct or what we mean by misconduct, please talk to the Student Support Manager or Admissions Manager.
- v. We will investigate any reports of misconduct through the process provided in Section 4. All reports of misconduct will be considered 'alleged' until we have investigated the report and have the relevant evidence to determine an outcome. More information about how we make that assessment is provided in Section 10.
- vi. A penalty will normally apply through the student disciplinary process where the investigation shows evidence of misconduct. More information about penalties is provided in Section 10.

- vii. We will apply this Policy in accordance with the Equality Act 2010, including our duty to make reasonable adjustments where necessary.

2. Support

- i. We strongly encourage any student or member of staff to report to us any alleged misconduct, harassment or related behaviours, even if they have a doubt about doing so. It is our role to provide support to individuals and/or offer advice on next steps.
- ii. We recognise that matters relating to misconduct can be challenging. Confidential support will therefore be assigned to you if:
 - You have been subject to alleged misconduct by another student
 - You are reporting the alleged misconduct of another student
 - An allegation of misconduct has been made against you
 - You have witnessed alleged misconduct or are affected in any way
- iii. The National Centre will ensure that different members of staff are supporting (i) the student who has been the subject of alleged misconduct and (ii) the student who has had an allegation of misconduct made against them. Support will be provided to you throughout the reporting and investigation process.
- iv. It is important to seek further support if the situation is impacting negatively on your wellbeing or mental health.

3. Scope of our role

- i. Our role in responding to an allegation of misconduct is to:
 - Provide support to the student who has suffered the misconduct to which the allegation relates
 - Provide advice on options available to a student reporting an allegation
 - Investigate an allegation where a formal report has been made and where there are sufficient grounds and evidence for us to do so
 - Manage the process fairly, transparently and in a timely way
 - Provide the opportunity to appeal a decision
 - Provide information to the police or other authority where relevant
- ii. We consider the outcome of investigations on the balance of probability, more information about which is provided in Section 9. We do not have the legal investigatory powers of the Police or Criminal Prosecution Service and cannot determine criminal guilt. Our investigations are limited to whether an individual/s has engaged in misconduct of the type set out in this Policy or related policies.

4. Reporting or disclosing alleged misconduct

- i. Alleged misconduct of a student may be reported by:
 - Another National Centre student
 - A member of National Centre staff
 - A visitor to the National Centre community
 - A person external to National Centre where your behaviour impacts on them, the reputation of the National Centre and/or could harm members of the public and/or of the National Centre community.
- ii. If you are not sure if the alleged actions meet the definition of misconduct, we encourage you to talk to the Student Support Manager or Admissions Manager to get advice.
- iii. We fully recognise that reporting an allegation of misconduct is not always easy and we offer alternative ways of you being able to do so:
 - **Talk to a member of staff** with whom you feel comfortable. They will take your disclosure seriously and will offer practical advice on the actions you could take. If you do not want to talk to a member of staff, you can alternatively contact them in writing by email or Teams. Support is available to you even if you choose not to take the report further.
 - **Submit a formal report:** where you wish the National Centre to investigate the incident/s and you can do this by submitting it to the Head of Higher Education.
- iv. More information about choosing to make a report to the police - in addition to or instead of making a report to us - is provided in Section 17.
- v. The National Centre recognises that some may not wish to be named when they submit a report, especially in cases of sexual misconduct or harassment. However, this may prevent us from being able to investigate them fully.
- vi. Where anonymous allegations are made, the Head of Higher Education will investigate the report and consideration will be given as to whether there are grounds for the report to be progressed to a further stage of the process, though there may be limitations to possible actions that could be taken.

5. Timescale for reporting alleged misconduct

- i. Formal reports of alleged misconduct should normally be made as soon after the incident as possible so that we can support you and swiftly investigate the incident.
- ii. We understand that in some circumstances you may not be able to formally report the allegation within that timescale, for example, where the incident has had a significant impact on you. Wherever possible, we will still proceed with the investigation where you wish us to do so. The Sexual Misconduct, Harassment or Related Behaviours Policy provides more information about timescales for reporting those types of allegations.

6. Right to choose action, or withdraw an allegation

- i. You have the right to:
 - **Change your mind** and ask for action to be taken following an initial decision to ask for no action to be taken. We will ask you to confirm your decision in writing.
 - **Withdraw** an allegation at any time in the process and without reason should you choose to do so. Again, we will ask you to confirm your decision in writing.
- ii. Where you have made a report and wish for no action to be taken, the National Centre may still have an obligation to act where there is a safeguarding or other significant risk that needs to be addressed. We will talk to you about our position in these circumstances.

7. Acknowledging a formal report

- i. The formal report will be received by the Head of Higher Education who will review the information.
- ii. We will take two initial steps to:
 - Assess if the nature of the alleged misconduct or behaviour suggests a potential risk to any individuals in the National Centre community (including to the student against whom the allegation has been made). Where we identify a risk, we will establish appropriate temporary precautionary measures to manage that situation. More information is provided in Section 15.
 - Assess if the nature of the alleged misconduct or behaviour is also a potential criminal matter. More information is provided in Section 17.
- iii. Within five working days of receiving the formal report, we will in writing:
 - Provide an acknowledgement to the person making the report.
 - Notify the student about whom the misconduct report is being made, including what the allegation is and how it will be considered under this Policy.
 - Provide information to both individuals about support available to them.
 - Confirm the need for confidentiality to enable a fair process.
 - Where relevant, confirm any temporary precautionary measures being put in place (see Section 17).
 - Confirm next steps
- iv. If an allegation has been made against you and you know that you engaged in misconduct and wish to share that fact before an investigation starts, you should inform the Head of Higher Education. Where your account aligns with the allegation that has been made, this will be recorded in writing by National Centre, and the Head of Higher Education will then determine a penalty. The student or other person reporting the misconduct and/or who was the subject of the misconduct, will be informed of the outcome.

- v. If there are differences in the account of the student alleged to have engaged in the misconduct with the student or person reporting the misconduct and/or who was the subject of the misconduct, an investigation will go ahead.

8. Investigation

- i. The Head of Higher Education will appoint an investigator who will normally be a member of National Centre staff. It may be necessary for the National Centre to appoint an investigator from outside the National Centre. National Centre will provide the name of the investigator to any person they are due to meet. Where an investigator is appointed from outside National Centre, information about their background and relevant experience will also be provided.
- ii. The investigation meetings may be held in person or online.
- iii. The student or any other person invited to meet the investigator may be accompanied by a friend or family member and should inform National Centre in advance if they plan to do so. Section 12 provides more information about this process.
- iv. The investigator will normally invite the student or other person who made the misconduct report to meet with them to discuss the allegations and to make sure there is a full account. This meeting will normally take place within 10 working days of the acknowledgement of the report.
- v. The investigator will normally invite the student the allegation has been made against to meet with them so that they can give their account and respond to the allegations but this is not mandatory if the investigator feels that the evidence is clear enough to suggest misconduct in very serious cases. This meeting will normally take place within 10 working days of the acknowledgement of the report. Prior to the meeting, the National Centre will ensure that the student is provided with full information about the allegation that has been gathered to date so that they have a fair opportunity to respond.
- vi. If the alleged misconduct would, if found to have occurred, be referred to a disciplinary panel in accordance with paragraph 10(iii), and the investigator considers it appropriate (for example, in view of the amount and nature of the evidence presented) the investigator may decide that the matter should be referred to a disciplinary panel without completing the investigation.
- vii. The investigator may need to meet with one or both students again if matters arise in one meeting that needs discussing with the other student. The purpose of that action is to ensure a fair and full process.
- viii. The investigator may also meet with any witnesses to the alleged misconduct and/or gather other evidence that is relevant to the allegation.
- ix. In cases where more than one student is alleged to have engaged in misconduct, the investigator will meet each student separately.
- x. If a student or any other individual meeting the investigator cannot attend at the agreed time and the investigator feels there is good reason for it, the meeting will be rescheduled.

- xi. Any student or other relevant person invited to meet the investigator has the right not to attend the meeting or provide any further information. The outcome of the investigation will be based upon the information that was made available to the investigator.
- xii. Any individual who meets with the investigator will have the opportunity to see the notes from that meeting to ensure they are an accurate record. A period of three working days will normally be provided for the investigator to receive a response. If the investigator does not receive a response in that timeframe without good reason, they will take the notes as an accurate record. Where the investigator does not receive a response, they will include that fact in their report.
- xiii. The investigation process, including the production of a report, will normally be completed within five working days of the last investigation meeting being held. This timescale may need to be extended if a case is complex, for example, if the investigator needs to meet with a significant number of people or if meetings with students need to be rescheduled. The reporting student/other individual and the student against whom the allegation has been made will be informed if the timescale is extended as well as the reason why.

9. Determining an outcome

- i. We determine the outcome of a misconduct allegation on the balance of probability standard of proof. This means that for us to uphold an allegation of misconduct, we need to have sufficient evidence that either misconduct occurred or is more likely than not to have occurred. More information about this type of assessment, and how it differs from a criminal investigation, is available on the website of the [Office of the Independent Adjudicator for Higher Education](#).
- ii. The outcome from an investigation report can be that either:
 - No further action will be taken as there is not enough evidence to show on the balance of probability and standard of proof that the misconduct took place.
 - Or
 - There is sufficient evidence to show on the balance of probability standard of proof – or through admission by the student about which the allegation was made – that minor or major misconduct took place.
 - Or
 - Exceptionally, further information is required to complete the investigation, in which case a further investigation will be carried out in accordance with section 8.
- iii. The student about whom the allegation was made, and the student or other individual who reported the misconduct will receive a copy of the report and the outcome.

10. Student Disciplinary Process

- i. Misconduct may be minor or major and further information about misconduct types are provided in Section 19.

- ii. For most cases of **minor** misconduct, the Head of Higher Education will determine an appropriate penalty. They will meet with the student to confirm the penalty and the reasons that penalty has been selected. This information will also be confirmed in writing after the meeting. A student has the right of appeal against the decision, and more information is provided in Section 11.
- iii. For cases of **major** misconduct, and cases of repeated or numerous minor misconducts, or where there is a complex case of minor misconduct which requires more than one person to judge whether alleged misconduct took place or to decide on the appropriate penalty, a non-academic misconduct disciplinary panel will be formed of three staff one of which will act as Chair. All panel members will have no direct day-to-day involvement with the student's programme and will not have been involved in earlier stages of the process. The panel will also include a fourth member acting as secretary.
- iv. The student alleged to have engaged in misconduct will be invited to meet the student disciplinary panel. The panel meeting will normally be held within 15 working days of the student receiving the investigation outcome. The National Centre will provide at least five working days' notice of the meeting date and time and will include information about the panel membership. Those attending may choose to be accompanied by a friend or family member and you should inform National Centre in advance if you plan to do so. Section 12 provides more information about this process.
- v. If the student cannot attend at the agreed time and the Chair feels there is good reason for it, the meeting will be rescheduled.
- vi. The student has the right not to attend the meeting or provide any further information. The meeting will go ahead, and the outcome will be based upon the information the panel has to make its decision.
- vii. The panel will normally be made up of senior member of National Centre staff but may include members from outside National Centre who have relevant experience. The National Centre will draw in external panel members where we do not have sufficient internal capacity and/or independence from within National Centre.
- viii. The purpose of the panel is to:
 - Review the investigation report
 - Meet with the investigator to discuss the report if necessary
 - Meet with the student to discuss the report findings
 - Consider the student's response as well as any mitigating circumstances or witnesses they choose to call (written responses and details of any witnesses must be provided 48 hours in advance)
 - Call witnesses
 - Take expert advice from any other relevant individuals
 - Meet privately to agree the outcome and any penalty
- ix. The student will be informed of the outcome, including any penalty to be imposed and the reason for it within five working days of the meeting. The outcome can be shared with a student in-person but must always be confirmed formally in writing. The student or other person who reported the misconduct will be informed of the disciplinary action that has been taken.

- x. The National Centre will keep a record of any student disciplinary panel meeting.

11. Appeals

- i. A student may appeal a decision from the student disciplinary process on the following grounds:
 - A procedural irregularity
 - Evidence of bias or prejudice within management of the process
 - Unreasonable outcome and/or disproportionate penalty
 - New evidence that you can demonstrate for good reason was not available when the process took place, and that this evidence is sufficient for there to be a possibility that the outcome could have been different had it been available.

- ii. It will not be possible to appeal the decision on any other grounds.

- iii. A student can make an appeal within 15 working days of receiving the outcome of the disciplinary process. Information about how to appeal will be provided with that outcome. The National Centre may extend the deadline for submitting an appeal where there are reasonable grounds to do so, including those covered in the extenuating circumstances policy.

The appeal will be received by the CEO who will along with a member of the Board of Trustees review the case to determine whether the student has advanced valid reasons for the appeal. The CEO may delegate their participation in this decision to an individual who has not been involved in the case to date who may be the COO, an individual with relevant experience external to National Centre, or a further member of the National Centre Board of Trustees.

- iv. A student's appeal submission will be acknowledged by National Centre within five working days of receipt, and you will be informed within a further 15 working days if your appeal meets the grounds for appeal and how that has been determined.
- v. Where it is decided that the student has not advanced valid grounds for appeal, this will complete National Centre's consideration of the matter and in confirming the outcome we will also provide you with information about your right to refer your case to the national Office of the Independent Adjudicator.
- xi. Where it is decided that the student has advanced valid grounds for appeal, we will confirm that we will consider your appeal through an Appeals Panel.
- vi. The Appeals Panel meeting will normally be held within 15 working days of National Centre confirming that you have advanced valid grounds for appeal. We will provide you with at least five working days' notice of the meeting date and time and will include information about the panel membership. You may choose to be accompanied by a friend or family member and should inform National Centre in advance if you plan to do so. Section 12 provides more information about this process.

- vii. If attendance at the agreed time is not possible and the Chair feels there is good reason, the meeting will be rescheduled.
- viii. A student has the right not to attend the meeting or provide any further information. The outcome of the panel will be based upon the information it has to make its decision.
- ix. The Panel members will have no previous involvement with the case and will comprise:
 - A Chair who can be the CEO, a member of the National Centre Board of Trustees or an individual external to National Centre who has relevant Higher Education leadership experience.
 - Two other panel members who will either be senior members of National Centre staff or individuals external to National Centre with relevant Higher Education leadership experience or members of the National Centre Board of Trustees.
- x. The National Centre will ensure that at least one Appeals Panel member is from the National Centre as a member of staff or a member of the National Centre Board of Trustees. The Appeals Panel will be supported by a member of National Centre staff who will act as secretary take a record of the meeting and will advise on process but will not take part in decision-making.
- xi. The remit of that Appeals Panel is to consider the appeal and supporting evidence and agree the action that should be taken. It is not the remit of the Appeals Panel to reinvestigate the case but to consider the grounds for appeal that have been provided. The Appeals Panel will:
 - Review the information provided by the student as well as the minutes of the Non-Academic Misconduct Panel should those not be provided by the student.
 - Meet with Chair of the misconduct panel.
 - Meet with the student to discuss the appeal submission
 - Call witnesses
 - Take expert advice from any other relevant individuals
 - Meet privately to agree an outcome
- xii. The outcome from an Appeal Panel can be to:
 - Overturn some or all the decisions made by the Non-Academic Misconduct Panel and replace them with one or more new decisions.

Or

 - Amend some or all the decisions made by the Non-Academic Misconduct Panel.

Or

 - Confirm that the outcomes from the Non-Academic Misconduct Panel should stand.
- xiii. The appeal panel also has the authority to make recommendations to the National Centre Academic Board about the application of this policy and any amendments that need to be made into the future.

- xiv. The student will be informed of the outcome, and the associated reasons, within five working days of the meeting. The outcome can be shared in-person but must always be confirmed formally in writing. If unhappy with the outcome from the appeal panel, information will be provided about how to refer the case to the national Office of the Independent Adjudicator.
- xv. The National Centre will keep a record of any appeal panel meeting.

12. Support for students attending meetings about misconduct or disciplinary matters

- i. A student can choose to be accompanied by a friend or family member for any meeting connected to the disclosing, reporting, investigating or disciplinary process.
- ii. The student may also request to be accompanied by another student although the Chair of the Appeals Panel may decline this due to consideration for confidentiality and the wider student body.
- iii. The person accompanying you may speak on your behalf or may provide you with moral support. The National Centre would need to see your written consent for another person to represent you (i.e. speak on your behalf) in a meeting.
- iv. Anyone accompanying or representing a student in any part of the process cannot also be a witness to the alleged misconduct.
- v. We recognise that you may choose to seek representation if you are being investigated for alleged major misconduct which could result in you being excluded from the National Centre. We ask you to inform us in advance of a meeting if you plan to be accompanied by legal representation so that we can consider our own position.

13. Confidentiality

- i. We will manage misconduct allegations confidentially. It will be necessary for a limited number of people to know the details of the allegation for it to be investigated.
- ii. These people will include staff who manage the allegation, who undertake the investigation, are named in the allegation, are witnesses to the matters it raises, are part of a panel that considers the allegation or who are asked to review a disciplinary outcome. The National Centre CEO will also be briefed on allegations that may have significant reputational implications.

14. Malicious allegations

- i. Concerns must be raised in good faith to address genuine concerns. Misconduct allegations made against a student solely on malicious grounds, will be considered as a disciplinary matter against the student making that allegation.

15. Temporary Precautionary Measures

- (a) Following a report of alleged major misconduct, and in line with the Emergency Powers Policy, the CEO and Head of Higher Education will undertake a risk assessment to consider if there is an actual or potential risk to:

- Any individuals in the National Centre community (including the responding student) arising from the responding student's alleged behaviour
 - National Centre premises or facilities
 - The overall reputation of the National Centre
 - Members of the public
- (b) This assessment and any subsequent measures we put in place do not pre-determine the outcome of the investigation. They are undertaken to ensure the duty of care to the National Centre community as well as its ongoing operation.
- (c) The outcomes of the risk assessment may result in measures being put in place to mitigate any risk. These measures are temporary and precautionary and may include but are not limited to:
- A non-contact agreement with another member of the National Centre community, and/or
 - Excluding a student from using part or all National Centre premises or facilities and/or
 - Suspending a student from the programme
- (d) The student against which an allegation has been made will be informed in writing of the decision for the measures, the period of time for which they will apply and, where applicable, when they will be reviewed.
- (e) The student reporting the allegation will be informed of any temporary precautionary measures where there is a duty of care to do so.
- (f) The student against which an allegation has been made may appeal a decision to put temporary precautionary measures in place to the CEO.
- (g) Wherever possible, and where there would be no impact on the specific temporary precautionary measures put in place, we will permit the student against whom the allegation has been made to continue with their studies. Where this is not possible (e.g. because they are not permitted to be on National Centre premises), we will consider putting in place a special scheme of study while temporary precautionary measures are in place (e.g. where a student has reasonable access to alternative resources that would enable the learning outcomes to be met).

16. Support to Study

- i. We will consider a student's fitness to study if there is evidence to show that they are potentially not fit to engage with their programme at this time. This may be relevant to the student impacted by the alleged misconduct and/or to the student alleged to have engaged in misconduct.
- ii. We may suspend actions to investigate the alleged misconduct or progress any other part of this Policy if we need to prioritise the Support to Study Policy.

17. Misconduct that is also an actual or potential criminal offence

- i. If the alleged misconduct could constitute a criminal offence against another individual (e.g. student, staff), it will normally be the reporting party's decision as to whether they report the matter to the police. We will provide information and support to the reporting party including

advice about the options available to them, and it is then their choice how they wish to proceed.

- ii. There are some circumstances where we may report an incident to the police even if the reporting party decides not to. This would be where the reported incident causes serious concern about the safety of students, staff, or the public.
- iii. If the alleged misconduct could constitute a criminal offence against the National Centre, we will decide if we will report this matter to the police and/or manage the circumstances through this policy as a non-criminal matter. This decision will be taken by the CEO.
- iv. Where alleged misconduct may also constitute a criminal offence and is reported to the police, the notes taken by the National Centre in meetings with reporting and/or responding students may also be requested by the police to use as part of a criminal investigation.
- v. Where alleged misconduct is reported to the police or where the National Centre receives information that a student has allegedly committed a criminal offence, we will consider the implications of this position in relation to the need for any temporary precautionary measures.
- vi. We will normally suspend this policy while criminal proceedings are in progress. Where a student is acquitted of a criminal offence, we may subsequently progress action if there is evidence that the alleged misconduct was in breach of this policy.
- vii. If a student is convicted of any criminal offence that occurred on or off National Centre premises, we will consider the nature of the offence in relation to their on-going registration us and may take action under the policy.

18. Monitoring of this Policy

- (a) The National Centre Academic Board and Audit Committee will monitor the number and nature of student disciplinary cases and appeals and a report will subsequently be made to the Board of Trustees. Part of this monitoring process will also determine if changes need to be made to this policy or any other related policy to ensure their ongoing effectiveness and/or to align with sector good practice or new regulatory requirements.

Section 19 - Examples of Misconduct and Penalties

These examples are illustrative and does not limit the National Centre in the penalties it may apply on a case-by-case basis.

Misconduct	Examples of behaviour	Defined as minor or major misconduct	Range of possible penalties depending on the severity and impact of the misconduct
Physical misconduct	Pushing, shoving, punching, kicking, slapping, biting	Either, depending on severity and impact.	Apology, warning, suspension, expulsion, conditions of remaining at the National Centre. If the student remains at the National Centre, it may also be recommended that the student seeks support to address their behaviours.
	More excessive misconduct which may also include use of implements or weapons against others.	Major	Suspension, expulsion.
Sexual misconduct	See definitions and examples in the Sexual Misconduct, Harassment and Related Behaviours Policy	Major	Warning, suspension, expulsion, conditions of remaining at the National Centre. If the student remains at the National Centre, it may also be recommended that the student seeks support to address their behaviours.

Misconduct	Examples of behaviour	Defined as minor or major misconduct	Range of possible penalties depending on the severity and impact of the misconduct
Abusive behaviour	Threats to hurt another person Hate crimes Abusive comments relating to an individual's sex, sexual orientation, religion or belief, race, pregnancy/maternity/paternity, marriage/civil partnership, gender reassignment, age, disability Victimisation Bullying Acting in an intimidating or hostile manner Use of inappropriate language Distribution of offensive, threatening or illegal material. Also see Sexual Misconduct, Harassment and Related Behaviours Policy for definition and examples.	Major	Warning, suspension, expulsion, conditions of remaining at the National Centre. If the student remains at the National Centre, it may also be recommended that the student seeks support to address their behaviours.
Failure to comply with a National Centre policy or Code of Conduct	Actions that go against the expectations of good behaviour on site and within the period registered on the course.	Either, depending on severity and impact.	Warning, restrictions/conditions, suspension, expulsion.
Causing a health or safety concern	Action that did cause or could have caused a health and safety concern or incident on National Centre premises	Either, depending on severity and impact.	Warning, restrictions/conditions, suspension, expulsion.
Damage to National Centre property	Causing damage to National Centre property or to the property of students or staff or of visitors to the National Centre.	Either, depending on severity and impact.	Warning, restrictions/conditions, suspension, expulsion. Fine or requirement to pay for the damage caused.

Misconduct	Examples of behaviour	Defined as minor or major misconduct	Range of possible penalties depending on the severity and impact of the misconduct
Unauthorised Taking or use of property	Unauthorised entry to, or unauthorised use, of National Centre premises Taking National Centre property without permission.	Either, depending on severity and impact.	Warning, restrictions/conditions, suspension, expulsion. Return of property or fine to replace property taken.
Deception or fraud	Actions intended to deceive the National Centre.	Major	Warning, restrictions/conditions, suspension, expulsion.
Operational obstruction	Disruptive behaviour that prevents other students, staff or visitors of the National Centre go about their work, or the National Centre operating as normal.	Either, depending on severity and impact.	Warning, restrictions/conditions, suspension, expulsion.
Failure to comply with reasonable instruction	Ignoring the reasonable request of a member of staff in relation to your behaviour towards others or towards National Centre property.	Either, depending on severity and impact.	Warning, restrictions/conditions, suspension
Reputational Damage	Unreasonable behaviour which has caused damage or could have caused damage to the reputation of the National Centre.	Major	Warning, restrictions/conditions, suspension, expulsion.
Failure to comply with a misconduct penalty	Behaviour that does not comply with National Centre sanction	Either, depending on severity and impact.	The next level/s of penalty.
Malicious behaviour	Making an allegation of misconduct which is solely based on malicious grounds. Submitting vexatious complaints to the National Centre	Major	Warning, restrictions/conditions, suspension, expulsion.

Section 20 – Timescales

Process Stage	Timescale
Acknowledgement of receipt of a misconduct allegation by the Head of Higher Education	Within five working days of report being received
Investigation Meeting held with anyone submitting the report and against whom the claim is made	Within 10 workings days acknowledgment of report being sent
Feedback by the subject of any notes taken	Within three working days of notes being sent
Outcome of the investigation communicated with both parties	Five working days after completion of the investigation
Non-Academic Misconduct Panel hearing held	Within 15 working days of investigation outcome
Notice given to attend the panel hearing	No less than five working days
Panel decision communicated with both parties	Within 5 workings days
Appeal submission	Within 15 working days of the panel decision being communicated
Acknowledgement of the appeal having been received	Within five working days
Respondent informed whether appeal requirements have been met	Within 15 days of appeal acknowledgement
Appeal panel hearing held	Within 15 days of confirmation of the appeal meeting the requirements
Appeal panel hearing outcome	Within 5 days of the panel hearing taking place
Notification of anyone accompanying a witness or respondent	No less than 48 hours
Submission of evidence to a misconduct panel or appeal panel	No less than 48 hours
Completion of Procedures Letter sent after either panel hearing	Within 28 days

Last reviewed: Feb 2026

Next Review: Feb 2029

Section 20 – Flowchart

