



# **Academic Regulations 2024/25**

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## **Section 1: General Provisions**

### **1. Authority**

1.1 The academic regulations are made by the Academic Board under delegated authority from the Board of Governors.

1.2 The academic regulations are applicable to all academic programmes, courses, and modules offered as part of the senior school academic offer and to all students registered thereon. These regulations are not applicable to the Guildhall Young Artists division, summer schools or other courses that fall outside of the senior school offer.

1.3 Amendments to the regulations approved during the academic year will come into effect on the first day of the next academic year except where the Academic Board has made a special resolution for an in-year amendment.

1.4 A request for a special resolution will be highlighted on the agenda of the Board and will require a reasoned argument to be submitted in writing. An in-year amendment will require the consent of the entire student cohort affected by the amendment and details of the consultation with students must be included in the reasoned argument.

1.5 Students will be entitled to be examined in accordance with the regulations in force at the time of enrolment for that academic year. Special resolutions made under 1.3 above, and any programme amendments (see 4.9 below) will have due regard to this entitlement.

1.6 The Academic Board (or the Chair or Deputy acting on the Board's behalf) may consider applications for suspension of the academic regulations. Applications, including a reasoned case, must be made to the Academic Registrar (or nominee) by the relevant Vice-Principal or their nominee. Suspension of the requirements for award will not be considered.

1.7 Any suspension of regulation relating to a named student will only be applicable to that student and will not set a precedent.

1.8 These regulations will take precedence in the event of any discrepancy with other policies within the School.

1.9 In the event of a dispute over the interpretation of a regulation the Principal will be the final arbiter.

### **2. Delegations**

2.1 Under these regulations a named officer may delegate specifically or generally any of their powers to another officer holding a similar position or to a deputy

recognised for that purpose. Further, serial, delegation is not permitted without the permission of the original named officer.

2.2 The Academic Board may establish ad hoc and standing committees and may delegate any of its powers except:

- the approval of School-level academic regulations;
- the approval, suspension, or closure of academic programmes;
- the approval of academic partnerships.

### **3. Academic year**

3.1 The academic year will run from 1 August to 31 July and the dates of the main teaching terms will be determined by the Principal.

3.2 The word 'year' when used in these regulations without limitation will refer to the academic year.

### **4. Programme approval, amendment & review**

4.1 The Academic Board may establish programmes of study on the recommendation of Programme Boards and will specify the validation and periodic review (revalidation) procedure. A programme of study must have financial approval from the School Executive as well as academic approval in principle before it may be marketed to potential students as subject to validation.

4.2 The level of study for award, and for each year of study and/or each module will be identified and correspond with a level specified in *The Frameworks for Higher Education Qualifications of UK Degree-Awarding Bodies (FHEQ)*.

4.3 Any taught programme leading to an award identified in the FHEQ must meet the minimum credit requirements for that award in accordance with the Quality Assurance Agency's guidance *Academic credit in Higher Education in England* or its successor. The School's credit system follows the standard application of 1 credit representing 10 notional learning hours with a minimum of 120 credits for a full-time standard academic year and a minimum 180 credits for a full-time long academic year.\*

*\* In the design of a programme of study the full-time and part-time modes must be stated. A full-time programme will require a minimum of 21 notional learning hours on average each week.*

4.4 Research programmes leading to an award at level 8 will not be credit-rated.

4.5 In the design of a programme of study, reference should be made to relevant UK subject and qualification frameworks. In Music reference may also be made to European frameworks.



4.6 Each taught programme of study will have a programme specification approved at validation or revalidation/periodic review. Each module forming part of the programme will have a module specification approved at validation or revalidation/periodic review. Together the programme and module specifications and the assessment criteria will be the definitive document setting out a programme's intended learning outcomes, expected learning achievements, the mode of study and the teaching and the assessment methodologies.

4.7 The School reserves the right to amend any aspect of the programme specification or module specification for a specific programme during the period of validation and during the period of study of a student enrolled on that programme subject to the provisions of 1.3 to 1.5 above and 4.9 below.

4.8 The maximum and minimum period of study, including any periods of intermission, will be stated in the relevant programme specification. However, in no instance shall the maximum period of study be more than 7 years (full or part-time study) except for a doctoral programme where the maximum period of study shall be six years full-time or nine years part-time.

4.9 Amendments to a programme or module specification or assessment criteria must be considered by the relevant departmental committee and all major amendments\* presented to the Academic Board for approval. All amendments must be conducted with due regard to relevant external regulatory, statutory, and legal requirements, with offer-holders and registered students consulted appropriately.

\* A major amendment will be:

- To the award to which a programme leads – including variation to an exit award;
- to the award classification boundaries or award classification algorithm
- the overall programme aims and/or intended learning outcomes;
- the approved length and/or mode(s) of study of the programme;
- the deletion or replacement of a module worth more than 20 credits where the effect of this would lead to an alteration in the overall aims and/or intended learning outcomes of the programme;
- a significant change to the resources required to deliver the programme or module.
- a significant reduction, 10% or more, in the contact hours required to deliver a module
- a significant alteration in the learning or teaching methods or to the methods of assessment (e.g. shift from placement to lecture)
- a combination of minor changes that, when aggregated, is deemed to constitute a major change.

4.10 Each programme will be subject to periodic review to ensure a programme's continuing validity and relevance. The period of review will be established at (re)validation but each periodic review must take place within five years of a programme's approval or its previous review. However, the Academic Board may require a review at any point. The School Executive team will need to confirm the continuing financial viability of the programme before revalidation is confirmed.

4.11 Each programme will have a Programme Leader who will be responsible for the day-to-day delivery of the programme with the relevant Vice-Principal taking overarching responsibility across all programmes in their area and their interoperability both within the faculty and across faculties.

4.12 The decision to suspend or close a programme on which students are already registered will be taken by the School's Board of Governors which will have sought the advice of the Academic Board and/or School Executive. Any decision will give consideration to the School's obligations to those students already registered and ensure that arrangements are in place for the students to complete their programme of study.

## **5. Emergency provisions**

5.1 The School reserves the right in an emergency and/or during a local, national or global crisis outside of its control to vary the teaching and assessment delivery of a programme whilst maintaining the commitment to the broad curriculum framework of a programme and enabling students to meet the learning outcomes of that programme. These would include (but not exhaustive): industrial action; pandemic; quarantine; civil unrest; terrorism; natural disasters; failure of infrastructure.

The School will aim to communicate with students as soon as is reasonably possible and wherever possible, students will be consulted and the External Examiner will be invited to comment on changes to delivery with a long-term impact. Students will always be notified of the changes and their impact.

## **Section 2: Admission, enrolment & registration**

### **1. Admission of students**

1.1 Applicants who meet the general entrance requirements of the School and the specific requirements of an approved programme of study may be admitted to the School on behalf of the Principal by the Head of Administration for the relevant academic area, or their nominee, subject to the procedures for enrolment established by the School.

### **2. Entrance qualifications & requirements**

2.1 In order to be admitted to the Guildhall School of Music & Drama a student must:

- i. meet the specific requirements for the programme of study detailed in the programme specification including, but not limited to, any of the following: a specified level of previous study; assessment at audition, interview, and group work; and assessment of folio submission, recording submission, medical self-assessment or references;
- ii. have demonstrated to the School's satisfaction, taking into account individual circumstances, the intellectual maturity necessary to gain full advantage from the educational experience offered by the programme of study;
- iii. have satisfied the School about any arrangements which are considered necessary if the student is under 18 years of age;
- iv. demonstrate a satisfactory criminal records check where applicable;
- v. have an appropriate visa, where applicable;
- vi. comply with the enrolment procedure laid down by the School, including the payment of fees
- vii. be able to study (Regulation 5B).\*

*\* If an incoming student has a disability or health condition they should consider whether they feel they can meet all requirements to progress in their studies, and manage their condition. Reasonable adjustments and support will be offered to any student who discloses a disability to enable them to meet course requirements and cope with the demands of their course. However, should a student still be unable to meet standards, this is likely to impact their progress in their studies. Deferrals and intermissions can be offered when it is reasonable and in the student's best interest to do so. If a student has any concerns about requirements or coping with the demands of their course, they should let their department or Student Services know as soon as possible. The reasonable adjustments and support that can be offered can be discussed, empowering students to make an informed decision about their studies. Students have the right to choose not to disclose and may find they can cope with the demands of the course without adjustments, using general support available within the School and from external services. The decision to disclose is a very personal one and students are encouraged to discuss the impact of choosing not to disclose with the Student Services team.*

2.2 Except by mutual agreement in one-to-one lessons, the language of instruction in the School is English and all students must have a good command of English and be able to apply this in an academic environment. All applicants for whom English is not their first language, except applicants for the BA Acting programme, will be required to provide certificated proof of their competence in English prior to registration or pass the School's own English language assessment.\* The standard of proficiency required by the School will be published annually on its website. For the acting programme, English language fluency must be demonstrated at audition.

*\* Proficiency will need to be demonstrated in another form in reading, writing, speaking, and listening. A record of the assessment in each of the four components must be kept. For Student visa students, this record may be inspected by UKVI visiting officers.*

2.3 Offer holders are not normally permitted to defer their year of entry. This is because the audition/interview is a substantial component of the selection process, and applicants must undertake a successful audition/interview in the academic year immediately prior to entry.

2.4 However, at the discretion of the relevant Head of Department/Head of Programme, a deferral may be permitted:

- a) where there are significant extenuating circumstances – for example, a serious illness, death in the family, or other personal circumstances outside of the student's control, which prevent them from commencing study; or
- b) for exceptional offer holders whose aptitude is such that a longer period between audition/interview and admission is permissible on the grounds of their talent.
- c) where a longer period between application and enrolment is deemed reasonable in the circumstances.

2.5 Offer holders who wish to be considered for a deferral should contact their Admissions Coordinator in the first instance, who will review this request with the relevant Head of Department/Head of Programme.

2.6 Where an applicant wishes to make a complaint about an admissions decision they should refer to the Admissions Complaints Procedure\*. Disagreement with the academic judgement of the audition/interview/selection panel in reaching its decision does not constitute grounds for a complaint.

*\* The full procedure is available to applicants from the website.*

### **3. Non-standard entry**

3.1 All applications for non-standard entry will be considered on a case-by-case basis and co-ordinated in accordance with the procedures laid down by the School.

All non-standard admissions will be monitored by the relevant Programme Board on an annual basis.

### **3.2 Transfer from another higher education institution**

3.2.1 Subject to meeting the School's general requirements, applicants may transfer directly to an appropriate point on an approved programme in a similar field of study.

- a) To be eligible for the award of an undergraduate degree a student must complete successfully a minimum of two years of consecutive study with the School, including the final year of the programme.
- b) To be eligible for the award of a taught postgraduate degree a student must complete a minimum of two terms of study for a programme of one calendar year full-time duration or a calendar year for a programme of two calendar years full-time duration. The period of study must include the final recital and/or any research component/folio submission where relevant.
- c) For postgraduate research students see Regulations 2.16 to 2.17 of *Section 4: Research degree regulations*.

3.2.2 Following successful completion of the programme of study, the award of honours or other classification will be based solely on the assessment undertaken under the direction of the School.

### **Recognition of prior experience**

3.3 An applicant whose qualifications do not conform to those prescribed in the relevant programme specification may be considered for admission on the basis of their professional background and/or experience or general education, scholarship, and/or training. Confirmation of admission and continuing registration may be subject to a further examination or qualifying period of study, or special scheme of study, as specified by the relevant academic department.\*

\* See *Non-standard entry policy and procedure*.

## **4. Enrolment & registration of students**

4.1 Students wishing to follow a programme of study or to undertake research are required to enrol annually according to the procedures laid down by the School. Registration on a programme of study must be confirmed within two weeks of the official start date of the programme.

4.2 The official start date of a programme will be the first day of the autumn term of the academic year.

4.3 An individual must be in good standing with the School to enrol. A student with an outstanding debt from a previous programme of study at the School, for any reason, will not be permitted to register on a new programme of study. Any continuing student indebted to the School for tuition fees may not be permitted to re-enrol at the beginning of an academic year.

4.4 A new or continuing student may not have their student status verified to third parties until they are fully enrolled. This includes council tax exemption certificates, student status letters, and student rail and Oyster card applications.

4.5a All new and continuing students are expected to meet the enrolment requirements outlined below by the deadlines given. There may be instances where it is possible to extend the enrolment period in certain exceptional circumstance which must be approved by the Registrar (or nominee). These include tuition fee payment delays beyond a student's control; illness; and/or delays with immigration permission beyond a student's control. Individual circumstances will be reviewed on a case-by-case basis.

4.5b A new or continuing student who has not engaged with the enrolment or the re-enrolment process by the end of week two of the autumn term will normally have their offer withdrawn or their student status terminated. Any deposit paid will normally be non-refundable in line with the Tuition fee & debt collection policy.

4.5c A new student who has not provided proof of ID to Registry by the end of week two of the autumn term will normally have their offer withdrawn or their student status terminated. Any deposit paid will normally be non-refundable in line with the Tuition fee & debt collection policy.

4.5d Any new or continuing student who is unable to fulfil all enrolment conditions outlined on eGo by the first day of term (including in-person enrolment for new students) will be temporarily enrolled for a period of three weeks provided they have engaged with enrolment on eGo and new students have provided proof of ID to Registry. Such students will be allowed to take this three-week period to fulfil all enrolment conditions and are liable for autumn term tuition fees in line with the Tuition fee & debt collection policy.

4.5e Full access to facilities will be permitted during this initial temporary enrolment period except for continuing students who are Library debtors, who will have their Library borrowing rights suspended until their Library debt is cleared in line with the Tuition fee & debt collection policy.

4.5f If after a three-week period a new or continuing student is still temporarily enrolled, a further three-week temporary enrolment period may be permitted where access to practice rooms will normally be stopped.

4.5g As the sanctions detailed in 4.5f are implemented, the student will receive notification from Registry that they must fulfil all enrolment conditions by the end of week 6 of autumn term or their registration with the School will be terminated. This notification will offer help to students who are experiencing issues completing enrolment.

4.5h If a new or continuing student has not fulfilled all enrolment conditions by the end of week 6 of autumn term and no response is received to attempts from staff to help students to complete enrolment the student's registration will be terminated by Registry with immediate effect. The student will receive notification from Registry that

their registration has been terminated. Fees will be due for the autumn term and any deposit paid will be non-refundable in line with the Tuition fee & debt collection policy.

4.5i A leave of absence at the beginning of a term must be requested and approved on eGo in advance and the student will be required to engage with all and any on-line enrolment activities. Additionally, Student visa students must discuss their request with the Admissions team in advance to explore the implications for their visa status.

4.6 The enrolment process will include the student agreeing, via online enrolment, to comply with any regulations, policies or directions which are from time to time made or given by the School, by the Principal, or by other members of staff acting with the authority of the Principal. Regulations and policies will be available to students via MyGuildhall and key documents will be summarised in the *Student Handbook*.

4.7 A student who has been awarded a qualification by the School, or has exhausted all available assessment attempts leading to that qualification, may not subsequently be registered on a programme of study leading to the same qualification.

4.8 Students may not normally transfer their registration to another programme of study within the School.\*

4.9 No student studying towards a degree will be permitted to be registered concurrently within the School or at another higher education institution unless a special scheme of study has been approved by the relevant Programme Board and the Academic Board.

\* *Standing provisions are in place for specific students on Masters programmes transferring from the vocal department to Opera.*

## **5. Programmes of study, transfer and intermission**

5.1 All students will follow the approved programme of study as set out in the programme specification for that year except where variation, by way of a special scheme of study, has been approved for an individual student in advance of their annual enrolment. A special scheme of study will require the approval of the Programme Board and the Academic Board.

5.2 The programme specifications will state the duration of the programme in full-time and, where applicable, part-time mode. They shall also specify the minimum period of study for the award and the maximum period for which credit for the award may be counted. In no instance shall the maximum period of study including any periods of intermission be more than 7 years (full or part-time study) except for a postgraduate research programme where the maximum period of study shall be six years full-time or nine years part-time.

5.3 A student may transfer their registration to another mode of attendance (where offered) subject to the following conditions:

- i. that there are good academic reasons for the transfer;
- ii. it is permissible within their visa status;
- iii. that the transfer takes place by no later than end of week six of the autumn term; or prior to the spring or summer term for research degree students changing their mode of study for that term onwards;\*
- iv. that the transfer has the approval of the relevant academic Vice-Principal and Director, or their nominee; and
- v. that, where relevant, scholarship money awarded for a more intensive mode of study is returned.

*\* Transfer may affect a student's eligibility for the UK government PG Loan.*

5.4 The period of study shall normally be continuous except in the following circumstances:

- i. Where a student has had, or is scheduled to have, an absence of 25 working days or more during term time due to illness, medical treatment, bereavement or other cause, intermission from studies will normally be required.\* However, where a student does not keep the School informed about their reasons for absence, this may lead to withdrawal. (see paragraph 6.2.2 below.)
- ii. A Vice Principal or their nominee, may at their discretion, permit a student to intermit their studies for a period of up to two years on the grounds of illness or other adequate cause,\*\* provided that the total duration of the student's programme of study, including any such intermission, does not exceed the maximum period specified in the programme documentation.
- iii. by order of the Student Disciplinary Panel, School-level meeting under the Support to Train and Study regulation, or under Principal's Emergency Powers, where a student is required to intermit their studies.

*\* For postgraduate research students this will be 30 days not covered by permitted annual leave.*

*\*\* Where an intermission is granted for professional purposes and assessment is deferred, a fee will be payable for the deferred assessment.*

5.5 Once approved, any conditions for return will be communicated in writing by the Registry. Completion of outstanding assessments for progression will be specified in writing by the Department prior to intermission (a copy to be lodged with Registry for the student's file).

Any period of intermission, as a minimum, will be until the start of the next academic term. Re-entry from intermission will always be at the start of a specified academic term and additional fees may be due where this will result in the additional teaching provision.\* Any remission of fees due to exceptional circumstances must be agreed with the Dean of Students (or nominee, usually the Academic Registrar) before the start of the intermission.



*\* For the avoidance of doubt, this regulation applies to postgraduate research students.*

For some programmes (e.g. Music) a student may be required to pass a re-entry diagnostic audition or interview.

Where a student has taken a period of intermission in their studies on the grounds of illness, the Vice-Principal or their nominee or Dean of Students (or nominee) may require confirmation from a recognised health practitioner\* that the student is fit to return to study. Where there is a significant mental health issue, the Vice-Principal or their nominee or Dean of Students (or nominee) may require supporting evidence from a School appointed clinical psychiatrist before a student is permitted to return to their programme.

*\* A recognised health practitioners shall be one of the following (or their overseas equivalent) (i) a practitioner recognised by the GMC, GDC or HCPC, or (ii) a nurse practitioner recognised by the NMC. In some instances, where there has been a physical illness or injury affecting a student's ability to study, an occupational health therapist report may be specified. In the case of mental health, confirmation may be required of a recognised mental health practitioner; a mental health nurse, a psychiatrist or psychotherapist/counsellor registered with a recognised national body.*

A student returning from a period of intermission will normally follow the same programme of study and module choices as that undertaken prior to intermission except where this is no longer available. No student will be allowed more than their overall number of attempts under the programme regulations.

5.6 Except where the programme of study specifies otherwise, or where explicit permission has been granted by the relevant Vice-Principal or their nominee for an external engagement, a student is required to centre their academic activities on the School and to attend personally for studies and assessment at such times as the School might require. Students are required to participate fully in the procedures that the School has in place to monitor their progress, and absences without good cause may be investigated (see 6. below).

## **6. Academic engagement**

### **6.1 Engagement expectations**

6.1.1 Students are expected to engage regularly and consistently with their programme of study and attend all scheduled teaching, performance and assessment activities. Engagement is not just about attendance, it also includes preparation for, and participation in, all scheduled activities.

6.1.2 The engagement requirements specific to a module/programme will be made available at the start of each academic year to every student. Exceptions to the general requirements will also be specified in the published handbook for the programme or for an individual in a Special Scheme of Study. For taught students, at the first session of each module the tutor will communicate the participation requirements and check that all students understand these requirements.

6.1.3 It is a student's responsibility to ensure that the arrangements of their personal circumstances, including the payment of fees, enable them to engage in all aspects of their programme as required.

6.1.4 Monitoring of a student's attendance and engagement will be undertaken:

- To identify potential wellbeing issues
- To identify potential progression issues
- To meet statutory and regulatory reporting requirements including but not limited to Student Loans Company, US Federal Aid, Office for Students, UKVI.

6.1.5 Students are encouraged to inform their department and/or Student Services if they are experiencing personal issues that are affecting their engagement with their programme.

## **6.2 Attendance and absence**

6.2.1 A student must enrol within the first two weeks of the academic year to demonstrate that they wish to participate in their programme. For a returning intermitting student this will be within the first two weeks of the first term on return from intermission. A student who has not temporarily enrolled by the end of week two will be deemed self-withdrawn with immediate effect and without review.

6.2.2 A student who is absent from their entire programme of study for three consecutive weeks or more during term time without informing the School of their reasons (such as an illness or an approved leave of absence) will normally be deemed to be self-withdrawn and will receive a letter to this effect from the Registry\*. A student who wishes to challenge this decision may appeal by submitting a complaint using the Student complaints procedure (see paragraphs 6.5 and Section 5D: Student Complaints).

*\* Withdrawal of a student sponsored for a Student Visa will also be reported to the Home Office and the student's visa will be curtailed (cancelled).*

6.2.3 A student will be required to comply with any and all procedures established by the School and/or department to monitor their attendance. The primary method for recording attendance will be via registers completed by staff. Where an alternative form of attendance monitoring is in place, a student will be informed and will be required to fulfil their responsibilities to ensure their attendance is recorded (this may include signing in, submitting weekly reports or supervision reports, or another method).

6.2.4 Whilst full attendance is expected, it is acknowledged that on occasion students will be absent. When a student is unable to attend a scheduled session, they should inform their department as soon as possible and usually before a session is due to take place unless the nature of the absence means it can only be reported retrospectively. This includes reporting potential timetable clashes. Students should inform their department in accordance with departmental processes for reporting absence (found on departmental My Guildhall pages).

6.2.5 The School will make every effort to keep the number of timetable clashes to a minimum and, where notified of a clash that affects a student meeting the minimum requirements for a programme of study the School will make alternative study arrangements for the affected students.\*

*\* There is no right to a replacement of a missed class; alternative arrangements if considered appropriate are designed to support a student in meeting the overall learning outcomes of the programme and may include, but will not be limited to, a short one to one tutorial, additional directed reading, or a recommendation to attend another scheduled class.*

6.2.6 Where a student is required to schedule their own teaching, supervision or coaching sessions directly with a teacher any difficulties should be reported to the relevant departmental administrator at the earliest opportunity. Where a student has failed to make adequate effort to arrange these sessions, or regularly reschedules, this may be viewed as non-engagement and will be considered under section 6.3 below.

### **6.3 Monitoring engagement**

#### *Taught Students*

6.3.1 All attendance and leave of absence data will be collated and will be viewable to staff involved in monitoring engagement. Students will also be able to request their absence data from their departmental administrator.

6.3.2. Departments will monitor students' overall engagement with their programme, not just on days of absence. If patterns of engagement give cause for concern that a student may be experiencing difficulty in engaging with their studies, then the reasons for this will be explored directly with the student.

6.3.3. Examples of patterns of engagement that may be explored with students include:

- Patterns of non-engagement with on-campus events, particularly mandatory teaching events or sessions, where students are not known to have authorised absence from such events
- Patterns of non-engagement with online course materials related to a specific module, or specific event types such as tutorials
- Patterns of non-engagement with assessment
- Patterns of non-engagement with placements or other external activities

#### *Postgraduate research students*

6.3.4 The Research department will monitor students' overall engagement with their course. This could include: supervision meetings, presentations given at termly symposia, attendance at committee meetings, attendance at open days, and meetings with the programmes team and any evidence of other activities specific to your project and which demonstrates engagement on the course. In addition to the above, attendance at PGR training sessions will be monitored via Asimut. First year

students should typically attend core sessions and a minimum of three other sessions per term. Continuing students (i.e. after the first year) should typically attend a minimum of three sessions per term.

## **6.4 Engagement procedures**

6.4.1 Where departmental monitoring indicates a student is demonstrating unsatisfactory levels of attendance and engagement, the department will contact the student to establish the cause. If appropriate, this may result in a referral to Student Services for additional support, and it is then the student's responsibility to engage with this support.

6.4.2 Where no response is received, or where the initial contact does not result in an improvement in the levels of attendance and engagement, the department will meet with the student to establish why they are not engaging with their studies or with the support available. All reasonable steps will be taken to establish contact with the student and help them get back on track.

6.4.3 If, following the two attempts above to resolve the situation there is no improvement in a student's attendance and engagement, this will be referred to the Registry and a formal written warning letter will be issued outlining the conditions under which the student can continue with their programme. If these conditions are not met and Registry, in consultation with the student's department, deem the student to not be actively engaging sufficiently with their programme then they will be withdrawn from the programme. This will be confirmed to the student in writing.

6.4.4 If at any time there are particular concerns about the wellbeing or behaviour of a student that is related to their attendance and engagement then these may be referred to the Support to Train and Study procedures (see Regulation 5B) or Fitness to Practise procedures (see Regulation 5E) rather than continue with these engagement procedures.

### *Student Visa compliance*

6.4.5 The School holds a Sponsor Licence that permits it to sponsor international students who wish to undertake full-time study here under the UKVI Points-Based Immigration System. As a Sponsor, the School has specific responsibility to act in accordance with the Immigration Rules and Sponsor Guidance. The UKVI has clear expectations with respect to the engagement of students sponsored under PBS and requires the School to monitor engagement closely.

6.4.6 If a student is withdrawn from their programme, Registry will then be required to report the withdrawal to the Home Office and the student's visa will be curtailed (cancelled).

## **6.5. Appeals against decisions made under the School's attendance and engagement procedures**

6.5.1. Where a student is notified of their withdrawal of registration under this procedure, they may appeal that decision through the Student Complaints Procedure directly at Stage 2 by submitting a Stage 2 Formal Complaint Form. (see Section 5D: Student Complaints for further information)

6.5.2. A student complaining about a decision made under this procedure, should only do so if there are, or were, circumstances materially affecting their ability to engage appropriately with their studies. There should be supporting evidence not known to the School at the time its decision was taken, and which it was not possible for the student to make known beforehand. A student will be expected to submit relevant evidence to support their statement.

6.5.3. Complaints will be considered by the Student Experience Team, unless there is a conflict of interest, which would mean a different officer will be appointed.

## **7. Withdrawal**

7.1 A student who wishes to withdraw from their programme of study should notify their Vice-Principal or their nominee and Student Services and complete the relevant form on eGo.

7.2 See the Tuition Fee Payment, Enrolment & Debt Collection Policy for the tuition fees applicable following withdrawal.

## **8. Termination of studies or withdrawal of offer**

8.1 Decisions on admission are taken in good faith by the School on the basis that the information given is accurate and correct. If it is subsequently discovered that information given is untrue or inaccurate the School may refuse admission (including withdrawal of offer) or terminate without notice a student's registration.\*

*\* A student may appeal a decision to terminate without notice under the provisions of the Disciplinary procedure.*

8.2 Applicants are expected to conduct themselves in a courteous and respectful manner towards staff, students and other applicants and not bring the School into disrepute by association. Where applicants have been given access to School facilities (including online facilities), applicants are expected to abide by the terms of use of those facilities. An applicant found in breach of this conduct expectation may be refused admission (and where relevant, have their offer withdrawn), or may be issued with another suitable penalty which will be recorded against their student record. Any investigation will be conducted under the *Pre-enrolment code of conduct and disciplinary procedure*.

8.3 Any student required to demonstrate a satisfactory criminal records check prior to registration should inform the School 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 to continue on their programme of study, the student's registration will be terminated

without notice. Failure to disclose a breach of the law may result in disciplinary action under the School's *Code of Conduct*.

8.4 A student's registration may also be terminated for:

- i. failure to engage in enrolment process (see 4.4a and 4.4b above)\*
- ii. lack of academic engagement (see Section 2); or
- iii. failure to meet the requirements of the programme including failure at examinations (see Section 3); or
- iv. as a misconduct penalty (see Section 5A and the academic misconduct regulations of the relevant validating body).

*\* A student/applicant can request an Administrative Review of their student status termination under the Tuition fee payment, enrolment and debt collection policy.*

8.5 The School reserves the right to terminate a student's registration for non-payment of fees or failure to meet any other debt to the School associated with their academic studies provided notice has been given in accordance with the *Tuition fee payment, enrolment and debt collection policy*.

## Section 3: General assessment regulations for taught programmes

### 1. Authority

1.1 The Academic Board is responsible for all teaching, assessment and research undertaken within the School and the School's academic reputation. The authority to confer and revoke the following awards lies with Academic Board:\*

*\* The Academic Board will delegate its authority to ratify individual awards to the School Board of Examiners.*

Approved degrees and their associated exit awards of the Guildhall School of Music & Drama:

- BA in Acting
- BA in Production Arts
- BA in Digital Design and Production
- BA in Performance Design
- BMus
- PGCert in Performance Teaching
- MMus
- MPerf (Guildhall Artist)
- MComp (Guildhall Artist)
- MA in Music Therapy
- MA in Opera Making & Writing
- MA in Collaborative Performance Making
- Artist Diploma

Approved non-degree awards:

- AGSM (Associate of the Guildhall School)
- Advanced Certificate
- Short Term Music Programme

1.2 City University London, as validator, has oversight of the School's research degree programme and the awards of MPhil, DMus and PhD.

1.3 The Academic Board may consider (and recommend to the relevant validating institution where relevant) the revocation of any award if it is discovered at any time and proved to the satisfaction of the Academic Board that:

- a) there was a significant administrative error in the decision-making process leading to the award; or
- b) subsequent to award, relevant and significant information, which was unavailable at the time the award decision was made, determines that a student's classification and/or award should be altered.

## **2. Principles of assessment**

### 2.1 Assessment will be:

- related to the learning outcomes specified in the associated programme/module specification;
- rigorous and designed to support high standards;
- transparent in process;
- equitable in both design and operation;
- varied, both supporting individual development (formative) and evaluating individual achievement (summative);
- reliable.

### 2.2 In furtherance of these principles, the School will:

- have regard to the Office for Students' (OfS) *Regulatory Framework for Higher Education in England*;
- facilitate the maintenance of standards in awards by ensuring that external scrutiny of its programmes of study is undertaken through the appointment of External Examiners;
- ensure that, wherever practicable, all initial assessment decisions involve two or more examiners acting together either via panel assessment, double marking or sample moderation;
- ensure that the criteria for the assessment of awards are kept under review;
- have in place procedures for the consideration of extenuating circumstances;
- ensure that proper mechanisms exist for the resolution of complaints and appeals of an academic nature;
- establish regulations and procedures for dealing with misconduct of an academic nature, specifically that concerning examinations and assessments and research;
- encourage students to participate in the improvement of teaching and assessment practices in the School by facilitating arrangements for obtaining and considering student feedback;
- have regard to the rules of any validating or external professional accrediting body.

## **3. Appointment of External Examiners & Specialist External Assessors**

3.1 External Examiners will be appointed by the Academic Board following consultation with the Programme Board in accordance with the procedures approved by the Academic Board.

3.2 The duties of an External Examiner will be prescribed by the School or validating body (for research degrees) but will include:

- familiarisation with School assessment procedures and criteria;



- taking an overview of assessment incorporating, as appropriate, moderation, attendance at assessment events, review of recordings of assessment events, review of marked coursework, and monitoring of assessment procedures;
- attendance at the Programme Assessment Board (taught programmes);
- submission of an annual report (taught programmes).

3.3 Specialist external assessors for Music will be appointed by the Music Programme Board under delegated powers from the Academic Board. Appointments will be considered on an annual basis at the summer-term Programme Board.

3.4 The appointment of a specialist external assessor will be determined by the individual's professional standing in the relevant Principal Study area\*. The Music Programme Board may exclude or terminate an appointment where:

- i. an assessor has been a teacher of the student being examined in the last two years;
- ii. an assessor has served for more than four years in a row (reappointment may not occur until a period of two years has elapsed);
- iii. an assessor is an External Examiner for the School or has previously served as an External Examiner for the School within the last two years.

\* *e.g. institutional affiliations, recent high-profile engagements.*

3.5 The duties of a Specialist External Assessor are:

- familiarisation with School assessment procedures and criteria;
- attendance at specified assessment events;
- contributing to panel discussions and arriving at an agreed final mark;
- submission of written feedback for the student being assessed.

## **4. Setting of assessment**

4.1 The methods of assessment will be listed for each module in the module specification. Students will be entitled to be examined in accordance with the module specification extant at the time of annual enrolment.

4.2 External Examiners will be required to comment on the validity of the assessment methodology in their annual report.

4.3 A Programme Assessment Board may recommend exceptionally to the School Board of Examiners or its successor that provision is made for a student to undertake an alternative form of assessment where it is impracticable for the student to be assessed or reassessed in the prescribed elements and/or methods of the examination. However, a student given alternative arrangements shall be assessed on equal terms with other students.

## 5. Attendance at examinations & submission of coursework

5.1 Students are required to attend all scheduled assessment events. Non-attendance without prior approval or good cause (see 5.6) will result in a mark of zero being awarded.

5.2 A student may be excluded by the Head of Department from an assessment event/component where the assessment event/component is a performance and the student has either not participated in the relevant rehearsals, has not participated in the planning and preparation activities or has not complied with health and safety expectations. Exclusion from an assessment may impact the overall assessment and programme mark.

5.3 Students are required to submit coursework by no later than the dates published in the relevant programme or departmental handbooks or other communique. Late submission, for assessments submitted as a first attempt, will be subject to an escalating penalty (as detailed in (b) to (c) below and non-submission after 4:00pm on the Friday of the submission week without good cause will result in a mark of zero being awarded. Pass/Fail assessments will be considered a fail if submitted after the deadline. As resits are already capped at the pass mark, assessments submitted at resit must be submitted on the due date; a late submission will be considered a non-submission and a mark of zero awarded.

(a) Submissions will normally be scheduled to fall on a Monday; 4pm for all departments, and 10am for Music.\*

*\* Any submission after the published time will count as a Tuesday submission. Similarly, any submission received after 4.00pm or 10am (according to department deadline) on Tuesday will count as a Wednesday etc, and will receive the commensurate penalty for that day. With the agreement of the department, hard copy submission may follow electronic submission where both are required. All times are UK time.*

### At the first attempt

(b) If the deadline is missed, the penalties for late submission on the same week will be as follows:

- Hand in on Tuesday: Deduct 5 percentage points\*, but not below minimum pass (40 or 50) if a pass.
- Hand in on Wednesday: Deduct 10 percentage points, but not below minimum pass (40 or 50) if a pass.
- Hand in on Thursday: Deduct 15 percentage points, but not below minimum pass (40 or 50) if a pass.\*
- Hand in on Friday: Deduct 20 percentage points, but not below minimum pass (40 or 50) if a pass.

*\* A percentage point relates to point on a marking scale of one to one hundred and not a percentage of a mark on a different scale.*

(c) Failure to hand in work by 4.00pm for all departments, or 10am in Music, on the Friday of the submission week will be considered a fail and a resit fee will apply for resubmission.

5.4 A student may not repeat a module already taken as part of a different programme of study or submit the same piece of work, or present the same piece for performance, for more than one module or module component. Neither may a student count a formal assessment event towards more than one module or module component

5.5 A student is responsible for their own health and wellbeing. If a student submits coursework or attends an assessment event (e.g. recital) they are declaring that they are fit (physically and emotionally) to take that assessment. Therefore, if a student feels that their personal circumstances are seriously affecting their ability to prepare for, or take an assessment, they should seek a deferral under 5.7.

5.6 A significant personal, medical, or family problem that was unplanned and unforeseen and is outside of a student's control that is negatively affecting their academic performance is known as a 'personal extenuating circumstance'. Holiday arrangements will not be accepted as an exceptional circumstance. A professional extenuating circumstance is a performance opportunity (or associated rehearsal) relevant to a student's programme that creates a clash with a scheduled assessment. The demands or stresses of employment will not be considered a professional extenuating circumstance.

5.7 The rescheduling (deferral) of an examination or the extension of a deadline may be granted for extenuating circumstances.

- i. In the case of a medical reason, a certificate from a medical practitioner\* must be submitted at the first opportunity along with the relevant proforma. Self-certification will not be acceptable except where special circumstances apply (e.g. Covid-19).
- ii. In the case of professional reasons, students must seek permission in advance using the relevant form (as detailed in the relevant programme handbook). In general, all extensions and rescheduling for professional reasons will normally be required at least a week in advance of the original date.

Any deferral granted prior to the Extenuating Circumstances Panel will be subject to confirmation by the Panel (see 5.9 below).

*\* A current medical certificate from one of the following (or their overseas equivalent) will be acceptable, (i) a practitioner recognised by the GMC, GDC or HCPC, or (ii) a nurse practitioner recognised by the NMC. In the case of mental health, confirmation may be required of a recognised mental health practitioner; a mental health nurse, a psychiatrist or psychotherapist/counsellor registered with a recognised national body.*

5.8 An assessment may only be deferred once for medical reasons unless there are exceptional circumstances. A request for a second deferral will need to be considered by the full Extenuating Circumstances Panel with supporting documentation.

## Extenuating Circumstances Panel

5.9 An Extenuating Circumstances Panel will be established to:

- i. evaluate extenuating circumstances submissions made prior to a scheduled assessment event or deadline for confirmation or alteration of decisions to defer;
- ii. monitor the approval of extension requests to ensure a consistent approach across departments;
- iii. consider extenuating circumstances submissions made after the scheduled assessment event or deadline with a view to recommending to the Programme Assessment Board retrospective approval of deferral;\*
- iv. consider extenuating circumstances submissions made after the scheduled assessment event or deadline with a view to recommending to the Programme Assessment Board that consideration be exercised in the determining of a student's progression or award classification;
- v. convene as required to consider any appeals on grounds of extenuating circumstances which have been referred back to the Extenuating Circumstances Panel for consideration following an appeal.

*\* A minor illness that would not normally prevent a professional recital from proceeding will not be grounds for a deferral, or grounds for exercising discretion for an award classification.*

5.10 The Extenuating Circumstance panel members will comprise:

- Chair: A Programme Leader or their teaching staff nominee (to alternate annually between the three Faculties)
- Six teaching staff members, two drawn from each Faculty.

The quorum shall be four; the Chair plus one academic staff member from each Faculty. A nominated member of professional services staff shall act as clerk to the panel.

5.11 The following staff members shall be in attendance to provide advice but shall not be involved in the academic decision making:

- Head of Student Services (or nominee)
- Head of Music Administration (or nominee)
- Head of Production Arts & Drama Administration (or nominee)
- Academic Registrar (or nominee)

5.12 Extenuating circumstances submitted after a School Assessment Board can only be considered under the academic appeal procedures (see 13 below).

5.13 Any adjustments in respect of extenuating circumstances will be mindful of the need to ensure the student can, under the revised arrangements, demonstrate the learning outcomes associated with the original assessment, and will also be mindful of the need to ensure parity in the assessment of all students. The approval of

adjustments to already approved adjustments will require a Special Scheme of Study.

## **6. Marking**

6.1 Assessment criteria for a programme of study will be drawn up at validation and reviewed as part of programme review. In designing criteria, consideration should always be given to current policy and practice.

6.2 All examiners and assessors will be given a copy of the relevant assessment criteria and the relevant classification bands.

6.3 All marking decisions will, where practicable, involve at least two examiners/assessors in addition to the assessment overview of an External Examiner. In practice this means for recitals and other practical examinations at least two examiners/assessors shall act together either in person as a panel or through the recording of the event and for written submissions, as a minimum, there will be one marker followed by internal moderation.

6.4 An examiner may not mark/assess the work of a student where they have, or have had, a close personal relationship with that student.\* Any potential conflict of interest should be reported by the examiner to their Head of Department prior to the marking taking place. The Head of Department, in consultation with the relevant Programme Leader, will determine whether there is a conflict of interest and, if so, the new arrangements for examining the student's work.

6.5 Feedback on assessment will be provided to the student within six weeks of the assessment event or the coursework deadline.

*\* A close personal relationship may be familial, business, or of an intimate nature. In the case of a non-familial relationship staff members are advised to consult the School's policy statement on relationships between staff and students.*

## **7. Resit**

7.1 A student will be permitted a maximum of two attempts at an assessment, an initial attempt and a resit.

7.2 Where a student has failed at a first attempt the Programme Assessment Board will determine the method and timing of the resit in line with the programme specification. The Programme Assessment Board will recommend to the School Board of Examiners (or its successor) whether resit will require the student's attendance at additional classes.

7.3 Where a student cannot be reassessed in the same format as at the first attempt due to practical difficulties related to performance and/or collaborative work, a Programme Assessment Board may recommend, where permitted in the programme documentation, an alternative form of assessment which equally meets the learning outcomes and standards. This should be in the format of a special

scheme of study (see also Regulation 5.1 Emergency provision in Section 1: General Provisions).

7.5 All resits will be capped at the pass mark.

7.6 Failure at resit, where a failed module or a failed component cannot be compensated, may lead to a recommendation of Fail/Withdraw to the relevant assessment board and termination of the student's student status.

## 8. Consideration of results

8.1 The module requirements for award, compensation provisions, the method for calculating the degree classification (or other award divisions), and the availability of an exit award (and award requirements) shall be detailed in the programme specification. However, the following minimum pass marks and classification boundaries shall apply:

a) Undergraduate awards (levels 4, 5 & 6)

<b>Award</b>	<b>Percentage</b>
First Class (or distinction)	70%
Upper Second Class (or merit)	60%
Lower Second Class	50%
Third Class (module pass/overall pass)	40%

b) Masters level awards (level 7)

<b>Award</b>	<b>Percentage</b>
Distinction	70%
Merit	60%
Module Pass/Overall Pass	50%

8.2 The overall aggregate produced from the algorithm as detailed within the relevant programme specification will determine a student's classification. Where a student's overall mark falls within 0.5% of a higher classification, the higher classification will be awarded but the mark itself will not be rounded up. The treatment of borderline classifications will be applied consistently across the School's departments. This will be based on mathematical calculation alone and will have been determined prior to the meeting of the Assessment Board. Students' individual performance in modules, their profiles or trajectories will not factor in the calculation. Students whose overall final mark puts them at a Fail, but which falls within 0.5% of

an overall degree mark of 40 will not have their mark rounded up, but will be awarded a Third Class classification.

8.3 Where through illness or other grave cause there is insufficient evidence to determine the recommendation of an award for a student who has completed the whole or a substantial and sufficient part of their programme, they may be considered for the award of an Aegrotat degree without distinction or class, provided the examiners are satisfied that they would be unlikely to meet the requirements in future and would otherwise have reached the standard required to qualify for the award of the degree. The School Board of Examiners will normally consider such cases not later than the end of the academic year in which the student was last entered for examination. Once a student has been awarded an Aegrotat degree, they may not subsequently enter examinations with a view to gaining a classified degree.

#### **8.4 Chair's action**

The School Board of Examiners (or its successor) may authorise the Chair of the School Board of Examiners to take action on its behalf outside of a meeting in respect of matters urgent or non-contentious. Such matters include, but are not limited to, the approval of student progression or the award of a degree where results have missed being considered by the full Board due to deferral for extenuating circumstances. Chair's action will be reported to the next meeting.

#### **8.5 Conferment**

An academic award based on the successful completion of all assessment will be conferred by the signing of the official pass list for that award. Progression outcomes will also be confirmed by the signing of the official pass list. Any student with outstanding tuition related debt will not have their award conferred or their progression confirmed until the debt is cleared.

### **9. Academic misconduct (including plagiarism)**

9.1 Students are required to abide by the relevant general and specific regulations governing assessment. Failure to observe any of the regulations may result in a fixed penalty mark (e.g. where a recital is too long or short) or consideration under the academic misconduct procedure.

9.2 Any irregularity connected with a musical performance assessment, e.g. not abiding by time-limits, memory requirements etc., will be considered by the Music Department's Performance Irregularities Committee.

9.3 Any coursework presented for assessment may be submitted to a plagiarism/collusion detection service and the findings considered as part of an investigation under the academic misconduct procedure.

9.4 In the event of plagiarism or other academic misconduct, including the inappropriate use of 'Artificial Intelligence' (AI) software, being suspected in any assessment whether written or practical, for a taught programme, the matter will be reported to the Programme Leader for action. The Programme Leader will consult at

least one other teaching member of staff, and/or an external examiner, who will together determine whether there is, at first sight, an allegation of poor academic practice\* (which can be considered within the context of the assessment criteria) or academic misconduct (i.e. action, intentional or accidental, that produces an improper advantage for the student in relation to their assessment, or deliberately and unnecessarily disadvantages other students).

*\* Poor academic practice should only be considered where the level of suspected plagiarism is minor and it is believed that there was no intent to gain an unfair advantage. An example of poor academic practice would be where a student has clearly made an attempt to reference by providing details of their source in the bibliography and /or made an attempt of referencing within the text but has done so improperly. Poor academic practice should be only used where the plagiarism is confined to a small number of sentences. Use of Essay Mills would be considered academic misconduct. Where principle concepts/ideas and/or blocks of text are plagiarised, or there is no attempt at referencing, 9.5 should apply.*

9.5 (a) In the event of an allegation of academic misconduct the Chair of the Programme Assessment Board will be notified that an Academic Misconduct Panel is to be convened. The Panel will comprise three members of staff, two of whom must be from the teaching staff, with the Programme Leader or their deputy in the Chair.

(b) The Panel will require the attendance of the student (together with any friend). However, none of the Panel's proceedings will be invalidated or postponed by reason of the absence of the student provided that the student has been given five working days' written notice of the date and time of the panel's meeting; the written notice must include an outline of the matter under investigation and a copy of these regulations.

(c) At the meeting the student will be presented with the evidence of academic misconduct and will be asked to respond generally and specifically. The Panel, as part of its investigation, may test the student on their understanding of the subject matter included in the suspect work.

(d) The Panel shall investigate the case and decide whether academic misconduct has taken place. The Panel is not required to prove intent but instances of deliberate deception may carry more severe sanctions.

(e) Where the Panel determines that academic misconduct has occurred the Panel will follow the procedures and sanctions set out in 9.6 and 9.7 below and make an appropriate recommendation to the Programme Assessment Board. The Panel is not required to prove intent but instances of deliberate deception may carry more severe sanctions.

(f) The student's right of appeal is incorporated in the general request for a review of an Assessment Board's decision (see below).

9.6 Where academic misconduct has taken place, the Panel must decide an appropriate sanction to recommend to the Programme Assessment Board. Different



sanctions exist to accommodate different levels of academic misconduct. Recommendations as to sanctions should be based on the following facts:

1. The instance of the misconduct (first or subsequent).
2. The extent of the misconduct (major or minor). This is a decision based on academic judgement.
3. Whether the misconduct was deliberately plagiarised.

In addition, the following circumstances may influence the choice of sanction:

1. The effect a sanction would have on the student's ability to enter their chosen profession.
2. The student's year of study.
3. The nature of the module (number of credits, structure, aggregation formula).
4. Any extenuating or mitigating circumstances.

The reasons for the recommendation must be clearly recorded. The Panel must also make clear the rationale for any deviations from sanctions that are the norm for a given type of misconduct.

9.7 The sanctions a Panel may recommend are:

- i. Minor first instance: marking work with appropriate mark reductions for affected sections (which may mean marking the work excluding the affected sections). In addition, a written warning may be given.
- ii. Major first instance or subsequent minor instance: a fail (0%) for the assessment component with the right to remaining resit(s) retained (capped at the pass mark)
- iii. Major first instance or subsequent instance (major or minor): a fail (0%) for the module with the right to remaining resit(s) retained (capped at the pass mark)
- iv. Major first instance or subsequent instance (major or minor): a fail (0%) for the assessment component or module with the right to remaining resit(s) retained; however, although the student can gain the credit for the component or module they will not be given any marks for it
  
- i. Subsequent instance (major or minor): a fail (0%) for the assessment component or module with the right to remaining resit(s) retained (capped at pass mark) but where the student's marks in other assessments in the same diet are capped

9.8 Where academic misconduct has occurred and a student is given the opportunity to redeem the assessment, the fail mark (0%) will be carried forward for use in any award/progression calculation. However, the panel will have regard to the overall impact of this on the student's degree result.

## 10. Publication of results & transcripts

10.1 Students will be notified of the decision of a School Board of Examiners within 5 working days of its decision or ratification by the validating body (only where applicable). The recommendations of a Programme Assessment Board may be communicated to a student prior to the School Board of Examiners provided that they are clearly marked as 'recommendations'.

10.2 Marks will be released only to the relevant student except where disclosure to a third party is a contractual requirement of the student's sponsorship (e.g. Student Finance England and Research Councils).

10.3 Award classifications will not be made public but prizes and the achievement of a distinction for a final recital will be indicated in graduation documentation which will be in the public domain. All students with an academic award will be included in the graduation programme for that year.

10.4 The School complies with the Data Protection Act 2018 which establish legal rights for individuals with regard to the processing of personal data, including assessment marks and results. However, the School reserves the right to withhold a transcript, certificate and/or invitation to a graduation ceremony where a student is in debt to the School.\*

*\* However, results will be sent out and degree results will be confirmed with prospective employers or institutions.*

## 11. Academic Appeals

A student may request a review of a School Board of Examiner decision in accordance with the procedures set out below but in no instance will a challenge to the academic judgement of the examiners, embodied in the decision of a Board, be considered. Research students should submit an academic appeal under Regulation 21B of City, University of London's regulations.

### 11.1 Definition of an Academic Appeal

An academic appeal is a request from a student or former student (the "appellant") to review a decision of the School Board of Examiners (e.g. a review of a ratified award classification), against strict criteria. Complaints about the provision of services (academic and non-academic) and/or facilities shall be considered under the *Student Complaints Procedure* and students are encouraged to use the *Complaints Procedure* during the course of their programme to resolve, at the earliest opportunity, any issues affecting their studies.

### 11.2 Criteria for an Academic Appeal

One or both of the following grounds for appeal must be demonstrated for an appeal to be heard:

- i. that there was a material error, either in the conduct or the assessment itself, or in the proceedings of the Programme Assessment Board or School Board of Examiners, which materially affected the Board's decision;

and/or

- ii. that the appellant was subject to extenuating circumstances at the time of the assessment:
  - which meet the definition of extenuating circumstances as set out in the Assessment Regulations, and
  - were unknown to the Programme Assessment Board, and
  - were not made known to the Programme Assessment Board via the Extenuating Circumstances Regulations for a demonstrated, valid and over-riding reason; and
  - which are verifiable by way of a doctor's certificate or other formal documentation.

### **11.3 Invalid grounds for Academic Appeals**

There is no appeal against the academic or professional judgement of the examiners in relation to marks, grades, progression or award.

The School publishes all its assessment policies and procedures on MyGuildhall, including the extenuating circumstances procedures, and draws the student's attention to these matters via the *Student Handbook* and the Programme Handbooks. The School also communicates with students on a regular basis via their School email account. It is a student's responsibility to seek clarification on any instruction or procedure they do not understand prior to the assessment; failure to understand an instruction, where no attempt had been made to clarify that instruction, will not be considered a ground for appeal.

### **11.4 Fit to sit**

A student is responsible for their own health and wellbeing. Except in the most extraordinary cases, a student undertaking an assessment is declaring that they are fit (physically and emotionally) to take that assessment and may not subsequently claim extenuating circumstances on these grounds.

## **12. Submission of Appeals**

12.1 The appeal deadline will be set by the School Board of Examiners, and will be 15 working days (i.e. excluding all weekends and bank holidays) from the release of results following the School Board of Examiners. The appeal deadline will be included in each student's results letter which will also include information about where to find these regulations and the AP1 appeal form.

The Academic Appeal Form AP1 will be available from Registry and downloadable from the Registry pages on MyGuildhall. Appellants will be able to seek procedural

advice from Registry. An appellant will be able to seek advocacy and support from the Students' Union.

12.2 All appeals must be submitted in writing by the published deadline, using the AP1 form, clearly stating the grounds for appeal and accompanied by supporting documentary evidence. No correspondence will be entered into in respect of incomplete applications. Incomplete applications will be considered on their merits as presented on the deadline.

Appellants are advised to use secure guaranteed or recorded delivery and retain proof of postage if not using email.

12.3 Academic appeals submitted outside the relevant timescales will not normally be considered. Exceptionally, a late application will be considered if there are clear circumstances that it was not possible for the appellant to meet the deadline. If an appellant is awaiting documentation from a third party, it is their responsibility to ensure it is available by the deadline or to notify in advance of the deadline of any potential problems in order that a deadline extension can be negotiated.

Holiday arrangements will not be accepted as an exceptional circumstance.

12.4 All submissions will be considered in strict confidence on a "need to know" basis and in accordance with the Data Protection Act 2018.

12.5 An acknowledgement of the appeal will normally be made within 5 working days of the appeals deadline which should be retained as evidence that the appeal was submitted.

### **13. Academic Appeal Process**

The Academic Appeal process will have three stages:

Stage One: Initial consideration.

Stage Two: Referral to Academic Appeals Panel or Referral to Extenuating Circumstances Panel

Stage Three: Formal review

### **14. Stage One: Initial consideration**

14.1 Following the submission of an academic appeal, further investigation will be undertaken to make an initial determination on whether sufficient information has been provided on one or both of the grounds for appeal supporting further consideration.

14.2 Where insufficient evidence has been provided the appellant will be notified within 15 working days of the appeal deadline, with the reason why their appeal has

been rejected. An appellant whose appeal has been rejected may be entitled to request a review of that decision under Section 18 of these Regulations.

14.3 Where sufficient evidence has been provided supporting further consideration, the appeal will be passed to the relevant Programme Leader and the Chair of the Music or Production Arts & Drama Assessment Board with one of the following recommendations:

- i. in the event of a material administrative error connected with the calculation of marks and/or award, that immediate corrective action can be taken by the Chair of the Music/Production Arts & Drama Assessment Board.

Or

- ii. for appeals made on the grounds of material error, or appeals made for mixed reasons (material error and extenuating circumstances), referral to the next Academic Appeals Panel meeting (usually within 15 working days of the appeals submission deadline) and/or immediate corrective action.

Or

- iii. for appeals made on the grounds of extenuating circumstances only, referral to the next Extenuating Circumstances Panel for consideration in accordance with Regulation 8.8 above.

14.4 Where sufficient evidence has been provided, the appellant will be informed, normally within 15 working days of the appeals deadline, either of the corrective action to be taken or the date of the Appeals Panel or the Extenuating Circumstances Panel.

## **15. Stage Two: Referral to Academic Appeals Panel**

15.1 The Academic Appeals Panel shall comprise:

- i. The Chair or Deputy Chair of the Music or Production Arts and Drama Assessment Board (not from the appellant's home faculty);
- ii. Two academic members of staff drawn from the Board of Examiners or their nominee other than the appellant's home department
- iii. The Students' Union President\* or their student nominee; and for appeals stating both material error and extenuating circumstances,
- iv. The Head of Student Services or their nominee.

*\* The President will be excused where they know the appellant well or if the appellant is a member of the SU Cabinet.*

A member of professional services staff will act as clerk to the Panel who will make a record of the meeting.

15.2 The quorum shall be three and shall include the student panel member and in the case of a mixed appeal shall include the Head of Student Services or their nominee.

15.3 The appellant will be invited to attend the appeal panel hearing and can opt to be accompanied by one other person (name and relationship to appellant to be advised at least two days before the panel hearing). However, the panel meeting will not be invalidated or postponed by reason of the absence of the appellant provided that the panel meets within the published timescale and the appellant has been given five working days' notice of the date and time of the panel meeting.

15.4 The Programme Leader or their nominee will be invited to attend to the panel meeting or submit a written response to the appellant's appeal. The Chair of the Appeal Panel may call other parties to provide specialist advice to the panel on regulatory, equality or other issues.

15.5 The Academic Appeals Panel will consider the written appeal submitted by the appellant and any written response from the relevant Programme Leader. The appellant will be invited to make a short statement and the Programme Leader will be invited to make a short statement. The Panel, via the Chair, may ask questions of the appellant or the Programme Leader. The appellant and Programme Leader will be invited to make a concluding statement.

15.6 The Panel will deliberate in private and will determine whether one or both of the grounds for appeal have been met. The standard of evidence shall be on the balance of probabilities.

15.7 In the event that the grounds for appeal have not been met the appeal will be rejected and clear reasons will be provided to the appellant in writing.

15.8 In the event that one or both of the grounds for appeal have been met the Panel will determine the significance of this determination on the appellant's assessment and will make one of the following recommendations to the Chair of the School Board of Examiners;

- Allow the appellant to resit some or all failed assessments as a first or additional attempt, where necessary reinstating them on the programme;

OR

- Refer the case back to the Assessment Board with commentary.

The panel may not recommend any alteration to the original marks.

Additionally, the panel may make other recommendations for the improvement of processes, procedure or policy and this will be reported to the School Board of Examiners and the Academic Board.

15.9 The appellant will be notified in writing of the decision of the Appeal Panel, including the reasons for that decision, within 5 working days of the panel meeting. In the event that the appeal is referred back to the School Board of Examiners with commentary, the appellant will be advised of the date of the next School Board of Examiners.

## **16. Stage Two: Referral to Extenuating Circumstances Panel (ECP)**

16.1 Where an appeal has been referred to the Extenuating Circumstances Panel, consideration of the appeal will take place at the next scheduled meeting in accordance with Regulation 5.8 above.

16.2 The Panel will consider those extenuating circumstances directly relevant to the assessment event(s) that are the subject of the appeal and will determine, had the Panel been presented with the extenuating circumstances at the appropriate time, which of the following recommendations to the Programme Assessment Board would apply:

- i. Retrospective deferral of the assessment event (or extension to a deadline),
- ii. Consideration be exercised in the determination of the progression or award classification,
- iii. No action.

16.3 The recommendations of the ECP will be considered at the next scheduled meeting of the Programme Assessment Board. The appellant will be notified in writing of the recommendation of the ECP within 5 working days of the panel meeting and the scheduled date of the Board to consider the recommendation.

## **17. Conclusion of Stage Two**

17.1 Following the conclusion of Stage Two of the appeal process including any subsequent referral to the School Board of Examiners, the appellant will be written to and alerted of their rights in respect of Stage Three.

## **18. Stage Three: Formal review**

18.1 An appellant may request a formal review where they can demonstrate that there were significant procedural irregularities on the part of the School in the processing of the appeal (at stage 1 or 2) or in the conduct of the Appeal Panel or the Extenuating Circumstances Panel, or the Programme Assessment Board or the School Board of Examiners considering the recommendation from either panel (e.g. evidence of lack of independence of judgment in the proceedings).

18.2 A request for a review must be submitted in writing, using the AP2 form, within 10 working days (excluding weekends and bank holidays) providing a reasoned argument for the request and accompanied by supporting documentation. No correspondence will be entered into in respect of incomplete applications. Incomplete applications will be considered on their merits as presented on the deadline.

18.3 On receipt of a request for a formal review, Registry will send the appellant a receipt and forward the review documentation and any related documentation relating to the appeal (e.g. minutes of panel meetings or assessment boards) to the review team for consideration. The Review Team will comprise;

- Senior member of teaching staff without previous involvement in the appeal process, nominated by the Principal
- Member of the Board of Governors nominated by the Principal
- Academic Registrar or other senior administrator nominated by the Academic Registrar

18.4 The review will normally be paper-based, but the Principal's nominee will have the absolute discretion to invite the appellant and any other interested party to be interviewed by the Review Team (e.g. where the interpretation of evidence is disputed). In such an instance the appellant will be given at least 5 working days' notice of the meeting, but the meeting will not be invalidated or postponed by reason of the absence of the appellant provided that the notice has been given.

18.5 The Review Team will consider whether the ground for review has been demonstrated and will determine one of the following courses of action:

- i. where the ground for review has not been demonstrated, that the matter be deemed closed. The appellant will be issued with a completion of procedures letter.
- or
- ii. where there is evidence of significant procedural irregularities, that the matter is referred back to the point in the process where the error occurred, and processed a fresh from that point onwards, with clear instructions from the Review Team.

Additionally, the Review Team may make other recommendations for the improvement of processes, procedure or policy and this will be reported to the School Board of Examiners and the Academic Board.

18.6 The decision of the Review Team will be communicated in writing to the appellant and the relevant Chairs within 15 working days of receipt of the request for formal review.

18.7 A completion of procedures letter will be issued once the outcome of any referral under 5.9 (iii) or (iv) has been determined. Once all internal procedures have been exhausted if the student remains dissatisfied with the outcome, they have the right to apply to the Office of the Independent Adjudicator (OIA) for Higher Education, see Section 5.



## **19. Student Status**

Until an appeal has been resolved, the original decision of the School Board of Examiners and the associated student status of the appellant will remain unchanged. Only students who have already satisfied the examiners in respect of their progression will be allowed to progress, an appellant who is appealing against a Fail/Withdraw decision will not be permitted to enrol unless or until their status is changed as a result of a successful appeal.

## **20. Reporting requirements**

An annual report outlining the number and nature of the Academic Appeals considered at all stages of the procedure will be submitted to the School Board of Examiners and the Academic Board for its annual report to the Board of Governors. The report shall also include reference to any additional recommendations on process, policy and/or procedure.

## **Section 4: Research degree regulations**

### **1. Research degrees: scope**

1.1 These regulations set out the minimum requirements of the School's Postgraduate research programme leading to the following awards: These regulations set out the minimum requirements of the School for the following programmes:

- Doctor of Music (DMus)
- Doctor of Philosophy (PhD)
- Master of Philosophy (MPhil)

Individual handbooks may specify more stringent requirements.

1.2 A doctoral level research degree programme of study must extend over at least two years of full-time study, or the part-time equivalent, and incorporate a substantial research component. A doctoral programme may have a linked master's by research award\*. Eligibility for consideration for a linked research award at master's level will require attendance at the School for at least one year of full-time study, or the part-time equivalent.

*\* Not currently available.*

### **2. Registration & submission deadlines**

#### **Period of registration**

2.1 The minimum period of registration for a doctoral degree leading to the award of PhD or DMus will be two calendar years of full-time study, or the part-time equivalent, excluding any period of intermission. The minimum period of registration for the award of MPhil will be one calendar year of full-time study, or the part-time equivalent, excluding any period of intermission. Early submission is not an option.

2.2 The maximum period of registration for a doctoral degree leading to the award of PhD or DMus will be six years full time or nine years part-time (including any periods of intermission). Students are expected to submit for their award in line with 2.13 of these regulations.

#### **Registration status**

2.3 The Postgraduate Research Programme Leader may grant a period of intermission to a student's programme of study on grounds of illness or other adequate cause, provided that the period of intermission does not exceed two years and that the total duration of the student's programme of study, excluding any such intermission, does not exceed the maximum period specified above. A student who is not registered will not be permitted to make a submission for examination.

2.4 Unless exceptionally exempted from this requirement (see paragraph 2.16 below), a student following the Postgraduate Research- programme will be registered initially on the linked master's/doctoral pathway (i.e. MPhil/DMus or MPhil/PhD) but may upgrade to the doctoral pathway after satisfying an examination panel through written submission and viva voce (see section 5 below).

2.5 Subject to any programme-specific limitations, there will be three bands of registration, as follows:

- full-time registration;
- part-time registration;
- 'writing-up' (with access to library and computer facilities and minimal formal supervision as determined by the Postgraduate Research Programme Leader).

The amount of any fee will be set annually according to procedures established by the School.

2.6 A student registered on a Postgraduate Research programme may apply to transfer status from registration as a full-time or part-time student to that of 'writing-up' status according to the procedure outlined in section 6 below. A transfer of registration status will be permitted only when, in the considered opinion of the supervisory team, the student's doctoral submission is nearing completion (see section 6) and with approval of the Postgraduate Research Programme Leader. A student will only be permitted to be registered as 'writing-up' for a maximum period of one calendar year.

### **Staff members**

2.7 Current members of staff of the Guildhall School of Music & Drama who apply to study for a postgraduate research degree at the School will be required to comply with all regulations of the School and of City University.

2.8 Staff will be required to seek the approval of their line manager before applying to become a postgraduate research student.

2.9 For the avoidance of conflict of interest in admissions, assessment and examination, for students who are members of staff, at least one external examiner will be required at the stage of upgrade and two external examiners for the final viva voce examination.

2.10 When a current member of staff is admitted as a research student, the Postgraduate Research Programme Leader will, with the Postgraduate Research Programme Board, sign off the supervision arrangements, tuition fees due, the minimum and maximum period of registration and the examination arrangements, using the same process as other research students.

2.11 Staff registering for the postgraduate research programme will usually be required to pursue a part-time programme of study at least the equivalent of two calendar years of full-time study.

2.12 If a member of staff who is also a postgraduate research student ceases to be a member of School staff at any time prior to the completion of their prescribed programme of study, their registration on the research degree programme will be reviewed in relation to fee status, any fee bursary and mode of attendance.

### **Doctoral submission**

2.13 Excluding any period of intermission, a full-time student will be required to submit their thesis\* for examination within four years of first registration and a part-time student within seven years of first registration.\*\*

\* Thesis includes all variations of written submission and associated artistic practice

\*\* Students starting prior to 2019/20 should consult with the Postgraduate Research Programme Leader regarding their maximum period and expected submission date if unclear.

### **MPhil submission**

2.14 Excluding any period of intermission, a full-time student will be required to submit for examination within three years of first registration and a part-time student within 6 years of first registration.\*

*\* Excluding those submitting for a doctorate who are subsequently awarded an MPhil.*

### **Submission for linked master's by research\***

2.15 Excluding any period of intermission, a full-time student will be required to submit for examination within 2 years of first registration, and a part-time student within 4 years of first registration.

*\* Not currently available.*

### **Transfer & advanced standing**

2.16 The School may register a student on a research programme with exemption from part of the programme of study, where the student has commenced a programme of study for an equivalent degree of another higher education institution in the United Kingdom or overseas. In such a case, the programme of study followed at the School may not be less than one calendar year or its part-time equivalent.

2.17 Transfer of registration may not take place after a student has entered the examination period at another institution for any one of the degrees mentioned above.

### **3. Attendance & programme of study**

3.1 Every student registered for a research degree at the School is required to pursue a formal programme of study including induction and training programmes where prescribed.

#### **Supervision of thesis**

3.2 Every student will be allocated a team of at least two supervisors, including at least one Category A supervisor.\* Depending on the nature of the project and the composition of the supervisory team, a student may also be allocated one or more external supervisors. Subject to approval by the Programme Leader, supervisory arrangements may be altered over the duration of the programme of study in accordance with supervisor availability and changes to the project that require additional specialist expertise.\* *Recognition may be dependent upon meeting criteria specified by the validating body for the specific degree programme.*

#### **Attendance**

3.3 Full-time students are required to devote the great majority of their working time to the programme, equivalent to a minimum of 30 hours per calendar week for 45 weeks each calendar year. Part-time students are expected to devote the equivalent of 15 hours per week for 45 weeks each calendar year to the research programme. Postgraduate research students are expected to engage in their studies throughout the full year, School vacation periods do not apply.\*

*\* For postgraduate research students on a Student visa, any employment (paid or unpaid) is limited to 20 hours a week except where annual leave has been officially booked via eGo and approved by the Programme Leader in advance (see Student Visa Handbook for details).*

3.4 A student will be entitled to 7 weeks of holiday allowance per calendar year (inclusive of any periods of School closure and bank holidays). The student should inform, *via an eGo leave of absence request*, the supervisory team as well as the programme administrator of any periods taken as holiday. Absence for illness should be reported in the same way.

3.5 Except as provided for in Regulation 3.6 below, a student is required to centre their academic activities on the School and to attend personally for studies at such times as the School might require. Students are required to participate fully in the procedures that the School has in place to monitor their progress, and failure to do so may result in their registration being terminated.

The expectation is that all postgraduate research students will meet with one or more supervisors at least once a month throughout the year (i.e. not just in term time). Virtual meetings, (e.g. via Zoom) are acceptable, or a combination of phone and e-mail, but in each case the contact must be sustained and focused enough to generate a supervision report. Where visa students are concerned, virtual meetings

should only take place in 'exceptional' circumstances only and no more than one meeting in a row. Records of meetings shall be sent to the programme administration team.

Supervisory teams will, at the end of each year submit an Annual Progress Report to the Postgraduate Research Programme Leader via the programme administration team.

3.6 For the purposes of undertaking research, a student may be permitted to spend part of their programme in 'off-campus study' not exceeding six months. The terms of the off-campus study will be agreed with the Postgraduate Research Programme Leader\* and will include:

- i. a schedule for maintaining contact with the supervisory team;
- ii. a plan for monitoring the off-campus study and the student's progress;
- iii. a timetable for attending training and seminars to ensure an overall equivalency in the student experience whether on or off campus.

*\* And the Admissions team for any Student visa holders.*

3.7 Except for justifiable absence, see 3.4 above, non-attendance at scheduled supervisory meetings, research seminars, or other training sessions may result in action being taken under the Academic Regulations, Section 2, 6. Academic Engagement.

3.8 In order to encourage attendance at research-related events beyond those organised internally, all students will be required to build up a record of such, to be agreed with their supervisory team. Students should undertake 25 hours of self-directed training per year and include details of these activities and reflection in their annual progress report. Likely events would include attending or contributing to conferences, workshops, training courses, lecture recitals, and performances, or undertaking teaching directly related to their research that does not impinge on their research commitments or any visa conditions.

## **4. Revision of research proposal**

4.1 The student must submit a revised research proposal after one term's work (two for part-time students), and no later than four months after registration (eight for part-time students). This will form the main object of the following term's review.\*

*\* For a student with a Student visa, a significant change in a research proposal that alters the pathway from DMus to PhD, or vice versa, may impact on the School's ability to continue to sponsor the student.*

4.2 The doctoral degree will be assessed, amongst other things (see Regulation 7.5), on its original contribution to knowledge, evaluated through the submission (which can include creative or other practical outputs) and the oral examination (viva). In order to support the student's claim for originality, the greater proportion of the research submitted for examination must have been undertaken during the period

of registration for the doctoral degree at the Guildhall School. Other research or creative outputs conducted prior to the period of registration can be referred to, for example in order to provide context for the doctoral study or to help explain a methodological point.

## 5. Upgrade procedure

5.1 Submission for Upgrade must occur within 16 months of enrolment on full-time study (or part-time equivalent).

5.2 Submission for upgrade to the doctoral pathway will only take place with the support of the student’s supervisory team and following a review of the student’s progress.

The student will be required to present evidence of their research progress to date (the format of the submission will be specified in the relevant programme handbook) and be interviewed by an upgrade panel, comprised of two examiners (at least one of which must be external for students who are also members of staff) and a Chair, the latter of which will have no role in the outcome of the examination.

5.3 Occasionally, students may wish to change pathways (i.e. from MPhil/DMus to MPhil/PhD). In this case they will need to consult with their supervisory team, and, with approval, inform the upgrade panel as part of their submission. Final approval lies with the Postgraduate Research Programme Leader.\*

*\* Not available to Student Visa holders.*

5.4 Should a student wish to change pathway (from DMus to PhD) after Upgrade this should be discussed with their supervisory team and the Postgraduate Research Programme Leader within 24 months of enrolment on full-time study (or part-time equivalent).

5.5 Occasionally students may decide not to progress to DMus or PhD, but to submit for MPhil. Students wishing to take this route will be required to notify the Postgraduate Research Programme Leader within 12 months of enrolment on the full-time study route (or part-time equivalent), submitting written material of at least 4,000 words. The Postgraduate Research Programme Leader, in consultation with subject specialists including members of the student’s supervisory team, will use this submission to evaluate whether a student’s final submission is likely to be appropriate to MPhil. If approved, the student will be required to submit for MPhil within three years of full-time study (or part time equivalent).

5.6 Should a student wish to transfer to submit for an MPhil instead of a DMus or PhD following Upgrade they must discuss this with their supervisory team and the Postgraduate Research Programme Leader. Students will not be able to transfer to MPhil if they have already exceeded the maximum period of registration for MPhil.

5.7 Upgrade submission guidelines are as follows

	<b>Common submission formats</b>
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	<b>Practice</b>	<b>Written submission</b>	<b>Defence</b>
DMus/PhD Music Composition	Portfolio of composition (20 mins length)	5,000 – 7,000 words Full project plan including thesis outline	Viva voce
DMus/PhD Music Performance	One performance (20 mins length though this may vary according to instrument)	5,000 – 7,000 words Full project plan including thesis outline	Viva voce
All other Music routes plus all Drama, Theatre and Production Arts routes	Performance (20 mins in length) or installation	5,000 – 7,000 words Full project plan including thesis outline	Viva voce
	Portfolio of creative material equivalent to 20 mins (eg play scripts, design and technical plans)	5,000 – 7,000 words Full project plan including thesis outline	Viva voce
	Portfolio of documented practice (eg researcher-led workshops or training sessions). Submitted videos/recordings should not exceed 1 hour.)	5,000 – 7,000 words Full project plan including thesis outline	Viva voce
	Any other combination which has previously been approved by the PGR Programme Leader within the parameters of the guidelines laid out in the Regulations.		Viva voce
Any discipline	Thesis only (circa 11,000 – 15,000 words) Full project plan including thesis outline		Viva voce



5.8 The Upgrade panel will consist of two examiners and will usually be chaired by the Postgraduate Research Programme Leader\*. At least one examiner must be conversant with the requirements of doctoral degrees and at least one must have expertise in a relevant discipline. Examiners should not be members of the student's supervisory team and may be external if necessary.\*\* In the case of a student who is also a member of staff, the panel will include at least one external examiner.

*\* Where not practicable, or where there may be a conflict of interest, the Postgraduate Research Programme Leader may appoint another senior member of staff.*

*\*\* The supervisor may attend the interview and, where a requirement of validation, a member of staff from the validating institution may also be present.*

5.9 The panel will assess the suitability of the student to progress to the doctoral pathway against the following criteria:

- the ability of the student to present and communicate the research enquiry in a coherent manner through all components of the upgrade submission and the interview;
- that all the components of the upgrade submission are of sufficient quality to evidence the enquiry;
- the ability of the student to contextualise their work in terms of related fields, both artistic and research;
- the ability of the student to critically evaluate sources in relevant disciplines
- the ability of the student to continually evaluate and articulate their contribution to relevant fields of artistic practice, of research and of artistic research;
- the ability of the student to manage the project;
- that the project being undertaken is of sufficient scope, originality and (artistic) research interest to constitute a genuine contribution to the subject.

5.10 The student will be notified, in writing, of one of the following outcomes:

- i. The student passes the Upgrade assessment and proceeds to the DMus/PhD;
- ii. The student's submission requires some minor amendments (to be incorporated at final submission) and the student proceeds to the DMus/PhD;
- iii. The student's written work requires both amendments and further research activity. The student is permitted a period of up to 3 months to resubmit. A second viva voce is not required.
- iv. The student's written work and/or artistic practice falls short of the standard required to upgrade and requires a resubmission and further viva voce. The student is permitted a period of up to 3 months to resubmit;
- v. The panel considers the student's submission or components of it to fall critically short of Doctoral level and the student is encouraged to submit for the MPhil. The student will be permitted a period of up to 6 months to prepare for submission;

- vi. The panel considers the student's work to fall critically short of Doctoral level and unlikely to be suitable for submission for the MPhil, upgrade is refused and the student's registration is terminated.
- vii. In the event of (iii or iv) above, if a re-submission is required the panel will specify the format of the re-submission – e.g. students might be asked to revise a section of the original submission or to provide additional material. The deadline for the resubmission will be three months from the date the report is sent to the student. Students are permitted a maximum of two attempts at Upgrade. Outcomes (iii) and (iv) are not available following a second submission.

5.11 In the event of (v) or (vi) above, or where resubmission is unsuccessful, the student will be permitted to appeal against the decision. The appeal process to be followed will be detailed in the relevant student handbook and follows the City, University of London appeal process, which can be found in *City's Research Studies Handbook*, and at <https://studenthub.city.ac.uk/help-and-support/extenuating-circumstances-complaints-appeals>

## **6. Transfer to Writing Up status**

6.1 Transfer to Writing Up status will only be available to students who have already been upgraded to the doctoral pathway and are nearing completion of their research and submission. A student who has completed four years of full-time registration (or its part-time equivalent) will not be eligible for transfer to Writing Up status.

6.2 The decision to allow transfer to Writing Up status or to grant a fourth year of supervised study (or its part-time equivalent) will be taken by the Postgraduate Research Programme Leader in consultation with the supervisory team. This decision should be made no later than the second term of the third year of full-time study (or part-time equivalent). If the student has not already given formal notice of their intention to submit then a time-frame for submission (and, where relevant, any associated public performance) will be agreed with the student.

## **7. Submission & examination**

7.1 The decision to submit for examination rests with the student alone. Students are strongly advised to seek advice from their supervisory team before making this decision.

7.2 A student will be required to give written notice to the School, by submitting an examination entry form\*, of their intention to submit for examination at least three months prior to submission.

*\* The entry form may be specific to the validating institution.*

7.3 Following notification of the intention to submit, the School will appoint the examiners in accordance with the rules of the validating body.

7.4 A thesis (or other agreed research output) must be presented for examination in accordance with the procedures and in the format specified by the School and the validating body. The thesis must be accompanied by a signed declaration by the student that the work presented in the thesis is their own.\*

\* Again, the completion of specific forms may be required by the validating institution.

7.5 The format and timing of the examination, including any performance element and/or viva voce examination, will be in accordance with the rules of the validating body. Please note that the combination and relative 'weighting' of creative and written components is determined according to the specific research question. Moreover, the scale and format of the practical element will vary considerably according to the discipline, medium/instrument or format. The expectation is that the standard of the submission will be higher than submission made at Upgrade (in relation to the assessment criteria), irrespective of the length. That said, likely variants are set out below.

Examination submission guidelines are as follows:

### MPhil

	<b>Practice</b>	<b>Written submission</b>	<b>Defence</b>
Music Composition	Portfolio of composition (30 mins length)	Analytic commentary/thesis (8,000 – 10,000 words)	Viva voce
Music Performance	One performance (30 mins length)	Analytic commentary/thesis (12,000 – 15,000 words)	Viva voce
All other Music routes plus all Drama, Theatre and Production Arts routes	One performance (30 mins length)	Analytic commentary/thesis (12,000 – 15,000 words)	Viva voce
	Installation	Analytic commentary/thesis (10,000 – 16,000 words)	Viva voce
	Portfolio of creative material equivalent to 30 mins (eg play scripts, design and technical plans)	Analytic commentary/thesis (8,000 – 10,000 words)	Viva voce
	Portfolio of documented practice (eg researcher-led workshops or training sessions). Submitted videos/recordings should not exceed 2 hours.	Analytic commentary/thesis (10,000 – 15,000 words)	Viva voce

	Any other combination which has previously been approved by the PGR Programme Leader within the parameters of the guidelines laid out in the Regulations.	Viva voce
Any discipline	Thesis only (circa 25,000 – 30,000 words)	Viva voce
	Any other combination which has previously been approved by the Postgraduate Research Programme Leader within the parameters of the guidelines laid out in the Regulations.	

## Criteria

- Contribution to knowledge will be examined against:
- Original work and/or an ordered and critical exposition of existing knowledge.
- Critical appraisal of previous work

## DMus and PhD

	Common submission formats		
	Practice	Written submission	Defence
DMus/PhD Music Composition	Portfolio of composition (75 mins length)	13,000-23,000 words	Viva voce
DMus/PhD Music Performance	One Doctoral Recital of 60 minutes	30,000-50,000 words	Viva voce
	One Recital and up to 60 minutes of additional recordings	20,000-30,000 words	Viva voce
All other Music routes plus all Drama, Theatre and Production Arts routes	One performance (up to 60 minutes)	30,000-50,000 words	Viva voce
	Two performances of 60 minutes each or installations	20,000-30,000 words	Viva voce
	Portfolio of creative material (eg play scripts, design and technical plans) equivalent to 60 minutes	15,000-20,000 words	Viva voce

	Portfolio of documented practice (eg researcher-led workshops or training sessions). Video/sound recording should not exceed 3 hours.	30,000-50,000 words	Viva voce
Any discipline	Thesis only - circa 80,000 words		Viva voce
	Any other combination which has previously been approved by the Postgraduate Research Programme Leader within the parameters of the guidelines laid out in the Regulations.		Viva voce

### Criteria

- Contribution to knowledge will be examined against:
- Originality - the generation of new knowledge by the exercise of independent critical power
- Critical appraisal of previous work
- Design and methodology of investigation
- Conduct and execution of research
- Analysis of data, evidence and/or outcomes
- Creative production and/or interpretation
- Theoretical insights and/or application

7.6 Any appeal by the student in response to a decision of the examiners will be in accordance with the rules of the validating body.

### Availability of submission

7.7 It is a requirement for the award of the degree that one copy of a successful submission is placed in the library of the School in addition to any requirements of the validating body. The submission should include the thesis and a record of any creative output.

7.8 The submission will normally be placed in the public domain immediately after the award of the degree. Exceptions to this requirement will only be made in very exceptional circumstances such as grounds of commercial exploitation, and will be granted for a maximum period of two years from the date of the award. A student may apply to City, University of London for restriction of access to their thesis when depositing the library copy. If approved, Postgraduate Programme Research Board should be notified.

## **8. Allegations of plagiarism or other research misconduct during the programme of study**

8.1 A suspected case of research misconduct during the programme of study will be investigated in accordance with the School's *Governance Framework for Good Practice in Research* and may result in action being taken under either the validating institution's assessment regulations or the School's *Student Code of Conduct and Disciplinary Procedure*.

8.2 A student may not submit for examination whilst an investigation is being conducted under Regulation 8.1 above. Where research misconduct is suspected during the assessment of the submission or during the viva voce examination the assessment process will be halted and held in abeyance until such time as an investigation has been completed.

## Section 5: The Student Experience

### 1. Introduction

1.1. In the regulations under Section 5 “you” and “your” means a student registered for a programme taught by the Guildhall School of Music and Drama. “We”, “us” and “our” means the School and any of its staff, depending on the context.

### 2. Jurisdiction

2.1 The provisions of section 5 of the Academic regulatory framework apply to:

- students admitted or enrolled by the School on a programme of study leading to a higher education award;
- students admitted or enrolled by the School on the Advanced Certificate programme, or the Short-term Music Programme;
- students admitted for extra mural study in the senior school for music;
- visiting students to the senior school.

2.2 The provisions of section 5 of the Academic regulatory framework do not apply to students registered with Guildhall Young Artists division, summer schools, or other courses that fall outside of the senior school offer; separate procedures apply.

2.3 Regulations and policies will be available to you via the School’s website and key documents will be summarised in the *Student Handbook*. You are personally responsible for making sure that you understand the School’s regulations: ignorance will not be considered a valid excuse for your failing to observe the principles set out in these regulations or any associated policies. You are welcome to seek support and advice from [the Student Experience team](#) at any time if you need support with these regulations.

### 3. General Principles

3.1 The procedures in section 5 of the Academic regulatory framework, and in the academic misconduct and academic appeal procedures (please see Regulation 12 and Regulation 14 of Section 3), are internal procedures for the good order and management of the School community, they are not legal procedures.

3.2 Unless you are incapacitated, confirmed in writing by a recognised health practitioner, we will only communicate with you in respect of the procedures listed in paragraph 3.1 above. If you are incapacitated, we will communicate only with your designated emergency contact in eGo; we will not communicate with any other parties.

3.3. If you are involved in any of the procedures set out in section 5 of the Academic regulatory framework or in the academic misconduct and academic appeal procedures (please see Regulation 12.5 (b) and Regulation 18.3 of Section 3), you will have the right to be accompanied to any meeting or hearing by a “friend”. A student’s “friend” may be a family member, a fellow student of the Guildhall School, a member of staff of the School, or a genuine friend from outside the School

community. The role of the friend is to provide moral support during a meeting or hearing and must not be a witness; they cannot make representations nor cross-examine witnesses. Normally the friend would not be a legal representative (please see paragraphs 3.4 and 3.5 below).

3.4 The use of lawyers by either party is not required, or recommended, to access these procedures. It is our intent that use of the procedures should enable relationships to continue and thrive beyond the resolution of the issue at hand.

3.5. Under very exceptional circumstances, we may allow a solicitor or barrister to attend in their role as legal professional. Such exceptions will be considered on a case-by-case basis by the Dean of Students (or nominee) using the following criteria:

- The seriousness of the case
- Complexities in the evidence likely to be presented
- The capacity of the individual to understand the case against them
- Likely procedural challenges
- The need for fairness in the cross-examination

## **4. Completion of procedures**

4.1 The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. The School is a member of this scheme. If you are unhappy with the outcome of a School regulatory procedure you may be able to ask the OIA to review your case. Information about making a complaint to the OIA, what it can and cannot consider can be found at <https://www.oiahe.org.uk/students>.

4.2 When you have reached the end of a process, including any internal appeal mechanism and there are no further steps you can take internally, a procedure will be deemed “complete”. When this is the case, you will be issued with a Completion of Procedures (CoP) letter.

4.3 Once you have been issued with a Completion of Procedures letter, if you are dissatisfied with the outcome of the procedure, you may take your complaint to the *Office of the Independent Adjudicator* for Higher Education (OIA). Information and eligibility rules are available at: [www.oiahe.org.uk](http://www.oiahe.org.uk).

## **5. Equal Opportunities Statement**

5.1. We are a department of the City of London which has a comprehensive equal opportunities policy to which we are fully committed. Its aim is to ensure that everyone receives fair treatment regardless of gender, sexual orientation, race, nationality, ethnic origins, religious beliefs and non-beliefs, colour, disability, marital status, age, trade union affiliations or political beliefs. We are committed to fostering an environment for students and staff free from discrimination, prejudice or harassment and to pursuing equality of opportunity in the delivery of its services and facilities.



5.2. We are committed to ensuring equality of opportunity for all students, including students with disabilities, mental health issues or neurodiversity needs. If you have a disability, we will take this into account as relevant when applying these regulations and will make reasonable adjustments as appropriate. The School can make these regulation available in accessible formats, upon request.

# **Section 5A: Student code of conduct & Disciplinary procedure**

## **1. Introduction**

1.1. This regulation sets out how the Guildhall School ('we') will consider any cases where there are concerns that a student's behaviour ('you') is inappropriate or disruptive. The term *misconduct* covers this.

1.2. This regulation applies if you are registered with us, whether you are actively studying or have suspended or intermitted your studies.

1.3. This regulation may apply if you are a former student, and the concerns relate to alleged academic misconduct during an assessment for your award.

1.4. These regulations may apply if you have accepted an offer of a place with us.

## **2. Definition of misconduct**

2.1. We define misconduct as behaviour by a student which adversely impacts the activities, functioning and/or wellbeing of other students, School staff, its visitors or the wider community, or otherwise damages the School or its reputation.

2.3. We refer to our premises in this regulation. This includes the premises of organisations with which we work to deliver your programme or services which support your studies; and spaces near our and our partner's services. For example, this may include, but is not limited to premises where you undertake external engagements, placements including clinical placements, community/school experiences, and outside performances and recitals. It also includes our halls of residence.

2.4. We refer to online in this regulation. This includes online or virtual space such as a virtual learning environment used by the Guildhall School, a social media group relating to a School activity, or text messages and emails or other forms of instant messages or voice notes.

2.5. Misconduct is determined by the School on the balance of probabilities. Specific examples of misconduct are detailed under Appendix A below.

## **3. Applying this regulation**

3.1. We will normally only consider allegation brought forward by the alleged victim. We will not consider third party allegations unless they are supported by the alleged victim.

3.2. We will not normally investigate anonymous allegations against you. However, an allegation may be investigated if supported by sufficient evidence to justify further

consideration of the matter. We may anonymise witness statements before sharing with you when this is considered to be in accordance with our duty of care.

3.3. We will aim to complete the investigation in cases of alleged misconduct within three months, but this may take longer depending on the complexity of the case. The individual responsible for investigating and considering the case will establish appropriate timescales based on the nature and complexity of the case and the progress of any parallel proceedings. We will tell you these timescales and keep you informed of any changes.

## **4. Equality, diversity and inclusion**

4.1. We are committed to promoting equality, diversity and inclusion in all our activities, processes, and culture, under our Public Sector Equality Duties and the Equality Act 2010. This includes promoting equality and diversity for all, irrespective of any protected characteristic, working pattern, family circumstance, socio-economic background, political belief or other irrelevant distinction.

4.2. We will operate these regulations in accordance with our equality duty under the Equality Act 2010 and our duty of care.

4.3. We are committed to championing equality. We will ensure that in the coordination and make up of decision-making panels we are striving to fulfil our commitments to racial equality, gender balance, and actively consider representation of other protected groups.

4.4. Members of staff taking action under this Regulation, or their nominee will actively consider any equality and diversity issues which may arise. Where relevant, they may seek advice from specialist student services including in the areas of health and/or disability.

4.5. We may, where we consider it necessary and appropriate, take disciplinary action irrespective of the causes of any suspected misconduct.

4.6. Disciplinary proceedings may be postponed, suspended or discontinued where we consider that there is evidence to demonstrate that you are for medical reasons unfit to participate in disciplinary proceedings.

4.7. If at any point it becomes clear that your alleged breach of this Regulation relates to your disability, health condition or learning difference, in such an instance, and where appropriate, the matter may be referred for consideration under Regulation 5B Support to train and study.

## **5. General student responsibilities**

5.1. We expect you to conduct yourself at all times in an appropriate manner by treating fellow students, staff and visitors with respect and as equal and valued members of the School community.

5.2. We expect you to behave respectfully towards our neighbours and in the local community.

5.3. We expect you to respect the physical environment of the institution and our local community, including all facilities provided.

5.4. We expect you to familiarise yourself and respect specific codes of conduct that exist in respect to accommodation, use of computing, Library and other School facilities and equipment.

5.5. We expect you to keep us informed of your current home and term-time addresses, personal email, and mobile number at all times while you remain a member of the School. Students on placements, or intermitting, are not exempt from this requirement.

5.6. Our primary method of formal communication with you shall be via your Guildhall School email address issued at enrolment. It is your responsibility to ensure that you activate your School email account and regularly check this account for messages. Failure to check a School email account regularly will not be accepted as a reason for failing to observe an instruction sent by email.

5.7. Where you fail in your general student responsibilities as defined here, we may take action under this regulation.

## **6. Temporary precautionary measures under the Principal's emergency powers (section 5C)**

6.1. We consider certain types of conduct to be examples of conduct which could represent immediate, serious and significant threat to you and/or others' personal safety or that of our premises.

6.2. Where your conduct is considered to represent a potential immediate, serious and significant threat to your and/or others' personal safety or that of our premises, the officer responsible for the consideration of the case may recommend temporary precautionary measures such as exclusion or suspension, subject to approval by the Principal (or nominee) under Regulation 5C: Principal's emergency powers. Your case will then be conducted in line with [Stage 2 of this Regulation](#).

6.3. The Principal (or nominee) will make a decision to approve temporary precautionary measures such as suspension or exclusion subject to a risk assessment conducted with the support of the relevant student support services (such as Safeguarding or Student Services) pending a hearing.

6.4. Please see Regulation 5C: Principal's emergency powers for further detail on temporary precautionary measures pending disciplinary investigation. This includes details about your right to appeal.

## **7. Alleged misconduct which may constitute a criminal offence**

7.1. Where your alleged misconduct may, if proven, constitute a criminal offence, the case must be referred to the Principal (or nominee). They will consider the allegation(s) and may consult with those affected by the alleged misconduct. They will determine whether the offence is considered to threaten our reputation or to suggest that our staff or students may be at potential risk.

7.2. If it is considered that the alleged misconduct either threatens our reputation and/ or puts our community at risk, we may take temporary precautionary measures under Regulation 5C: Principal's Emergency Powers until the matter has been reported to the police and a decision has been made whether to prosecute or not. At this point the Principal (or nominee) will decide whether disciplinary action should be taken under [Stage 2 of this Regulation](#).

7.3. If it is considered that the alleged misconduct neither threatens our reputation nor puts our community at risk, the Principal (or nominee) will decide whether to take disciplinary action through this Regulation or to delay proceedings pending any police investigation.

7.4. We may report any conduct which may be in breach of the law to the police. It is for the Principal (or nominee) to decide what constitutes a potential breach of the law and whether it should be reported. This does not prevent any person from reporting any matter to the police if they wish to do so.

## **8. Special circumstances: criminal convictions**

8.1. You must declare a relevant criminal conviction as soon as reasonably possible after conviction. It is your responsibility to inform and to take all necessary steps to communicate with us. If we believe that you have purposely withheld information, acted dishonestly or deceitfully in regards to disclosing such information, we may take action under this Regulation whether or not the conviction/offence is considered under this Regulation.

8.2. We will not make a judgement against you until the matter has been investigated and the outcomes determined.

8.3. The standard of proof applied in operating this procedure is the balance of probabilities. The burden of proof lies with the School.

8.4. The focus of any investigation will be evidence of misconduct as defined within this Regulation.

8.5. Where a conviction or offence occurred outside of Britain and may be spent under the associated national law, it is not automatically considered a spent conviction under the Rehabilitation of Offenders Act 1974 (the Act) as applied to England and Wales. Therefore, where a student is convicted outside of Britain, whether the conviction is spent will be calculated according to the Act by regarding the conviction in the same way as the corresponding sentence or nearest equivalent under the Act as applied to England and Wales. We may, at our discretion, take the

view to apply this Regulation where a conviction outside of England and Wales does not correspond with a criminal act under domestic law.

8.6. If, during the course of your registration, we become aware of a criminal conviction (unspent during any time of registration with us, or recently applied and to be served) which may constitute misconduct under this Regulation, we may take action under this Regulation.

8.7. We are not bound by the outcome of any criminal prosecution although we may at our discretion take any penalty imposed by a criminal court into consideration in determining any outcome to be imposed under this procedure. A conviction in a criminal court may be taken as conclusive evidence that the offence has occurred, and no further investigation shall be required by us unless there are other misconduct allegations not pursued by the police or courts. The focus of any disciplinary process will therefore be on the impact and effect of the conviction and/or on the sanction/s (if any) to be applied.

8.8. In addition to the actions outlined in this section, the Principal (or nominee) may apply temporary precautionary measures immediately in line with Regulation 5C: Principal's Emergency Powers.

8.9. Where the decision to pursue disciplinary action is taken in any of the above circumstances, we will inform you with reasons as to which route of the Regulation this action will follow (i.e. [Stage 1](#) or [Stage 2](#)).

8.10. If temporary precautionary measures have been taken and a decision is made to proceed with disciplinary action, your case will be referred to [Stage 2](#) of this Regulation once we have received confirmation that any police or legal proceedings have been completed.

## **9. Special circumstances: notification of police investigation and/or legal proceedings taking place against a student**

9.1. Where the alleged misconduct is already subject to police investigation or legal proceedings when it is reported to us, the case will be referred to the Principal (or nominee). They will determine via a risk assessment whether the offence is considered to threaten our reputation or to suggest that our staff or students may be at potential risk.

9.2. If it is considered that the alleged misconduct either threatens our reputation and/ or puts our community at risk, we may take temporary precautionary measures under Regulation 5C: Principal's Emergency Powers until the matter has been concluded by the police or courts.

9.3. Should it be decided that the alleged misconduct is appropriate for consideration under the Disciplinary procedure, the disciplinary process will be suspended until we have received confirmation that the criminal investigation and any legal proceedings have been concluded. You will be advised that intermittence is an available option whilst undergoing police investigation or legal proceedings.

9.4. If the decision has been taken not to proceed to a criminal trial or you receive a verdict other than conviction at trial, we may still conduct further investigations and/or instigate disciplinary proceedings in relation to outstanding matters of concern to us. For the avoidance of doubt, the verdicts covered by this provision include, but are not limited to, acquittal and 'not proven'.

## **10. Disciplinary procedure Stage 1: preliminary investigation**

10.1. If it is initially determined that your alleged actions meet the definition of misconduct, we will proceed to consider this through a preliminary investigation.

10.2. The Dean of Students will identify a suitable member of staff (referred to in these regulations as 'the officer') responsible for the operation of these regulations and relevant codes of conduct within the School.

10.3. We will tell you at the start of any proceedings who is dealing with your case. If at any point throughout the investigation, a different officer needs to be appointed, we will inform you.

10.4. If your alleged misconduct may breach standards required by professional, statutory or regulatory bodies (PSRB), the School will also consider whether it is necessary to inform the PSRB of the matter. You may also be referred to Fitness to Practice proceedings (please see Regulation 5E).

10.5. The officer will deal with the matter under the relevant Code of Conduct of this regulation. The officer will investigate the allegation of misconduct, and will normally be expected to:

- Conduct a preliminary investigation to ascertain the facts regarding the allegation.
- Determine whether the matter is suitable for consideration under Stage 1, or whether the matter should be forwarded directly to Stage 2.
- Inform you in writing of the School's receipt of the alleged breach of the Student Code of Conduct, and that the matter will be considered under Stage 1 of Regulation 5A.
- Provide you with details of the report against you, and specifically how the misconduct is defined in terms of this Regulation (see [Section 2 – Definition of Misconduct](#) and [Appendix A – examples of misconduct](#)).
- Inform you where information regarding the relevant Regulation and guidance may be found.
- Inform you of support and advice available to you via Student Services or the Students' Union
- Invite you to submit a response verbally or in writing
- Invite you to meet them in person, where considered appropriate and practical
- Where relevant, consider our duty of care in accordance with our safeguarding process and the Equality Act.

10.6. If you are invited to a preliminary interview under Stage 1, you may be accompanied by a friend (please see Section 5: The Student Experience for the definition of a friend).

10.7. Where an allegation is found to be substantiated on the balance of probabilities, the officer will invite you to present any mitigations which may be taken into account when considering what actions to take.

10.8. The officer may take advice from specialist student services (for example Safeguarding or Student Services) at any point prior to, or during, their consideration of the case if this is considered to be relevant.

10.9. The options available to the officer are:

10.9.1. Where there is insufficient evidence to support the allegation, or it is considered that the case is unsubstantiated: the case is rejected, and no further action is taken.

10.9.2. Where the matter is considered substantiated and the misconduct is of a minor nature, the officer may recommend an appropriate remedy or penalty, with specified actions and deadline. Any remedy or penalty will be confirmed to you in writing. Where you accept the recommended remedy or penalty and you complete any required action by the specified deadlines, the matter is considered resolved and no further action is taken. Where you do not accept the recommended remedy or penalty and you do not complete any required action by the specified deadlines, your case will be referred directly to Stage 2.

10.9.3. Where the matter is considered substantiated and the misconduct is of a serious nature, the matter will be referred to Stage 2 to be considered by a School Disciplinary Panel.

10.10. For minor acts of misconduct where the officer agrees that the matter is substantiated, they have to authority to apply any of the following penalties under Stage 1:

10.10.1. Verbal warning with a requirement to desist from any further such action.

10.10.2. Written warning; a copy of the warning to lie on file for the duration of your period of study with a requirement to desist from any further such misconduct.

10.10.3. A fine (payable to the Guildhall School Trust) and/or restitution of any damage caused by way of payment with a requirement to desist from any further such misconduct.

10.10.4. Order to undertake mandatory training.

10.10.5. Exclusion from specified activities or facilities, including but not limited to basement bar, library, or practice rooms, for a limited period not exceeding one month.

10.11. The officer may also consider whether you would benefit from a referral to the School's support services.



10.12. The outcome of this stage will be confirmed to you, in writing, normally within 21 calendar days once the investigation has been concluded.

10.13. The alleged victim(s) of the misconduct and any others affected by the alleged misconduct will be informed that the matter has been dealt with in accordance with this Regulation, and where relevant, the outcome of the preliminary investigation.

10.14. Where an allegation of misconduct is referred to Stage 2, the officer is required to produce a report requesting consideration of the case under Stage 2, including the following:

- What the misconduct is, and precisely how it is defined in terms of Section 2 above and Appendix A below.
- Details regarding the alleged misconduct (date(s) of the misconduct, where the misconduct took place, who reported the misconduct).
- All relevant evidence regarding the allegation, including any witness statements gathered during the preliminary investigation.
- What actions have been taken under Stage 1 in response to the alleged misconduct.
- Why the actions available under Stage 1 are not sufficient to respond to the matter.

10.15. A copy of this report will be provided to you and to the School Disciplinary Panel responsible for your case at Stage 2.

10.16. Under this stage, the officer has the authority to impose other temporary precautionary measures, besides those that fall under the Principal's Emergency Powers ([see paragraph 6 of this Regulation](#)). Such precautionary measures do not indicate any finding of misconduct. Precautionary measures could include:

- a no contact agreement between you and the reporting party
- alternative teaching arrangements, where applicable
- moving either you or the reporting party to alternative School accommodation (subject to availability)

10.17. Where none of the options under point 10.14 are considered appropriate, the officer may recommend a temporary suspension or exclusion to be approved by the Principal (or nominee) under Principal's Emergency Powers (section 5C).

10.18. Precautionary measures should aim to cause the minimum restriction necessary to protect you, any reporting party or other members of the School community from an identified risk, or to protect the investigation under this procedure. When considering precautionary measures, the officer will take into account safeguarding considerations, and they will seek support from the School's safeguarding services.

10.19. Precautionary measures are particularly likely to be appropriate in cases involving a risk to any individual's mental or physical health, issues of a highly sensitive or confidential nature and/or where there is a threat of serious disruption to School services.

10.20. At Stage 1, the officer will establish appropriate timescales for the preliminary investigation and consideration of your case based on its nature and complexity and the progress of any parallel proceedings. We will let you know these timescales and any necessary changes.

10.21. For complex cases and of a sensitive nature, we may work with specialist external investigators to conduct investigations on our behalf.

## **11. Disciplinary procedure Stage 2: School Disciplinary Panel**

11.1. Your case may be considered by a School Disciplinary Panel if:

- your case of alleged misconduct has not been resolved at Stage 1 of this Regulation and has been referred for consideration under Stage 2
- your case of academic misconduct has not been resolved at Academic Misconduct Panel level in accordance with Section 3: General assessment regulations for taught programmes and Section 4 Research degree regulations of the School's Academic regulatory framework.
- you have a previous case of misconduct that was found substantiated either at Stage 1 or Stage 2 of the School's disciplinary process.

11.2. The School Disciplinary Panel will consist of the following members:

- a senior member of staff to act as Chair (this will not normally be from the student's department)
- another senior member of staff to act as Panel member (this will not normally be from the student's department)
- a Students' Union officer (if following a reasonable search, no student panel member can be found, a second senior staff member will be a panel member)
- a nominated Registry officer will manage the process and act as secretary.

11.3. You will be invited to the Panel meeting and may choose to be accompanied by a friend (please see Section 5, paragraph 3.5). At the Chair's discretion, you may be accompanied by more than one friend. Normally the people accompanying you would not be a legal representative unless there are very exceptional circumstances (please section 5, paragraph 3.4).

11.4. The party making the allegation against you will be invited to attend the Panel meeting. The arrangements for this this will vary and take into consideration the circumstances of the alleged misconduct.

11.5. The papers (evidence etc.) to support the consideration of the case will be circulated to you and the School Disciplinary Panel in advance of the meeting. The Panel may invite witnesses, consultants, experts or similar to attend to assist the Panel in its considerations (but not have a role in the decision making Panel itself).

11.6. You may provide a written submission or evidence for the Panel's consideration if you wish. You will be given a deadline for the submission of any documentation for

circulating in advance of the Panel meeting – should we receive your submission after this deadline, consideration of the submission will be at the Chair’s discretion.

11.7. If you choose not to attend or fail to attend without submitting in writing valid reasons for a postponement, the Panel may meet in your absence.

11.8. During the Panel’s consideration of the case, where you are in attendance, you will be invited to respond verbally to the allegation against you. The Panel will expect to put any questions directly to you. You are expected to respond by yourself to any questions put to you by the Panel or via the Panel. You will have an opportunity to respond to the alleged breach, and to respond to any submission made during the hearing by the party bringing the allegation against you. You may only have another person speak on your behalf during the Panel meeting with agreement by the Panel. You may call witnesses, as may those bringing the allegation or the Panel. You will have an opportunity to present any mitigating circumstances prior to the outcome of the hearing being finalised.

11.9. Where the Disciplinary Panel finds the allegations unsubstantiated, the case will be dismissed, and no further action will be taken.

11.10. Where the Disciplinary Panel upholds the allegation against you, the options available to the Panel are:

11.10.1. Where the case relates to non-academic misconduct and the allegations are found to be substantiated by the Panel, options available are:

- Written warning; a copy of the warning to lie on file for the duration of your period of study with a requirement to desist from any further such misconduct
- A fine (payable to the Guildhall School Trust) and/or restitution of any damage caused by way of payment with a requirement to desist from any further such misconduct.
- Order to undertake mandatory training.
- Exclusion from specified activities or facilities, including but not limited to basement bar, library, or practice rooms, for a limited period not exceeding one month.
- Suspension, either full or with certain conditions (for example to provide permissions to attend for the purpose of an assessment or to receive support from student support services)
- Expulsion from the Guildhall School
- Retrospective withdrawal of your award
- Withdrawal of an offer (where the disciplinary process relates to an applicant who has not yet completed Registration)

11.10.2. Where the case relates to academic misconduct and the allegations are found to be substantiated by the panel, options available are:

- Any of the sanctions available to an Academic Misconduct Panel (please see Section 3: General assessment regulations for taught

programmes or Section 4 Research degree regulations of the School's Academic regulatory framework).

- A fail (0%) for the module with the right to remaining resit(s) removed
- Suspension, either full or with certain conditions (for example to provide permissions to attend for the purpose of an assessment or to receive support from student support services)
- Expulsion from the Guildhall School
- Retrospective withdrawal of your award

11.11. Sanctions can be combined as appropriate and reasonable. The Disciplinary Panel may also consider the period of time for which a sanction will remain effective, if relevant, and whether a review of a sanction should be undertaken at any point.

11.12. Where a penalty of suspension or exclusion is applied, the Panel will specify what the arrangements will be for the length of the intermission or access to facilities, who the contact will be for you during the intermission, what your registration status is, and your fee status. Consideration should be given to any visa-related issues (for international students). The Panel will confirm what the arrangements will be for your return to studies following suspension.

11.13. Where you have been sentenced by a criminal court in respect of the same allegations, the outcome of the criminal proceedings shall be taken into account in determining the sanction. We reserve the right to verify information you provide regarding the outcome of criminal proceedings with the relevant public authorities.

11.14. The outcome of the School Disciplinary Panel meeting, with reasons, will be communicated to you in writing, normally within 14 calendar days of the hearing. You will be informed of your right of appeal.

## **12. Right of appeal and appeal procedure: Stage 3 Appeal Panel**

12.1. You may appeal against the outcome of the Stage 2 consideration of your disciplinary case on one or more of the following grounds:

- There were defects in the conduct of the previous disciplinary investigation such as to make the decision unsound; AND/ OR
- There is new material evidence that, for demonstrable, valid and over-riding reasons you could not submit previously; AND/ OR
- The sanction applied at Stage 2 was disproportionate in the circumstances.

12.2. An appeal is not a re-hearing of the case. Dissatisfaction with the outcome of the Stage 2 level consideration alone is not a ground for appeal.

12.3. An appeal, with appropriate evidence, may be submitted to the Dean of Students within 21 calendar days of the written confirmation of the Stage 2 decision.

### **Initial scrutiny**

12.4. Your appeal will go through an initial scrutiny process by either the Dean of Students or a nominee. The purposes of the initial scrutiny are:

- To ensure that the appeal documentation has been fully completed and that all relevant evidence has been enclosed AND
- To reach an initial view on whether sufficient evidence has been provided to merit consideration of a claim on one or more grounds for appeal.

12.5. An appeal may be rejected if the documentation is not complete and/ or insufficient evidence has been provided.

12.6. If there is sufficient evidence to merit consideration of the appeal on one of the grounds set out in paragraph 12.4. above, your case will be forwarded for consideration by an Appeal Panel.

12.7. If there is insufficient evidence to merit consideration of the appeal on any of the grounds set out in paragraph 12.4. above, your appeal will be rejected.

12.8. You will be informed of the outcome of the initial scrutiny, normally within 21 calendar days of the acknowledgement being sent.

12.9. Where an appeal is rejected, reasons will be provided and you will be issued with a Completion of Procedures letter (please see Section 5, paragraph 4).

### **Appeal Panel**

12.10. An Appeal Panel will, where possible, be convened within 28 calendar days of the outcome of the initial scrutiny.

12.11. The Appeal Panel shall consist of

- The Principal or nominee, who will normally act as Chair
- A Senior member of staff not previously connected with the case or its investigation,
- A Students' Union officer not previously connected with the case or its investigation.
- A Registry officer will act as secretary and advisor the Panel

12.12. The Appeal Panel will not re-investigate the case, so they will not further enquire into matters of fact relating to the allegation and the evidence. Instead, the Panel will consider the grounds for appeal and any new evidence that for good reason, could not have been made available at the time of the School Disciplinary Panel. The members of the Panel will have access to the full documentation of the case.

12.13. You will be invited to the hearing and may choose to be accompanied by a friend. If you choose not to attend or fail to attend without submitting in writing valid reasons for a postponement, the Appeal Panel may meet in your absence.

12.14. The Chair of the School Disciplinary Panel would normally be invited to present to give a report of the previous stages of the proceedings. This will include a summary of process, evidence considered and the conclusions including any reasons for the sanctions applied.

12.15. Members of the Appeal Panel will be expected to listen to both your statements and those of the Chair of the School Disciplinary Panel. The Appeal Panel has the right to ask questions of both you and the Chair of the School Disciplinary Panel.

12.16. The Appeal Panel will consider the case and make a decision. The options available to them are:

- To ratify the sanction applied by the Stage 2 School Disciplinary Panel
- To amend the sanction applied by the Stage 2 School Disciplinary Panel
- To revoke the sanction applied by the Stage 2 School Disciplinary Panel
- To refer the case back to Stage 2 to be reconsidered by a newly formed School Disciplinary Panel

12.17. The outcome of the Appeal Panel meeting will be provided to you in writing, normally within 14 calendar days of the hearing.

### **13. Office of the Independent Adjudicator (OIA)**

13.1. If you are dissatisfied with the outcome of the appeal stage, you may take your complaint to the Office of the Independent Adjudicator (OIA). When you have exhausted the internal processes of the School, we will provide you with a Completion of Procedures (“COP”) letter and all the necessary information you need to pursue your complaint with the OIA. Please see Section 5, Regulation 4 of the Academic Regulatory Framework.

# Appendix A: Examples of breaches of the Code of Conduct

The following exemplifies the behaviour and conduct which would be considered unacceptable and would hence constitute a breach of the Student Code of Conduct. The examples listed are non-exhaustive and the School can bring action in relation to other unacceptable behaviour that fits within the definition of misconduct as defined by this Regulation.

We have categorised these examples into behaviours that we may consider minor or major acts of misconduct.

However, there will be instances when certain behaviours which we would usually consider to be minor are in fact very serious and will require a more serious sanction and there will be instances when certain behaviours which we would usually consider to be serious are in fact minor and will require a less serious sanction.

Further we may consider multiple or repeated incidents of misconduct to be more serious than a single act of misconduct and previous findings may be taken into account when determining what sanction should be imposed.

<b>Disciplinary offence</b>	<b>Examples of unacceptable behaviour that may be considered major misconduct</b>	<b>Examples of unacceptable behaviour that may be considered minor misconduct</b>
<b>Physical conduct</b>	Punching Kicking Slapping Pulling hair Biting	Pushing Shoving
<b>Sexual misconduct</b>	Sexual intercourse or engaging in a sexual act without consent Attempting to engage in sexual intercourse or engaging in a sexual act without consent Sharing private sexual materials of another person without consent Kissing without consent	

	<p>Touching inappropriately through clothes without consent</p> <p>Inappropriately showing sexual organs to another person</p> <p>Repeatedly following another person without good reason</p> <p>Making unwanted remarks of a sexual nature</p>	
<b>Abusive behaviour</b>	<p>Threats to hurt another person</p> <p>Abusive comments relating to an individual's sex, sexual orientation, religion or belief, race, pregnancy/maternity, marriage/civil partnership, gender reassignment, disability or age</p> <p>Acting in an intimidating and hostile manner</p>	<p>Use of inappropriate language</p> <p>Repeatedly contacting another person (by phone, email, text or on social networking sites) against the wishes of the other person</p>
<b>Damage to property</b>	<p>Causing significant damage to School property or the property of students or employees of the School or visitors to the School</p>	<p>Causing minor damage to School property or the property of students or employees of the School or visitors to the School</p>
<b>Unauthorised Taking or Use of Property</b>	<p>Unauthorised entry onto or unauthorised use of School premises</p> <p>Taking property belonging to another without permission</p>	<p>Misuse of School property (for example computers or instruments)</p>
<b>Operational Obstruction</b>	<p>Acts/omissions/statements intended to deceive the School</p>	<p>Improper interference with the activities of the School (including academic, administrative, sporting and social) on</p>



	<p>Disruption of the activities of the School (including academic, administrative, sporting and social) on School premises or elsewhere</p> <p>Disruption of the functions, duties or activities of any student or employee of the School or any authorised visitor to the School</p>	<p>School premises or elsewhere</p> <p>Improper interference with the functions, duties or activities of any student or employee of the School or any authorised visitor to the School</p>
<b>Causing A Health or Safety Concern</b>	Act/omission that did cause or could have caused serious harm on School premises or during School activities (for example, disabling fire extinguishes or possessing/supplying controlled drugs)	Act/omission that did cause or could have caused a health and safety concern on School premises (for example, smoking cigarettes in non-designated areas)
<b>Reputational Damage</b>	Behaviour which has caused serious damage or could have caused serious damage to the reputation of the School	Behaviour which has damaged or could have damaged the reputation of the School

## **Appendix B: Policy on referral to the Police or the Disclosure and Barring Service (DBS).**

### **General principles**

It is important to note that anyone may report a matter to the police and it should not be prevented.

We will encourage and support members of the School community to report criminal conduct to the police, such as:

- conduct which is closely related to the academic or other work of the School;
- conduct which occurred on School premises;
- conduct which involved members of the School community;
- conduct which jeopardises or damages the good name of the School;
- conduct which raises potential dangers to other members of the School community.

We will offer support and advice to anybody coming forward to report such matters to the police.

### **Policy**

1. In certain circumstances it is a legal requirement to report incidents to the police, for example, under the Acts of Parliament relating to the prevention of terrorism and where a person has harmed or may harm children or vulnerable adults.
2. We are also required to refer information to the Disclosure and Barring Service (DBS) in respect of students or other individuals working closely with vulnerable groups.
3. Where a criminal offence is committed against the School, the matter shall normally be reported to the police, whether or not the culprit has been identified.
4. Where the victim of an alleged crime does not wish the matter to be reported to the police, but the matter has come to our attention:
  - a) The Principal (or nominee) shall be informed and the final decision to inform the police on behalf of the School will rest with them. Where the victim of an alleged serious offence has decided not to refer the matter to the police, the disciplinary procedures may still be invoked.
  - b) At the discretion of the Principal, we may report a matter to the police against the wishes of the victim; this will only occur in exceptional circumstances and after careful consideration. Exceptional circumstances may arise when failure to report a matter to the police may be against the public interest or the interest of our community. For example, when significant violence has been used in an alleged crime

which may subsequently put other members of our community or the public at risk.

5. We shall seek and maintain informal liaison with the police. Advice may be sought on whether a matter is considered by the police to be serious or not serious and whether there are compelling grounds for reporting a matter formally where the victim is opposed to such action.

6. In a serious matter under police investigation or awaiting trial, we may consider taking immediate action itself under this Regulation or under Section 5C: Principal's Emergency Powers.

## Appendix C: Disciplinary tariff guidelines

These are guidelines only and do not fetter the Student Disciplinary Panel's absolute discretion to order such measures as it deems appropriate:

<b>Disciplinary Action</b>	<b>1<sup>st</sup> Minor offence</b>	<b>2<sup>nd</sup> minor offence</b>	<b>1<sup>st</sup> major offence</b>	<b>2<sup>nd</sup> Major offence</b>
Verbal warning	✓			
Written warning	✓		✓	
Final written warning		✓	✓	✓
Mandatory training	✓	✓	✓	✓
A fine (payable to the Guildhall School Trust)	£30-80	£50-100	£80-200	£200-500
Financial restitution	✓	✓	✓	✓
Suspension where this is defined as a temporary prohibition on attendance.	Up to one month	✓	✓	✓
Exclusion where there is a partial or selective prohibition on access to School facilities.	Up to one month	✓	✓	✓
Expulsion			✓	✓

## Section 5B: Support to train and study

### 1. Introduction

1.1. We recognise the importance of your health and wellbeing in relation to your academic performance, training, progression and wider student experience. The aim of this regulation is to enable you to succeed and progress in a supportive environment whilst being mindful of the need to ensure both your safety and wellbeing and of other members of the School community.

1.2. We have a duty of care to our community and are bound by legislation, including The Equality Act, Safeguarding and Health and Safety, which means we are obliged to take action if you present yourself as a risk to either yourself or others. Any action will be taken to first and foremost support both you and rest of the School community.

1.3. You may need extra support for a wide range of reasons such as ongoing or repeated extenuating circumstances, a disability, a medical or mental health condition, caring or parenting responsibilities, commitments as a critical worker (e.g. NHS staff), or you are affected by long-term traumatic events such as war, harassment or discrimination. You may be affected by more than one issue or there may not be an underlying reason. This procedure is designed to put in place a tailored package of measures to support and safeguard both you as an individual and the Guildhall School community.

1.4. When considering risk, we will assess this in relation to your own health, wellbeing, study, and training; other students' health, wellbeing, study, and training as well as the health and wellbeing of members of staff.

1.5. The term 'ability to train and study' in this policy refers to your ability to engage positively and fully with your training and studies, and to fulfil the expectations of the course without negative impact on yourself, fellow students or staff. This might be because of particular health, wellbeing matters, or personal circumstances as noted in paragraph 1.3. above. It applies to all students, including those who have disclosed a particular disability or impairment.

1.6. The following lists our reasonable expectations of all our students:

- You are expected to take responsibility for your own health and wellbeing and will, where relevant, be expected and supported to access support services provided by the School (e.g. counselling) and provided externally (e.g. GP services).
- You are expected to demonstrate that you are able to attend and engage effectively in a range of classes, workshops, rehearsals, lectures and tutorials including with staff, students and professionals, with reasonable adjustments if required.
- You are expected to show that you can undertake private study or activity without supervision.

- You are expected to participate in assessments throughout the academic year, with reasonable adjustments if required.
- You are expected to arrive consistently at the Guildhall School at the time required and meet other attendance requirements.
- You are expected to be aware of your own health and wellbeing and that of others, including changing behaviour if it is pointed out to you that you are potentially breaching health and safety requirements.
- You are expected to abide by the provisions of the Student Code of Conduct.

1.7. In cases where one or more of these expectations are not being met, this regulation may be applied.

1.8. Supportive action under this regulation may be taken as a result of observable behaviours by staff and students within the School community. A diagnosis of a health issue (mental or physical) is not a requirement for the regulation to be used.

1.9. We have a legal and moral obligation to identify barriers that a student with disabilities might face in their training and studies and to take steps (reasonable adjustments) to identify and remove these barriers wherever possible. There is every reason to expect that a student with a long-term disability or health condition will successfully complete their training and studies. The Reasonable Adjustments Policy and Guidance sets out the details on how we support students with disabilities.

1.10. Where your ability to train and study is identified as in need of further support (for example due to health concerns or injuries), staff and/ or other students should bring the matter to the attention of the relevant Head of Department. They will then, in consultation with other senior members of staff (usually a nominee from the relevant student support services and one from Registry) follow the procedures outlined below.

1.11. At stages 2 and 3 of the process, a risk assessment should be undertaken to identify the level of risk to you and/or others and to consider whether your presence within the School puts you and/or others at an unacceptable level of risk or exacerbates your difficulties. All appropriate evidence should be included within the risk assessment.

1.12. Normally there will be a three-stage process once it has been established that an ability to train and study issue has arisen. However, any stage of the process may be entered into at any time, as appropriate to the circumstances, following a risk assessment. In exceptional cases of risk, the case may be referred to the Dean of Students, where the process may move directly to Stage Three. The process is designed to be as flexible as possible to meet both your needs and those of the School. This means that as well as moving directly to Stage Three, we may choose to reduce the level of action based on relevant assessments of risk. At all stages, we will outline in writing what is expected of you.

1.13. The three stages of the [Support to train and study process](#) are:

- Stage One: Initial concerns
- Stage Two: Department level meeting for continuing and/ or significant concerns
- Stage 3: School level panel for highly significant, serious or persistent concerns

1.14. Details of the procedures for each of these stages is outlined under [section 3](#) below.

## **2. Limitations of this regulation**

2.1. The Support to train and study regulation should be distinguished from other Guildhall School policies and regulations.

- Intermittence: when you request temporary intermission to your studies on the programme owing to ill health or personal circumstances.
- Extenuating circumstances: when you are unable to participate in a specific assessment owing to ill health or personal circumstances or where ill health or personal circumstances have materially impacted on an assessment but were not, for good reason, disclosed in advance.
- Disciplinary procedures and the student code of conduct: when you may have formal sanctions applied to you owing to a contravention of the academic regulations. You may be referred to disciplinary procedures if your behaviour continues to be disruptive to students and/or staff and there is no indication that you are willing to engage with the Support to Train or Study procedure.
- Reasonable adjustments policy: this outlines the steps that we will take to accommodate the needs of students with disabilities and to make any short-term adjustments to the training for other students.
- Academic engagement regulations: where you are not engaging regularly and consistently with your course for reasons other than those related to your health and wellbeing.
- Principal's emergency powers: where action may be taken to temporarily suspend or exclude you from the course where we identify a high level of risk to you or others ([please see section 4 below](#)).

## **3. Support to train and study procedures**

### **Stage One: Initial Concerns**

3.1. This is an informal stage. It is expected that this can be managed within the teaching team of the department, with advice from Registry if necessary. The Head of Department/ Programme Leader (or nominees) alongside the Head of

Administration (or nominees) will have a conversation with you setting out concerns, how and why you are not meeting your obligations and suggest strategies for resolving the situation.

3.2. The possible outcomes at Stage One in the process are:

3.2.1. the matter is considered resolved and no further action is needed;

3.2.2. an action plan is established which may include referral to additional support services;

3.2.3. the matter is referred directly to the next stage or, in serious cases, to Stage Three.

### **Stage Two: Department level meeting for continuing and/ or significant concerns**

3.3. The Head of Department/ Programme Leader (or nominees), the Head of Administration (or nominees), a representative from Student Services and another senior member of staff from within the Department will have a formal meeting with you which outlines the continuing problems, the agreed strategy for managing the situation and a reasonable timeframe for seeing improvement.

3.4. The possible outcomes at Stage 2 in the process are:

3.4.1. The parties involved (including you) agree a new action plan, which may include further referral to the School's support services;

3.4.2. You decide to intermit your studies and intermits for a period of time. Before your agreed return date, you will be subject to a review to determine whether you are able to return to your study and training and whether we are able to support you.

3.4.3. Where there is no improvement or a new action plan cannot be agreed upon, the matter will be escalated to the next stage.

### **Stage Three: School level meeting for highly significant, serious or persistent concerns**

3.5. If there has been no resolution of the problems or a change in your behaviour, or in serious cases such as where you are deemed to be a danger either to yourself or others, the Department will forward the case to Stage 3, to be considered by a School level meeting.

3.6. With approval from the Dean of Students, a case may be considered directly under Stage 3 if the case is sufficiently serious to warrant immediate referral without moving through the prior stages. A case would only be considered directly at Stage 3 where the level of risk to both you and others is considered very high.

3.7. Once you have been referred to Stage 3, the nominated Registry officer will convene a School level meeting.



3.8. The meeting will be scheduled as soon as practically possible following the decision to refer the matter to Stage 3.

3.9. You will be provided with a brief written notification of the decision to refer the concern to a School level meeting normally within 7 calendar days of the decision.

3.10. You will be provided with information normally 14 calendar days in advance of the meeting, including:

- confirmation of the date, time, and location of the meeting;
- a copy of any supporting documentation
- who will be attending the School level meeting and in what capacity
- notice that you may be accompanied by one other person of your choice and should confirm with the secretary at least 7 calendar days in advance of the meeting who you will be accompanied by. The role of the person accompanying you is in a supportive capacity and they may not speak on your behalf. You may be accompanied by more than one individual only with the agreement of the Chair.
- you will be invited to submit documentation for the consideration of the members of the meeting – this must normally be submitted no later than 7 calendar days prior to the meeting, unless otherwise agreed between the you and the Chair.

3.11. Where you are not able to attend, or you do not notify the Chair that you cannot attend in advance of the meeting, at the Chair's discretion the meeting may proceed in your absence. If you cannot attend, refuse to attend, do not respond to invitations to attend or agree to attend but do not attend without or with very late notice, the meeting may proceed in your absence if the staff managing the meeting consider it appropriate to do so. The meeting may be postponed in these circumstances if the staff managing the meeting consider it appropriate.

3.12. The School-level meeting will be attended by the following members:

- Senior member of staff drawn from another department who is completely independent of the case to act as Chair.
- Senior member of the teaching staff drawn from another department who is completely independent of the case.
- Staff member from Student Services or other student support services (e.g. Safeguarding)

3.13. A nominated Registry officer will act as secretary and advisor to the members of the meeting, without participating in the decision-making process.

3.14. The meeting considerations will include, but not be limited to, the following:

- the referral to the School level Panel
- documentation recording previous actions taken under this Regulation (where relevant)
- documentation relating to support provided to you so far (where relevant)
- statements from appropriate members of staff from your host department and/or other relevant Guildhall departments – either in person (verbally), in writing or both. The Chair will determine whether or not staff are invited to make statements to the meeting.
- statement from you – either in person (verbally) or in writing, or both.
- risk assessment
- information provided by consultants, where relevant – e.g. information provided by experts about your mental or physical health condition/ disability/ Specific Learning Difference; or staff members with expertise in student visa rules (where relevant). These consultants do not have a role in the decision-making.

3.15 The School level meeting is authorised to agree one or more of the following outcomes:

3.15.1 determine there is no concern that warrants consideration under this Regulation and no further action will be taken under the Support to Train and Study procedures.

3.15.2 prepare, review or continue an Action Plan with regular monitoring by a member of staff appointed by the Panel;

3.15.2 make recommendations for the introduction of, or a change to, your agreed reasonable adjustments. Any reasonable adjustments will be agreed and put in place in accordance with the normal reasonable adjustments process;

3.15.3 endorse your decision to intermit your studies. You will be referred to the intermission procedure;

3.15.4 determine that a mandatory temporary suspension will be applied to your registration where it is found that the School cannot support you sufficiently at this present time to minimise the level of risk. The meeting members will agree an initial period of time for the suspension. The Chair will also confirm the following: who your contact should be during the suspension; what your registration status is whilst your studies are suspended; when the suspension will be reviewed and who is responsible for the review and decision as to whether or not you will be permitted to return and when;

3.15.5 determine that there is no appropriate action that can be taken under this Regulation, but refer the concerns regarding the student's behaviour for consideration under the Student Code of Conduct and Disciplinary procedures;

3.15.6 determine that you must be permanently withdrawn from your programme of study where it is considered that the School cannot support you sufficiently now or in the near future to minimise the level of risk. This decision will be reported to the relevant Assessment Board for noting.

3.17. Members of the School level meeting are encouraged to consider potential impact on resources of affected services or individual staff members as a result of its decision and agree with affected services or individuals that its decision is practical and acceptable.

3.18. Members of the School level meeting are responsible for ensuring that follow up actions are clearly defined; responsibilities for actions are clearly agreed and recorded; and, where they want to review information/progress of actions at some point in the future, this is clearly decided and recorded and responsibility for this is clearly allocated.

3.19. Where the outcome means you will be withdrawn or suspended, the School-level meeting members are encouraged to note any potential indirect impact on you. The School level meeting should identify any potential impact on you in relation to maximum registration periods, your fees (and any fee refunds), student loans, bursaries, grants, visa-related issues (for international students) and your accommodation. You should be referred to appropriate support services (within the School or externally) for guidance and advice in relation to any potential impact.

3.20. The secretary will produce a record of the meeting, including its decision and the rationale for the decision. The meeting will normally be recorded in writing. The formal record of the decision will normally be circulated to you and relevant staff members within 14 calendar days of the record being agreed. The School level meeting may make recommendations for the format in which the note is circulated to you (and others) to best support you.

#### **4. Temporary precautionary measures under Principal's emergency powers**

4.1. The Dean of Students may refer your case directly to the Principal if it is considered that the risk to you or to the wider School community is very high and that the temporary precautionary measures should be put in place, such as suspension or exclusion. A temporary suspension or exclusion will be actioned under Section 5C: the Principal's emergency powers of the School's academic regulations.

4.2. The terms of the temporary precautionary measures will be individual to each case and will be notified to you in writing.

4.3. If you are temporarily suspended or excluded for reasons relating to your ability to train and study as a temporary precautionary measure, the School will immediately refer the case for consideration by a School level Panel, in line with Section 3 above.

## 5. Right of appeal and the appeal process

5.1. If you are subject to a decision by a School level meeting, you will be able to appeal the outcome of that meeting.

5.2. A student is entitled to appeal the decision of a School level meeting on one or more of the following grounds:

- That there was a procedural irregularity in the proceedings associated with the decision, which affected that decision;
- That new information has become available, which is material to the decision, and which could not have been made known to the members of the meeting for a demonstrated, valid or over-riding reason.
- That the decision was not one which the members of the meeting could have reasonably reached on the basis of the evidence presented.

5.3. An appeal does not constitute a re-hearing of the case. Dissatisfaction with the outcome does not constitute grounds for appeal.

5.4. A written statement setting out the appeal, accompanied by any appropriate evidence, should be submitted to the Academic Registrar within 14 calendar days of the date of the correspondence confirming the decision at Stage 3. The responsibility for proving that there are valid grounds for appeal against the Stage 3 decision, lies with you. The level of proof required is measured using the “balance of probabilities”.

5.5. The appeal will undergo an initial scrutiny by the Academic Registrar or nominee. This scrutiny will seek to confirm that:

- Your statement sets out clearly the basis for the appeal demonstrating potential grounds for appeal; **and**
- The claim includes sufficient evidence to support the appeal which can justify further consideration.

5.6. You will normally be provided with the outcome of the initial scrutiny within 14 calendar days of the receipt of the appeal.

5.7. Where the appeal is not considered to include sufficient evidence to support the appeal or provide sufficient justification for further consideration, the appeal will be rejected. You will be informed of this decision, with reasons, in a Completion of Procedures (“COP”) Letter. Following this, if you are dissatisfied with the final decision on your case may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education (please see Section 7).

5.8. Where there is sufficient evidence to merit consideration of the appeal on the grounds set out above, the appeal will be referred to an Appeal Panel for further consideration.

5.9. Where a student's appeal is referred to an Appeal Panel, you will normally be provided with the following information at least 14 calendar days in advance of the date of the meeting:

- The date, time and venue of the Appeal meeting. The meeting will be convened within 28 calendar days of the outcome of the initial scrutiny, unless it would be unreasonable or impractical to do so within this period of time
- Who will be attending the Panel and in what capacity.

5.10. You will be invited to attend this meeting. It is not required that you attend – it is for you to decide if you wish to attend or not. Where you decline to attend, cannot attend, do not respond to invitations to attend, or fail to attend the meeting without advance notice, the Panel may meet in your absence (under which circumstances, the Panel's considerations will be based on your written statement of appeal).

5.11. You have the right to be accompanied by one other person of your choice, but you should give at least 7 calendar days' notice of who you will be accompanied by. The role of the person accompanying you is in a supportive capacity and they may not speak on your behalf. You may be accompanied by more than one individual only with the agreement of the Chair.

5.12. The Appeal Panel will be chaired by the Principal (or nominee) and will consist of:

- A senior member of the School not so far involved with the support to study and train process or its investigation
- A representative from the Students' Union independent of the case

5.13. A nominated Registry officer will act as secretary and advisor to the Panel, without participating in the decision-making process.

5.14. A representative of the original School level meeting will be invited to attend or provide statements to assist the Appeal Panel and its considerations of the appeal. The representative does not form part of the Appeal Panel and will not be present during the Panel's deliberations.

5.15. The Panel will exhaust its enquiries before coming to a conclusion on the merits of the appeal. The Panel does not need to come to a conclusion on the day of the meeting, and where the Panel do not come to a conclusion on the day, the Appeal Panel will inform you of the reasons for any additional time required, and an estimate of when a decision may be issued. The follow outcomes are available to the Appeal Panel:

5.15.1. To reject the appeal

5.15.2. To uphold the appeal (in whole or part) and refer the matter to a freshly convened School level meeting (that is, a meeting with no prior involvement in the matter) for reconsideration if procedure had not been followed or if material new information or evidence was made available

5.15.3. To uphold the appeal (in whole or part) and to make an alternative decision where it is considered that the original decision was disproportionate to the situation.

5.16. A record of the meeting of the Appeal Panel, including the decision and the rationale for the decision, will be drawn up. This will be shared with you normally within 14 calendar days of the date of the Panel.

5.17. The outcome of this Appeal Panel meeting, with reasons, will normally be conveyed to you within 14 calendar days of the meeting. This decision will be conveyed in a Completion of Procedures (“COP”) letter. Following this, if you are dissatisfied with the final decision on your case may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education (please see [section 7](#)).

## **6. Return to study and training**

6.1. If you intermit your studies, or we decide that your studies should be suspended for a specified period of time under this procedure, we will work with you to manage your return to study.

6.2. We are responsible for contacting you no later than 28 calendar days before the agreed review date, to confirm your wish to return and to discuss any necessary arrangements. All of the actions set out at the School level meeting must have been completed and any necessary documentary evidence must have been provided, for us to be able to confirm your return to study.

6.3. If you do not respond within the requested time frame, we will investigate and may decide, after due consideration, that you should be withdrawn.

6.4. Given the practical nature of many of our programmes, and as appropriate, you may need to undertake an assessment by relevant teaching staff to ensure that you are able to meet the obligations set out by the course. Both the outcome of this assessment and any medical information will be taken into account in making a decision about permitting you to return.

6.5. A decision about your return to study and training will involve as many members from the original School level meeting as possible.

6.6. In agreeing your return to study, we may need to take account of the point you had reached prior to their intermission or suspension. This may mean that you will need to restart your studies at the start of an academic year, rather than re-join midway through a year.

6.7. If decisions taken under this regulation mean that you may exceed your maximum period of study by less than one calendar year, we may consider a suspension of regulations to allow you to complete. However, extending a student's maximum period of registration is not guaranteed.

## **7. Office of the Independent Adjudicator**

7.1. If you are dissatisfied with the outcome of the appeal stage you may take your complaint to the Office of the Independent Adjudicator (OIA). When you have exhausted the internal processes of the School, we will provide you with a Completion of Procedures (“COP”) letter and all the necessary information you need to pursue your complaint with the OIA. Please see Section 5, Regulation 4 of the Academic Regulatory Framework.

## Section 5C: The Principal's emergency powers

### 1. Introduction

1.1 The Principal, or their nominee (usually the Dean of Students), shall have the power to suspend or exclude a student from attendance at the School for good and urgent cause and as a temporary precautionary measure as outlined in [section 2](#) and [section 3](#) below and for a limited period.

1.2 We define "suspension" as a total prohibition on attendance at or access to the School and participation in School activities; but it may be subject to qualification, such as permission to attend for the purpose of an examination, or support from the Student Services department.

1.3 We define "exclusion" as selective restriction on attendance at or access to the School and selective prohibition on exercising the functions or duties of any office or committee membership in the School or the Students' Union, the exact details of which will be specified to you in writing.

1.4 Suspension or exclusion under this procedure will not be used as a sanction or penalty. The power to suspend or exclude under this provision is to protect the members of the School community in general or a particular member or members (and includes protecting the School's reputation), and the power shall be used only where it is urgent and necessary to take such action.

1.5 The Principal (or nominee) will make a decision to approve temporary suspension or exclusion subject to a risk assessment conducted alongside the relevant student support services (for example Safeguarding or Student Services) and pending a meeting either of the School Disciplinary Committee under the student code of conduct or the School level meeting under the support to train and study process.

1.6 Where we take such action, we will inform you and give you reasons. We will advise you in writing that such action is a precautionary measure and does not constitute a sanction or penalty.

1.7 Where we take such action, you have the right to appeal the decision in writing to the Dean of Students or their nominee within 14 calendar days of the decision being communicated to you.

1.8 You may appeal any decisions made under Principal's emergency powers only on the basis that the temporary precautionary measure to suspend or exclude you was not proportionated based on new material evidence or material irregularities in the process.

1.9 The Dean of Students or their nominee will investigate any appeals regards decisions taken under the Principal's emergency powers and respond to you in writing within 14 calendar days from submission of your appeal.



1.10. Suspension of access to facilities under the tuition fee policy is unaffected by this regulation.

## **2. Temporary precautionary measures in relation to the support to train and study procedures (section 5B)**

2.1. If we have good cause to believe that your actions:

- Represent an immediate and significant threat to your safety or those of others if you continue to engage with your studies or other related activities with us; **and**
- relate to your ability to train and study

then we may take temporary precautionary measures such as suspension or exclusion.

2.2. Any temporary precautionary suspension or exclusion will be subject to us conducting a risk assessment to determine that a high level of risk will require such an action. The Principal (or nominee) must give approval before we can implement a recommendation of suspension or exclusion.

2.3. If we suspend or exclude you for reasons relating to your ability to study as part of temporary precautionary measures, we will immediately refer your case for consideration by a School level meeting, in line with regulation 5B: Support to train and study.

2.4. If we suspend or exclude you for reasons relating to your ability to study as a temporary precautionary measure prior to convening the School level meeting, you have the right to appeal the decision in writing to the Dean of Students as outlined in section 1 above.

## **3. Temporary precautionary measures pending disciplinary investigation (section 5A)**

3.1. Where your conduct is considered to represent a potential immediate, serious and significant threat to your and/or others' personal safety or that of our premises, the officer responsible for the consideration of your case under the Student Code of Conduct and Disciplinary procedures may recommend temporary precautionary suspension or exclusion, subject to approval by the Principal (or nominee).

3.2. Some specific examples of misconduct that could lead to temporary precautionary measures include, but are not limited to:

- If your behaviour or language is violent, indecent, disorderly, threatening or offensive whilst on our premises or online, whilst engaged in any School activity.
- If you take any action likely to cause injury or impair safety on our premises;
- If you intentionally or recklessly damage, deface or misappropriate our property or that of other members of our community or of other organisations

involved in the delivery or support of your programme, or in the provision of services relating to your registration with us;

- If you misuse or use without authorisation our premises or property, including computer misuse;
- If your conduct constitutes a criminal offence where that conduct:
  - took place on our premises or online, and/or
  - affected or concerned other members of our community, and/or
  - damages our good name, and/or
  - itself constitutes misconduct within the terms of these regulations and/or
  - is an offence of dishonesty, where you hold a responsible office with us;
- If you are subject to a criminal charge or police investigation

3.3. The officer responsible for the disciplinary proceedings has the opportunity to recommend to the Principal temporary precautionary measures:

- based on a risk assessment conducted by the relevant student support services (for example Safeguarding or Student Services)
- pending a hearing under Stage 2 of the Student disciplinary procedure and code of conduct
- if this is felt to be necessary to protect the staff or students of the School.

3.4. The Principal (or nominee) will make a decision to approve temporary precautionary action based on the evidence available that shows a considerable level of risk to you, the wider School community or that of our premises.

3.5. If a decision is made to temporarily suspend or exclude you while you are subject to a criminal charge or police investigation, we may also pause the School's internal disciplinary proceedings pending the outcome of the police or court proceedings.

3.6. If we temporarily suspend or exclude you and there is no need to pause the School's internal disciplinary proceedings, a disciplinary hearing will be held as soon as practicable.

3.7. Where we take temporary precautionary measures, you will be informed in writing, and we will outline the reasons for the decision. You will be advised that any action under this regulation does not constitute a sanction or penalty.

3.8. Temporary precautionary measures will normally take place after the preliminary interview but may occur beforehand if necessary due to the level of risk involved. Where these are applied in advance of a preliminary interview, steps will be taken as soon as is practicable to offer you an opportunity to respond to the allegation.

3.9. Temporary precautionary measures will normally remain in place until your case has been heard by the School Disciplinary Panel, unless there is an overriding reason for any such action to be ended before you meet the panel members.

3.10. Where we suspend or exclude you pending disciplinary investigation, you have the right to appeal the decision in writing to the Dean of Students as outlined in [section 1](#) above.

## Section 5D: Student complaints

### 1. Introduction

1.1. The experience of our students is of paramount importance to us, and we are committed to providing a high-quality experience at all times and in all areas and activities. However, we recognise that, from time to time, our students may have legitimate complaints about our provision, facilities, services and staff. If as a student, you feel that the quality of academic or service delivery falls short of what may reasonably be expected, this regulation details how to best raise and resolve issues.

1.2. We aim to ensure that student complaints are treated seriously and dealt with promptly, fairly, impartially and consistently across the School. We also aim to learn from the outcomes of complaints' investigations in order to help us improve our services and enhance our student experiences.

1.3. Any complaints or concerns you raise will be treated sensitively and professionally.

1.4. Wherever possible, you should raise your concerns about your course, services provided by the School or any other aspects of your experience at the School at the earliest opportunity and through informal discussion with the parties concerned. Where it is not possible to resolve your concerns to your satisfaction informally, you may wish to initiate a formal complaint under [Stage 2 of this Student complaints procedure](#).

1.5. If you have graduated, you may raise your complaint within 90 calendar days from the end date of your programme. Where more than 90 calendar days have passed since the end of your programme, you may raise your complaint under the School's *Handling historical complaints* procedure if your concern qualifies as a serious concern under the scope of that procedure.

1.6. You may submit a group complaint if you are a group of students (or former students) who collectively have a concern about a matter that is common to all the complainants.

1.7. We deal with complaints without recrimination. This means that if you make a complaint in good faith and in accordance with this regulation, you will not suffer any disadvantage or reproach and your studies whilst at the School will not be prejudiced as a result of making a complaint.

### 2. Scope

2.1. For the purpose of this regulation, we define 'complaint' as a dissatisfaction by one or more of our students (or in some cases, former students), about the School's action or lack of action, or about the standard of services provided by or on behalf of the School. Reasons for complaint might include:

- Dissatisfaction with School academic provision or the student experience (for example course design, curriculum content and structure, assessment arrangements and information);
- Dissatisfaction with the quality of service provision (resources and facilities, halls of residence);
- Dissatisfaction with the quality of supervision or tuition
- Issues of inappropriate conduct by a member of staff (these may need to be considered in conjunction with HR procedures on staff disciplinary and safeguarding procedures – please see [section 9](#) below)
- Failure, on our part, to maintain stated obligations (for example those set out in our prospectus or on the website).

2.3. The following scenarios are **not** considered to come under the definition of a complaint and cannot be considered under this Regulation. Please note this is not an exhaustive list:

- Concerns about or appeals against decisions of Assessment Boards, including issues of academic judgement or outcomes of the mitigating circumstances procedure. Such matters must be considered in accordance with the Academic Appeal Regulations (see section 3 of the Academic regulatory framework);
- Concerns about the actions of other students. Such matters will normally be considered in accordance with either the Student Disciplinary and Code of Conduct Regulation (see section 5A of the Academic regulatory framework) or the Academic Misconduct regulations (see section 3 of the Academic regulatory framework), as appropriate;
- Concerns or appeals by a student who is or has been the subject of disciplinary action arising from actions or decisions taken under the Student Disciplinary and Code of Conduct Regulation (see section 5A of the Academic regulatory framework), which will be considered solely under that Regulation;
- Concerns or appeals by a student who is or has been the subject of disciplinary action arising from actions or decisions taken under the Academic Misconduct Regulations (see section 3 of the Academic regulatory framework), which will be considered solely under that Regulation;
- Concerns or appeals arising from actions or decisions taken under the Support to train and study Regulation (see section 5B of the Academic regulatory framework), which will be considered solely under that Regulation;
- Concerns or appeals arising from actions or decisions taken under the Fitness to Practice Regulation (see section 5E of the Academic regulatory framework), which will be considered solely under that Regulation;
- Complaints or appeals concerning the School's admission process, which will be considered in accordance with the Admissions complaints procedure;
- Concerns or appeals concerning Junior Guildhall, which will be considered in accordance with the Junior Guildhall complaints policy.

### 3. Advice and support

3.1 If you wish to raise a concern under this regulation, you should familiarise yourself with the procedure set out below.

3.2 Advice on the procedure set out in this Regulation can be obtained from members of staff across the School such as Heads of Programme, the [Student Experience team](#) within Registry or from the Students' Union.

3.3 Where you are making a complaint, you may be accompanied by a friend at any interview or meeting conducted in connection with the investigation of the complaint provided that the name of the friend and their relationship to you is made known prior to the meeting (please see Regulation 5 The Student Experience, paragraph 3.5. for more information on the definition of 'friend').

3.4. We appreciate that raising a complaint may be a stressful experience, so you are encouraged to seek support from the School's support services, such as Student Services.

3.5. Any member of staff directly affected by a complaint from a student may seek support from Human Resources, their trade union, the Employee Assistance Programme or occupational health service. Staff required to attend any meetings in relation to a student complaint where they are the subject of the complaint, have the right to be accompanied by a work colleague or Trade Union Representative.

## **4. General Principles**

4.1. The Student complaints procedure provides an internal confidential process for considering and determining complaints by students and, in some cases, former students. Where possible, this procedure is and should remain confidential. However, in some circumstances we may be required to make disclosures either to other relevant staff within the School or to third parties where we are able to do so in accordance with data protection obligations. All individuals involved in the complaints procedure (including a student, former student, friend, witness and member of staff) are required to respect the confidential nature of the procedure and of all information relating to a complaint and its handling. Breach of confidentiality by a student, their friend and/or representative or by a member of staff may be treated by the School as misconduct and referred to be dealt with under the relevant disciplinary procedure. We will comply with our obligations of confidentiality and under data protection legislation when sharing or otherwise processing information under this Regulation.

4.2. We will, wherever practicable, seek to adhere to the time limits outlined in this Regulation. However, in cases where there are special circumstances which require variance from specified time limits, you will be advised of the reasons for this by the officer handling your case.

4.3. If you make a complaint under this procedure, you may be given the opportunity to attend any meetings virtually or in person if necessary or if you require it as a reasonable adjustment. We reserve the right, however, to proceed with any meeting or investigation, in your absence, if you fail to attend without good reason, subject to you having been properly notified of the date and time of the meeting.

4.4. We may postpone or adjourn any procedural step or stage under this regulation (including any investigation or meeting) and/or modify any of the

procedural provisions of the procedure in the interests of fairness and/or to assist us to comply with our legal and/or regulatory obligations and/or for other very good reason.

4.5. The standard of proof to be adopted during the application of this regulation will be the balance of probabilities.

4.6. You should not make false, frivolous, vexatious or malicious complaints. This could include:

- complaints which are obsessive, harassing, prolific or repetitive;
- insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes;
- insistence on pursuing what may be meritorious complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance;
- demands for redress which lack any serious purpose or value;
- complaints which are submitted outside of the normal timeframe, where an adequate reason for the delay has not been provided;
- complaints which are considered to be without foundation or in bad faith.

In such cases, the Dean of Students may terminate consideration of your complaint. You will be given an explanation, in writing of why the complaint has been terminated. A false, frivolous, vexatious or malicious complaint may be treated as suspected misconduct and referred to be dealt with under the School's Student code of conduct and disciplinary procedure (section 5A) or Fitness to practise procedure (section 5E).

4.7. You are expected to submit a complaint using the procedures outlined here. Whilst we recognise that bringing a complaint may be a stressful experience for students, all parties involved in a process under this regulation (including students, their representatives, friends and staff) are required to act with courtesy, reasonably and fairly towards each other at all times and to treat the complaints process with respect and to respect its confidential nature. If you fail to do so or otherwise act unacceptably, you may be suspected as having committed misconduct and referred to be dealt with under the Student code of conduct and disciplinary procedure (section 5A) or Fitness to practise Regulation (section 5E). What we consider as unacceptable behaviour is outlined on the Student code of conduct (section 5A).

4.8. Written communications will be sent to your School e-mail address (or, in the case of a former student your personal email registered with the School). You are required to check your School e-mail account regularly. Written communications will not be sent out as hard copies unless you request it. You are responsible for ensuring that your contact details are kept up to date. Non-receipt of properly addressed and dispatched correspondence will not be accepted as valid grounds for delay or annulment of procedures or outcomes under this, nor will it be accepted as grounds for further complaint.

4.9. Documentation related to your complaint will be retained in accordance with the School's retention policy.

4.10. We will not normally consider complaints which are made anonymously unless there is serious risk or concern for staff or students. Further, it is a principle of fairness that a person being complained about should generally have a right to know the identity of the complainant. We will only consider anonymous complaints, or refrain from disclosing the identity of the complainant, where there is a compelling reason, supported by evidence, to do so.

4.11. The Student Complaints procedure is an internal (and confidential) School process for dealing with complaints by students and, in some cases, former students and we will treat all complaints sensitively. We may share information or evidence relating to a complaint and/or its outcomes with others where such disclosure is in compliance with data protection and confidentiality obligations.

4.12. This procedure is not intended to be used by a third party making a complaint on behalf of a student, or, if appropriate, a former student. We will only consider third party complaints in very exceptional circumstances (for example when the student wishing to make a complaint is under 18 years old).

## **5. Making a complaint: an overview of the process.**

5.1. There are a number of ways to make your concerns heard, and most issues can be resolved early on and informally with the relevant parties. Whatever your concern or complaint, raising it promptly, will enable the School to address it and implement an appropriate solution as soon as possible.

5.2. There are many opportunities to feedback comments or concerns about your studies and student experience to teaching staff, your student representatives, the Students' Union and Professional Services teams. However, if you have a particular complaint, you should, in the first instance, raise this informally with the appropriate member of staff ([see Stage 1 of the Student complaints procedure outlined below – section 6](#)). If the issue or problem cannot be resolved informally in this way, you will need to move to the next, [formal stage of the complaints procedure detailed below \(section 7\)](#).

5.3. You must state clearly the nature and circumstances of your complaint and the remedy you are seeking as an outcome of your complaint.

5.4. You can seek an informal resolution with the School at any point and if you wish to withdraw your complaint you may do so at any time.

5.5. There are three stages of the complaint procedure:

- [Stage 1: Informal resolution with the Head of Department \(or equivalent\)](#)
- [Stage 2: Formal complaint to the Student Experience team within Registry for investigation and decision](#)
- [Stage 3: Request for review of the Formal complaint decision to the Academic Registrar](#)



At the end of Stage 3, once the School's Student complaints procedure has been completed, a Completion of Procedures (COP) letter will be issued to you which will set out the decision made on your complaint including any redress offered to you.

5.6. If you wish to bring a formal complaint, you must do so promptly and in any event within 90 calendar days of the occurrence of the matter being complained about.

5.7. The length of time required to consider your complaint will depend on the nature and complexity of your complaint. The timescales for each stage of the process are detailed under each relevant section.

5.8. At the end of each stage, we will determine whether your complaint is either **not upheld**, **upheld** or **partially upheld**. Where your complaint is upheld or partially upheld, we will offer you a remedy in line with guidance from [the Office of the Independent Adjudicator for Higher Education \(OIA\)](#) of what is considered reasonable.

5.9. At the of the process, should you remain dissatisfied with the outcome, you may request that the Office of the Independent Adjudicator for Higher Education (OIA) review your case. This is an independent external review. Please see [section 10](#) below.

## **6. Stage One: Informal resolution**

6.1. In the first instance, you should raise your complaint with the head of department or service responsible for the matter being complained about. You should do so by contacting them in writing via email.

6.2. If you are unsure who you need to contact, then you should seek guidance from the Students' Union or [the Student Experience team](#). They will be able to advise you of the most appropriate person with whom you should raise your complaint, and how to contact them.

6.3. You must make it clear from the outset what the nature of your complaint is and any remedy you are seeking for you to consider the complaint resolved.

6.4. The person with whom you have raised your complaint will investigate and endeavour to resolve your complaint appropriately. They will notify you of their decision and remedy in writing.

6.5. The person investigating your complaint at Stage 1 will aim to investigate and respond to you within 30 calendar days of them receiving your complaint.

6.6. A record of the complaint and the written response should be logged with [the Student Experience team](#).

## 7. Stage Two: Formal Complaint

7.1. Should you remain dissatisfied with the outcome of your informal complaint, you may escalate your complaint to the next stage by raising a formal complaint.

7.2. In circumstances where it is not reasonably appropriate for you to make an informal complaint (for example in light of the nature or seriousness of the allegations you are raising), the complaint may, at your request and with the agreement of the Assistant Registrar (Student Experience), be initiated as a formal complaint without having first to attempt informal resolution. We may also at our discretion initiate the student complaints process at Stage 2 without the informal Stage 1 stage having been implemented or exhausted.

7.3. To raise a formal complaint you must complete a Student Complaints Form available via MyGuildhall. If you require the form in a different format please email your request to [casework@gsmd.ac.uk](mailto:casework@gsmd.ac.uk).

7.4. The completed form must be received by the [Student Experience team](#) promptly and in any event within 90 calendar days of the occurrence of the matter you are complaining about. Normally complaints received after this 90-day limit will be regarded as 'out of time' and will not be considered, unless you can demonstrate, to the satisfaction of the Dean of Students, good reason for not having been able to submit your complaint within this period. The School has a time scale within which to submit a complaint as it enables matters to be investigated in a timely way and, if appropriate, for remedies to put in place as soon as possible. Late complaints will only be considered in highly exceptional circumstances, where there is credible and compelling evidence supporting the reason for late submission. The evidence should also explicitly support the inability to submit the complaint by the School's published timeframe ([please also see paragraph 9.15 for complaints bringing serious allegations against members of staff](#)). This helps to ensure that we apply our procedures consistently for all students.

7.5. Your completed form must set out clearly all the allegations you wish to make against the School in connection with the complaint, and you must enclose with your form all evidence on which you wish to rely, including any witness statements.

7.6. You must set out what attempts you have made to resolve the complaint informally (or why there have been no attempts to seek to resolve the matter informally under Stage 1 of the procedure) and explain why you are unhappy with the outcome of any informal resolution.

7.7. You must state clearly any remedy that you are seeking – i.e. how you would like to see the matter resolved.

7.8. The form must be completed in full. We will normally only consider a formal complaint where it has been submitted on a fully completed Student Complaint Form.

7.9. The Student Experience team will write to you to acknowledge receipt of the Student Complaint Form normally within 14 calendar days of receipt of them receiving the completed form.

7.10. Upon receipt of your complaint the Student Experience team will check the eligibility of your complaint, that is, they will check that the form has been completed in full, that evidence referred to in the form has been submitted, whether the matter has been considered under stage 1 of these procedures, and that the complaint has been submitted within the published timeframe. If it is identified that a different procedure should be used to raise the matter, you will be written to and informed and the complaint will be marked as withdrawn.

7.11. If your complaint is eligible for consideration under Stage 2, an investigating officer will be appointed. This will normally be a member of the Student Experience team, but other appropriate persons may be appointed as necessary. We may, at our discretion, and in appropriate circumstances, appoint an investigating officer who is external to the School.

7.12. You will be informed in writing of the name and identity of the investigating officer. Any investigating officer will be impartial.

7.13. The investigating officer will investigate your complaint and will have discretion to determine the most appropriate way in which to undertake the investigation including considering the nature, seriousness and sensitivity of the allegations raised. This may include, for example, meeting with you, interviewing witnesses, meeting with other individuals (such as members of staff or third parties outside of the School), calling for documents and reviewing any available evidence.

7.14. As part of the investigation, you may be invited to meet with the investigating officer to discuss your complaint and/or to clarify any aspects of it or to explore and support academic and /or wellbeing needs. You will normally be given at least 7 calendar days' notice of such a meeting, and you may be accompanied by a friend.

7.15. The outcome of the formal complaint investigation and any recommended remedies will be shared with the head of department or service being complained about.

7.16. Where your complaint is upheld, either fully or partially, and as part of the determination process, the investigating officer will consider what consequential impact there has been on you and your student experience. They will also consider any remedy that should be afforded to you. These may include one or more of the following remedies:

- a formal apology
- remedial action to be taken by the School
- a review of relevant School regulation, policy or procedure
- financial compensation for actual loss (where appropriate)
- compensation for distress and inconvenience
- a recommendation that the disciplinary process is initiated in relation to a member of staff

- any other appropriate remedy.

7.17. When the investigation and determination is concluded, you will be informed in writing of the outcome of your complaint. This will include an investigation report detailing the facts as found by the investigating officer, the decision and clear reasons for that decision, and any remedial actions arising from that decision. The report may have information deleted to protect the data protection and confidentiality rights of other individuals.

7.18. We will endeavour to conclude the investigation and notify you of the outcome within 30 calendar days of the date of receipt of the formal complaint. In more complex cases, or during periods such as School vacations when parties to the complaint may not be available, this timescale may not be achievable. In such cases, you will be notified of any delay, the reasons for it and a revised timeline for providing an outcome.

## **8. Stage three: Request for review**

8.1. You can request a review of the outcome of the formal complaint investigation if you consider that:

- There has been a procedural irregularity in the conduct of the Stage 2 investigation, or
- New information has come to light, which you were unable to disclose previously, and which would have had a material impact upon the investigation previously undertaken.

8.2. If you wish to request a review you must do so within 14 calendar days of the written response received at the formal complaint stage. The review request must be submitted to the Academic Registrar using the Request for Review Complaint Form.

8.3. The Academic Registrar will acknowledge receipt of your request for review within 14 calendar days of them receiving the form.

8.4. The review will be carried out by the Academic Registrar or a nominee independent of the previous formal complaint investigation. The review will consider whether the outcome of the formal complaint was reasonable, rather than reconsider the original case and its evidence. The request for review stage is not a reinvestigation of the original complaint.

8.5. The Academic Registrar or nominee may hold further discussions with you and/ or the subject of the complaint, with members of staff involved at previous stages, and with other staff as necessary.

8.6. The Academic Registrar or nominee will establish appropriate timescales based on the nature and complexity of the case. We will tell you these timescales and keep you informed of any changes. Our aim is to take no longer than 30 calendar days to conclude the review.

8.7. The Academic Registrar or nominee will inform you and the subject of the complaint of the proposed outcome of their investigation and give you both the opportunity to comment. The Academic Registrar will then send to you, with reasons, the outcome.

8.8. The written response will also advise you of the options open to you to take the matter further.

## **9. Complaints against the conduct of members of staff**

### **General principles for complaints against the conduct of members of staff**

9.1. We will initially investigate complaints relating to the conduct of a member of staff (including, but not limited to alleged bullying, harassment, and sexual misconduct by a member of staff) under this regulation. However, if there is evidence of behaviour which warrants investigation under the Human Resources Disciplinary procedure, then any further action under this regulation may be paused, pending the outcome of that procedure.

9.2. Human Resources and the Staff disciplinary procedure may be referred to where a complaint includes an allegation of misconduct against a member of staff. The investigating officer appointed under this regulation will evaluate any complaint against a member of staff and draw a distinction between a complaint about alleged misconduct of a member of staff that should normally be handled in conjunction with Human Resources, and what effectively amounts to a service complaint directed at an individual member of staff. The latter will normally be handled solely under this Regulation.

9.3. Where a complaint alleges misconduct by a member of staff, a copy of the complaint, or the relevant parts thereof, will be provided to the member of staff in order that they understand the complaint against them and are able to participate meaningfully in this process. Where the complaint raises other concerns besides the alleged misconduct of a member of staff, those will be investigated by the relevant investigating officer under this regulation.

9.4. If your complaint is about a member of staff, they will normally have the right to be informed of the complaint and its contents and to respond as part of the investigation process. The member of staff will be invited to submit a written statement and will normally be invited for an interview to discuss the complaint as part of the investigation process. The member of staff will have the right to be accompanied at the interview by either a School colleague, or an official employed by a trade union recognised by the School, or another accredited trade union official. You will have access to the statement provided by the member of staff in question and they will have access to your complaint.

9.5. Where your complaint alleges misconduct by a member of staff, the line manager of the specific staff member may need to be informed of the allegations and/ or any investigation outcomes where they need to take any specific actions.

### **Complaints about staff conduct which may amount to a criminal offence**

9.6. Where you make a complaint which alleges that a member of staff has engaged in conduct that may amount to a criminal offence, we will support you including in connection with reporting a matter to the Police. We will also provide support to the member of staff.

9.7. Where alleged conduct by a member of staff is also subject to police investigation or criminal prosecution, we may suspend the process under this regulation or the Staff disciplinary procedure until the police investigation and/or any criminal proceedings have been concluded. We will consider each matter on a case-by-case basis and may continue with or proceed to take action under this regulation (or other School procedure), including but not limited to undertaking an investigation, at its discretion notwithstanding any police investigation and/or criminal proceedings.

9.8. When police investigations and/or any criminal proceedings have concluded, the Principal will decide whether the School should continue with or proceed with action under this regulation and/ or the Staff disciplinary procedure. Where, following investigation by the Police, a decision has been taken not to proceed to a criminal trial, this does not preclude us from conducting our own investigations and/or implementing the Student complaints procedure and/ or the Staff disciplinary procedure.

### **Temporary precautionary measures**

9.9. Where you allege serious misconduct by a member of staff, we may, at any stage of this procedure, consider the application of temporary precautionary measures, where we determine that you face any of the following risks and that such measures are necessary to manage those risks:

9.9.1 risk of serious harm to your health, safety and/ or welfare (or the wider community)

9.9.2 risk of severe disruption to your learning, study and/ or student experience

9.10. Where the case involves a complaint of sexual misconduct or serious harassment by a member of staff, a Student Casework Risk Panel meeting will be convened. The membership of the Panel will depend upon the nature of the alleged incident, but will normally include the following (or their nominees):

- The Dean of Students
- Head of Administration from the department of the student involved in the complaint
- Assistant Registrar (Student Experience)
- Head of Student Services
- Head of Human Resources
- Head of Safeguarding
- Head of Equity, Diversity, and Inclusion
- A senior academic representative from the department of the student involved in the complaint

9.11. During the Student Casework Risk Panel meeting, members will:

- Consider the academic, welfare and support needs of the student, of the member of staff and of any other members of the School community that may be affected
- Identify any actions or measures required to ensure that the needs of the student, the member of staff and the wider community are met
- Undertake a risk assessment in order to determine whether any precautionary action needs to be put in place in order to:
  - Ensure that a full and proper investigation can be carried out (either by the police or the School) and/or
  - Implement measures to reasonably ensure the safety and wellbeing of those involved during an investigation carried out by the police or the School

9.12. The measures which we may introduce under this section include the following:

9.12.1 allocating you a different supervisor

9.12.2 changing your tutorial group

9.12.3 appointing you a specific point of contact for academic or pastoral work

9.12.4 any other such measures which the School determines to be necessary to manage a serious risk of harm or damage posed to you.

9.13. Where a complaint alleges serious misconduct by a member of staff against a student and the Student Casework Risk Panel determine that the member of staff poses:

9.13.1. a risk of serious harm to the student and/ or

9.13.2. a risk of serious harm or disruption to the interests, activities, property or reputation of the School

9.13.3. where the conditions outlined in section 9.11 cannot be implemented or are not sufficient to address the risks identified, the Panel may impose precautionary measures on the member of staff in accordance with the Staff disciplinary procedure.

9.14. The imposition of measures under this section are only imposed by us in order to mitigate serious risks which it determines are posed by a member of staff. They do not constitute disciplinary action or a penalty and do not indicate that the member of staff has committed misconduct, nor do they imply that the outcome of this procedure has been pre-determined.

### **Complaints of sexual misconduct or harassment by members of staff**

9.15. We acknowledge that making a complaint of a serious and sensitive nature, such as sexual misconduct or harassment by a member of staff may be very difficult,

so you are encouraged to seek wellbeing support from the School's student support services. The School's safeguarding procedure will also be referred throughout the investigation process. We also acknowledge that it may not always be possible for you to bring to our attention a complaint of a serious and sensitive nature within the timeframes stated in paragraph 7.4. above. As a result, these types of complaints may be considered as highly exceptional circumstances in line with 7.4 above.

9.16. Student complaints alleging sexual misconduct or harassment by members of staff will be considered in relation to the following School policies and procedures:

- Safeguarding Policy
- Student Bullying, Harassment and Sexual Misconduct Policy
- Staff Disciplinary Policy and Procedure

9.17. Where a complaint alleges sexual misconduct or harassment by a member of staff against a student, an investigating officer will be appointed directly at Stage 2 who will investigate and report their findings of facts and recommendations, using the provision set out in section 7 above. However, the investigating officer will not be making a decision on the complaint. The investigating officer's report will be sent to the Dean of Students to convene a Panel to consider the findings and make a decision.

9.18. The Panel members will be:

- Dean of Students (who will normally act as Chair)
- An HR officer
- A Students' Union representative
- Head of Safeguarding
- Head of the department of the member of staff subject to the allegations
- One senior member of staff from an area of the School that is not a subject of the complaint
- A Registry officer will act as secretary

9.19. You and the member of staff who is the subject of the complaint will be provided with the opportunity to provide written comments to the Panel on the Investigating Officer's report before the Panel makes their decision.

9.20. The Panel may invite you to present your complaint or hear from you as part of their deliberations. If you are invited to speak to the panel you may be accompanied by a friend. Support is also available to you from the Student Services team.

9.21. The Panel may also invite the member of staff to speak to the panel. The member of staff will have the right to be accompanied at the interview by either a School colleague, or an official employed by a trade union recognised by the School, or another accredited trade union official.

9.22. Steps will be taken to safeguard you during your meeting with the panel. For example, you will not at any point be expected to be questioned by either the member of staff or their representative.



9.23. The Panel also has the right to speak to any witnesses.

9.24. Following consideration of all the evidence, including your and the members of staff comments on the investigating officer's report, the Panel will make one of the following decisions:

- That your Complaint is upheld
- That your Complaint is partially upheld
- That your Complaint is not upheld

9.25. The Panel will also determine whether there is sufficient evidence for the matter to be referred to Staff Disciplinary Policy and Procedure.

9.26. The Panel's decision related to the member of staff will be communicated to the member of staff in writing.

9.27. You will be informed of the Panel's decision and the outcome of the complaint.

9.28. Where a recommendation is made that the matter be referred to the Staff Disciplinary Policy and Procedure, you will be informed of appropriate information regarding the outcome and/or sanction of the staff disciplinary procedure which directly impacts you (subject to the member of staff's legal rights, including under data protection legislation).

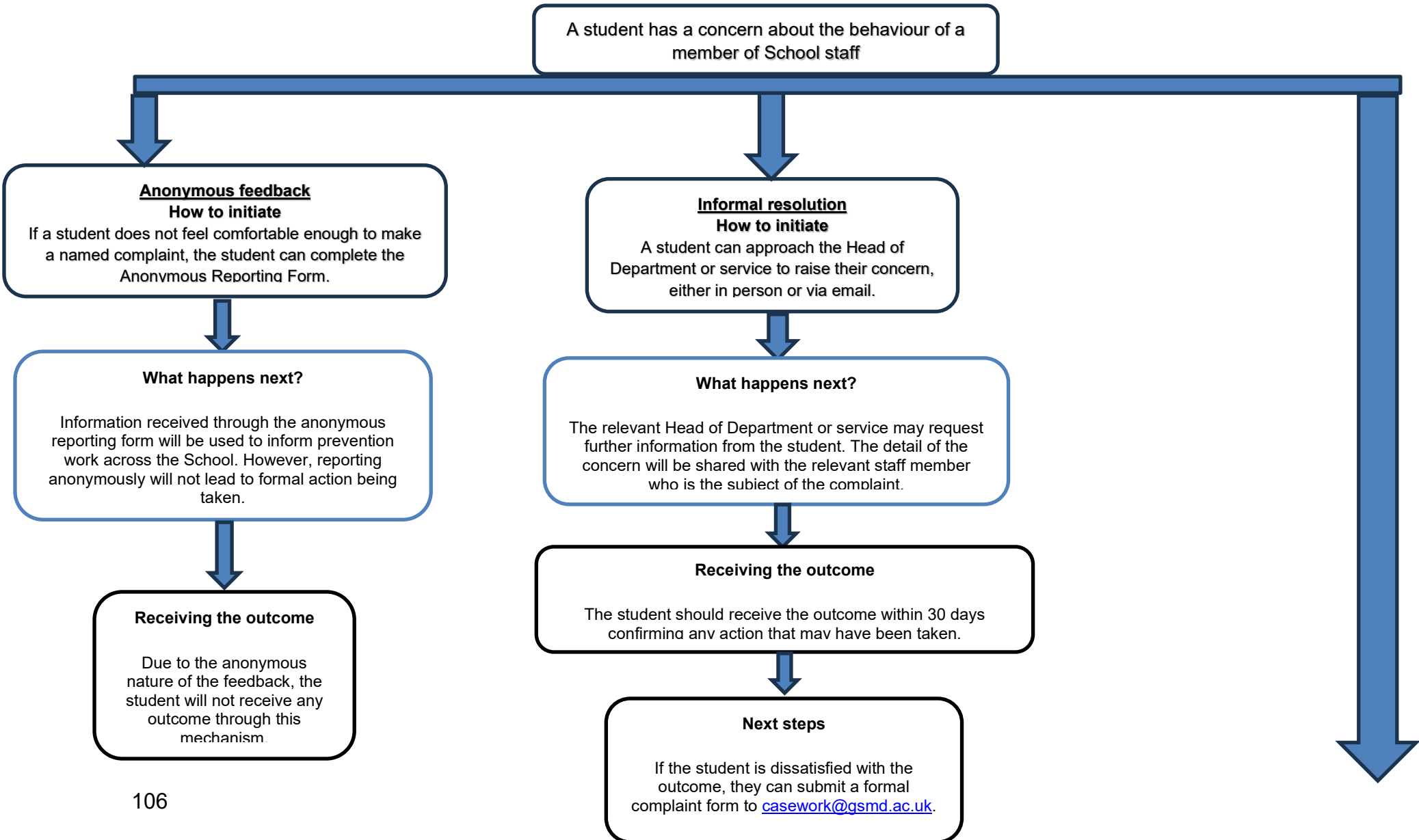
## **10. Office of the Independent Adjudicator**

10.1. If you are dissatisfied with the outcome of the Request for Review stage, you may take your complaint to the Office of the Independent Adjudicator (OIA). When you have exhausted the internal processes of the School, we will provide you with a Completion of Procedures ("COP") letter and all the necessary information you need to pursue your complaint with the OIA. Please see Regulation 5 The Student Experience, section 4 of the Academic Regulatory Framework.

## **11. Summary Report**

11.1. An annual summary report of the number of student complaints and overall actions taken to resolve them will be received by the relevant committees. There will be no reference to individual cases. A confidential record will be kept separately of individual cases.

## Appendix A: Flowchart of processes for student complaints about staff behaviour



## **Formal Complaint**

### **How to initiate**

If a student's concerns are serious or if the informal resolution did not resolve their concerns students can make a formal complaint by completing the Student Complaints Form.



### **What happens next?**

#### **Acknowledgement**

Within 14 days of submitting the form, the student will receive an acknowledgement of the submission. Depending on the nature of the allegations the Student Experience team may also confirm:

- The next steps of the process
- What temporary precautionary measures have been put in place (if any)
- When the staff member will be informed
- The likely timeframe for the investigation
- The support available for the student

#### **Investigation meeting**

The student may be requested to attend an investigation meeting with the appointed investigator.

#### **Case updates**

The student will normally receive a case update every few weeks – investigations can take a few months if they are complex.



### **Panel for serious allegations such as sexual misconduct or harassment**

Where a student alleges serious misconduct by a member of staff, the investigation report will be reviewed by a Panel chaired by the Dean of Students. Based on the findings of the investigation and the report, the Panel will decide on the appropriate outcome.



### **Receiving the outcome**

Once the investigation has been completed, the student will receive an outcome (whether the complaint is upheld or dismissed) and any remedy or action that is required by the staff member that has a direct impact on the student.



### **Next steps**

#### **Review Stage**

If the student is dissatisfied with the complaint outcome, the student has 14 days to request a review of the decision. The review will look at how the School handled the complaint and will not re-investigate the staff member.

#### **Complaint to the OIA**

If the student is dissatisfied with the review outcome, the student has 12 months to raise a complaint with the external ombudsman for HE student, the Office of the Independent Adjudicator (OIA).

## **Section 5E: Fitness to practise procedure**

### **1. Introduction**

The MA in Music Therapy programme is a Health & Care Professions Council (HCPC) approved programme. Successful completion of the programme confers eligibility to apply to the HCPC register. The register lists the professionals who meet the HCPC standards for training, professional skills, behaviour and health.\*

The School has a duty of care to the public to ensure that MA in Music Therapy students will be safe and suitable entrants to the profession and are fit to practise. All Music Therapy graduates must meet the HCPC's "Standards of Proficiency". In certain circumstances a student's health or conduct during training can raise concerns about their fitness to practise. In such cases the programme has a responsibility to investigate and take any necessary action.

*\* The HCPC's booklets "Standards of Proficiency (Arts Therapists)", "Standards of Conduct, Performance and Ethics", "Guidance on conduct and ethics for students" and "Guidance on health and character" are available on their: [website](#).*

### **2. Possible issues which could cause concern**

- criminal convictions;
- information previously not declared which raises questions of suitability;
- untrustworthiness/dishonesty;
- allegations of inappropriate behaviour;
- psychiatric illness; and
- conduct which might affect public confidence in Music Therapy as a profession.

This is not an exhaustive list.

### **3. Procedure for dealing with a concern**

3.1 If there is, for whatever reason, concern about a student's fitness to practise, this must be reported to the Head of the Music Therapy Department (or deputy in their absence) who will investigate the concern.

3.2 If, as a result of the investigation, the Head of Department considers that there are reasons for calling a meeting of the Fitness to Practise Committee, they will pass, to the committee secretary\*, a written statement with the reason for concern.

*\* The Secretary shall be the Assistant Registrar (Student Experience) or an authorised officer.*

3.3 Except as indicated in 3.4.1 below, once the Head of Department has lodged a concern with the committee secretary, the student may continue with their studies, without affecting the outcome of the hearing, as long as the student is not considered a risk to themselves or others. Any student considered to be a risk will be suspended or excluded under the Principal's emergency powers.\*

*\* Section 5C of the School's Academic Regulatory framework*

### **3.4 Concerns by clinical placement provider**

3.4.1 Where a concern has been raised by a placement provider, the placement provider may ask that the student be removed from the placement without notice.

In the event that the Head of Department considers this a matter for the Fitness to Practise Committee, the allocation of a new placement to the student will be held in abeyance pending the outcome of the Fitness to Practise Committee's deliberations.

3.4.2 Where the Head of Department does not consider the concern a matter for the Fitness to Practise Committee, the student will be allocated a new placement.\*

*\* It should be noted that a new placement may not be available at short notice, and completion of the module may be delayed.*

## **4. Procedure when concern for a student is referred to the Fitness to Practise Committee**

4.1 The committee secretary will refer the concern to the Fitness to Practise Committee. The student will be advised in writing\* that the matter has been referred and will be provided with a copy of the Head of Department's written statement.

*\* To the student's known term-time and home addressees and to their School email account.*

4.2 The Fitness to Practise Committee will comprise:

- The Director of Music or their nominee (in the Chair)
- The Students' Union President (or member of the SU Cabinet)
- A member of the Music Therapy profession (who may be a member of staff if unconnected to the case being heard)
- An independent member who is not a current member of staff or a current student.
- The quorum for the Committee will be three.
- The Secretary to the Committee and the Academic Registrar will be in attendance.

4.3 The Committee will meet to consider the case within 25 working days of referral and the student will be given at least ten days' notice of the Committee hearing.

4.4 The student will be informed of their rights to be heard at the Committee hearing and that they may be accompanied by a friend provided that the Committee Secretary has been notified of the friend's name (and their relationship to the student) at least three days in advance of the hearing. [See also Regulation 2.3 of Section 5]

4.5 The student will be advised of the procedures of the Committee including the calling of witnesses and the consideration of any written statements/documentation. Where the student provides a written statement/documentation this must be submitted to the Committee Secretary at least three days before the meeting to enable proper consideration. Similarly, where the student intends to call witnesses the student is responsible for ensuring the witnesses know about the hearing and that they attend. The Committee Secretary shall be provided with the names of any witnesses at least three days before the meeting.

4.6 The Committee will require the attendance of the student at the hearing (together with any friend) and the Head of the Department along with any witnesses as necessary. However, none of the proceedings outlined in this procedure will be invalidated or postponed by reason of the absence of the student provided that the student has been given written notice of the interview or hearing within the timescales laid down.

4.7 A formal record will be kept of the hearing.

## **5. The hearing**

5.1 The Head of Department and the student (and their friend) shall be present throughout the presentation of evidence.

5.2 Evidence will be taken in the following order:

- a) from the Head of Department
- b) from witnesses called by the Director of Studies
- c) from the student
- d) from the student's witnesses.

5.3 The committee can put questions to anyone at the hearing. Questions from the Head of Department or the student may be put to any witness via the Chair.

5.4 The Head of Department will be invited to make a final statement. The student will be asked to make a final statement.

5.5 The Committee will reach a decision in private and will notify the student in writing within three working days, giving reasons for its decisions.

5.6 The Committee will, by majority vote, have the power to decide either

- i. that there is no cause for concern, or
- ii. that there is cause for concern.

In respect of ii the Committee will also determine:

- i. whether the student's registration on the programme be terminated;
- ii. whether the student's registration on the programme be suspended pending medical treatment or other appropriate remedial action. In such cases a time-limit will be specified and re-admission will be at the discretion of the Chair of the Fitness to Practice Committee. Where the student is not readmitted, the student's registration on the programme will be terminated;  
*or*
- iii. whether the student's continued participation in the programme be subject to specific limitations or additional requirements. If these are likely to involve the student in additional commitment of time or money this will be made clear.
- iv. that whilst there are reasons for concern, these are not serious enough to recommend that the student is not fit to practice. In this case, the committee may recommend to the Principal a course of action to take including a formal warning.

5.7 If the Committee has determined (ii) (a), i.e. termination of registration, where that exclusion related to harm or potential harm to another person, in addition to reporting the student to the relevant professional/regulatory body (i.e. HCPC), the School has a duty to report the student to the DBS (Disclosure and Barring Service).

## **6. Appeal procedures**

6.1 The student has the right to appeal against the decision of the Fitness to Practice Committee. They must lodge that appeal, in writing, with the Dean of Students within 10 working days of the issuing of the Committee's decision. The grounds for the appeal must be clearly stated as part of the request and appropriate documentation supplied.

6.2 The Dean of Students will refer the matter to the Principal (or their Deputy), The Principal will allow an Appeal Panel to be established if they are satisfied that either or both of the following criteria might apply:

- i. that there is significant new evidence that could not have been, or for good reason was not, made available at the time of the Fitness to Practice Committee;
- ii. that evidence can be produced of significant procedural error on the part of the School before or during the Fitness to Practice Committee hearing.

6.3 If the Principal determines that there is no case, the student will be notified and issued with a Completion of Procedures letter (see Section 5, paragraph 3).

6.4 An Appeal Panel shall normally be constituted to hear the appeal within 10 working days of the receipt of the appeal.

6.5 The Appeal Panel will normally be chaired by the Principal and will consist of:

- A senior member of the School not so far involved with the complaint or its investigation
- A representative of the Students' Union independent of the case and not from the appellant's department
- A non-School member of the Board of Governors.

A secretary to the Panel will be appointed by the Dean of Students.

The proceedings of the Panel will follow the regulations for a Disciplinary Appeal Panel (see Section 5a, Regulation 9.6 to 9.13).