

## RCMJD CODE OF CONDUCT & DISCIPLINARY PROCEDURE

### Scope of the Code

1. This Code applies to all students admitted to or registered by the Royal College of Music Junior Department (JD) for a course/programme of study. It is a condition of being a JD student that the student and their parent/s or guardian/s accept this Code and Disciplinary Procedure.
2. Students must comply with:
  - any general or course-specific academic regulations made from time to time;
  - the regulations for use of the RCM Library and other learning resource facilities;
  - the Royal Charter and statutes of the College (available on the RCM website);
  - any other regulations or directions from the Council, the Senate, the Director or members of staff authorised by them; and
  - this Code.
3. Students are reminded that they are also subject to the general law of the land both on and off College premises.

### Conduct

4. The College is an academic community in which students and staff have the right to work, study and use facilities in an atmosphere of mutual respect, without undue interference. Students who are found to be guilty of misconduct will be subject to disciplinary measures. Misconduct generally is improperly interfering with the work of the College (including the rights of those who work or study in it) or engaging in action which lowers the reputation of the College. This procedure extends to alleged misconduct by a student occurring on or off College premises, including through communications such as email, text message or via social media. Examples of specific disciplinary offences for the purpose of this Code include:
  - 4.1. Failure to comply with any of the requirements listed in paragraph 2 of this Code;
  - 4.2. Any behaviour which brings the College into disrepute or which is calculated to or is likely to bring the College into disrepute;

- 4.3. Acting in a manner which causes injury or a risk of injury to any person on or off College premises; assaulting anyone connected with the College; causing fear of violence on College premises or to anyone connected with the College; sexual misconduct, sexual, racial or other harassment; or unfair discrimination as described in the College's equal opportunities policy.
- 4.4. Any behaviour which disrupts the work of the College, or those within it or invited into it, including disorderly conduct, disruption of teaching, learning, research or discussion, interference with administration of the College, and obstruction of any College employee in the course of their duties.
- 4.5. Theft of, wilful or careless damage to, or unauthorised interference with College property or the property of any other person on College premises. Damage to property includes defacing or disfiguring the property with litter, paint or other pollutants. Unauthorised interference with property includes moving property;
- 4.6. Trespass on parts of College premises where students are not permitted access, or at times when students are not permitted access;
- 4.7. Making excessive noise which could cause discomfort, inconvenience or annoyance to others. This includes playing instruments in areas not designated for such activity, or in restricted areas or restricted times;
- 4.8. Possession, use or supply of controlled drugs, other unlawful things or 'legal highs', or the misuse of substances such as solvents, gases etc.;
- 4.9. Refusing to give name and address, and produce an ID card or other way to prove identity, when reasonably asked to do so by College staff or representatives;
- 4.10. Refusing to withdraw from any room or facility being adversely affected by the student's conduct, when reasonably asked to do so by College staff or representatives;
- 4.11. Smoking on College premises;
- 4.12. Conviction for a criminal offence relevant to any matter covered by this Code;
- 4.13. Failure to comply with any requirement or punishment imposed under this Code.

### **Reporting a disciplinary offence or a case of student misconduct**

5. Alleged misconduct should be reported to the Head or Assistant Head of Junior Programmes. Where there is a complainant they may be asked to submit a written report. If the misconduct is a criminal matter, the complainant will be advised of the options available, for example, making a report to the police.
6. The College will make every effort to preserve the anonymity of complainants who wish it. However, in some circumstances the extent to which the College may be able to act may be limited where the complainant remains anonymous. In those circumstances the College will inform the complainant of any intended disclosure and discuss whether steps can be taken to ensure the complainant is protected from any anticipated consequences.

## **Investigation**

7. The Head or Assistant Head of Junior Programmes will investigate the allegations in the first instance. This may include contacting and meeting with the student accused of misconduct and/or their parent/guardian.
8. In more serious cases, the Head or Assistant Head of Junior Programmes will forward a report of findings related to the alleged conduct to the Director of Programmes.
9. The Head of Junior Programmes, or, in more serious cases, the Director of Programmes will decide whether to:
  - dismiss the matter;
  - deal with the matter summarily;
  - refer the matter to the Student Disciplinary Committee;
  - refer the matter to the police.

## **Precautionary measures including suspension**

10. Where the Head of Junior Programmes considers it necessary to do so, as a precautionary measure only, they may suspend the accused student or place conditions and/or restrictions upon them, such as requiring them not to make contact with or seek out the complainant or others connected with the alleged offence, or withdraw from taking part in particular events or activities. Such measures are not a penalty or sanction and do not indicate that the College has concluded that the accused student has committed a breach of code of conduct or discipline. The purpose of precautionary measures is to ensure that a full and proper investigation can be carried out and to protect the complainant or others whilst the allegation is being dealt with. A student who is suspended has their registration for studies suspended, and is not allowed access to College buildings, except as may be specified in writing.

## **Summary Procedure**

11. Where the Head of Junior Programmes is dealing with a matter summarily and finds that misconduct has occurred, they may impose one or more of the following penalties:
  - give the student a warning, with or without conditions;
  - require the student to present a written apology;
  - require the student to repay the cost of any damage or loss of property;
  - require the student to pay a fine;
  - impose a restriction and/or condition(s) on access to College buildings, facilities, events and/or activities;
  - refer the matter to the police.

## **Student Disciplinary Committee**

24. Where the matter is referred to a Student Disciplinary Committee the Head/Assistant Head of Junior Programmes will arrange a meeting of the Disciplinary Committee. Correspondence with the Committee and with the student and/or their parent/guardian will usually be by email.
25. The Student Disciplinary Committee will normally comprise:
  - Director of Programmes (or another Directorate member)
  - Another senior member of staff
26. All documentation circulated to the Student Disciplinary Committee is made available to the student and those making the allegation.

27. The student will normally be invited to appear in person before the Student Disciplinary Committee. The proceedings of the Committee shall not be invalidated by the absence of the student. The student may be accompanied by a parent/guardian/friend. For the purpose of the procedure as it relates to the Student Disciplinary Committee, a 'friend' may only be a fellow RCMJD student or parent/guardian.

### **Decisions of the Student Disciplinary Committee**

28. The Student Disciplinary Committee shall determine whether misconduct has occurred. Where the Committee finds that misconduct has been proved it may impose one or more of the following penalties:
- give the student a warning, with or without conditions;
  - require the student to present a written apology;
  - require the student to repay the cost of any damage or loss of property;
  - require the student to pay a fine;
  - impose a restriction and/or condition(s) on access to College buildings, facilities, events and/or activities;
  - expel the student from the College.

In addition, the Committee may refer the matter to the police.

### **Appeals – student misconduct and discipline**

29. A student or their parents or guardians may appeal a decision to the Director of Programmes in cases where the summary procedure has been used or to the Director or Deputy Director in cases of a Student Disciplinary Committee. A written request for an appeal must be received by the Head of Junior Programmes within ten working days of the College providing notification to the student of the decision to be appealed against.
30. A student may appeal against the decision that they committed the misconduct if there are valid grounds. Valid grounds for an appeal are:
- new evidence which could not reasonably have been brought to the attention of the Head of Junior Programmes or the Disciplinary Committee; and/or
  - the decision/penalty of the Disciplinary Committee was manifestly unreasonable.
31. An appeal will normally be considered by correspondence as a review of the papers for the case.
32. The Director or Deputy Director may impose a greater or lesser penalty than that originally imposed.