

Residential Disciplinary Policy

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Subject:	Resident Disciplinary Policy
Approving Authority:	Philip Cox – Associate Director for Kings Residences
Responsible Officer:	Philip Cox
Responsible Office:	Estates and Facilities – Kings Residences
Related Procedures:	King's College Non-Academic Misconduct https://www.kcl.ac.uk/policyhub/non-academic-misconduct-policy
Related College Policies:	Safeguarding: https://www.kcl.ac.uk/policyhub/safeguarding-policy-2 Support for Study: https://www.kcl.ac.uk/policyhub/support-for-study-policy Accommodation Policy: https://www.kcl.ac.uk/policyhub/residences-accommodation-policy
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I. Purpose & Scope

The purpose of the Disciplinary policy is to:

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

Residential Disciplinary Policy

- To educate and support students with identifying healthier, safer and more community friendly ways of living.
- To promote a safe living environment for all.
- To reduce harmful behaviours and promote safe behaviours within residences.

II. Policy

This Policy applies to all King's College London ("the College") undergraduate, postgraduate, pre- sessional, PhD students ("KCL Students"), and students from affiliate institutes, who reside at King's Residences. This includes students on all study abroad programmes & pre-sessional programmes. Where a student occupies a couple's flat, this Policy extends to their partner, spouse and/or visitors/guests. As supported by the T&Cs, this policy also applies to the guests/visitors of all residents: 9.7 You are responsible for the conduct of any invited Visitor(s). We may remove Your Visitors from the Residence if We have reasonable grounds to believe that this is necessary for the safety or well-being of others.

This policy applies to residents from affiliate institutions, such as The Courtauld and any other special arrangements with higher education institutions that King's College London enter in to. As per Appendix 3, minor and major instances of misconduct will be handled by King's Residences however major cases of misconduct may also be referred to the Wellbeing and Student Conduct Teams within the student's institution.

Policy Location King's Accommodation Website: <https://www.kcl.ac.uk/accommodation/living-with-us/welfare>

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Version 1.8 - February 2024

	NAME	JOB TITLE	SIGNATURE
Author	Angela Gabriel	Residences Conduct Officer	<i>Angela Gabriel</i>
Reviewer	Katharine Travis	Head of Student Conduct and Appeals	<i>Katharine Travis</i>
Reviewer	Nicky Doone	Residences Wellbeing Manager	<i>Nicky Doone</i>
Authoriser	Philip Cox	Associate Director of King's Residences	<i>Philip Cox</i>

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Change History

<u>Policy Version</u>	<u>Effective Date</u>	<u>Significant Changes</u>
1.1	August 2018	Changes to titles within the department, update all links to replace out-dated documents.
1.2	April 2019	Allowing for incidents to be referred straight to Disciplinary Board where the evidence is undeniable, inclusion of reprimands for under-18 and alcohol related incidences, inclusion of the ability to exclude from Residences after only one charge of misconduct, reprimands around vaping, change of Warden name to Residence Welfare Lead. Clarification around appeals process to Student Conduct and Appeals Office.
1.3	August 2020	Updated hyperlinks to related documents, adjustment for new titles, inclusion of disciplinary outcome - Termination of License Agreement, inclusion of Under18 specific misconduct, inclusion of process under COVID-19 guidelines, inclusion of Student Conduct and Appeals recommendations.

1.4	October 2020	Inclusion of Appendix 1 - COVID-19 residential breach process. Inclusion of COVID-19 related health and safety misconducts within Categories of Misconduct, updated process under "cases referred to local management". And clarity on cases referred to Student Conduct and Appeals.
1.5	April 2021	Aligning the policy to the new year Terms and Conditions of the King's Residences License Agreement, hyperlinks updated, clarity on issuance of 2 red warnings outcomes, clarity on handling weed allegations, revision of COVID-19 conduct process, updated ResiConduct contacts.
1.6	May 2022	Hyperlinks updated, added Appendix 2 which provides clarity on how discriminatory misconduct will be handled, update on section 13 "Cases referred to local management", addition of disciplinary outcome for having pets in residence. Addition of how disciplinary matters concerning affiliate institutions/The Courtauld Students will be handled plus SOPs, New SOP for misconduct in residences, COVID-19 specific guidelines replaced with broader terms to cover any mandated health and safety crisis
1.7	August 2023	Hyperlinks updated, NFA/Compassion added to potential outcome under clause 5 CATEGORIES OF MISCONDUCT & REPRIMANDS UNDER THIS POLICY, Clause 9 INVESTIGATION BY RESIDENCES PERSONNEL changed from "Case Manager" to "Residences Personnel," Support for Student hyperlink added under clause 11, Term "case manager" changed to "investigator," under Consequences of Misconduct terminology change from "victim" to "complainant", Clauses 12-15 Conduct Officer replaced Secretary duties of contacting student under disciplinary process, Under Limitations, G27 removed and updated with Chapter 8 of the Academic Regulations and the updated Non-Academic Misconduct Policy & Procedure and updated Prevention of Bullying & Harassment Policy Fire Safety decisions to be made in consultation with Head of Resident Experience and Operations, COVID-19 specific guidelines replaced with broadened terms to include present and/or future health mandates and safety direction, Under clause 19 DECISIONS MADE BY RESIDENCES DISCIPLINARY BOARD email address changed, clause 20 DECISIONS MADE BY THE ASSOCIATE DIRECTOR OF RESIDENCES: email changed
1.8	February 2024	Cover page updated, Hyperlinks updated, Under 18s Policy updated, Section 7: Report + Support link added, Section 8: 'incontestable' evidence changed to 'overwhelming,' Sections 9 and 10: The 'Fitness to Study' Policy updated to 'Support for Study,' Section 21: Relevant Policies updated, Upkeeping of Accommodation: Electric bike and battery charging prohibited added, GDPR/record keeping polices updated

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1. INTRODUCTION

This policy is governed by the College's Chapter 8 of the Academic Regulations and the new Non-Academic Misconduct Policy & Procedure for 2024/25, and is supported by the current [King's Residences License Agreement 2024/25](#). Thus, they should be read together for a fuller understanding of the management of residents' conduct in all College accommodation, including properties managed by third party operators. This policy applies to all King's Residence license holders for the academic year 2024/2025.

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

At the annual review, King's Residences will engage with the Students Conduct & Appeals Office, the student body via KCLSU and the wider Residences Wellbeing team to ensure the policy remains current and practicable.

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

2. AIMS

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

3. DEFINITION

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

4. KEY AREAS COVERED UNDER RESIDENTS DISCIPLINE

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

- The use or supply of any unlawful drugs or other controlled substances (referred to Student Conduct and Appeals);

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

5. LIMITATIONS

The following procedures cover action to be taken in response to behaviour covered by the current terms and conditions of the King's Residences Licence Agreement 2024/25. Other behaviour by students on or off campus should be dealt with under the College's Chapter 8 of the Academic Regulations and the new Non-Academic Misconduct Policy & Procedure.

6. APPLICATION OF THIS POLICY

This Policy applies to all King's College London ("the College") undergraduate, postgraduate, professional, PhD students ("KCL Students"), and students from affiliate institutes, who reside at King's Residences. This includes students on all study abroad programmes & pre-sessional programmes. Where a student occupies a couple's flat, this Policy extends to their partner, spouse and/or visitors/guests. As supported by the T&Cs, this policy also applies to the guests/visitors of all residents: 9.6 You are responsible for the conduct of any invited Visitor(s). We may remove Your Visitors from the Residence if We have reasonable grounds to believe that this is necessary for the safety or well-being of others. This policy applies to residents from affiliate institutions, such as The Courtauld and any other special

arrangements with higher education institutions that King's College London enter into. As per Appendix 3, minor and major instances of misconduct will be handled by King's Residences however major cases of misconduct may also be referred to the Wellbeing and Student Conduct Teams within the student's institution.

7. REPORTING MISCONDUCT

College staff and students should report concerns about any King's students' conduct within King's Residences to the Day or Night Reception Team, the Residences Welfare Lead on duty or the Residence Manager if they are on duty (the "First Responder"). Reporting can be done verbally by the staff/student or by email or phone. Where possible, we encourage reporting to be done by digital means for the purpose of efficiency.

Initial Inquiry by a First Responder

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

The First Responder's priorities will be of:

1. ensuring the safety of the premises, residents, and staff in line with the appropriate safety guidelines
2. gathering evidence and submitting a report using either an Incident Report, Security report or a Fact-Finding Investigation report to the ResiConduct inbox (resiconduct@kcl.ac.uk), and
3. where possible, confirming any alleged misconduct(s)

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

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

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

Following the initial inquiry carried out by the First Responder, allegations of misconduct are referred via the submission of the report to the relevant staff, as per above, at the first

available opportunity and within 24 hours of the First Responder's initial inquiry.

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

King's is committed to creating an inclusive, respectful, and safe environment for every member of our community. As such, bullying and harassment have no place at King's, and we take reports of such behaviours very seriously. Whether you have experienced or witnessed inappropriate behaviour, you can report it to King's to discuss options for support and possible action, and access support information about specialist services. You may report directly through [Report + Support](#).

8. INVESTIGATION BY RESIDENCES PERSONNEL

All reports/allegations of misconduct are referred to an investigator, who will usually either be the Residence Manager or appropriate colleague within the King's Residences team.

The manager assigned as the investigator will analyse the available evidence submitted by the First Responder and may choose to investigate further to gather additional information as they see fit. This additional information may consist of; conducting an informal meeting known as a Fact-Finding investigation interview, with all parties alleged to be involved in the incident including witnesses; reviewing CCTV footage and security logs, reviewing the students key card usage in and around the building and reviewing the resident's conduct file for evidence of any previous cases of misconduct etc. ("Initial Inquiry Evidence").

In cases where the evidence submitted by the First Responder is overwhelming, such as photographic evidence of the incident, student confession in writing of incident or student caught in the act of misconduct, the investigator can decide to refer the case straight to the Residences Conduct Officer without further investigation.

On completion of their investigation, the investigator will compile a Fact-Finding Investigation report outlining the Fact-Finding meeting with the alleged offender/s and witnesses, the evidence, and the outcome of the meeting. The investigator will send the report to the Residences Conduct Officer who will determine, normally within 5 to 7 working days, whether:

- a) there is insufficient evidence to form the basis of a charge of misconduct; or
- b) there is sufficient evidence to form the basis of a charge of misconduct which constitutes a minor infringement of the regulations; or
- c) there is sufficient evidence to form the basis of a charge of misconduct which constitutes a major infringement of the regulations.
- d) Residences Conduct Officer may request more information from the investigator and/or other parties involved in the investigation.

9. CONSEQUENCES OF MISCONDUCT

Misconduct by a resident of King's Residences may result in one or more of the following

sanctions, for the matters dealt with under this policy:

- a verbal warning
- an informal written caution
- a formal written warning, which can be green, amber or red
- mediation for complainant or conflict related misconduct
- an order for community service to be undertaken
- an order for a compulsory educational session
- an order for a reflective essay
- an order for mandatory engagement with the Residences Wellbeing Team for a defined period of time
- an order to pay for damages
- a request for you to move to an alternative room or residence
- Referral to Student Conduct and Appeals
- Referral to the Student of Concern team under the Support for Study Policy
- disqualification, on a permanent or temporary basis, from King's Residences

Other actions and/or sanctions may be applied if the disciplinary case is escalated to the Students Conduct & Appeals Office; these are detailed on the College's Misconduct Policies for 2024/25.

In addition, at any point in the disciplinary process, action may be escalated or de-escalated as deemed appropriate.

10. CATEGORIES OF MISCONDUCT & REPRIMANDS UNDER THIS POLICY

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

1. Minor Misconduct
2. Major Misconduct

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

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

1. NFA/compassionate exemption (referral to Support for Study). King's College London recognises the importance of a student's health and wellbeing in relation to their academic performance, progression, and wider student experience. The aim of this policy is to enable a student to succeed and progress in a supportive environment, whilst being mindful of the need to ensure safety and wellbeing of the student themselves and of other university members.

For more information please visit: <https://www.kcl.ac.uk/policyhub/support-for-study-policy>

2. Green Warning - For more serious cases or repetition of minor disciplinary matters, these will be issued in line with the matrix below and will be logged on the Residence's Disciplinary database for the entire duration of the student being in residences and where appropriate notified to the relevant department within Student Services.

(These first two stages may be dealt with at a local level and may not necessarily involve a formal Investigative Interview or offered the Right of Appeal to the Associate Director of King's Residences)

3. Amber Warning - If disciplinary action becomes necessary following a Green Warning, or in the first instance of a more serious misconduct. This can be issued by the Residence Manager when it relates to fire safety; otherwise, these are only issued following consideration by the Residences Disciplinary Board.
4. Red Warning - This will be issued on the recommendation of the Residences Disciplinary Board, or prior to that when the situation demands immediate action to safeguard other residents and/or staff, with the appropriate notice from the Residences Wellbeing Manager in consultation with the Head of Resident Experience and Operations.
5. Termination of Licensing Agreement - Where there is sufficient evidence to form the at the Board's discretion to either issue multiple charges, or in consultation with the Head of Resident Experience and Operations and Associate Director for King's Residences, they can where appropriate issue a termination of accommodation license agreement. The student will be expected to leave their Residence within an agreed time frame.

Please note: incidents that involve multiple offences will be dealt with at the same time. Each offence will be considered and either individually issued with an appropriate warning or dealt with under a singular warning. This means in the event of there being multiple offences, there can be multiple misconduct warnings given.

In the instance when a resident is in receipt of a red warning and a second case of misconduct occurs that is decided by the Residences Disciplinary Board to carry a red warning, the Residences Disciplinary Board (in consultation with the Associate Director of Student Residences and the Students Conduct & Appeals Office) may issue a Notice to Quit alongside the second red warning, and in these cases the student will be expected to leave their Residence within an agreed time frame.

Please note: Single red warnings remain on a resident's electronic file for the entire duration that the student lives in residence, and for two years after. Repeat red warnings may prevent a student from applying for a place in residences in future.

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

Areas of Misconduct	Example of Misconduct	Misconduct Category	Who the case is referred to for decision	Decisions to be made in consultation with	Type of Warning Issued - First Time Offenders	Type of Warning Issued - Repeat Offenders	Possible Sanctions in Addition to Warning	Appeals should be directed to
Upkeeping of Accommodation	Unacceptable common room, bedroom and/ or kitchen cleanliness left unaddressed for over 2 days	Minor	Local Management or Disciplinary Board	Head of Resident Experience and Operations	Verbal	Green	Charge for the cost of cleaning	Associate Director of King's Residences
	Rubbish and recycling not placed in the designated areas, i.e. littering						Educational session	
	Bringing a bike into the Residence outside of designated areas, storing electric bicycles/scooters/batteries within Residences				Verbal	Green	N/A	
	Unauthorised alterations or damage to the accommodation, including damage or removal of furniture, equipment or curtains				Green	Amber	Charge for the repairs Educational session	
	Vandalism, damage or misuse of residential property (internal/external)**, including keeping an animal (pet) that is not an Assistance or Emotional Support animal in the residence	Major	Disciplinary Board	Head of Resident Experience and Operations	Red	N/A - repeat offenders will be issued a Notice to Quit to their license agreement	Charge for the cost of cleaning Charge for the repairs Community Service	
Fire Safety	Obstructing communal areas or fire escape routes	Major	Disciplinary Board	Head of Resident Experience and Operations	Amber	Red	Community Service	First Offence Appeal Associate Director of King's Residences Second Offence Appeal- Student Conduct & Appeals Office
	Unauthorised use of a personal electric heater or electrical kitchen equipment in bedroom							
	The use of electrical equipment that does not meet current Health and Safety standards							
	Creating a fire hazard by using or storing flammable or dangerous materials (e.g., candles, incense sticks/burners, fireworks, petrol, paraffin, bottled gas, fairy lights, hookah, or shisha pipes).							
	Failure to attend a mandatory fire safety meeting		Local Management or Disciplinary Board		Red	N/A - repeat offenders will be issued a Notice to Quit to their license agreement	Referral to Student Conduct and Appeals where suspected drug use is involved.	
	Evidence of smoking/vaping inside residential buildings or grounds outside the external designated areas. This includes ash, cigarette butts, smell in rooms, ashtrays, repeated complaints from fellow Residents, caught in the act of smoking/vaping etc.							
	Failure to evacuate the building promptly in event of fire alarm, and/or re-enter the building without permission.**						Educational session	
	Setting off fire alarms through irresponsible actions (for example, use of any electrical equipment that may interfere with the alarm in the bedroom)**							

	Tampering with fire equipment (including fire doors, extinguishers and smoke alarms), or any other action posing a health and safety risk **			H&S Services				First Offence Appeal- Associate Director of King's Residences Second Offence Appeal- Student Conduct & Appeals Office
Access & Security	Failure to produce ID card when requested to do so	Minor	Local Management or Disciplinary Board	Head of Security	Verbal	Green	Community Service	Associate Director of King's Residences
	Leaving windows open when leaving the bedroom						Community Service	
	Failure to shut/lock main entrance doors in the Residence when entering or leaving						Community Service	
	Persistent failure to carry keys requiring staff and/or contractors to enable entrance			Head of Resident Experience and Operations	Green	Amber		
	Deliberate tampering with doors leaving residences insecure (e.g., propping external doors open)	Minor			Amber	Red	Community Service + cost of repairs where applicable	
	Creating an access security breach by marking a key, key fob or key card with the Residences address, lending keys/fobs/access cards to another person or copying keys, key fob or key card and giving them to anyone else	Major	Disciplinary Board	Head of Security	Red	N/A - repeat offenders will be issued a Notice to Quit to their license agreement	Charge for the repairs	
	Theft by means of taking another person's property without permission or legal right and without intending to return it, entering a person's room without their permission.							
Guests & Visitors	Failing to accompany a visitor when in residential grounds at all times	Minor	Local Management or Disciplinary Board	Head of Resident Experience and Operations	Green	Amber	N/A	
	Allowing more than 2-day visitors to remain in the Residence buildings beyond 11pm							
	Having a visitor stay to the annoyance of other occupants or which disrupts their study							
	Allowing overnight guests/visitors to stay for more than 3 nights in any one week, or any more than 20 nights in total in a semester without prior written permission from the Residence Manager			Head of Resident Experience and Operations	Green	Amber		
	Letting strangers into the Residence without following the guest/visito^s procedure	Major	Disciplinary Board	Head of Security	Amber	Red	Community Service	
	Subletting your room - allowing use of your room by a guest in exchange for compensation (monetary or exchange of goods/services)						Head of Resident Experience and Operations	Red
Noise & Disruption	Playing ball games or with other projectiles in the Residence or outside of designated areas	Minor			Verbal	Green	N/A	

	Making or allowing loud noise (including the use of kitchens, televisions or playing music) between 11pm and 8am Hosting an unauthorised private party or barbeque		Local Management or Disciplinary Board	Residences Wellbeing Manager	Amber	Red		
General Behaviour	Causing annoyance or being disrespectful to other residents or to occupants of neighbouring properties e.g., repeat noise/parties, offensive behaviour or language				Amber	Red		
	Receiving more than 3 green warnings in the last 3 months, or 5 over the academic year				Amber	Red		
	Abusive behaviour towards residences staff or preventing staff from completing their duties e.g., failure to attend meetings with staff, engaging with staff in a way that is aggressive or confrontational. Anti-social language or behaviour that causes upset or distress to other students or staff (this may include but is not exclusive to bullying and harassment, racist/prejudice slurs)** Any behaviour or threatened behaviour that Residences assess places the health and wellbeing of others at risk e.g. throwing anything from balconies and windows Disregard for acceptable behaviour in respect of communal living e.g., abuse of flat communal areas	Major	Disciplinary Board	Head of Resident Experience and Operations	Red	N/A - repeat offenders will be issued a Notice to Quit to their license agreement	Reflective Essay and/or written apology	Associate Director of King's Residences
Government Recommended Health and Safety Guidelines	Failing to adhere to Government recommended health and safety guidelines related to public health concern	Major	Local Management	Residences Disciplinary Board	Informal written caution	Automatic red warning	Referral to Student Conduct and Appeals	Associate Director of King's Residences
Under 18s Policy	For a Resident aged 18 or over to facilitate the consumption of alcohol to a Resident that is under the age of 18** For an Under 18 Resident to be found purchasing alcohol****	Major			Red			
	Three (3) escalations for failure to check in before 10 AM within 7 days. Resident failing to inform Residences that they will staying outside of residences (on holiday, etc.) and/or considered missing from Residences. Failure to follow up with Safeguarding team after a Stage 2 Support for Study.	Minor	Local Management or Disciplinary Board	Residences Disciplinary Board	Green	Red		Associate Director of King's Residences

<p align="center">Unlawful conduct/actions **</p>	<p>Failing to adhere to the current Government recommended health and safety guidelines (e.g. COVID-19 or any other public health concern)</p> <p>Possession or use of unlawful drugs (class B & C) or other controlled substances in College accommodation***</p> <p>Physical assault, sexual assault or violent behaviour**</p> <p>Drug dealing or possession of class A unlawful drugs**</p> <p>Possession of dangerous, offensive items (e.g. weapons, laser pens etc.)**</p> <p>Serious theft**</p> <p>Behaviour by yourself or any of your guests that breach health, safety and conduct out lined in licence agreement e.g. bullying and harassment**</p>	<p align="center">Major</p>	<p align="center">Student Conduct & Appeals</p>	<p align="center">TBC by Student Conduct & Appeals</p>	<p align="center">Upon completion of the Misconduct Procedure by the Student Conduct & Appeals team, recommendations will be made to the King's Residences Disciplinary Board regarding further Residences action, inclusive of the issuance of a Notice to Quit for license agreements</p>
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**Offences of this seriousness could lead to criminal proceedings.

***In the event a student is suspected of smoking cannabis in the Residences, the Residences Disciplinary Panel will investigate the incident initially under Fire Safety misconduct. A referral will then be made to Student Conduct and Appeals to investigate the possession and use of a Class B substance.

**** Prohibited items will be seized and destroyed.

11. DISCIPLINARY PROCEDURE

Based on the evidence available, the investigator will determine the category of the alleged misconduct. The category of alleged misconduct determines the procedure taken as detailed below.

12. CASES REFERRED FOR LOCAL MANAGEMENT DECISION

If when following the initial inquiries, the investigator determines that the incident relates to minor misconduct that would warrant a verbal warning, the investigator will continue the with the disciplinary procedure at the local management level, as follows:

1. Allowing the investigation by the Residential site management team, the investigator will determine whether the behaviour of the resident is deemed to be misconduct.
2. If the nature of the behaviour is a minor health and safety related misconduct, the investigator may issue a first warning letter via email to the resident. If the misconduct would warrant a verbal warning as per the disciplinary matrix (littering, failing to close windows when leaving residence etc), the case manager may issue the verbal warning to the student.
3. Once the warning has been issued, the case manager should inform the Residences Conduct Officer so that details are recorded in the central disciplinary tracker.

13. CASES REFERRED FOR RESIDENCES DISCIPLINARY BOARD DECISION

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

1. On referral, the Conduct Officer, Chair, or nominee can choose to investigate further and to seek additional information as they see fit ("Additional Information"). Where possible, any further investigations shall be completed within 14 days (about 2 weeks) from the date the case is referred to the Board.
2. The Board will meet at the earliest opportunity to consider the case (a "**Board Hearing**"). The disciplinary panel board meets virtually via Teams. Where possible, the Board composition will be as follows:
 - Chair: Residences Conduct Officer, or their nominee
 - Welfare support (as needed): Residences Wellbeing Manager, or their nominee
 - Secretary: Operations Assistant, or their nominee
 - The Head of Resident Experience and Operations, or their nominee
 - A KCLSU student panel volunteer (where possible)
 - Other managers who should be consulted with as part of the decision-making process as outlined on “Categories of Misconduct & Reprimands under this Policy”

The Board shall be composed to ensure none of the Board members have been involved with the

student's residence disciplinary at any prior stage.

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

The Board's Chair will issue an "Attendance Required" letter. The letter shall inform the student in writing of:

- a. the allegation of misconduct as decided by the appropriate manager;
- b. that the alleged misconduct is deemed serious enough to warrant consideration by the Board;
- c. the evidence supporting the allegation (including but not limited to the Initial Inquiry Evidence, the submissions made by the student in the Local Management Procedure, the Investigator's Decision, and any Additional Information)
- d. the date, time, location of the Board Hearing and whether the Board's Chair considers that witnesses should be invited to the hearing. The student will not be given less than seven (7) days' notice of the date of the hearing. The Board Hearing can be in both term time and vacation time. The student may submit a written statement if this is their preference. Alternatively, if the student would like to speak with the Board, a digital meeting can be requested and must be requested no later than 48 hours of the hearing time and date.
- e. if the Board's Chair considers that witnesses would be valuable, the "Attendance Required" letter will inform the student of which witnesses the Board intends to invite. The student the opportunity to request a maximum of two (2) witnesses no later than 48 hours prior to the scheduled Hearing.
- f. the right for the student respondent facing a warning to be accompanied at the Board Hearing by another College member, a family member or friend or a member of the KCLSU. A KCLSU advisor may speak on the respondent's behalf if it is strictly necessary, or where the student is having difficulties.
 1. If the student is to be accompanied, the name(s) of the person/persons who is/are to attend must be received in writing by the Board Chair at least 48 hours (2 days) in advance of the hearing. The Chair of the relevant College Misconduct Committee or Appeal Committee has the discretion to refuse to permit a representative, friend, or family member to attend where prior written notice has not been given.
- g. the process to take place at the Board Hearing; and
- h. that the student has the opportunity to respond in writing to any further evidence not considered within 5 days of receiving the Attendance Required Letter with supporting evidence, limited to 10 pages.
- i. The Board Hearing will normally take place via a digital meeting platform (Teams) and will proceed as follows:
 - a. The Chair (Conduct Officer), or their nominee, will make submissions to the Board regarding the allegation of misconduct and present any evidence in support of its submissions; the Board will have the opportunity to ask questions regarding the Case Manager's submissions;
 - b. The student will then make submissions to the Board regarding the allegation of misconduct and present any evidence in support of their submissions; the Board will have the opportunity to ask questions regarding the student's submissions. In the instance the student has submitted a statement to the Board for consideration in place of a meeting, the Board will read and discuss the submission at the weekly scheduled meeting.

- c. Where pertinent, witnesses will then be asked to provide their account of events surrounding the alleged misconduct; the Board will have the opportunity to ask questions of each witness
 - d. The Board will have the opportunity to ask any final questions of the attendees;
 - e. Once the student's case has been fully presented, the Board Chair will adjourn the meeting for a period of time depending on the complexity of the matter(s) to be considered;
 - f. Once all the facts and information have been fully considered, the Chair will reconvene the hearing and advise the student of his/her decision where it has been made; and
 - g. Confirmation of the decision will also be provided in writing within 7 working days after the conclusion of the hearing.
3. The Board Chair has authority to consider and issue no further action, Green, Amber and Red warnings, and/or to further refer cases to the Student Conduct & Appeals Office, in addition to other sanctions such as fines and community service as outlined on the "Categories of Misconduct & Reprimands under this Policy".

14. INFORMING RESIDENT OF OUTCOME

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

- The written evidence and outcome letters confirming the decision made by the Board shall be kept on the student's electronic residences file for the entire duration that the student lives in residence, where there is a finding that the student has breached their Residence T&Cs.
- If the student is found to have breached the Residence Agreement T&Cs and is given a red warning, this red warning will remain on the residents electronic file for up to five years.
- A Notice To Quit may be issued in the event a student is given a second red warning by the Disciplinary Panel Board.
- If the student is found not to have breached the Residence Agreement T&Cs, the individual will be advised of this in writing and no further action will be taken under this procedure.

15. CASES REFERRED TO STUDENT CONDUCT AND APPEALS

Alleged Major Misconduct may be referred to Students Conduct & Appeals by the Residences Disciplinary Board, prior to any action being taken by King's Residences staff, to be dealt with under the College's Misconduct Regulations. Where allegations made contain potential risk to community, then Student of Concern panel in conjunction with Student Conduct and Appeals and Residences management team may deem necessary to implement safeguarding actions prior to investigation pending (examples: mandatory room change, etc.) Similarly, major alleged offences may be referred to Student Conduct and Appeals through other College channels, such as a direct student referral. Where involved individuals are residents and the misconduct charges are upheld, this may incur residences-related recommendations from the Head of Student Conduct and Appeals or their nominee, such as a compulsory relocation to an alternative residence or the issuance of a Notice to Quit of the student's license agreement. This may be issued in consultation with the

Associate Director of King's Residences and Student of Concern Management Group, if necessary. For more information please visit: <https://www.kcl.ac.uk/professional-services/student-conduct/appeals>

16. UNDER 18 MISCONDUCT MANAGEMENT

All under 18s students who are living at King's Residences are informed upon signing their contracts that part of their care whilst in King's Residences is the daily monitoring of their campus card activity. Under-18s are expected to use their student ID card at least once every 24 hours (7 days a week) to 'touch in' on the access card readers within their residences. Access card readers are located on most doors or barriers in all buildings throughout King's College London. The student ID will then register student activity, which will be reviewed by the Residences Safeguarding Team daily. If for any reason, an under-18 is unable to use their student ID card in a 24-hour period, they may also use the **Under 18s Daily Check-In Form** to register student activity. The purpose of this monitoring activity is to ensure the safety and welfare of these students whilst they are of a vulnerable age.

If a student does not touch their card on a reader or submitted a daily check in form and more than 24 hours have passed, they will appear as 'missing' on the daily report generated by the monitoring system which triggers the missing person process, as outlined below: If a student does not touch their card on a reader and more than 24 hours have passed, they will appear as 'missing' on the daily report generated by the monitoring system which triggers the missing person process, as outlined below:

- Residence U18 Administrator will identify any student who has not completed the daily check in before 10am by cross referencing all data.
- Residence U18 Administrator will call, text and email the student (on both KCL and private email address registered with the College) and communicate they have missed the 10am deadline and must check in, outlining they are now escalating to the beginning of the missing persons process.
- Residence U18 Administrator or Residence Service Coordinator will conduct a door knock to attempt contact with student.
- If there is no response from the missing student(s) within 90 minutes, Safeguarding team will proceed to utilise IT activity checks also contact the student faculty if applicable, all whilst still attempting outreach with the student.
- The allowed time for the search of the student is a maximum of 2 hours. From this point, the residence safeguarding team will continue escalation by contacting the students NOK (next of kin) and reporting the student to SOC (student of concern) team within the wider university.
- If after 2 hours all attempts have proven unsuccessful and there is still no engagement from the missing student, the safeguarding team will call the Police to report the student as a missing person as part of the standard operating procedure for students under 18 years of age in alignment with the British Council Recommendations. Once reported we will obtain a Police reference number, record the incident on to the relevant system and Residences Senior Management Team will be informed.

In cases of any under 18 who has missed breached their licencing agreement and missed the 10am daily check in on more than one occasion, the following stages of escalation will occur:

Stage 1 – Verbal Warning

In the instance that an under-18 student repeatedly shows as “missing” on the daily monitoring report due to negligence, the student will be invited to an informal meeting with a member of the Safeguarding and/or Welfare team. The purpose of the meeting is to ensure the student fully understands the importance of the monitoring process and to give them the opportunity to improve on their vigilance for future.

Stage 2 – Written Warning

If a student who is in receipt of a verbal warning for negligence for the under-18 monitoring person persists in appearing as missing on the daily reports, more formalised action will be taken. The student behaviour will be reviewed and the student may then be issued with a written Green warning. This will remain on their file for the duration of their stay in Residences.

Stage 3 – Disciplinary Board Hearing (refer to 14. CASES REFERRED FOR RESIDENCES DISCIPLINARY BOARD DECISION)

In the instance an under-18 student is in receipt of both a verbal (stage 1) and written (stage 2) warning, it may be necessary to escalate the student to a formalised Disciplinary Board Hearing. The Disciplinary procedure will then be followed accordingly, and an appropriate outcome decided. This can include a more severe written warning (amber, red) and/or referral through the College “Student of Concern” process to alert the central Safeguarding team of the matter. In cases where there is additional concern for the student, it may be necessary for the Next of Kin to be contacted, in line with the Residences Welfare Policy.

17. RIGHT OF APPEAL

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

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

18. DECISIONS MADE BY RESIDENCES DISCIPLINARY BOARD

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

For the Attention of the Associate Director of King’s Residences Disciplinary Appeal

King’s Residences Management Office

165 Great Dover Street

London

SE1 4XA

Or by email to welfare@kcl.ac.uk with subject line: Residences Disciplinary Appeal

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

The Associate Director for King's Residences will have the discretion to consider grounds (including grounds of compassion) other than those stated above in deciding whether to allow an appeal to be heard.

If the Associate Director for King's Residences decides to allow an appeal to be heard, the appeal will be reviewed in conjunction with an appropriate colleague within King's Residences. The Associate Director for King's Residences may appoint an Appeal Committee and hold an Appeal Hearing if deemed necessary. They will normally advise the resident, in writing, of their decision on the appeal application within 28 days of its receipt. The written notice of the Appeal will include:

- a) the grounds on which the appeal has been allowed or dismissed.
- b) (in the instance where an Appeal Committee is gathered) the date, time, and location of the Appeal hearing. The respondent will not be given less than 7 days' notice of the date of the Appeal hearing. The Appeal Hearing will be in term-time, but the notice period can occur during vacation.
- c) the composition of the Appeal Committee; comprised of residences managers and/or directors i.e., colleagues not involved in initial disciplinary investigation or outcome.
- d) copies of all papers to be considered by the Appeal Committee, including any statements from Residences Representative(s)
- e) if the respondent wishes to present any further evidence, this material must be supplied to the Associate Director for King's Residences at least 7 days before the Appeal date.
- f) the Associate Director for King's Residences will supply the members of the Appeal Committee, a minimum of five days in advance of the hearing, with the grounds for appeal with supporting documentation, the papers presented at the hearing from which the appeal arises and a statement from Residences Representative(s) in response to the grounds for appeal.
- g) the right for the student facing a charge of misconduct to be accompanied at the Board Hearing by another College member, a family member or friend or a member of the KCLSU. A KCLSU advisor may speak on the respondent's behalf if it is strictly necessary, or where the student is having difficulties.
- h) if the respondent is to be accompanied, the name(s) of the person/persons who is/are to attend must be received in writing by the Board Secretary at least 48 hours in advance of the hearing. The Chair of the relevant Appeal Committee has the discretion to refuse to permit a representative, friend, or family member to attend where prior written notice has not been given the process to take place at the Appeals Hearing (digital or in-person)
- i) the process to take place at the Appeals Hearing (digital or in-person)

If an appeal is rejected, the Associate Director for King's Residences will provide the student with the reasons in writing.

19. DECISIONS MADE BY THE ASSOCIATE DIRECTOR OF RESIDENCES

Following an appeal decision, if the student wishes to further appeal the decision made, an appeal must be submitted within 14 days to Student Conduct & Appeals under the Misconduct Regulations, in line with

Chapter 8 of the Academic Regulations and the Non-Academic Misconduct Policy & Procedure.

20. PROCEDURES THAT TAKE PRECEDENT OVER THIS POLICY & PROCEDURE

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

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

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

21. RELEVANT POLICIES AND DOCUMENTS

- [Data Protection Policy](#)
- [Student of Concern \(University process\)](#)
- [Kings College London License Agreement and Terms and Conditions for 2024/25](#)
- [Non-Academic Misconduct Regulations](#)

22. APPENDIX 1: PUBLIC HEALTH AND CHANGES TO THIS POLICY

This policy is subject to change in response to any Government guidelines where additional health and safety precautions are mandated in the interest of public health.

23. APPENDIX 2: DISCRIMINATION

We do not tolerate racist, sexist, homophobic or any prejudicial behaviour towards staff, students, visitors or other members of the King's Community. It is necessary to outline how discriminatory misconduct towards any person's protected characteristics will be handled in residences.

The Equality Act 2010 outlines protected characteristics as pertaining to a person's:

“age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation”

If such misconduct allegations come to our attention the process of handling said allegations will be:

1. The Residences Conduct Officer will reach out to the student who has raised the complaint of alleged discrimination and explain the options available and offer support.
2. The victim can opt for the incident to be handled by the Residences Disciplinary Policy, by Student Conduct and Appeals, and/or the Local Authorities.

Residences Disciplinary Policy:

Following investigation by the case manager, any behaviour deemed to be discrimination will be referred straight to the Disciplinary Board for review. Following the normal disciplinary procedure as outlined in Section 15, the panel will decide an outcome. In addition to the warning, the panel may deem it fit that the

outcome includes a compulsory reflective essay and/or further sanctions.

Student Conduct and Appeals:

In line with the Colleges Non-Academic Misconduct Policy, abusive comments relating to an individual's protected characteristics will be referred to Student Conduct and Appeals for investigation. The affected individual/s may also seek support from the Residence Conduct Officer, the Residence Welfare Team and be referred to [Report + Support](#) for further support. More information on the possible outcomes of discriminatory misconduct can be found [here](#).

Local Authorities and further support:

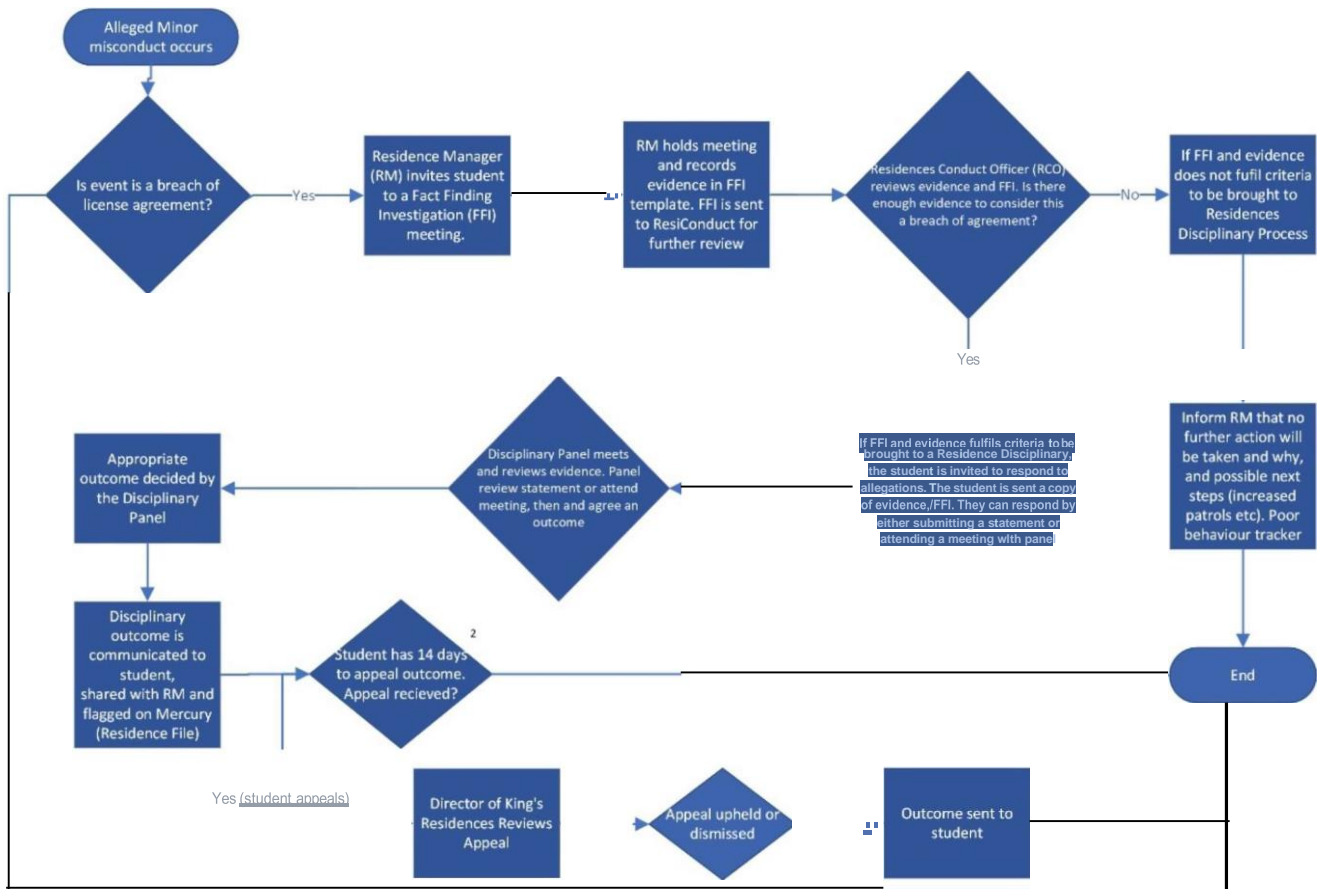
The Welfare Team and Conduct Officer can offer support if the victim wishes to report the incident to Local Authorities. Further support for victims of discriminatory misconduct can be found [here](#).

24. APPENDIX 3: STUDENTS FROM AFFILIATE INSTITUTIONS

Regarding misconduct of residents from affiliate institutions, there is a specific process in place that must be followed for both major and minor misconduct issues. Please see below process charts for guidance:

RESIDENTIAL DISCIPLINE POLICY

King's Residences and The Courtauld - SOP for Mino/ Misconduct in Residences



Note 1. Examples of minor misconduct are areas that are covered in Residences Disciplinary Policy, This includes but is not limited to: not maintaining cleanliness in communal areas, leaving visitors unattended, smoking in roan etc. Minor misconduct is defined as the area the King's Residences would handle internally.

Note 2. Student is given 14 days to exercise their right to appeal the decision of the Disciplinary Panel if they can present new evidence that has not been considered or show that there was a significant procedural error before or during the hearing.

RESIDENTIAL DISCIPLINE POLICY

King's Residences and The Courtauld - SOP for Major¹ Misconduct in Residences

