



Disciplinary Procedure for Students

Purpose of this Procedure

1. The LSE ('the School') Articles of Association set out its main objectives of education and research. These can be met only if students, staff and visitors can conduct their business in conditions that permit freedom of thought and expression and in which they show respect to one another. The School has put this disciplinary procedure ("the Procedure") in place to maintain such conditions and to protect the School from actions that may harm it or its members.
2. It will be an offence under this Procedure if a student is found to have breached one or more of the School's terms or conditions, policies or procedures, codes, rules or regulations. This list includes, but is not limited to, the School's Conditions of Registration, Discrimination, Harassment and Bullying Policy, Sexual Harassment and Sexual Violence Policy, Ethics Code and Conditions of Use of IT Facilities at LSE.

Status

3. The Secretary's Division is responsible for the content of this Procedure

Application

This Procedure will apply to allegations of misconduct against students of the School. For the avoidance of doubt, this procedure will apply to the following:

1. A registered student is a student that is pursuing a programme of study for which they are receiving teaching and/or supervision, or from which they have an authorised temporary absence that does not require interruption or an extension to the length of their programme of study. This will also include LSE Summer School students.*
2. This Procedure also applies to a student who is on a period of authorised interruption or has been temporarily suspended from their programme of study.
3. This Procedure will not normally apply to students of the School who have been expelled, had

their registration terminated or have withdrawn from the School or to students who have completed their programme of study (whether successfully or unsuccessfully).

4. A local procedure that is specific to an area of the School may be used to resolve some allegations of misconduct. Examples of areas that sometimes use a local procedure are the LSE Residences. It is also important to note that Students may be subject to fitness to study procedures as well as being subject to this disciplinary procedure. Additionally, an allegation of misconduct may have elements of academic and non-academic disciplinary matters. Any misconduct relating to an academic matter is considered by the Academic Regulations Team. The application of a local procedure will not necessarily preclude the use of this Procedure. In such cases, the School will inform the student from the outset which Procedure will be used or considered first.
5. Students who are studying at Partner Universities or at overseas collaborating institutions for a specified period of time will fall under the remit of that institution's disciplinary procedures unless alternative arrangements regarding disciplinary procedures has been agreed. If during this period, misconduct occurs on the School's premises, then the alleged misconduct will be considered under this disciplinary procedure.
6. For the avoidance of doubt, those undertaking any investigation and decision making into alleged misconduct by LSE Summer School Programme students will take into consideration the short length of the LSE Summer School and seek to ensure that where possible, disciplinary matters are addressed and completed within the duration of the Programme.
7. The School and the School's Students' Union have separate disciplinary procedures; the School will use this Procedure to determine whether a student has breached any of its terms or conditions, policies or procedures, rules or regulations; the Students' Union will use its own procedure to determine whether a student has breached the terms of their membership of the Student's Union. This being the case, it is possible for one allegation of a breach of discipline to be considered separately under one or both of these procedures.
8. This Procedure will apply to incidents of alleged misconduct that occur on and off the School's premises (including via social media) where it affects the School's reputation in the local community or more widely or as part of activities organised or authorised by the School (such as placements, field trips, where students are studying at partner organisations/Institutions) and where the alleged victim could be the School itself, a student or employee of the School or others visiting, working or studying at the School as well as members of the Public.
9. The School reserves the right to consider third party allegations and/or historic allegations of serious alleged student misconduct that are raised formally with it and where the School assesses that there may be a continued risk to other members of the LSE community if a matter is not investigated.
10. Deviations from this Procedure will not invalidate any action taken against a student unless the integrity of the process is compromised. The person who is overseeing an investigation at different stages, usually the Secretary or their nominee, a Pro-Director or a Board of Discipline, will decide when and how to deviate from this Procedure, and explain to the affected parties the reason for doing so.

Equality and Diversity

11. Members of staff involved in a potential or actual disciplinary case must give thought to any equality and diversity matters which may be relevant, particularly in relation to the following diversity strands which are referred to in the Equality Act 2010: age, disability (including mental health and wellbeing), race, gender, gender reassignment, pregnancy and maternity, religion or belief and sexual orientation. At different stages of the disciplinary procedure, requests for reasonable adjustments should be made to the Secretary or their nominee, Pro-Director or Board of Discipline (whichever is overseeing an investigation at the time).
12. In some instances, the Secretary or their nominee, Pro-Director or Board of Discipline (whichever is overseeing an investigation at the time) may decide to postpone, interrupt or not pursue a disciplinary case because a key person is, for medical or other reasons, unfit to participate in it. This type of decision must be based on evidence that the Secretary or their nominee, Pro-Director or Board of Discipline considers relevant and adequate. The Secretary or their nominee, Pro-Director or Board of Discipline reserves the right to reject or ask for an independent assessment of evidence if its relevance or adequacy is doubted.

Confidentiality and Data Protection

13. The School will handle disciplinary cases in accordance with its own relevant confidentiality and data protection policies as well as the Data Protection Act 2018 and The General Data Protection Regulation (GDPR) (2016/679). The Student Privacy Notice will also provide further information. Information relating to any disciplinary matter shall be kept confidential and will only be shared with other relevant members of School staff, the Students' Union (in certain cases where the School assesses there is a need to inform them) only for the purposes of dealing with an allegation of misconduct under this disciplinary procedure, a complaint arising out of it and/or implementing any recommendations.
14. The relevant members of School staff, include but are not limited to certain members of the Student Services centre/Academic Registrar's Division, the Security team, the student's Department, Residences, Human Resources (e.g. in cases where the Student is also employed by the School) may also be notified of the outcome of a disciplinary procedure on a need to know basis. The School may also use anonymous data regarding the outcome of disciplinary cases internally for reporting, learning, training and evaluating cases or externally with regulators in the higher education sector.
15. Personal data will not usually be shared with any third party unless the School has express consent to do so. However, there may be instances where the School may have to disclose confidential information to the police without your consent (where in exceptional circumstances the School considers that there is a high risk of continuing harm to a reporting student(s) or others members within the LSE Community or to prevent a further incident which constitutes a criminal offence from occurring), to the civil and criminal courts if requested formally or to the Office of the Independent Adjudicator (OIA).

Criminal Offences

16. Where appropriate, the School will consider referring incidents to the Police, or if necessary, UK Visas and Immigration or the Home Office. Although the School would not ordinarily pursue disciplinary action against a student while they are the subject of a Police investigation, it reserves the right to do so; particularly if a student's registration is due to expire before the conclusion of any criminal proceedings, or the safety of one or more members of the School is at risk. The School's disciplinary procedure is not an alternative to investigations carried out by the Police.

17. Where a student is acquitted of a criminal offence or where the criminal investigation has been dropped, the School may still take action under this disciplinary procedure. If a student is imprisoned, the School may still take action against them, but will need to take into account whether it is possible for a student to continue with their studies and whether disciplinary action is necessary or proportionate.
18. Students should use their best endeavours to keep the School informed of any change of details, and/or progress or change of status regarding their case.

Precautionary Measures

19. The School can take precautionary measures against a student who is alleged to have committed a criminal offence or a breach of discipline at an early stage pending the outcome of criminal and/or disciplinary proceedings. For the avoidance of doubt, the taking of such action does not indicate that the student is guilty of misconduct, it is just a precautionary measure taken whilst a full investigation is carried out and completed.
20. The grounds for initiating precautionary measures may be put in place if they are necessary:
 - To ensure that a full and proper investigation can be carried out by the Police/School and/or;
 - To protect the reporting student or others whilst the allegation is being dealt with as part of a criminal/disciplinary process.
 - In cases which may involve serious harm to the reporting student and/or others within the LSE Community
 - Where a student's mental health is at risk or where the student displays significant distress
 - In issues of a highly sensitive nature
 - Cases involving an ongoing threat of disruption to other students or to the School's activities.
21. In considering what precautionary measures will be taken, the School will consider amongst other factors, the nature of the misconduct committed, the circumstances of the individuals involved, the views of the police and any input from witnesses, precautionary measures can include but is not be limited to:
 - Excluding the student from areas/facilities of the School and /or halls of residence
 - Suspending the student from their studies
 - Suspending the student from attending School events/activities
 - Imposing conditions on the student such as requiring the student to have no contact with the reporting student(s) or certain witnesses and/or requiring the student to move to alternative accommodation.
22. The student will be informed of any decision to suspend them, the period of suspension and the reasoning behind the decision. They will also be informed of what steps the School has taken to ensure that any disruption to their studies is minimised and what support is available to the student. The Student will then be given an opportunity to:
 - Where possible, make representations to the decision-maker before the decision is made. For the avoidance of doubt, this will not be possible in cases of an urgent, sensitive nature and/or where it is perceived that there is a high risk to a reporting student(s) or others within the LSE Community.
 - Appeal the decision within five (5) working days of the date of decision.

- Request a review at any stage if there is a material change in the circumstances of the case.

Precautionary measures that have been imposed will be reviewed monthly and reconsidered as the case progresses. If an appeal is successful, then the School will notify the reporting student of this.

23. If necessary, the School will take steps to prevent any student or member of staff from being victimised as a result of their involvement in a disciplinary matter. This may involve taking disciplinary action against the reported student and/or giving support to a reporting student.

Types of Misconduct

The following list is indicative (but not exhaustive) of the type of offences which would constitute misconduct:

24.1 Engagement in any act that will, or is likely to, disrupt teaching, study, research or administrative work of the School;

24.2 Cause, or threaten to cause, injury to, or endanger the safety of, a member of staff or student of the School, or a visitor to it;

24.3 Dishonest behaviour and/or fraudulent actions, which include submitting incorrect or misleading information to the School;

24.4 Engagement in any form of conduct or communication, including that on social media, that can reasonably be considered to be abusive, bullying or harassment of another student, member of staff, any other member of the School community and/or any visitor to the School as it is defined by the School's Discrimination, Harassment and Bullying Policy and the Sexual Harassment and Sexual Violence Policy;

24.5 Engagement in any act that will, or is likely to, damage or deface property of the School;

24.6 Cause a Health and Safety concern;

24.7 Engagement in any conduct or communication that will, or is likely to, bring the School into disrepute or unjustifiably harm the reputation of a member of it;

24.8 Breach of one or more of the School's terms or conditions, policies or procedures, or rules and regulations, which includes but is not limited to, the Conditions of Registration, the School's Ethics Code and any penalties or measures that have been put in place under the School's disciplinary or any other procedure;

24.9 Commitment of a criminal act and/or a breach of discipline, which may or may not be punished in a court of law, on any premises that the School owns, leases or in any way administers or in relation to an offence committed outside of School premises as part of activities organised or authorised by the School (such as placements and field trips) and where the alleged victim could be the School itself, a student or employee of the School or others visiting, working or studying at the School as well as members of the Public;

24.10 Use of any of the School's facilities improperly and / or breach the Conditions of Use of IT Facilities at the School;

24.11 Use of the School's name or address in a public statement, or business or other venture, without obtaining the permission of the School;

24.12 Use of any of the School's registered trademarks without seeking permission from a relevant person in the School's central administration;

24.13 Recording of a lecture, meeting or other School event, or use of such a recording, without the permission of the lecturer or person or group who organised the event;

24.14 Breach of the Data Protection Act 2018 or the General Data Protection Regulation (GDPR) (2016/679).

Informal Resolution

25. Informal resolutions can be made for minor disciplinary misconduct that takes place and are intended to be flexible with the aim of resolving matters as quickly and amicably as possible, and normally within fifteen (15) working days from the alleged misconduct having been raised. As such, if an individual (s) of the School believes that a student or group of students of the School has acted in a way that warrants investigation under this Procedure they should first consider contacting the Senior School Advocate for Students as soon as they become aware of the alleged misconduct. Any excessive delay may impact on the subsequent consideration of the case.

26. If preferred, a reporting individual may speak to a relevant member of their academic department (e.g. their tutor, or a senior academic or administrator), the School's administration (e.g. The Adviser to Women students), a hall warden or the School's Students' Union Advice Service before an approach is made to the Senior School Advocate for Students to consider an informal resolution. It may be that an issue can be resolved at this local level in a prompt and proportionate way. For the avoidance of doubt, there may not always be a reporting student to trigger the informal resolution as it may be that a disciplinary matter arises from the acts of a student whereby the School may consider disciplinary action, independent of any reporting student. In all cases, disciplinary action will be considered as soon as possible after the event giving rise to the allegation.

27. The Senior School Advocate for Students will decide whether it is reasonable and proportionate to resolve a case informally, and, if so, how. In some cases, the Senior School Advocate for Students may consider mediation or conciliation. If considered appropriate, s/he may refer the case to the Harassment Management Group (where the alleged misconduct involves Harassment and is considered to be high risk) or to the School Secretary to resolve under the formal Resolution stage of this Procedure and/or to ask whether the Police should be alerted to the case.

28. A student will be permitted to bring a silent observer, such as a friend, or an adviser from the Students' Union Advice Service, to any meeting with the School Senior Advocate for Students. Any form of representation on behalf of the student is considered inappropriate unless there are exceptional circumstances, such as it constituting a reasonable adjustment. In these circumstances, once notified of this and if accepted, the Senior School Advocate for Students may permit the observer to actively contribute to the meeting. The Student will be informed of the allegation (s) against them and how their behaviour has breached expected standards and the student will be given a reasonable opportunity to respond to the allegation(s).

29. The Senior School Advocate for Students will consider whether it is necessary to ask a student not to attend part or all of the premises, or use particular facilities, of the School if s/he considers it to be in the interests of one or more of the parties involved in a case, or the wider LSE community, while the informal resolution stage is ongoing. If a student objects to, or fails to cooperate with such a request, the Senior School Advocate for Students will consider referring the case to the School Secretary under the formal stage of this Procedure.

30. The Senior School Advocate for Students will produce a report confirming the action/s taken to resolve a case informally and the outcome (including possible penalty as outlined in Appendix C), and will disclose a copy of this report to the student/s and/or member/s of staff directly involved in the case as well as to the reporting individual where applicable.
31. The Senior School Advocate for Students' report, either in full or any aspect of it, will not be recorded on a student's file, though it may be considered in any subsequent investigation under the formal stage of this Procedure or if there are any further disciplinary allegations against the Student.
32. If the reported student fails to co-operate in an attempt at informal resolution, this may be considered as grounds for initiating the formal stage of this Procedure and may also be taken into account as part of the formal investigation.
33. If it is concluded that the student's behaviour was misconduct, then the Student will have the right to appeal to a Member of the School's Management Committee or their nominee within ten (10) working days (five (5) working days for summer school students) of receiving this outcome.
34. An Appeal must normally be made on one or more of the following grounds:
- 34.1. A significant procedural flaw or irregularity that compromised the fairness of the process;
 - 34.2. New material evidence, which must be supported by an explanation of why it is being submitted at this late stage; and
 - 34.3. An outcome being unreasonable or disproportionate.
 - 34.4. That there is bias or a reasonable perception of bias during the procedure
35. The relevant member of the School's Management Committee or their Nominee (which may include but is not limited to an LSE Service leader) will normally complete his/her paper-based review within twenty-one (21) working days of receiving the Appeal. In determining an appeal of a decision by the Senior School Advocate for Students, they may confirm, amend or dismiss the decision/penalty imposed by the Senior School Advocate for Students. The member of the School's Management Committee or their Nominee may also decide that the matter be re-considered. They will convey their decision in writing in a Completion of Procedures Letter.
36. The Completion of Procedures Letter will contain the decision and the reasons for it, as well as a student's right of appeal to the OIA. The letter will also confirm any course of action or penalty, which may differ to the outcome of the original investigation at the informal resolution stage.

Formal Resolution

37. The School Secretary is responsible for deciding whether to resolve a case formally, regardless of how the matter is brought to their attention, and, if so, how. The Secretary will also consider whether to alert the Police. The Alleged Misconduct Form at Appendix A should be used by anyone wishing to raise an alleged misconduct issue to the Secretary under this Procedure.

38. On deciding to proceed to resolve a case formally, the Secretary or their Nominee will decide whether to put in place any kind of precautionary measures while the formal investigation is ongoing. A student who is affected by a suspension or other measure/s may appeal in writing to a member of the School's Management Committee. A member of the School's Management Committee will respond to the appeal within five (5) working days. Please see further information on precautionary

measures outlined in sections 16-20 of this Procedure.

39. The Secretary may ask a relevant member of staff (their "Nominee") who has had no prior involvement in the case, to conduct an investigation, although the Secretary will make the final decision on the case based on their consideration of the findings of the Nominee's investigation.

40. The form of any investigation will depend on a number of factors, such as the severity and complexity of the issue in question as well as the availability of evidence. However, the Secretary or their Nominee must ensure that any investigation is conducted fairly and is of a reasonable level in depth and scope.

41. The student subject to an allegation ('the Student') will be given an opportunity to present their case to the person conducting the investigation and respond to any allegations made against them. In certain circumstances, for example, when a Student's whereabouts are not known at the time of investigation, or if they are not engaging in the process or where there may be sufficient evidence to proceed without meeting the Student (if the student is not engaging in the process), then the Secretary or their Nominee may decide to conduct the investigation in the Student's absence.

42. The Secretary or Nominee must inform the Student of their right to be accompanied to any meeting relating to the investigation by a friend or a representative of the LSE Student' Union. The friend or relevant member of the LSE Student's Union will accompany the Student as a silent observer. No representation will be permitted save in exceptional circumstances e.g. relating to a reasonable adjustment, and with the permission of the Secretary or their Nominee.

43. The Secretary or their Nominee may talk to other members of staff or students and consider documents and other evidence as part of their investigation.

44. The School will endeavour to complete the informal resolution stage (if applicable) and formal resolution stage of the process within sixty (60) days of the allegation being made. In some cases, for example where the case is complex, where the student and/or witnesses are unable to attend meetings, where proceedings are put on hold because of criminal investigation or where a student has impending assessments, we may need to extend this deadline and in these circumstances the Secretary or their Nominee will inform the Student(s) involved of any delay, and the reason/s for the delay and when the investigation is likely to conclude, as soon as possible.

Outcome of a Formal Resolution

45. At the end of a formal investigation, the Secretary will decide whether to:

45.1 Dismiss the allegation;

45.2 Refer the case to other, more appropriate procedures in the School;

45.3 Uphold the allegation and determine an outcome that is relevant and proportionate to the offence/s; or

45.4. Refer the matter to a Board of Discipline (see below) to consider the allegation, and if necessary, determine an appropriate outcome.

46. The Secretary will find an allegation of misconduct proven if it is considered that the evidence identifies, on a balance of probabilities that misconduct has occurred.

47. When deciding on the appropriate penalty to be applied in cases of proven misconduct, the Secretary will give due consideration to the following:

47.1 The Student's previous disciplinary record;

47.2 If the Student had admitted the misconduct/expressed remorse;

47.3 The conduct of the Student following the misconduct;

47.4 Any other mitigating factors, as applicable.

48. Multiple or repeated incidents of misconduct may be treated as being more serious than a single act of misconduct and previous findings may be taken into account when considering which penalty

should apply.

49. The Secretary will take into consideration the table set out at Appendix C which outlines the types of misconduct and possible penalties the Secretary may put in place. This includes but is not limited to:

49.1 Take no action;

49.2 Issue a formal warning which shall not be recorded on the student's record;

49.3 Issue a formal warning to be noted on the student's file for the duration of their registration at the School and any future proven misconduct will take such warning into account;

49.4 Require the Student to make a formal written apology;

49.5 Require the Student to take appropriate training;

49.6 A fine;

49.7 A requirement to make good the cost in whole or in part of any damage caused and/or repay/make good any financial loss suffered by a party/(ies) or to the School;

49.8 An order of Service to the School for a specified period;

49.9 Issue a final warning;

49.10 Suspension from the whole School or defined areas and/or facilities of the School including Halls of Residence for a specified period of time;

49.11 Imposing conditions on a student's access to facilities if the student has been convicted of a criminal conviction where such conditions are deemed necessary for the safety and security of members of the School.

50. The Secretary has the discretion to decide on a combination of penalties and will convey their decision and the reason/s for it, in writing to the Student. The Secretary will also convey their decision to member/s of staff or student/s of the School who have been directly involved in the case where it is considered reasonable and appropriate to do so. The Secretary will also inform any other member of staff or student whom they consider has a relevant interest in the case. The Secretary will not normally disclose their decision to people who are not members of staff or students of the School unless there is a legal requirement or as set out in Section 13 and 14 of this Procedure and where disclosure is made, it is only on a 'need to know' basis.

51. The Secretary's written response must inform the Student of their right to an Appeal to a Member of the School's Management Committee (see the "Appeal" section below).

Board of Discipline

52. The School Secretary or their Nominee, will decide whether to refer the matter to a Board of Discipline for their assessment and decision. This route will normally be taken when an allegation of major misconduct is made and/or where the potential consequences are severe. For example, where an allegation may bring into question a Student's status in the School and as such may warrant expulsion from the School.

Membership

53. A Board of Discipline consists of the following people:

The Academic Registrar or their Nominee (who will be the Chair of the Board of Discipline)

The General Secretary of the Students' Union or their nominee (who must be a Sabbatical Officer of the Students' Union or a registered student of the School); and

An academic member of staff appointed by the Vice-Chair of the Academic Board who will have no prior knowledge or interaction with the student subject to the Board of Discipline and/or any reporting student who has raised the particular allegation of misconduct

54. All members of a Board of Discipline must participate in the whole process for the final decision to be valid. For the avoidance of doubt, due to the short duration of the Summer School Course, the School may deviate from section 52 to convene a Board of Discipline of any two members instead of three. In these circumstances the Chair of the Board would have the casting vote.

Procedure

55. The Secretary will appoint a Clerk to the Board of Discipline (“the Clerk”), who will have had no prior involvement in, and will have no decision-making powers on, the case.

56. The Board of Discipline will, at all times, respect the rights of the individuals involved, particularly in terms of confidentiality and personal welfare.

57. The Board of Discipline must give due regard to the needs of the individuals involved in a disciplinary case with a view to making any reasonable adjustments where required to enable the individuals to properly participate in the process.

58. As soon as is reasonably possible, and normally within ten (10) working days, the Clerk will inform the Student of:

The membership of the Board of Discipline, and the Student’s right to object to the Secretary about the participation of one or more of those members, provided the objection and the reason/s for it is presented to the Secretary in writing by no later than 5 working days from the date of the Clerk’s communication;

The procedural and logistical arrangements of the Board of Discipline (“the Hearing”);

a summary of relevant evidence gathered during the investigation;

whether the student is permitted to attend the hearing by alternative means (i.e. video call)

whether the hearing will proceed if the student chooses not to or is unable to attend

whether other witnesses will be called and whether the student can ask them questions directly or through the Chair

Whether any witnesses can attend by alternative means (e.g. video call)

a copy of any relevant documents which will be relied on by either party at the disciplinary hearing; and

In cases where this would apply, the identity of the reported student, other witnesses or other attendees at the Hearing; In limited circumstances (e.g. a risk of harm to the reporting student /witness) a reporting student/ witness’s identity may be kept confidential unless to do so would prejudice the fairness of the proceedings.

The Student’s right to be accompanied to the Hearing, normally by a friend or by a relevant member of the Student’s Union who will be expected to silently observe the process. No representation is permitted unless there is a strong and justified reason for the student to be represented i.e. as a reasonable adjustment. This will need to be assessed and approved by the Chair of the Board of Discipline.

The Student’s right to request to submit and/or present any evidence before or at the Hearing in accordance with the procedure set out by the Board of Discipline.

59. If the Student is unable to attend the Board of Discipline hearing date, then they should inform the Chair of the Board of Discipline immediately providing reasons why they cannot attend and an alternative hearing date will be provided. The Student must make every effort to attend the hearing, and failure to attend without good reason may be treated as a disciplinary offence in itself. If the student fails to attend without good reason, or is unable to do so on two occasions, then the Board of Discipline reserves the right to proceed with all the available evidence and then make a decision on the case. The Chair of the Board of Discipline shall decide in their discretion what constitutes “good reason.”

60. The disciplinary hearing may be adjourned at the discretion of the Chair in the interests of fairness e.g. new evidence which has come to light which could not have reasonably been disclosed at an earlier time under this procedure. Although, the Chair must be presented with sufficient reasons why the party presenting the new evidence did not submit it earlier.

61. The Board of Discipline will make its decision by majority vote. It must decide:

Whether a disciplinary offence has been committed; and;
An appropriate outcome.

62. The range of penalties that a Board of Discipline may put in place include, but are not limited to:

62.1 Issue a formal warning to be noted on the student's file for the duration of their registration at the School and any future proven misconduct will take such warning into account;

62.2 Require the Student to make a formal apology;

62.3 Require the Student to take appropriate training;

62.4 A fine;

62.5 A requirement to make good the cost in whole or in part of any damage caused and/or repay/make good any financial loss suffered by a party(ies) or the School;

62.6 An order of Service to the School for a specified period to be determined by the Board of Discipline;

62.7 Issue a final warning;

62.8 Suspension from the whole School or defined areas and/or facilities of the School including Halls of Residence for a specific period of time;

62.9 Imposing conditions on a student's access to facilities if the student has been convicted of a criminal conviction where such conditions are deemed necessary for the safety and security of members of the School;

62.10 Expulsion from the School.

63. The Board of Discipline will take into consideration the Table set out in Appendix C when making its decision and will convey its decision and the reason/s for it, in writing to the Student within ten (10) working days and to relevant member/s of staff or student/s of the School who have been directly involved in the case where they consider it is reasonable and appropriate to do so. It will also inform any other member of staff or student who it considers has a relevant interest in the case. It will not normally disclose its decision to people who are not members of staff or students of the School.

64 The Student will be informed of their right to appeal to a member of the School's Management Committee.

Appeal

65 An Appeal against the Secretary's or Board of Discipline's decision must be made using the Appeal Form set out at Appendix B, no later than ten (10) working days (three (3) working days for summer school students) from the date of the Secretary's or Board of Discipline's written decision. If no appeal is lodged, then the School will close the matter and notify the student in writing. A Completion of Procedures letter will be issued to the student on their request.

66 An Appeal must normally be made on one or more of the following grounds:

66.1. A significant procedural flaw or irregularity that compromised the fairness of the process;

66.2. New material evidence, which must be supported by an explanation of why it is being submitted at this late stage; and

66.3. An outcome being unreasonable or disproportionate.

66.4 That there is bias or a reasonable perception of bias during the procedure

67. The member of the School's Management Committee will do a paper based review of the decision.

68 The member of the School's Management Committee will normally complete their review within twenty-one (21) working days of receiving the Appeal. In determining an appeal of a decision by the Secretary or Board of Discipline, they may confirm, amend or dismiss the decision/penalty imposed by the Secretary or Board of Discipline. The member of the School's Management Committee may refer the case back to the formal stage for reconsideration or request a re-hearing of the case (if the case had been considered by a Board of Discipline). They will convey their decision in writing in a Completion of Procedures Letter.

69 The Completion of Procedures Letter will contain the decision and the reasons for it. The letter will also confirm any course of action or penalty, which may differ to the outcome of the original investigation.

Office of the Independent Adjudicator for Higher Education

70 The Completion of Procedures Letter will inform the student of their right to submit a complaint to the Office of the Independent Adjudicator for Higher Education ("the OIA"). The Complaint will need to be submitted to the OIA within 12 months of the date of the Completion of Procedures letter.

End

APPENDIX A: ALLEGED MISCONDUCT FORM

Student ID	
Family Name	
Given Name	
Address/Email	
Telephone	
Date of incident	
<p>Type of Misconduct <i>(when completing this please choose from one or more of the categories of misconduct found at section 24/Appendix C of this Procedure and/or add the specific misconduct as defined in the Discrimination, Harassment and Bullying procedure (where it relates to Discrimination, Harassment and Bullying) or the Sexual Harassment and Sexual Violence Policy (where it relates to Sexual Harassment and Sexual Violence) or in any other relevant policy, which may be applicable)</i></p>	
<p>Summary of alleged misconduct</p> <p><i>[This should include what the incident is that is referred to, where the incident happened, the parties involved, the basis of the alleged misconduct and, where appropriate, the outcome sought.]</i></p>	

Signed:

Dated:

APPENDIX B: APPEAL FORM

APPEAL AGAINST THE DECISION OR OUTCOME OF A DISCIPLINARY INVESTIGATION

Student ID	
Family name	
Given Name	
Address/Email	
Telephone	
Date of incident	
Date decision was received	
Summary of grounds for Appeal <i>[This should include what is being challenged (e.g. the decision or measures put in place as a result of the decision). This should also set out the grounds for the appeal (e.g. procedural error in the formal investigation or new evidence). You should also include a copy of the Secretary/Board of Discipline's decision and any relevant evidence (e.g. emails or medical report/s), as well as explain why any new evidence is being presented at this late stage of the procedure.]</i>	

Signed:

Date:

APPENDIX C: TABLE OF TYPES OF MISCONDUCT AND POSSIBLE PENALTIES

PLEASE NOTE: The following table sets out examples of the types of misconduct and the corresponding penalties which are non-exhaustive. The possible penalties that may be applied if a specific misconduct occurs is illustrative only i.e. there will be cases where certain behaviours which would usually be considered major breaches of discipline are minor and will require a less serious penalty and vice versa.

<u>TYPES OF MISCONDUCT</u>	<u>POSSIBLE PENALTIES</u>
<p>Physical Misconduct/Violence and Anti -social behaviour:</p> <p>Major:</p> <ul style="list-style-type: none"> • Punching • Slapping • Biting • Kicking • Pulling hair • Alcohol related offences <p>Minor:</p> <ul style="list-style-type: none"> • Pushing • Shoving • Kicking • Pulling hair • Alcohol related offences 	<ul style="list-style-type: none"> • Expulsion • Suspension • Restrictions/Conditions placed on the Student • Formal warning • Training • Formal written apology • Require the student to have no contact, or restricted contact, with a specified person or persons <ul style="list-style-type: none"> • Formal warning • Training • Formal written apology
<p>Sexual Misconduct:</p> <p>Major:</p> <ul style="list-style-type: none"> • Sexual intercourse or engaging in a sexual act without consent • Attempting to engage in sexual intercourse or engaging in a sexual act without consent • Sharing (including on social media) private sexual materials of another person without consent • Kissing without consent • Touching inappropriately through clothes without consent • Showing sexual organs to another person • Stalking another person <p>Minor:</p> <ul style="list-style-type: none"> • Making unwanted remarks of a sexual nature • Stalking another person 	<ul style="list-style-type: none"> • Expulsion • Suspension • Restrictions/Conditions placed on the Student • Require the student to have no contact, or restricted contact, with a specified person or persons • Formal warning • Training • Formal written apology <ul style="list-style-type: none"> • Formal warning • Training • Formal written apology

<p>Harassment and Bullying Behaviour:</p> <p>Major:</p> <ul style="list-style-type: none"> • Repeated abusive comments relating to an individual's sex, sexual orientation, religion or belief, race, pregnancy/maternity, marriage/civil partnership, gender reassignment, disability or age made in person or via social media • Threats to hurt another person • Acting in an intimidating and hostile manner • Stalking another person • Hate incident/crime <p>Minor:</p> <ul style="list-style-type: none"> • Use of inappropriate language/abusive comments made in person or via social media. • Repeatedly contacting another person (by phone, email, text or on social networking sites) against the wishes of the other person • Acting in an intimidating and hostile manner • Making a threat to another individual • Stalking another person 	<ul style="list-style-type: none"> • Expulsion • Suspension • Training • Formal written warning • Formal written apology • Restrictions/Conditions placed on the Student • Require the student to have no contact, or restricted contact, with a specified person or persons <ul style="list-style-type: none"> • Formal written warning • Training • Formal written apology
<p>Damage to Property:</p> <p>Major:</p> <ul style="list-style-type: none"> • Causing significant damage to the School property or the property of other students, employees and/or visitor of the School. <p>Minor:</p> <ul style="list-style-type: none"> • Causing minor damage to the School property, the property of other students, employees and/or visitor of the School 	<ul style="list-style-type: none"> • Expulsion • Suspension • Restrictions/Conditions placed on the Student • Training • Formal written warning • Formal written apology • Restitution to the parties affected by this misconduct • A fine • A requirement to make good the cost in whole or in part of any damage caused and/or repay/make good any financial loss to the School • An order of Service to the School for a specified period <ul style="list-style-type: none"> • Formal warning • Training

	<ul style="list-style-type: none"> • Fine • Formal written apology
<p>Unauthorised Use of taking of Property</p> <p>Major:</p> <ul style="list-style-type: none"> • Unauthorised entry onto or unauthorised use of School Premises. This includes Halls of Residences. • Taking property belonging to the School, another student, employee of the School and/or visitor of the School without permission. • Misuse of School property including computer equipment • Internet access abuse, such as visiting inappropriate websites, uploading/downloading inappropriate content, propagation of computer viruses <p>Minor:</p> <ul style="list-style-type: none"> • Misuse of School property including computer equipment. • Unauthorised entry onto or unauthorised use of School Premises. This includes Halls of Residences. • Using the School's name, address or trademarks without the Permission of the School. 	<ul style="list-style-type: none"> • Expulsion • Suspension • Restrictions/Conditions placed on the student • Restitution to the parties affected by this misconduct • Formal written Apology • Formal warning • Training • Fine • Requirement to return property in the same condition it was taken repay/make good any financial loss to the School • An order of Service to the School for a specified period <ul style="list-style-type: none"> • Formal warning • Training • Formal written apology
<p>Operational Obstruction</p> <p>Major:</p> <ul style="list-style-type: none"> • Acts/omissions/statements intended to deceive the School. Committing fraud. • Submitting or relying on forged, falsified or fraudulent documentation and other forms of deception that are intended to gain an advantage for example submitting fraudulent, mitigating circumstances/claims or falsifying evidence in support of mitigating circumstances claims. • Disruption of the activities of the School (including academic, administrative, sporting and social) on School Premises or elsewhere • Disruption of the functions, duties or activities of any other student, employee or visitor of the School 	<ul style="list-style-type: none"> • Expulsion • Suspension • Restrictions/Conditions placed on the Student • Restitution to the parties affected by this misconduct • Training • Formal warning • Formal written Apology • An Order of Service to the School for a specified period

<ul style="list-style-type: none"> • Breach of the relevant data protection legislation • Breach one or more of the School's terms or conditions, policies or procedures, or rules and regulations <p><u>Minor</u></p> <ul style="list-style-type: none"> • Improper interference with the activities of the School on the School premises or elsewhere. • Improper interference with the functions, duties or activities of any other student, employee or authorised visitor of the School • Recording a lecture, meeting or other School event, or use such a recording, without the permission of the lecturer or person or group who organised the event 	<ul style="list-style-type: none"> • Formal warning • Training • Fine • Formal written apology
<p>Reputational Damage</p> <p>Major:</p> <ul style="list-style-type: none"> • Behaviour which has caused serious damage or could have caused serious damage to the reputation of the School <p>Minor:</p> <ul style="list-style-type: none"> • Behaviour which has damaged or could have damaged the reputation of the School 	<ul style="list-style-type: none"> • Expulsion • Suspension • Fine • Training • Restrictions/Conditions placed on the Student • An order of Service to the School for a specified period <ul style="list-style-type: none"> • Formal warning • Training • Formal written apology

APPENDIX D: DISCIPLINARY PROCEDURE FLOW CHART

Are you a student of the School? You are not a student of the School if you have been expelled or withdrawn from the course, your registration has been terminated for other reasons or where you have completed your studies. In such instances, the Disciplinary Procedure will not normally apply to you

Is this a School matter or a School Student Union matter? If the latter, the School's Student Union may conduct their own investigation into the matter. Consider whether there is a 'local Procedure' which may be used?

Informal Resolution - contact the Senior School Advocate for Students to consider an informal resolution in cases of minor misconduct. The student will be provided with an outcome and a right of appeal to a member of the Senior Management Committee or their nominee. If the case is not suitable for consideration informally then it will be considered under the formal resolution stage.

Formal Resolution - the School Secretary (or Nominee) will decide if a case will be considered for investigation and formal resolution. In certain cases, the School will need to consider taking precautionary measures against a student.

Outcome conveyed by the School Secretary (or Nominee). The School Secretary (or Nominee) may:

1. Dismiss the allegation
2. Refer the case to other, more appropriate procedures in the School and/or the Police;
3. Uphold the allegation and determine an outcome that is relevant and proportionate to the offence/s; or Refer the matter to a Board of Discipline to consider the allegation, and if necessary, determine an appropriate outcome. If the School Secretary (or nominee) upholds the allegation, then a penalty will be imposed on the student.

If dissatisfied with the School Secretary(nominee) or Board of Discipline's decision, you can lodge an appeal to a specified member of the School's Management Committee within **10 working days (3 working days for summer school students)** of receipt of the decision

An appeal may only be requested if one or more of the following Grounds of Appeal

1. A significant procedural flaw or irregularity that compromised the fairness of the process;
2. New material evidence, which must be supported by an explanation of why it is being submitted at this late stage; and
3. An outcome being unreasonable or disproportionate.
4. There is bias or reasonable perception of bias during the procedure

The relevant member of the School's Management Committee will make a decision within 28 days of receipt of an appeal. They may confirm, amend or dismiss the penalty imposed by the Secretary/Board of Discipline. They may also refer the case back to the formal stage for reconsideration or request a re-hearing of the case (if the case had been considered by a Board of Discipline) A **Completion of Procedures Letter will be issued.**

Appendix E –Internal and External Contacts and Sources of Support

Internal Contacts

You are encouraged to approach one of the following members of School staff if you have any queries relating to lodging a disciplinary matter with the School:

- The Senior School Advocate to Students, Dr Pete Evanson at: p.evanson@lse.ac.uk
- The Adviser to Women Students, Dr Bingchun Meng at: b.meng@lse.ac.uk
- Head of Student Services, Martyn Annis at: m.annis@lse.ac.uk
- Head of Residential Life, Victoria Frost at: v.l.frost@lse.ac.uk
- Head of Security, Paul Thornbury at: p.c.thornbury@lse.ac.uk
- Your Academic Adviser, Supervisor or Departmental Tutor
- The Warden of your hall of residence
- The Student Counselling Service at: student.counselling@lse.ac.uk
- The School's Equity, Diversity and Inclusion Office at: edi@lse.ac.uk
- The Faith Centre at: faithcentre@lse.ac.uk
- Student Services Centre at: ssc.advice@lse.ac.uk
- [LSE Students' Union \(LSESU\) Advice Service at: su.advice@lse.ac.uk](mailto:su.advice@lse.ac.uk)

You can also contact the Senior Legal Counsel , Refel Ismail at: r.ismail@lse.ac.uk, or Head of the School's Legal Team, Kevin Haynes at: k.j.haynes@lse.ac.uk, for advice on this Procedure.

Safe Contacts

The School has a network of Safe Contacts. [LSE Safe Contacts](#) are members of LSE staff who have received training and can offer a confidential 'signposting' service for staff and students who have previously or are currently experiencing some form of bullying, harassment or sexual violence.

The Safe Contacts are all volunteers, who are supported by the EDI office and who are committed to supporting LSE's inclusive working, studying and social environment. These safe contacts have received sexual violence training. There are two ways you can speak with a Safe Contact:

1. You can contact Equity, Diversity and Inclusion via email (edi@lse.ac.uk) or by phone (020 7106 1229 or +447971552755)
2. You can reach out to a Safe Contact directly via their contact details www.lse.ac.uk/safecontacts

Report It Stop It

Bullying and harassment can also be reported using [LSE's dedicated online form](#). The report will be treated confidentially, and followed up promptly and fairly.

LSESU Contacts:

The Students' Union has Sabbatical Officers, Part-time Officers and an Advice Team who will listen to you, represent your views on these issues and liaise with the School to tackle inappropriate behaviour.

- Sabbatical and Part-Time Officers, a list of whom can be found at: <http://www.lsesu.com/democracy/student-reps/>.
- LSESU Advice Team, which can be contacted at su.advice@lse.ac.uk. You can find more information at <http://www.lsesu.com/advice/>.

External Contacts

- [Ask the Police](#)
- [Citizens Advice Bureau](#) (rights and responsibilities)

- [Crimestoppers](#) (reporting crime)
- [Equality Advisory and Support Service](#)
- [Metropolitan Police](#)
- [NHS 111](#) (non-emergency service)
- [Nightline](#) – open every night from 6pm to 8am during term time
- [Samaritans](#) (08457 909090 / 020 7734 2800), 116 123, email: jo@samaritans.org
- [Stop Hate UK](#) (all forms of hate crime and discrimination)
- [Victim Support](#) (victims of crime)
- [National Stalking Helpline](#) (support for anyone experiencing stalking)
- [National Domestic Abuse Helpline](#): Women and children: 0808 2000 247
- [Rape Crisis](#) (rape and sexual abuse)
- [Solace Women's Aid](#) (0808 802 5565 / advice@solacewomensaid.org)
- [Women's Aid](#)
- [Refuge](#) (support for women and children who have experienced domestic abuse)
- [The Havens](#) (London-based support for survivors of recent rapes/sexual assaults for all genders)
- [NAPAC](#) (support for survivors of childhood sexual abuse for all genders)
- [Rights of Women](#) (free and confidential legal advice for women)
- [National Domestic Abuse Helpline](#): Men: 0808 801 0327
- [Survivors UK](#) (male victims of rape and sexual abuse)
- [Mankind](#) (support for men who have been sexually abused)
- [Men's advice line](#) (support for men experiencing domestic violence)
- [The Havens](#) (London-based support for survivors of recent rapes/sexual assaults for all genders)
- [NAPAC](#) (support for survivors of childhood sexual abuse for all genders)
- [Ashiana](#) (Asian women's refuge)
- [The Monitoring Group](#) (racial harassment and abuse)
- [Southall Black Sisters](#) (BME women's rights and advice)
- [Imkaan](#) (provides full list of organisations supporting BAME women survivors of sexual and domestic violence)
- [Galop](#) (LGBT+ anti-violence charity)
- [Switchboard](#) (LGBT+ helpline)
- [TransUnite](#) (find a trans support group near you)
- [Mencap](#) (the voice of learning disability)
- [Mind](#) (mental health)
- [Respond](#) (support for children and adults with learning disabilities who have experienced abuse and/or trauma for all genders)
- [DeafHope](#) (support for Deaf people experiencing domestic abuse)
- [Stay Safe East](#) (supporting Deaf and disabled survivors of hate crime, domestic and sexual abuse in Waltham Forest and Newnham areas of London only)
- [Karma Nirvana](#) (supporting victims of honour-based abuse and forced marriage)
- [Forced Marriage](#)– 020 7008 0151 (emergencies)
- [Muslim Women's Network](#) (support for Muslim women experiencing or at risk of abuse)
- [True Vision](#) (all hate crimes)
- [Tell Mama](#) (anti-Muslim hate crime)
- [Community Security Trust](#) (anti-Semitic hate crime)

Review schedule

Review interval	Next review due by	Next review start
2 years	01/05/2022	03/05/2022

Version history

Version	Date	Approved by	Notes
	17/03/2020	SMC	

Links

Related Policies/Procedures	Link
Student Complaints procedure	https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/comPro.pdf
The Discrimination, Harassment and Bullying Policy	https://info.lse.ac.uk/staff/Services/Policies-and-procedures/Assets/Documents/harPol.pdf
Sexual Harassment and Sexual Violence Policy	https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/harVioPol.pdf
Procedure for considering allegations of harassment from students against members of staff	https://info.lse.ac.uk/current-students/services/assets/documents/procedure-for-considering-allegations-of-harrasment-from-students-against-members-of-staff.pdf
School's Conditions of Use of IT facilities	https://info.lse.ac.uk/staff/Services/Policies-and-procedures/Assets/Documents/conOfUseOfITFacAtLSE.pdf

Contacts

Position	Name	Email	Notes
Senior Legal Counsel	Refel Ismail	r.ismail@lse.ac.uk	Author
Head of Legal	Kevin Haynes	k.j.haynes@lse.ac.uk	

Communications and Training

Will this document be publicised through Internal Communications?	Yes
Will training needs arise from this policy	Yes
If Yes, please give details	
Training will be required for all those involved at various stages of the disciplinary process. This is to include unconscious bias training.	

END