

# **Residential Discipline Policy**

## **Estates & Facilities Directorate**

**Policy Location** King's Accommodation Website: [www.kcl.ac.uk/study/accommodation/life-in-residences/welfare-support](http://www.kcl.ac.uk/study/accommodation/life-in-residences/welfare-support)

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	<b>NAME</b>	<b>JOB TITLE</b>	<b>SIGNATURE</b>
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### Change History

<b>Policy Version</b>	<b>Effective Date</b>	<b>Significant Changes</b>
1.1	August 2018	Changes to titles within the department, update all links to replace out-dated documents.
1.2	April 2019	Allowing for incidents to be referred straight to Disciplinary Board where the evidence is undeniable, inclusion of reprimands for under-18 and alcohol related incidences, inclusion of the ability to exclude from Residences after only one charge of misconduct, reprimands around vaping, change of Warden name to Residence Welfare Lead. Clarification around appeals process to Student Conduct and Appeals Office.

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## **1. INTRODUCTION**

This policy is governed by the College's [G27 Academic Regulation - Misconduct](#) and is supported by the current [King's Residences Licence Agreement \(Terms & Conditions of Residence\)](#). Thus, they should be read together for a fuller understanding of the management of residents' conduct in College accommodation.

This Policy will be reviewed annually to ensure that it is aligned to the Terms and Conditions of Residence for each academic year. However, King's Residences reserve the right to amend the terms of this Policy throughout the academic year without consultation should the need arise.

At the annual review, King's Residences will engage with the Students Conduct & Appeals Office, the student body via KCLSU and Student Welfare Staff (Residences Welfare Leads) to ensure the policy remain current and practicable.

KCLSU expects students not to breach this policy and will promote compliance with University rules and regulations. They will also provide support and representation to students who are the subject of action under this policy. Students are strongly advised if they need support to contact KCLSU if they are subject to any disciplinary action. The contact page can be found here: <https://www.kclsu.org/about/contactus/>

## **2. AIMS**

The College views being a student as a privilege and an opportunity for personal and academic development, with all that this implies in regard to appropriate behaviour and mutual respect. Life at King's Residences should be a pleasant experience for all, however, this can be jeopardised by unacceptable behaviour. The College hopes that disciplinary sanctions will not be necessary and that all students will enjoy a rich and fulfilling experience; however, students failing to collaborate to a positive and tolerant environment can expect King's Residences to act in accordance with this policy in matters of discipline with College accommodation.

## **3. PURPOSE**

The purpose of the Disciplinary policy is to:

- Remind all students from time-to-time, as may be necessary, of the standards and behaviours required of them.
- Give all students the right to be advised of any shortcomings in their standards and behaviour and to give them the opportunity to remedy such shortcomings.
- Prevent undisciplined or unreasonable behaviour adversely affecting the educational objectives of the College or interfering with the establishment and maintenance of effective working relationships and communal living within the residences.
- To educate and support students with identifying healthier, safer and more community-friendly ways of living.

## **4. DEFINITION**

The T&Cs set out how King's Students (along with their partner/spouse/visitors/guests) are expected to conduct themselves during their residency with King's Residences.

## 5. KEY AREAS COVERED UNDER RESIDENTS DISCIPLINE

Residents are expected to not do anything that may prejudice good estate management and the smooth running and efficiency of the residence they live in. The following are examples of acts of misconduct which may lead to disciplinary action, but this is not intended to be an exhaustive list:

- The use of any unlawful drugs or other controlled substances (referred to Student Conduct and Appeals);
- Possession of dangerous or offensive items including firearms and non-domestic knives (referred to Student Conduct and Appeals);
- Interference with fire doors, fire alarms, smoke detectors or fire exits;
- Failure to evacuate halls in the event of a fire alarm;
- Anti-social and inconsiderate behaviour including noise;
- Throwing items, including food and litter, out of windows;
- Causing annoyance or nuisance to other residents, staff or to occupants of neighbouring properties;
- Smoking/vaping inside residential buildings, outside designated smoking areas in residential grounds or within 5 metres of any College building;
- Failing to keep common areas clean and tidy and, in particular, failing to ensure that kitchen equipment, utensils, crockery and cutlery are washed and put away promptly after use and waste and re-cycling bins are emptied regularly;
- Any behaviour which may be perceived as harassment or annoyance to other residents or residence's staff (case may be referred to Student Conduct and Appeals);
- Any behaviour which may be perceived to be harmful (physically or psychologically) towards other residents or residence's staff;
- Subletting of the bedroom covered by the license agreement

## 6. LIMITATIONS

The following procedures cover action to be taken in response to behaviour covered by the current [King's Residences Licence Agreement \(Terms & Conditions of Residence\)](#). Other behaviour by students on or off campus should be dealt with under the Student Code of Conduct.

## 7. APPLICATION OF THIS POLICY

This Policy applies to all King's College London ("the College") undergraduate, postgraduate, pre-sessional and PhD students ("KCL Students") who reside at King's Residences. This includes students on study abroad programmes & pre-sessional programmes. Where a student occupies a couple's flat, this Policy extends to their partner, spouse and/or visitors/guests as supported by the T&Cs:

*2.5.1 You are responsible for the behaviour of any Nominated Sharer and any Visitor and you must ensure that they do not break the terms of this Agreement. If they do, you will be in breach of this Agreement.*

*2.5.2 You agree that we may remove or exclude your Visitors from the Accommodation or the Residence where we have reasonable grounds to believe that this is necessary for the safety and/or well-being of other persons.*

## **8. REPORTING INCIDENCES OF MISCONDUCT**

College staff and students should report concerns about any King's students' conduct within King's Residences to the Day or Night Reception Team, the Residences Welfare Lead on duty or the Residence Manager if they are on duty (the "First Responder").

### **Initial Inquiry by a First Responder**

The First Responder is usually a member of the Day or Night Reception Team, the Residences Welfare Lead on duty or the Residences Manager. They will be responsible for making the initial inquiries into the incident, once alleged misconduct is reported to them.

The First Responder's priorities will be of:

1. ensuring the safety of the premises, residents and staff
2. gather evidence and submit a report using the current misconduct reporting suite, and
3. where possible, confirm any allegation of misconduct

Student representatives such as Community Facilitators and Hall Leaders are not First Responders. If alleged misconduct is reported to a Community Facilitator, they shall report the alleged misconduct to a First Responder immediately.

If, on their initial inquiries, the First Responder considers the incident to be urgent and/or believes it to break the law, they must immediately contact the Emergency Services and/or the Residences On-Call Manager for further advice and guidance. The On-Call Manager will confirm who, if anyone, should contact the Emergency Services if this has not yet been done and will also take responsibility for escalating the incident to the necessary Senior Management (as needed).

The First Responder shall provide the Residences Welfare Lead, Residence Manager and/or the On-call Manager, depending on the relevance and severity of the case, with information regarding the report of misconduct and the process that the First Responder carried out in their initial inquiries, the evidence gathered using the Incident Report Form and from any other sources, and state the First Responders allegation of misconduct following their inquiries (i.e. confirmation of the original allegation or otherwise).

Following the initial inquiry carried out by the First Responder, allegations of misconduct are referred via the submission of the report to the relevant staff, as per above, at the first available opportunity and within 24 hours of the First Responder's initial inquiry.

Where an alleged verbal or physical assault has been perpetrated by a resident on a member of staff, the immediate report to the line manager may be verbal or written but a written report will normally be required within 24 hours.

## **9. INVESTIGATION BY THE CASE MANAGER**

All reports/allegations of misconduct are referred to a Case Manager, who normally will either be the Residence Manager or appropriate Senior Manager within the King's Residences team.

The manager assigned as the Case Manager will analyse the available evidence submitted by the First Responder and may choose to investigate further to gather additional information as they see fit. This

additional information may consist of; conducting investigation interviews all parties and additional witnesses; reviewing CCTV footage and security logs; reviewing the resident's conduct file for evidence of any previous cases of misconduct etc. ("Initial Inquiry Evidence").

In cases where the evidence submitted by the First Responder is incontestable, such as photographic evidence of the incident, student confession in writing of incident or student caught in the act of misconduct, the Case Manager can decide to refer the case straight to the Residence Welfare and Conduct Manager without further investigation.

On completion of the investigation, the Case Manager will compile a Fact Finding Investigation report outlining the fact finding meeting with the alleged offender, the evidence and the outcome of the meeting. The Case Manager will send the report to the Residence Welfare and Conduct Manager who will determine, normally within 5 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 misconduct which constitutes a minor infringement of the regulations; or
- c) there is sufficient evidence to form the basis of a charge of misconduct which constitutes a major infringement of the regulations; or
- d) there is sufficient evidence to form the basis of a charge of misconduct which constitutes an extremely serious infringement of the regulations.

Please note: multiple offences will be dealt with at the same time. Each offence will be issued with an appropriate warning, so in the event of there being multiple offences, there will be multiple charges of misconduct. Where there is sufficient evidence to form the basis of 1 (or more) extremely serious infringements that place the physical or mental health of others at risk, it will be at the Board's discretion to either issue multiple charges, or in consultation with the Director of Student Residences and the Students Conduct & Appeals Office, they can, where appropriate issue a termination of accommodation license agreement.

## **10. CONSEQUENCES OF MISCONDUCT**

Misconduct by a resident of King's Residences may result in one or more of the following sanctions, for the matters dealt with under this policy:

- a verbal warning
- a formal warning, which can be green, amber or red
- mediation for victim or conflict related misconduct
- an order for community service to be undertaken
- an order for a compulsory educational session
- a fine or order for compensation
- disqualification, on a permanent or temporary basis, from King's Residences

Other sanctions may be applied if the discipline case is escalated to the Students Conduct & Appeals Office; these are detailed on the College's [Misconduct Policy](#).

## 11. CATEGORIES OF MISCONDUCT & REPRIMANDS UNDER THIS POLICY

The following categories represent the levels of action to be taken when dealing with incidents within King's Residences:

1. Minor Transgressions;
2. Major Transgressions; and
3. Extremely Serious Transgressions

The action taken may be in addition to any costs incurred by the department in carrying out any repairs, replacements or cleaning required rectifying any damage or disruption caused by the student(s) concerned.

There are four stages, and action may commence or be taken at any stage depending upon the seriousness of the offence and the existence of current warnings against the student.

1. Recorded Verbal Warning – For minor disciplinary matters, but will still be formally recorded in the Residence's Discipline database for one year.
2. Green Warning – For more serious cases or repetition of minor disciplinary matters, these will be issued in line with the matrix below and will be logged on the Residence's Discipline database for the entire duration of the student being in residences and where appropriate notified to the relevant department within Student Services.

(These first two stages are dealt with at a local level and will not involve a formal Investigative Interview or offered the Right of Appeal to the Head of Operations- King's Residences)

3. Amber Warning – If disciplinary action becomes necessary following a Green Warning, or in the first instance of more serious misconduct. This can be issued by the Residence Manager when it relates to fire safety; otherwise these are only issued following consideration by the Residences Disciplinary Board.
4. Red Warning – This will be issued on the recommendation of the Residences Disciplinary Board, or prior to that when the situation demands drastic action to safeguard other residents and/or staff, with the appropriate notice by the Residences Welfare and Conduct Manager in consultation with the Property and Customer Services Manager and the Students Conduct & Appeals Office and the relevant Student Services Division where appropriate.

In the instance where there is already a red warning in place and a second transgression occurs that would also carry a red warning, the Residences Disciplinary Board (in consultation with the Director of Student Residences and the Students Conduct & Appeals Office) will issue a termination of accommodation license agreement, and the student will be expected to leave their Residence within an agreed time frame.

In the instance where there is an incident of misconduct that carries significant evidence to suggest the future wellbeing of others is at risk, the Residences Disciplinary Board (in consultation with the Director of Student Residences and the Students Conduct & Appeals Office) will issue a termination of accommodation license agreement, and the student will be expected to leave their Residence within

an agreed time frame (2 weeks as a suggestion for notice, but this can be flexible dependant on the nature of the risk).

Serious alleged offences may still be referred to the Students Conduct & Appeals Office, following a Red Warning, to be dealt with under the College's Misconduct Regulations, when deemed appropriate. Such offences may warrant, on their own merit or following repeat offense after a Red Warning is issued, request for Termination of Residence. This will be issued on the recommendation of the Director of Student Residences in consultation with the Director of Real Estate Management and Director of Student Services.

The list below provides an indication of reprimands applied to each case dependent on the nature of the misconduct; this list is not exhaustive:

Areas of Misconduct	Example of Transgressions	Transgression Category	Who the case is referred to for decision	Decisions to be made in consultation with	Type of Warning Issued - First Time Offenders	Type of Warning Issued - Repeat Offenders	Possible Sanctions in Addition to Warning	Appeals should be directed to
Upkeeping of Accommodation	Unacceptable common room, bedroom and/ or kitchen cleanliness left unaddressed for over 2 days	Minor	Local Management	Property & Customer Service Manager	Verbal	Green	Charge for the cost of cleaning	Head of Operations- King's Residences
	Rubbish and recycling not placed in the designated areas, i.e. littering						Educational session	
	Unauthorised alterations or damage to the accommodation, including damage or removal of furniture, equipment or curtains	Major	Disciplinary Board	Property & Customer Service Manager	Green	Amber	Charge for the repairs + £25 admin fee	
	Vandalism, damage or misuse of residential property (internal/external)**						Educational session	
Fire Safety	Obstructing communal areas or fire escape routes	Major	Disciplinary Board	H&S Services	Amber	Red	Community Service	First Offence Appeal- Head of Operations- King's Residences
	Unauthorised use of a personal electric heater or electrical kitchen equipment in bedroom.						£100 min fine	
	The use of electrical equipment that does not meet current Health and Safety standards						£100 min fine	
	Creating a fire hazard by using or storing flammable or dangerous materials (e.g. candles, incense sticks/burners, fireworks, petrol, paraffin, bottled gas, fairy lights, hookah or shisha pipes).						£100 min fine	
	Failure to attend a mandatory fire safety meeting		Community Service					
	Evidence of smoking/vaping inside residential buildings or grounds outside the external designated areas. This includes ash, cigarette butts, smell in rooms, ashtrays, repeated complaints from fellow Residents, caught in the act of smoking/vaping etc.		Disciplinary Board	H&S Services and Director of Student Residences	Red	N/A - repeat offenders will have accommodation license agreement terminated	£100 min fine	
	Failure to evacuate the building promptly in event of fire alarm, and/or re-enter the building without permission.**						Educational session	
	Setting off fire alarms through irresponsible actions (for example, use of any electrical equipment that may interfere with the alarm in the bedroom)**						£100 min fine	
	Tampering with fire equipment (including fire doors, extinguishers and smoke alarms), or any other action posing a health and safety risk **						£100 min fine and educational session	
Access & Security	Failure to produce ID card when requested to do so	Minor	Local Management	Head of Security	Verbal	Green	n/a	
	Leaving windows open when leaving the bedroom						Community Service	

	Failure to shut/lock main entrance doors in the Residence when entering or leaving						Community Service	
	Persistent failure to carry keys requiring staff and/or contractors to enable entrance			Property & Customer Service Manager	Green	Amber	£25 fine	
	Deliberate tampering with doors leaving residences insecure (e.g. propping external doors open)	Minor	Disciplinary Board	Head of Security	Amber	Red	Community Service + cost of repairs where applicable	
	Creating an access security breach by marking a key, key fob or key card with the Residences address, or copying keys, key fob or key card and giving them to anyone else	Major			Red	N/A - repeat offenders will have accommodation license agreement terminated	£100 min fine Community Service Charge for the repairs + £25 admin fee	
	Theft by means of take (another person's property) without permission or legal right and without intending to return it.							
Guests & Visitors	Failing to accompany a visitor when in residential grounds at all times	Minor	Local Management	Property & Customer Service Manager	Verbal	Green	n/a	Head of Operations- King's Residences
	Allowing more than 1 day visitor to remain in the Residence buildings beyond 11pm.						n/a	
	Having a visitor stay to the annoyance of other occupants or which disrupts their study				n/a			
	Allowing overnight guests/visitors to stay for more than 3 nights in any one week, or any more than 20 nights in total in a semester without prior written permission from the Residence Supervisor			Green	Amber	£50 min fine		
	Letting strangers into the Residence without following the guest/visitors procedure	Major	Disciplinary Board	Head of Security	Amber	Red	Community Service	
	Subletting your room – allowing use of your room by a guest in exchange for monetary gain				Red	N/A - repeat offenders will have accommodation license agreement terminated	n/a	
Noise & Disruption	Playing games with balls or other projectiles in the Residence or outside of designated areas	Minor	Local Management	Residences Welfare and Conduct Manager	Verbal	Green	n/a	
	Being noisy and therefore interfering with the study, sleep or comfort of persons living and/or working in the Residence				Green	Amber	Educational Session	
	Making or allowing loud noise (including the use of kitchens, televisions or playing music) between 11pm and 8am				Amber	Red		
	Hosting an unauthorised private party				Amber	Red		
General Behaviour	Causing annoyance/nuisance (i.e. anti-social behaviour) or being disrespectful to other residents, staff or to occupants of neighbouring properties.	Major	Disciplinary Board	Head of Operations – King's Residences	Amber	Red		N/A - repeat offenders will have accommodation license agreement terminated
	Abusive behaviour towards residences staff or preventing staff from completing their duties (e.g. failure to attend meetings with staff).							
	Anti-social behaviour that cause upset or distress to other students (this may include but is not exclusive to bullying and harassment, racist/prejudice slurs)**							
	Any behaviour or threatened behaviour that Residences assesses puts the physical, mental, emotional or psychological health of others at risk.							
	Disregard for acceptable behaviour in respect of communal living.							

<b>Miscellaneous</b>	Bringing a bike into the Residence outside of designated areas	Minor	Local Management	Property & Customer Service Manager	Verbal	Green	n/a	Head of Operations- King's Residences
	Hosting an unauthorised barbeque				Amber	Red	£50 fine	
	Receiving more than 3 green warnings in the last 3 months, or 5 over the academic year	Major	Disciplinary Board	Deputy Head of Student Accommodation	Amber	Red	n/a	Director of Student Residences
	Placing an item on or throwing anything from a balcony/window (includes liquids)	Major			Red	N/A - repeat offenders will have accommodation license agreement terminated	£50 fine	
<b>Unlawful conduct/actions</b> **	For a Resident aged 18 or over to facilitate the consumption of alcohol to a Resident that is under the age of 18**	Major	Disciplinary Board	Deputy Head of Student Accommodation	Red	N/A - repeat offenders will have accommodation license agreement terminated	NA	
	For an under 18 Resident to be found purchasing alcohol**							
	Possession or use of unlawful drugs (class B & C) or other controlled substances in College accommodation**	Extremely Serious	Student Conduct & Appeals Office	TBC by Student Conduct & Appeals Office	Usually, upon completion of the Misconduct Procedure by the Student Conduct & Appeals Office, the accommodation agreement with King's Residences will be terminated immediately if misconduct is confirmed/upheld			
	Physical assault, sexual assault or violent behaviour**							
	Drug dealing or possession of class A unlawful drugs**							
	Possession of dangerous, offensive items (e.g. weapons, laser pens etc.)**							
	Serious theft**							
Behaviour by yourself or any of your guests that breach health, safety and conduct out lined in licence agreement (e.g. kitchen appliances in bedrooms)**								

\*\*Offences of this seriousness could lead to criminal proceedings.

## **12. DISCIPLINARY PROCEDURE**

On the basis of the evidence available, the Case Manager will determine the category of the misconduct allegation. The category of alleged misconduct determines the procedure taken as detailed below.

## **13. CASES REFERRED FOR LOCAL MANAGEMENT DECISION**

If following the initial inquiries the Case Manager determines the misconduct to be a Minor Transgression, the Case Manager will continue with the disciplinary procedure at the local management level, as follows:

1. The Case Manager will inform the student in writing of the allegation of misconduct, providing the evidence supporting the allegation and inviting the resident to attend a meeting to discuss the allegation. The resident will have 7 days to confirm their attendance or request an alternative date. The resident will be informed of their right to be accompanied at the meeting by a peer or KCLSU adviser. If the student fails to respond to the allegation, the site manager can continue with this procedure in any event. (Students under the age of 18 years are encouraged to invite a parent/guardian to this meeting).
2. The Case Manager will consider all of the evidence available, including the student's response at the meeting, to reach a decision, usually within 7 days of the deadline for the student's response, as to whether the student has breached the Residence Agreement T&Cs.
3. The Case Manager has authority to consider and issue Verbal, Green and Amber warnings in addition to other sanctions such as fines and community service as outlined on the Categories of Misconduct & Reprimands under this Policy section.

## **14. CASES REFERRED FOR RESIDENCES DISCIPLINARY BOARD DECISION**

If following the Initial Inquiries the Case Manager determines the misconduct to fall under those assigned to the Residences Disciplinary Board on the "Categories of Misconduct & Reprimands under this Policy", the Case Manager will hand over the handling of the case to the Residences Disciplinary Board (the "Board"), who will proceed as follows:

1. On referral, the Chair or nominee can choose to investigate further and to seek additional information as they see fit ("Additional Information"). Any further investigations shall be completed within 14 days from the date the case is referred to the Board.
2. The Board will meet at the earliest opportunity to consider the case (a "Board Hearing") and the Board composition will be as follows:
  - Chair: Residences Welfare and Conduct Manager, or their nominee
  - Secretary: Operations Assistance, or their nominee
  - A Senior Welfare Lead (where possible)
  - The Property and Customer Services Manager, or their nominee
  - A KCLSU student panel volunteer (where possible)
  - Other managers who should be consulted with as part of the decision making process as outlined on "Categories of Misconduct & Reprimands under this Policy"

The Board shall be composed to ensure none of the Board members have been involved with the student's residence disciplinary at any prior stage.

Where possible the board must comprise of at least 3 of the above mentioned members to present at the meeting; however, 2 Board members will suffice for the meeting to quorate.

3. The Board's Secretary will issue the student with an "Attendance Required" letter. The letter shall inform the student in writing of:
  - a. the allegation of misconduct as decided by the site manager;
  - b. that the alleged misconduct is deemed serious enough to warrant consideration by the Board;
  - c. the evidence supporting the allegation (including but not limited to the Initial Inquiry Evidence, the submissions made by the student in the Local Management Procedure, the Case Manager's Decision, and any Additional Information)
  - d. the date, time, location of the Board Hearing and whether the Board's Secretary considers that witnesses should be invited to the hearing, the student accused will not be given less than 7 days' notice of the date of the hearing. The Board Hearing will be in term-time, but the notice period can occur during vacation;
  - e. if the Board's Secretary considers that witnesses would be valuable, the "Attendance Required" letter will inform the student of which witnesses the Board intends to invite and give the student the opportunity to request a maximum of 2 witnesses.
  - f. the right for the student facing a charge of misconduct to be accompanied at the Board Hearing by another College member, a member of the KCLSU. The individual accompanying the student is not to speak on students' behalf.
    - i. if the student is to be accompanied, the name(s) of the person/persons who is/are to attend must be received in writing by the Board Secretary at least 48 hours in advance of the hearing. The Chair of the relevant College Misconduct Committee or Appeal Committee has the discretion to refuse to permit a representative, friend or family member to attend where prior written notice has not been given.
  - g. the process to take place at the Board Hearing; and
  - h. that the student has the opportunity to respond in writing to any further evidence not considered within 5 days of receiving the Attendance Required Letter with supporting evidence, limited to 10 pages.
4. The Board Hearing will normally proceed as follows:
  - a. The Case Manager, or their nominee, will make submissions to the Board regarding the allegation of misconduct and present any evidence in support of its submissions; the Board will have the opportunity to ask questions regarding the Case Manager's submissions
  - b. The student will then make submissions to the Board regarding the allegation of misconduct and present any evidence in support of their submissions; the Board will have the opportunity to ask questions regarding the student's submissions
  - c. Witnesses will then be asked to provide their account of events surrounding the alleged misconduct; the Board will have the opportunity to ask questions of each witness
  - d. The Board will have the opportunity to ask any final questions of the attendees;

- e. Once the student's case has been fully presented, the Board Chair will adjourn the meeting for a period of time depending on the complexity of the matter(s) to be considered;
  - f. Once all the facts and information have been fully considered, the Chair will reconvene the hearing and advise the student of his/her decision; and
  - g. Confirmation of the decision will also be provided in writing within 7 working days after the conclusion of the hearing.
5. The Board Chair has authority to consider and issue Green, Amber and Red warnings, or to further refer cases to the Student Conduct & Appeals Office, in addition to other sanctions such as fines and community service as outlined on the "Categories of Misconduct & Reprimands under this Policy".

## 15. INFORMING RESIDENT OF OUTCOME

If the student is found to have breached the Residence Agreement T&Cs, the decision will be communicated to the student in writing within 7 working days of the Local Management's or Board's decision being made (the "Disciplinary Outcome Letter"):

- The written evidence and outcome letters confirming the decision made by Local Management or Board shall be kept on the resident's file for the entire duration that the student lives in residence, where there is a finding that the student has breached their Residence T&Cs.
- If the student is found not to have breached the Residence Agreement T&Cs, the individual will be advised of this in writing and no further action will be taken under this procedure.

## 16. RIGHT OF APPEAL

Under this policy, a resident may submit an appeal against the outcome reached by the Residences Disciplinary Board, if the grounds for appeal satisfy either or both criteria below:

- a) there is new evidence that could not have been, or for good reason was not, made available at the time of the hearing, and sufficient evidence remains that the appeal warrants further consideration; or
- b) evidence can be produced of significant procedural error on the part of the College before or during the hearing.

## 17. DECISIONS MADE BY LOCAL MANAGEMENT

Following the written confirmation of the Local Management decision, an appeal must be submitted in writing, within 14 days, to

Head of Operations – King's Residences

King's Residences Management Office

165 Great Dover Street, SE1 4XA

London

Or by email to [kingsresidences@kcl.ac.uk](mailto:kingsresidences@kcl.ac.uk)

The grounds for the appeal must be clearly stated as part of the request and residents should include any supporting documentation they wish to have considered together with a statement of appeal outlining how they believe their case meets either or both of the criteria outlined above.

The Head of Operations – King’s Residences 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.

If the Head of Operations – King’s Residences decides to allow an appeal to be heard, they will appoint an Appeal Committee. They will normally advise the resident, in writing, of his decision on the appeal application within 28 days of its receipt. The written notice of the Appeal will include:

- a) the grounds on which the appeal has been allowed;
- b) the date, time and location of the Appeal hearing. The student will not be given less than 7 days' notice of the date of the Appeal hearing. The Appeal Hearing will be in term-time, but the notice period can occur during vacation;
- c) the composition of the Appeal Committee;
- d) copies of all papers to be considered by the Appeal Committee, including any statements from Residences Representative(s)
- e) if the student wishes to present any further evidence, this material must be supplied to the Head of Operations – King’s Residences / Student Conduct & Appeals at least 14 days before the Appeal date.
- f) the Head of Operations – King’s Residences will supply the members of the Appeal Committee, a minimum of five days in advance of the hearing, with the grounds for appeal with supporting documentation, the papers presented at the hearing from which the appeal arises and a statement from Residences Representative(s) in response to the grounds for appeal
- g) the right for the student facing a charge of misconduct to be accompanied at the Board Hearing by another College member, a member of the KCLSU. The individual accompanying the student is not to speak on students' behalf
  - a. if the student is to be accompanied, the name(s) of the person/persons who is/are to attend must be received in writing by the Board Secretary at least 48 hours in advance of the hearing. The Chair of the relevant College Misconduct Committee or Appeal Committee has the discretion to refuse to permit a representative, friend or family member to attend where prior written notice has not been given
- h) the process to take place at the Appeals Hearing

If an appeal is rejected, the Head of Operations – King’s Residences will provide the student with the reasons in writing.

## 18. DECISIONS MADE BY THE RESIDENCES APPEAL COMMITTEE

Following an appeal hearing by the King’s Residences Appeal Committee, if the student wishes to further appeal the decision made, an appeal must be submitted within 14 days to the Student Conduct & Appeals Office under the Misconduct Regulations, in line with paragraph G27.43 of the

<https://www.kcl.ac.uk/campuslife/acservices/Academic-Regulations/assets-17-18/G27.pdf>

## **19. PROCEDURES THAT TAKE PRECEDENT OVER THIS POLICY & PROCEDURE**

Where misconduct results in the Police involved and an investigation is started, this procedure will be paused until the Police conclude their investigations accordingly.

Where it transpires that misconduct carried out in Residences may form part of an already ongoing disciplinary procedure being carried out by the College, the former may be added to the current charge where it is deemed appropriate and necessary, and the College procedure will take precedent over the Residences procedure.

Where a resident is currently receiving formal welfare support, whilst their personal circumstances may be taken into account when issuing a decision, it will not exempt any resident from being disciplined accordingly and in line with this procedure.

## **20. RELEVANT POLICIES AND DOCUMENTS**

- [Data Protection Policy](#)
- [Terms and Conditions of Residence](#)
- [Misconduct Regulations](#)