



Student Disciplinary Procedure (HE)

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Owner	Quality and Standards Committee
Approving body	Board of Directors
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See Appendix A for version history

Student Disciplinary Procedure (HE)

1. Purpose

- 1.1. Boomsatsuma Education Ltd ('Boomsatsuma') is committed to providing a safe, inclusive, and respectful learning environment for all students and staff, supported by clear expectations of conduct and behaviour as set out in Boomsatsuma's Student Code of Conduct (HE) [\[Link\]](#) and Kingston University's Student Code of Conduct and Student Conduct and Behaviour Procedure (GR3) [\[Link\]](#).
- 1.2. This Procedure sets out how Boomsatsuma will consider and respond to allegations of student misconduct in a fair, consistent, and timely manner. It ensures that concerns about student behaviour are addressed appropriately, that risks are effectively managed, and that decisions are made transparently and proportionately. It is intended to:
 - Provide a clear process for reporting, investigating, and resolving allegations of student misconduct
 - Ensure that allegations are considered fairly, consistently, and without bias
 - Support the safety and wellbeing of students, staff, and the wider Boomsatsuma community
 - Ensure that students are informed of allegations and given the opportunity to respond
 - Provide clear stages, responsibilities, and timescales for the consideration of disciplinary matters
 - Support the proportionate application of outcomes and sanctions where misconduct is established
 - Enable the effective management of risk, including through the use of precautionary measures where necessary.

- 1.3. This Procedure has been developed with reference to the Office of the Independent Adjudicator for Higher Education (OIA) Good Practice Framework [\[Link\]](#) and relevant regulatory expectations.
- 1.4. Students on higher education programmes delivered by Boomsatsuma are officially enrolled and registered with Kingston University London. This Procedure operates as Boomsatsuma's local student disciplinary procedure and should be read alongside Kingston University's Student Conduct and Behaviour Procedure (GR3) [\[Link\]](#). Where a matter is serious, cannot be resolved locally, or may require action affecting a student's official registration, suspension or continuation of study, Boomsatsuma may refer the matter to Kingston University in accordance with Kingston University's procedures.

2. Scope

- 2.1. This Procedure applies to students studying on higher education programmes delivered by Boomsatsuma, who are officially enrolled and registered with Kingston University. It may also apply to former students where the alleged misconduct occurred during their period of study with Boomsatsuma.
- 2.2. This Procedure applies to alleged misconduct occurring:
- On Boomsatsuma premises or facilities
 - During teaching, learning, or assessment activities
 - In connection with placements, external projects, or partner organisations
 - Online, including through digital platforms and social media
 - In any context where a student's behaviour may have an impact on the safety, wellbeing, or reputation of Boomsatsuma or members of its community.
- 2.3. This Procedure covers concerns relating to the conduct and behaviour of students. It does not cover:

- Concerns relating to the delivery or administration of programmes or the conduct of staff, which should normally be considered under Boomsatsuma's Student Complaints Procedure (HE) [\[Link\]](#)
- Academic decisions, including marks, progression, reassessment or awards, which are considered under Kingston University's Academic Appeals Regulations (AR8) [\[Link\]](#)
- Matters relating to academic integrity, which are considered under Kingston University's Academic Integrity Regulations [\[Link\]](#)
- Situations where concerns relate primarily to a student's health, wellbeing, or ability to engage with study, which should be considered under Kingston University's Wellness to Study Procedure [\[Link\]](#).

2.4. Concerns relating to harassment or sexual misconduct, which should be reported under Boomsatsuma's Harassment and Sexual Misconduct Policy (HE) [\[Link\]](#). Where such concerns relate to alleged misconduct by a student, they may be considered under this Student Disciplinary Procedure and/or referred to Kingston University under Kingston University's Student Conduct and Behaviour Procedure (GR3) [\[Link\]](#), where appropriate.

2.5. Where a concern involves elements that fall under more than one procedure, Boomsatsuma will determine how each element will be considered and will inform the student accordingly.

3. Definitions

3.1. 'Misconduct' is behaviour by a student that breaches the expectations set out in the Student Code of Conduct or other relevant Boomsatsuma policies. This may include behaviour that disrupts the learning environment, affects others, or is inconsistent with the standards expected of students.

3.2. 'Serious misconduct' is behaviour that represents a significant breach of the Student Code of Conduct and may pose a risk to the safety, wellbeing, or rights of others, or to the reputation of Boomsatsuma. This may include, but is

not limited to, harassment, bullying, discrimination, sexual misconduct, violence, or behaviour that may constitute a criminal offence.

- 3.3. An 'incident' refers to circumstances where allegations or concerns are raised to Boomsatsuma about potential misconduct or serious misconduct, or where Boomsatsuma could reasonably be considered to have grounds to suspect that misconduct or serious misconduct has taken place or is taking place.
- 3.4. The 'Reporting Party' is the individual who has raised a concern or allegation of misconduct or serious misconduct. The 'Responding Student' is the student against whom the allegation has been made. The Reporting Party may be a student, member of staff, or a third party.

4. Principles

- 4.1. Boomsatsuma will apply this Procedure in a way that is fair, consistent, and proportionate. Students will be informed of any allegations made against them and will be given the opportunity to respond before any decision is reached.
- 4.2. Decisions will be made on the balance of probabilities, taking into account all relevant evidence. Investigations and decision-making will be conducted by individuals who are appropriately trained and who have had no prior involvement in the matter, to ensure impartiality.
- 4.3. Boomsatsuma will seek to resolve matters in a timely manner, while ensuring that investigations are thorough and appropriate to the nature of the concern. Where misconduct is established, outcomes and sanctions will be proportionate, taking into account the seriousness of the behaviour and any relevant mitigating or aggravating factors.
- 4.4. The safety and wellbeing of all parties will be a key consideration throughout the process. Where necessary, precautionary measures may be applied following an assessment of risk. Information will be handled sensitively and in

accordance with data protection legislation, and will be shared only where necessary for the purposes of investigating and resolving the matter.

5. Initial Consideration of Concerns

- 5.1. Concerns about student conduct or behaviour may be raised by students, staff, or third parties. Reports must normally be submitted within 15 working days of the event that gave rise to the concern or, if a series of events, within 15 working days of the final event in the series. Reports submitted outside this timeframe may be considered in exceptional circumstances.
- 5.2. Where a concern is raised by a student, member of staff, or other member of the Boomsatsuma community, the matter will be referred to the Responding Student's Head of Programme in the first instance. Where a concern is raised by a member of the public, it will be referred to the Head of Higher Education.
- 5.3. On receipt of a concern, the Head of Programme and/or Head of Higher Education or nominee, will undertake an initial consideration to determine:
 - Whether the matter falls within the scope of this Procedure
 - Whether the concern relates to misconduct or serious misconduct
 - Whether the matter should be considered under an alternative procedure
 - Whether precautionary measures are required following an assessment of risk.
- 5.4. This initial consideration may involve gathering preliminary information and, where appropriate, seeking clarification from the Reporting Party.
- 5.5. The Responding Student will normally be informed of the concern at an early stage and will be given an opportunity to respond. The timing of this will take into account the nature of the allegation and any relevant risk considerations.
- 5.6. Where a concern relates to misconduct and can be appropriately addressed at a local or course level, it will proceed to Stage 1.

- 5.7. Where a concern relates to serious misconduct but can still be appropriately considered through Boomsatsuma's local procedure, it will proceed to Stage 2 for formal investigation.
- 5.8. Where the concern is particularly serious, may require formal suspension, exclusion, termination of studies, or otherwise affects the student's official registration, Boomsatsuma may refer the matter to Kingston University for consideration under Kingston University's Student Conduct and Behaviour Procedure (GR3) [\[Link\]](#).
- 5.9. Where a concern involves elements that fall under more than one procedure, Boomsatsuma will determine how each element will be considered and will inform the Responding Student accordingly.

6. Precautionary Measures

- 6.1. Precautionary measures are actions taken by Boomsatsuma to mitigate risks to the Reporting Party, the Responding Student, other students, staff, or the wider Boomsatsuma community.
- 6.2. Where it is considered that there may be a risk to any individual or to the community, Boomsatsuma will undertake a risk assessment to determine whether precautionary measures are required. This may take place at any stage of this Procedure.
- 6.3. Precautionary measures are not disciplinary sanctions and do not indicate that a finding has been made. Their purpose is to reduce risk and support the safety and wellbeing of those involved while concerns are being considered.
- 6.4. Precautionary measures may include, but are not limited to:
- Restricting contact between individuals
 - Adjusting teaching or supervisory arrangements

- Temporary restriction from Boomsatsuma premises, facilities, activities or specific teaching sessions, where this is necessary and proportionate.
- 6.5. Any precautionary measures applied by Boomsatsuma will be reasonable and proportionate, taking into account the nature of the concern and the need to minimise any impact on the Responding Student's ability to engage with their studies. Where a precautionary measure may materially affect the student's attendance, access to teaching, assessment, progression, or official registration with Kingston University, Boomsatsuma will consult Kingston University as appropriate.
- 6.6. A temporary restriction from Boomsatsuma premises, facilities, activities or specific teaching sessions may be applied where it is considered necessary to manage risk and where alternative measures are not sufficient. Temporary restriction will normally be used only where immediate action is required.
- 6.7. Any temporary restriction will be based on the available information at the time and will take into account the need to balance the interests of the Responding Student with the safety and wellbeing of others.
- 6.8. Where a formal suspension from study or attendance as a Kingston University student may be required, Boomsatsuma will refer the matter to Kingston University under the relevant Kingston University procedure.
- 6.9. The Responding Student will be informed in writing of any precautionary measures applied, including the reasons for the decision, when the measures take effect, and their expected duration. Where possible, the student will be given an opportunity to respond before measures are applied, unless immediate action is required to manage risk.
- 6.10. All precautionary measures, including any temporary restriction, will be kept under review and will remain in place only for as long as they are necessary and proportionate. Measures will normally remain in place until the conclusion of this Procedure or any associated processes.

- 6.11. Precautionary measures are a neutral act and do not indicate that any final decision has been made under this Procedure.

7. Stage 1 – Local Consideration

- 7.1. Stage 1 is intended to consider allegations of misconduct that can be appropriately addressed at a local or course level, following initial consideration.
- 7.2. Stage 1 will normally be led by the Responding Student's Head of Programme or nominee, who will have had no prior involvement in the matter where possible.
- 7.3. The purpose of Stage 1 is to establish the facts of the case and, where appropriate, to resolve matters at an early stage without the need for a formal investigation.
- 7.4. The level of investigation undertaken will be proportionate to the nature and seriousness of the concern and may include reviewing relevant information and, where appropriate, seeking further information from the Reporting Party, the Responding Student, or other individuals.
- 7.5. The Responding Student will be given the opportunity to respond to the concern and may be invited to attend a meeting to discuss the matter. The student will be given reasonable notice of any such meeting and may be accompanied by a friend, family member, or other appropriate individual, provided they are not acting in a legal capacity.
- 7.6. Following consideration at Stage 1, Boomsatsuma may determine that:
- No further action is required
 - The matter can be resolved through guidance, training, or other forms of support, and may include a written warning where necessary.

- The matter should be referred to Stage 2 for formal investigation, particularly where the facts are disputed or the concern cannot be appropriately resolved at Stage 1.

7.7. The Stage 1 process will normally be completed within 10 working days of the matter being referred for consideration. Where this is not possible, the Responding Student will be informed of the reason for the delay and provided with a revised timeframe.

7.8. The outcome of Stage 1 will normally be communicated to the Responding Student in writing, including a brief explanation of the decision, any actions to be taken, and information about the next steps where the matter is referred to Stage 2.

8. Stage 2 – Formal Investigation

8.1. Stage 2 Formal Investigations are used to consider allegations of serious misconduct, or matters referred from Stage 1. The Stage 2 process will normally be initiated following initial consideration or referral from Stage 1, where the nature or seriousness of the concern requires formal investigation.

8.2. A Stage 2 Formal Investigation will be undertaken by an Investigating Officer. The Investigating Officer will be a suitably senior member of staff who has had no prior involvement in the matter and is able to act impartially.

8.3. The Investigating Officer will consider the information and evidence available. Where necessary, they may seek further information or clarification from the Reporting Party and the Responding Student, and may also obtain information, evidence, or statements from relevant members of staff or other individuals.

8.4. Any additional evidence gathered during the investigation will be taken into account in reaching findings. Where appropriate, this information will be

shared with the Responding Student before a decision is made, subject to confidentiality and data protection considerations.

- 8.5. Once the investigation is complete, the Investigating Officer will prepare a report setting out the evidence and findings. This report will be referred to a Student Disciplinary Panel for consideration.
- 8.6. A Student Disciplinary Panel will normally be convened to consider a Stage 2 Formal Investigation, particularly in cases involving serious misconduct or where the nature of the concern requires formal consideration.
- 8.7. A meeting of the Student Disciplinary Panel will normally be held within 15 working days of the matter being referred for formal investigation, or from the date that all relevant evidence has been submitted.
- 8.8. The Panel will normally include:
 - An appropriately senior member of staff, acting as Chair
 - An academic member of staff with relevant training and experience who has had no prior involvement in the case
 - Where appropriate, a member of the Student Support and Wellbeing team.
- 8.9. The Responding Student will be invited to attend the Panel meeting and will be given the opportunity to present their account, respond to the evidence, and make representations to the Panel. The Responding Student may be accompanied by a friend, family member, or other appropriate individual, provided that they are not attending in a legal capacity. The Chair will ensure that the Responding Student is aware of their rights and will confirm the arrangements and attendees in advance.
- 8.10. If the Responding Student chooses not to attend the meeting, having been given reasonable notice, the Panel may proceed in their absence where it is considered appropriate to do so.

- 8.11. The Panel will consider the evidence presented and will determine, on the balance of probabilities, whether misconduct or serious misconduct has occurred. Where this is the case, the Panel will determine an appropriate outcome and, where relevant, a sanction.
- 8.12. All staff involved in the investigation and consideration of a Stage 2 Formal Investigation will be appropriately trained and supported to ensure that outcomes are reached fairly, consistently, and in accordance with this Procedure and relevant regulatory expectations.
- 8.13. The Stage 2 process will normally be completed within 20 working days of the matter being referred for formal investigation, or from the date that all relevant evidence has been submitted. Where this is not possible, the Responding Student will be informed of the reason for the delay and provided with a revised timeframe.

9. Outcomes and Sanctions (Stage 2)

- 9.1. Following consideration of a Stage 2 Formal Investigation, the Student Disciplinary Panel will determine, on the balance of probabilities, whether misconduct has occurred. For the purposes of this section, references to misconduct include serious misconduct.
- 9.2. There are three possible outcomes of a Stage 2 Formal Investigation:
- Misconduct is not established with no further action required
 - Misconduct is partially established, where some elements of the concern are supported and others are not
 - Misconduct is established.
- 9.3. Where misconduct is established, in full or in part, the Panel will make a recommendation as to the appropriate outcome and, where relevant, any sanction. The recommendation of the Panel will be referred to the Director of Education, or nominee, who will determine the final outcome of the case.

- 9.4. The Director of Education will normally accept the recommendation of the Panel but may refer the matter back to the Panel for further consideration where necessary.
- 9.5. Where misconduct is established, one or more of the following outcomes or sanctions may be applied:
- A written warning
 - Conditions on the student's conduct or engagement with their programme
 - Requirements to undertake specific actions, such as training, support, or restorative activities
 - Restrictions on access to specific facilities, activities, or services
 - Referral to Kingston University for consideration under Kingston University's Student Conduct and Behaviour Procedure (GR3) [\[Link\]](#), where formal suspension, exclusion, termination of studies, or other action affecting the student's official registration may be required
- 9.6. In determining an appropriate outcome or sanction, consideration will be given to:
- The nature and seriousness of the misconduct
 - The impact of the behaviour on others
 - Whether the misconduct was a first or repeated occurrence
 - Any mitigating or aggravating factors
 - The need to ensure the safety and wellbeing of the Boomsatsuma community.
- 9.7. Outcomes and sanctions will be proportionate to the circumstances of the case and will take into account relevant precedent where appropriate.
- 9.8. The Responding Student will be notified in writing of the outcome. This will include the decision reached and the reasons for that decision, details of any sanction applied and, where relevant, its duration, and information about the right to appeal and how to do so.

10. Appeals

- 10.1. After receiving the outcome of a Stage 2 Formal Investigation, the Responding Student may submit an appeal against the decision.
- 10.2. A request for appeal must be based on one or more of the following grounds:
 - The Procedure has not been followed correctly and this may have affected the outcome
 - The outcome is unreasonable in light of the evidence available at the time
 - New evidence has become available which, for valid reasons, could not be provided earlier and may have affected the outcome.
- 10.3. Appeals should be submitted in writing to appeals@boomsatsuma.com within 10 working days of the date on which the outcome was communicated to the Responding Student and must include any supporting evidence. Appeals submitted outside of this timeframe will not normally be considered unless there is clear evidence of circumstances beyond the Responding Student's control which prevented submission within the stated period.
- 10.4. Appeals will be considered by an appropriate senior member of staff who has had no prior involvement in the matter and is able to act impartially.
- 10.5. The reviewer may:
 - Uphold the original outcome
 - Require that the Student Disciplinary Panel reconvene to reconsider the evidence
 - Recommend an alternative outcome for consideration by the Director of Education.
- 10.6. While an appeal is under consideration, the original outcome will normally remain in place.

- 10.7. The Responding Student will be notified of the outcome of the appeal in writing within 10 working days of the appeal being received, or from the date that all relevant information has been submitted.

11. Referral to Kingston University

- 11.1. The outcome of the appeal represents the final stage of Boomsatsuma's internal Student Disciplinary Procedure. However, this does not prevent referral to Kingston University where the matter is eligible for consideration under Kingston University's Student Conduct and Behaviour Procedure (GR3) [\[Link\]](#).
- 11.2. The Office of the Independent Adjudicator for Higher Education (OIA) provides an independent scheme for the review of student complaints. For students officially enrolled with Kingston University, access to the OIA will normally follow completion of the relevant Kingston University procedure and the issue of a Completion of Procedures Letter [\[OIA Definition\]](#) by Kingston University. Information about the OIA and its eligibility criteria can be found on the OIA website <https://www.oiahe.org.uk>.

12. Criminal Offences

- 12.1. This section applies where a concern involves behaviour that may constitute a criminal offence, whether or not the matter has been reported to the police.
- 12.2. Where a concern is raised under this Procedure that may involve behaviour which could constitute a criminal offence, Boomsatsuma will consider whether it is appropriate to advise the Reporting Party to report the matter to the police. Boomsatsuma does not act as an investigatory body for criminal matters but will take appropriate steps to protect individuals and the wider community.
- 12.3. Where a Responding Student is subject to a police investigation or criminal proceedings relating to behaviour that may constitute misconduct or serious

misconduct, they are expected to inform Boomsatsuma at the earliest opportunity.

- 12.4. Where Boomsatsuma becomes aware that a matter is subject to a police investigation or criminal proceedings, it will normally defer any investigation under this Procedure until the conclusion of those proceedings.
- 12.5. During this period, Boomsatsuma may undertake a risk assessment and apply precautionary measures where appropriate to protect individuals and the wider community.
- 12.6. Following the conclusion of any police investigation or criminal proceedings, Boomsatsuma may proceed with consideration of the matter under this Procedure. In doing so, the Responding Student may be required to provide relevant information or evidence relating to the outcome.
- 12.7. Any decision taken under this Procedure will be based on the balance of probabilities and will be independent of any decision made through the criminal justice system.
- 12.8. Where a criminal conviction or other outcome has been determined, Boomsatsuma may take this into account as relevant evidence when considering the matter and determining any outcome or sanction.

13. Support for Students

- 13.1. Boomsatsuma recognises that involvement in a disciplinary process may be stressful for those involved and is committed to ensuring that appropriate support is available to all parties.
- 13.2. The Reporting Party and the Responding Student will be provided with information about sources of support available to them. This may include support from the Student Support and Wellbeing team, as well as academic

staff or Personal Tutors, who can provide advice and support to help students continue to engage with their studies.

- 13.3. Students are encouraged to seek support throughout the process and to raise any concerns about their wellbeing with an appropriate member of staff.

14. Confidentiality

- 14.1. Boomsatsuma will respect the privacy and confidentiality of those involved in matters considered under this Procedure and will handle information sensitively and in accordance with data protection legislation.
- 14.2. Information will be shared only with those individuals who need to be involved in the consideration and resolution of the matter. In doing so, Boomsatsuma will not restrict individuals from speaking about their own experiences or from seeking advice, support, or representation at any stage of the process.
- 14.3. There may be circumstances where Boomsatsuma is required to share information beyond those directly involved in the Procedure. This may include situations where there are concerns relating to the safety or wellbeing of individuals or the wider community, or where disclosure is required by law.
- 14.4. Boomsatsuma will not normally investigate concerns raised anonymously, or where a Reporting Party requests that their identity is not disclosed, as this may limit the ability to conduct a fair and thorough investigation. However, such concerns may be considered where there is a compelling reason to do so, for example where there are concerns about the safety or wellbeing of individuals or the wider community.

15. Conduct of Parties

- 15.1. Boomsatsuma expects all parties involved in this Procedure to engage with the process in a respectful, appropriate, and constructive manner.

- 15.2. Where a concern or allegation is found to have been made in bad faith, or to be vexatious or fabricated, Boomsatsuma may determine that no further action will be taken in relation to that concern and may consider the matter under this Procedure or other relevant policies.
- 15.3. Where the behaviour of any party is considered inappropriate, abusive, or unreasonable, Boomsatsuma may take reasonable steps to manage the process effectively. This may include setting clear expectations for communication, limiting contact arrangements, or proceeding to consider and determine the matter based on the information available where a party does not engage appropriately with the process.

16. Recording and Monitoring

- 16.1. Cases considered under the Student Disciplinary Procedure will be recorded and monitored to support fairness, consistency, and the ongoing enhancement of the student experience. Boomsatsuma will maintain a record of the nature of each case at Stage 1 and beyond, how it was handled, the time taken at each stage, and the outcome, alongside relevant anonymised data where appropriate.
- 16.2. Summary data will be reviewed periodically by the Student Engagement and Experience Committee to identify themes, inform improvements to policy and practice, and address any recurring issues.
- 16.3. Records relating to student disciplinary cases will be stored securely for the duration of the Responding Student's study with Boomsatsuma plus 3 years.

17. Review

- 17.1. This Procedure will be reviewed periodically by the Quality and Standards Committee to ensure it remains aligned with relevant legislation, regulatory expectations, and provider practice.

Appendix A – Version History

Version	Date	Changes
1	10 June 2026	New draft