Student Disciplinary Policy

1. Purpose

This policy sets out how BIRD Conservatoire responds to allegations of non-academic misconduct by students. It exists to protect the BIRD community, to ensure allegations are investigated and decided fairly, and to set out the range of outcomes available where a student is found to have breached the standards of behaviour expected of them.

This policy operates alongside the Student Code of Conduct, which sets out the standards of behaviour expected of all students, and formalises the disciplinary process already referred to in the Harassment and Sexual Misconduct Policy and the Anti-Bullying Policy. It is written to align closely with the Office of the Independent Adjudicator's Good Practice Framework.

2. Scope

2.1. What this policy covers

This policy applies to all students of BIRD, including students on programmes validated by the University of Greenwich, in respect of non-academic misconduct. Non-academic misconduct includes, but is not limited to:

a) antisocial, abusive, threatening or violent behaviour
b) harassment, bullying, hate incidents or discrimination
c) behaviour likely to bring BIRD into disrepute
d) damage to BIRD property or misuse of BIRD facilities
e) behaviour that creates a health and safety risk
f) behaviour that may also constitute a criminal offence
g) breach of the Student Code of Conduct, Alcohol and Drugs Policy, or another BIRD policy, where the breach is not academic in nature

2.2. Academic misconduct is out of scope

This policy does not cover academic misconduct, including plagiarism, collusion, contract cheating, examination or assessment misconduct, or falsification of data. Academic misconduct by students on Greenwich-validated programmes is dealt with under the University of Greenwich's Academic Regulations for Taught Awards, which also covers extenuating circumstances.

2.3. Misconduct connected to the University of Greenwich

Non-academic student discipline is BIRD's responsibility, under this policy, regardless of where the conduct occurred, except where the misconduct occurs on University of Greenwich premises. Where that applies, the matter is dealt with under the University of Greenwich's own Student Disciplinary Procedure instead of this policy, reflecting the agreement between BIRD and the University of Greenwich on student discipline. Where a matter is dealt with under the University of Greenwich's Student Disciplinary Procedure in this way, any appeal against that decision is made under Greenwich's own procedure. BIRD's Appeals Procedure and the appeal rights set out in this policy do not apply.

Where this applies to misconduct connected to Greenwich-provided or Greenwich-nominated student accommodation, BIRD will review whatever information and outcome the University of Greenwich is able to provide once its own process has concluded. Where that is sufficient, BIRD will not re-investigate the underlying facts, and will decide separately what action, if any, BIRD itself needs to take, for example ending an accommodation licence or applying a restriction on BIRD premises or activities. Where the University of Greenwich is unable to provide sufficient information for BIRD to reach that decision, BIRD may investigate the matter itself for the purposes of deciding on its own response.

Where the University of Greenwich's process concludes that no breach occurred, BIRD will not take separate disciplinary action against the student in relation to the same conduct.

2.4. Allegations against staff

This policy does not apply to allegations against staff, which are dealt with under the Staff Disciplinary Policy and Procedure. Where an allegation involves both a student and a member of staff arising from the same incident, BIRD will run the two processes in parallel where practicable, coordinated by the Chief Operating Officer and Registrar, so that neither party is disadvantaged by delay in the other process

3. Definitions

Non-academic misconduct: conduct falling within section 2.1 of this policy.

Reporting Party: the person who made the allegation, or on whose behalf it was made, matching the usage in the Harassment and Sexual Misconduct Policy and Anti-Bullying Policy.

Reported Party: the student against whom the allegation is made.

Disciplinary Panel: the panel convened under section 10 to determine whether a breach of this policy occurred and, if so, to decide the sanction.

Precautionary action: interim measures taken under section 7, pending the outcome of a disciplinary process.

Working day: Monday to Friday, excluding bank holidays and published BIRD closure days.

4. Relationship to Other Policies

This policy is the shared disciplinary procedure referred to in:

a) the Harassment and Sexual Misconduct Policy
b) the Anti-Bullying Policy
c) the Alcohol and Drugs Policy
d) the Student Code of Conduct

Where any of those policies describe a disciplinary process, panel or sanctions, this policy sets out how that process operates in practice. Where an allegation involves harassment, sexual misconduct or bullying, the reporting and initial investigation routes set out in the relevant policy apply, and the matter proceeds to a Disciplinary Panel under this policy once an investigation identifies a case to answer.

This policy does not cover complaints about the standard of teaching, facilities or services, which are dealt with under the Student Complaints Policy, or matters relating to a student's ability to continue their studies for reasons unconnected to misconduct, which are dealt with under the Support to Study Policy. Where a student's conduct may be linked to a disability, mental health condition or other underlying factor, the Panel will consider whether referral to Support to Study, instead of or alongside a disciplinary sanction, is the more appropriate response. Where a student's conduct may be linked to a disability, mental health condition or other underlying factor, the Panel will consider whether referral to Support to Study, instead of or alongside a disciplinary sanction, is the more appropriate response.

5. Under-18 Students

Where the reported party or reporting party is under 18, this policy operates alongside, and does not replace, BIRD's Safeguarding Policy. Any concern that a report raises a child protection issue must be referred to the Designated Safeguarding Lead immediately and dealt with under the Safeguarding Policy in the first instance; the disciplinary process under this policy should not proceed in a way that cuts across a live safeguarding response.

Panel hearings involving a student under 18 will make appropriate adjustments, including allowing a parent, guardian or other supporting adult to accompany the student in addition to, or in place of, the companion described at section 10.3.

The trigger and timing for notifying a parent or guardian that a formal investigation has been opened on behalf of or against a student under 18 is agreed with the Designated Safeguarding Lead on a case-by-case basis, rather than a fixed rule, since the right approach depends on the safeguarding circumstances of the individual case.

6. Criminal Matters

Where alleged misconduct may also constitute a criminal offence, BIRD's process under this policy is separate from, and is not a substitute for, any police investigation or criminal proceedings. BIRD is not required to wait for the outcome of a police investigation or criminal proceedings before starting, continuing or concluding its own process. BIRD may decide to pause its process where continuing could prejudice a criminal investigation, and will take advice from the police in reaching that decision.

The standard of proof applied by BIRD under this policy is the balance of probabilities (see section 10.2), which is not the criminal standard. A student who is not charged, or who is acquitted, by the police or a court, may still be found to have breached this policy, since the two processes ask different questions and apply different standards of proof.

7. Precautionary Action

Where BIRD considers it necessary to protect the wellbeing of the BIRD community, including the reporting party, other students, staff, or the reported party themselves, pending the outcome of a disciplinary process, it may take precautionary action. This may include, but is not limited to:

a) suspension from specified activities, premises, or contact with named individuals
b) suspension from BIRD pending investigation

Precautionary action is not a disciplinary sanction and is not a finding that misconduct occurred. It will be proportionate to the risk identified, and the student will be told the reason for it at the time it is imposed.

The circumstances will be reviewed within 10 calendar days of the precautionary action being taken. The student may make written representations against the action at any point, and any representations received within 7 calendar days of notification will be considered as part of that first review.

After the first review, precautionary action remains in place until new relevant information comes to light, at which point it will be reassessed. Any change to, or lifting of, the precautionary action will be confirmed to the student in writing within 7 calendar days of that new information being received.

8. Initial Consideration

On receipt of a report, the Chief Operating Officer and Registrar or their nominee will make an initial assessment of whether the matter is:

a) suitable for informal resolution, for example where the matter is minor, a first occurrence, and both parties are willing
b) referred to formal investigation under section 9
c) referred to another policy or process, such as Safeguarding, Support to Study, or the Staff Disciplinary Procedure
d) not pursued, in which case the reporting party will be told why

Even where no formal action is taken, BIRD will normally tell the reported party that a concern has been raised about their conduct. This reflects OIA good practice that students should be made aware of concerns raised about them even where the outcome is that no disciplinary action is taken.

9. Formal Investigation

Where a matter proceeds to formal investigation:

a) an investigator who has not previously been involved in the matter will be appointed
b) the reported party will be told in writing what is alleged, and given the evidence relied on
c) the reported party will be given a reasonable opportunity to respond before any decision is made about whether they have committed the offence
d) if further or amended allegations arise during the investigation, the reported party will be told and given the opportunity to respond to those too
e) the investigation aims to conclude within 28 calendar days of being opened; where this is not possible, the parties will be told why and given a revised timeframe
f) the investigator will produce a written report; where there is no case to answer, the matter is closed at this stage and both parties are told, with reasons
g) where there is a case to answer, the matter is referred to a Disciplinary Panel

Mediation or conciliation may be offered at this stage where appropriate and where both parties agree to it, particularly for lower-level interpersonal disputes.

10. Disciplinary Panel

10.1. Composition

The Panel will consist of three people:

a) a Chair, who is a senior member of staff not previously involved in the matter
b) one further member of staff not previously involved in the matter
c) one of BIRD's student representatives, sitting on Panels as part of that role for the duration of their term, who has not been involved in the matter and has no personal connection to either party

BIRD is a small institution and expects to convene only a small number of Panels a year. Rather than recruiting and training a separate pool of panel members, the student representative panel member role is attached to the student representatives system, so it renews automatically as those positions turn over. Preparation for the role is proportionate to how often it is used:

a) on taking up the position, each student representative is given a short written briefing covering the panel role and outlining the requirement to have had no prior involvement in a case before sitting on it
b) before each hearing, the Chair gives the sitting student representative a case-specific briefing covering anything sensitive about that particular case, including safeguarding considerations where relevant

This is a deliberate choice given BIRD's size and case volume and considered proportionate to BIRD's scale.

Where all student representatives are conflicted or unavailable, the Panel will proceed with a second staff member in their place, and the reason will be recorded. Where this happens more than once in an academic year, it will be reported to the Academic Board as part of the annual disciplinary monitoring under section 14, so that BIRD can consider whether a wider pool of student panel members needs to be established.

10.2. Decision-making

The Panel will determine, on the balance of probabilities, whether the alleged conduct occurred and whether it amounts to a breach of this policy or another BIRD policy.

10.3. Support and representation

The reported party may be accompanied at the hearing by a friend, family member, or a students' union adviser (the Greenwich Students' Union Advice Service is available to BA students). The companion may support the student but does not represent them or answer on their behalf. Legal representation is not normally permitted, and will only be allowed in exceptional circumstances, such as where a case is particularly complex or where the potential outcome for the reported party is especially serious. Any legal representation must be agreed with BIRD in advance of the hearing. Where a student brings a legal representative to a hearing without that prior agreement, BIRD may decline to allow the representative to take part, adjourn the hearing, or take other steps it considers appropriate.

BIRD will consider reasonable adjustments to this process for disabled students, or students who need extra support to take part, and will keep a record of any adjustments made.

10.4. Mitigation

The Panel will consider any mitigating circumstances raised by the reported party before deciding on a sanction.

10.5. Outcome of the hearing

Where the Panel finds no breach, the matter is closed, and both parties are told, with reasons. Where the Panel finds a breach, it will decide the sanction under section 11.

11. Penalties

Available sanctions, in approximate order of severity, are:

a) no action, or informal advice
b) formal warning, recorded on the student's file
c) restrictions or conditions, for example restricted access to specified spaces or no-contact conditions
d) suspension for a defined period
e) expulsion

The Panel will apply a sanction proportionate to the conduct, taking into account the severity and impact of the conduct, whether it is a first or repeated offence, any mitigating circumstances, and consistency with sanctions applied in comparable past cases.

12. Outcome and Notification

The Chair will notify all parties in writing of the outcome and the reasons for it as appropriate within 5 working days of the hearing.

Where the complaint is not upheld, or where the sanction imposed falls short of suspension or expulsion, there may be limits on what can be shared with the reporting party, consistent with data protection obligations and BIRD's confidentiality commitments. The reporting party will always be told whether their complaint was upheld and, where relevant, whether the reported party was suspended or expelled.

13. Appeal

The reported party has the right to appeal a Disciplinary Panel decision, including the finding of breach and/or the sanction imposed. The reporting party does not have the same right of appeal, but may submit a Reconsideration Request, a narrower mechanism limited to new evidence or evidence the Panel did not properly consider.

A witness who is not themselves a party to the case cannot appeal the outcome or submit a Reconsideration Request, but may raise concerns about how the matter was handled through the Student Complaints Policy.

Appeals and Reconsideration Requests are dealt with under the Appeals Procedure, which sets out the grounds, process and time limits for each. This policy does not duplicate that mechanism; it confirms only that the rights exist.

This section does not apply where the underlying decision was made under the University of Greenwich's Student Disciplinary Procedure (see Misconduct connected to the University of Greenwich, above); in that case, appeal rights and process are as set out in Greenwich's own procedure.

14. Records and Monitoring

BIRD will keep records of disciplinary cases and their outcomes in line with its record retention and data protection obligations. Anonymised data on the number and type of cases, and their outcomes, will be reviewed periodically to identify patterns and to inform training and prevention work.

15. Document Control

Document type:	Policy		
Document number:	046	Version:	1.0
Department:	Registry		
Approved by:	Academic Board	Date approved:	16/07/2026
Effective from:	01/08/2026	Review date:	15/07/2029
Publication:	BIRD website		
Related documents:	• Student Code of Conduct • Harassment and Sexual Misconduct Policy • Anti-Bullying Policy • Alcohol and Drugs Policy • Safeguarding Policy • Support to Study Policy • Student Complaints Policy • Appeals Procedure • Staff Disciplinary Policy and Procedure		
Documents replaced:	N/A		
Notes:	N/A		