

# London Pathway College

## Student Conduct Policy

**Academic Year: 2025/2026**

## LPC Student Code of Conduct

### 1. Purpose

The Student Conduct Policy outlines acceptable behaviour of students at the London Pathway College (LPC) and ultimately the University, both on and off the campus.

The LPC College Director is responsible for ensuring that the Policy is followed. A record of all formal action taken by staff against students is kept by the LPC Support Services team.

This Policy outlines a proactive framework for ensuring a swift and effective response to any breaches of these expectations, with the emphasis on resolving conflict and restoring a supportive learning environment for all. The key principles within this approach are:

- **Safety:** immediate safety and safeguarding for any student who has experienced harm
- **Support:** prioritising compassionate and appropriate support for all affected students, including support to mitigate any impact on studies
- **Dignity:** ensuring the experience of harm is clearly recorded and acknowledged
- **Respect:** respecting the autonomy and informed choice of the harmed student in expressing their preferences for support and redress
- **Fairness:** ensuring any student accused of perpetrating harm is also heard and respected, and receives appropriate support (including confidential liaison and support where relevant)
- **Restorative conflict resolution:** facilitating practical measures and options for redress which support restorative conflict resolution, such as mutual non-contact agreements
- **Accountability:** holding to account those who are found to have caused harm, including requirements to demonstrate better understanding of key issues such as consent
- **Education and community-building:** ensuring that outcomes include community-building measures, such as education for prevention, as appropriate.

A further key principle is that a centralised approach is taken to recording all instances of bullying, harassment, discrimination or violence, and that support for students disclosing serious incidents is responded to and co-ordinated by staff with appropriate training and expertise.

An important principle of the LPC Student Conduct Policy is that it seeks to take a restorative approach wherever possible.

### 2. What is covered by this Policy

This Policy covers breaches of academic regulations and issues concerning unacceptable behaviour. Academic integrity is a fundamental part of a student's studies. Where a student falls short of the standards of academic integrity expected, they will be considered under this Policy. The expectations of students' behaviour are set out in the Student Charter.

Where a student falls short of the standards of behaviour expected, they will be considered under this Policy. It is noted that some digressions in what is considered acceptable, may be addressed without the intervention of LPC.

Disciplinary action against a student may be initiated by any member of staff, or LPC student.

When an offer of a place at LPC is accepted, from that point onwards, the Student Conduct Policy applies to that applicant. We will not undertake disciplinary action for behaviour that occurs before that date. Where applicants have relevant criminal convictions before this date, these will be dealt with through the admissions of applicants with a criminal record process.

Following a student leaving LPC, and/or the university, whether through confirmation of the award for a student, completion, withdrawal or exclusion, we will not undertake disciplinary action for any non-academic behaviour that occurs after that date.

It is not expected that students would bring a legal representative as their supporter to any meetings, or equivalent, scheduled under this Policy, and should they do so, any legal representative will be reminded that they are only acting as a supporter. In these circumstances it may be deemed necessary for LPC to have legal representation present to support the Authorised Person/Investigator/Panel.

Students or others who report a potential breach in student behaviour should be made aware of this. If the reporting student or other feels a criminal matter has occurred they should be advised of the options available to them including: reporting the matter to the police, asking LPC to investigate, or take no further action. Where a matter is disclosed to us, we will consider whether this information should be passed to the police, particularly if the safety of students, staff or public is at risk. In such instances, staff may wish to seek advice from the Chief Operating Officer of LPC.

All deadlines within this Policy should be met by both students and LPC whenever possible, but it may be possible to continue outside of the timelines given if there are acceptable reasons (explained by either the student or LPC) for the delay. If a delay is agreed, a new deadline for the stage of the Policy will be communicated to all parties.

All students are treated with respect and LPC is cognisant of the Equality Act 2010<sup>1</sup>.

### 3. How the Policy is Set Out

Regardless of whether a case relates to Academic Misconduct or Unacceptable Behaviour as part of the College and University community, the general approach, or phases, to responding to them are the same.

The phases are Early Intervention, Investigation and Escalation. These are set out in more detail here:

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<sup>2 1</sup> [Equality Act 2010, Chapter 1, Protected Characteristics](#)

## Phase 1 – Early Intervention

The early intervention phase provides an opportunity, where relevant, to address concerns by putting in place support for both the student and person raising concern.

It is possible to move straight to Phase 2 if the Academic Misconduct or Unacceptable Behaviour" is deemed to warrant investigation by the Head of Academic Services or nominee.

It is possible during the early intervention phase that the matter can be concluded via an informal resolution. If an informal resolution is found this should be confirmed in writing to the student. The indicative timeframe to complete phase 1 is between 5 to 10 working days. The referenced timeframe for each phase starts at the beginning of the relevant phase.

In certain circumstances of behavioural misconduct, it may be appropriate to put in place intervention measures whilst a case is being considered. Intervention measures do not seek to determine whether an alleged experience is true or not. Interventions at this phase are designed to support the continuation of studies for students and/or to protect LPC and/or University community. Intervention measures can (and should) therefore be implemented whether or not the alleged misconduct may also be subject to police investigation or criminal proceedings and/or to protect LPC community.

To facilitate a swift and effective response when harm is reported, accused students are encouraged to consider voluntary participation in restorative intervention measures without requiring any admission of guilt.

Where relevant, in relation to behavioural misconduct cases, we reserve the right to take intervention measures with immediate effect against any student who is alleged to have committed serious misconduct which may result in disciplinary action. This may be appropriate, in particular, where a student is subject to police investigation or criminal proceedings.

Where necessary, intervention measures may be put in place to protect:

- the members of LPC and University community in general; and/or
- a particular member or members of LPC and University community; and/or
- the reputation and academic standards of the University.

Intervention measures and/or outcomes may include:

- Mutual non-contact agreement
- Re-arrangements of classes
- Letter of acknowledgement and/or apology
- Participation in educational intervention e.g. consent and/or antiracism training
- Participation in student-led conflict resolution ('Sort It Out' service) or specialist mediation, where appropriate, leading to a mediated meeting or bespoke restorative agreement

In the case of behavioural misconduct where there is serious concern for the wellbeing of others or the reputation

of LPC and/or University, intervention measures may include a recommendation from the Authorised Person to LPC College Director for (but are not limited to):

- Suspension from some or all classes.
- Suspension from some or all buildings
- Suspension from LPC/University.

A student may be suspended with immediate effect if they have alleged to have committed behavioural misconduct which may result in disciplinary action. The authority to suspend is to protect:

- The members of LPC and University community in general; and/or
- A particular member or members of LPC and University community; and/or
- The reputation of LPC and University

A student will only be suspended with immediate effect where the consensus is that it is urgent and necessary to take such action. Written reasons for the decision will be recorded and made available to the student. There will be a monthly review of suspended cases to consider any new or changed circumstances and whether the Investigation Phase can be initiated. The suspended student may submit written representation to LPC College Director to support further consideration of the case. LPC will conduct a 12-month review of any suspended student who is suspended for this period of time to assess the case more fully, and to agree next steps.

## **Phase 2 – Investigation**

If actions taken in Phase 1 do not facilitate meaningful change or parties cannot come to an agreed resolution, the matter will be formally investigated to establish the facts and determine the most appropriate next course of action. The indicative timeframe to complete phase 2 is between 15 to 20 working days.

## **Phase 3 – Escalation**

Following the investigation, it may be considered appropriate to escalate the matter to a panel to hear the case in more detail. Conclusion of the Escalation Phase will result in the matter being closed, action required of the student, suspension or exclusion. The indicative timeframe to complete phase 3 is between 25 to 40 working days.

At any point during Phases 1 or 2, if it is felt that the matter would be better dealt with under a different policy or process, the student shall be informed that this is happening and informed of the reason behind the transfer of policy or process.

At any phase in the process, anyone who is invited to a meeting, a hearing, an interview or a panel will be invited to bring along a Supporter.

The following staff and groups are available to offer support:

**LPC Staff** Every student has access to the Student Services and a member of staff may be the most appropriate person for the student to contact for information and advice.

**A student representative** The student may prefer to talk to another student and get advice, if so they can speak to a student representative.

**The Students' Union Advice Service UPSU** offers professional advice and support through the academic support team. The team can assist at any phase within the Policy procedure. A representative from the Students' Union can accompany a student to any interviews, panels and hearings.

**International Student Advisers** can provide immigration advice and support to international students studying at LPC and university.

**LPC College Director** The LPC College Director has responsibility for all students and staff associated with LPC and will be able to advise a student on procedural matters, including who to approach in dealing with their case.

Meetings under this Policy may be conducted either in person or virtually, or in a hybrid mode. The mode of attendance will be communicated to all parties by the convener in advance of the meeting. All participants at a virtual meeting must appear on the screen at least at the beginning of the meeting to ensure the correct people are attending. Recordings may be made of virtual meetings by the host of the meeting, but these will only be retained until formal notes of the meeting have been agreed with all parties. No other recordings may be made of either a virtual or face to face meeting.

#### 4. Breach of Academic Regulations

This section sets out what happens when there is a suspected breach of academic regulations. At the beginning of each Phase of the process an appropriate person(s) will be appointed to progress the case to the earliest resolution, this will either be an Authorised Person, Investigator or panel, see appendix A for definition of roles.

To avoid unconscious bias in the process a person(s) will only be involved in one phase of the process. A student can request a different person be assigned to these roles at the commencement of any Phase in the process.

Breach of Academic Regulations Definition is defined, as stated by the OIA (2018), as: "Any action by a student which gives or has the potential to give an unfair advantage in an examination or assessment, or might assist someone else to gain an unfair advantage, or any activity likely to undermine the integrity essential to scholarship and research."

Examples of academic misconduct given by the OIA (2018) and recognised by this Policy include:

- ❖ Plagiarism - presenting someone else's work or ideas as the student's own;
- ❖ Self-plagiarism - submitting the same work that the student has already submitted for another assessment when this is not permitted;
- ❖ Taking a copy of another student's work without their permission;
- ❖ Falsifying data, evidence or experimental results;
- ❖ Collusion - working with someone else on an assessment which is intended to be the student's own work;
- ❖ Contract cheating - where someone completes work for a student who then submits it as their own (including use of essay mills or buying work online);
- ❖ Arranging for someone else to impersonate a student by sitting their examination;

- ❖ Cheating in examinations (or other formal assessment), including possession of unauthorised material or technology during an examination, and attempting to access unseen assessment materials in advance of an examination;
- ❖ Submitting fraudulent extenuating circumstances claims or falsifying evidence in support of extenuating circumstances claims (this may also be considered a non-academic disciplinary matter);

LPC's position on the use of AI, is that it is permitted for use as a tool to assist and inform research and generation of ideas, planning and output. The use of AI in submitted work must be underpinned by the principles of academic integrity, proper citation and referencing, with clear indication given as to where AI has been utilised in all submissions. Failure to do so will be considered for academic misconduct action.

### Academic Regulations – Phase 1 Intervention

If a member of staff, student or third party raises a concern regarding a breach of academic regulations these concerns should be passed to the Head of Academic Services, or deputy/nominee. The Head of Academic Services will then identify who will be the Authorised Person to take the case forward. For an indicative list of roles within LPC which can act as an Authorised Person see appendix A.

The Authorised Person shall review the concerns and write to the student to explain the suspected breach of academic regulations. The student will be provided with any evidence at this phase.

The Authorised Person will meet with the student, who will have the opportunity to respond to the concerns raised. The meeting will also seek to discuss possible interventions that can be put in place to mitigate or address the concerns raised and provide support to those involved. Notes of the meeting should be taken and shared with the student, with a copy kept on the student file. It is also acceptable to send a letter where a meeting is not considered to be a requirement for resolving breaches at this stage, with clear signposting to academic study support provision and library services in this letter. Students should be given the opportunity to respond to the letter of initial concern within 10 working days of receipt and also offered the opportunity of a meeting if the subject of the allegation requests one.

If the matter is resolved to the satisfaction of both parties there is no further action required. The Authorised Person will communicate the outcome by email or letter to the student and the person who reported the matter.

If the matter cannot be resolved at this stage, or if the matter is regarded to be of a serious nature, for example a level 2 or 3 offence, the Authorised Person should proceed to a Phase 2 Investigation.

We support and encourage a restorative approach to intervention measures. However, where early evidence and/or discussion with the student clearly indicates that a breach of academic conduct has occurred, and an escalation to Phase 2 would not be proportionate nor helpful to the student, early resolutions at Phase 1 may be deemed appropriate. The following early resolutions and/or actions in Table 1 may be applied for the **first offence**. It is important to consider mitigating factors when determining sanctions such as whether the student has shown remorse, admitted the offence quickly, the student was found in possession of unauthorised material but did not intend to gain an advantage, the student has compelling personal circumstances that affected their

judgment etc:

Table 1

<b>Types of Academic Misconduct considered at this phase (Level 1 Offences) (this is not an exhaustive list)</b>	<b>Types of early resolutions/actions for level 1 first offence</b>
<ul style="list-style-type: none"> <li>✓ Plagiarism</li> <li>✓ Collusion</li> <li>✓ Cheating in an examination</li> <li>✓ Falsifying extenuating circumstances</li> <li>✓ Failure to provide an electronic copy when asked</li> <li>✓ The late return of equipment loaned by LPC which is required by other students to complete an assessment;</li> </ul>	<ul style="list-style-type: none"> <li>✓ Educational support for better academic practice</li> <li>✓ Warning issued to student - held on their record for 12 months</li> <li>✓ Warning issued to student - held on their record for 12 months</li> <li>✓ Mark for assessment reduced</li> <li>✓ Student expected to undertake training to ensure that future occurrences do not arise</li> </ul>

If a student is suspected of multiple instances of plagiarism/collusion across multiple assessments at the same point in time which are the same type of misconduct then this should be considered collectively as a single offence.

### **Academic Regulations – Phase 2 Investigation**

Where a case has not, or cannot, be resolved under Phase 1 Early Intervention, this may be due to the seriousness of the case or repeat offence(s), an Investigator will be appointed by LPC to formally investigate further. The Investigator will be someone who has no previous involvement in the case unless the student has specifically asked for the same investigator to continue from Phase 1 to Phase 2. This will need to be approved in advance of Phase 2 commencing and should be recorded in writing.

The Investigator will seek to:

- Determine whether a breach of academic regulations has taken place
- Whether it was the student who was responsible for this breach

The Investigator will write to the student who has been reported to have breached the academic regulations inviting them to a meeting with the Investigator. This correspondence will confirm the following:

- ✓ The alleged breach and scope of the investigation
- ✓ Details as to how the investigation will be undertaken
- ✓ Any supporting evidence of the alleged breach
- ✓ A copy of the Student Conduct Policy
- ✓ Details of, and offer to make a referral to, additional support services available to the student
- ✓ Right to be accompanied at the meeting by a Supporter who could be a student/staff representative or colleague. Students have the right to waive this representation.



Upon conclusion of the meeting with the student, the notes (not a full transcript) of the meeting will be shared with the student. Following the above meeting, the Investigator will write to any other persons who they have identified as being necessary to meet with for the purposes of gathering evidence.

All meeting arrangements should incorporate the following:

- ✓ Meetings should be confirmed in writing (for example via email) making it clear that the purpose is to gather information
- ✓ Initial meeting correspondence should provide an offer to make an appropriate referral to additional support services.
- ✓ Any person invited to a meeting is entitled to bring a supporter who could be a student/staff representative, colleague, in the case of students a family member or friend.
- ✓ The investigator must provide a note taker for the meeting. Following the meeting the notes will be provided to the student. The meeting notes do not have to be confirmed.

Should the student be unable to attend the meeting in person, the student should contact the Investigator before the meeting, who can then make alternative arrangements to consider the allegation such as by telephone (normally by conference call or virtually).

Should the student fail to attend the meeting without good reason, the Investigator may proceed in their absence.

The Investigator will consider the evidence and determine whether, on the balance of probability, the academic regulations have been breached by the student about whom the concerns were raised.

The Investigator will draft a report which will set out the scope and phases of the investigation, meetings that took place and evidence considered. The report will provide an assessment of the concerns raised and recommendations for next steps including support for those involved.

There are three possible conclusions noted in the report arising from Phase 2 Investigation. These are as follows:

- ✓ the matter is resolved and agreed by both parties and the case will be closed;
- ✓ the student has breached the academic regulations, they shall decide whether it should be dealt with as a Level 1, Level 2 or Level 3 Academic Offence (see Appendix B). If considered a Level 3 Academic Offence the matter should be escalated to Phase 3 Escalation of this process;
- ✓ the student has not been considered to be in breach of the academic regulations and the matter will be closed.

The Investigator will communicate in writing the conclusions to the student, the person who reported the breach of academic regulations. This correspondence should include the Investigator's report.

Table 2

Types of Academic Misconduct Typically considered under Phase 2 (Level 2 offences) (this is not an exhaustive list)	Types of level 2 sanctions typically applied
<ul style="list-style-type: none"> <li>✓ Repeated level 1 offence</li> <li>✓ Purchase of an online assessment (first offence)</li> </ul>	<ul style="list-style-type: none"> <li>✓ Warning issued to student - held on their record until completion of their current course</li> <li>✓ Mark for assessment/module reduced</li> <li>✓ Student required to undertake training to ensure that future occurrences do not arise</li> </ul>

### Academic Regulations - Phase 3 Escalation

If the Investigator believes that a Level 3 Academic Offence has been committed the case shall be escalated to Phase 3, and the Investigator will submit a signed and dated Phase 3 Academic Report to LPC Academic Board. The Phase 3 Escalation Academic Report must:

- a) set out clearly the name of the student whose academic conduct has been drawn into question, the nature and full details of the breach in academic regulations and all the supporting evidence to be presented;
- b) explain the steps taken to confirm that evidence exists that the breach in academic regulations has taken place and that it could be the responsibility of the student;
- c) explain why the breach in academic regulations is considered to justify the taking of Phase 3 disciplinary action in accordance with this Policy.

The College shall consider the allegation and determine whether it is valid, if valid, whether it is to be treated as a Phase 3 Academic Offence.

If LPC believes that the allegation should not be treated as a Level 3 Academic Offence, the allegation will be returned to the relevant Authorised Person at the relevant level with a recommendation of Level 1 or 2 Academic Offence support and/or sanctions.

If LPC believes that the allegation should be treated as a Phase 3 Academic Offence they shall give notice of the decision in writing to the student and Investigator within ten working days of its receipt. A copy of the notice and the allegation shall be sent to the student's Academic Tutor if they are not the Authorised Person.

After the decision that a Level 3 Academic Offence is valid, an Escalation Panel will be appointed, who have no previous involvement with the matter. The Escalation Panel will have a quoracy of three members, and may consist of:

- a member of Academic Board or its subcommittees or an Authorised Person as Chair;
- an academic or professional services staff;
- a member of University staff;
- a Secretary appointed who will keep records of the proceedings.

The College shall give notice of an Escalation Panel meeting relating to behaviour of each student named in a

Phase 3 Academic Report which has been found valid. This notice shall consist of:

- a copy of the Phase 3 Academic Report;
- the date, time and venue of the meeting;
- details of where help and advice may be sought;
- a copy of any evidence that will be considered;
- details of a student's right to representation or support at the panel. The student can waive their right to representation.

The College shall supply all members of the Escalation Panel and the Investigator who submitted the Phase 3 Academic Report with copies of the notice issued to the student.

If the student is unable to attend (physically or virtually) they can submit a written statement of case to LPC College Director via the Designated Study Academic Administrator (DSAA) which will be considered at the Escalation Panel meeting.

The Escalation Panel will consider the evidence and form a conclusion based on the balance of probability. There are three possible outcomes for Phase 3, each are as follows:

- i. the matter is resolved to the satisfaction of all parties and the case will be closed;
- ii. the student has been found to have committed an academic offence. The panel shall decide whether a sanction should be applied at level 1, level 2 or level 3 (see Appendix B – Academic Offence);
- iii. the student has not been considered to be in breach and the matter will be closed.

Table 3

Types of Academic Misconduct Typically considered under Phase 3 (Level 3 offences) (this is not an exhaustive list)	Types of level 3 sanctions that can be applied
✓ Repeated level 2 offence (including repeated level 1 offences)	<ul style="list-style-type: none"> <li>✓ Mark for the module reduced to 0</li> <li>✓ Marks for the whole year reduced to 0</li> <li>✓ Student may be excluded from LPC permanently</li> </ul>

Following the meeting the Escalation Panel will communicate in writing to the student and the Authorised Person a Decision Notice copied to the student's Academic tutor. The notice shall consist of the following:

- i.a summary of the major points made during the meeting;
- ii.a concise statement of the Escalation Panel's findings;
- iii.in the case of any finding that a student's academic conduct is unacceptable, the actions required in line with a Phase 1, Phase 2 or Phase 3 Academic Offence and the arrangements for its application;
- iv.appropriate support available for the Student and where appropriate the person who reported the breach of academic regulations;
- v.an explanation of the student's right of appeal.

## 5. Unacceptable Behaviour

Where a case has not, or cannot, be resolved under Phase 1 Early Intervention, this may be due to the seriousness of the case or repeat offence(s), an Investigator will be appointed by either LPC College Director to formally investigate further at phase 2, or phase 3.

This next section sets out how to respond to an allegation of unacceptable behaviour. At the beginning of each Phase of the process an appropriate person(s) will be appointed to progress the case to the earliest resolution, this will either be an Authorised Person, Investigator or panel, see annex A for definition of roles. To avoid unconscious bias in the process a person(s) will only be involved in one phase of the process. A student can request a different person is appointed to these roles at the commencement of any Phase in the process. The same investigator at Phase 1 can be requested by the student and if agreed with the College Director's nominated investigator, the same investigator at Phase 1 can continue at Phase 2. This arrangement must be recorded in writing before an investigation takes place at Phase 2.

Unacceptable behaviour that could be a criminal offence is normally best dealt with by the police. Where the alleged unacceptable criminal behaviour may breach the Student Charter it may be reasonable for the College and the University to act whether or not they have been convicted of a criminal offence. This action may be undertaken in parallel to a criminal investigation.

We know that some unacceptable behaviour cases can be very distressing for all students and staff affected by or involved with the case. It may be appropriate for any of the parties involved to receive specialist support.

### Unacceptable Behaviour Definition

Unacceptable behaviour is defined as behaviour that could be reasonably perceived to cause upset, distress or harm to another person or an organisation.

Examples of unacceptable behaviour given by the OIA (2018) and recognised by this Policy include:

- Antisocial behaviour;
- Inappropriate, abusive or threatening behaviour, including on social media;
- Compromising the safety of and/or wellbeing of staff, other students, or visitors;
- Sexual misconduct;
- Violence, harassment and hate crimes;
- Behaviour likely to bring the provider into disrepute, such as disruptive behaviour in the community;
- Internet access abuse, such as visiting inappropriate websites, uploading/ downloading inappropriate content, propagation of computer viruses;
- Disruptive behaviour on the provider's premises, such as setting off fire alarms or obstructing access to buildings or rooms;
- Damage to the provider's property or abuse of its facilities;
- Causing a health or safety concern;
- Relying on forged, falsified or fraudulent documentation, and other forms of deception that are intended to gain an advantage, for example submitting fraudulent extenuating circumstances claims or falsifying evidence in support of extenuating circumstances claims (the last may also be considered an academic disciplinary matter);

- Other behaviour which may also constitute a criminal offence.

*Please note the above is not an exhaustive list.*

### **Serious and/or Complex Cases**

A serious and/or complex case is defined as the most serious of cases, those which typically involve harassment or violence of a discriminatory nature such as hate incidents/crime or sexual harassment or violence.

The Student Support Team are available to assist students involved in serious or complex cases, whether they are making an allegation about another student or whether an allegation of misconduct has been made against them. A team will always be appointed for any student involved in reporting a serious case and for any student against whom an accusation is made.

A member of staff will automatically be assigned to any students reporting a serious incident/issue. A student can request support at any time. The team should contact disciplinary cases as soon as an incident is reported

### **Unacceptable Behaviour -**

#### **Phase 1 Intervention**

If a member of staff, student or third party raises a concern regarding the behaviour of a student these concerns should be passed to the Head of Academic Services. For an indicative list of roles which can act as an Authorised Person see appendix A.

The Authorised Person shall review the concerns and write to the student to explain the suspected unacceptable behaviour. The student will be provided with any evidence at this phase.

The Authorised Person will meet with the student, who will have the opportunity to respond. The meeting will also seek to discuss possible interventions that can be put in place to mitigate or address the concerns raised and provide support to those involved. In some circumstances it may be necessary to restrict a student's access to the campus or services while an investigation is undertaken. This action does not indicate the student is at fault; it is a precautionary measure while the matter is being reviewed.

If the matter is resolved to the satisfaction of all parties, there is no further action required. This will be communicated via email to the student and person who reported the unacceptable behaviour by the Authorised Person. If this is not the case then the Authorised Person should proceed to Phase 2 Investigation.

We support and encourage a restorative approach to intervention measures. However, where formal sanctions are deemed necessary, the sanctions in table 4 should be considered for the **first offence**. It is important to consider extenuating factors when determining penalties such as whether the student has shown remorse, admitted the offence quickly etc. Reasonable judgements should be applied when interpreting the type and seriousness of misconduct and the circumstances in which they occurred in regard to level 1 sanctions:

Table 4

Types of Behaviour Misconduct considered at this phase (Level 1 Offences) (this is not an exhaustive list)	Types of sanctions for level 1 first offence
<ul style="list-style-type: none"> <li>✓ Inappropriate use of social media.</li> <li>✓ Behaviour which disrupts teaching</li> <li>✓ Disruptive Behaviour in both campus and within the local community)</li> <li>✓ Disorderly, threatening, or offensive behaviour or language;</li> <li>✓ Failure to respond to requests to moderate behaviour</li> <li>✓ Breach of policy related to the possession of illegal drugs for personal use</li> </ul>	<ul style="list-style-type: none"> <li>✓ Warning issued to student - held on their record for 12 months</li> <li>✓ Student to issue an apology to the person who the behavioural offence relates</li> <li>✓ Student to make good any damage caused, which may include financial reimbursement</li> </ul>

## Unacceptable Behaviour -

### Phase 2 Investigation

Where a case is not concluded at Phase 1 Early Intervention, an Investigator will be appointed by either the Head of Academic Services, Head of Student Services or LPC College Director to formally investigate further. The Investigator will be someone who has no previous involvement in the case unless the student has specifically asked for the same investigator to continue from Phase 1 to Phase 2. This will need to be approved in advance of Phase 2 commencing and should be recorded in writing.

The Investigator will seek to:

- i. determine whether unacceptable behaviour has taken place;
- ii. whether it was the student(s) who was responsible for this behaviour;
- iii. whether there were any factors for consideration which resulted in the behaviour;

The Investigator will meet with the complainant(s) (the party who makes the complaint). During this meeting the Investigator will confirm how the investigation will be undertaken, the scope of the investigation and discuss what the complainant believes a positive resolution would be. The complainant may wish to provide details of evidence and other persons involved (who may be interviewed).

The Investigator will write to the student(s) whose behaviour has been drawn into question inviting them to a meeting with the Investigator. This correspondence will confirm the following:

- i. the alleged breach and scope of the investigation;
- ii. details as to how the investigation will be undertaken;
- iii. any supporting evidence of the alleged breach;
- iv. a copy of the Student Conduct Policy;
- v. details of, and offer to make a referral to, additional support services available to the student;
- vi. right to be accompanied at the meeting by a Supporter who could be a student/staff representative, colleague, in the case of students a family member or friend.

Upon conclusion of the meeting the notes (not a full transcript) of the meeting will be shared with the student. Following the above meeting the Investigator will write to any other persons who they have identified as being necessary to meet with for the purposes of gathering evidence.

All meeting arrangements should incorporate the following:

- i. meetings should be confirmed in writing (for example via email) making it clear that the purpose is to gather information;
- ii. initial meeting correspondence should provide an offer to make an appropriate referral to additional support services;
- iii. any person invited to a meeting is entitled to bring a supporter who could be a student/staff union representative, colleague, in the case of students a family member or friend; The student can waive their right to representation.
- iv. the investigator must provide a note taker for the meeting. Following the meeting the notes will be circulated to the student. The meeting notes do not have to be confirmed.

Should the student be unable to attend the meeting in person, the student should contact the Investigator before the meeting, who can make alternative arrangements to consider the allegation such as by telephone (normally by conference call or virtually).

Should the student fail to attend the meeting without good reason, the Investigator may proceed in their absence.

The Investigator will consider the evidence and determine whether, on the balance of probability, the student's behaviour was unacceptable.

The Investigator will draft a report (using template) which will set out the scope and phases of the investigation, meetings that took place and evidence considered. The report will provide an assessment of the concerns raised and recommendations for next steps including support for those involved.

There are three possible conclusions noted in the report arising from Phase 2 Investigation. These are as follows:

- i. the matter is resolved to the satisfaction of all parties and the case will be closed;
- ii. the student's behaviour has been considered as unacceptable. The Investigator shall decide whether it should be dealt with as a Phase 1, Phase 2 or Phase 3 Behavioural Offence (see Appendix C). If considered a Phase 3 Behavioural Offence the matter should be escalated to Phase 3 of this process;
- iii. the student has not been considered to be in breach and the matter will be closed.

The outcome will be communicated in writing to the student, the complainant by the Investigator. This

correspondence should also identify appropriate support measures and actions put in place for both the complainant and student.

Table 5

Types of Behaviour Misconduct considered at this phase (Level 2 Offences) (this is not an exhaustive list)	Types of sanctions for level 2
<ul style="list-style-type: none"> <li>✓ Bullying and/or harassment Violent Behaviour</li> <li>✓ Significant damage to LPC or University premises</li> <li>✓ Repeated Phase 1 Behaviour</li> <li>✓ Breach of policy related to the possession of illegal drugs with intent to supply</li> <li>✓ Major breach of any associated University Regulations</li> </ul>	<ul style="list-style-type: none"> <li>✓ Warning issued to student - held on their record until completion of their current course</li> <li>✓ Student to issue an apology to the person who the behavioural offence relates</li> <li>✓ Student to make good any damage caused, which may include financial reimbursement</li> <li>✓ Student required to undertake training to ensure that future occurrences do not arise</li> <li>✓ Student to agree to a contract of acceptable behaviour, a breach of which can result in automatic referral as a Phase 3 Behavioural offence</li> <li>✓ Student is excluded from accessing specific services for a limited period of time</li> </ul>

### Unacceptable Behaviour - Phase 3 Escalation

If the Investigator believes that a level 3 Behavioural Offence has been committed, they need to submit a signed and dated Phase 3 Behavioural Report to LPC College Director. The Phase 3 Behavioural Report must:

- i. set out clearly the name of the student whose behaviour has been drawn into question, the nature and full details of the behaviour and all the supporting evidence to be presented;
- ii. explain the steps taken to confirm that evidence exists that the behaviour has taken place and that it could be the responsibility of the student;
- iii. explain why the behaviour is considered to justify the taking of Phase 3 disciplinary action in accordance with this Policy.

LPC will consider the allegation and determine whether it is valid and, if valid, whether it is to be treated as a Level 3 Behavioural Offence.

If it is deemed that the allegation should not be treated as a Level 3 Behavioural Offence, the allegation will be returned to the relevant Authorised Person at the relevant level with a recommendation of Level 1 or 2 Behavioural Offence support and/or sanctions.

If LPC believes that the allegation should be treated as a Level 3 Behavioural Offence they will give notice of the decision in writing to the student and Investigator within ten working days of its receipt. A copy of the notice and the allegation shall be sent to the student's Academic tutor if they are not the Investigator.



After the decision that a Phase 3 Behavioural Report is valid and to be treated as such, LPC will appoint an Escalation Panel. The Escalation Panel will have no previous involvement with the matter. The Escalation Panel will have a quoracy of three members and may consist of:

- a member of Academic Board or its subcommittees or an Authorised Person as Chair;
- a senior academic or professional services staff;
- Link Tutor or nominated member of University staff;
- a Secretary appointed who will keep records of the proceedings.

The College will give notice of an Escalation Panel meeting relating to behaviour of each student named in a Phase 3 Behavioural Report which has been found valid. This notice shall consist of:

- a copy of the Phase 3 Behavioural Report;
- the date, time and venue of the meeting;
- details of where help and advice may be sought;
- a copy of any evidence that will be considered;
- details of a student's right to representation or support at the panel. The student can waive their right to representation at the panel.

All members of the Escalation Panel and the Investigator who submitted the Phase 3 Behavioural Report will be supplied with copies of the notice issued to the student.

If the student is unable to attend (physically or virtually) they can submit a written statement of case to the LPC Director which will be considered at the Escalation Panel.

The Escalation Panel will consider the evidence and form a conclusion based on the balance of probability.

There are three possible outcomes for Phase 3 Escalation, each are as follows:

- i. The matter is resolved to the satisfaction of both parties and the case will be closed.
- ii. The student's behaviour has been found to be unacceptable. The panel shall decide whether a sanction should be applied at level 1, level 2 or level 3 (appendix B – Behavioural Offence).
- iii. The student has not been considered to be in breach and the matter will be closed.

Following the meeting the Escalation Panel will communicate in writing to the student and the Investigator a Decision Notice copied to the student's Academic Tutor. The notice shall consist of the following:

- i. a summary of the major points made during the meeting;
- ii. a concise statement of the Escalation Panel's findings;
- iii. in the case of any finding that a student's behaviour is unacceptable, the actions required in line with a Phase 1, Phase 2 or Phase 3 Behavioural Offence and the arrangements for its application;
- iv. appropriate support available for the student;
- v. an explanation of the student's right of appeal.

The Escalation Panel will communicate in writing to the complainant, following the conclusion of the process and

any actions expected of the student which affect the complainant.

Table 6

<b>Types of Behaviour Misconduct considered at this phase (Level 3 Offences) (this is not an exhaustive list)</b>	<b>Types of sanctions for level 3</b>
<ul style="list-style-type: none"> <li>• Fraudulent application to the University (including financial fraud)</li> <li>• Repeated Phase 2 behaviour</li> <li>• Breach of policy related to the possession of illegal drugs with intent to supply.</li> <li>• Sexual misconduct</li> <li>• Violence and hate crimes</li> <li>• Behaviour which may also constitute a criminal offence</li> </ul>	<ul style="list-style-type: none"> <li>• Student is suspended from their studies</li> <li>• Student is excluded from accessing specific services/premises of LPC or the University</li> <li>• Student is excluded from LPC or the University permanently</li> </ul>

## 6. Appeals Process

Students have a right of appeal at each phase of this Policy. We operate a standard appeal process which applies to all academic regulations, this can be found under the LPC Appeals Process.

## 7. Policy Review

LPC will review this policy annually as a minimum in-line with any regulatory requirements

## Appendix A

### LPC Authorised Persons

LPC College Director	Dr Libby Pearson
LPC Academic Lead	Dr Libby Pearson
LPC Student Support Lead	Ben Connell

## Appendix B: Taxonomy of offences and sanctions

In fixing any sanctions, precedents and comparability should be considered. The decision should be made in relation to the evidence seen and heard on the balance of probabilities. Where the offence is such that the student may be excluded, temporarily or permanently, any Escalation Panel needs to be convinced beyond reasonable doubt that the allegation is proven.

### Academic Offences

All offences and sanctions are provided as illustrations of what is typically considered under each phase. This is not meant to be an exhaustive list and must be considered in the situational context.

Level 1 Offences	Early Resolutions
<ul style="list-style-type: none"> <li>The first offence of any of the following:</li> <li>Plagiarism</li> <li>Collusion</li> <li>Cheating in an examination</li> <li>Falsifying extenuating circumstances</li> <li>Failure to provide an electronic copy when asked</li> <li>The late return of equipment loaned by</li> <li>LPC and/or University which is required by other students to complete an assessment</li> </ul>	<ul style="list-style-type: none"> <li>Warning issued to student - held on their record for 12 months</li> <li>Mark for assessment reduced</li> <li>Student requested to undertake training to ensure that future occurrences do not arise</li> </ul>
Level 2 Offences	Sanctions
<ul style="list-style-type: none"> <li>Repeated Level 1 Offence</li> <li>Purchase of an online assessment (first offence)</li> </ul>	<ul style="list-style-type: none"> <li>Warning issued to student - held on their record until completion of their current course</li> <li>Mark for module is reduced</li> <li>Student <b>required</b> to undertake training to ensure that future occurrences do not arise</li> </ul>
Level 3 Offences	Sanctions
<ul style="list-style-type: none"> <li>Repeated level 2 offence (including multiple repeated level 1 offences)</li> </ul>	<ul style="list-style-type: none"> <li>Student is suspended from their studies</li> <li>Marks for the whole year reduced to 0</li> <li>Student is excluded from LPC and the University permanently</li> </ul>

### Behavioural Offences

As above, all offences and sanctions are provided as illustrations of what may typically be considered under each phase and level. This is not meant to be an exhaustive list and must be considered in the situational context.

Level 1 Offences	Early Resolutions
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<ul style="list-style-type: none"> <li>• Minor damage to College premises.</li> <li>• Inappropriate use of social media.</li> <li>• Behaviour which disrupts teaching</li> <li>• Disruptive Behaviour in LPC and within the local community</li> <li>• Disorderly, threatening, or offensive behaviour or language;</li> <li>• Failure to respond to requests to moderate behaviour</li> <li>• Possession of illegal drugs for personal use</li> </ul>	<ul style="list-style-type: none"> <li>• Warning issued to student - held on their record for 12 months</li> <li>• Student to issue an apology to the person who the behavioural offence relates</li> <li>• Student to make good any damage caused, which may include financial</li> </ul>
<b>Level 2 Offences</b>	<b>Sanctions</b>
<ul style="list-style-type: none"> <li>• Bullying and/or harassment Violent Behaviour</li> <li>• Significant damage to LPC premises</li> <li>• Repeated level 1 Behaviour</li> <li>• Possession of illegal drugs with intent to supply</li> <li>• Major breach of other LPC or University Regulations</li> </ul>	<ul style="list-style-type: none"> <li>• Warning issued to student - held on their record until completion of their current course</li> <li>• Student to issue an apology to the person who the behavioural offence relates</li> <li>• Student to make good any damage caused, which may include financial reimbursement</li> <li>• Student required to undertake training to ensure that future occurrences do not arise</li> <li>• Student to agree to a contract of acceptable behaviour a breach of which can result in automatic referral as a Phase 3 behavioural offence</li> <li>• Student is excluded from accessing specific services for a limited period of time</li> </ul>
<b>Level 3 Offences</b>	<b>Sanctions</b>
<ul style="list-style-type: none"> <li>• Fraudulent application (including financial fraud)</li> <li>• Repeated level 2 behaviour</li> <li>• Possession of illegal drugs with intent to supply</li> <li>• Sexual misconduct</li> <li>• Violence and hate crimes</li> <li>• Behaviour which may also constitute a criminal offence</li> </ul>	<ul style="list-style-type: none"> <li>• Student is suspended from their studies</li> <li>• Student is excluded from accessing specific services/premises of LPC and/or University</li> <li>• Student is excluded from LPC and University permanently</li> </ul>

## Appendix C: Students under arrest for a criminal offence procedure

### Introduction

This procedure provides guidelines on how the College will respond in the first instance when a student is arrested for a criminal offence. As the nature of criminal offence can vary the College's response will too vary so to be proportionate. This procedure must be read in conjunction with the Student Code of Conduct Policy section on Unacceptable Behaviour.

### Notification

In the event of the police informing LPC and/or University of the arrest of a student, the following people must be informed immediately and the University policy on Student Code of Conduct must be followed:

- UoP Vice-Chancellor, or in their absence, the member of the University Executive Board (UEB) team available on the first call duty rota.
- UoP Academic Registrar
- LPC Pathway Director

*Please refer to the UoP Student Code of Conduct Appendix 3 for the process and outcomes<sup>2</sup>*

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<sup>2</sup> [Student Conduct Policy Nov 2022 \(port.ac.uk\)](https://port.ac.uk/student-conduct-policy-nov-2022)