Royal Veterinary College
University of London

Document M001

RVC Student Misconduct Procedure

For all RVC students on an undergraduate and postgraduate programme

2023/24

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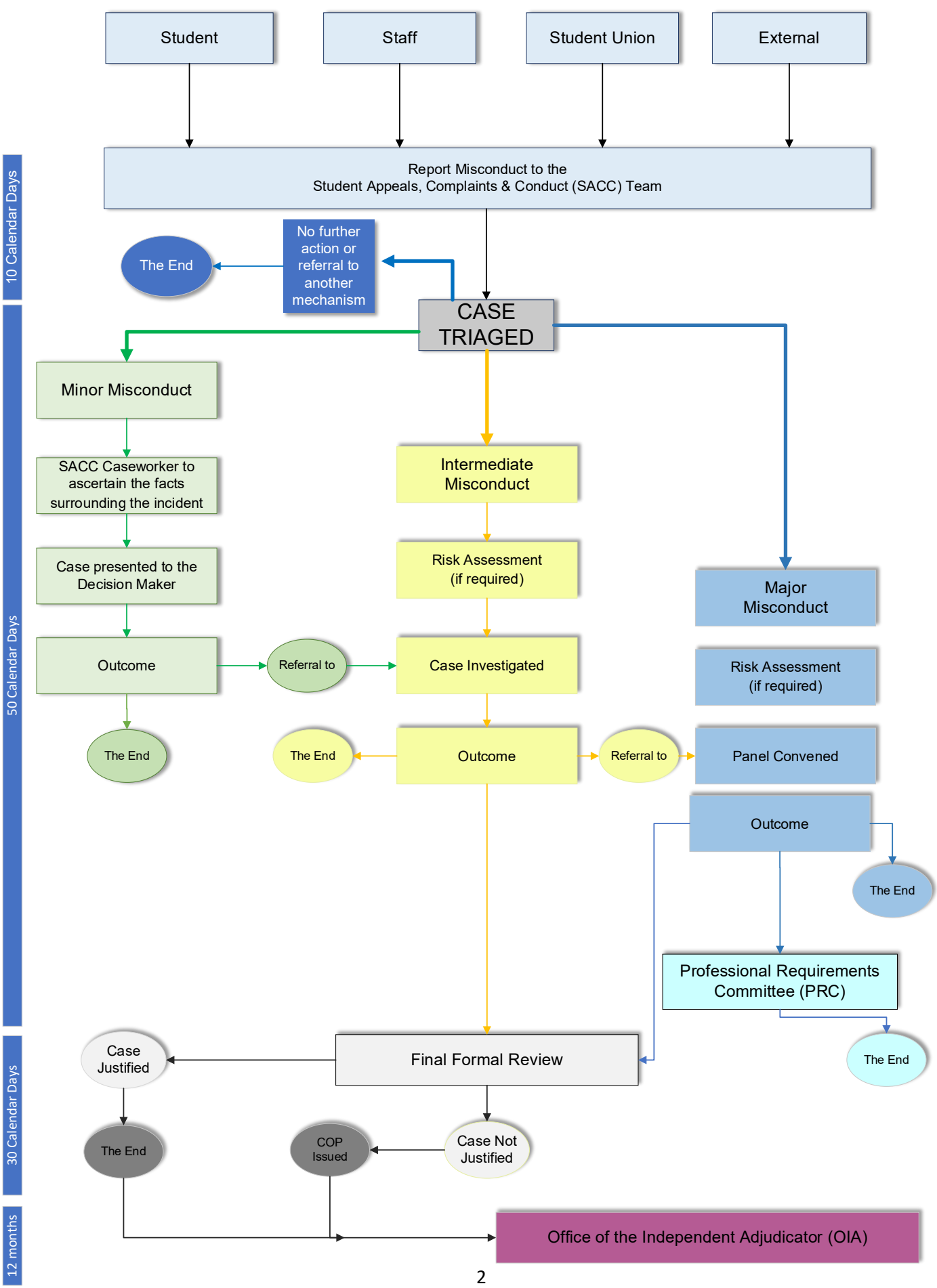
RVC Student Misconduct Procedure



1. Introduction

1.1 The Royal Veterinary College (RVC) is committed to providing a high-quality educational experience for all students. All RVC students, staff, contractors, and visitors have a right to work, study and learn in a safe environment. The RVC expects the highest standards of conduct from its students, whether on or off campus and expects them to treat all members of our community with respect, courtesy, and compassion.

1.2 Any conduct that unreasonably interferes with the safe and orderly operation of the RVC or fails to comply with the behavioural standards set out in the RVC Charter, RCVS Fitness to Practise Guidance, General Regulations for Study and Award or Student Social Media Policy may result in the RVC taking action under this Misconduct Procedure or such other RVC procedure as it considers reasonable and appropriate - please refer to 'Related policies and procedures' section (11).

2. Scope

2.1 This procedure applies to:

2.2 Any student(s) who is currently enrolled or was enrolled within the past three months on an RVC programme. This includes any affiliated programmes facilitated by partnership institutions.

2.3 The RVC reserves the right to carry out and/or complete the misconduct process if a student leaves the RVC whilst the process is ongoing.

2.4 This procedure cannot be used by or against the following:

2.4.1 A third-party (e.g., parent or legal representative) who wishes to report a concern on behalf of an RVC student unless the student is under 18 years of age.

2.4.2 Applicants to the RVC - please visit the Admissions Policy and Procedure to raise a concern or complaint.

2.4.3 Students complaining about the Royal Veterinary College Students' Union (RVCSU) – please visit https://www.rvcsu.org.uk/.

2.4.4 Clients of our veterinary services – please visit the below to raise a concern or complaint:
https://www.rvc.ac.uk/equine-vet/information-and-advice/raising-a-concern
https://www.rvc.ac.uk/small-animal-vet/general-practice/about-us/privacy-statement

2.4.5 Members of the public – please contact the Director of Governance and/or their nominee via email at governance@rvc.ac.uk to outline your concerns.

2.4.6 An RVC staff member who is a subject of a report being made by a student; any reports should be directed to the Human Resources RVC Disciplinary Procedures.

3. Definition of Misconduct

3.1 The definition of misconduct under this procedure is an action or omission that:

3.1.1. causes detriment or any serious physical or emotional harm to any student, member of staff or others visiting, working or studying at the RVC or involved in RVC activities;

3.1.2. obstructs, frustrates, or disrupts the functioning or activities of the RVC, or of those who work or study at the RVC;

3.1.4 otherwise damages the RVC or its reputation.

3.2 Misconduct procedures may be followed, irrespective of whether any alleged misconduct took place on or off RVC premises. This will include activities at RVC student halls as well as at private and partnership accommodation and whilst studying at a partnership and/or external organisation.

This may include but is not restricted to:

3.2.1 Any off-campus study activity, home or abroad placements.

3.2.2 Off campus and on campus events, RVCSU led events.

3.2.3 On social media or any other digital platform.

3.3 Acts of (alleged) misconduct that are unassociated with the RVC and its activities will only fall under the scope of this procedure if they are relatively serious.

3.4 General overview of academic misconduct descriptors and process:

Descriptor	Process	Maximum penalty
Minor	Conducting preliminary enquiries to ascertain the facts around a reported incident. The Student Appeals, Complaints and Conduct (SACC) Team will consider in writing the reported and reporting student's account of events and any mitigating factors, usually with a single decision maker.	Written warning and/or requirement to engage with the RVC Support services.
Intermediate	The investigation is initiated to understand the facts	Financial compensation

	and circumstances of the report being made.	and/or compulsory payback of RVC Community Time.
Major	Full misconduct panel.	Suspension of studies or permanent withdrawal from the programme.

3.4.1 Definition of process infringements:

Minor Infringement	Infringements of behaviour, which temporarily cause minor disruption to the work of the RVC or fellow staff or students. Repeated minor infringements might trigger an intermediate infringement process.
Intermediate Infringement	Breaches of the RVC Charter, which undermine the working of the academic and clinical processes and demonstrate a lack of respect for the Charter, or care for colleagues and the work or reputation of the RVC.
Major Infringement	A significant or repeated breach of the RVC Charter, which, for whatever reason, casts doubt on the student's ability to maintain or promote the good order or safety of themselves, other persons, or animals in any circumstance. The provision of false or misleading information. (Where this relates to admission to RVC or Academic Misconduct, it is covered by separate Admissions Policy and Procedure or the Academic Misconduct Procedure)

4. Named Roles and Responsibilities

Named role	Description of responsibility
Reporting Person(s)	Person(s) who report an allegation of misconduct.
Reported Person(s)	Person(s) who is reported and required to respond to an allegation of misconduct.
Student Appeals, Complaints and Conduct (SACC) Team	The team who manages and administers the Misconduct casework including resolving minor reports and providing procedural support and advice for all staff and students.
Decision Maker(s)	Person(s) responsible for reviewing cases and determining appropriate actions or sanctions. Decision makers may work alone at the intermediate level or collectively when a panel is convened.
Panel	Group of RVC decision makers that are responsible for reviewing, considering, and providing an outcome during a (more serious)

	Misconduct Hearing.
External Investigator	We may appoint an external investigator for any serious and/or complex cases that may require specialist investigation beyond that which RVC staff can provide. The external investigator will be provided with a Terms of Reference (ToR) outlining the RVC's service level agreement. The SACC Team will be the point of contact for management of the case.
Presenter	Person responsible for a case to a Panel; usually an Investigating Officer (see below) or the decision maker from an intermediate investigation that is escalated to a Misconduct Panel.
Witness	Any person who is able to offer a first-hand, contemporaneous report of the alleged misconduct, or a subject expert that can provide an informed opinion on matters relating to the case being heard
Investigating Officer (IO)	A person appointed to investigate allegations of misconduct and Support the Decision Maker(s) in their role.
SACC Casework Officer	Person responsible for taking a non-verbatim record of discussion at an investigatory meeting or Panel hearing. Where deemed appropriate the SACC Casework Officer can act as an IO.

5. General Principles

5.1 The following principles will be applied to ensure that students are treated fairly, appropriately, and transparently, and matters are dealt with effectively and efficiently in the best interests of the students involved, the RVC and its staff and students:

5.2 The Misconduct Procedure is intended to provide a clear, impartial, transparent, and fair process for dealing with allegations of student misconduct within a reasonable timescale and having due regard to the spirit of natural justice.

5.3 Decisions are based on all available evidence and not simply a matter of opinion that something is likely to have happened.

5.4 The RVC operates a civil standard of proof. The level of proof required will be based on the 'balance of probability' that 'something is more likely than less likely to have happened'.

5.5 Any parties reporting a case of alleged misconduct will not suffer detriment or disadvantage in further dealings with the RVC after doing so in good faith.

5.6 Individuals raising an allegation of misconduct will normally be asked to confirm their allegation(s) in writing, identify themselves and provide contact details. The RVC will not normally act in response to anonymous allegations of misconduct. The decision on whether a report is kept anonymised would be based on whether identity disclosure would cause an immediate risk or safeguarding issue to the reporting person.

5.7 The RVC will not act on allegations of misconduct which it considers to be vexatious or malicious.

5.8 Under this procedure, the reported student has a right to be informed of the details of the alleged offence and be given an opportunity to respond to the allegation(s).

5.9 The outcome of an investigation, panel hearing or appeal will be shared with the reported student(s). This will include setting out the rationale for the decision, to the extent that is possible within the parameters of the General Data Protection Regulation 2019.

5.10 This procedure will be conducted in accordance with the process timescales. There may be cases where, for good reason (such as in the matter of fairness), the RVC may adjust the timescales of any disciplinary proceedings; for example, to meet any reasonable adjustments under the Equality Act 2010. Any changes to the timescale will be communicated to all parties.

5.11 Sanctions imposed under this procedure will be reasonable, proportionate, and consistent with standards applied across the RVC.

5.12 The reported student will have a right to appeal against decisions taken under this procedure.

5.13 Students are entitled to bring a supporter to any meeting within the procedure.

This person can be:

5.13.1 an RVC staff member.

5.13.2 a friend.

5.13.3 a relative, or

5.13.4 a representative of the Students' Union or its staff.

The person cannot:

5.13.5 be a professional legal representative.

5.13.6 have been employed to act on the student's behalf.

5.13.7 act in the capacity of a legal advisor.

5.14 At the RVC's discretion, by way of making reasonable adjustments, the student may also be entitled to bring a health professional or support worker.

5.15 Conflicts of interest checks are conducted by the SACC Team for all named parties to ensure matters of misconduct are considered independently without any real or perceived bias.

5.16 All communication in relation to reported cases will be conducted through the staff and students' RVC email accounts.

5.17 Withdrawn reports - the RVC reserves the right to continue operating the Misconduct Procedure irrespective of the reporting person withdrawing their report.

6. How to report misconduct

6.1 The reporter of misconduct should fill in an RVC Student Misconduct Reporting Form outlining the circumstances of the incident along with any supporting evidence and submit it to studentconduct@rvc.ac.uk as soon as possible after the incident has taken place.

6.2 The SACC Team will acknowledge the submitted report within five calendar days. However, response times may be delayed due to staff leave or RVC closure.

6.3 Should a report be received without the necessary details to initiate a thorough review, the reporting person will be contacted and asked to submit further information within a specified deadline date. Non-engagement with specified deadlines may result in the case being withdrawn. Procedural timescales will not start until the submission is received in full.

6.4 The reporting person should make sure that the issue(s) are clearly outlined with dates, locations, and details, along with evidence (where possible) and an explanation of the impact the incident has had on their personal circumstances and/or study environment.

6.5 Where a group of students have the same grievance, they must report their concerns via the submission of one RVC Student Misconduct Reporting Form. The group should nominate no more than two students to act as the group's representative with whom the RVC will correspond.

7. Process Timescale

7.1 Process timescales table:

Process	Action	Expected Timescale
Review and triage	Acknowledge the report and refer to the next steps	10 calendar days
Minor	Local and swift resolution	10 calendar days

Intermediate	Formal Investigation	20 calendar days
Major	Panel Hearing	20 calendar days
Review	Final Formal Review (internal to RVC)	28 days
External Review (Independent external review)	Office of the Independent Adjudicator (OIA)	12 calendar months

*Please visit https://www.oiahe.org.uk/about-us/our-scheme/our-rules/ for further information

7.2 We will make every effort to adhere to the timescales above but matters of complexity and/or periods of RVC closure or staff absence may require additional time to ensure that the allegation of misconduct is considered thoroughly. Where these timescales need to be extended, we will confirm this in writing to the student(s) and keep them regularly informed of progress.

7.3 Students should support the process by completing procedures, adhering to deadlines set for submission of material and attending scheduled meetings. Where deadlines cannot be met, students should notify the SACC Team at the earliest opportunity, providing their reason(s) for any delay and an anticipated completion date.

7.4 Where the SACC Team observes repetitive (more than twice) non-engagement with procedural communications and/or timescales, more stringent action may be taken under the Misconduct Procedures.

8. Support and advice for students

8.1 Students who report, respond to, or witness alleged misconduct, are able to access support from the Advice Centre (advice@rvc.ac.uk). The Advice Centre can assist with co-ordinating any necessary academic adjustments, housing, finance, health, and well-being issues and, where appropriate, assist students to access specialist support services provided by external agencies.

8.2 In cases where the reporting and reported students are both being supported, a separate adviser will be allocated to each student.

8.3 In some circumstances such as sexual misconduct, bullying or harassment, a student may not feel comfortable to raise their concerns directly. In these circumstances, students are advised to contact the Advice Centre for wellbeing support and guidance on the next steps.

8.4 Students who are unsure about raising a concern can approach a range of staff and supporters for advice. Examples are (but not restricted to) listed below:

- Advice Centre
- Tutor
- Senior Tutor
- Supervisor
- Departmental Postgraduate Research (PGR) Advisor
- Research Degrees Officer
- Student Union Representative
- Course Director or Academic Head of the Graduate School
- Year Leader
- RVC Report and Support
- Student Appeals, Complaints and Conduct Team

9. Confidentiality and record keeping

9.1. Individuals providing statements for the case will be requested to maintain confidentiality and ensure that the case is not discussed amongst the RVC or wider community.

9.2. Breaches of confidentiality may result in further action being taken under the Misconduct Procedure.

9.3. The Academic Board and Council will receive annual reports of anonymised misconduct cases including data on the total number of reported case types, outcomes and identified risk and control measures. The RVC will annually evaluate and audit the misconduct cases along with other forms of feedback, to improve the quality and effectiveness of the RVC's governance, compliance, and service delivery standards.

9.4. Students are advised to keep a copy of all correspondence in case they are dissatisfied with the misconduct outcome and wish to use this information as part of their supporting evidence when making a request for a Final Formal Review or submitting a complaint to the OIA.

9.5. Misconduct records are administered centrally by the SACC Team within the Academic Registry. Records of misconduct cases are retained for 6 years following the last recorded action on the case to enable the RVC to respond to any requests regarding the decision and processes that may be made by the OIA and/or Freedom of Information (FOI) requests.

9.6. To help support the RVC annual evaluation any student involved in a misconduct process will be invited to complete a Student Appeals, Complaints and Conduct Survey. This will include the reporting person, the reported student, or any named student witnesses.

10. Retention, Deletion and Archiving

10.1 Data relating to misconduct cases is used to:

10.1.1 Monitor and analyse management of casework within the required timeframe in order to improve and develop RVC service delivery.

10.1.2 Respond to internal audit requirements.

10.1.3 Enable the RVC to respond to any requests regarding the decision and process that may be made by the OIA.

10.1.4 Conduct the periodic evaluation of cases in relation to FOI Requests.

10.1. Investigating Officer (IO) and Misconduct Panel members who obtain copies of records before and during a misconduct investigation and/or Hearing will be sent an automated reminder to delete and/or shred any papers and/or documented evidence related to the investigation and/or Hearing.

10.2. This will include double deleting any copies saved in download folders. Access will also be removed from the created OneDrive folder where case documents are securely stored.

11. Related policies and procedures

11.1. Expectations around students' Fitness to Practise are outlined in the RVC Charter and the Professional Requirements Procedure. Concerns would be addressed under these procedures if the RVC have cause for concern that a student may be deemed unfit for registration and/or practise in relation to their health, behaviour or attitude which could lead to the harm of themselves, others, or animals.

11.2. The Misconduct Procedure is not designed to address issues of fitness to study or practise. These issues will normally be dealt with under the Student Performance and Development Procedure (SPD). If there is a question about whether the misconduct process or the SPD process would be most appropriate for a given circumstance, this decision will be made by the Director of Learning and Wellbeing or the Head of the Advice Centre with appropriate advice. Other related policies include:

11.2.1. Academic Misconduct Policy
11.2.2. Professional Requirements Procedure
11.2.3. Dignity at Work and Study Policy
11.2.4. Student Performance and Development Procedure
11.2.5. RVC Student Charter
11.2.6. Student Social Media Policy
11.2.7. Police Liaison Policy

11.3. If students are unclear as to which procedure to use, they should contact the Student Appeals, Complaints and Conduct Team (studentconduct@rvc.ac.uk) for further guidance.

12. Partner institutions

12.1. To provide educational and other student experiences, the RVC may partner with other Higher Education Providers (HEP) or organisations. Examples of these include joint and franchised degree programmes and partnerships with veterinary practices providing clinical training.

12.2. In all cases the RVC encourages students to report concerns of misconduct directly with the partner institution. Reporting misconduct locally and at the time of the issue arising increases the opportunity for early resolution to negate any adverse impact on the student's experience and learning.

12.3. Where a matter remains unresolved, the partner institute and/or the reporting person should inform the RVC at the earliest opportunity. The RVC will then consider the case under the RVC Misconduct Procedures.

13. Students using more than one procedure

13.1. Students may report one or more concerns that would be usually managed by more than one procedure. If the reports cannot be considered together, the SACC Team will inform the student in writing which issues will be managed under which procedure and provide direction to the appropriate procedures. These may run concurrently; however, it may be necessary to suspend one procedure until another has been completed. In all cases, the SACC Team will provide the student with an explanation as to how the matters will be investigated and which procedures will be utilised.

14. Anonymous reports of misconduct

14.1. The RVC will not normally act in response to anonymous allegations of misconduct. If a complainant has concerns about their identity being disclosed as part of a misconduct investigation, they should make

those concerns known in the process of reporting the misconduct allegation.

14.2. The RVC can then consider whether appropriate steps can be taken to safeguard the rights of the reporting person as well as the student(s) against whom allegations have been made.

14.3. The RVC can decide to protect an anonymous concern based on compelling reasons (supported by evidence) to preserve the anonymity of the reporting person.

14.4. In exceptional circumstances the RVC may need to protect the reporting person's identity. When evidence is not related to a student statement, an opinion or concern related to the safety of our community, we consider that these reports are more akin to "whistleblowing" which may warrant protection of an individual's identity.

14.5. We understand that making a report regarding misconduct is a private and often sensitive matter; information received throughout the process will be shared on a need-to-know basis and limited to those involved in the investigation and resolution of the case.

15. Vexatious and malicious reports of misconduct

15.1. Vexatious and malicious reports of misconduct are considered as grievances that are unfounded, not evidenced and primarily intended to cause annoyance or hurt.

15.2. Examples of vexatious reports are those which are obsessive, harassing, or repetitive, insist on pursuing unrealistic or unreasonable outcomes and/or requests which are designed to cause disruption or annoyance.

15.3. This procedure may be halted at any stage if the SACC Team judges a report to be vexatious. In these circumstances, the student will be notified of this in writing and the reasons/evidence provided as to why the report of misconduct was deemed vexatious. Students who make such allegations may themselves be subject to misconduct proceedings.

16. Supporting Evidence

16.1. All allegations of misconduct should be accompanied by supporting evidence where possible.

16.2. The RVC will not normally accept the use of covert audio or video recordings (recordings made without the knowledge of another individual) as evidence to support a case.

16.3. Where third-party evidence is submitted (e.g., GP letters, hospital communications) the RVC reserves the right to seek verification of the authenticity of the evidence, including, but not restricted to, contacting those named third parties.

16.4. Witness statements will only be considered as supporting evidence if the incident had been witnessed first-hand and/or can provide a direct account of the emotional or physical impact it had on those directly affected.

17. What to expect once a report of misconduct is submitted?

17.1. The SACC Team will undertake a review of the case once the RVC Student Misconduct Reporting Form is received by the team and will refer to the appropriate mechanism. Examples include:

17.1.1. To the SACC Team (or nominee) for minor offences and where sufficient evidence has already been presented to enable an outcome to be reached.

17.1.2. The SACC Team (or nominee) will conduct a formal investigation if the incident identifies multiple witnesses and levels of complexity.

17.1.3. To a Misconduct Panel Hearing if the report constitutes a major offence.

17.2. Referral to the applicable process will be assessed based on the allegation and substantiated evidence supporting the claim.

17.3. Any previous reports of misconduct may be considered when deciding the appropriate course of action e.g., if concerns have been raised about a student previously it may be appropriate to direct further reports straight to a Major Panel Hearing in consultation with the Registrar.

18. Precautionary Measures

18.1. On receipt of a report of alleged misconduct the RVC may implement precautionary measures ahead of an investigation. Precautionary measures are neutral measures, taken without any presumption of guilt, that are intended to safeguard the wellbeing of all students involved. Some examples of precautionary measures include (but are not limited to):

18.1.1. Considering measures to prevent the reported student from encountering the reporting student.

18.1.2. Imposing conditions on the reported student (for example, requiring the reported student not to contact the reporting student and/or certain witnesses and/or requiring the reported student to move accommodation).

18.1.3. Suspending the reporting student from their studies (such a step will only be taken where the risk level is high and where there are no alternative measures that could be put in place to

mitigate that risk). Any suspension should be fixed for a specified period and subject to review at regular intervals. The suspension will be neutral and does not imply any presumption of guilt.

18.1.4. Excluding the reported student from identified activities (for example, prohibiting the reported student from going to certain accommodation blocks, attending RVCSU social society events, using the sports facilities or attending a placement).

18.1.5. Implementing alternative teaching arrangements for a temporary period until the investigation has been completed and a decision on possible action taken.

18.2. The RVC will ensure appropriate support has been offered to all students involved in or affected by the incident.

18.3. If any of the students affected by the incident require time away from the RVC, the RVC will make the necessary administrative arrangements for this to happen and ensure no inappropriate communication is sent from the RVC regarding attendance.

18.4. The RVC will agree on a timescale for regular follow-up with the student(s) if they express a need for support and ensure all parties are aware of the actions they need to take and are responsible for.

18.5. The Registrar and/or the Director of Learning and Wellbeing (or their nominees) will meet with the reported student (if they are an RVC student) to discuss support and practical arrangements to manage the situation.

18.6. Where appropriate, following a report of misconduct, a case management meeting will be convened by the SACC Team, Chaired by the Director of Learning and Wellbeing (or nominee) and attended by the Registrar (or nominee), Head of the Advice Centre, academic representative from the student's area of study (if appropriate) and any other identified staff members with the necessary expertise as needed, to review the report, conduct a risk assessment and identify and agree the precautionary measures that the RVC will take to mitigate any identified risks.

18.7. Such an assessment will include the following:

18.7.1. The type and nature of the alleged misconduct.

18.7.2. The level of risk the reported student poses to their own health, safety, wellbeing and/or that of others, to RVC property the reputation of the RVC, its proper functioning and/or its activities.

18.7.3. Academic status and any potential academic adjustments.

18.7.4. Any measures to best protect the investigation and/or the reporting student/others from harm whilst minimising any possible impact on the reported student.

18.7.5. Information about the welfare of both students and the requirements will be provided to treat

all parties fairly and equally, including any support arrangements.

18.8 If the outcome of the risk assessment is that the reported student does pose a significant risk, the Registrar may, acting under delegated authority from the Principal:

18.8.1. suspend the student for a specified period, and/or

18.8.2. exclude the student from RVC premises, and/or RVC-managed residential accommodation, for a specified period pending steps being taken under this Procedure.

18.9. The SACC Team will write to the students involved within 2 calendar days of the risk assessment being completed to set out the precautionary measures that they must comply with. Students are expected to comply with the precautionary measures set out and failure to do so may result in the student being subject to further disciplinary action.

18.10. A student may appeal against a decision to suspend and/or exclude them within 14 calendar days of the date of the written notification by following the Final Formal Review process outlined in section 31.

18.11. Precautionary measures will be reviewed at regular intervals outlined in the initial risk assessment or anytime there is a material change to information received by the RVC. This will ensure the RVC is assessing and managing identified risks arising from the incident, is meeting the duty of care responsibilities to our students and is establishing a coordinated approach to supporting the student(s) involved.

18.12. The review will include consideration of whether any changes need to be made to the initial risk assessment and, consequently, whether any changes need to be made to the precautionary measures that have been put in place (this could include new measures being put in place or current measures being amended or removed).

19. Offences that may constitute a criminal offence

19.1. The RVC is limited as to the investigations it can carry out in respect of serious offences. Where an allegation of misconduct has been made that would constitute a criminal offence the reporting person will be supported in deciding the way forward. Key options are:

19.1.1. To make a report to the police.

19.1.2. To not report the matter to the police but request that the RVC consider the case under its Misconduct Procedure (or other internal process).

19.1.3. To take some time to consider the options.

19.1.4. To take no further action.

19.2. The RVC will support the reporting person and not put any pressure on them to take any course of action. The reporting person will be offered support from RVC support services and signposted to specialist external support where appropriate.

19.3. The RVC will in exceptional circumstances only, report the alleged incident to the police against the wishes of the reporting student if the reporting is necessary to protect the reporting person or others from further harm taking place. The RVC will explain its decision and the reasons to the reporting student either in advance or as soon as possible after the report is made.

19.4. Where the RVC itself is the injured party, the RVC, may report the incident to the police.

19.5. Where an allegation of misconduct that may constitute a criminal offence has been reported to the police, and they are investigating the incident as a criminal matter, the RVC will defer its own internal procedure until the police investigation is concluded so as not to compromise the police investigation. The RVC will follow the advice given by the police on a case-by-case basis.

19.6. A case management meeting will be convened as outlined in section 18. The Registrar will write to the student(s) to set out any precautionary measures and inform them of the intention to invoke the RVC Misconduct Procedure but will postpone further action until the completion of the police investigation.

19.7. The RVC may commence disciplinary action in relation to any matter which is not part of the criminal investigation.

19.8. Where there is an ongoing police investigation the Director of Learning and Wellbeing will take the lead in liaising with police and updating senior colleagues to ensure all relevant parties are aware of the progress of the investigation. Refer to the RVC's Procedure for Police Liaison for more information.

19.9. The RVC will endeavour to keep all relevant parties updated about the progress of the criminal investigation and review the position at regular intervals (or any time that there is a material change or development). This review should include consideration of whether any changes need to be made to the initial risk assessment and, consequently, whether any changes need to be made to the

support/assistance given to the students involved and/or to any precautionary measures that have been put in place (this could include new measures being put in place or current measures being amended or removed).

19.10. The RVC reserves the right to implement its own formal investigation once a criminal investigation is complete regardless of the outcome of that criminal investigation and if relevant, as per the agreement of the reporting student.

19.11. The RVC reserves the right to complete its investigation in the event of students withdrawing from their studies during the investigation process.

20. Student on student reports of misconduct

20.1. Where an investigation is required, both the reporting person and the reported student will be assigned separate supporters from the Advice Centre, who will function as an independent source of support and advice throughout the process.

20.2. If any potential safeguarding issues are identified in the reporting student's concerns, a risk assessment will be facilitated between the SACC Team and the Advice Centre. Precautionary measures generated as a result of the risk assessment may be applicable to both the reporting and the reported student. The SACC Team will arrange separate meetings with each student to communicate the precautionary measures to them.

21. Disclosure of outcomes

21.1. If an allegation of misconduct is not justified, each student will be provided with an outcome letter which confirms the steps taken and an explanation of how the outcome was determined. Documentation and confidential information pertaining to the investigation will not be disclosed to the reporting person when a case is not justified.

21.2. If an allegation of misconduct is justified, the SACC Team will consider whether it is appropriate to disclose details regarding the investigation and resulting sanctions to the reporting person. This will be reviewed on a case-by-case basis.

22. Attendance and Engagement

22.1. Students are expected to fully engage with the misconduct procedures. This includes responding to requests for information and attending hearings and meetings scheduled under this procedure. Whilst

the RVC will make every effort to minimise any disruption to students in the scheduling of meetings this may not always be possible.

22.2. Failure to engage with the misconduct procedure may result in additional action being taken under this procedure.

22.3. Approval of non-attendance is only permitted in exceptional circumstances (e.g. medical grounds). If approval is granted, the Hearing will be postponed with the intention of rescheduling at the earliest opportunity.

22.4. If a student is unable to attend any meeting or hearing under this procedure, or fails to engage with the procedure, the Student Complaints and Conduct Manager/Chair of the Misconduct Panel may agree that the allegation be considered in the student's absence on the basis of the evidence available at the time of the meeting or hearing.

22.5. For cases where a student withdraws from the RVC whilst a misconduct investigation is ongoing, the misconduct case will normally be concluded in the student's absence.

23. Dealing with group misconduct

23.1. An allegation made against two or more students will be considered as a group allegation.

23.2. All students within the group will be presented with the details of the allegations made against them and any corresponding evidence. Each will be offered the opportunity to respond to the allegations. If the severity of the allegations are such that a Misconduct Hearing is required, a single group Hearing where all students are in attendance will be held. Students will still be allowed the opportunity to speak to the panel privately if they wish to raise confidential or sensitive matters relating to mitigation.

23.3. Where it is not possible to arrange a group Hearing, cases will be heard separately. Each case will be heard impartially and not influenced by another student's Hearing.

23.4. Decisions regarding penalties will be made on an individual basis, taking into account each student's personal circumstances and any mitigating factors. However, there will be broad consistency in the penalties given to all students who commit the same offence with similar circumstances.

23.5. Outcomes will be provided to each student on an individual basis.

24. Reasonable adjustments

24.1. The RVC encourages students to disclose at the earliest opportunity if they have any disabilities, learning differences or personal circumstances that may require the RVC to make reasonable adjustments to misconduct processes so that the RVC has sufficient time to consider these requests and implement any agreed adjustments.

24.2. These may include providing information in different formats, providing additional breaks during meetings, or conducting meetings via videoconferencing (for example where students are working/carers and unable to travel).

25. Minor Misconduct Process

25.1. Where the SACC Team determines a report may be considered as minor misconduct they will:

25.1.1. Conduct preliminary enquiries to ascertain the facts surrounding the incident.

25.1.2. Make the reported student aware of the report and ask them to respond with their version of events in writing.

25.1.3. Present their findings to a named Decision Maker to decide on a proportionate outcome.

25.1.4. Communicate the outcome to all parties involved. The level of outcomes will be aligned with the 'Minor' Misconduct Types, Examples and Sanctions Guidance – please refer to section (34).

26. Intermediate Misconduct Process

26.1. Where the SACC Team determines a full investigation is required, a member of the SACC team (or their nominee not directly involved in the details of the case) will be appointed as an Investigating Officer (IO) to undertake an investigation.

26.2. The role of the Investigating Officer (IO) is to gather relevant information regarding the allegations being considered. This can include meeting with the reporting person to fully understand the nature and details of the allegation being made and meeting with the reported student to ensure they understand the allegations made against them, giving them an opportunity to respond.

26.3. The IO may ask the reporting person and/or reported student to provide additional information and/or evidence to support their claims.

26.4. The IO may be also required to interview any identified witnesses who can provide information regarding the incident to help ascertain the facts of the case. Any identified witnesses will be contacted

by the SACC Team to obtain consent to participate in the investigation process before the IO makes direct contact.

26.5. Any student requested to attend an investigation interview may bring a supporter. As these are internal RVC processes, this cannot be a legal representative.

26.6. The supporter may not contribute to the meeting unless asked to do so by the IO. The supporter can be a family member or a member of the RVC community but not a person directly involved in the matter – please refer to the 'General Principles' section (4.13).

26.7. A note taker will be present to take a written account of the investigation interview. The meeting will be recorded for the purpose of accuracy. The recording will be deleted once both the IO and interviewee approve the notes as a non-verbatim record of interview.

26.8. All parties interviewed will be required to complete a Record of Interview Form which may be used in further RVC proceedings.

26.9. The IO may also speak with staff and/or internal teams with relevant expertise to gain general information and insight that may help them better understand the case. It is the responsibility of the IO to ensure that they have received all information and statements required to conclude the investigation process.

26.10. The IO will present their findings and recommendations to the designated Decision Maker, who will consider the report and any evidence. They may decide that further enquiries or information are needed before they can reach a decision and where this is the case, will ask the IO to obtain this information. The Decision Maker may, after taking any advice:

26.10.1. dismiss the allegation, or

26.10.2. find that misconduct did occur, but take no further action, or

26.10.3. find that misconduct did occur and impose an appropriate sanction as per the 'Misconduct Types, Examples and Sanctions Table' section 34, or

26.10.4 decide that the alleged misconduct is such that it should be referred to a Misconduct Panel.

26.11. The SACC Team will review the draft report to ensure fair process has been applied and the penalty imposed is in accordance with the Misconduct Procedure. Any deliberations may involve the Registrar or Deputy Registrar. The IO and/or Decision Maker may be requested to provide further information or conduct an additional investigation if any gaps of enquiry are identified.

26.12. If the outcome is aligned to 26.10 above, then the SACC Team will write to the reported student confirming the outcome, a copy of the investigation report and any supporting evidence to support the final decision.

26.13. Details of a right of review will also be provided to the reported student in the event they have grounds to initiate a Final Formal Review request.

26.14. Any feedback or recommendations identified following the investigation process will be tracked and disseminated to the appropriate teams by the SACC Administrator.

26.15. For any determined outcome, good reason needs to be provided. This should be clearly outlined as to how? and why? the decision by the Decision Maker and/or the Panel was determined.

27. Major Misconduct Process

27.1. The Panel's role is to consider cases where the allegations against the student are serious or where the consequences for the student are severe. The Panel Member's responsibility will be to understand and question the facts to determine an outcome in cases where either:

27.1.1. The reported student has accepted the allegation and is presenting mitigation or

27.1.2. The reported student has rejected the allegation and wishes to present their case.

27.2 Referrals to a Misconduct Panel can be made by:

27.1.2 the Registrar and/or their nominee.

27.1.2 the IO and/or Decision Maker in the investigatory process.

27.3 The SACC Team will convene a Misconduct Panel with membership drawn from a pool of Academic and Professional Services staff and Student Union Representatives, all of whom have undergone training for cases of misconduct.

27.4. The composition of the Panel membership will be:

27.4.1. A Chair.

27.4.2. Two RVC staff members.

27.4.3. RVCSU President or their nominee.

27.4.4. Panel note-taker.

27.5. An External Panel Member from another institution may be appointed in replacement of one member under section (27.3.2) if the case requires expertise which can not be sought from the RVC.

27.6. Members will be appointed based on their academic and/or professional service expertise, gender balance, diversity and independence from the reporting and reported student. No panel member should have any previous connections to the student such as acting as a previous decision maker in a SACC process, or SPD Panel or providing pastoral support e.g. a current academic tutor or supervisor.

27.7. The minimum quoracy of the Panel shall be no less than three members. The Panel note-taker has a non-membership and no casting vote.

27.8. The role of the RVCSU President or their nominee is to ensure there is fair consideration from a fellow student and study perspective.

27.9. The Panel may postpone or adjourn the case at their discretion provided sufficient reasons are given.

28. The Panel Process

28.1. The SACC Team will formally invite the Presenter (role defined under section 4) who is bringing the case to the Hearing and the reported student (role defined under section 4) giving both parties at least 10 calendar days notice of the case being heard by the Panel.

28.2. The formal invitation letter will outline the necessary information to attend (date, time and location of the Hearing), including the allegations being made against the reported student and possible breaches of the expected behaviours.

28.3. Both parties will be required to attend and present their case to the Panel Members.

28.4. The Presenter and the reported student will be given an opportunity to a) declare any named witnesses and b) submit any documentation in support of their case being heard.

28.5. The term ‘witness’ includes any person who is able to offer an informed opinion on the case being heard.

28.6. A named witness can be an RVC student, staff member or former student of the RVC. Named witnesses cannot be a member of the public or a legal representative.

28.7. All named witnesses will be contacted by the SACC Team via email and asked for their consent to participate in the Hearing. Witnesses who opt to not participate will be announced to the Panel by the Panel note taker.

28.8. It is at the discretion of the Chair whether witness participation is provided in the form of a written statement, in person or by video conference. RVC staff members who are called as named witnesses are obligated to attend unless a valid reason for non-attendance is provided.

28.9. Panel Hearings will be held in person as a general practice. The student may attend remotely, provided the arrangement is deemed suitable by the Chair.

28.10. The Presenter will leave the Hearing once their case has been heard and the Panel's line of questioning is complete.

28.11. The purpose of the reported student's attendance will be to present their case and version of events and answer any line of questioning. The reported student will not be allowed to question the witnesses.

28.12. The reported student will remain in the hearing for the duration of the Hearing.
Student non-attendance will be considered in conjunction with 'Attendance and engagement', details outlined in section (22.4).

28.13. The reported student may have a supporter present who can be a friend, a family member and/or a member of the RVC community. The name of the supporter must be declared to the SACC Team at least 5 calendar days before the Hearing.

28.14. The role of the supporter is to be an emotional support to the student but will not be allowed to participate in the Hearing unless invited to do so by the Chair.

28.15. The supporter cannot be any named person who is directly connected to the case.

28.16. Panel members may require a written statement from the reporting student. If required, the reporting student should outline how the incident has directly impacted their learning experience and personal circumstance (s).

28.17. The Panel members and the reported student will receive a copy of the following paperwork within (where applicable) at least 5 calendar days before the date of the Hearing:

- The reporting Misconduct Report Form and any accompanying evidence.
- Full disclosure of the investigatory process (if taken place).
- Any internal evidence or case findings which has come to light and is directly relevant to the case.
- The Presenter's case documentation (if submitted).
- The reported student's case documentation (if submitted).
- The reporting student's impact statement (if required).
- The student's written statement outlining their grounds for a review and documented evidence (where applicable).

29. Panel Outcomes

29.1. The Panel will decide the outcome based on the balance of probability (whether something is more likely than not to have occurred) taking appropriate care to follow the OIA's principles of natural justice: *"Decision makers must come to matters without bias or a reasonable perception of bias; each party must have a fair hearing; the process must be completed without delay; and decision makers must make reasonable decisions and give reasons for those decisions."*

29.2. Post meeting deliberation will be limited to the Panel and Panel note taker only. Notes will be taken but Panel discussion will not be recorded.

29.3. The main consideration under Panel discussion will be to:

- Review, consider and determine the allegations made against the reported student.
- Determine the seriousness of the proven offence(s).
- Apply a sanction with consideration to any relevant aggravating and mitigating factors.
- Consideration of referral to other procedures i.e., SPD process.

29.4 The Panel may impose one or more sanction, taking into account the specific allegations, the particular features of the case, the relevant mitigation brought forward and in certain cases any impact statement provided by the reporting student.

29.5 Sanctions available to the Panel are outlined in the 'Misconduct Types, Examples and Sanctions Table' please refer to section (34).

30 Reconsidering the same offence

30.1 Allegations of misconduct may be reconsidered if new evidence emerges which, for good reason, could not have been obtained at the time of the initial investigation or Hearing.

30.2 The RVC will consider the below factors to determine whether or not it is proportionate to reconsider the same offence in light of new evidence:

30.2.1 The length of time that has elapsed and the effect of this on the reliability of any evidence to be considered.
30.2.2 The severity of the alleged offence.
30.2.3 The impact on the student of undergoing a second disciplinary process.
30.2.4 Whether leaving the matter unaddressed would impact on matters of fitness to practise.

31 Final Formal Review – (Internal Review)

31.1 The student can request a Final Formal Review if they have grounds to believe:

31.1.1 There is new evidence that could not have been, or for good reason was not, made available at the time of the hearing.
31.1.2 Evidence can be produced of significant procedural errors made during the formal complaints process.
31.1.3 Any remedy or outcome proposed as a resolution is manifestly unreasonable.

31.2 Students requesting a Final Formal Review must do so in writing to the Student Appeals, Complaints and Conduct team at FFR@rvc.ac.uk within 14 days of the formal complaint outcome. Full details and process are outlined in the Final Formal Review Procedures.

32 Completion of procedures

32.1 If the RVC determines that an appeal is not justified or that a case is not permitted to proceed under the Final Formal Review Procedures, the RVC will provide a Completion of Procedures Letter to the student within 28 days. This letter will include an explanation of the decision reached.

32.2 A Completion of Procedures letter is required should the student wish to advance a complaint with the Office of the Independent Adjudicator (OIA) for Higher Education regarding the disciplinary procedure. The RVC will usually only issue a Completion of Procedures letter once the disciplinary procedure has concluded and a final decision has been provided to the student.

33 The Office of the Independent Adjudicator (OIA) – (External Review)

33.1 Students who are dissatisfied with the outcome of a Final Formal Review can apply to the OIA for an independent review. Requests for OIA review must be made no later than 12 months after the Final Formal Review decision.

33.2 Further guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website: https://www.oiahe.org.uk/students/can-you-complain-to-us/

33.3 The RVC works in accordance with the OIA's 'Putting Things Right' document when considering appropriate outcomes.

34 Misconduct Types, Examples and Sanctions Table

	Misconduct Type	Examples of unacceptable behaviour	Examples of Sanctions and conditions
Minor infringements	Physical	▪ Physical misconduct not resulting in (or expected to result in) injury, such as pushing, shoving, or pulling of hair. ▪ Physical misconduct that started as 'play' or 'rough housing'.	• Written/verbal warning. • Recommendation to attend RVC Support Services. • Written/ verbal apology.
	Sexual	▪ Making unwanted remarks of a sexual nature. ▪ Non-verbal harassment e.g., sending unwanted emails or messages containing sexual content.	
	Abusive	▪ Threats to hurt another person. ▪ Acting in an intimidating or hostile manner. ▪ Addressing staff or students in an impolite or inappropriate manner. ▪ Use of inappropriate language. ▪ Micro-aggressions against an individual's protected characteristic* that results from ignorance or stereotyping, rather than to be intentionally hurtful.	
	Anti-Social	▪ Repeated use of mobile phones in classes and/or within quiet zones (e.g., the library). ▪ Repeated or deliberate late arrival for appointments and classes. ▪ Noise disturbance either on- or off- campus. ▪ Misuse or damage (through carelessness) to RVC property or that of another person. ▪ Minor infringements of health and safety regulations especially if through ignorance or carelessness, rather than deliberate e.g., blocking a fire escape or covering a smoke alarm.	
	Animal related	▪ Failure to appropriately care for animals through neglect or carelessness (minor, isolated incident not resulting in lasting harm).	
	Internet/social media	▪ Posting images of people or animals without the owner's permission which would not be expected to result in distress or concern to the person/owner. ▪ Posting non-offensive material on internet sites that contain offensive material, or where posting of material might be considered to bring the RVC or the professions into disrepute by association (e.g., pornography sites). ▪ Microaggressions (as described above) via social media.	

	Misconduct Type	Examples of unacceptable behaviour	Examples of Sanctions and conditions
Intermediate infringements	Physical	▪ Repeated minor physical misconduct. ▪ Physical misconduct resulting in transient injury not requiring medical attention, or injury that would not be anticipated (e.g., the victim falls and injures themselves as an indirect consequence) e.g., Inappropriate physical contact to another person such as, punching, kicking, slapping, or biting. ▪ Failure to desist from minor physical misconduct following bystander intervention.	• Written warning. • Written apology. • Second and Final written warning. • Notifying the RVCSU to review and consider the justified outcome against the reported persons involvement with RVCSU social events and/or their RVC representations. • Fine up to £500 and/or a period of repaid time to the RVC. • Referral to a Misconduct Panel to review and consider a more stringent sanction. **Implementation of conditions related to:** • Compulsory attendance at a workshop/ coaching session. • A written reflective essay. • Study i.e., referral to an SPD meeting. • Clinical practice conditions such as a requirement to attend UK only placements.
	Sexual	▪ Repeated minor sexual misconduct. ▪ Verbal harassment such as whistling, catcalling or sexual innuendos. ▪ 'Catfishing' i.e., adopting the identity of someone else to make sexual advances on their behalf. ▪ Initiating or propagating malicious rumours of a sexual nature about another student or staff member. ▪ Sending inappropriate images of a sexual nature. ▪ Posting inappropriate images of a sexual nature online. ▪ Non-verbal harassment e.g., sending unwanted emails or messages containing sexual content. ▪ Disclosing, or threatening to disclose, details of another individual's sexuality without their consent.	
	Abusive	▪ Threats to hurt another person. ▪ Bullying and harassment via any means; this could include publishing offensive material about another person. ▪ Discriminatory, demeaning, abusive or offensive language or comments. ▪ Abusive comments related to an individual's protected characteristic. * ▪ Repeatedly contacting another person (by phone, email, text, or social media) against the wishes of the other person.	
	Anti-Social	▪ Repeated minor or major infringements of noise disturbance either on or off campus. ▪ Deliberate misuse or minor damage of RVC property or that of another individual. ▪ Deliberate/knowing infringements of health and safety regulations, especially those of a more serious nature e.g., removing and damaging of fire preventative equipment. ▪ Driving or operating machinery under the influence of alcohol or other recreational drugs if endangering other RVC staff or students. ▪ Possession of a class B or C drug for personal use. ▪ Covertly recording RVC staff member or another student without their prior consent or permission. ▪ Being dishonest in a student's clinical responsibilities outside of an assessment-based task or environment e.g., documented evidence or suspicion to support a patient report has been doctored or falsified.	

	Animal related	▪ Failure to care for animals resulting in harm where this is non-deliberate (e.g., through ignorance or inexperience)	
	Internet/social media	▪ Repeated minor infringements. ▪ Posting images of people or animals which result (or might reasonably be anticipated to result) in distress or concern to the person/owner. ▪ Inappropriate use of the internet or social media which might cause offence and be regarded as bullying or harassment. ▪ Inappropriate use of personal information.	

	Misconduct Type	Examples of unacceptable behaviour	Examples of Sanctions and conditions
Major infringements	Physical	▪ Possession of a weapon for the purpose of injuring another person. ▪ Repeated intermediate-level physical misconduct. ▪ Inappropriate physical conduct requiring medical attention and/or causing lasting injury. ▪ Pre-meditated physical misconduct.	• Written warning held on the students record. • Written apology • Interruption of study • Suspension of Study • Permanent withdrawal from the programme **Implementation of conditions related to:** • Make permanent or periodic withdrawal of privileges e.g., from out-of-hours facilities, RVCSU social events or representation duties. • A written reflective essay. • Compulsory attendance at a workshop/ coaching session. • Fines for reparation, damage, or loss of belongings/property.
	Sexual	▪ Engaging in a sexual act without consent. ▪ Attempting to engage with a sexual act without consent. ▪ Creating, disclosing, or threatening to disclose nude, sexual, or sexually explicit photos, films, or messages without consent and with intent to cause distress. ▪ Touching another person inappropriately without consent. ▪ Disclosing, or threatening to disclose, details of another individual's sexuality without their consent.	
	Abusive	▪ Repeatedly threatening to hurt another person. ▪ Causing deliberate injury to another person. ▪ Repeatedly acting in an intimidating or hostile manner. ▪ Bullying and harassment of a member of staff via any means; this could include publishing offensive material about another person. ▪ Inappropriate use of internet or social media which could cause offence and be regarded as bullying or harassment or reputational damage to the RVC or an individual. ▪ Repeat offences of discriminatory, demeaning, abusive or offensive language or comments. ▪ Repeat offences of abusive comments related to an individual's protected characteristic. *	

		▪ Repeatedly contacting another person (by phone, email, text, or social media) against the wishes of the other person.	• Fines up to £1000 and/or a period of unpaid time to the RVC.
	Anti-Social	▪ Deliberate infringement of health and safety regulations resulting in injury to self or others, or where this might be reasonably anticipated to occur. ▪ Noise disturbance (either on or off campus) where the impact on others is intolerable. ▪ Deliberate, extensive damage to property belonging to others. ▪ Possession of class A drugs. ▪ Possession of drugs with intent to supply. ▪ Repeat infringement of covertly recording an RVC staff member or another student without their prior consent. ▪ Recurring dishonesty in a student's clinical responsibilities outside of an assessment-based task or environment e.g., documented evidence or suspicion to support a patient report has been doctored or falsified.	
	Animal related	▪ Repeated minor or intermediate level infringements. ▪ Deliberate harm to animals (other than for accepted husbandry or veterinary purposes, such as tail-ringing or neutering for example).	
	Internet/social media	▪ Repeated minor or intermediate level infringements. ▪ Actions causing major reputational damage to the RVC or the professions.	
	Precautionary Measurements	▪ Failure to comply with any of the precautionary measures set by the RVC as part of the Misconduct Procedures.	

***Definition: Having a protected characteristic means you have the right not to be treated less favourably or subjected to an unfair advantage because of that characteristic for example, because of race, gender, sex, sexual orientation, age, religion or belief, disability, gender reassignment, pregnancy or maternity, marriage or civil partnership.**