STUDENT DISCIPLINARY POLICY AND PROCEDURE

	4.1
Effective date	On approval
Date for review	November 2027
Policy owner	Chief Executive
Reference points	
Audience/handling notes	Institutional, Students, External, Public
Dissemination and implementation plan	This Student Disciplinary Policy is an external and public institutional policy which offers guidelines on disciplinary issues relating to students. It is published on the NHAM website and referred to in the student handbook. All NHAM staff will receive training in how to apply this policy and its procedures. They will also be directed to where it is published. The Academy Manager will be responsible for the dissemination of the policy and procedures to academic and support staff through the Governance Committee and to students as part of their induction and student handbook.
Linked Policies, Procedures and Forms	Student Handbook, IT Acceptable Use (Policy, Staff Complaints & Grievances (Policy),Student Complaints & Grievances (Policy), Sexual Misconduct (Policy), Safeguarding (Policy), Equity Diversity & Inclusion (Policy), Prevent, Health & Safety (Policy), Bullying & Harassment (Policy)
Date approved	Pending approval

1 Introduction

The Notting Hill Academy of Music (NHAM) expects all students to uphold the highest standards of personal conduct, in line with the NHAM Student Code of Conduct, Student Charter, and relevant UK legislation. This policy sets out the procedures for managing instances where a student's behaviour or conduct falls below these standards.

The policy applies:

- On NHAM premises.
- At external venues, placements, or events linked to NHAM.
- Online or in any setting where conduct could impact NHAM's community or reputation.

It covers behaviour in both academic and non-academic contexts, and aims to ensure that all students are treated fairly, consistently, and transparently. The Chief Executive is responsible for policy oversight and review. The Academy Manager oversees day-to-day implementation. All staff receive training on the policy and procedures, and students are introduced to it during induction.

2 Purpose

- To protect the wellbeing and safety of all members of the NHAM community.
- To maintain academic integrity and uphold NHAM's values.
- To ensure that allegations of misconduct are addressed promptly, proportionately, and fairly.
- To provide students with a clear process, including rights to representation, appeal, and support.

3 Principles

NHAM applies the following principles in all disciplinary cases:

- Fairness and natural justice – students will be informed of allegations in writing, given the opportunity to respond, and have access to representation.
- Proportionality – sanctions will reflect the seriousness of the misconduct and take into account mitigating and aggravating factors.
- Transparency – processes and potential outcomes are clear and published.
- Equality and accessibility – procedures will be applied consistently, with reasonable adjustments made for students with additional needs.
- Safeguarding – conduct that puts students, staff, or visitors at risk will be prioritised.
- No retaliation – students who raise concerns or act as witnesses in good faith will be protected from detrimental treatment.

4 Definition of Misconduct

Misconduct includes, but is not limited to:

- Disruption or improper interference with NHAM activities.
- Harassment, bullying, or discriminatory behaviour in person or online.
- Violence, threats, or abuse.
- Fraud, deceit, or dishonesty.
- Breach of NHAM policies (including IT Acceptable Use, Safeguarding, Sexual Misconduct, Prevent, and EDI policies).
- Criminal conduct impacting NHAM or its community.
- Damage to property, or misuse of NHAM facilities.
- Academic misconduct (in conjunction with Academic Misconduct Policy).
- Bringing NHAM into disrepute.

Misconduct will be categorised as minor, serious, or gross, with examples provided in the Misconduct Guidance Table (Appendix A).

5 Disciplinary stages

NHAM's process is progressive, but may begin at any stage depending on severity:

1. Informal Resolution / Verbal Warning – for low-level, first-time issues.
2. Stage One: Minor Misconduct – may result in a first written warning and/or support plan.
3. Stage Two: Serious Misconduct – may result in a final written warning and additional sanctions.
4. Stage Three: Gross Misconduct – may result in suspension or permanent exclusion.

6 Suspension

Suspension may be applied immediately in cases of alleged gross misconduct or where the presence of the student poses a risk to safety, wellbeing, or the integrity of an investigation.

- A precautionary suspension is time-limited. Give written reasons, conditions, arrangements for study and assessment, a review date and a route to challenge it.

7 Criminal Offences

Where alleged misconduct may also constitute a criminal offence:

- Consider referral to the police and agree any parallel casework with BIMM as applicable.
- Assess whether to pause disciplinary fact-finding. Review any restrictions while the case is paused.
- Consider relevant findings and give the student a fair opportunity to respond.

8 Representation and Support

- Students may be accompanied at meetings by a friend, parent/guardian, or approved representative.
- Additional advocacy and interpretation support will be offered where required.
- Student Services will be available to advise on the process and available support.

9 Appeals

Students have the right to appeal a disciplinary decision on grounds of:

- Procedural irregularity.
- New evidence not reasonably available earlier.
- Disproportionate outcome.

Appeal within 10 working days. An independent senior reviewer will consider the appeal. The outcome will explain any BIMM review and further external route.

10 Confidentiality

The Governance Committee will monitor disciplinary cases annually to identify trends, ensure consistency, and recommend improvements. Review this policy annually or sooner if required.

11 Student Disciplinary Framework

The disciplinary framework consists of the following stages:

1. Informal / Verbal Warning
2. Stage One – Minor Misconduct
3. Stage Two – Serious Misconduct
4. Stage Three – Gross Misconduct

Informal Procedure

Any member of NHAM staff may address minor issues of misconduct or unsatisfactory academic/work performance directly with a student, making clear:

- The standards expected.
- How the behaviour or performance falls short.
- The potential consequences of continued or repeated misconduct.

Informal warnings are intended to resolve issues quickly and constructively and do not require official documentation. However, staff may be asked to provide evidence of informal warnings if the matter escalates.

Formal Procedure

Where informal action has not led to improvement, or the alleged misconduct is sufficiently serious, the formal disciplinary procedure will be initiated.

Responsibility for conducting and managing the procedure:

- Minor Misconduct: Programme Leader / nominated Lecturer.
- Serious Misconduct: Academy Manager / nominated Lecturer.
- Gross Misconduct: Head of Quality.
- Appeals against Gross Misconduct outcomes: Chief Executive (or nominated member of the Executive who has not been involved in the original decision).

A staff member who identifies, or is made aware of, potential misconduct will raise the matter with the student and record the interaction. Where the issue is, or could be, serious, it must be reported in writing to the relevant decision-maker.

At all formal stages, the following will apply:

- Recording: All outcomes, including warnings, suspensions, and exclusions, will be documented by Student Services, stored securely, and added to the student's electronic record. The student will receive a written copy.
- Action Planning: Outcomes will specify any required actions and timescales for improvement.
- Additional Support: Where appropriate, support may be offered through NHAM services or external agencies.

Stage 1: Minor Misconduct

The Programme Leader will hold a one-to-one meeting with the student to:

- Explain the cause for concern.
- Identify support needs (e.g. Additional Learning Support, financial advice).
- Agree actions and timescales for improvement.

A Student Services representative will record the meeting. Progress will be monitored, with a review meeting within six weeks. Continued failure to meet required standards will result in escalation to Stage 2.

Possible Outcomes:

- No further action.
- Verbal Warning.
- First Written Warning (with possible sanctions, such as restricted participation in events or trips, or loss of course-related privileges).

Stage 2: Serious Misconduct

A Disciplinary Panel will be convened within 10 working days, including:

- Academy Manager (Chair) and an impartial staff member.
- The student may bring a supporter, who is separate from the panel.
- Consider parent or carer involvement for under-18s with the DSL.
- For adults, consider their wishes, support needs and lawful information sharing individually.

Participants will receive at least 3 working days' written notice. The allegation will be presented with supporting evidence, and the student will have the opportunity to respond.

Possible Outcomes:

- No further action.
- First Written Warning.
- Final Written Warning (both with potential sanctions as above).

Stage 3: Gross Misconduct

If a significant risk is identified, NHAM may impose a proportionate, time-limited precaution. Give written reasons, study access arrangements, a review date and the appeal route.

A Disciplinary Panel will be convened within 10 working days, including:

- Chief Executive (Chair), Head of Quality and an impartial staff member.
- The student may bring a supporter, who is separate from the panel.
- Apply the same safeguarding and information-sharing approach as at Stage 2.

Participants will receive at least 5 working days' written notice. Evidence will be presented, and the student will be given the opportunity to respond.

Possible Outcomes:

- No further action.
- First Written Warning.
- Final Written Warning.
- Temporary Exclusion (up to 10 working days).
- Permanent Exclusion (where considered in the best interests of the Academy community).

Note: Students cannot be removed from elected or representative positions without prior consultation and agreement of the Chief Executive.

12 Enforcement, monitoring and review

NHAM expects full compliance with this policy from all students, staff, and relevant third parties. Any refusal or failure to comply with a request or decision made under this policy must be reported to the Chief Executive or the Governance Committee. Appropriate action will be taken to ensure compliance, which may include disciplinary measures or other remedies permitted under NHAM regulations.

Review annually and after relevant legal, OfS or BIMM changes. The review will

ensure that:

- The policy remains accurate, effective, and compliant with the UK Quality Code, OfS conditions of registration, and all applicable laws.
- Feedback, concerns, and recommendations from students, staff, external partners, and relevant professional bodies have been considered and addressed.
- Processes remain proportionate, transparent, and free from unnecessary bureaucracy, while continuing to safeguard the NHAM community.

Appendix A

Category	Examples	Possible Outcomes
Minor Misconduct	Disruptive behaviour, failure to follow reasonable instructions, inappropriate use of mobile devices, minor damage to property	Verbal warning, first written warning, support plan
Serious Misconduct	Repeated minor misconduct, harassment, damage to property, health & safety breaches, misuse of IT systems	Final written warning, restricted access, temporary exclusion
Gross Misconduct	Violence or threats, sexual misconduct, serious criminal offence, major fraud, severe health & safety breach	Suspension, permanent exclusion, police referral

13 Applying the disciplinary procedure

This procedure addresses alleged non-academic misconduct connected with NHAM, including conduct at industry venues, online and off site where it materially affects the NHAM community. Academic assessment misconduct follows Academic Integrity. Health-related concerns may require Fitness to Study, safeguarding and reasonable adjustments. Record why each route applies and coordinate parallel processes.

Give the student the allegation, relevant evidence, possible sanctions, meeting details and the opportunity to respond. Evidence can be submitted in writing. Offer reasonable adjustments, interpretation and a supporter. The supporter is separate from decision-makers. Avoid personal or professional conflicts and use an external trained person where NHAM cannot provide independence.

An impartial investigator establishes relevant facts. A panel assesses whether each allegation is established on the balance of probabilities, with NHAM responsible for establishing the case. Consider the reliability and context of evidence. An admission, silence, distress or an unproven criminal allegation must not replace a reasoned assessment.

Sanctions follow findings and must be proportionate to seriousness, impact, mitigation and relevant previous findings. Explain support and restorative steps where appropriate. Precautionary restrictions require a specific risk assessment, written reasons, study access, review date and an opportunity to challenge. Review within four weeks or sooner if circumstances change.

14 Outcomes appeal and partner oversight

Provide a reasoned outcome normally within five working days after the decision. State the allegation, finding, evidence relied on, sanction, duration, conditions, implementation responsibility and appeal deadline. The final status decision must be within the authority recorded in the BIMM Partner Operations Handbook. Reconcile both student records.

The NHAM appeal deadline remains ten working days for local disciplinary decisions. Grounds include a material procedural irregularity, relevant new evidence unavailable earlier for good reason, a disproportionate sanction, or bias. The independent reviewer can uphold, vary within delegated powers, or remit the matter to a newly constituted panel. Explain further BIMM review and the OIA route when applicable.

An allegation against staff follows the staff procedure with appropriate independence. A student reporting person is told the investigation outcome and actions affecting their safety where lawful and reasonable, with reasons for any limits on information. A complaint about the handling of a report follows Student Complaints. Protect all participants from retaliation.

Coordinate any police investigation without obstructing evidence or making findings of criminal guilt. Consider whether internal fact-finding should pause, review restrictions while paused, and keep both parties informed. Criminal acquittal or no further action does not by itself determine a disciplinary finding.

The case lead maintains restricted records, manages retention and records conflicts, actions and delays. Aim to conclude formal and review stages within 90 calendar days where practicable and explain any extension. Governance receives de-identified reports and checks outcomes for fairness.