

G27 Students are expected to maintain good conduct at all times whilst on College premises or engaged in College activities. Failure to do so is considered misconduct

Misconduct

- G27.1 As members of the King's community, students are expected to adhere to the regulations, procedures and policies of the College, to show respect for the persons within and for the property of the King's community, and to behave in a way that does not interfere with the proper functioning or activities of the College. Where there is reason to believe that the behaviour of a student falls below the expected standards set out in the guidance (see useful links below), and/or where regulations, procedures, and/or policies have been broken, the Misconduct Procedure will be instigated. This appendix extends to alleged misconduct by a student occurring on College premises or off College premises (including via electronic means, such as email and social media) where the alleged victim is the College itself, a member of the King's community, or a visitor to King's or to alleged misconduct occurring during College activities (including on placements and field trips).
- G27.2 Current students should inform their Faculty of registration of any breaches of the law during their programme of study which fall within the category of those required to be disclosed at admission. Where a specific breach of the law would render the student ineligible for continuing on their programme of study, the student's registration will be terminated without notice under Academic Regulation G25.
- G27.3 Failure to comply with the conduct outlined in Academic Regulation G27.1 above results in action being taken under this Regulation (G27).

Representation

- G27.4 A student facing a charge of misconduct may be represented at any point in the proceedings by another College member or by a member of the King's College London Students' Union or, where the student is registered on a programme with professional registration, a member of their professional organisation.
- G27.5 Additionally, the student may be accompanied by a family member or a friend who will not be able to speak on the student's behalf, unless this is a reasonable adjustment, such as a sign language communicator or interpreter.

- G27.6 If the student is to be represented or accompanied, the name of the person attending must be received in writing by the Head of Student Conduct and Appeals (HoSCA) at least 48 hours in advance of the Committee. The Chair of the relevant Committee has the discretion to refuse to permit a representative or friend or family member attend where prior written notice has not been given.
- G27.7 If a student wishes to be represented by an individual not listed above, they should make representations to the Chair of the relevant Committee. The relevant Chair has the absolute discretion to accept or reject an application for alternative representation and their decision will be final.

Misconduct Procedure

- G27.8 There will be a presumption of innocence until a case has been fully considered.
- G27.9 The College will do all in its power to limit the disclosure of information whilst conducting an investigation, in accordance with the Human Rights Act 1998, the General Data Protection Regulations, the Freedom of Information Act 2000, and any other relevant legislation.
- G27.10 The College may take safeguarding steps to ensure the fairness of an investigation, and to ensure the safety of all members of the King's community, including, but not limited to No Contact Agreements.
- G27.11 Proceedings are not invalidated or postponed due to the absence of the student, provided that the student has been given timely written notice of the Committee and provided that those conducting the Committee believe that all the evidence and representations are before it. In the event that a student has indicated they will attend but then cannot do so for good reason an adjournment may be considered.
- G27.12 Where any stakeholder believes that misconduct may have been committed by a student of the College, they should notify the HoSCA in writing as soon as possible. Allegations of research misconduct will be considered in accordance with the procedures for investigating and resolving allegations of research misconduct.

Collaborative Provision

- G27.13 Where a student is registered on an intercollegiate module the College will notify the Home Institution under that agreement that it has instigated misconduct proceedings against the student.
- G27.14 All cases of academic misconduct will be dealt with under the relevant procedure for the institution with responsibility for delivering that module.
- G27.15 In cases of non-academic misconduct the following will apply;

- (a) where the College is the Host Institution it may deal with the misconduct under these regulations if the misconduct took place on College premises and falls within the scope of these regulations. However, the Home Institution may conduct a further review under its procedures if the College removes the student from the intercollegiate module. This review cannot change the outcome that the student has been removed from the intercollegiate module.
- (b) where the College is the Home Institution it shall not conduct a misconduct investigation if it took place at the Host Institution's premises. However, it will do so if the misconduct took place at any other location which falls within the scope of these regulations.
- (c) where the Host Institution has conducted an investigation under its procedures the College will have the right to conduct a review under these regulations where a student has been removed from the programme. However, the college will not be able to reinstate the student on the intercollegiate module at the Host Institution. The HoSCA will conduct a review to decide whether any further action is necessary under these regulations.

Duty to make Reasonable Adjustments

- G27.16 The College will take into consideration its duties under the Equality Act 2010 and make reasonable adjustments for disabled students under these regulations. This includes taking into consideration requests for reasonable adjustments to these processes. If a student states the behaviour giving rise to the disciplinary concern is related to their disability, the College 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.

Non-Assessment related Misconduct

Investigating an allegation of misconduct

- G27.17 On receipt of an allegation of misconduct, the HoSCA will conduct a preliminary enquiry. It may be deemed necessary to conduct an interview with the student(s) against whom the allegation has been made and the student(s) will be required to attend. However, a student will not be obliged to make a statement or give any explanation.
- G27.18 On completion of the preliminary enquiry the HoSCA will determine, normally within 14 days, whether:
- a) there is insufficient evidence to form the basis of a charge of misconduct;
 - or

- b) there is sufficient evidence to form the basis of a charge of minor misconduct; or
- c) there is sufficient evidence to form the basis of a charge of major misconduct.

G27.19 The College defines major misconduct as an offence which is sufficiently serious enough that it calls into question the student's registration. Instances of major misconduct may also include, but are not limited to, repeated or persistent minor offences, multiple concurrent minor offences or refusal to comply with a penalty imposed under this regulation.

G27.20 In all cases where the gravity of the offence appears to warrant it, or the appropriate penalty may be beyond the limit for a minor offence, the HoSCA may refer a case to a Misconduct Committee.

G27.21 If the HoSCA determines there is insufficient evidence to form the basis of a charge of misconduct, that decision will be sent to the student.

G27.22 If the HoSCA determines that there is sufficient evidence to form the basis of a charge of misconduct which constitutes a minor infringement, the HoSCA may, at their discretion, issue a penalty to the student detailing the allegations that have been made, informing the student that no further formal action will be taken but that a record of the offence and penalty shall be placed on the student's file. The student can contest the allegations and penalty within 5 working days, in which case the HoSCA will refer the matter to a Misconduct Committee.

G27.23 If the HoSCA determines that there is sufficient evidence to form the basis of a charge of misconduct which constitutes a major infringement, the matter will be referred to a Misconduct Committee.

G27.24 Where an allegation of misconduct is referred to a Misconduct Committee, the HoSCA will act as the College Representative to present the case to a Misconduct Committee.

G27.25 The FAB may be instructed by the HoSCA to not issue the student with a final award whilst action is being taken under this Regulation. This restriction will be lifted upon completion of the action.

Misconduct which is also a criminal offence

G27.26 Where the alleged misconduct could also constitute an offence under the criminal law special provisions will apply and the College's own misconduct investigations or proceedings may be delayed until such time as the police and/or courts have completed their investigations and proceedings.

- G27.27 Students following a programme of study where it is a requirement to undergo a Disclosure and Barring Service check as a condition of enrolment are required to notify the Faculty, in writing, of any criminal convictions subsequently imposed.
- G27.28 Students imprisoned for a period of 21 days or more will be automatically withdrawn from the College. Any such students will have the right to submit written representations to the HoSCA against this decision, within 21 days of the date of notification of the decision to withdraw. Representations received after this deadline will only be accepted at the discretion of the HoSCA.

Assessment related Misconduct

- G27.29 On receipt of an allegation of misconduct the Faculty, normally the Assessment Sub-Board Chair, will review whether it is a case which can be dealt with via the Local Academic Misconduct Procedure (LAMP). The Faculty will follow the process as outlined in the College Guidance for Staff on Academic Honesty and Integrity (known as the Local Academic Misconduct Procedure) Where it is deemed that the outcomes within LAMP are not suitable, the matter will be referred to HoSCA who will report this to the Misconduct Committee. Where it is determined under LAMP these are the possible outcomes:
- a) it is not a case of assessment related misconduct in which case no further action will be taken;
 - b) the student has committed poor academic practice rather than misconduct;
 - c) the student has committed academic misconduct; or
 - d) the student or the Assessment Sub-Board Chair requests that the matter be referred to HoSCA who will report this to the Misconduct Committee.
- G27.30 HoSCA may issue a written warning for assessment related misconduct which takes place during formal written examinations. The student can contest the allegations and penalty within 5 working days, in which case the HoSCA will refer the matter to a Misconduct Committee.
- G27.31 Any material presented for assessment may be submitted to a plagiarism and collusion detection service for text analysis and the findings considered as part of an investigation under this regulation. Submitted work will be stored in a database (along with the student's name, email address, programme/module details and institution) and will form part of the body of student work against which future submissions from this and other institutions will be compared.
- G27.32 The mark for any assessment being considered for action under this Regulation

may be withheld pending the conclusion of any action.

Misconduct Committee

Misconduct Committee procedure

- G27.33 Written notice of the Committee date, including the names of the Committee members, the College Representative and the College witnesses, together with all documentary evidence, including copies of witness statements, will normally be sent to the student at least 10 working days before the Committee date.
- G27.34 The student may present documentary material or witnesses in their defence or mitigation. Documentary evidence for consideration by the Misconduct Committee, and/or the names of any additional witnesses and written copies of their evidence, must be sent to the HoSCA at least seven days in advance of the Committee. This evidence will be sent to the Committee by the HoSCA. Documentary evidence and/or witnesses received after this deadline will only be accepted at the discretion of the Chair of the Committee.
- G27.35 The Chair has the discretion to adjourn the Committee where the above time frames have not been met. It is the student's responsibility to invite any witnesses they wish to attend, to ensure that witnesses can attend, and to provide them with any documentation. The Committee will not normally be adjourned due to the unavailability of a witness, and any decision to adjourn is the sole discretion of the Chair.
- G27.36 The student facing the charge will have the right to be present during the Committee except if the Committee requires private discussions where only the Committee and the Clerk will be present.
- G27.37 The College Representative will present the charge and evidence gathered to the Committee. The student facing the charge (or their representative) will be invited to reply. Either party may call witnesses to the fact.
- G27.38 The Committee may ask questions of all those called before it, and the College Representative and the student may raise questions through the Chair.
- G27.39 At the conclusion of the presentations and questions, the student facing the allegation may address the Committee and make a statement.
- G27.40 The Committee will deliberate in private and will normally reach a decision and outcome without adjournment.
- G27.41 At any time during the proceedings, the Chair may adjourn the Committee for the purpose of reaching a decision, outcome, or for other good cause. The

Committee will ensure that any adjournment does not unreasonably delay the misconduct proceedings.

- G27.42 A decision of the Committee will be reached by a majority vote of the members of the Committee present at the Committee but will be announced as a decision of the Committee. The votes of the individual Committee members will be treated as confidential. In the event of a tie, the Chair will have the casting vote.

Outcome of Misconduct Committee

- G27.43 Should the Misconduct Committee decide that the charge was not established, that decision will be communicated to all persons involved in the case, normally within seven days of the date of the Committee.
- G27.44 Where the Misconduct Committee determines that a charge of misconduct has been substantiated on the balance of probabilities the Committee may decide one or more of the following measures:

Assessment related misconduct

- a) a formal warning, with the requirement that the examiners assess those parts of the student's work that is unaffected by the offence;
- b) a warning, with the requirement that the examiners assess those parts of the student's work that is unaffected by the offence with the assessment/s capped at the pass mark;
- c) the assignment of the minimum pass mark to a paper or papers, or assessed work, or both;
- d) the cancellation of the results in an assessment/s and a mark of zero returned;
- e) the cancellation of the results in an assessment/s and a mark of zero returned and any mark resulting from a resit capped at the condoned fail level (see glossary);
- f) the cancellation of the results in an assessment/s and a mark of zero returned. The final module mark following reassessment is capped at the condoned fail level;
- g) the cancellation of the results in an assessment/s and a mark of zero returned and the student not permitted to resit but permitted to take an alternative module (but with only one attempt at the assessment permitted);
- h) the student's right to re-register for the assessment/s withdrawn;
- i) the student's right to be considered for an exit award withdrawn;
- j) the results for an assessment/s in a year or stage not to be considered by the relevant Faculty Assessment Board for a specified period of up to one calendar year;
- k) conditions for the continuation of student status;

- l) suspension for an indefinite period, with an agreed review date;
- m) a recommendation to the Academic Board that the student's award be revoked;
- n) expulsion (with or without credit retained)

Any misconduct

- o) a warning;
- p) payment of compensation for damages;
- q) conditions for the continuation of student status;
- r) a no-contact order regarding one or more members of the King's community
- s) exclusion for a stated period from specified activities or specified parts of the College, conditions for re-admittance may be specified;
- t) suspension for an indefinite period, with an agreed review date;
- u) community service;
- v) a fine, up to £1,000 payable to a charity (not being King's College);
- w) a recommendation to the Academic Board that the student's award be revoked;
- x) expulsion (with or without credit retained).

- G27.45 The decision and outcome of the Committee will normally be sent to the student within five working days of the date of the decision of the Committee. For assessment-related offences, these will be communicated to the student, Assessment Board and Assessment Sub-Board Chairs, and where appropriate, to the relevant Executive Dean of Faculty. For non-assessment related offences, these will be communicated to the student, the relevant Executive Dean of Faculty, and other College officers as appropriate. A copy of the decision and outcome will be placed on the student's file. A student will also be advised that the case may be taken into consideration in the event of a future substantiated offence.
- G27.46 The Misconduct Committee may decide that the outcome be imposed immediately or be deferred. The conditions of any such deferment will be clearly stated as part of the decision of the Committee.
- G27.47 The Misconduct Committee will have the discretion to indicate a point in the future, and the conditions under which, a substantiated allegation of misconduct may be considered spent.
- G27.48 Where a student is following a programme of study leading to a professional qualification which is registrable with a statutory regulatory body the decision of the Committee will also be sent to the Executive Dean of Faculty for consideration in accordance with Academic Regulation G29.
- G27.49 Where a student who has been found guilty of misconduct holds a professional qualification which is registerable with a professional, statutory or regulatory body, the College may report the student to that body under Academic

Regulation G29.

Appeal

- G27.50 Students may appeal the decision of a Misconduct or Residences Disciplinary Panel on either or both of the following grounds:
- a) there is new evidence that could not have been, or for good reason was not, made available at the time of the Committee, and the case warrants further consideration;
 - b) evidence can be produced of significant procedural error on the part of the College before or during the Committee, and the case warrants further consideration.
- G27.51 The Principal will have the discretion to take into account grounds (including grounds of compassion) other than those stated above in deciding whether to allow an appeal to be heard.
- G27.52 Students should submit a Misconduct Appeal Form to the HoSCA, on behalf of the Principal, within 14 days of the date of the Misconduct Committee outcome. Misconduct Appeal Forms received after this deadline will only be accepted at the discretion of the Principal.
- G27.53 The Principal will normally advise the student of their decision on the appeal within 30 working days of receipt. If the appeal is to be heard, an Appeal Committee will be appointed. If the appeal is rejected, reasons will be given.

Appeal Committee procedure

- G27.54 Written notice of the Committee date will normally be sent to the student and College Representative/Assessment Board Representative, together with the names of the Committee members and all documentary evidence, at least 14 days before the Committee date.
- G27.55 The student may present documentary evidence for consideration by the Committee. This evidence must be sent to the HoSCA at least seven days in advance of the Committee. This evidence will be sent to the Committee by the HoSCA. Documentary evidence received after this deadline will only be accepted at the discretion of the Chair.
- G27.56 The student facing the charge will have the right to be present during the Committee except if the Committee requires private discussions. Only the Committee and the Clerk to the Committee will be entitled to be present at such times.
- G27.57 The student making the appeal, or their representative, will present their case against the decision or outcome of the Misconduct Committee.

- G27.58 An Appeal Committee will consider the relevant documents and may call persons connected with the proceedings from which the appeal arises to address the Committee.
- G27.59 An Appeal Committee will normally reach its decision without adjournment but may adjourn for the purpose of reaching a decision. The Committee will ensure that any adjournment does not unreasonably delay the misconduct proceedings.
- G27.60 The decision of an Appeal Committee will be reached by a majority vote of the members of the Committee and will be announced as the decision of the Committee. The votes of individual Committee members will be treated as confidential. In the event of a tie, the Chair will have the casting vote.

Appeal Committee outcome

- G27.61 The decision and outcome of an Appeal Committee will normally be sent to the student within five working days of the date of the decision of the Appeal Committee. For assessment related offences, these will be communicated to the student, FAB and ASB Chairs, and where appropriate, to the relevant Executive Dean of Faculty. For non-assessment related offences, these will be communicated to the student, the relevant Executive Dean of Faculty, and other College officers as appropriate. A copy of the decision and outcome will be placed on the student's file.
- G27.62 The Appeal Committee may reject or uphold the appeal. Where the Appeal Committee upholds the appeal, the Committee may order one or more of the following measures:
- a) modify or reverse the findings of a Misconduct Committee or a Residences Disciplinary Panel;
 - b) modify or reverse the order of a Misconduct Committee or a Residences Disciplinary Panel.
- G27.63 Where an Appeal Committee rejects the appeal, the findings and decision of the Misconduct Committee stands.
- G27.64 A decision of an Appeal Committee will be final.

Useful links

[Non-Academic Misconduct Guidance](#)
[Student Conduct and Appeals webpages](#)
[Fitness for registration and fitness to practise \(G29\)](#)
[Academic Honesty and Integrity \(Plagiarism\)](#)
[Committee Structure \(G57\)](#)
[Discipline Policy \(see under "Important Documents"\)](#)
[List of breaches students need to inform their Faculty \(G27.2\)](#)
[Student Coronavirus Conduct & Behaviour: Policy Statement](#)

[Glossary](#)

Exemptions: not anticipated. For advice contact appeals@kcl.ac.uk.

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