

## CHAPTER 8 - CONCERNS, CONDUCT AND COMPLAINTS

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## **CHAPTER 8: CONCERNS, CONDUCT AND COMPLAINTS**

*The following regulations are subject to regular review and updated versions apply irrespective of the year of a student's registration.*

This section outlines the rights and responsibilities given to students registered at the University, including the rules on behavioural and discipline requirements, and the action(s) the University can take if they are breached. This section includes:

- Academic and Non-Academic Misconduct;
- Fitness to Practise;
- Emergency powers to exclude or suspend a student;
- Suspension for late payment of tuition fees;
- Student Complaints;
- Withdrawal from the University, including failure to make sufficient academic progress

### **General**

- 8.1. In accordance with the Equality Act 2010 the University will consider any reasonable adjustments to these regulations to take into account the needs of individual students. If a student states the behaviour giving rise to a disciplinary concern is related to their disability, the University may consider carefully whether to proceed with disciplinary action under these regulations, or to refer the student to support under other regulations, policies and procedures.

### **Conduct**

- 8.2. Students are expected to maintain good conduct at all times whilst on University premises or engaged in University activities. This includes:
- a. adhering to the regulations, procedures and policies of the University, including the [Academic Misconduct Policy & Procedure](#) and [Non-Academic Misconduct Policy and Procedure](#);
  - b. showing respect for the persons within and for the property of the King's community;
  - c. behaving in a way that does not interfere with the proper functioning or activities of the University.

Failure to do so is considered misconduct. Where concerns about a student's conduct have been identified, the [Academic Misconduct Policy](#) and/or the [Non-Academic Policy and procedure](#) will be invoked.

### **Fitness to Practise**

- 8.3. The University is committed to ensuring students are safe and suitable entrants to their given profession. Where concerns about the health, behaviour and/or professional conduct of a student have been identified as adversely affecting the student's fitness to practise, the [Fitness to Practise Policy and Procedure](#) will be invoked.

### **Removal of a student from an external environment**

- 8.4. Students undertaking a placement or a period of study or practical training in an external working or educational environment have a responsibility to conform to the regulations, policies and expected standards of behaviour and competence of that external environment. Examples of such external environments may include, but are not limited to:
- a. hospitals, GP clinics, dental surgeries and other NHS facilities
  - b. faculties
  - c. UK or overseas HEIs
  - d. offices and other industrial facilities
  - e. teaching schools
  - f. law courts
  - g. health centres
  - h. firms.
- 8.5. Students may be prevented from undertaking a placement or may be removed from the placement environment without notice by the supervisor/mentor within that environment or the University, where there are concerns with the student, or for any other reason. Examples of concerns may include, but are not limited to:
- a. behaviour which is deemed offensive or unacceptable in the external environment,
  - b. behaviour or actions in breach of the regulations of the external environment,
  - c. behaviour which compromises the activities of the external environment,
  - d. a health condition which would render the student unsuitable or unsafe to continue in the external environment,
  - e. a level of competence which would compromise the professional standards of the external environment,
  - f. failure to observe health and safety requirements of the external environment,
  - g. behaviour which gives rise to concerns about the student's fitness to practise.
- 8.6. Where possible and appropriate, the University will arrange for students to undertake an alternative placement, in accordance with the procedures and practice of the relevant faculty.
- 8.7. Where the removal is temporary or for a specified period, conditions may be placed on students before re-entry to the external environment will be allowed. Such conditions may constitute a written warning.
- 8.8. If the University considers the reasons for the removal would require a misconduct investigation under regulation 8.2 or a fitness to practise investigation under regulation

8.3, the student's removal from the external environment will be temporary, pending the outcome of the proceedings. Students may attend classes and sit assessments that are not in the external environment during this period. As part of its outcome, the committee will confirm the status of the student's removal from the external environment. If this is permanent and the student will be unable to complete their programme of study, they will be withdrawn from the University.

#### **Emergency Powers to exclude or suspend**

- 8.9. A student who is the subject of misconduct proceedings, has a pending Fitness to Practise hearing, has a pending Support for Study meeting, or is the subject of police investigation or criminal proceedings, may be suspended or excluded by the Vice-Chancellor pending the outcome of the investigation, the committee or the trial. Students may also be suspended or excluded on health and safety grounds, or where they are considered a danger to other members of the King's community.
- 8.10. Failure to comply with the terms of a suspension or exclusion is an offence of student conduct under the [Non-Academic Misconduct Policy](#).
- 8.11. The Vice-Chancellor may delegate the emergency powers to a Vice-President, who will be responsible for reporting any suspensions or exclusions.
- 8.12. Exclusion is selective restriction on attendance at or access to, the University and on participation in University activities. Suspension is a total prohibition on attendance at, or access to, the University and on participation in University activities. It may be subject to conditions, such as permission to attend an examination. A suspension will only be used where an exclusion is deemed to be inadequate.
- 8.13. The terms of a suspension or exclusion may include a No Contact Agreement, requiring the student to have no contact with a named person or persons.
- 8.14. Suspensions and exclusions are not penalties; the Vice-Chancellor will only impose such measures when it is urgent and necessary to do so. Written reasons for the decision will be recorded and made available to students in the letter of suspension/exclusion.
- 8.15. Suspensions and exclusions shall normally start with immediate effect. The reasons for the decision will be communicated to students in writing, as well as information about their right to submit representations against it. Representations must be submitted within five working days of the suspension or exclusion and will normally be reviewed within a further five working days.
- 8.16. Should the suspension or exclusion remain in place, the Associate Director of Student Conduct and Appeals (or nominee) and a Vice President will review the suspension or exclusion every 28 working days, in the light of any developments, or of any representations made by the student. Reviews of suspensions and exclusions will not involve hearings or meetings.

### **Suspension for late payment of tuition fees**

- 8.17. Students are required to pay their fees in accordance with the [Terms and Conditions for Students](#) and via the [fee payment terms and conditions](#).
- 8.18. Students who have received notification of impending suspension because of late payment of tuition fees will be required to sit examinations and/or submit coursework.
- 8.19. If students are suspended for the late payment of tuition fees following the completion of their assessments, indicative marks will not be released and marks will not be ratified. Where a suspension is subsequently lifted, indicative marks will be released, and marks will be ratified as soon as possible (including by chair's action if no meeting of the assessment sub-boards is scheduled to take place within a reasonable timeframe).
- 8.20. Students who miss an examination or assessment deadline as a result of suspension for late payment of tuition fees will not be considered to have attempted that examination or assessment. Students who subsequently have their suspension lifted will be permitted to sit the examination or assessment at the next available opportunity without further penalty.

### **Withdrawal from the University**

#### *Academic Failure*

- 8.21. A student will be withdrawn for academic failure under regulation 4.84 (exhausting all reassessment and condonement opportunities) and/or regulation 5.19 (unable to meet progression requirements).
- 8.22. Where there is evidence that an assessment has been affected by mitigating circumstances or there is evidence of a significant administrative error, a student may submit an academic appeal as per regulations 7.5–7.40.

#### *Insufficient Academic Progress*

- 8.23. Where a faculty or department identifies a case of poor academic progress, the faculty or department should use Guidance on Insufficient Academic Progress. Where there are concerns about attendance and engagement, the [Attendance, Engagement and Prolonged Absence Procedure](#) should be used in the first instance.
- 8.24. If a student continues to prove unable to make progress with their studies, the student may be withdrawn from the University for any of the following reasons:
- a. credits have not been passed, compensated or condoned within the timeframes permitted in regulations 5.30-5.33 (undergraduate) or 5.44-5.48 (postgraduate taught)
  - b. further study or deferring assessment will exceed the maximum period of registration for their programme as set out in regulation 2.11-2.12 and the programme specification

- c. failure to meet additional requirements of the programme as outlined in the programme specification, or in the case of postgraduate research students, Chapter 6 of the academic regulations. This could include but is not limited to:
- specified attendance and engagement. Please note: this can only be used where there is a statutory requirement as part of a PSRB programme. For non-regulated programmes, attendance and engagement cannot be the sole reason for withdrawal under these regulations.
  - professionalism and competency standards (particularly relevant to PSRB programmes)

8.25. Any decision to withdraw an undergraduate or postgraduate taught student for insufficient academic progress as outlined in regulation 8.24 will be ratified by an Assessment Sub-Board. A student on a taught programme cannot be withdrawn mid-year by an alternative decision maker.

8.26. Where a student is removed under grounds of insufficient academic progress, they may submit an appeal via the academic appeals procedure (regulations 7.5-7.40).

#### *Failure to enrol*

8.27. If a current student does not complete re-enrolment within the specified time period, including where a student has been on interruption and has an agreed return date, the student should be considered in line with [the Attendance, Engagement and Prolonged Absence Procedure](#).

8.28. If a new student does not complete enrolment, it will be assumed that the student intends to withdraw from the university. In such instances, the respective faculty will contact the student for clarification. If no response is received within specified timeframes, the student will be withdrawn from the university.

#### *Breach of university policies and procedures*

8.29. A student may be withdrawn from the University under the following circumstances:

- If a student or a third party on behalf of the student, is found to have provided untrue or inaccurate information, or to have omitted information at enrolment or during the application process, registration can be terminated without notice. However, the student will have a right to appeal that decision.
- Failure to comply with the requirements of their visa conditions and sponsorship is therefore withdrawn ([Student Visa CAS Policy](#)).
- As an outcome of either misconduct or fitness to practise proceedings.

- Failure to pay tuition fees within the specified timeframes as per the [Student Terms and Conditions](#).

### *Welfare*

- 8.30. In exceptional circumstances, a student may be withdrawn under the [Support for Study Policy](#) if it is decided after a risk assessment is conducted that additional support and adjustments have been exhausted and that being in a higher education environment is not in the student's best interests.
- 8.31. If, following completion of the Attendance, Engagement and Prolonged Absence Procedure, a student is deemed not to have any welfare concerns, the student's faculty or department will be referred to the regulations on insufficient academic progress (8.23-8.26).
- 8.32. For health programmes, withdrawal may be an outcome of a fitness to practise case due to poor mental and/or physical health fitness and where all support and appropriate adjustments have been exhausted (for example, in consideration of safety and welfare of vulnerable groups).

### *Complaints*

- 8.33. King's College London is committed to considering and investigating genuine complaints from students. The University defines a complaint as an expression of dissatisfaction that warrants a response, and the [Complaints Policy](#) provides a clear mechanism for that to happen.
- 8.34. Complaints from students are carefully considered and, if appropriate, shall be investigated by the Associate Director of Student Conduct and Appeals (or nominee). The University will review what led to the complaint and, where appropriate, seek an early resolution.
- 8.35. A student may ask the Office of the Independent Adjudicator to consider any unresolved complaint against the University.

### **Policies and Procedures**

[Support for Study Policy and Procedure](#)

[Mitigating Circumstances Policy](#)

[Safeguarding Policy](#)

[Drugs & Alcohol Misuse Policy](#)

[Academic Misconduct Policy & Procedure](#)

[Fitness to Practise Policy](#)

[Non-Academic Misconduct Policy & Procedure](#)

[Complaints Policy](#)

[Residences Discipline Policy](#)

[Data Protection Policy](#)

[Missing Persons Procedure](#)

[Home Visit Procedure](#)  
[Student Trusted Contact Procedure](#)  
[Attendance, Engagement and Prolonged Absence Procedure](#)  
[Student Visa CAS Policy](#)

**Useful links:**

[Academic Appeals](#)  
[KCLSU Advice](#)  
[Student Conduct and Appeals webpages](#)  
[Office of the Independent Adjudicator](#)  
[Personalised Assessment Arrangements](#)  
[Student Services Online](#)  
[Glossary](#)