



Non-Academic Student Disciplinary Policy

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1. Background and Scope

This policy describes the LCK Academy (LCKA) approach to concerns about non-academic misconduct offences committed by students who are in good physical and mental health. Concerns about students who are unduly affected by poor physical or mental health issues, preventing them from attending classes, engaging with their studies, or maintaining appropriate behaviour, shall be considered under the Fitness to Study Policy. Concerns about academic misconduct shall be considered under the Academic Malpractice Policy. Non-academic misconduct including violations of the Student Code of Conduct, will result in actions taken by the Student Disciplinary Panel as detailed in this policy, unless the student is referred to the Fitness to Study Panel due to poor physical or mental health. Both Academic Malpractice Procedures and Student Disciplinary Procedures may be applied simultaneously.

Every student is expected to uphold and enhance the Academy's reputation through their conduct including full-time, part-time, and short-course attendees across all LCKA locations. This policy is applicable at all times and is not restricted to events that take place on LCKA property, during term or semester time or those that are only associated with LCKA operations. Students are expected to demonstrate respect and professionalism in all their interactions with fellow students, staff, and the broader community, reflecting the core values that make LCKA a valued place of learning. This policy offers students and staff clear guidelines on avoiding, preventing, identifying and addressing non-academic misconduct. It also outlines the actions students and staff should take when non-academic misconduct is suspected or confirmed. The scope of this policy covers the following situations:

- Student conduct during course delivery hours and beyond scheduled teaching times, applicable to all students.
- Student behaviour within LCKA premises, including teaching and support areas, social and other communal areas.
- Student behaviour when visiting partner organisations such as universities or colleges
- Student behaviour during visits and excursions including those organised by the Student Council
- Student conduct outside LCKA campus, including travel to and from campus, or involvement in incidents that may affect the reputation of LCKA.
- Student behaviour in digital spaces, including virtual environments and social media, particularly concerning content related to staff, students, or LCKA that could impact on the Academy's reputation.
- Student conduct during any LCKA approved work placements / experience.

2. Aims and Objectives

LCKA is dedicated to delivering a high-quality education and fostering an inclusive learning community. This requires an environment of mutual respect where all members of the LCKA community show respect and tolerance for each other. LCKA will fulfil its legal obligations when managing student non-academic misconduct, which include its duty of care, following the Equality Act of 2010, making reasonable accommodations for students with disabilities, and abiding by the Data Protection Act of 1998.

This policy aims to ensure that students and faculty understand non-academic misconduct and how to avoid or address it. The objectives of the policy specifically include the following:

- Define various types of non-academic misconduct.
- Explain the process of raising concerns regarding non-academic misconduct.
- Outline the steps involved in investigating concerns of non-academic misconduct.
- Identify potential consequences or penalties for non-academic misconduct.

3. Application

LCKA applies clear student disciplinary procedures when students are found to have committed an act of misconduct otherwise referred to as a reportable offence. For academic offences, consult the Academic Malpractice Policy. For inappropriate or unacceptable behaviour that may be due to physical or mental health issues the student may be coping with, consult the Fitness to Study Policy. This Non-Academic Student Disciplinary Policy applies to student disciplinary procedures for all other types of offences committed against any LCKA, a student, staff or other stakeholder of LCKA whilst on LCKA premises or engaged in any LCKA activity in other locations.

3.1. Types of Reportable Offences

LCKA distinguishes between minor offences, which may be due to negligence or ignorance of expected behaviour from reportable offences, which are more severe. Tutors and other staff should attempt to counsel and support students informally, who have shown signs of minor behavioural problems.

Any suspected criminal offence must be reported to the police immediately. See the section below on the actions to take when an alleged Criminal Offence has been committed. Not all illegal activities are criminal activities. Any conduct that may be illegal should be reported immediately to the Head of Academy Advancement or the Executive Dean.

Other reportable offences include actions that adversely affect the proper functioning of LCKA services and activities, or those who work or study at LCKA. The list below, which is not exhaustive, provides examples of the types of non-academic reportable offences this policy and procedures apply to. Some reportable offences may be regarded as misconduct and more severe cases as gross misconduct.

3.1.1. Reportable offences

1. Disruption of LCKA activities, whether on LCKA premises or elsewhere.
2. Refusal to cooperate with the reasonable requests of a member of staff.
- Littering the Academy's facilities or the facilities of other organisations where LCKA activities are taking place. This includes failing to leave facilities in a fit and proper state after using them, leaving rubbish and cigarette butts in public spaces.
3. Obstruction of, or improper interference with, the functions, duties, or activities of any student, member of staff or stakeholder at LCKA, or any authorised visitor to LCKA
- Refusal to provide required information such as a new address and phone number
4. Intentionally trying to prevent LCKA staff from implementing this policy
5. Failing to attend a disciplinary hearing without reasonable justification
6. Use of abusive language or swearing
7. Excessive use of mobile phones in class despite requests not to use them
8. Any criminal or illegal activity such as theft of personal or Academy property, sexual harassment, causing physical harm to others, possession of illegal substances, or illegal gambling.
9. Violation of the Safeguarding and Prevent Policy whether explicitly or through negligence
10. Violent, aggressive, indecent, drunken, disorderly or threatening conduct, whether expressed physically, verbally, in writing or digitally.
11. Dangerous conduct that places people at risk of injury or compromises security.
12. Discrimination against individuals or groups, including those with protected characteristics as described in the Equality Act 2010
13. Bullying or harassment of individuals or groups, including sexual harassment
14. Violations of LCKA fire or safety rules (i.e., violations of evacuation instructions, mishandling of safety equipment or signs).
15. Distributing, displaying or publishing information on LCKA social media or in hard copy form on LCKA premises, which is intimidating, threatening, discriminatory or of a sexual nature, especially information about individuals without their consent.
16. Any act of fraud such as giving false information or submitting fake documentation.
17. Damaging or misusing property or equipment belonging to other or to LCKA.
18. Gaining access to facilities without permission from authorised staff.
19. Refusal to leave facilities upon the request of authorised staff.
20. The recording of students, and staff holding conversations, meetings, or engaged in activities without their consent.
21. Behaviour or actions which bring LCKA into disrepute or otherwise compromise the legitimate academic and business aims of LCKA.
22. Non-payment of fees as required by the Terms and Conditions.
23. Any other violations of the Student Code of Conduct.

The examples of reportable offences above are not intended to be an exhaustive list. Once an offence has been reported, the Student Disciplinary Panel (SDP) described below will decide upon the severity of the offence and the appropriate steps to take on a case-by-case basis.

3.2. Informal Procedure

If a student commits a reportable offence they should be reported within seven days of the offence to the Student Disciplinary Panel (SDP) which consists of the following members:

- Head of Programme (Chair)
- Registry Officer (Secretary)
- Head of Student Services
- Head of Quality
- Safeguarding Officer
- Student Wellbeing Officer

The SDP needs to have a minimum of three members attending including the chair and all decisions must be voted for by a minimum of three members. The SDP should not be confused with the Fitness to Study Panel (FTS) which consists of some of the same members and performs a similar function. See the Fitness to Study Policy for more information on the FTS.

The SDP will hold a preliminary meeting to agree upon the severity of the reportable offence. The SDP will aim to deal with the reportable offence informally if, in the reasonable opinion of the SDP, it meets the following conditions:

- The student accepts responsibility for committing the offence.
- This the first time the students has committed a reportable offence.
- There is no evidence to suggest that the student's behaviour is due to a physical or mental health condition in which case the student will be referred instead to the Fitness to Study Panel (FSP).
- The nature of the offence is not considered gross misconduct or too severe to be handled informally.

The actions which may be taken by the SDP under the informal procedure may include one or more of the following:

- Issue a warning to the student.
- Ask the student to apologise to the person or people affected by the offence they committed
- Ask for a commitment by the student to an action plan that may be monitored by their personal tutor to ensure that the student's conduct improves.
- Refer the case to the Fitness to Study Panel if the SDP believes that there may be physical or mental health reasons for the student's behaviour.

If the Student Disciplinary Panel (SDP) considers in its preliminary meeting that the reportable offence is potentially gross misconduct or too severe to be handled informally, or if the student does not cooperate with the SDP, LCKA will initiate the formal disciplinary procedure outlined below within seven days of the SDP's preliminary meeting.

3.3. Formal Procedure

The formal disciplinary procedure is applied when:

- After a preliminary meeting as explained above, the SDP deems it appropriate, particularly in cases where the SDP believes the offence may be gross misconduct or severe enough to warrant withdrawal or suspension from LCKA; or
- When a student fails to cooperate with the SDP's informal procedure.

If the Student Disciplinary Panel SDP decides it is necessary to follow the formal procedure, the Chair of the (SDP) appoints a relevant staff member with not prior involvement in the case an Investigating Officer (IO). The IO collates any evidence, investigates the alleged offence, and reports back to the SDP.

3.3.1. Immediate Suspension

If the SDP believes that a student may pose an immediate threat to their own safety, the safety of one or more students, staff or other stakeholders, it may recommend to the Head of Academy Advancement that the student is suspended immediately while the investigation is ongoing. The Head of Academy Advancement will decide whether the student should be immediately suspended whilst the investigation ensues and may consult with other members of the Senior Leadership Team if required.

3.3.2. Informing the Student

Whether the student is suspended immediately or not, once a formal student disciplinary procedure is triggered, the SDP informs the student in writing of the following:

- The allegation of non-academic misconduct against the student and the intention of the SDP to investigate it and to hold a hearing.
- Whether or not the student is suspended with immediate effect whilst the investigation ensues.
- The date for an SDP hearing, which may result in a sanction such as the student's withdrawal or suspension from the Academy. The hearing should be no more than 14 days after the preliminary SDP meeting, which was no more than 7 days after the offence was reported. The student will be permitted to bring a friend, family member, colleague or other advocate to the meeting to support them, such as a class representative on the Student Council or any other LCKA student.
- If the student is unable to make the proposed date for the hearing, the SDP will make reasonable effort to accommodate the student and arrange another time close to the original date.
- The student is reminded to read the Non-Academic Student Disciplinary Policy and the Interruption of Study and Withdrawal Policy for more information.
- The student is invited to submit a written response along with supporting documents in their defence against the allegation to the SDP prior to the hearing.
- The SDP will proceed with the hearing with or without the student's response to the allegation or their attendance at the hearing.

3.3.3. SDP Hearing Guidelines

It is the responsibility of the Chair conducting the Student Disciplinary Panel to act with impartiality and these guidelines outline the procedures devised to ensure a fair hearing and that full consideration is given to all material facts.

Student Disciplinary Panel Guidelines	
Attendees	A minimum of three members of the SDP including the Chair
	The Investigating Officer (IO) and any witnesses
	The student facing the allegation and any witnesses
	A representative of the student e.g. friend, family or another student
	A legal or other professional representative will only be allowed to attend on behalf of the student if LCKA intends to have an external adviser present.
Briefing	The Chair submits the allegation in writing.
	The IO submits a written report with any documentary evidence.
	The student may submit a written report with any documentary evidence.
	All attendees read the documentation before the hearing.
Introduction	The Chair makes introductions and confirms the reason(s) for hearing.
IO Report	The IO presents their report, calling witness(es) if any.
	The student or their representative cross examines the IO and witnesses.
	Other attendees may question the IO and the IO's witness(es).
Student Report	The student presents their report, calling witness(es)
	Other attendees may question the student and the student's witness(es).

3.3.4. Outcome of the Hearing

The SDP submits its decision to the student not more than three days after the hearing. The decision will consist of one or more of the following outcomes:

- The allegation is dropped and no further action is taken.
- The student is given a formal warning and permitted to continue attending with no further action taken.
- The student is required to meet some conditions within a specified timeframe, which will usually include reporting to their personal tutor on their progress.
- The student is required to apologise for their action(s) to any individuals concerned.
- The student is suspended from the Academy for a specified period of time with or without conditions.
- The student is suspended from the Academy for an unspecified period of time with or without conditions pending further notice.
- The student is withdrawn from the Academy permanently.

See the Interruption of Studies and Withdrawal Policy for more information on the procedures and consequences of suspension or withdrawal.

3.4. Appeals against the SDP decision

Students may appeal against the decision of the SDP by completing the Appeals Form in the

appendices. Their appeal will be passed to the Appeals Panel which includes the following members:

- Executive Dean
- Head of Academy Advancement

The decision of the Appeals Panel is final and might result in a suspension or withdrawal. See the LCKA Fitness to Study Policy and the Interruption of Studies and Withdrawal Policy for more information on appeals.

Students who have followed the appeals process may ask for a completion of proceedings letter from the Academy and complain to the Office of the Independent Adjudicator for Higher Education (OIAH).

4. Criminal Offences

Any staff member who suspects that a student has committed a crime should report this to the Police immediately. They should also inform the Chair of the Student Disciplinary Panel (SDP) who is the Head of Programme, and the Head of Academy Advancement at the earliest opportunity. The person reporting the allegation should keep a record of everything they witnessed including the date, time and people involved. They should not attempt to investigate the allegation themselves.

The implementation of LCKA's Non-Academic Student Disciplinary Policy operates independently of any police investigation or prosecution. The Student Disciplinary Panel (SDP) will appoint an Investigating Officer (IO), but the IO will not investigate the criminal allegation. The IO will only record details about the date and time of the alleged crime, who witnessed it and/or made the allegation, and whether the allegation appears credible. No LCKA student, staff or stakeholder may investigate the allegation itself, which is the role of the Police. The IO should make sure that their investigation into who has made the allegation and whether it is credible should not in any way compromise a police investigation and should not include, for example, the gathering of evidence which either proves or disproves that a crime has been committed.

Any student facing a criminal investigation by the police should be suspended from LCKA pending the result of the police investigation. If the investigation results in a conviction, the convicted student will be withdrawn. If the student is acquitted, their case will be reviewed by the SDP before a decision is reached. The SDP will follow its formal procedure detailed above. It may decide to drop all allegations against the student or to call the student to a hearing.

5. Financial implications

If a student who receives student loan funding is suspended or withdrawn from LCKA for any reason, the Academy or its partner institution will inform the student loan company. Payments made by the student loan company may be withheld depending upon how long the interruption is and the student's circumstances. In some cases, students may be required to repay tuition fees that have already been paid to the Academy or to the relevant partner institution. The student may also be required to repay maintenance loans paid directly to the student by the Student Loans Company.

Any decision regarding student loan funding will be taken by the Student Loan Company. LCK Academy has no control over the decisions the Student Loan Company takes. Students should make sure that they are aware of any financial implications before they commit a reportable offence, which may lead to their suspension or withdrawal from their course. Students may seek advice and guidance from Student Support Staff at the Academy. Access to the Academy's facilities and resources during a period of suspension will be at the discretion of the Academy.

If a student is sponsored by a third party and is suspended or withdrawn from LCKA, the sponsor or employer will be informed whenever appropriate and feasible. If a student is subject to formal proceedings under the Non-Academic Student Disciplinary Policy, LCKA will inform family members if the student is deemed vulnerable from a safeguarding perspective. Parents or guardians wishing to make representations on behalf of a student over 18 must provide written consent from the student, allowing the Academy to share personal information relating to the investigation.

6. Use of Data

All data on student interruptions and withdrawals will be retained by the Academy for the following purposes only:

- To monitor performance metrics of students, evaluate and train staff
- To satisfy the requirements of partner organizations and regulatory bodies.

The Academy will use the data collected only for the purposes stated above. All data shared will be anonymised. The Academy complies with the Data Protection Act 2018 which permits the sharing of data with staff and regulars on a need-to-know basis. No data will be shared with third parties who have no need to access it without first obtaining the consent of students.

7. Variations and Amendments

In certain cases, adjustments to the procedural aspects of the Student Disciplinary Panel and the Appeals Panel may be appropriate in the interests of fairness. These adjustments may include, without limitation, replacing members of each Panel with alternative members if they have a close personal involvement in the matter or are unavailable on the scheduled day of the interview or hearing. If such adjustments are required, the student affected will be informed.

Appendix 1 – Appeal Form

Appeal Form		
Student's full name as per passport ID		
Course title		
Date course started		
Date course is due to end		
Who are you appealing against?		
Appealing against a decision of the Academic Misconduct Board (AMB) to suspend or withdraw you.	Yes ☐	No ☐
Appealing against the decision of the Student Disciplinary Panel (SDP) to suspend or withdraw you.	Yes ☐	No ☐
Appealing against the decision of the Fitness to Study Panel (FSP) to suspend or withdraw you.	Yes ☐	No ☐
What is the reason for your appeal?		
Evidence to support your appeal		
For Office Use		
The student may continue attending with no further action.	Yes ☐	No ☐
The student may continue attending with some conditions.	Yes ☐	No ☐
Conditions the student needs to meet.		
The decision to suspend the student is upheld.	Yes ☐	No ☐
Date the student may return to study.		
Conditions the student needs to meet before returning including any evidence required.		
The decision to withdraw the student is upheld.	Yes ☐	No ☐
Any further comments supporting or explain the decision of the Appeals Panel		
Signed by		
Signature		
Date		